



Additional information to be provided by an applicant seeking assistance under the Overseas Custody (Child Removal) Scheme

Note: This documents sets out the information to be provided by an applicant in addition to completing the Department's Application Form.

Relationship of applicant to child/children

1.1 Relationship of applicant to child/ren: (eg, mother, father, grandparent)

Details of the parents & marriage status

2.1 Mother:

- Surname and first names:
- Date of birth:
- Place of birth:
- Occupation:
- Country of habitual residence:

2.2 Father:

- Surname and first names:
- Date of birth:
- Place of birth:
- Nationality:
- Occupation:

- Country of habitual residence:
- 2.3 Date and place of marriage:
- 2.4 Current marriage status:

Identity of the child/ren

- 3.1 Child No. 1:
- Surname and first name:
 - Date of birth:
 - Place of birth:
 - Country of habitual residence:

- 3.2 Child No. 2:
- Surname and first names:
 - Date of birth:
 - Place of birth:
 - Country of habitual residence:

- 3.3 Child No. 3:
- Surname and first names:
 - Date of birth:
 - Place of birth:
 - Country of habitual residence:

Note: If more than three children are involved, please provide the relevant details for these children on the last page under ‘Other relevant information’.

Circumstances of removal or retention of child/ren overseas

- 4.1 Overseas country or place in which the child/ren are currently living:
- 4.2 Name of person alleged to have removed or retained the child/ren:

4.3 Relationship of that person to the child/ren (eg, mother, father, grandparent):

4.4 Date of and circumstances in which the child/ren were removed from Australia or came to be resident in the overseas country

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4.5 Any existing court orders (either Australian or overseas court orders) relating to the care or custody of the child/ren, copies of which should be attached to this form:

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4.6 Any current proceedings before courts in Australia relating to the care or custody of the child/ren:

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4.7 Whether the applicant has at any time consented or subsequently acquiesced to the retention of the child/ren overseas:

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Details of the overseas proceedings or other action for which financial assistance is sought

5.1 The court and place in which proceedings have been or are proposed to be instituted:

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5.2 Any orders made and other relevant documents filed or proposed to be filed by either party in respect of the overseas proceedings, copies of which should be attached to this form:

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5.3 If proceedings have not been instituted, the evidence proposed or anticipated to be called by the parties:

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5.4 Proposed arrangements for the return of the child:

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Estimated costs

6.1 The estimated cost of the proceedings in the overseas country:

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6.2 If assistance is sought for travel or other non-legal expenses likely to be incurred by the applicant and/or witnesses, the estimated cost of those expenses:

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6.3 Details of efforts by the applicant to minimise any costs (eg, by residing with relatives of friends while in the overseas country):

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6.4 The financial contribution that the applicant is able to make towards the costs:

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Legal opinion from overseas lawyer

7.1 If the overseas country is not a Hague Convention country, an opinion from a lawyer practising in family law in the overseas country in which the proceedings have been or are proposed to be instituted is generally required. This opinion should provide details of:

- The nature of the proceedings that have been or will be taken in the overseas country
- The key issues that will be taken into account by the overseas court
- The evidence likely to be placed before the court by the parties
- The need for the applicant and any witnesses to attend the hearing
- The applicant’s prospects of success in those proceedings
- The estimated costs of the overseas proceedings
- The availability of legal aid in the overseas country

7.2 If the applicant is unable to afford the cost of obtaining an opinion from an overseas legal practitioner, assistance may be granted under the Overseas Custody (Child Removal) Scheme to enable the applicant to obtain such opinion.

Note: The ‘Hague Convention’ refers to the Hague Convention on the Civil Aspects of International Child Abduction.

Other relevant information

8.1 Any other information that the applicant considers relevant to this matter:

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(Signature of applicant)

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