

20____ G _____

In the Supreme Court of Newfoundland and
General Division

BETWEEN:

APPLICANT

AND:

RESPONDENT

Application for costs exemption

Please note that an application for costs exemption is governed by rule 7.20 – a copy of this rule may be found in the appendix at the end of this form.

The application of _____, requests that the applicant be held exempt from the payment of costs in this proceeding.

If you are submitting an application for fee waiver (in Form 7.19A) at the same time as this application, you do not need to complete PART A. Simply sign this request form below and attach this form to Form 7.19A.

PART A – COMPLETE THIS PART IF YOU WANT THE COURT TO EXEMPT YOU FROM THE PAYMENT OF ANY AWARD OF COSTS THAT MAY BE MADE AGAINST YOU IN THIS PROCEEDING

1. I, _____ am

(please tick one box below)

- in receipt of income support under the *Income and Employment Support Act* and **I have attached documentary support of this to this application.**
- not in receipt of income support.

Please complete the following only if you have answered “not in receipt of income support” for question 1.

2. My annual income for the last three years was:

\$ _____ (Year: _____)

\$ _____ (Year: _____)

\$ _____ (Year: _____)

Please attach documentary support for these figures (Notices of Assessment from the Canada Revenue Agency, pay stubs, etc.) to this application– please note that failure to include this information may result in your application being denied.

3. Please set out details of your monthly expenses:

Please attach documentary support for these figures (bills, etc.) to this application – please note that failure to include this information may result in your application being denied.

4. Please detail the nature of your claim, defense, appeal, etc.

5. Please set out any other information you think the Court should know about your ability to pay a costs award if one was made against you:

**Please attach documentary support for this information to this application—
please note that failure to include this information may result in your
application being denied.**

I, _____, the Applicant, declare the contents of the within application are true to the best of my information and belief.

SWORN TO (OR AFFIRMED) at _____ in the Province of _____ this _____ day of _____, 20_____.

Commissioner of Oaths, Notary Public,
Barrister, etc.

Applicant's signature

Appendix A - Exemption from costs

7.20. (1) A party may apply to the Court, with notice to all other parties, for an order that the party is to pay no costs in the proceeding.

(2) An application pursuant to this rule

(a) shall be in Form 7.20A;

(b) may be accompanied by an affidavit or supporting documents; and

(c) shall be filed no later than 30 days following the close of pleadings.

(3) The Court may allow the application where

(a) the party is unable to afford to pay an award of costs;

(b) the risk of an award of costs being made against the party would prevent the party from advancing a non-frivolous and non-vexatious claim or defense; and

(c) the Court is satisfied that the order would be in the best interests of justice.

(4) An order made pursuant to this rule may be varied if the circumstances of the party change.

(5) An order made pursuant to this rule does not apply to proceedings initiated pursuant to rule 53.