

This form should be completed after reviewing the *IBN Policy: Funding for Legal Fees and Disbursements*. This policy explains the types of fees and disbursements that may be funded, and the conditions that apply. The policy also includes a sample funding agreement that you may be required to sign together with your legal representative if your application is successful.

Both you and your legal representative must complete parts of this form. You must complete the blue section and your legal representative must complete the yellow section.

About you

1 First name

2 Last name

3 Date of birth

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4 Language group (tick one box only)

Yinhawangka Banyjima Niyiyaparli

5 Residential address (*this must be your registered address with IBN*)

If this not your registered address with IBN you will need to complete the Update Personal Details form before we can process your application

6 Phone

()

7 Email address

8 How do you prefer to be contacted?

Phone Email Postal address

9 Have you received financial assistance from any other trust(s) within the past three months?

No Yes ▶ Please tell us how much you received

Name of organisation

Amount

10 Name of legal representative

11 Name of the legal firm you will be using

12 Contact phone number for the legal firm

13 Address of the legal firm

14 Is this legal advice for you personally **and only you**?

No ▶ Go to Q16

Yes ▶ Go to Q17 (next page)


15 Who is the legal advice for? Please list the names of each person or the group who will have **access to the legal advice**.

Obligations and undertakings

- 16** Do you undertake that this funding will **not** be used to fund legal action against another IBN Traditional Owner or Traditional Owners, an IBN Representative Corporation, IBN Corporation or the Trusts administered by IBN Corporation?
No
Yes
- 17** Do you agree to provide, at the conclusion of this matter, receipts and tax invoices related to the expenditure of funds?
No
Yes
- 18** Do you agree to provide, at the conclusion of this matter, a copy of a closing report from your legal representative summarising the outcome of the legal matter and the use of funds in accordance with the funding agreement?
No
Yes
- 19** Do you agree to abide by the conditions of the *IBN Policy: Funding for Legal Fees and Disbursements*, including but not limited to those provisions relating to Costs, Orders and Settlement, and to execute a funding agreement in accordance with the terms of the Policy?
No
Yes

20 Applicant's declaration

I confirm that the information provided above is true and correct. I understand that assistance under the *IBN Policy: Funding for Legal Fees and Disbursements* is wholly at the discretion of the Board of IBN Corporation. I agree to allow my legal representative to share information about my legal case with IBN for the purpose of assessing this application. I confirm that I agree to comply with those matters marked 'Yes' above, and all matters outlined in the *IBN Policy: Funding for Legal Fees and Disbursements*. I have obtained independent legal advice from the law firm about the effect of this policy.

Signature  Date

C Under the *IBN Policy: Funding for Legal Fees and Disbursements*, legal fees are only available under certain conditions. These are listed below. Please indicate which of the following conditions applies to this funding request (you may tick more than one box).

a) Greatest value for the greatest number of Traditional Owners

This funding (for legal fees) will ensure that a resolution of the issues would affect or be of greatest value to the greatest number of Traditional Owners and their descendants or would address a point of law of public importance.

b) Prevent a miscarriage of justices

This funding (for legal fees) will ensure a reasonable likelihood that a miscarriage of justice will be prevented or will enable an applicant access to justice where they would otherwise be significantly disadvantaged — including for reasons of illiteracy, language differences, cultural differences or mental or physical impairment or condition.

c) Liberty or safety is at serious risk

This funding (for legal fees) is required because the applicant's liberty or safety is at serious risk — including as a result of being charged with a serious criminal offence.

d) Child at risk

This funding (for legal fees) is required because a child is at risk of abuse or a child's welfare is at serious risk.

e) Legal merit

This funding (for legal fees) is for an issue that has legal merit and is not vexatious or frivolous.

f) Applicant lacks financial resources

This funding (for legal fees) is for an applicant who lacks the financial resources to access legal services without assistance from IBN Corporation.

g) Imminent risk to life/property

This funding is for a legal matter that is urgent or involves an imminent risk to life or property.

h) Achieve a timely, efficient resolution

This funding is likely to achieve a timely, efficient and fair resolution of a legal issue, minimise costs and maximise the use of non-litigious resolution methods in appropriate circumstances.

i) Other issues consistent with objects of Charitable Trust / Financial Assistance Foundation

This funding (for legal fees) is for some other issue that is consistent with the objects of the Charitable Trust or the Financial Assistance Foundation.

D Please attach a statement ("Lawyer's Statement") addressing the following:

- i) why this case has legal merit and is not vexatious or frivolous
- ii) duration of the matter
- iii) a copy of your firm's standard terms and conditions.

 **Please attach a Lawyer's Statement**

E Legal representative's declaration

I confirm that I am willing to execute a funding agreement in accordance with terms of the *IBN Policy: Funding for Legal Fees and Disbursements*. I confirm that the Lawyer's Statement including the estimated costs I have provided with this application is true and correct and consistent with the requirements of the *IBN Policy: Funding for Legal Fees and Disbursements*. I confirm that the costs referred to in the application have not yet been incurred by the applicant.

Legal representative's signature



Date


Office use only

Date received

Received by

IBN Corporation Pty Ltd
ACN 093 140 240

CP#

Returning this form 

Post: PO Box 2390 South Hedland WA 6722
Fax: (08) 9140 0998
Email: applications@ibngroup.com.au

In person delivered to: 3 Brand Street, South Hedland,
973 Central Road, Tom Price or 3/4 Welcome Road, Karratha