



Family Law Amendment (Arbitration) Regulations 2025

I, the Honourable Sam Mostyn AC, Governor-General of the Commonwealth of Australia,
acting with the advice of the Federal Executive Council, make the following regulations.

Dated 6 March 2025

Sam Mostyn AC
Governor-General

By Her Excellency's Command

Mark Dreyfus KC
Attorney-General

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1 Name

This instrument is the *Family Law Amendment (Arbitration) Regulations 2025*.

2 Commencement

- (1) Each provision of this instrument 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 this instrument | The later of: (a) the day after this instrument is registered; and (b) 10 June 2025. | 10 June 2025 (paragraph (b) applies) |

Note: This table relates only to the provisions of this instrument as originally made.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

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

3 Authority

This instrument is made under the *Family Law Act 1975*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Family Law Regulations 2024

1 Section 22

Omit “an arbitration”, substitute “family law arbitration”.

2 Section 22 (note)

Omit “*arbitration*, see section 10L of the Act”, substitute “*family law arbitration*, see subsection 10L(2) of the Act”.

3 Section 25 (heading)

Omit “**relevant property or financial arbitration**”, substitute “**family law arbitration**”.

4 Subsection 25(1)

Repeal the subsection, substitute:

- (1) An application, under subsection 13F(1) of the Act, for an order to facilitate the effective conduct of family law arbitration must be in accordance with Form 7 in Schedule 3.

5 At the end of subsection 25(2)

Add:

; or (c) an arbitrator of the arbitration.

6 Subsection 27(1)

Omit “an arbitration”, substitute “family law arbitration”.

7 Section 28

Omit “an arbitration”, substitute “family law arbitration”.

8 Subsections 29(1) and (2)

Omit “an arbitration”, substitute “family law arbitration”.

9 Section 31

Omit “party to an arbitration”, substitute “party to family law arbitration”.

10 Subsections 32(1) and (2)

Omit “party to an arbitration”, substitute “party to family law arbitration”.

11 Section 33

Omit “an arbitration”, substitute “family law arbitration”.

12 Subsections 34(1) and (2)

Omit “an arbitration”, substitute “family law arbitration”.

13 Subsection 34(3) (note)

Repeal the note, substitute:

Note: If a person does not comply with a requirement under subsection (1), or with a subpoena issued under subsection (2), in relation to family law arbitration, a court may make such orders as it considers appropriate to facilitate the effective conduct of the arbitration: see subsections 13E(2) and 13F(3) of the Act.

14 Subsections 35(1) and (2)

Omit “an arbitration”, substitute “family law arbitration”.

15 Subsection 36(1)

Omit “an arbitration”, substitute “family law arbitration”.

16 Subsection 37(1)

Omit “arbitration”, substitute “family law arbitration”.

17 Subsection 37(2)

Omit “arbitration”, substitute “family law arbitration”.

18 Form 6 of Schedule 3

Omit:

C Hearing date
Hearing time

substitute:

C Hearing date
Hearing time
Hearing place

19 Form 6 of Schedule 3

Omit “tel” (wherever occurring), substitute “phone”.

20 Form 6 of Schedule 3

Omit “email ()” (wherever occurring), substitute “email”.

21 Form 7 of Schedule 3

Repeal the form, substitute:

Form 7—Application relating to family law arbitration

[name of court]

Fill in box A (file numbers)

| | | | |
|---|---|--|---------------------|
| <p>Application relating to family law arbitration</p> <p>Form 7—Section 25 of the <i>Family Law Regulations 2024</i></p> | A | File Number | |
| | B | Filed at | |
| | C | <p>Hearing date</p> <p>Hearing time</p> <p>Hearing place</p> | <p>AM</p> <p>PM</p> |

Application

A party or parties, or an arbitrator, seeks an order, details of which are given below, in relation to the family law arbitration of a dispute

Notice

Take notice that:

- this application is set down for hearing before the Court sitting at the time and place in box C above
- if you do not appear at the hearing, the Court may hear and decide the matter in your absence

