

**Form 38****Application for variation or setting aside of Protection Order**

[Regulation 30]

SECTION 10(1) OF THE DOMESTIC VIOLENCE ACT, 1998 (Act No. 116 of 1998)

(A copy of this Form must be forwarded to the other party)

**IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF  
HELD AT APPLICATION NO****In the matter between:****APPLICANT:****(\*ID.No./Date of Birth: )****AND****RESPONDENT****(\*ID.No./Date of Birth: )****\* Delete whichever is not applicable.****PART A: AFFIDAVIT (To be completed by applicant)****1. PARTICULARS OF APPLICANT**

Surname:

Full names:

ID No./Date of birth:

Home or temporary address:

Home/contact telephone  
number:

Work address:

Work telephone number:

**2. PARTICULARS OF RESPONDENT**

Surname:

Full names:	
Id. No/Date of birth:	
Home address:	
Home/contact telephone number:	
Work address:	
Work telephone number:	
<b>3. PARTICULARS OF PROTECTION ORDER</b>	
A protection order was granted on	(Date)
In the Magistrate's Court at	
Against:	(Name of Respondent in the protection order)
<b>4. APPLICATION REGARDING PROTECTION ORDER</b>	
I wish to apply for:	*(a) The setting aside of the above-mentioned Protection Order
	*(b) The variation of the Protection Order as follows: ..... ..... ..... ..... ..... ..... ..... .....
The reasons for my request are as follows:	..... ..... ..... ..... ..... ..... ..... .....
_____	_____
<b>Signature of Deponent</b>	<b>Date</b>

**PART B: CERTIFICATION**

**(for official use)**

I hereby certify that before administering the \*oath/taking the affirmation I asked the Deponent the following questions and noted the Deponent's answers in the Deponent's presence as indicated below:

(a) Do you know and understand the contents of the above declaration?

Answer .....

(b) Do you have any objection to taking the prescribed oath?

Answer .....

(c) Do you consider the prescribed oath to be binding on your conscience?

Answer .....

I hereby certify that the Deponent has acknowledged that the Deponent knows and understands the contents of this declaration which was \*sworn to/affirmed before me, and the Deponent's \* signature/thumb print/mark was placed thereon in my presence.

Sworn to/affirmed at ..... this ..... day of .....20 .....

**Justice of the Peace/Commissioner of Oaths**

Full names: .....

Designation: .....

Area for which appointed: .....

Work address: .....

.....

.....

**(\*Delete whichever is not applicable)**