Commonwealth Coat of Arms

Federal Circuit Court Rules 2001

Statutory Rules No. 195, 2001 as amended

made under the

Federal Circuit Court of Australia Act 1999

**Compilation start date:** 23 October 2014

**Includes amendments up to:** SLI No. 151, 2014

This compilation has been split into 2 volumes

Volume 1: Chapters 1–8

**Volume 2: Schedules 1 and 3, Dictionary and Endnotes**

Each volume has its own contents

**About this compilation**

**This compilation**

This is a compilation of the *Federal Circuit Court Rules 2001* as in force on 23 October 2014. It includes any commenced amendment affecting the legislation to that date.

This compilation was prepared on 23 October 2014.

The notes at the end of this compilation (the ***endnotes***) include information about amending laws and the amendment history of each amended provision.

**Uncommenced amendments**

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in the endnotes.

**Application, saving and transitional provisions for provisions and amendments**

If the operation of a provision or amendment is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

**Modifications**

If a provision of the compiled law is affected by a modification that is in force, details are included in the endnotes.

**Provisions ceasing to have effect**

If a provision of the compiled law has expired or otherwise ceased to have effect in accordance with a provision of the law, details are included in the endnotes.

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Schedule 1—Costs

Note: See rules 21.10, 21.16 and 44.15.

Part 1A—Application of this Schedule

1 Application of this Schedule

This Schedule, as amended by the *Federal Circuit Court Amendment (2014 Measures No. 1) Rules 2014*, applies to work done or services performed after the commencement of this Schedule.

Part 1—Family law proceedings and general federal law proceedings

| Costs for family law proceedings and general federal law proceedings | | | |
| --- | --- | --- | --- |
| Item | Description | Amount for a family law proceeding (including GST) | Amount for a general federal law proceeding (including GST) |
| 1 | Initiating or opposing an application up to the completion of the first court date | Both:  (a) $2,048; and  (b) the daily hearing fee mentioned in item 13 that applies to the hearing | Both:  (a) $2,735; and  (b) the daily hearing fee mentioned in item 13 that applies to the hearing |
| 2 | Initiating or opposing an application which includes interim orders (other than procedural orders) up to the completion of the first court date | Both:  (a) $2,561; and  (b) the daily hearing fee mentioned in item 13 that applies to the hearing | Both:  (a) $3,422; and  (b) the daily hearing fee mentioned in item 13 that applies to the hearing |
| 3 | Interim or summary hearing—as a discrete event  Note: This stage applies to an interim application or a summary proceeding of a type not otherwise addressed in this fee structure. It does not include the item 1 or 2 component. | Both:  (a) $1,706; and  (b) the daily hearing fee mentioned in item 13 that applies to the hearing | Both:  (a) $1,706; and  (b) the daily hearing fee mentioned in item 13 that applies to the hearing |
| 4 | Up to and including the conciliation conference | $1,706 | Not applicable |
| 5 | Dispute resolution litigation intervention | $1,706 | $2,868 |
| 6 | Preparation for final hearing—one day matter | $4,365 | $6,150 |
| 7 | Preparation for final hearing—2 day matter | $5,412 | $9,241 |
| 8 | Preparation for final hearing—each additional hearing day after the second hearing day | $1,158 | $1,944 |
| 9 | Final hearing costs for attendance of solicitor at hearing to take judgment and explain orders | Both:  (a) $278; and  (b) the daily hearing fee mentioned in item 13 that applies to the hearing | Both:  (a) $278; and  (b) the daily hearing fee mentioned in item 13 that applies to the hearing |
| 10 | Application for family law location, recovery or enforcement of an order (other than an application for enforcement by a Registrar under item 11) | Both:  (a) $867; and  (b) the daily hearing fee mentioned in item 13 that applies to the hearing | Not applicable |
| 11 | Application for enforcement by a Registrar of:  (a) a warrant under rule 25B.22; or  (b) a third party debt notice under rule 25B.40 | $573 | Not applicable |
| 12 | Advocacy loading | 50% of the daily hearing fee mentioned in item 13 that applies to the hearing | 50% of the daily hearing fee mentioned in item 13 that applies to the hearing |
| 13 | Daily hearing fee | Either:  (a) for a short mention—$278; or  (b) for a half day hearing—$1,024; or  (c) for a full day hearing—$2,048 | Either:  (a) for a short mention—$278; or  (b) for a half day hearing—$1,024; or  (c) for a full day hearing—$2,048 |
| 14 | Disbursements—Court fees and other fees and payments to the extent that they have been reasonably incurred | The amount of the fees and payments | The amount of the fees and payments |
| 15 | Disbursements—photocopying for each page | $0.71 | $0.71 |
| 16 | Agents fees and travelling costs  Note: For 2 or more hours travel. | $576 | $576 |

Part 2—Child support proceedings

Division 1—Application for enforcement order in relation to child support proceedings

| Costs for child support proceedings | | |
| --- | --- | --- |
| Item | Description | Amount (including GST) |
| 1 | Initiating or opposing an application up to the completion of the first court date  Note: This item includes final hearing of up to one day if it is held on the first court date. | Both:  (a) $2,157; and  (b) the daily hearing fee mentioned in item 6 that applies to the hearing |
| 2 | Interim or summary hearing—as a discrete event  Note: This item applies to an interim application, or a summary proceeding of a type not otherwise addressed in this fee structure such as an application for an order that a proceeding be stayed. It does not include the item 1 component. | Both:  (a) $1,644; and  (b) the daily hearing fee mentioned in item 6 that applies to the hearing |
| 3 | Preparation of final hearing for a matter of 2 or more days—for every day after the first court date | $1,117 |
| 4 | Final hearing costs for attendance of solicitor at hearing to take judgment and explain orders | Both:  (a) $269; and  (b) the daily hearing fee mentioned in item 6 that applies to the hearing |
| 5 | Advocacy loading | 50% of the daily hearing fee mentioned in item 6 that applies to the hearing |
| 6 | Daily hearing fee | Either:  (a) for a short mention—$269; or  (b) for a half day hearing—$987; or  (c) for a full day hearing—$1,976 |
| 7 | Disbursements—Court fees and other fees and payments to the extent that they have been reasonably incurred | The amount of the fees and payments |
| 8 | Disbursements—photocopying documents first 10 pages—for each page | $0.71 |
| 9 | Disbursements—photocopying documents after first 10 pages—for each page | $0.22 |
| 10 | Agents fees and travelling costs  Note: For 2 or more hours travel. | $556 |

Division 2—Costs for appeal of an SSAT or Child Support Registrar decision

| Costs for an appeal of an SSAT or Child Support Registrar decision | | |
| --- | --- | --- |
| Item | Description | Amount (including GST) |
| 1 | A proceeding concluded at or before the first court date for the proceeding | $1,319 |
| 2 | A proceeding concluded:  (a) after the first court date for the proceeding; and  (b) at least 4 weeks before the final hearing for the proceeding | $3,294 |
| 3 | A proceeding concluded at a final hearing | $6,581 |

Part 3—Migration proceedings

Division 1—Costs for migration proceedings that have concluded

| Costs for migration proceedings that have concluded | | |
| --- | --- | --- |
| Item | Description | Amount (including GST) |
| 1 | A proceeding concluded at or before the first court date for the proceeding | $1,367 |
| 2 | A proceeding concluded:  (a) after the first court date for the proceeding; and  (b) at or before the hearing under rule 44.12 or other interlocutory hearing | $3,416 |
| 3 | A proceeding concluded at a final hearing | $6,825 |

Division 2—Costs for migration proceedings that have been discontinued

| Costs for migration proceedings that have been discontinued | | |
| --- | --- | --- |
| Item | Description | Amount (including GST) |
| 1 | A proceeding in which the notice of discontinuance is filed and served at least 14 days before the first court date for the proceeding | $680 |
| 2 | A proceeding in which the notice of discontinuance is filed and served:  (a) less than 14 days before the first court date for the proceeding; and  (b) at least 15 days before the hearing under rule 44.12 or other interlocutory hearing | $1,706 |
| 3 | A proceeding in which the notice of discontinuance is filed and served:  (a) less than 15 days before the hearing under rule 44.12 or other interlocutory hearing; and  (b) at least 15 days before the final hearing | $3,416 |
| 4 | Any other case | $4,778 |

Schedule 3—Family Law Rules and Federal Court Rules applied

Note: See rule 1.05.

