

Form F16A.04C: Affidavit (FOAEAA) - Enforce Parenting, Contact, Custody, or Access Provision (Ex parte)



**In the Supreme Court of
Newfoundland and Labrador
(General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

This affidavit is made in support of an application by a person under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.C.S., 1985, c.4 (2nd Supp.) to assist with the enforcement of a parenting, contact, custody, or access provision.

I, _____, of _____
(Print your name) (City and Province)

swear or affirm that:

1. I, _____, wish to enforce a provision of an order
(Your full name)

related to (check the one that apply):

- parenting;
- contact;
- custody; or
- access.

- 2. I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act*, R.S.C. 1985, c.4 (2nd Supp.) (the "FOAEAA") to request that the court make an order under section 10 of that Act to authorize an official of the court to apply for the release of information under section 12 of that Act for the above-mentioned purpose.
- 3. The application under section 7 of the FOAEAA is made for the following reasons (section 9 of the FOAEAA requires that you set out particulars of the breach and identify the person that is believed to have with them the child or children who is or are the subject of the provision):

a.	
b.	
c.	

4. The information to be requested under section 12 the FOAEAA relates to _____
(Name of the person to whom the requested information relates)

5. Reasonable steps have been taken to locate _____
(Name of the person to whom the requested information relates)

Those steps are:

a.	
b.	
c.	

6. _____ has not been located
(Name of the person to whom the requested information relates)

Paragraphs 7 to 10 must be completed where the Application is being filed by an individual. If applicable, provide details and supporting documentation for paragraphs 8 to 10.

- 7. The sole purpose of the application under section 7 of the FOAEAA is to obtain information to enforce the order related to (check the one that apply):
 - parenting;
 - contact;
 - custody; or
 - access.

8. I (am / am not) subject to :

- any court order, agreement, undertaking or recognizance or any other document of a similar nature restricting communication or contact with

_____ ; and
(Name of the person or children to whom the requested information relates)

- any proceeding restricting communication or contact with

(Name of the person or children to whom the requested information relates)

9. I (have / have not) caused or attempted to cause physical harm to

(Name of the person or children to whom the requested information relates)

or have caused them to fear for their or someone else's safety or security.

10. I (was / was not) charged with or found guilty of an offence against

(Name of the person or children to whom the requested information relates)

11. The information to be requested under section 12 of the FOAEA is necessary to enforce a provision of an order related to (check the one that apply):

- parenting;
- contact;
- custody; or
- access.

12. The information that is being requested for release under section 5(4) of the *Release of Information for Family Orders and Agreements Enforcement Assistance Regulations* (Canada) is as follows:

- The address of the person named in this application
- The name and address of the employer of the person named in this application
- The name and address of the child or children who is or are subject of the provision to be enforced
- The name and address of the employer of the child or children who is or are subject of the provision to be enforced

13. The information will only be used for the purpose identified in this affidavit.

14. I make this affidavit in good faith.

SWORN TO or AFFIRMED at _____, this _____ day of _____, 20____.

Signature

Signature of Person Authorized to Administer Oaths