

Application About Enforcement Form 29

Provincial Court Family Court Rules
Rules 135 and 136

COURT STAMP

Registry location:

Court file number:

Document number:

For registry use only

This Application About Enforcement sets out the details of an application to enforce an order in Provincial Court under the Family Law Act or to set aside the registration of a foreign support order under the Interjurisdictional Support Orders Act that a person is applying for.

Please read before completing the form:

- This application is to be used to help enforce an order, filed written agreement or filed determination of parenting coordinator, that a person is not following. The court may impose consequences under the Family Law Act on the person who isn't following the order. It may also be used to apply to set aside the registration of an order from another jurisdiction within 30 days after receiving notice of the registration.
- For guidance filling in this form, please read the guidebook. The guide is available online at www.gov.bc.ca/court-forms or from your local court registry.

i A written agreement, court order from another jurisdiction or determination that is filed in Provincial Court under the Family Law Act is enforceable under the Act as if it were an order of the Provincial Court.

Part 1 | About the parties

1. My full name is:
Full name of party
2. The other party's full name is:
Full name of party/parties

i Copy the party information from a filed document in your case. It should match.

Part 2 | Notice of the application

3. Select whichever option is correct
- ☐ This application is about enforcement under Rule 135. I understand I must give notice of this application to each other party. To give notice, they must be served with the application and supporting documents at least 7 days before the date of the court appearance unless the court allows the application to be made without notice or with less than 7 days' notice.
- ☐ This application is to set aside the registration of a foreign support order under the Interjurisdictional Support Orders Act. I understand I must give notice of this application to the designated authority. To give notice, the designated authority must be served with the application and supporting documents by registered mail at least 30 days before the application is to be heard by the court.

For more information about serving court documents, see the guidebook.

i The Interjurisdictional Support Services is the designated authority in B.C. Further information can be found at isoforms.bc.ca.

Part 3 | About your court appearance

For registry or judicial case manager use only

The application, which requires a court appearance, will be heard by the court

on _____ at _____ a.m./p.m.

☐ in person at _____
date time court location

☐ by another method of attendance, as specified _____
attendance details

i The registry or judicial case manager will work with you to schedule a date for the court appearance and will fill in the actual date and method of attendance on the form. Be prepared to talk about your availability if there are options for dates.

NOTE TO THE OTHER PARTY:

If you do not attend court on the date and time scheduled for the court appearance, the court may make an order in your absence.

You may also **choose to file a written response** in reply to the application in Form 19 Written Response to Application.

Part 4 | Order about enforcement

4. I am **applying for** an order to:

- ☐ enforce the order or filed written agreement made on Date (dd/mmm/yyyy)
- ☐ enforce, change or set aside the filed determination of a parenting coordinator dated (dd/mmm/yyyy)
- ☐ to have reasonable and necessarily incurred expenses set under the following section(s) of the Family Law Act:
 - ☐ section 61 [denial of parenting time or contact]
 - ☐ section 63 [failure to exercise parenting time or contact]
 - ☐ section 212 [orders respecting disclosure]
 - ☐ section 213 [enforcing orders respecting disclosure]
 - ☐ section 228 [enforcing orders respecting conduct]
 - ☐ section 230 [enforcing orders generally]
- ☐ to determine whether arrears are owing under the support order or agreement dated made under the Family Law Act, and if so, the amount of arrears (unpaid support) (dd/mmm/yyyy)
- ☐ to set aside the registration of a foreign order under section 19(3) of the Interjurisdictional Support Orders Act from a reciprocating jurisdiction under the Interjurisdictional Support Orders Act including from a contracting state under the 2007 Hague Child Support Convention

5. ☐ A copy of the order, written agreement or determination I want to enforce is attached to this application (see attached copy).



A party to a foreign order may apply to the BC court to set aside the registration within 30 days after receiving notice of the registration [s. 19 Interjurisdictional Support Orders Act].



You must attach a copy of the order, written agreement or determination to this application for filing.

Part 5 | Details of the order

6. The **details of the order** I am applying for are as follows:

List the specific details of the order(s) you are asking for



For more information about the different enforcement options, see the guidebook.

Part 6 | The facts

7. The **facts** on which this application is based are as follows:

Explain why you are making the application and why the order you are requesting should be made



If you choose to, you can prepare an Affidavit – General in Form 45 to provide evidence in writing to support your application. You can also give spoken evidence in court.

To add more, select the box below and attach a page with the additional information

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8. My address for service of court documents and contact information is:

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