Part 1—Family Law Rules

| Family Law Rules | |
| --- | --- |
| Item | Provision |
| 1 | rules 1.19 and 1.20 |
| 2 | Part 2.2 |
| 3 | Part 2.3 |
| 4 | rules 4.08 to 4.10 |
| 5 | rule 6.15 |
| 6 | Part 6.5 |
| 7 | rule 16.10 |
| 8 | Part 21.2 |
| 9 | Part 23.1 |
| 10 | rule 24.11 |

Part 2—Federal Court Rules

| Federal Court Rules | |
| --- | --- |
| Item | Provision |
| 1 | rules 1.41 and 1.42 |
| 2 | rules 2.41 to 2.43 |
| 3 | rules 5.22 to 5.24 |
| 4 | rules 10.41 to 10.52 |
| 5 | Division 10.6 |
| 5A | rule 12.01 |
| 6 | rule 15.10 |
| 7 | rule 16.01 |
| 8 | paragraphs 16.02(1)(a), (b) and (d) |
| 9 | subrules 16.02(3) and (5) |
| 10 | rules 16.03 to 16.12 |
| 11 | rule 16.21 |
| 12 | rules 16.31 to 16.33 |
| 13 | rules 16.41 to 16.45 |
| 14 | rule 25.01 to 25.06 |
| 15 | rules 25.10 to 25.12 |
| 16 | rule 25.14 |
| 17 | rule 30.29 to 30.33 |
| 18 | Divisions 34.2 and 34.3 |
| 19 | rules 39.01 to 39.03 |
| 20 | rule 39.06 |
| 21 | rule 39.11 |
| 22 | rule 39.21 |
| 23 | Division 42.3 |

Dictionary

(rule 1.04)

***AAT Act*** means the *Administrative Appeals Tribunal Act 1975*.

***Act*** means the *Federal Circuit Court of Australia Act 1999.*

***address for service***, for a partymeans the address for service given by the party in accordance with rule 6.01.

***AD(JR) Act*** means the *Administrative Decisions (Judicial Review) Act 1977*.

***answers to specific questions*** includes interrogatories.

***application in a case*** means an application that is made in a proceeding which has already been started under these Rules and that is an application for:

(a) an interim order; or

(b) a procedural order; or

(c) an ancillary order; or

(d) an interlocutory order; or

(e) any other incidental order relating to an application or order.

***appropriate registry***, for a proceeding, means the registry in which the application starting the proceeding is filed or, if the proceeding is transferred to another registry, that registry.

***approved form***, for a provision of these Rules, means a form approved by the Chief Judge under subrule 2.04(1A) for the provision.

***Assessment Act*** means the *Child Support (Assessment) Act 1989*.

***authenticate***, in relation to an order of the Court, means to sign and seal the order.

***authorised Registrar***, in relation to a provision of these Rules, means a Registrar authorised in writing by the Chief Executive Officer to exercise the powers or perform the functions of an authorised Registrar under that provision.

***Child Support Agency*** means the part of the Department of Family and Community Services known by that name that administers the Assessment Act and the Registration Act.

***child support agreement*** has the meaning given by section 81 of the Assessment Act.

***child support proceeding*** means a proceeding under the Assessment Act or the Registration Act.

***Child Support Registrar*** means the Child Support Registrar under section 10 of the Registration Act.

***Civil Dispute Resolution Act*** means the *Civil Dispute Resolution Act 2011.*

***corporation*** includes any artificial person other than an organisation.

***Court*** means the Federal Circuit Court of Australia.

***de facto partner*** has the meaning given by the *Acts Interpretation Act 1901*.

***discontinuance***, in relation to a proceeding, includes withdrawal from the proceeding.

***discovery***means an obligation to disclose.

***electronic communication*** means a communication of information in the form of data, text or images by means of guided or unguided electromagnetic energy, including an email or an email attachment.

***eligible carer*** has the meaning given by section 7B of the Assessment Act.

***enter***, in relation to an order, means to take out or authenticate the order.

***Fair Work Commission*** has the meaning given by section 12 of the *Fair Work Act 2009*.

***Family Law Act*** means the *Family Law Act 1975*.

***family law proceeding*** means a proceeding under the Family Law Act.

***Family Law Regulations*** means the *Family Law Regulations 1984* made under the Family Law Act.

***Family Law Rules*** means the *Family Law Rules 2004* made under the Family Law Act, as amended from time to time.

***Federal Court Rules*** means the *Federal Court Rules 2011* made under the *Federal Court of Australia Act 1976*,as amended from time to time.

***financial matter*** includes a proceeding under section 79, 79A or 90SM of the Family Law Act.

***general federal law proceeding*** means a proceeding other than a family law or child support proceeding.

***genuine steps statement***has the meaning given by section 5 of the Civil Dispute Resolution Act.

***Human Rights Act*** means the *Australian Human Rights Commission Act 1986*.

***independent children’s lawyer*** means a child representative approved under section 68L of the Family Law Act.

***information sheet*** means the relevant information sheet approved by an authorised Registrar.

***lawyer*** means a legal practitioner who is entitled to practise in the Court.

***marriage certificate*** means:

(a) a certificate of marriage or a certified copy of the certificate; or

(b) a certified copy of:

(i) the entry of a marriage in a Register of Marriages; or

(ii) an extract of the entry of a marriage.

***minor*** means a person under the age of 18 years.

***parenting order*** has the meaning given by subsection 64B(1) of the Family Law Act.

***party*** means an applicant, respondent or other person included as a party to a proceeding.

***Registration Act*** means the *Child Support (Registration and Collection) Act 1988*.

***service by hand*** means personal service.

***SSAT*** means the Social Security Appeals Tribunal.

***the Court*** ***or a Judge*** includes a Judge sitting in chambers.

***Tribunal***means the Administrative Appeals Tribunal.

***vexatious proceeding***—see subsection 88N(1) of the Act.

***vexatious proceedings order***—see subsection 88N(1) of the Act.

Endnotes

Endnote 1—About the endnotes

The endnotes provide details of the history of this legislation and its provisions. The following endnotes are included in each compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Endnote 5—Uncommenced amendments

Endnote 6—Modifications

Endnote 7—Misdescribed amendments

Endnote 8—Miscellaneous

If there is no information under a particular endnote, the word “none” will appear in square brackets after the endnote heading.

**Abbreviation key—Endnote 2**

The abbreviation key in this endnote sets out abbreviations that may be used in the endnotes.

**Legislation history and amendment history—Endnotes 3 and 4**

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended the compiled law. The information includes commencement information for amending laws and details of application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision level. It also includes information about any provisions that have expired or otherwise ceased to have effect in accordance with a provision of the compiled law.

**Uncommenced amendments—Endnote 5**

The effect of uncommenced amendments is not reflected in the text of the compiled law but the text of the amendments is included in endnote 5.

**Modifications—Endnote 6**

If the compiled law is affected by a modification that is in force, details of the modification are included in endnote 6.

**Misdescribed amendments—Endnote 7**

An amendment is a misdescribed amendment if the effect of the amendment cannot be incorporated into the text of the compilation. Any misdescribed amendment is included in endnote 7.

**Miscellaneous—Endnote 8**

Endnote 8 includes any additional information that may be helpful for a reader of the compilation.

