

# TO APPLY TO RECOGNIZE A CUSTODY OR ACCESS ORDER MADE BY AN EXTRAPROVINCIAL TRIBUNAL

## Rule 16(3)

### Step 1

**COMPLETE** the APPLICATION. Use a typewriter or print clearly and firmly. Make 3 photocopies of the certified copy of the order that you want recognized.



### Step 2

**FILE** the APPLICATION and a certified copy of the custody or access order you want recognized, by taking or mailing them to any registry. Make sure you file 3 photocopies of the order, as well as the original. The staff will apply the registry stamp and assign a file number.



### Step 3

The registry will set a court date and will return the copies you need for your records. A copy of the application and of the certified copy of the order must be served personally on the other party, by leaving a copy with him or her. Any person at least 19 years of age other than yourself can serve the documents.

The purpose of service is to be sure the other party knows what you are asking for and the court date.

However, in special or urgent circumstances, a judge may make an order without notice having been given to the other party. If you are asking a judge to do this, you must be prepared to give evidence that the circumstances require it.

You may ask the registry if you need more information about serving the documents, such as how to apply for permission to use a different method of service, or to seek an order without notice having been given to the other party.

**COURT FILE NO.**

If your order does not yet have a B.C. provincial court file number, registry staff will assign one and will record the court location.



**CASE NAME:**

Copy the parties' names exactly as they appear on the order you want recognized.



**FILED BY:**

You must be sure that the address for service you give is correct because this is where the registry will send any further notices or information to you. If your address changes at any time, you must file a NOTICE OF CHANGE OF ADDRESS and serve a copy of it on the other party. **IMPORTANT NOTE:** *If you do not want the other party to know your residential address, advise the court registry in writing and provide another address at which you can receive information and notices. Failure to accept service at the address provided could result in a final order being made in your absence.*



**NOTICE TO:**

Provide the name, address and telephone number of the other party. You may also include a fax number if you know it. Include even if the other party will not be given notice of this application.



Date and Court location of the order that was made by a court outside British Columbia



**I ASK FOR THE FOLLOWING:**

Check the appropriate box(es) for what you are asking for in this application.



**Sign** your name and state today's date.





# APPLICATION TO RECOGNIZE A CUSTODY OR ACCESS ORDER MADE BY AN EXTRAPROVINCIAL TRIBUNAL

In the Provincial Court of British Columbia

Court File Number:
Court Location:

**Case name**  
as it appears on the application.

**In the case between:**  
 APPLICANT'S NAME \_\_\_\_\_

**And:**  
 RESPONDENT'S NAME \_\_\_\_\_

**Applicant's current address for service.**

**Filed by:**

NAME	APPLICANT/CREDITOR		
ADDRESS	CITY		
PROVINCE	POSTAL CODE	PHONE	FAX

**Respondent's address.** Include even if the respondent will not be given notice of this application.

**Notice to:**

NAME	RESPONDENT/DEBTOR		
ADDRESS	CITY		
PROVINCE	POSTAL CODE	PHONE	FAX

**What is the applicant asking for in this application?** Check the appropriate box(es).

An order was made on DATE at COURT LOCATION

**I ask for the following:**

recognition of a custody order made outside British Columbia.  
A certified copy of the custody order is attached.

recognition of an access order made outside British Columbia.  
A certified copy of the access order is attached.

Dated DATE \_\_\_\_\_

\_\_\_\_\_  
Applicant's lawyer

\_\_\_\_\_  
Signature

APPLICATION TO RECOGNIZE A CUSTODY OR ACCESS ORDER MADE BY AN EXTRA PROVINCIAL TRIBUNAL

Complete this affidavit if personal service was successful.

If you served the application on the back of this page together with another document(s), you need to complete only one affidavit of personal service, listing all documents served on the person named.

Check box(es) for each document served, and name the document. Make sure you mark each attached document with the correct Exhibit letter.

If you must make a correction, or cross anything out, please initial.

This section must be sworn or affirmed before a Commissioner for Taking Affidavits.

# AFFIDAVIT OF PERSONAL SERVICE (FORM 5)

In the Provincial Court of British Columbia

I swear or affirm that I \_\_\_\_\_  
NAME OCCUPATION

of \_\_\_\_\_ personally served \_\_\_\_\_  
ADDRESS NAME OF PERSON SERVED

on \_\_\_\_\_ at \_\_\_\_\_  
DATE ADDRESS

with a copy of the following documents:

- the application on the back of this page
- EXHIBIT " \_ " \_\_\_\_\_
- EXHIBIT " \_ " \_\_\_\_\_
- EXHIBIT " \_ " \_\_\_\_\_
- EXHIBIT " \_ " \_\_\_\_\_

The party was identified to me in this manner:

- I know the person
- He/she admitted to being this person.
- Other (specify) \_\_\_\_\_

Sworn or affirmed before me

at \_\_\_\_\_ British Columbia  
DATE  
on \_\_\_\_\_  
Signature

\_\_\_\_\_

A Commissioner for Taking Affidavits for British Columbia

Complete this affidavit if you served the application by mail, by fax or by substituted service.

If you served the application on the back of this page together with another document(s), you need to complete only one affidavit of service, listing all documents served on the person named.

Check appropriate box(es) for each document served and name the document. Make sure you mark each attached document with the correct Exhibit letter.

If you must make a correction, or cross anything out, please initial.

This section must be sworn or affirmed before a Commissioner for Taking Affidavits.

# AFFIDAVIT OF SERVICE (FORM 13)

In the Provincial Court of British Columbia

I swear or affirm that I \_\_\_\_\_  
NAME OCCUPATION

of \_\_\_\_\_ served \_\_\_\_\_  
ADDRESS NAME OF PERSON SERVED

on \_\_\_\_\_ at \_\_\_\_\_  
DATE ADDRESS

with a copy of the following documents:

- |                          | Name of document                         |
|--------------------------|--|
| <input type="checkbox"/> | the application on the back of this page |
| <input type="checkbox"/> | EXHIBIT " _ " _____                      |
| <input type="checkbox"/> | EXHIBIT " _ " _____                      |
| <input type="checkbox"/> | EXHIBIT " _ " _____                      |
| <input type="checkbox"/> | EXHIBIT " _ " _____                      |

The party was served in this manner:

- Fax (attach a copy of Form 10)
- Mail
- By substituted service as ordered by the court.

Sworn or affirmed before me

at \_\_\_\_\_ British Columbia  
DATE  
on \_\_\_\_\_  
Signature

\_\_\_\_\_

A Commissioner for Taking Affidavits for British Columbia