Details of parties or arbitrator

| | | |
|---|---|--|
| <p>1 Names of parties or arbitrator making this application</p> <p><i>give details for each</i></p> <p><i>attach extra page if you need more space</i></p> | <p>family name (surname)</p> <p>family name (surname)</p> <p>family name (surname)</p> | <p>given names</p> <p>given names</p> <p>given names</p> |
| <p>2 Postal address for service of documents on each applicant</p> <p><i>Applicant 1</i></p> <p><i>Applicant 2</i></p> <p><i>Attach separate sheet for any others</i></p> | <p>send to solicitor/s in 3 <input type="checkbox"/> other <input type="checkbox"/> give details:</p> <p>postcode</p> <p>phone () email</p> <p>send to solicitor/s in 3 <input type="checkbox"/> other <input type="checkbox"/> give details:</p> <p>postcode</p> <p>phone () email</p> | |
| <p>3 Solicitor for each applicant</p> | | |

| | | | | | | | | | | | | | |
|--|--|----------|-------|----------|-------|---------------|--|----------|-------|----------|-------|---------------|--|
| <p><i>Applicant 1</i></p> <ul style="list-style-type: none"> - name - firm name - address - phone or email <p><i>Applicant 2</i></p> <ul style="list-style-type: none"> - name - firm name - address - phone or email <p><i>Attach separate sheet for any others</i></p> | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; height: 40px; vertical-align: top;">Phone or</td> <td style="width: 20%; text-align: center;">State</td> <td style="width: 20%; text-align: center;">Postcode</td> </tr> <tr> <td style="height: 40px; vertical-align: top;">Email</td> <td colspan="2" style="text-align: center;">Lawyer's code</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; height: 40px; vertical-align: top;">Phone or</td> <td style="width: 20%; text-align: center;">State</td> <td style="width: 20%; text-align: center;">Postcode</td> </tr> <tr> <td style="height: 40px; vertical-align: top;">Email</td> <td colspan="2" style="text-align: center;">Lawyer's code</td> </tr> </table> | Phone or | State | Postcode | Email | Lawyer's code | | Phone or | State | Postcode | Email | Lawyer's code | |
| Phone or | State | Postcode | | | | | | | | | | | |
| Email | Lawyer's code | | | | | | | | | | | | |
| Phone or | State | Postcode | | | | | | | | | | | |
| Email | Lawyer's code | | | | | | | | | | | | |

Details of order sought

| | |
|---|--|
| 4 | |
|---|--|

Details of the family law arbitration

| | |
|---|--------------------------------------|
| 5 Give brief details of the arbitration or proposed arbitration, including the name and address of the arbitrator (if already appointed), whether any arbitration proceedings have already taken place (and, if so, when and where) | <i>Attach copy of any award made</i> |
|---|--------------------------------------|

Signature

| | |
|---|---|
| Signed | Date |
| <div style="border: 1px solid black; height: 20px; width: 100%;"></div> | <div style="border: 1px solid black; height: 20px; width: 100%;"></div> |

applicant(s) ☐ solicitor for applicant(s) ☐

This application was prepared by applicant ☐ solicitor ☐ counsel ☐

(print name if
solicitor/counsel)

22 Form 8 of Schedule 3 (heading)

After “register”, insert “family law”.

23 Form 8 of Schedule 3

Omit “Application to register arbitration award”, substitute “Application to register family law arbitration award”.

24 Form 8 of Schedule 3

Omit:
Hearing date
(if hearing needed)
Hearing time

substitute:
Hearing date
Hearing time
Hearing place
(if hearing needed)

25 Form 9 of Schedule 3 (heading)

Omit “arbitration”.

26 Form 9 of Schedule 3

Omit “Application to register decree affecting registered arbitration award”,
substitute “Application to register decree affecting registered award”.

27 Form 9 of Schedule 3

Omit “tel”, substitute “phone”.

28 Form 9 of Schedule 3

Omit “email ()”, substitute “email”.