Endnote 2—Abbreviation key

|  |  |
| --- | --- |
| ad = added or inserted | pres = present |
| am = amended | prev = previous |
| c = clause(s) | (prev) = previously |
| Ch = Chapter(s) | Pt = Part(s) |
| def = definition(s) | r = regulation(s)/rule(s) |
| Dict = Dictionary | Reg = Regulation/Regulations |
| disallowed = disallowed by Parliament | reloc = relocated |
| Div = Division(s) | renum = renumbered |
| exp = expired or ceased to have effect | rep = repealed |
| hdg = heading(s) | rs = repealed and substituted |
| LI = Legislative Instrument | s = section(s) |
| LIA = *Legislative Instruments Act 2003* | Sch = Schedule(s) |
| mod = modified/modification | Sdiv = Subdivision(s) |
| No = Number(s) | SLI = Select Legislative Instrument |
| o = order(s) | SR = Statutory Rules |
| Ord = Ordinance | Sub‑Ch = Sub‑Chapter(s) |
| orig = original | SubPt = Subpart(s) |
| par = paragraph(s)/subparagraph(s) /sub‑subparagraph(s) |  |

Endnote 3—Legislation history

| Number and year | FRLI registration or gazettal | Commencement | Application, saving and transitional provisions |
| --- | --- | --- | --- |
| 2001 No. 195 | 13 July 2001 | 30 July 2001 |  |
| 2002 No. 80 | 18 Apr 2002 | 18 Apr 2002 | — |
| 2003 No. 272 | 31 Oct 2003 | 3 Nov 2003 | r 4 |
| 2004 No. 54 | 26 Mar 2004 | 29 Mar 2004 | — |
| 2005 No. 263 | 21 Nov 2005 (F2005L03610) | 1 Dec 2005 (r 2) | — |
| 2006 No. 2 | 6 Feb 2006 (F2006L00314) | 6 Feb 2006 | — |
| 2007 No. 179 | 26 June 2007 (F2007L01823) | 27 June 2007 | — |
| 2008 No. 10 | 29 Feb 2008 (F2008L00640) | 1 Mar 2008 | — |
| 2008 No. 215 | 29 Oct 2008 (F2008L04169) | 30 Oct 2008 | — |
| 2009 No. 55 | 6 Apr 2009 (F2009L01212) | 7 Apr 2009 | — |
| 2009 No. 160 | 29 June 2009 (F2009L02510) | 1 July 2009 | — |
| 2009 No. 316 | 20 Nov 2009 (F2009L04279) | r 1–3 and Sch 1: 30 Nov 2009 Sch 2: 30 Nov 2009  (s 2) | — |
| 2011 No. 133 | 8 July 2011 (F2011L01456) | r 1–3 and Sch 1: 11 July 2011 Sch 2:11 July 2013  (r 2(b))Sch 3: 1 Aug 2011  (r 2(c) and F2011L01408) | — |
| 2012 No. 94 | 24 May 2012 (F2012L01073) | r 1–3 and Sch 1: 25 May 2012 (r 2(a)) Sch 2: 7 June 2012  (r 2(b)) | — |
| 56, 2013 | 11 Apr 2013 (F2013L00641) | r 1–4 and Sch 1: 12 Apr 2013 (s 2 items 1, 2) Sch 2: 11 June 2013 (s 2 item 3)Sch 3: 12 Apr 2013 (s 2 item 4 and F2013L00643) | — |
| 151, 2014 | 22 Oct 2014 (F2014L01378) | Sch 1 (items 23–29): 12 Jan 2015 (s 2(1) item 3 and Endnote 5) Remainder: 23 Oct 2014 (s 2(1) items 1,2) | — |

