# 186.

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Rule 4(3) FJ(PH)R 2024

## Affidavit in Support of Application for Permission to Commence Proceedings Under Protection from Harassment Act 2014 in the Family Court

|  |  |  |
| --- | --- | --- |
| Originating Application  No. |  |  |
| [Title as in Form 185] | | |
| **AFFIDAVIT** | | |
| I, (*name of applicant)*, the applicant, of do make oath (or affirm) and say as follows: | | |
| |  |  |  | | --- | --- | --- | | |  |  | | --- | --- | | 1. | I am the applicant. | | | | |
| |  |  | | --- | --- | | 2. | The statement(s) of fact which I make in this affidavit which are within my personal knowledge are true. For statements which are not within my personal knowledge, they are true to the best of my knowledge, information and belief. | | | |
| |  |  | | --- | --- | | 3. | I make this affidavit in support of my application to commence certain proceedings under Part 3 the Protection from Harassment Act 2014 (“Act”) (excluding a claim under section 11 of the Act (“PH Proceedings”) in the Family Court. | | | |
| **Section 1 – The PH proceedings which I wish to commence in the Family Court** | | |
| |  |  | | --- | --- | | 4. | [*Specify the applications and relief under the Protection from Harassment Act 2014 you wish to commence in the Family Court*] | | | |
| **Section 2 – Pending family proceedings which are related to the PH proceedings** | | |
| |  |  | | --- | --- | | 5. | [*Specify the pending family proceeding(s) which are related to the abovementioned PH proceedings intended to be commenced in the Family Court*] | | | |
| |  |  | | --- | --- | | 6. | [*State whether the PH proceedings and the pending family proceedings involve any common issues of law or fact, and the extent of such common issues*] | | | |
| |  |  | | --- | --- | | 7. | [*State whether, and to what extent, the rights and reliefs claimed in the abovementioned PH proceedings and the pending family proceedings are in respect of the same conduct or course of conduct*] | | | |
| |  |  | | --- | --- | | 8. | [*In the case where you are the applicant in the pending family proceedings, state whether you have served the originating process for such proceedings on all other parties to those family proceedings, and provide evidence of the same; OR*  *In the case where you are the respondent of the pending family proceeding, state whether you have been served with the originating process for such proceedings, and provide evidence of the same*] | | | |
| **Section 3 – Identity of respondent(s) to the PH proceedings** | | |
| |  |  | | --- | --- | | 9. | [*To state the name and address of the party(s) in the pending family proceedings against whom the abovementioned PH proceedings are intended to be commenced against*] | | | |
| |  |  | | --- | --- | | 10. | [*To state the name and address of all other individuals or entities against whom an order is sought under the abovementioned PH proceedings, if any*] | | | |
| **Section 4 – Just, expeditious, and economical disposal of the PH proceedings** | | |
| |  |  | | --- | --- | | 11. | I verily believe that it will be just, expeditious, and economical for the disposal of the PH proceedings and the pending family proceedings that the abovementioned PH proceeding[s]\* be commenced in the Family Court for the following reasons: | | | |
| |  |  | | --- | --- | | (*a*) | [*state reasons*] | | | |
| Sworn (or affirmed) on [*date*] at [*location*] | | |
| *Before me*  *Commissioner of Oaths / Notary Public\** | | |
| \*Delete where inapplicable. | | |