

#### **47. Appeals**

- (1) A person aggrieved by the decision of a court relating to a restraining order under this Part may appeal against that decision in accordance with this section.
- (2) If the decision was made by a court of petty sessions, the appeal is to be made to the Supreme Court in accordance with Part VIII of the *Justices Act 1902*.
- (3) If the decision was made by the Children's Court when constituted so as not to consist of or include a Judge, the appeal is to be made to the Supreme Court in accordance with section 41 of the *Children's Court of Western Australia Act 1988* as if the decision were a decision within the meaning of section 41(2) of that Act.
- (4) If the decision was made by the Children's Court when constituted so as to consist of or include a Judge, the appeal is to be made to the Court of Appeal in accordance with section 43 (other than subsections (2) and (3)) of the *Children's Court of Western Australia Act 1988* as if the decision were a decision within the meaning of section 43(3b) of that Act.
- (5) If the decision was made by the District Court, the appeal is to be made to the Court of Appeal in accordance with section 79(1)(a) of the *District Court of Western Australia Act 1969*.
- (6) If the decision was made by a Judge of the Supreme Court, the appeal is to be made to the Court of Appeal in accordance with section 58 of the *Supreme Court Act 1935*.
- [(7) *repealed*]  
[Section 47 amended by No. 45 of 2004 s. 37.]