Endnote 4—Amendment history

| Provision affected | How affected |
| --- | --- |
| **Chapter 1** |  |
| **Part 1** |  |
| r 1.01 | am. No. 56, 2013 |
| r 1.02A | ad. No. 56, 2013 |
| r 1.03 | am. No. 56, 2013 |
| r 1.05 | am. 2002 No. 80; 2004 No. 54; 2006 No. 2; 2011 No. 133; No. 56, 2013 |
| r 1.06 | am. 2002 No. 80 |
| r 1.07 | ad No 151, 2014 |
| **Part 2** |  |
| **Division 2.2** |  |
| r 2.01 | am. 2008 No. 215; 2011 No. 133 |
| r 2.03 | am. 2008 No. 215; 2011 No. 133 |
| r 2.04 | am. 2007 No. 179; No. 56, 2013 |
| r 2.05 | am. 2007 No. 179; 2008 No. 215; 2011 No. 133; No. 56, 2013 |
| Note to r 2.05(1) | rs. No. 56, 2013 |
| Note to r 2.05(3) | am. 2011 No. 133 |
| r 2.06 | am. 2003 No. 272 |
|  | rs. 2011 No. 133 |
| r 2.07 | rs. 2008 No. 215 |
|  | am. 2009 No. 316\ |
| r 2.07A | ad. 2008 No. 215 |
|  | am. 2011 No. 133 |
| r 2.07B | ad. 2008 No. 215 |
|  | am. 2011 No. 133 |
| **Division 2.3** |  |
| r 2.08 | am. 2002 No. 80 |
|  | rs. 2008 No. 215 |
|  | am. 2009 No. 55; 2011 No. 133; 2012 No. 94 |
| **Division 2.4** |  |
| Div. 2.4 of Part 2 | ad. 2008 No. 215 |
| r 2.09 | ad. 2008 No. 215 |
|  | am. No. 56, 2013 |
| Note 2 to r 2.09 | am. No. 56, 2013 |
| r 2.10 | ad. 2008 No. 215 |
| r 2.11 | ad. 2008 No. 215 |
| **Part 3** |  |
| **Division 3.1** |  |
| r 3.01 | am. No. 56, 2013 |
| r 3.02 | am. No. 56, 2013 |
| **Part 4** |  |
| Heading to Part 4 | rs. 2011 No. 133 |
| **Division 4.1** |  |
| Heading to Div. 4.1 | ad. 2011 No. 133 |
| r 4.01 | am. 2007 No. 179 |
| r 4.03 | am. 2002 No. 80; 2007 No. 179 |
| r 4.05 | am. 2007 No. 179; 2009 No. 160; 2011 No. 133 |
| Note to r 4.05(3) | am. No. 56, 2013 |
| r 4.06 | am. 2006 No. 2 |
|  | rep. 2007 No. 179 |
| r 4.07 | am. 2007 No. 179 |
| r 4.08 | ad. 2007 No. 179 |
| **Division 4.2** |  |
| Div. 4.2 of Part 4 | ad. 2011 No. 133 |
| r 4.09 | ad. 2011 No. 133 |
|  | am No 151, 2014 |
| r 4.10 | ad. 2011 No. 133 |
|  | am No 151, 2014 |
| **Part 5** |  |
| r 5.02 | rs. 2007 No. 179 |
| r 5.03 | am. 2003 No. 272 |
| **Part 6** |  |
| **Division 6.1** |  |
| r 6.01 | am. 2006 No. 2; 2007 No. 179; 2008 No. 215; 2012 No. 94 |
| r 6.03 | am. 2007 No. 179; 2009 No. 55 |
| r 6.05 | am. 2006 No. 2 |
|  | rs. 2007 No. 179 |
| **Division 6.2** |  |
| r 6.07 | am. 2002 No. 80 |
| r 6.08 | am. 2002 No. 80 |
| **Division 6.3** |  |
| r 6.11 | am. 2012 No. 94 |
| r 6.12 | rs. 2012 No. 94 |
|  | am. No. 56, 2013 |
| **Division 6.4** |  |
| Heading to Div. 6.4 | rs. 2006 No. 2 |
| r 6.14 | am. 2006 No. 2 |
| r 6.15 | am. 2006 No. 2 |
| r 6.19 | ad. 2007 No. 179 |
| **Part 7** |  |
| **Division 7.1** |  |
| r 7.02 | am. No. 56, 2013 |
| **Part 8** |  |
| r 8.02 | am. 2002 No. 80; 2008 No. 215; No. 56, 2013 |
| Note 1 to r 8.02 | rep. No. 56, 2013 |
| Note 2 to r 8.02 | rep. No. 56, 2013 |
| Note to r 8.02 | ad. No. 56, 2013 |
| r 8.03 | rs. 2004 No. 54 |
| **Part 9** |  |
| r 9.01 | am. 2007 No. 179 |
| r 9.02 | am. 2007 No. 179 |
| r 9.03 | am. 2008 No. 215 |
| **Part 10** |  |
| **Division 10.1** |  |
| r 10.01 | am. 2006 No. 2 |
| **Division 10.2** |  |
| Heading to Div. 10.2 | rs. 2007 No. 179 |
| Heading to r 10.04 | rs. 2007 No. 179 |
| r 10.04 | am. 2007 No. 179 |
| Note 1 to r 10.04 | am. 2007 No. 179 |
|  | rs. 2011 No. 133 |
| Note 2 to r 10.04 | am. 2002 No. 80; 2011 No. 133 |
|  | rs. 2011 No. 133 |
| Note 3 to r 10.04 | am. 2002 No. 80; 2007 No. 179; 2011 No. 133 |
|  | rs. 2011 No. 133 |
| Note 4 to r 10.04 | am. 2002 No. 80; 2011 No. 133 |
|  | rs. 2011 No. 133 |
| Note 5 to r 10.04 | ad. 2011 No. 133 |
| r 10.05 | am. 2007 No. 179; 2011 No. 133; No. 56, 2013; No 151, 2014 |
| **Division 10.3** |  |
| r 10.06 | am. 2004 No. 54 |
| **Part 11** |  |
| **Division 11.2** |  |
| r 11.08 | am. 2007 No. 179 |
| r 11.12 | rs. 2011 No. 133 |
| r 11.13 | am. 2009 No. 55 |
| **Part 12** |  |
| Part 12 of Chapt. 1 | rs. 2012 No. 94 |
| r 12.01 | rs. 2012 No. 94 |
| r 12.02 | rs. 2012 No. 94 |
| r 12.03 | am. 2007 No. 179 |
|  | rs. 2012 No. 94 |
| r 12.03A | ad. 2007 No. 179 |
|  | rep. 2012 No. 94 |
| r 12.04 | rs. 2012 No. 94 |
| r 12.05 | am. 2007 No. 179 |
|  | rs. 2012 No. 94 |
| r 12.06 | rep. 2012 No. 94 |
| r 12.07 | rep. 2012 No. 94 |
| **Part 13** |  |
| **Division 13.1** |  |
| Heading to Div. 13.1 | rs. 2008 No. 215 |
| r 13.01 | am. 2007 No. 179 |
| **Division 13.1A** |  |
| Heading to Div. 13.1A | ad. 2008 No. 215 |
| Heading to r 13.03 | rs. 2003 No. 272 |
| r 13.03 | am. 2003 No. 272 |
|  | rs. 2008 No. 215 |
| r 13.03A | ad. 2003 No. 272 |
|  | rs. 2006 No. 2; 2008 No. 215 |
| r 13.03B | ad. 2003 No. 272 |
|  | rs. 2008 No. 215 |
| Note to r 13.03B | rep. 2007 No. 179 |
| r 13.03C | ad. 2003 No. 272 |
|  | rs. 2008 No. 215 |
| r 13.03D | ad. 2008 No. 215 |
| **Division 13.2** |  |
| r 13.04A | ad. 2011 No. 133 |
|  | am. 2012 No. 94 |
| **Division 13.3** |  |
| r 13.06 | rep. 2003 No. 272 |
| Heading to r 13.07 | rs. 2003 No. 272 |
| r 13.07 | am. 2005 No. 263 |
| r 13.09 | am. 2007 No. 179 |
| r 13.10 | rs. 2003 No. 272; 2005 No. 263 |
| Note to r 13.10 | am No 151, 2014 |
| r 13.11 | am. 2008 No. 215; 2009 No. 55 |
|  | rs. No. 56, 2013 |
| Note to r 13.11(6) | ad. 2003 No. 272 |
|  | rep. No. 56, 2013 |
| r 13.11A | ad. No. 56, 2013 |
| r 13.12 | ad. 2011 No. 133 |
| **Part 14** |  |
| **Division 14.1** |  |
| Note to r 14.01 | am. No. 56, 2013 |
| **Division 14.2** |  |
| Note to r 14.02(1) | am. No. 56, 2013 |
| **Division 14.2** |  |
| r 14.11 | am. 2002 No. 80 |
| **Part 15** |  |
| Note to heading to Part 15 | ad. 2007 No. 179 |
| **Division 15.1** |  |
| Note to r 15.01 | rep No 151, 2014 |
| Heading to r 15.02 | am. 2009 No. 55 |
| r 15.02 | am. 2009 No. 55 |
| r 15.03 ` | am. No. 56, 2013 |
| r 15.05 | am. 2004 No. 54 |
|  | rep. 2012 No. 94 |
| **Division 15.2** |  |
| r 15.06A | ad. 2003 No. 272 |
| r 15.09 | am. 2003 No. 272 |
| **Division 15.4** |  |
| Heading to r 15.27 | rs. 2008 No. 215 |
| r 15.27 | am. 2008 No. 215 |
| r 15.29A | ad. 2006 No. 2 |
| **Division 15.5** |  |
| r 15.31 | am. 2007 No. 179 |
| **Part 15A** |  |
| Heading to Div. 15.3 Renumbered Part 15A | 2009 No. 316 |
| **Division 15A.1** |  |
| Heading to Div. 15A.1 | ad. 2009 No. 316 |
| r 15.13A | ad. 2006 No. 2 |
| Renumbered r 15A.01 | 2009 No. 316 |
| Heading to r 15A.01 | rs. 2009 No. 316 |
| R, 15A.01 | am. 2009 No. 316 |
| r 15.13 | am. 2006 No. 2; 2007 No. 179 |
| Renumbered r 15A.02 | 2009 No. 316 |
| r 15A.02 | am. 2009 No. 316 |
| r 15A.03 | ad. 2009 No. 316 |
| r 15.14 |  |
| Renumbered r 15A.04 | 2009 No. 316 |
| r 15A.04 | am. 2009 No. 316 |
| r 15.15 |  |
| Renumbered r 15A.05 | 2009 No. 316 |
| r 15A.05 | am. 2009 No. 316 |
| r 15.16 | am. 2006 No. 2; 2009 No. 55 |
| Renumbered r 15A.06 | 2009 No. 316 |
| r 15A.06 | am. 2009 No. 316; No 151, 2014 |
| Note to r 15.16(1) | ad. 2006 No. 2 |
| r 15.17 | rs. 2006 No. 2 |
| Renumbered r 15A.07 | 2009 No. 316 |
| r 15.17A | ad. 2006 No. 2 |
| Renumbered r 15A.08 | 2009 No. 316 |
| r 15.18 |  |
| Renumbered r 15A.09 | 2009 No. 316 |
| r 15.19 | rs. 2006 No. 2 |
| Renumbered r 15A.10 | 2009 No. 316 |
| r 15A.10 | am. 2009 No. 316 |
| r 15.20 | am. 2006 No. 2 |
| Renumbered r 15A.11 | 2009 No. 316 |
| **Division 15A.2** |  |
| Div. 15A.2 of Part 15A | ad. 2009 No. 316 |
| r 15A.12 | ad. 2009 No. 316 |
| r 15A.13 | ad. 2009 No. 316 |
