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| CHILDREN, YOUTH AND FAMILIES (CHILDREN’S COURT FAMILY DIVISION) RULES 2017 |
| FORM 35 |
|  |
| Rule 6 |
| **APPLICATION TO VARY OR REVOKE A PERMANENT CARE ORDER**  |
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| **Children, Youth and Families Act 2005** |
| Section 326 |
|  |
|  | Court Reference: |       |
|  |
| Name of Child: |        |
| Gender: |       |  | Date of Birth: |       |
| Address: |       |
|  |
| **Details of the current order** |
|  |
| The Children's Court at [*venue*] |       | on [*date*] |
|       | made a permanent care order conferring parental  |
| responsibility for the child on [*names and addresses of permanent care parents*] |
|       |
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| **Details of this application** |
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| This application is: |
| \*to vary the permanent care order  |
| \*to revoke the permanent care order  |
|  |
| The grounds for the application are [*set out grounds*]: |
|         |
| This application is made by: |
| \*the child |
| \*a permanent care parent of the child |
| \*the Secretary |
| \*the principal officer of an Aboriginal agency |
| \*a sibling of the child [*application to vary the order only*] |
| \*a parent who does not have parental responsibility for the child [*must have leave of the Court to make the application: see Form 36*] |
|  |
| Applicant’s name: |       |
| Applicant’s email: |       |
| Agency [*if applicable*]:  |       |
| Applicant’s [or agency] address:  |       |
| Applicant’s phone: |       |  |
|  |
| Application filed by— |
| \*Legal Representative |
| Name: |       |
| Email: |       |
| Agency/Firm: |       |
| Address: |       |
| Phone: |       |  |
| \*Applicant |
|  |
| Date: |       |  |
| Signature: |       |
|  |
| **Notice to the parties** |
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| **\*To the applicant:** | You must come to the hearing of this application. |
| **To the \*Secretary/ \*principal officer:** | You must come to the hearing of this application. |
| **\*To the child:** | You are not required to come to the hearing of this application unless you wish to do so. |
| **To the non-applicant parent(s) and permanent care parent(s):** | You should come to the hearing of this application. If you do not attend, the Court may proceed to hear and determine the application in your absence. |
| **Details of the hearing** |
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| A hearing of this application will be held at the Children’s Court as follows: |
| Date: |       | Time: |       |  |
| Place: |       |
|  |
|  |
| Issued at [*place*]: |       |  |
| Date of issue: |       |  |
|  |
|  |       |
|  | Registrar |
|  |
| **Note** |
| Pursuant to section 326(1)(b) of the Act, an application made by a parent who does not have parental responsibility for the child to vary or revoke a permanent care order may only be made with the leave of the Court. |
| Under section 326(2A) of the Act, such an application must not be served on the child or the permanent care parents unless the leave of the Court has been granted. |
| Pursuant to section 326(1B) of the Act, an application to vary a permanent care order by a parent who does not have parental responsibility for the child made within 12 months of the making of the permanent care order may only be made on the basis that a contact condition in the order has not been complied with. |
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| \*Delete if not applicable  |