**APPLICATION TO REGISTRAR – REMISSION OR REDUCTION OF COURT FEES**

[*SUPREME/DISTRICT/MAGISTRATES/ENVIRONMENT, RESOURCES AND DEVELOPMENT*] **Delete all but one** COURT OF SOUTH AUSTRALIA

[*COURT OF APPEAL*] **If applicable**

CIVIL JURISDICTION

[*MINOR CIVIL*] **If applicable**

[*NAME OF LIST*] LIST **If applicable**

**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

|  |  |  |
| --- | --- | --- |
| Lodging Party |  | |
| **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** |

|  |  |
| --- | --- |
| **Application details**  **Mark appropriate sections below with an ‘x’**  The Lodging Party applies to the Registrar for a remission or reduction of court fees under [*identify section and Act*]*.*  This application is made on the grounds of  [ ] poverty. **Complete Parts A and B below**  [ ] other proper reason. **Complete Parts A and C below** | |
| Fee for which remission or reduction sought | [ ] Claim  [ ] Application  [ ] Cross Claim  [ ] Notice of Appeal  [ ] Setting down fee  [ ] Mediation fee  [ ] Trial/Hearing fee  [ ] Transcript  [ ] Other – [*specify*] |
| Fee Amount (if known) | $ |
| How much can you afford to pay? | $ |
| Have you applied for a remission or reduction in fees before? | [ ] No  [ ] Yes  **If yes** [*specify Court, date, action number or parties, fee type*]: |

**Part A Your Details**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Your details** | | | | | |
| 1. Name |  | | | | |
| **Full Name (if the party is a body corporate, name of the owner or owners)** | | | | |
| 2. Address  **If different to address for service** |  | | | | |
| **Street Address (including unit or level number and name of property if required)** | | | | |
|  |  | |  |  |
| **City/town/suburb** | **State** | | **Postcode** | **Country** |
|  | | | | |
| **Email address** | | | | |
| 3. Current occupation |  | | | | |
| 4. Previous occupations  **If different to current  (last 3 years)** |  | | | | |
| 5. Current work | [ ] Employed  [ ] Self-employed  [ ] Partnership  [ ] Other – [*specify*]  [ ] Unemployed  [ ] Pensioner  [ ] Domestic  [ ] Student | | [ ] Employer name/address:  [ ] Self-employed:  **Name of business and address**  [ ] Partnership:  **Name of business and address**  [ ] Other – [*specify details*]  Any Benefits Received:  [ ] Centrelink/Veterans Affairs  [ ] Compensation  [ ] Insurance  [ ] Superannuation  [ ] Maintenance  [ ] Other – [*specify*]  [ ] Nil | | |
| 6. Do you receive any Centrelink/Veterans Affairs payments?  If yes, you must attach your most recent statement showing the amount of payment received. | [ ] Yes  [ ] No | | **If you answered Yes, select the type of payments received**  [ ] Unemployment  [ ] Sickness  [ ] Age  [ ] Disability  [ ] Sole parent  [ ] Widow  [ ] Veterans  [ ] Family Tax Benefit  [ ] Other – [*specify*] | | |

**If you answered Yes to Question 6, you may proceed directly to Part D Affidavit Verifying Information below without answering the questions in between. (If the Court needs further information, you will be contacted)**

**If you answered No to Question 6, complete the further sections below.**

|  |  |  |
| --- | --- | --- |
| 7. Previous work  **If not currently working  (last 3 years)** | [ ] Employed  [ ] Self-employed  [ ] Partnership  [ ] Other – [*specify*]  [ ] Unemployed  [ ] Pensioner  [ ] Domestic | [ ] Employer name/address:  [ ] Self-employed:  **Name of business and address**  [ ] Partnership:  **Name of business and address**  [ ] Other – [*specify details*]  Any benefits received:  [ ] Centrelink/Veterans Affairs  [ ] Compensation  [ ] Insurance  [ ] Superannuation  [ ] Maintenance  [ ] Other – [*specify*]  [ ] Nil |
| 8. Do you have a current spouse/ domestic partner? | [ ] Yes [*provide full name*]:  [ ] No | |
| 9. Do you have a former spouse/de facto/domestic partner to whom you contribute financially? | [ ] Yes [*provide full name*]:  [ ] No | **If you answered Yes:**  I give financial support of $[*amount*] per week. |
| 10. Do you have a former spouse/de facto/domestic partner from whom receive financial contributions? | [ ] Yes [*provide full name*]:  [ ] No | **If you answered Yes:**  I receive financial support of $[*amount*] per week. |
| 11. Do you have children or other dependants or persons on whom you are dependent living in your household? | [ ] Yes [*provide full name and age*]:  [ ] No | **If you answered Yes:**  11A. Does any such person living in your household receive income (other than pocket money)?  [ ] Yes [*provide full name*]:  [ ] No |
| 12. Do you have children or other dependants for whom you contribute financially? | [ ] Yes [*provide full name*]:  [ ] No | **If you answered Yes:**  I give financial support of $[*amount*] per week. |
| 13. Bank where accounts or main account held: |  | |
| 14. Do you have an interest in a family company or trust? | [ ] Yes: [*provide full name and principal activity*]  [ ] No | |

