

NOTICE OF RELOCATION FORM

Two (2) versions of this form are available: a print friendly version in PDF format and a web friendly version.

1. **Print friendly in PDF format:** You can use the PDF version if you want to be able to save your progress on your own computer as you go.
Once you save it on your computer, you can go back to the document as many times as you want to make changes. You can print it later when you are ready.
You can also print a blank form and fill it in by hand.
2. **Web friendly version:** You can use this version if you want to complete the form on the web page and print it out right away. This web page may also be used by those requiring support from a screen reader.

Important notes:

- **You cannot save information in this web page and come back to it later.** The Department of Justice does not collect or keep any of this information.
- **If you close your browser tab or your browser before printing it, your information will be lost.**

Instructions for using this form

The *Divorce Act* has rules about giving notice about plans to move. When you have a court order under the *Divorce Act* for parenting responsibilities for a child (which means that you have an order giving you custody, access, parenting time or decision-making), you will have to give notice if you plan to move.

You need to give notice if you are planning to 1) move your child or 2) move away from your child.

If the move would affect the child's relationships with you or others in a significant way, the *Divorce Act* says that this is a "**relocation**." A relocation generally means the parenting time schedule for the child will no longer work because of the move.

There are specific rules in the *Divorce Act* about giving notice about a relocation. If your move would be a relocation, you can use this form to notify everyone who is entitled to notice.

There are some situations in which giving notice might not be appropriate or safe, like when there is a risk of family violence. A court can make an order that says that you don't have to give notice or changes what you have to do.

For more information about the notice requirements under the *Divorce Act*, please consult the Fact sheet: [Moving after separation or divorce](#).

INSTRUCTIONS:

1. You must give notice to everyone who has a *Divorce Act* order giving them:
 - 1) parenting responsibilities for your child(ren) (custody, access, parenting time or decision-making) or
 - 2) contact with your child(ren) under a contact order (contact orders may be made for someone other than a spouse or former spouse, such as a grandparent).
2. You must provide notice to them **at least 60 days** before the date you expect to relocate.
3. If you are planning to relocate your child(ren), anyone with parenting responsibilities for your child(ren) can object to the move. They can object by either 1) completing an Objection to Relocation form or 2) applying to a court. They have to object within 30 days of receiving your notice.
4. A person with a contact order cannot object to your child(ren)'s relocation.
5. If you receive an **Objection to Relocation** form or a court application opposing the relocation has been filed, **you cannot relocate the child(ren) until a court makes an order allowing the move.**
6. If you do not receive an objection to the relocation of your child(ren) within 30 days after giving your notice, you may go ahead with the move on or after the date you indicated in your notice, as long as there is no court order saying the move cannot happen.
7. If you are relocating without your child(ren), you still have to provide the same notice, but no one can object to your relocation.
8. You can use the same form for more than one child.
9. You can complete one form to send to everyone entitled to notice or a separate form for each person.
10. It is a good idea to attach a copy of your most recent parenting order to your notice. This will help to make sure everyone has the same information about current parenting arrangements. If the most recent parenting order does not reflect your child(ren)'s current schedule, you may also want to attach a description of their current schedule.
11. **It is important that you be able to show that 1) you provided the notice to everyone who is entitled to notice and 2) they actually received it.**

Remember, a person with parenting responsibilities can object to a child's relocation up to 30 days after receiving the notice, so it is important to know when they received it. Also, if you go to court, the judge will want to see proof that you followed all of the requirements for providing notice. When a judge is deciding whether to allow a child's relocation, one of the things they have to consider is whether you met all the notice requirements.

As long as you do it in **writing**, there are many ways that you can give notice. Here are few examples:

- **Email:** If you send the notice by email, you may be able to use the "read receipt" function in your email program. You can also ask the person to send you an email confirming they have received it. If you don't get an email confirming they have received it, then you may want to give notice by another method.
- **Mail or courier:** A person working at a post office can tell you how to send a document with proof that it has been delivered. Courier services also offer options for tracking deliveries. If you can't get proof of delivery, then you may want to give notice by another method.
- **In person:** You can deliver the notice in person and keep a record of the date, time and address, along with the name of the person you gave the notice to. It is a good idea to have someone come with you and be a witness.
If you are not comfortable delivering it yourself in person, you could ask someone else to deliver it for you and keep a record of the delivery details, such as the date, time and address, along with how they know the person they gave the notice to.
- You can also use a **process server** to deliver the notice. A process server is someone you can pay to give documents to another person, and they will provide you with proof that they delivered the documents. If you search online for "process server" and the name of your community, you will find the contact information for local process servers.

The way you choose to give notice may depend on your relationships with the people who need to get it. For example, if you are worried about being able to show a court that you gave notice, you might want to consider using a formal process that is used for serving court documents, such as sending the notice through a process server. All provinces and territories have rules about serving court documents, and [you can find out more about these rules through their family law websites](#).