| r 15A.14 | ad. 2009 No. 316 |
| r 15A.15 | ad. 2009 No. 316 |
|  | rs. 2011 No. 133 |
| r 15.21 | am. 2006 No. 2 |
|  | rep. 2009 No. 316 |
| r 15.22 | am. 2009 No. 55 |
|  | rep. 2009 No. 316 |
| r 15.23 | rs. 2006 No. 2 |
| Renumbered r 15A.16 | 2009 No. 316 |
| **Division 15A.3** |  |
| Heading to Div. 15A.3 | ad. 2009 No. 316 |
| r 15.24 |  |
| Renumbered r 15A.17 | 2009 No. 316 |
| **Part 16** |  |
| Note to r 16.05(3) | rs. 2006 No. 2 |
| r 16.08 | rs. 2006 No. 2 |
|  | am. 2011 No. 133; am. No. 56, 2013 |
| **Part 19** |  |
| r 19.02 | am. 2007 No. 179 |
| **Part 20** |  |
| Heading to Part 20 | rs. 2003 No. 272 |
| **Division 20.1** |  |
| Heading to Div. 20.1 | ad. 2003 No. 272 |
| r 20.00A | ad. 2003 No. 272 |
|  | am. 2006 No. 2; 2008 No. 10 |
|  | rs. 2008 No. 215 |
|  | am. 2009 No. 55; 2011 No. 133; 2012 No. 94; No. 56, 2013 |
| Note to r 20.00A | rep. 2011 No. 133 |
|  | ad. 2011 No. 133 |
|  | am. No. 56, 2013 |
| Note to r 20.00A(2) | ad. 2007 No. 179 |
|  | rep. 2008 No. 215 |
| r 20.00B | ad. 2004 No. 54 |
|  | rep. 2007 No. 179 |
| **Division 20.2** |  |
| Heading to Div. 20.2 | ad. 2003 No. 272 |
| r 20.01 | am. 2003 No. 272; 2006 No. 2; 2011 No. 133 |
| r 20.02 | am. 2007 No. 179 |
| **Part 21** |  |
| **Division 21.1** |  |
| r 21.01 | am. 2007 No. 179 |
| Note to r 21.01 | am. 2002 No. 80 |
| **Division 21.2** |  |
| r 21.02 | am. 2004 No. 54; 2012 No. 94 |
| r 21.06 | rep. 2002 No. 80 |
| r 21.08 | am. 2002 No. 80 |
| Heading to Subdiv. 21.3.1  of Part 21 | rep. 2002 No. 80 |
| **Division 21.3** |  |
| r 21.09 | am. 2002 No. 80; 2004 No. 54 |
| Note to r 21.09(3) | rs. 2003 No. 272 |
| r 21.10 | am. 2002 No. 60; 2005 No. 263; 2012 No. 94 |
| Note to r 21.10 | ad. 2002 No. 80 |
|  | rs. 2006 No. 2 |
|  | am. No. 56, 2013 |
| Heading to r 21.11 | rs. 2002 No. 80 |
| r 21.11 | am. 2002 No. 80; 2003 No. 272; 2004 No. 54 |
| r 21.13 | am. 2009 No. 55 |
| r 21.16 | am. 2003 No. 272; 2005 No. 263; 2012 No. 94 |
| Subdiv. 21.3.2 to Part 21 | rep. 2002 No. 80 |
| rr 21.17–21.19 | rep. 2002 No. 80 |
| **Chapter 2** |  |
| Heading to Chapt. 2 | am. 2002 No. 80 |
| **Part 23** |  |
| Heading to Part 23 | rs. 2007 No. 179 |
| Notes 1–3 to heading to Part 23 | rep. 2007 No. 179 |
| Note to heading to Part 23 | ad. 2007 No. 179 |
| **Division 23.1** |  |
| Heading to Div. 23.1 | rs. 2007 No. 179 |
| Note to Heading to  Div. 23.1 | rep. 2004 No. 54 |
| r 23.01A | ad. 2004 No. 54 |
|  | am. 2007 No. 179; 2009 No. 55; No 151, 2014 |
| r 23.01 | rs. 2007 No. 179 |
| **Division 23.2** |  |
| Div. 23.2 of Part 23 | rs. 2007 No. 179 |
| r 23.02 | rs. 2007 No. 179 |
| Note to r 23.02 | am. 2002 No. 80 |
|  | rep. 2007 No. 179 |
| **Part 24** |  |
| r 24.01A | ad. 2003 No. 272 |
| r 24.02 | rs. 2003 No. 272 |
|  | am. 2004 No. 54; 2007 No. 179 |
| r 24.03 | am. 2003 No. 272; No 151, 2014 |
| r 24.04 | am. 2003 No. 272 |
| r 24.07 | ad. 2003 No. 272 |
|  | am. 2009 No. 55 |
| **Part 25** |  |
| Note to Heading to Part 25 | rep. 2004 No. 54 |
| Part 25 | rs. 2006 No. 2 |
| **Division 25.1** |  |
| r 25.01 | am. 2004 No. 54 |
|  | rs. 2006 No. 2 |
|  | am. 2007 No. 179 |
| r 25.02 | rs. 2006 No. 2 |
| r 25.03 | am. 2004 No. 54 |
|  | rs. 2006 No. 2 |
|  | am. 2007 No. 179 |
| r 25.04 | rs. 2006 No. 2 |
|  | am. 2007 No. 179 |
| r 25.05 | am. 2004 No. 54 |
|  | rs. 2006 No. 2 |
|  | am. 2007 No. 179 |
| r 25.06 | am. 2004 No. 54 |
|  | rs. 2006 No. 2 |
| r 25.07 | am. 2004 No. 54 |
|  | rs. 2006 No. 2 |
|  | am. 2007 No. 179 |
| **Division 25.2** |  |
| r 25.08 | am. 2004 No. 54 |
|  | rs. 2006 No. 2 |
|  | am. 2007 No. 179 |
| r 25.09 | rs. 2006 No. 2 |
|  | rep. 2007 No. 179 |
| Heading to r 25.10 | rs. 2007 No. 179 |
| r 25.10 | rs. 2006 No. 2 |
|  | am. 2007 No. 179 |
| **Division 25.3** |  |
| r 25.11 | rs. 2006 No. 2 |
| r 25.12 | rep. 2003 No. 272 |
|  | ad. 2006 No. 2 |
| **Division 25.4** |  |
| r 25.13 | ad. 2006 No. 2 |
| r 25.14 | ad. 2006 No. 2 |
| r 25.15 | ad. 2006 No. 2 |
| **Division 25.5** |  |
| r 25.16 | ad. 2006 No. 2 |
|  | am. 2007 No. 179 |
| r 25.17 | ad. 2006 No. 2 |
|  | am. 2007 No. 179 |
| r 25.18 | ad. 2006 No. 2 |
| **Part 25A** |  |
| Part 25A | ad. 2004 No. 54 |
|  | rs. 2007 No. 179 |
| r 25A.01 | ad. 2004 No. 54 |
|  | rs. 2007 No. 179 |
| r 25A.02 | ad. 2004 No. 54 |
|  | rs. 2007 No. 179 |
| r 25A.03 | ad. 2004 No. 54 |
|  | rs. 2007 No. 179; No. 56, 2013 |
| r 25A.04 | ad. 2004 No. 54 |
|  | rs. 2007 No. 179 |
| r 25A.05 | ad. 2004 No. 54 |
|  | rs. 2007 No. 179 |
| r 25A.06 | ad. 2004 No. 54 |
|  | rs. 2007 No. 179 |
| r 25A.07 | ad. 2004 No. 54 |
|  | rs. 2007 No. 179 |
|  | am. 2012 No. 94; No. 56, 2013 |
| r 25A.08 | ad. 2004 No. 54 |
|  | rs. 2007 No. 179 |
| **Part 25B** |  |
| Part 25B | ad. 2004 No. 54 |
| **Division 25B.1** |  |
| r 25B.01 | ad. 2004 No. 54 |
|  | rs. 2006 No. 2 |
| Note 3 to r 25B.01 | am. 2007 No. 179 |
| r 25B.02 | ad. 2004 No. 54 |
|  | am. 2006 No. 2; 2007 No. 179 |
| r 25B.03 | ad. 2004 No. 54 |
| r 25B.04 | ad. 2004 No. 54 |
| Note to r 25B.04 | rs. 2006 No. 2; 2007 No. 179 |
| **Division 25B.2** |  |
| Div. 25B.2 of Part 25B | rs. 2011 No. 133 |
| **Subdivision 25B.2.1** |  |
| r 25B.05 | ad. 2004 No. 54 |
|  | am. 2007 No. 179 |
|  | rs. 2009 No. 55; 2011 No. 133 |
| Note to r 25B.05 | am. No. 56, 2013 |
| r 25B.06 | ad. 2011 No. 133 |
| r 25B.07 | ad. 2011 No. 133 |
| r 25B.08 | ad. 2011 No. 133 |
|  | am. 2012 No. 94 |
| r 25B.09 | ad. 2011 No. 133 |
| r 25B.10 | ad. 2011 No. 133 |
| r 25B.11 | ad. 2011 No. 133 |
| r 25B.12 | ad. 2011 No. 133 |
| r 25B.13 | ad. 2011 No. 133 |
|  | am. 2012 No. 94 |
| r 25B.14 | ad. 2011 No. 133 |
|  | am. 2012 No. 94 |
| r 25B.15 | ad. 2011 No. 133 |
| **Subdivision 25B.2.2** |  |
| r 25B.16 | ad. 2011 No. 133 |
| r 25B.17 | ad. 2011 No. 133 |
|  | am. No. 56, 2013 |
| r 25B.18 | ad. 2011 No. 133 |
| r 25B.19 | ad. 2011 No. 133 |
| r 25B.20 | ad. 2011 No. 133 |
| Note to r 25B.20 | am No 151, 2014 |
| **Subdivision 25B.2.3** |  |
| r 25B.21 | ad. 2011 No. 133 |
| r 25B.22 | ad. 2011 No. 133 |
| r 25B.23 | ad. 2011 No. 133 |
| r 25B.24 | ad. 2011 No. 133 |
| r 25B.25 | ad. 2011 No. 133 |
| r 25B.26 | ad. 2011 No. 133 |
| r 25B.27 | ad. 2011 No. 133 |
| r 25B.28 | ad. 2011 No. 133 |
| r 25B.29 | ad. 2011 No. 133 |
| r 25B.30 | ad. 2011 No. 133 |
| r 25B.31 | ad. 2011 No. 133 |
| r 24B.32 | ad. 2011 No. 133 |
| r 25B.33 | ad. 2011 No. 133 |
| r 25B.34 | ad. 2011 No. 133 |
| r 25B.35 | ad. 2011 No. 133 |
| r 25B.36 | ad. 2011 No. 133 |
| r 25B.37 | ad. 2011 No. 133 |
| **Subdivision 25B.2.4** |  |
| r 25B.38 | ad. 2011 No. 133 |
| r 25B.39 | ad. 2011 No. 133 |
| r 25B.40 | ad. 2011 No. 133 |
| r 25B.41 | ad. 2011 No. 133 |
|  | am. No. 56, 2013 |
| r 25B.42 | ad. 2011 No. 133 |
| r 25B.43 | ad. 2011 No. 133 |
| r 25B.44 | ad. 2011 No. 133 |
| r 25B.45 | ad. 2011 No. 133 |
| r 25B.46 | ad. 2011 No. 133 |
| r 25B.47 | ad. 2011 No. 133 |
| r 25B.48 | ad. 2011 No. 133 |
| r 25B.49 | ad. 2011 No. 133 |
| **Subdivision 25B.2.5** |  |
| r 25B.50 | ad. 2011 No. 133 |
| r 25B.51 | ad. 2011 No. 133 |
| r 25B.52 | ad. 2011 No. 133 |
| r 25B.53 | ad. 2011 No. 133 |
| **Subdivision 25B.2.6** |  |
| r 25B.54 | ad. 2011 No. 133 |
| r 25B.55 | ad. 2011 No. 133 |
| r 25B.56 | ad. 2011 No. 133 |
| r 25B.57 | ad. 2011 No. 133 |
| r 25B.58 | ad. 2011 No. 133 |
