



**THE GUARDIANSHIP (INTERNATIONAL CHILD ABDUCTION)  
(FORMS) RULES 1991**

---

CATHERINE A. TIZARD, Governor-General

ORDER IN COUNCIL

At Wellington this 1st day of July 1991

Present:

HER EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 32 (4) of the Guardianship Act 1968, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following rules.

---

RULES

**1. Title and commencement**—(1) These rules may be cited as the Guardianship (International Child Abduction) (Forms) Rules 1991.

(2) These rules shall come into force on the 1st day of August 1991.

**2. Forms**—(1) Every application under section 9 (1) of the Guardianship Amendment Act 1991 shall be in form 1 in the Schedule to these rules.

(2) Every application under section 19 (1) of the Guardianship Amendment Act 1991 shall be in form 2 in the Schedule to these rules.

---

Rule 2

SCHEDULE

FORMS

Rule 2 (1)

Form 1

APPLICATION IN ACCORDANCE WITH THE HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION FOR THE RETURN OF A CHILD ABDUCTED FROM NEW ZEALAND
Section 9 (1), Guardianship Amendment Act 1991

REQUESTING CENTRAL AUTHORITY OR APPLICANT:..... REQUESTED AUTHORITY:.....

This application concerns the following child: [Insert full name of child to whom application relates], who will attain the age of 16 years on ..... 19.....

NOTE: The following particulars should be completed in full where possible.

I—IDENTITY OF THE CHILD AND ITS PARENTS:

1. Child

Name and first names: .....
Date and place of birth: .....
Habitual residence before removal or retention: .....
Passport number or identity card number, if any: .....
Description (and attach a photograph, if possible): .....

2. Parents

(a) Mother: Name and first names: .....
Date and place of birth: .....
Nationality: .....
Occupation:.....
Habitual residence: .....
Address: .....
Passport number or identity card number, if any: .....

(b) Father: Name and first names: .....
Date and place of birth: .....
Nationality: .....
Occupation:.....
Habitual residence:.....
Address: .....
Passport number or identity card number, if any:.....

(c) Date and place of marriage\*: .....

\* If never married, state "Not married".

SCHEDULE—continued

FORMS—continued

Form 1—continued

II—REQUESTING INDIVIDUAL OR INSTITUTION (who actually exercised custody before the removal or retention):

Name and first names:.....  
 Nationality of individual applicant:.....  
 Occupation of individual applicant:.....  
 Address: .....  
 Passport number or identity card number, if any: .....  
 Relationship to the child:.....  
 Name and address of legal adviser, if any:.....  
 .....

III—PLACE WHERE THE CHILD IS THOUGHT TO BE:

1. Information concerning the person alleged to have removed or retained the child:

Name and first names:.....  
 Date and place of birth, if known: .....  
 Nationality, if known: .....  
 Occupation: .....  
 Last known address:.....  
 Passport number or identity card number, if any: .....  
 Description (and attach a photograph, if possible): .....  
 .....

2. Address of the child: .....

3. Other persons who might be able to supply additional information relating to the whereabouts of the child:

[Give full name and address, if possible.]  
 .....  
 .....  
 .....  
 .....

IV—TIME, PLACE, DATE, AND CIRCUMSTANCES OF THE WRONGFUL REMOVAL OR RETENTION:

.....  
 .....  
 .....  
 .....

SCHEDULE—continued

FORMS—continued

Form 1—continued

V—FACTUAL OR LEGAL GROUNDS JUSTIFYING THE REQUEST:

.....  
.....  
.....  
.....  
.....

VI—CIVIL PROCEEDINGS IN PROGRESS:

.....  
.....  
.....  
.....

VII—CHILD IS TO BE RETURNED TO:

- 1. Name and first names:.....  
 Date and place of birth:.....  
 Address:.....  
 Telephone number:.....
  - 2. Proposed arrangements for return of the child: .....
- .....  
.....  
.....

VIII—OTHER REMARKS:

.....  
.....  
.....  
.....

IX—LIST OF DOCUMENTS ATTACHED:

The following documents are attached:

- \*(a) Certified copy of relevant decision or agreement concerning custody or access:
- \*(b) Certificate or affidavit as to the applicable law:
- \*(c) Information relating to the social background of the child:
- \*(d) Authorisation empowering the Central Authority to act on behalf of the applicant:

SCHEDULE—continued

FORMS—continued

Form 1—continued

- \*(e) Photograph of the child:
\*(f) Photograph of the person alleged to have removed or retained the child:
\*(g) Other (specify).
\* Delete whichever is not applicable.

