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



**sitting at [*Court name*]**

**The Arbitration Act 1996 section 9**

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

**(Adapt as necessary)**

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

After consideration of the documents lodged by the parties

**(In the case of an order made without notice)** After reading the statements and hearing the witness(es) specified in the Recitals below

**ORDER MADE BY [*NAME OF JUDGE*] ON [*DATE*] SITTING IN [OPEN COURT] / [PRIVATE]**

**The Parties**

1. The applicant is [*applicant name*]

The respondent is [*respondent name*]

[The second respondent is [*name*]]

**(Specify if any party acts by a litigation friend)**

**Definitions**

1. IFLA is the Institute of Family Law Arbitrators.
2. Form ARB1FS is the arbitration agreement signed by the parties of which a copy has been lodged with the court.
3. The arbitration is an arbitration which is to be conducted in accordance with the rules of the IFLA arbitration scheme.

**Recitals**

1. **(In the case of an order made without notice)**
   1. 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*].
   2. The Judge read the following affidavits/witness statements [*set out*] and heard oral testimony from [*name*].
2. **(In the case of an order made following the giving of short informal notice)**

This order was made at a hearing without full notice having been given to the respondent. The reason why the order was made without full notice having been given to the respondent was [*set out*].

1. The [applicant] / [respondent] has applied to this court for financial remedies.

**Agreements**

1. By their Form ARB1FS the parties have agreed to refer to arbitration the issues described in it which include some or all of the financial remedies for which applications are pending in this court.

**Undertakings to the court**

1. [*Set out*]

**IT IS ORDERED (BY CONSENT) THAT:**

1. The pending application[s] for financial remedies [is] / [are] stayed pending receipt of the award in the arbitration (or until the parties may reach agreement in respect of the arbitration issues).
2. Upon receipt of the award (or upon reaching agreement) either party may in a form agreed with the other seek an order of this court to give effect to the award (or their agreement).
3. **(Or if the parties cannot reach agreement upon the form of an order to give effect to the award)** Failing agreement between the parties as to the form of an order to give effect to the award either party may apply for the other to show why an order should not be made in the terms of the draft proposed.
4. Any application under either of the preceding 2 paragraphs shall be lodged together with a copy of the award, Form(s) D81 and with a draft of the order which the court is requested to make.
5. **(Provision for the costs of the stay application)**
6. Dated [*date*]

**(Where undertakings have been given)**

**Notice pursuant to PD 37A para 2.1**

You [*applicant name*], and you [*respondent name*], may be sent to prison for contempt of court if you break the promises that have been given to the court

**Statements pursuant to PD 37A para 2.2(2)**

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

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[*applicant name*]

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

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[*respondent name*]