| r 25B.59 | ad. 2011 No. 133 |
| r 25B.60 | ad. 2011 No. 133 |
| **Subdivision 25B.2.7** |  |
| r 25B.61 | ad. 2011 No. 133 |
| r 25B.62 | ad. 2011 No. 133 |
| r 25B.63 | ad. 2011 No. 133 |
| r 25B.64 | ad. 2011 No. 133 |
| **Subdivision 25B.2.8** |  |
| r 25B.65 | ad. 2011 No. 133 |
| r 25B.66 | ad. 2011 No. 133 |
| r 25B.67 | ad. 2011 No. 133 |
| r 25B.68 | ad. 2011 No. 133 |
| **Division 25B.3** |  |
| r 25B.06 | ad. 2004 No. 54 |
| Renumbered r 25B.69 | 2011 No. 133 |
| Note to r 25B.06 | rs. 2007 No. 179 |
| r 25B.07 | ad. 2004 No. 54 |
|  | am. 2007 No. 179 |
| Renumbered r 25B.70 | 2011 No. 133 |
| r 25B.08 | ad. 2004 No. 54 |
| Renumbered r 25B.71 | 2011 No. 133 |
| r 25B.09 | ad. 2004 No. 54 |
| Renumbered r 25B.72 | 2011 No. 133 |
| **Division 25B.4** |  |
| r 25B.10 | ad. 2004 No. 54 |
| Renumbered r 25B.73 | 2011 No. 133 |
| r 25B.11 | ad. 2004 No. 54 |
| Renumbered r 25B.74 | 2011 No. 133 |
| r 25B.74 | am. 2011 No. 133 |
| r 25B.12 | ad. 2004 No. 54 |
| Renumbered r 25B.75 | 2011 No. 133 |
| r 25B.13 | ad. 2004 No. 54 |
| Renumbered r 25B.76 | 2011 No. 133 |
| r 25B.14 | ad. 2004 No. 54 |
| Renumbered r 25B.77 | 2011 No. 133 |
| **Chapter 3** |  |
| Heading to Chapt. 3 | am. 2002 No. 80 |
| **Part 26** |  |
| Note to r 26.01 | am. 2002 No. 80 |
| **Part 27** |  |
| Heading to Part 27 | rs. 2007 No. 179 |
| **Division 27.1** |  |
| r 27.01 | am. 2011 No. 133 |
| r 27.03 | am. 2002 No. 80 |
| **Part 28** |  |
| r 28.05 | am. 2002 No. 80; 2007 No. 179 |
| **Part 29** |  |
| Part 29 of Chapt. 3 | ad. 2011 No. 133 |
|  | rs. 2012 No. 94 |
| r 29.01 | ad. 2011 No. 133 |
|  | rs. 2012 No. 94 |
| r 29.02 | ad. 2011 No. 133 |
|  | rs. 2012 No. 94 |
| r 29.03 | ad. 2011 No. 133 |
|  | rs. 2012 No. 94 |
| r 29.04 | ad. 2011 No. 133 |
|  | rs. 2012 No. 94 |
| r 29.05 | ad. 2011 No. 133 |
|  | rs. 2012 No. 94 |
| r 29.06 | ad. 2011 No. 133 |
|  | rs. 2012 No. 94 |
| r 29.07 | ad. 2011 No. 133 |
|  | rs. 2012 No. 94 |
| r 29.08 | ad. 2011 No. 133 |
|  | rs. 2012 No. 94 |
| r 29.09 | ad. 2011 No. 133 |
|  | rs. 2012 No. 94 |
| r 29.10 | ad. 2011 No. 133 |
|  | rs. 2012 No. 94 |
| r 29.11 | ad. 2012 No. 94 |
| r 29.12 | ad. 2012 No. 94 |
| Chapter 4 | rep. 2006 No. 2 |
| Part 29 | rep. 2006 No. 2 |
| rr 29.01–29.07 | rep. 2006 No. 2 |
| r 29.08 | ad. 2002 No. 80 |
|  | rep. 2006 No. 2 |
| Part 30 | rep. 2006 No. 2 |
| rr 30.01–30.03 | rep. 2006 No. 2 |
| Part 31 | rep. 2006 No. 2 |
| r 31.01 | rep. 2006 No. 2 |
| r 31.02 | am. 2003 No. 272 |
|  | rep. 2006 No. 2 |
| rr 31.03–31.10 | rep. 2006 No. 2 |
| Part 32 | rep. 2006 No. 2 |
| rr 32.01–32.03 | rep. 2006 No. 2 |
| Part 33 | rep. 2006 No. 2 |
| r 33.01 | rep. 2006 No. 2 |
| Div 33.1 | rep. 2006 No. 2 |
| rr 33.02–33.06 | rep. 2006 No. 2 |
| Div 33.2 | rep. 2006 No. 2 |
| rr 33.07–33.14 | rep. 2006 No. 2 |
| Part 34 | rep. 2006 No. 2 |
| r 34.01 | rep. 2006 No. 2 |
| Part 35 | rep. 2006 No. 2 |
| rr 35.01–35.05 | rep. 2006 No. 2 |
| Part 36 | rep. 2006 No. 2 |
| rr 36.01–36.02 | rep. 2006 No. 2 |
| Part 37 | rep. 2006 No. 2 |
| rr 37.01–37.04 | rep. 2006 No. 2 |
| Part 38 | rep. 2006 No. 2 |
| rr 38.01–38.06 | rep. 2006 No. 2 |
| Part 39 | rep. 2006 No. 2 |
| Div 39.1 | rep. 2006 No. 2 |
| rr 39.01–39.03 | rep. 2006 No. 2 |
| Div 39.2 | rep. 2006 No. 2 |
| rr 39.04–39.05 | rep. 2006 No. 2 |
| Part 40 | rep. 2006 No. 2 |
| rr 40.01–40.02 | rep. 2006 No. 2 |
| **Chapter 5** |  |
| **Part 41** |  |
| r 41.02 | am. 2011 No. 133 |
| Note to r 41.02(2) | am. 2011 No. 133 |
| r 41.02A | ad. 2006 No. 2 |
|  | rs. 2007 No. 179 |
| r 41.03 | am. 2007 No. 179 |
| r 41.04 | rs. 2006 No. 2; 2007 No. 179 |
| **Chapter 6** |  |
| **Part 42** |  |
| Part 42 of Chapt. 6 | rs. 2012 No. 94 |
| Note to Part 42 | ad. 2005 No. 263 |
|  | rs. 2012 No. 94 |
| r 42.01 | rs. 2012 No. 94 |
| r 42.02 | rs. 2012 No. 94 |
| r 42.03 | rs. 2012 No. 94 |
| r 42.04 | rs. 2012 No. 94 |
| r 42.05 | ad. 2012 No. 94 |
| r 42.06 | ad. 2012 No. 94 |
| **Part 43** |  |
| Part 43 of Chapt. 6 | rs. 2012 No. 94 |
| Note to Part 43 | ad. 2005 No. 263 |
|  | rs. 2012 No. 94 |
| r 43.01 | rs. 2012 No. 94 |
| r 43.02 | am. 2007 No. 179 |
|  | rs. 2012 No. 94 |
| r 43.03 | rs. 2012 No. 94 |
| r 43.04 | am. 2003 No. 272; 2007 No. 179 |
|  | rs. 2012 No. 94 |
| r 43.05 | rs. 2012 No. 94 |
| r 43.06 | rs. 2012 No. 94 |
| r 43.07 | ad. 2012 No. 94 |
| **Part 44** |  |
| Part 44 | ad. 2005 No. 263 |
| **Division 44.1** |  |
| r 44.01 | ad. 2005 No. 263 |
| r 44.02 | ad. 2005 No. 263 |
| r 44.03 | ad. 2005 No. 263 |
| **Division 44.2** |  |
| r 44.04 | ad. 2005 No. 263 |
| r 44.05 | ad. 2005 No. 263 |
|  | am. 2007 No. 179; 2009 No. 55 |
| r 44.06 | ad. 2005 No. 263 |
| **Division 44.3** |  |
| r 44.07 | ad. 2005 No. 263 |
| r 44.08 | ad. 2005 No. 263 |
| r 44.09 | ad. 2005 No. 263 |
| **Division 44.4** |  |
| r 44.10 | ad. 2005 No. 263 |
| r 44.11 | ad. 2005 No. 263 |
| r 44.12 | ad. 2005 No. 263 |
| r 44.13 | ad. 2005 No. 263 |
| r 44.14 | ad. 2005 No. 263 |
| r 44.15 | ad. 2005 No. 263 |
|  | am. 2012 No. 94; No. 56, 2013; No 151, 2014 |
| **Chapter 7** |  |
| Chapter 7 | ad. 2009 No. 160 |
| **Part 45** |  |
| **Division 45.1** |  |
| r 45.01 | ad. 2009 No. 160 |
|  | am No 151, 2014 |
| hdg to r 45.02 | rs No 151, 2014 |
| r 45.02 | ad. 2009 No. 160 |
|  | am No 151, 2014 |
| r 45.03 | ad. 2009 No. 160 |
|  | am No 151, 2014 |
| **Division 45.2** |  |
| r 45.04 | ad. 2009 No. 160 |
| r 45.05 | ad. 2009 No. 160 |
| **Division 45.3** |  |
| r 45.06 | ad. 2009 No. 160 |
|  | am. No. 56, 2013; No 151, 2014 |
| r 45.07 | ad. 2009 No. 160 |
|  | am. No. 56, 2013; No 151, 2014 |
| r 45.08 | ad. 2009 No. 160 |
| r 45.09 | ad. 2009 No. 160 |
| **Division 45.4** |  |
| Heading to r 45.10 | rs. 2011 No. 133 |
| r 45.10 | ad. 2009 No. 160 |
| r 45.11 | ad. 2009 No. 160 |
|  | am. 2011 No. 133 |
| r 45.12 | ad. 2009 No. 160 |
| Heading to r 45.13 | rs. 2011 No. 133 |
| r 45.13 | ad. 2009 No. 160 |
|  | am. 2011 No. 133 |
| r 45.13A | ad. 2011 No. 133 |
| **Division 45.4A** |  |
| Div. 45.4A of Part 4 | ad. 2011 No. 133 |
| r 45.13B | ad. 2011 No. 133 |
|  | am. No. 56, 2013 |
| Div 45.5 | rep No 151, 2014 |
| r 45.14 | ad. 2009 No. 160 |
|  | rep No 151, 2014 |
| **Chapter 8** |  |
| Chapter 8 ad | ad. 2011 No. 133 |
| **Part 46** |  |
| r 46.1 | ad. 2011 No. 133 |
| r 46.2 | ad. 2011 No. 133 |
| r 46.3 | ad. 2011 No. 133 |
| r 46.4 | ad. 2011 No. 133 |
| r 46.5 | ad. 2011 No. 133 |
| **Schedule 1** |  |
| Heading to Schedule 1 | rs. 2003 No. 272; 2005 No. 263; 2012 No. 94; No 151, 2014 |
| Schedule 1 | am. 2002 No. 80; 2003 No. 272; 2005 No. 263; 2006 No. 2; 2008 No. 10 |
|  | rs. 2009 No. 55 |
|  | am. 2011 No. 133 |
|  | rs. 2012 No. 94; No. 56, 2013; No 151, 2014 |
| Schedule 2 | am. 2002 No. 80; 2003 No. 272; 2004 No. 54; 2005 No. 263; 2006 No. 2 |
|  | rep. 2007 No. 179 |
| **Schedule 3** |  |
| Schedule 3 | am. 2003 No. 272; 2004 No. 54; 2006 No. 2; 2007 No. 179; 2009 No. 160; 2011 No. 133; 2012 No. 94 |
|  | rs. No. 56, 2013 |
|  | am No 151, 2014 |
| Schedule 4 | ad. 2003 No. 272 |
|  | rep. 2006 No. 2 |
| Schedule 5 | ad. 2004 No. 54 |
|  | rs. 2009 No. 55 |
|  | rep. 2011 No. 133 |
| **Dictionary** |  |
| Dictionary | am. 2002 No. 80; 2004 No. 54; 2006 No. 2; 2007 No. 179; 2008 No. 215; 2009 No. 55; 2011 No. 133; 2012 No. 94; No. 56, 2013; No 151, 2014 |

