

Magistrates Court (Civil Proceedings) Amendment Rules 2022

SL 2022/15

Made by the Magistrates Court in accordance with the *Magistrates Court Act 2004* section 39.

1. Citation

These rules are the *Magistrates Court (Civil Proceedings) Amendment Rules 2022*.

2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day after that day.

3. Rules amended

These rules amend the *Magistrates Court (Civil Proceedings) Rules 2005*.

4. Schedule 1 amended

- (1) In Schedule 1 Forms 1 and 5 before the row relating to Firearms insert:

| | | |
|----------------------------------|---|---|
| Information relating to children | Is the person seeking to be protected a child who is under the control or in the care of a person under a child welfare law? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown |
| | If yes, has this application been made with the written consent of a person who, under the relevant child welfare law, has responsibility for the control or care of the child? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown |
| | Is the respondent a child who is under the control or in the care of a person under a child welfare law? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown |
| | Is the respondent under 16 years of age? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown |
| | If the respondent is under 16 years of age, is the person seeking to be protected any of the following: <ul style="list-style-type: none"> • a parent or guardian of the respondent; • a person responsible for the day to day care of the respondent; • a person with whom the respondent habitually resides? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

- (2) In Schedule 1 Form 8 before the row relating to Firearms insert:

| | | |
|----------------------------------|--|---|
| Information relating to children | Is the person seeking to be protected a child who is under the control or in the care of a person under a child welfare law? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown |
|----------------------------------|--|---|

| | | |
|--|---|---|
| | If yes, has this application been made with the written consent of a person who, under the relevant child welfare law, has responsibility for the control or care of the child? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown |
| | Is the respondent a child who is under the control or in the care of a person under a child welfare law? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown |

(3) In Schedule 1 Form 11 before the row relating to Conference insert:

| | | |
|----------------------------------|---|---|
| Information relating to children | Is the person seeking to be protected a child who is under the control or in the care of a person under a child welfare law? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown |
| | If yes, has this application been made with the written consent of a person who, under the relevant child welfare law, has responsibility for the control or care of the child? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown |
| | Is the respondent a child who is under the control or in the care of a person under a child welfare law? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown |
| | Is the respondent under 16 years of age? | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown |
| | If the respondent is under 16 years of age, is the person seeking to be protected any of the following: | <input type="checkbox"/> Yes <input type="checkbox"/> No |

- a parent or guardian of the respondent;
- a person responsible for the day to day care of the respondent;
- a person with whom the respondent habitually resides?

Dated 17 February 2022.

STEVEN HEATH, Chief Magistrate,
Magistrates Court in Perth.