



Family Court Act 1997

Family Court Amendment Regulations (No. 2) 2015

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Family Court Amendment Regulations (No. 2) 2015*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette* (**gazettal day**);
- (b) the rest of the regulations —
 - (i) if the *Family Law (Fees) Amendment (2015 Measures No. 1) Regulation 2015* (Commonwealth) comes into operation on or before gazettal day — on gazettal day; or
 - (ii) otherwise — on the day the *Family Law (Fees) Amendment (2015 Measures No. 1) Regulation 2015* (Commonwealth) comes into operation.

3. Regulations amended

These regulations amend the *Family Court Regulations 1998*.

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4. Regulation 9 amended

In regulation 9 delete “7” and insert:

8A

Note: The heading to amended regulation 9 is to read:

Family Law Regulation 8A adopted (Act s. 65D)

5. Regulation 18 amended

In regulation 18 in the definition of *filing fee* delete “9 or 12;” and insert:

9, 12 or 13;

6. Regulation 21I amended

In regulation 21I(2) delete “1 July 2014,” and insert:

1 July 2016,

7. Regulation 22A inserted

At the beginning of Part 5 insert:

22A. Terms used

A term has the same meaning in this Part as it has in regulation 18 unless the contrary intention appears.

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8. Regulation 22 amended

In regulation 22(1) delete “these regulations —” and insert:

this regulation —

9. Regulation 24 inserted

At the end of Part 5 insert:

24. Transitional provisions relating to the *Family Court Amendment Regulations (No. 2) 2015*

- (1) In this regulation —
commencement day means the day on which the *Family Court Amendment Regulations (No 2) 2015* regulation 10 comes into operation.
- (2) These regulations, as in force immediately before commencement day, continue to apply in relation to the liability of a person to pay any of the following fees —
 - (a) a filing fee for filing a document before commencement day;
 - (b) a setting down fee for a hearing if the hearing day is fixed before commencement day;
 - (c) a hearing fee for a day, or a part of a day, if the day (or part of the day) is fixed before commencement day;
 - (d) a conciliation conference fee for a conciliation conference the date for which is fixed before commencement day;

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- (e) any other fee under these regulations for a service that is provided in relation to a proceeding before commencement day.

10. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Fees

[Part 3]

Item	Document or action	Fee
1.	Filing an application for final orders in eligible financial or parenting proceedings	\$355
2.	Setting-down for hearing in eligible financial or parenting proceedings, if defended, for final orders —	
	(a) for a hearing before a judge	\$890
	(b) for a hearing before a magistrate	\$655
3.	Hearing in eligible financial or parenting proceedings, if defended, for final orders — for each hearing day, or part of a hearing day, excluding the first hearing day —	
	(a) for a hearing before a judge	\$890
	(b) for a hearing before a magistrate	\$655
4.	Filing a response to an application for final orders in eligible financial or parenting proceedings	\$355
5.	Setting-down for hearing in an appeal under section 211 from a decree of a Magistrates Court, unless the fee mentioned in item 12 has been paid	\$890

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Item	Document or action	Fee
6.	Hearing in an appeal under section 211 from a decree of a Magistrates Court — for each hearing day, or part of a hearing day, excluding the first hearing day	\$890
7.	Filing an application for a consent order	\$240
8.	Filing an interim order application	\$125
9.	Filing an application for both a final order under Part 5 and a final order under Part 5A Division 2 or Division 3 of the Act (other than for an order for the maintenance of a party to a de facto relationship)	\$590
10.	For issuing a subpoena	\$125
11.	For listing a conciliation conference	\$415
12.	Filing an application for leave to appeal under section 211 from an interlocutory order of a Magistrates Court	\$890
13.	Filing an amendment of —	
	(a) an application mentioned in item 1, 7, 8, 9 or 12	\$125
	(b) a response mentioned in item 4	\$125
	(c) a subpoena	\$125

N. HAGLEY, Clerk of the Executive Council.
