



# FAMILY COURT OF WESTERN AUSTRALIA

## PRACTICE DIRECTION

(No. 3 of 2020)

### **CERTAIN AMENDMENTS TO THE FAMILY LAW RULES 2004 DO NOT APPLY OR ARE NOT ADOPTED IN WA**

#### **Preamble**

Amended Rules in relation to Registrars' powers do not apply in Western Australia: Amendments to the *Family Law Rules 2004* (Cth) pursuant to the *Family Law Amendment (Powers Delegated to Registrars) Rules 2020* (Cth) came into effect on 26 September 2020. The amendments to Rule 18 delegate additional powers to Registrars and Deputy Registrars.

Pursuant to Rule 12 of the *Family Court Rules 1998* (WA), Rule 18 of the *Family Law Rules 2004* (Cth) is not adopted in Western Australia, and accordingly, the amendments do not apply to Registrars of the Family Court of Western Australia.

Amended Rules for the notification of child abuse, family violence or risk not adopted in Western Australia: Amendments to the *Family Law Rules 2004* (Cth) pursuant to the *Family Law Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020* (Cth) came into effect on 31 October 2020.

The Rules as amended mandate the filing of a new form, the *Notice of Child Abuse, Family Violence or Risk*, when filing an Initiating Application, Response to Initiating Application or an Application for Consent Orders, where a parenting order is sought. The new form replaces and consolidates three existing forms.

#### **Practice Direction**

- 1 The amendments effected by the *Family Law Amendment (Notice of Child Abuse, Family Violence or Risk) Rules 2020* (Cth) to the *Family Law Rules 2004* (Cth) are not adopted into practice in Western Australia.
- 2 The procedure for the filing and the use of the current *Notice of Child Abuse and Family Violence (or Risk)* (Form 4) is to be the same as if those amendments had not been effected.

A handwritten signature in blue ink, appearing to read 'G Sutherland'.

**GAIL SUTHERLAND  
CHIEF JUDGE  
FAMILY COURT OF WESTERN AUSTRALIA  
4 November 2020**