**If you answered Yes to Question 8 above**

|  |  |  |
| --- | --- | --- |
| **Your current spouse/domestic partner’s details** | | |
| 15. Name |  | |
| **Full name** | |
| 16. Current occupation |  | |
| 17. Previous occupations  **If different to current  (last 3 years)** |  | |
| **Occupation** | |
| 18. Current work | [ ] Employed  [ ] Self-employed  [ ] Partnership  [ ] Other – [*specify*]  [ ] Unemployed  [ ] Pensioner  [ ] Domestic | [ ] Employer name/address:  [ ] Self-employed:  **Name of business and address**  [ ] Partnership:  **Name of business and address**  [ ] Other – [*specify details*]  Any benefits received:  [ ] Centrelink/Veterans Affairs  [ ] Compensation  [ ] Insurance  [ ] Superannuation  [ ] Maintenance  [ ] Other – [*specify*]  [ ] Nil |
| 19. Previous work  **If not currently working  (last 3 years)** | [ ] Employed  [ ] Self-employed  [ ] Partnership  [ ] Other – [*specify*]  [ ] Unemployed  [ ] Pensioner  [ ] Domestic | [ ] Employer name/address:  [ ] Self-employed:  **Name of business and address**  [ ] Partnership:  **Name of business and address**  [ ] Other – [*specify details*]  Any benefits received:  [ ] Centrelink/Veterans Affairs  [ ] Compensation  [ ] Insurance  [ ] Superannuation  [ ] Maintenance  [ ] Other – [*specify*]  [ ] Nil |

**If you answered Yes to Question 11A ‘Does any such person living in your household receive income (other than pocket money)?’ above.**

**Please duplicate the box below, one for each named person.**

|  |  |  |
| --- | --- | --- |
| **Other persons living in your household details** | | |
| 20. Name |  | |
| **Full name** | |
| 21. Current occupation  **If any** |  | |
| 22. Current work  **If any** | [ ] Employed  [ ] Self-employed  [ ] Partnership  [ ] Other – [*specify*]  [ ] Unemployed  [ ] Pensioner  [ ] Domestic | [ ] Employer name/address:  [ ] Self-employed:  **Name of business and address**  [ ] Partnership:  **Name of business and address**  [ ] Other – [*specify details*]  Any benefits received:  [ ] Centrelink/Veterans Affairs  [ ] Compensation  [ ] Insurance  [ ] Superannuation  [ ] Maintenance  [ ] Other – [*specify*]  [ ] Nil |

**Part B Your Financial Circumstances**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Income (before tax)** | | $[*amount per week*] | | |
|  |  | Applicant | Spouse/partner | Company/trust (net income after deductible expenses and tax) |
| Income | Wage/Salary | $ | $ |  |
| Self Employed | $ | $ |
| Investments/Dividends | $ | $ |
| Income from Rental Property | $ | $ |
| Pension benefit or allowance (eg. Centrelink, Veterans Affairs benefit) | $ | $ |
| Child Support | $ | $ |
| Superannuation/Insurance payments | $ | $ |
| Other – [*specify*] | $ | $ |
| Total income | | $ | $ | $ |
|  | | |

