**THE KING'S BENCH (FAMILY DIVISION)**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Centre**

BETWEEN:

Petitioner/Applicant

- and -

Respondent

# AFFIDAVIT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

In support of an order authorizing a court official to request **locate** information for the **enforcement of an order related to parenting, contact, custody or access** pursuant

to section 10 of the *Family Orders and Agreements Enforcement Assistance Act* (Canada)

**SWORN/AFFIRMED:\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

|  |
| --- |
|  |
|  |
|  |

*(name, address, e-mail, and telephone number of party filing)*

**THE KING’S BENCH (FAMILY DIVISION)**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Centre**

BETWEEN:

Petitioner/Applicant

-and-

Respondent

## AFFIDAVIT OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I, , of the City/Town of ,in

*(Full name of affiant)*

the Province of Manitoba,

**SOLEMNLY SWEAR/AFFIRM THAT**:

1. I am seeking to enforce the order related to parenting, contact,

custody, or access pronounced by

*(specify date)*

*(specify Judge, Court, and province/territory/country)*

I have attached a copy of this order as Exhibit “A” to this affidavit.

1. I make this affidavit in support of an application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act* (Canada)

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.

1. The application under section 7 of the *Family Orders and Agreements Enforcement Assistance Act* (Canada) is made for the following reasons:

* 1. I believe that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_has  (Name of the person to whom the requested information relates)

the child/children named in the order with them.

* 1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_has breached

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

the parenting, contact, custody, or access provision(s) of the order as follows:

4. The information to be requested under section 12 of the *Family Orders and Agreements Enforcement Assistance Act* (Canada) relates to

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

*(Name of the person to whom the requested information relates)*

*(Complete paragraphs 5 to 11 if the application is made ex parte (without notice to the other party). Strike out paragraphs 5 to 11 if the application is made with notice to the other party)*

1. Reasonable steps have been taken to locate: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(Name of the person to whom the requested information relates, including the child/children named in the order if information relating to the child/children is also requested)*

Those steps are:

4. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ has not been located.

*(Name of the person to whom the requested information relates)*

1. The sole purpose of the application is to obtain information to enforce an order related to parenting, contact, custody or access.
2. 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

*(name of the person to whom the requested information relates)*

or with the child/children that is/are or may be the subject of the order related to parenting, contact, custody or access;

*(strike out the following if there are no documents restricting communication or contact with the person or with the child or children referred to above)*

I have attached (a copy/copies) of any documents restricting communication or contact with the person or with the child/children referred to above as Exhibit “B” to this affidavit.

1. There (are/are no) proceedings respecting any restrictions referred to in paragraph 10.
2. I (have/have not) caused or attempted to cause physical harm to

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ or to the

*(Name of the person to whom the requested information relates)*

(child/children) that (is/are) or may be the subject of the order related to parenting, contact, custody or access and I (have/have not) caused them to fear for their or someone else’s safety or security.

1. I (have/have not) been charged with or found guilty of an offence

against\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(Name of the person to whom the requested information relates)*

or the child/children that is/are or may be the subject of the order related to parenting, contact, custody or access.

1. The information is necessary to enforce an order related to parenting, contact, custody or access.
2. The information will only be used for the purpose identified in this affidavit.
3. I make this affidavit in good faith.

SWORN (or AFFIRMED)before me )

in \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, Manitoba )

this \_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, \_\_\_\_. )

) Signature of affiant

Deputy Registrar for King’s Bench or

A Commissioner for Oaths in and for

The Province of Manitoba

My Commission Expires: