



## Family Court of Western Australia

# MODIFIED RULES

### Practice Direction (No. 1 of 2025)

Noting the Family Court Amendment (Commonwealth Reforms) Act 2024 Commencement Proclamation 2025 confirms that the remainder of the amendments to the *Family Court Act 1997* (WA) contained in the *Family Court Amendment (Commonwealth Reforms) Act 2024* come into operation on 10 February 2025:

1. This Practice Direction applies from 10 February 2025.
2. To the extent of any inconsistency, this Practice Direction prevails over the Family Court Rules 2021 (the Rules) and the Court's Case Management Guidelines.
3. The following changes to the Rules apply:
  - a. in Rule 440 the words "section 205Q" should be read as referring to "section 205J(3)";
  - b. in Rule 448 the words "section 99(2)" should be read as referring to "section 205Q";
  - c. in Rule 449(5) the words "section 99(2)" should be read as referring to "section 205Q";
  - d. in Rule 174(1) the request for a certificate relating to a vexatious proceeding order under the Family Law Act section 102QC(1) should be read as also referring to a request for a certificate

relating to a vexatious proceeding order under the Family Court Act section 219AZH(1);

- e. in Rule 174(3) the information specified for a certificate under the Family Law Act section 102QC(2)(b) should be read as also referring to the information specified for a certificate under the Family Court Act section 219AZH(2)(b);
- f. in Rule 174(3)(c) the reference to orders made by the court under section 102QB(2) of the Family Law Act should be read as also referring to orders made by the court under section 219AZG(2) of the Family Court Act;
- g. in Rule 175(2)(a) the words "section 242" should be read as referring to "section 219AZG(2)"; and
- h. in Rule 175(2)(b) the words "Family Law Act section 118(1)(c) or (2) as in force immediately before the commencement of the Access to Justice (Federal Jurisdiction) Amendment Act 2012 (Commonwealth) Schedule 3" should be read as also referring to "Family Court Act section 242(1)(c) or (2) as in force immediately before the commencement of the Family Court Amendment (Commonwealth Reforms) Act 2024 (WA) section 77".

A handwritten signature in black ink, appearing to read 'g sutherland', is positioned above the typed name of the Chief Judge.

The Honourable Justice Sutherland, Chief Judge  
Family Court of Western Australia  
Dated: 31 January 2025