Date .....
Place .....

Signature (or stamp, or both) of the requesting Central Authority or applicant
.....

Form 2

Rule 2 (2)

APPLICATION TO SECURE EFFECTIVE EXERCISE OF RIGHTS OF ACCESS IN ACCORDANCE WITH THE HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION
Section 19 (1), Guardianship Amendment Act 1991

REQUESTING CENTRAL AUTHORITY OR APPLICANT:.....
REQUESTED AUTHORITY:.....

This application concerns the following child: [Insert full name of child to whom application relates], who will attain the age of 16 years on ..... 19.....

NOTE: The following particulars should be completed in full where possible.

I—IDENTITY OF THE CHILD AND ITS PARENTS:

1. Child

Name and first names: .....
Date and place of birth: .....
Habitual residence: .....

Passport number or identity card number, if any: .....
Description (and attach a photograph, if possible): .....

2. Parents

(a) Mother: Name and first names: .....
Date and place of birth: .....
Nationality: .....
Occupation:.....
Habitual residence: .....
Address: .....
Passport number or identity card number, if any: .....

SCHEDULE—continued

FORMS—continued

Form 2—continued

(b) Father: Name and first names: .....
Date and place of birth: .....
Nationality: .....
Occupation: .....
Habitual residence: .....
Address: .....
Passport number or identity card number, if any: .....

(c) Date and place of marriage\*: .....

\* If never married, state "Not married".

II—REQUESTING INDIVIDUAL OR INSTITUTION:

Name and first names: .....
Nationality of individual applicant: .....
Occupation of individual applicant: .....
Address: .....
Passport number or identity card number, if any: .....
Relationship to the child: .....
Name and address of legal adviser, if any: .....

III—PLACE WHERE THE CHILD IS THOUGHT TO BE:

1. Information concerning the person alleged to have prevented the exercise of rights of access or denied the enjoyment of access:

Name and first names: .....
Date and place of birth, if known: .....
Nationality, if known: .....
Occupation: .....
Last known address: .....
Passport number or identity card number, if any: .....
Description (and attach a photograph, if possible): .....

2. Address of the child: .....

3. Other persons who might be able to supply additional information relating to the whereabouts of the child:

[Give full name and address, if possible.]

.....
.....
.....
.....
.....

SCHEDULE—continued

FORMS—continued

Form 2—continued

IV—CIRCUMSTANCES RELATING TO THE PREVENTION OF EXERCISE OF RIGHTS OF ACCESS:

.....  
.....  
.....  
.....

V—FACTUAL OR LEGAL GROUNDS JUSTIFYING THE REQUEST:

.....  
.....  
.....  
.....

VI—CIVIL PROCEEDINGS IN PROGRESS:

.....  
.....  
.....  
.....

VII—PROPOSED ARRANGEMENTS TO SECURE EXERCISE OF RIGHTS OF ACCESS:

.....  
.....  
.....  
.....

VIII—OTHER REMARKS:

.....  
.....  
.....  
.....

SCHEDULE—continued

FORMS—continued

Form 2—continued

IX—LIST OF DOCUMENTS ATTACHED:

The following documents are attached:

- \*(a) Certified copy of relevant decision or agreement concerning custody or access:
  - \*(b) Certificate or affidavit as to the applicable law:
  - \*(c) Information relating to the social background of the child:
  - \*(d) Authorisation empowering the Central Authority to act on behalf of the applicant:
  - \*(e) Photograph of the child:
  - \*(f) Photograph of the person alleged to have prevented the exercise of rights of access or denied the enjoyment of access:
  - \*(g) Other (*specify*).
- \* Delete whichever is not applicable.

Date .....

Place .....

Signature (*or stamp, or both*) of the requesting Central Authority or applicant

.....

MARIE SHROFF,  
Clerk of the Executive Council.

EXPLANATORY NOTE

*This note is not part of the rules, but is intended to indicate their general effect.*

These rules, which come into force on 1 August 1991, prescribe the forms to be used for the purposes of applications made under section 9 or section 19 of the Guardianship Amendment Act 1991.

Section 9 of that Act relates to applications for the return of a child abducted from New Zealand.

Section 19 relates to applications for the effective exercise of rights of access in respect of a child resident outside New Zealand.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 4 July 1991.

These rules are administered in the Department of Justice.