Notes about certain sections of the form:

Part B – Information about the relocation

- Please check only **one** box.
- Provide the name(s) of any child(ren) for whom you have parenting responsibilities under a *Divorce Act* order (custody, access, parenting time or decision-making) and indicate whether you are planning to relocate them. If you need additional space, you can attach a blank sheet to your notice form.
- Provide as much detail about the new address and contact information as you can at this time.

Part C – Names of the people who are receiving this Notice of Relocation

- You must provide this notice to everyone who has a *Divorce Act* order for parenting responsibilities for your child(ren) (custody, access, parenting time or decision-making responsibility) or contact under a contact order. You can use the same form for everyone or separate forms for each person. However, you need to include the names of all people who will be receiving notice on each form.

Part D – Proposal to change parenting arrangements and/or contact arrangements

- Provide a proposal for how parenting time, decision-making responsibility and/or contact could be exercised if the relocation takes place. Some of the things you may want to include are:
 - Will the current parenting time schedule need to change after the move? If so, what is your proposal for a new parenting time schedule?
 - If someone has contact under a contact order, will the contact schedule need to change? If so, what is your proposal for a new contact schedule?
 - Will the child(ren) need to travel to spend time with you or anyone else who has parenting time or a contact order? If so, how will they travel? What would the estimated travel costs be? Who will cover the travel costs? Will the child(ren) need to be accompanied? Who will accompany the child(ren) and who will cover those costs? Who will make the travel arrangements?
 - Are there other ways parenting time or contact could happen after the move, for example by phone or electronic communication?

Important note: Under the *Divorce Act*, parents must try to work out issues involving their children, including a child's possible relocation, by using out-of-court [family dispute resolution](#) processes such as negotiation and mediation, unless it would not be appropriate. It is generally better for parents to come up with their own solution, as they know their children best. A judge may make a decision that one or both parents do not like. Even if one parent objects to the relocation, it is important to keep trying to come to an agreement, where appropriate.

Part F – Attachments

- Indicate whether you attached the following to your notice. These attachments are optional.
 - A copy of a court order
 - A description of the child(ren)'s current schedule (on a separate page)
 - Other

NOTICE OF RELOCATION

Part A – Information about the person giving notice

Name

Current Address

Current Phone
Number

Current Email
Address

Part B – Information about the relocation

Please check one box:

- I am planning to relocate without my child(ren)
- I am planning to relocate with my child(ren)
- I am planning to relocate only my child(ren) not myself

1.	Name of child:
	<input type="checkbox"/> Planning to relocate this child <input type="checkbox"/> Not planning to relocate this child
2.	Name of child:
	<input type="checkbox"/> Planning to relocate this child <input type="checkbox"/> Not planning to relocate this child
3.	Name of child:
	<input type="checkbox"/> Planning to relocate this child <input type="checkbox"/> Not planning to relocate this child
4.	Name of child:
	<input type="checkbox"/> Planning to relocate this child <input type="checkbox"/> Not planning to relocate this child

Expected date of relocation:

_____ Date (DD/MM/YYYY)

Address of new place of residence:

New contact information:

Phone
number:

Email
address:

Part C – Names of the people who are receiving this Notice of Relocation

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Part D – Proposal to change parenting arrangements and/or contact arrangements

Part E – Information for people who receive this notice

If you have parenting responsibilities: If you have a *Divorce Act* order for parenting responsibilities for a child listed in Part B (which means that you have an order giving you custody, access, parenting time or decision-making) and that child would be relocating, you **can** object to the child’s relocation. If you do not agree with the plan to relocate your child and you cannot come to an agreement with the person planning to move, you have **30 days to object after you receive this notice**.

There are two ways to object:

1. you can send the person who gave you this notice an [Objection to Relocation](#) form or
2. you can apply to the court for an order to stop the relocation

IMPORTANT: If you do not make your objection within 30 days, and there is no current court order saying the move cannot happen, the relocation can go ahead without a court order on or after the date indicated in this notice.

You cannot object to a relocation that does not include the relocation of a child, but you may want to consider whether your parenting order will need to be changed.

For more information about objecting to a relocation, please see [Moving after separation or divorce?](#)

Important note: Under the *Divorce Act*, parents must try to work out issues involving their children, including a child’s possible relocation, by using out-of-court [family dispute resolution processes](#) such as negotiation and mediation, unless it would not be appropriate. It is generally better for parents to come up with their own solution, as they know their children best. A judge may make a decision that one or both parents do not like. Even if one parent objects to the relocation, it is important to keep trying to come to an agreement, where appropriate.

If you have contact: If you have contact with a child listed in Part B, you cannot object to the child’s relocation. You may, however, wish to consider whether your contact order needs to be changed.

Part F – Attachments (optional)

- A copy of a court order
- A description of the child(ren)’s current schedule (on a separate page)
- Other

Name of person giving notice

Date (DD/MM/YYYY)