**ORIGINATING APPLICATION**

[*SUPREME/DISTRICT/MAGISTRATES*] **Delete all but one** COURT OF SOUTH AUSTRALIA

CIVIL JURISDICTION

**Please specify the Full Name including capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable) for each party. Each party should include a party number if more than one party of the same type.**

First Applicant

First Respondent

First Interested Party

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Applicant |  | | | | |
| **Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))** | | | | |
| Name of law firm / solicitor  **If any** |  | | |  | |
| **Law Firm** | | | **Solicitor** | |
| Address |  | | | | |
| **Street Address (including unit or level number and name of property if required)** | | | | |
|  |  |  | |  |
| **City/town/suburb** | **State** | **Postcode** | | **Country** |
|  | | | | |
| **Email address** | | | | |
| Phone Details |  | | | | |
| **Type - Number** | | | | |

**Duplicate panel if multiple Applicants**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Respondent |  | | | |
| **Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))** | | | |
| Address |  | | | |
| **Street Address (including unit or level number and name of property if required)** | | | |
|  |  |  |  |
| **City/town/suburb** | **State** | **Postcode** | **Country** |
|  | | | |
| **Email address** | | | |
| Phone Details |  | | | |
| **Type - Number** | | | |
| Service | [……] Sheriff service requested for this Respondent  **If requested mark with an ‘x’** | | | |

**Duplicate panel if multiple Respondents**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Interested Party |  | | | |
| **Full Name (including Also Known as, capacity (eg Administrator, Liquidator, Trustee) and Litigation Guardian Name (if applicable))** | | | |
| Address |  | | | |
| **Street Address (including unit or level number and name of property if required)** | | | |
|  |  |  |  |
| **City/town/suburb** | **State** | **Postcode** | **Country** |
|  | | | |
| **Email address** | | | |
| Phone Details |  | | | |
| **Type - Number** | | | |
| Service | [……] Sheriff service requested for this Interested Party  **If requested mark with an ‘x’** | | | |

**Duplicate panel if multiple Interested Parties**

|  |
| --- |
| **Application Details**  **Mark appropriate sections below with an ‘x’**  Matter Type:  This is an Application by a minor for [*authorisation for*] [*and*][*consent to*] a proposed marriage to *[name of person whom the Applicant proposes to marry*]*.*  This Application is made under section [*12*][*and*][*16*]of the Marriage Act 1961 (Cth).  The Applicant seeks the following orders:  [……] Authorisation of the proposed marriage  [……] Consent to the proposed marriage  This Application is made on the grounds set out in the accompanying affidavit  sworn by [*full name*] on the day of 20 .  The Applicant is more than 16 and less than 18 years old, having been born on *[date]*.  If impracticable to obtain the Applicant’s Birth Certificate, please specify the reasons:  **Consent**  The consent of [*name and address*], who is [*relationship to applicant*], and [*name and address*], who is [*relationship to applicant*], are required by the Marriage Act 1961 (Cth) to the proposed marriage. |
| [……] Consent to the proposed marriage has been [*given/refused*] by [*name]*.  [……] Consent to the proposed marriage has been [*given/refused*] by [*name*].  [……] On [*date*] the prescribed authority [*Name*]dispensed with the need for consent of [*name*] and[*name*] to the proposed marriage.  [……] On the [*date*] the prescribed authority [*Name*]refused to dispense with the need for the consent of [*name*]and[*name*]to the proposed marriage.  I [*have/have not*] received counselling from a family counsellor in relation to my proposed marriage.  **Previous applications**  [……] An application for authorisation or consent to marry [*name*] has not previously been made.  [……] On [*date*] an application for authorisation [*and consent*] to marry [*name*] was [*granted/refused*] by [*name of Judicial Officer*]. |

|  |
| --- |
| **To the other parties: WARNING**  This Application will be considered at the hearing at the date and time set out at the top of this document.  If you wish to oppose the Application or make submissions about it:   * you **must** **attend the hearing** and * you **must file and serve on all parties a Response within 14 days after service** of the Applicationand * if you wish to rely on any facts in addition to or contrary to those relied on by the party seeking the orders you **must** **file and serve on all parties an Affidavit within 14 days after service** of the Application.   If you do not do so, the Court may proceed in your absence and orders may be made **finally determining** this proceeding (including as to costs) without further warning.  For instructions on how to file a response to an application and how to obtain access to the file, visit https://courtsa.courts.sa.gov.au/?g=node/482. |

|  |
| --- |
| **Service**  The party filing this document is required to serve it on all other parties in accordance with the Rules of Court. |

|  |
| --- |
| **Accompanying Documents**  **Mark appropriate sections below with an ‘x’**  Accompanying service of this Application is a:  [……] Multilingual Notice (mandatory)  [……] Supporting Affidavit (mandatory)  [……] Notice to Respondent Served Interstate (mandatory if address of the respondent or interested party to be served is interstate)  [……] Notice to Respondent Served in New Zealand (mandatory if address of the party to be served is in New Zealand)  [……] Notice to Respondent Served outside Australia (mandatory if address of the party to be served is outside Australia but not in New Zealand)  [……] Applicant’s Birth Certificate (mandatory unless impracticable to obtain) (must be filed and served)  [……] Consent to proposed marriage from person whose consent to the proposed marriage is required under the Marriage Act 1961 (Cth), including any substituted consent from a Judicial Officer (mandatory for each consent given) (must be filed and served)  [……] Translation of consent to proposed marriage (mandatory for consent written in a language other than English) (must be filed and served)  [……] Notice of dispensation given in relation to proposed marriage by a prescribed authority (mandatory if previously given) (must be filed and served)  [……] Decision of prescribed authority refusing dispensation (mandatory if previously given) (must be filed and served)  [……] Certificate signed by a family counsellor (mandatory unless family counsellor not reasonably available)  [……] If other additional document(s) please list them below: |