Endnote 5—Uncommenced amendments

Federal Circuit Court Amendment (2014 Measures No. 1) Rules 2014 (No. 151, 2014)

Schedule 1

23 After subrule 2.04(1A)

Insert:

(1B) A reference in these Rules to a notice of risk is a reference to Form 1 in Schedule 2.

24 At the end of rule 4.01

Add:

Note: An application for a parenting order must be accompanied by a notice of risk: see rule 22A.02.

25 At the end of rule 4.03

Add:

Note: A response to an application for a parenting order, or a response seeking a parenting order, must be accompanied by a notice of risk: see rule 22A.02.

26 After Part 22

Insert:

Part 22A—Notice of risk etc.

Division 1—Notice of risk

22A.01 Definitions

In this Division:

***interested person***:

(a) in a proceeding to which section 67Z of the Family Law Act applies—has the meaning given by subsection (4) of that section; and

(b) in a proceeding to which section 67ZBA of the Family Law Act applies—has the meaning given by subsection (4) of that section.

22A.02 Notice of risk must be filed with application for parenting order

(1) A person who:

(a) makes an application to the Court for a parenting order; or

(b) files a response to such an application;

must file a notice of risk with the application or response.

Note 1: A notice of risk must be in accordance with Form 1 in Schedule 2: see subrule 2.04(1B).

Note 2: For additional obligations when an application is made to the Court for a parenting order by consent, see rule 13.04A.

(2) The affidavit filed with the application or response, in accordance with rule 4.05, must state the evidence relied on to support each allegation (if any) set out in the notice of risk.

Note 1: If a notice of risk filed in a proceeding alleges that a child to whom the proceeding relates has been abused or is at risk of being abused, or there has been family violence or there is a risk of family violence by one of the parties to the proceeding, a true copy of the notice must be served on the person to whom the allegations relate: see subsections 67Z(2) and 67ZBA(2) of the Family Law Act.

Note 2: If a notice of risk filed in a proceeding alleges that a child to whom the proceeding relates has been abused or is at risk of being abused, the Registry Manager must notify a prescribed child welfare authority: see subsection 67Z(3) and paragraph 67ZBA(3)(b) of the Family Law Act.

22A.03 Notice of risk filed by interested person

If:

(a) an interested person files a notice of risk in a proceeding for the purposes of subsection 67Z(2) or 67ZBA(2) of the Family Law Act; and

(b) the notice of risk was not filed under rule 22A.02;

the interested person must file an affidavit stating the evidence relied on to support each allegation set out in the notice of risk.

22A.04 Amendment of notice of risk

If:

(a) a person who is a party to a proceeding, or an interested person in a proceeding, has filed a notice of risk in the proceeding; and

(b) after filing the notice, the person becomes aware of new facts or circumstances that would require the person to file a notice of risk for the purposes of subsection 67Z(2) or 67ZBA(2) of the Family Law Act in relation to those facts or circumstances;

the person must file:

(c) a new notice of risk setting out those facts or circumstances; and

(d) an affidavit stating the evidence relied on to support each allegation set out in the notice.

