



Family Proceedings (Family Violence) Amendment Rules 2019

Patsy Reddy, Governor-General

Order in Council

At Wellington this 13th day of May 2019

Present:

Her Excellency the Governor-General in Council

These rules are made under section 188 of the Family Proceedings Act 1980 on the advice and with the consent of the Executive Council.

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Rules

1 Title

These rules are the Family Proceedings (Family Violence) Amendment Rules 2019.

2 Commencement

These rules come into force on 1 July 2019.

3 Principal rules

These rules amend the Family Proceedings Rules 1981 (the **principal rules**).

4 Schedule 1 amended

In Schedule 1, form FP 7,—

- (a) delete “, 23(2)(e), (5)(b), 24(2)(a)(ii)”;
- (b) replace “*Domestic Violence Act 1995*” with “*Family Violence Act 2018*”.

Michael Webster,
Clerk of the Executive Council.

Explanatory note

This note is not part of the rules, but is intended to indicate their general effect.

These rules, which come into force on 1 July 2019, amend the Family Proceedings Rules 1981 (the **principal rules**) to alter an information sheet to accompany applications for, or for an order varying, discharging, or suspending, a maintenance order (other than a maintenance order to which Part 8 (overseas maintenance) of the Family Proceedings Act 1980 (the **1980 Act**) applies). Cross-references to some revoked rules are revoked, and a reference to an associated respondent under the Domestic Violence Act 1995 is replaced with a reference to one under the replacement Family Violence Act 2018.

The principal rules apply (*see* rule 2 of those rules) only to the District Court’s very limited jurisdiction under the 1980 Act and the Care of Children Act 2004. Generally, only the Family Court has jurisdiction under Part 6 of the 1980 Act, and the Family Court Rules 2002 apply to proceedings in a Family Court (as those proceedings are defined in rule 5(5) of those rules). However, a District Court Judge, and the District Court, respectively, have jurisdiction under sections 82 (interim maintenance) and 99 (discharge, variation, and suspension of maintenance orders) in Part 6 of the 1980 Act.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 16 May 2019.
These rules are administered by the Ministry of Justice.