



# **Family Law Amendment (Western Australia Family Court Rules) Rules 2021**

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We, Judges of the Family Court of Australia, make the following Rules of Court.

Dated 20 August 2021

W Alstergren CJ  
R McClelland DCJ  
S Strickland J  
J Ryan J  
M Aldridge J  
G Watts J  
S Austin J  
P Tree J  
V Bennett J  
S Moncrieff J  
M Cleary J  
K Macmillan J  
S Duncanson J  
D Berman J  
R O'Brien J  
S Gill J  
M Baumann J  
G Sutherland J  
L Henderson J  
J Williams J  
C Tyson J  
J Wilson J  
R Harper J  
C Mead J  
N Hartnett J

T McEvoy J

T Altobelli J

P Howard J

T McGuire J

Judges of the Family Court  
of Australia

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## 1 Name

These Rules are the *Family Law Amendment (Western Australia Family Court Rules) Rules 2021*.

## 2 Commencement

- (1) Each provision of these Rules specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of these Rules	23 August 2021.	23 August 2021

Note: This table relates only to the provisions of these Rules as originally made. It will not be amended to deal with any later amendments of these Rules.

- (2) Any information in column 3 of the table is not part of these Rules. Information may be inserted in this column, or information in it may be edited, in any published version of these Rules.

## 3 Authority

These Rules are made under the *Family Law Act 1975*.

## 4 Schedules

Each instrument that is specified in a Schedule to these Rules is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to these Rules has effect according to its terms.

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## Schedule 1—Amendments

### *Family Law Rules 2004*

#### **1 At the end of Part 1.1**

Add:

##### **1.03A Application of *Family Court Rules 2021* (WA)**

- (1) The *Family Court Rules 2021* (WA), as in force at the start of 23 August 2021, apply in relation to the exercise of jurisdiction under the Act by the Family Court of Western Australia and the Magistrates Court of Western Australia.
- (2) For the purpose of the exercise of jurisdiction under the Act by the Family Court of Western Australia or the Magistrates Court of Western Australia, a provision of the *Family Court Rules 2021* (WA), as applied by subrule (1) of this rule, prevails over a provision of these Rules to the extent of any inconsistency.