

JU301*

Adoption Act 1994

Adoption Amendment Rules 2012

Made by the Judges of the Family Court of Western Australia under section 142 of the Act.

1. Citation

These rules are the *Adoption Amendment Rules 2012*.

2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day after that day.

3. Rules amended

These rules amend the *Adoption Rules 1995*.

4. Rule 5 amended

In rule 5(2)(c):

- (a) delete “solicitor” and insert:

legal practitioner

- (b) delete “solicitor,” and insert:

legal practitioner,

5. Rule 8 amended

In rule 8 delete “under a provision referred to in the Table to rule 9” and insert:

referred to in rule 9, rule 12A and rule 12B

6. Rule 9 replaced

Delete rule 9 and insert:

9. Form of general applications

An application to the Court under the Act, other than an application for an adoption order or an application referred to in rule 12A or 12B is to be in the form of Schedule 1 Form 3.

7. Rule 10 amended

In rule 10 delete “under a provision referred to in the Table to” and insert:

referred to in

8. Rule 14 amended

In rule 14(b) delete “or the party’s lawyer,” and insert:

or the legal practitioner for the party,

9. Part 2 Division 3 deleted

Delete Part 2 Division 3.

10. Rule 23 amended

(1) In rule 23:

(a) in paragraph (c)(iv) delete “lawyer of” and insert:

legal practitioner for

(b) in paragraph (c)(iv) delete “lawyer” and insert:

legal practitioner)

(2) In rule 23 after each of paragraphs (a), (b) and (c)(i) and (ii) insert:

or

11. Rule 25 amended

(1) In rule 25(2) delete “that person’s lawyer.” and insert:

the legal practitioner for that person.

(2) In rule 25(4) delete “lawyer” and insert:

legal practitioner

12. Rule 31 amended

In rule 31:

(a) delete “and appeals”;

(b) delete “application and appeal.” and insert:

application.

Note: The heading to amended rule 31 is to read:

Register of applications and orders

13. Rule 32 amended

- (1) In rule 32:
 - (a) delete “Director-General —” and insert:

CEO —
 - (b) in paragraph (b) delete “Director-General” and insert:

CEO
- (2) In rule 32 after paragraph (a) insert:

and

Note: The heading to amended rule 32 is to read:

Court to provide certain information to CEO

14. Schedule 1 amended

- (1) In Schedule 1 Form 2:
 - (a) delete “lawyer and lawyer’s firm” and insert:

legal practitioner and legal practitioner’s firm
 - (b) delete “party’s lawyer” and insert:

legal practitioner for party
- (2) In Schedule 1 Form 3 delete “lawyer of applicant/s” and insert:

legal practitioner for applicant/s
- (3) In Schedule 1 Form 4B in the heading after “**ORDER**” insert:

UNDER SECTION 136B

- (4) In Schedule 1 Form 4C in the heading after “**DECLARATION**” insert:

UNDER SECTION 136F

- (5) Delete Schedule 1 Form 5.

- (6) In Schedule 1 Form 6:
- (a) delete “lawyer” and insert:

legal practitioner
 - (b) delete “*lawyer]*” and insert:

legal practitioner]
 - (c) delete “*lawyer*” and insert:

legal practitioner

The Honourable Chief Judge S. THACKRAY.

The Honourable Judge J. CRISFORD.

The Honourable Judge S. DUNCANSON.