**Application in an arbitration**

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| Family Law Regulations 2024- Part 3 |

This form is used by a party to an arbitration (or in certain circumstances, the arbitrator) to make an application with respect to an arbitration, including seeking:

* Orders to facilitate the effective conduct of a court ordered arbitration;
* The review of the registration of an arbitral award; or
* An order setting aside an arbitral award.

An arbitrator may use this form to refer a question of law to the Court.

For orders to facilitate the effective conduct of a private arbitration, *Form 7 – Application relating to relevant Property or Financial Arbitration* must be used.

* **If you are a party to the arbitration or the Arbitrator and seeking orders** you can only file this form if the *Family Law Act 1975* (Cth) (Family Law Act), Family Law Regulations 2024 (Cth) (Family Law Regulations) and *Federal Circuit and Family Court of Australia (Family Law) Rules 2021* (Family Law Rules) do not specify that a different form must be used: see Part IIIB-Div 4 ss 13E-13K inclusive of the Family Law Act, Family Law Regulations, Part 3 – Arbitration, andFamily Law Rules, Division 1.2.6.
* **You must file an Affidavit with this application** unless you are the arbitrator referring a question of law to the Court.
* For more information, see *Family Law Practice Direction – Arbitration*.

**Remove this sheet before filing**

**Application in an arbitration**

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| Family Law Regulations 2024- Part3 |
| **Please type or print clearly** and mark [**X**] all boxes that apply. Attach extra pages if you need more space to answer any questions.Filed in:[ ]  Federal Circuit and Family Court of Australia (Division 1)[ ]  Federal Circuit and Family Court of Australia (Division 2)[ ]  Family Court of Western Australia[ ]  Other (specify)       **Filed on behalf of:**Full name       MARK [**X**] IN THE BOX THAT APPLIES TO YOU[ ]  Applicant[ ]  Respondent[ ]  Arbitrator        | **COURT USE ONLY** |
|  | Client ID       File number       Filed on       Court date       Time        |
| **IMPORTANT: Information for respondents to the application is on page 4.** |
|  |  |
| Part A | **About the parties to the arbitration** |
|  | **APPLICANT 1**Family name as used now | **RESPONDENT 1**Family name as used now |
|  |       |  |       |
|  | Given names |  | Given names |
|  |       |  |       |
|  | **APPLICANT 2**Family name as used now | **RESPONDENT 2**Family name as used now |
|  |       |  |       |
|  | Given names |  | Given names |
|  |       |  |       |
|  | What is your contact address (address for service) in Australia? If you give a lawyer’s address, include the name of the law firm. You must also give an email address. | **Respondent’s address** |
|  |       |  |       |
|  |       |  |       |
|  | State       Postcode       |  | State       Postcode       |
|  | Phone       |  | Phone       |
|  | Lawyer’s code       |  |  |
|  | Email       |  |  |
|  |  |  |  |
|  | **If there is a second applicant or second respondent attach a separate sheet answering this question for Applicant 2/Respondent 2.** |

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| Part B | **About the arbitrator**  |
|  | Arbitrator family name | Given names |
|  |       |       |
|  | The contact address (address for service) in Australia for the arbitrator is: |
|  |       |
|  |       |
|  |       | State       | Postcode       |
|  | Phone       |
|  | Email       |
|  | Lawyer’s code (if applicable)       |
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| Part C | **The orders you [**THE APPLICANT/ARBITRATOR**] are seeking** |
|  | State precisely the orders that you are seeking. **[PLEASE NUMBER EACH ORDER SOUGHT]**  |
|  | 1.
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|  | Attach extra pages if you need more space. |

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| Part D | **Certification** |
| I certify that to the best of my knowledge and information, the orders sought in this application are supported by evidence. |
| Part E | **Signature of arbitrator, applicant or lawyer** |
|  |  |  |  |
| Signed |  | Date |
|  |      /     /      |

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| This application was signed by | [ ]  the applicant/s | [ ]  lawyer for the applicant/s |
|  | [ ]  the arbitrator | [ ]  lawyer for the arbitrator |

|  |  |  |
| --- | --- | --- |
| This application was prepared by | [ ]  the applicant/s | [ ]  lawyer for the applicant |
|  | [ ]  the arbitrator | [ ]  lawyer for the arbitrator |
|  |  |  |       |
|  |  |  |       |
|  |  |  | PRINT NAME AND LAWYER’S CODE |

Please go to page 4 for the Important Notices to the Respondent

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| **Important Notices to the Respondent****You should seek legal advice about this application** |

If you oppose the orders sought in this application or want the Court to make different orders **you must**:

* file with the Court a *Response to an Application in an Arbitration*, **and**
* file an affidavit, **and**
* serve a copy of the documents filed on each other party and the arbitrator within seven days (see *Family Law Practice Direction – Arbitration*).

You must attend court on the date shown on page 1 of this form.

If you do not attend court, orders may be made in your absence.

Approved by Chief Justice/Chief Judge pursuant to Rule 15.21 of the Family Law Rules 2021 0425V1