Note 1: A true copy of a notice of risk that is filed for the purposes of subsection 67Z(2) or 67ZBA(2) of the Family Law Act must be served on the person to whom the allegations relate: see subsections 67Z(2) and 67ZBA(2) of the Family Law Act.

Note 2: If a notice of risk alleges that a child has been abused or is at risk of being abused, the Registry Manager must notify a prescribed child welfare authority: see subsection 67Z(3) and paragraph 67ZBA(3)(b) of the Family Law Act.

22A.05 Proceedings transferred from another court

(1) This rule applies if a proceeding in which a parenting order is sought is transferred to the Court from another court.

(2) Each party to the proceeding must file and serve on each other party to the proceeding:

(a) a notice of risk; and

(b) an affidavit stating the evidence relied on to support each allegation (if any) set out in the notice.

(3) The notice of risk must be filed and served before the first court date for the proceeding in the Court.

22A.06 Content of notice of risk

A notice of risk filed in a proceeding must set out particulars of the facts and circumstances on which each allegation (if any) set out in the notice is based.

22A.07 Notice of risk for the purposes of subsection 67Z(2) or 67ZBA(2) of the Family Law Act

(1) A notice of risk is the prescribed form for a notice mentioned in subsections 67Z(2) and 67ZBA(2) of the Family Law Act.

Note: A notice of risk is the method by which the Court may fulfil its obligations under paragraph 69ZQ(1)(aa) of the Family Law Act.

(2) If:

(a) a person who is a party to a proceeding, or an interested person in the proceeding, has filed a notice of risk in the proceeding; and

(b) the notice of risk alleges:

(i) that a child to whom the proceeding relates has been abused or is at risk of being abused; or

(ii) that there has been family violence, or there is a risk of family violence, by one of the parties to the proceeding;

the person is taken to have filed a notice in the prescribed form for the purposes of subsection 67Z(2) or 67ZBA(2) of the Family Law Act in relation to the allegation.

Division 2—Family violence orders

22A.08 Family violence orders

(1) A party to a proceeding who is seeking a parenting order in relation to a child must file a copy of any family violence order affecting the child or a member of the child’s family.

(2) However, if a copy of a family violence order is not available, the party must file a written notice setting out:

(a) an undertaking to file the order within a specified time;

(b) the date of the order;

(c) the court that made the order; and

(d) the details of the order.

(3) The family violence order, or the notice under subrule (2), must be filed:

(a) when the proceeding commences; or

(b) as soon as practicable after the family violence order is made.

27 Part 1 of Schedule 3 (table item 3)

Repeal the item.

28 Dictionary

Insert:

***family violence order*** has the same meaning as in the Family Law Act.

Division 2—Form of notice of risk

Federal Circuit Court Rules 2001

29 After Schedule 1

Insert:

Schedule 2—Forms

Note: See subrule 2.04(1B).

Form 1—Notice of risk

Note: See subrule 2.04(1B) and Division 1 of Part 22A.

|  |  |
| --- | --- |
| **Federal circuit court**  **Of australia**  **REGISTRY:** | File number: ........................................................... |
| COURT USE ONLY |
| Court  Location: |
| Court date: |
| Court time: |

.....................................................................

Applicant

.....................................................................

Respondent

.....................................................................

Other party (if applicable)

*\* Repeat as necessary for additional parties*

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Filed on behalf of | | | |  | | | | | |
| Prepared by | | |  | | | | Lawyer’s code | |  |
| Name of law firm | | | |  | | | | | |
| Address for service in Australia | | | | |  | | | | |
|  |  | | | | State |  | | Postcode |  |
| Email | |  | | | | | | DX |  |
| Tel | |  | | | Fax |  | | Attention |  |

**NOTICE OF RISK [Subrule 2.04(1B)]**

1. **This Notice is filed by:**

Applicant  Respondent

Other  Specify: …………………

**ALLEGATIONS RELATING TO CHILD ABUSE**

**2. Has a child to whom the proceedings relate been abused or is a child to whom the proceedings relate at risk of being abused?**(See sections 67Z and 67ZBA and 4 and 4AB of the *Family Law Act* *1975*)

Yes  No

*If you tick ‘no’, go straight to question 3.*

*NOTE (1): If you tick ‘yes’ to this question, further particulars must be provided at (a) – (d) below. This information will be reported to the relevant child welfare authority, as required by sections 67Z and 67ZBA of the Family Law Act 1975.*

*NOTE (2): This form also fulfils the Court’s obligation under paragraph 69ZQ(1)(aa) of the Family Law Act 1975.*

(a) Do you allege that a child to whom the proceedings relate has been abused by a party to proceedings or any other person who is relevant to these proceedings?

Yes  No

Particulars of alleged abuse to a child:

|  |
| --- |
|  |
|  |
|  |
|  |
|  |
|  |

(b) Do you allege that a child to whom the proceedings relate is at risk of being abused by a party to proceedings or any other person who is relevant to these proceedings?

Yes  No

Particulars of alleged risk of abuse to a child:

|  |
| --- |
|  |
|  |
|  |
|  |
|  |

(c) If ‘yes’ is ticked to question (a) or (b) please select all of the categories that cover the alleged abuse or risk of abuse.

Physical assault

Sexual assault or abuse

Serious psychological harm

Serious neglect

(d) Have these allegation/s been reported to an external authority?

Yes  No

*If you tick ‘yes’ to question (d), specify to whom the allegation/s have been reported.*

Police ……………………………………….…………………

Child Welfare Authority ……………………………………………….…………

Medical Practitioner ……………………………………………………….…

Other ……………………………………….. (please specify)

**ALLEGATIONS RELATING TO FAMILY VIOLENCE**

**3. Has there been family violence or is there a risk of family violence by a party to the proceedings or any other person who is relevant to these proceedings?**

(See sections 67Z and 67ZBA and 4 and 4AB and of the *Family Law Act* *1975*)

Yes  No

*NOTE (1): If you tick ‘yes’ to this question, and a child or children have suffered or are at risk of suffering abuse in the form of serious psychological harm caused by being subjected to or exposed to family violence, you should also answer ‘yes’ to question 2 above.*

*NOTE (2): This form also fulfils the Court’s obligation under paragraph 69ZQ(1)(aa) of the Family Law Act 1975.*

Particulars of alleged family violence or risk of family violence:

|  |
| --- |
|  |
|  |
|  |
|  |
|  |

(a) Have these allegation/s been reported to an external authority?

Yes  No

*If you tick ‘yes’ to question (a), specify to whom the allegation/s have been reported.*

Police ……………………………………….…………………

Child Welfare Authority ……………………………………………….…………

Medical Practitioner ……………………………………………………….…

Other ……………………………………….. (please specify)

**ALLEGATIONS RELATING TO OTHER RISKS**

**4. Are there any other facts or circumstances that you allege pose a risk to a child who is the subject of the proceedings?**

1. Do you allege that a child is at risk because a party to the proceedings, or another person relevant to the proceedings, suffers mental ill‑health?

Yes  No

(b) Do you allege that a child is at risk because a party to the proceedings, or another person relevant to the proceedings, abuses drugs or alcohol?

Yes  No

(c) Do you allege that a child is at risk because a party, or another person relevant to the proceedings, suffers a serious parental incapacity?

Yes  No

(d) Do you allege that a child is otherwise at risk?

Yes  No

Particulars of facts or circumstances alleged in questions 4(a) to (d):

|  |
| --- |
|  |
|  |
|  |
|  |
|  |

**5. Details of the identity of all relevant adults and children:**

*NOTE: If you fear for your safety or the safety of your children, you do not need to disclose your or your children’s residential address*

|  |  |  |  |
| --- | --- | --- | --- |
| **Name** | **Last Known Address** | **Date of Birth** | **Description/Role** |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

**The evidence of the allegations must be set out in an affidavit accompanying this form.**

**Signature:** ....................................................

**Signed by:**  person giving this notice  lawyer

**Date:** ........../.........../..............

Notice prepared by:  person giving this notice  lawyer

(Print na

Endnote 6—Modifications [none]

Endnote 7—Misdescribed amendments [none]

Endnote 8—Miscellaneous [none]