



Family Court Act 1997

**Family Court Amendment Regulations
(No. 3) 2015**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Family Court Amendment Regulations (No. 3) 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*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Family Court Regulations 1998*.

4. Regulation 18 amended

In regulation 18 in the definition of *filing fee* delete “9, 12 or 13;” and insert:

9 or 12;

5. Regulation 24 replaced

Delete regulation 24 and insert:

24. Transitional provisions relating to the *Family Court Amendment Regulations (No. 3) 2015*

- (1) In this regulation —
- commencement day** means the day on which the *Family Court Amendment Regulations (No. 3) 2015* regulation 6 comes into operation;
- current fees** means the fees payable under these regulations on commencement day;
- refund period** means the period —
- (a) beginning at the time when the *Family Law (Fees) Amendment (2015 Measures No. 1) Regulation 2015* (Commonwealth) was disallowed by the Commonwealth Senate; and
 - (b) ending immediately before commencement day.
- (2) A person who paid a fee under these regulations during the refund period is entitled to a refund.
- (3) The amount to be refunded is the difference between —
- (a) the amount paid by the person; and
 - (b) the amount that the person would have been required to pay had the current fees been the fees payable during the refund period.
- (4) The liability of a person to pay a fee that arose during the refund period is to be taken to be the same as it would have been had the current fees been the fees payable when the liability arose.
- (5) This regulation applies despite the amendments effected by the *Family Court Amendment Regulations (No. 2) 2015*.

6. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Fees

[Pt. 3]

Item	Document or action	Fee
1.	Filing an application for final orders in eligible financial or parenting proceedings	\$320

Item	Document or action	Fee
2.	Setting-down for hearing in eligible financial or parenting proceedings, if defended, for final orders — (a) for a hearing before a judge (b) for a hearing before a magistrate	\$805 \$590
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 (b) for a hearing before a magistrate	\$805 \$590
4.	Filing a response to an application for final orders in eligible financial or parenting proceedings	\$320
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	\$805
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	\$805
7.	Filing an application for a consent order	\$155
8.	Filing an interim order application	\$110
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)	\$530
10.	For issuing a subpoena	\$55
11.	For listing a conciliation conference	\$370
12.	Filing an application for leave to appeal under section 211 from an interlocutory order of a Magistrates Court	\$805

N. HAGLEY, Clerk of the Executive Council.