|  |  |  |
| --- | --- | --- |
| **Household Expenses** | $[*amount per week*] | |
| Expenses | Rent/Board | $ |
| Mortgage | $ |
| Food | $ |
| Household Expenses  **(eg Groceries, cleaning, maintenance)** | $ |
| Health  **(eg Medicine, Chemist, Health Fund)** | $ |
| Clothing | $ |
| Children **(eg nappies, formula, sport, childcare)** | $ |
| Education  **(eg Fees, Books, Uniforms etc).** | $ |
| Energy  **(eg Electricity, Gas, Heating etc)** | $ |
| Phone and Internet | $ |
| Rates  **(eg Council and SA Water)** | $ |
| Insurance  **(eg House, Contents)** | $ |
| Vehicle Expenses  **(eg Fuel, Registration, Maintenance)** | $ |
| Other transport **(eg bus or train fares)** | $ |
| Car Loan | $ |
| Credit Card | $ |
| Other – [*specify*] | $ |
| Total Expenses | | $ |

|  |  |  |
| --- | --- | --- |
| **Household Assets** | | |
| Assets | Real Estate | $ |
| Vehicle | $ |
| Savings | $ |
| Investments | $ |
| Other – [*specify*] | $ |
| Total Assets |  | $ |

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| --- | --- | --- |
| **Household Liabilities** | | |
| Liabilities | Judgment Debts | $ |
| Fines (outstanding with Court) | $ |
| Mortgage | $ |
| Car Loan | $ |
| Credit Card | $ |
| Centrelink | $ |
| Other – [*specify*] | $ |
| Total Liabilities |  | $ |

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| **Other Circumstances** |
| **Any further information in support of the application** |

**Part C Other Proper Reason**

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| --- |
| **Proper Reason** |
| **Details of proper reason relied upon** |

**Part D Affidavit Verifying Information**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Deponent Details** | | | | |
| Deponent |  | | | |
| **Full Name** | | | |
| Address |  | | | |
| **Street Address (including unit or level number and name of property if required)** | | | |
|  |  |  |  |
| **City/town/suburb** | **State** | **Postcode** | **Country** |
|  | | | |
| **Email address** | | | |
| Occupation |  | | | |
| **Occupation** | | | |

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| **Affidavit**  **Mark appropriate section below with an ‘x’**  I, [*full name*], [ ] swear on oath / [ ] do truly and solemnly affirm that:   1. I have read this application for remission or reduction of fees. 2. The facts in the application are true to the best of my knowledge. 3. I have disclosed all relevant financial information. 4. I understand that I may be required to provide further information or evidence to support my application. 5. I understand that it is an offence to provide (or omit) information relevant to this application that is false or misleading.   Deposed by the deponent  At  On  …………………………………………  Signature of deponent  …………………………………………  Name printed  before me ………………………………………………  Signature of attesting witness  ………………………………………….  Printed name and title of witness  **Stamp here if applicable**  ………………………….  Date  ……………………………………..  ID number of witness  **If applicable** |

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| --- |
| **Instructions**   * Each page of the affidavit, including any exhibit(s), must be consecutively numbered starting with page 2. * The affidavit should be confined to facts and should not include submissions. * The affidavit should not reproduce material already contained in affidavits or other material already filed in the matter. It should not exhibit documents already exhibited to affidavits filed in the matter. In both cases it is sufficient to simply refer to such material or documents and the place where they may be found. * An exhibit to an affidavit must be clearly marked to identify it as the exhibit referred to in the affidavit. * A single ‘front page’ must be inserted in front of the exhibits in form 14. * Each page of the affidavit (but not any exhibit) must be signed by both the deponent and the witness. * An affidavit is to be sworn if it is made in this State in accordance with section 6 of the Evidence Act 1929 or, if made elsewhere, in accordance with the law for the taking of oaths or the making of affirmations in that place. * The deponent must swear or affirm the affidavit before a person authorised by law to witness the swearing or affirming of affidavits (‘the witness’). Persons authorised to witness an affidavit are:   (a) a Registrar or Deputy Registrar  (b) any other officer of the Court whom the Registrar has assigned for this purpose;  (c) a public notary;  (d) a commissioner for taking affidavits;  (e) a justice of the peace for South Australia;  (f) any other person authorised by law to take affidavits.   * The contents of an affidavit cannot be altered after the affidavit has been sworn or affirmed. * The party serving an affidavit must serve copies of all exhibits with the affidavit.   If the deponent is illiterate or blind, see rule 31.7(6). If the deponent does not appear to understand English sufficiently, see rule 31.7(7). |