

MAGISTRATES COURT (CIVIL PROCEEDINGS) AMENDMENT RULES (NO. 2)

1133. Hon Nick Goiran to the parliamentary secretary representing the Attorney General:

I refer to the *Magistrates Court (Civil Proceedings) Amendment Rules (No. 2)*, and I ask:

- (a) what was the catalyst for bringing about these amendments to the rules;
- (b) who was consulted prior to these amendment rules being finalised;
- (c) did any person consulted raise any concerns;
- (d) if yes to (c), what were these concerns;
- (e) have the finalised amendment rules addressed these concerns; and
- (f) if no to (e), why not?

Hon Matthew Swinbourn replied:

- (a) The *Firearms Amendment Act 2022* (Amendment Act) introduced a suite of changes to reduce access to firearms for criminals and other dangerous people in Western Australia. Proclamation of the Amendment Act occurred on 18 November 2022. Consequential amendments to the Magistrates Court (Civil Proceedings) Rules 2005 (the Rules) were required to support the proclamation of the Amendment Act.

Minor amendments were required to several forms prescribed in the *Restraining Orders Act 1997* (the RO Act), contained in Schedule 1 of the Rules. It was determined that reference to the term “firearm” be replaced by “firearm item” and that the words “firearms licence” be replaced by “firearms authorisation”. Changing this terminology ensured consistency with the RO Act, which was also amended in light of the Amendment Act. At the request of the Chief Magistrate, the forms were also amended to allow for an email address of the applicant and respondent to be inserted. This provides an additional means of contacting the parties.

- (b) The Chief Magistrate, the Deputy Chief Magistrate, Magistrates at the Perth Magistrates Court, the Director of Magistrates Court and Tribunals, and the Manager of Customer Services, Magistrates Court and Tribunals.
- (c) No.
- (d)–(f) Not applicable.