In the Family Court Case No: [***Case number***]

Sitting at [***Court name***]

# [The [*name of statute*] Act [*year*]] /

# [The Family Procedure Rules 2010 Practice Direction 6C] /

# [The Family Procedure Rules 2010 Practice Direction 29C]

# The [Marriage] / [Civil Partnership] / [Relationship] / [Family] of [*applicant name*] and [*respondent name*]

**(Adapt as necessary)**

After hearing [*name the advocate(s) who appeared*]

After consideration of the documents lodged by the applicant

After reading the statements and hearing the witnesses specified below

**DISCLOSURE ORDER MADE BY [*NAME OF JUDGE*] ON [*DATE*] SITTING IN PRIVATE**

## The parties

1. The applicant is [*applicant* *name*]

The [first] respondent is [*respondent name*]
[The second respondent is [*respondent name*]]
[The third[*etc*] respondent is [*respondent name*]]
[The intervener is [*intervener name*]]
**(Specify if any party acts by a litigation friend)**

## Recitals

1. An application has been made by [*applicant name*] for a disclosure order against [HMRC] / [the Secretary of State for [*insert* **(e.g. work and pensions, transport, health, education)**]].
2. The information is sought from [*specify* **(e.g. the relevant department, body or agency within the ministry in question from which the information is sought)**].
3. The reason that such an order has been sought is: [*insert* **(e.g. ‘a financial provision order is in existence, but cannot be enforced because the person against whom the order has been made cannot be traced’ or ‘the applicant [applicant name] has filed or issued an application for a financial remedy which cannot be served because the [respondent] cannot be traced’ – adapt as necessary)**]
4. The application is made pursuant to the Family Procedure Rules 2010 Practice Direction 6C [and] / [or] to the inherent jurisdiction of the High Court [[and] / [or] the Family Procedure Rules 2010 Practice Direction 29C].
5. This order was made at a hearing without notice to the respondent. The reason why the order was made without notice to the respondent was [*set out*].
6. The judge read the following affidavits/witness statements [*set out*] and heard oral testimony from [*name*].

**Undertakings to the court by the applicant’s solicitor [*name of solicitor*] on behalf of themself and their partners in the firm [*firm name*] (delete if information is to be disclosed to the court)**.

**You may be held to be in contempt of court and imprisoned or fined, or your assets may be seized, if you break the promises that you have given to the court.**

**If you fail to pay any sum of money which you have promised the court that you will pay, a person entitled to enforce the undertaking may apply to the court for an order. You may be sent to prison if it is proved that you –**

**a. have, or have had since the date of your undertaking, the means to pay the sum; and**

**b. have refused or neglected, or are refusing or neglecting, to pay that sum.**

I understand the undertakings that I have given, and that if I break any of my promises to the court I may be sent to prison for contempt of court.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[*applicant solicitor’s firm name*] [*date*]

1. The applicant’s solicitor shall use any information received by them as a consequence of this order solely for the purposes of (i) assisting in the location of the respondent [*respondent name*]; and (ii) in the conduct of these proceedings.
2. The applicant’s solicitor shall not to disclose any information received by them as a consequence of this order to [*name*].
3. The applicant’s solicitor shall keep any record of information received by them as a consequence of this order in a separate file marked confidential and with a note that its contents are subject to undertakings to the court and not to copy or provide that information to others save for the purposes (i) assisting in the location of the respondent [*respondent name*]; and (ii) in the conduct of these proceedings.
4. The applicant’s solicitor shall obtain a written undertaking in the terms of the first two undertakings given by them above from any person provided with information received by them as a consequence of this order.

IT IS ORDERED THAT:

1. [HMRC] / [The Secretary of State for [*specify the Ministry*]] (acting by their delegated official at the [*specify the relevant department or body within the Ministry*]) shall disclose, in writing, as soon as practicable to [an officer of this court namely [*specify* *the officer giving address*]] / [the applicant’s solicitor [*name of solicitor*] (whose direct telephone number is [*number*] and whose email address is [*email address*])] the following information:
	1. the current or last known address[es] of the respondent [*respondent name*] (whose details are provided on the attached form);
	2. [*etc*].

**(Adapt as appropriate)**

1. **(for orders made against hmrc where the proceedings have not already been commenced in or transferred to the high court)** [The application for this order is transferred to the High Court pursuant to FPR 29.17(3)(b) and PD 29C. Otherwise, the proceedings shall remain in the Family Court.]
2. [HMRC] / [The Secretary of State for [*specify the Ministry*]] shall not disclose the content of this order, or any action they take pursuant to it, to [*name*].
3. [HMRC] / The [Secretary of State for [*specify the Ministry*]] may apply to vary or discharge this order upon 24 hours’ notice.
4. **(Where the disclosure is to be made to the court)** Any information received by the court under this order:
	1. [will be confidential to the court and may not be disclosed to the parties without permission of the court] / [may be disclosed to the parties];
	2. may be used only for the purposes of locating [*name*], [*name*] and [*name*].

**(Adapt as appropriate)**

1. Costs reserved.

Dated [*date*]

**Court request for information**

**Please note that all information provided in this form will be forwarded to the relevant department**

# [The [*name of statute*] Act [*year*]] /

# [The Family Procedure Rules 2010 Practice Direction 6C] /

# [The Family Procedure Rules 2010 Practice Direction 29C]

# The [Marriage] / [Civil Partnership] / [Relationship] / [Family] of [*applicant name*] and [*respondent name*]

**(Adapt as necessary)**

|  |  |
| --- | --- |
| 1 | Surname: |
| 2 | Forenames in full: |
| 3 | National Insurance number: |
| 4 | Female/Male (please tick) □ Female □ Male |
| 5 | Date of birth (or, if not known, approximate age): |
| 6 | Last known address, with date when living there: |
| 7 | Any other known address(es) with dates: |
| 8 | If the person sought is a war pensioner, his/her war pension and service particulars: |
| 9 | The exact date of the marriage (or civil partnership): |
| 10 | Any previous names: |