

RESTRAINING ORDERS AMENDMENT BILL 2013

EXPLANATORY MEMORANDUM

Overview of the Bill

The Restraining Orders Amendment Bill 2013 primarily amends section 25 of the *Restraining Orders Act 1997* to allow for violence restraining orders for the protection of a child to be taken out in the Children's Court and the Magistrates Court jurisdictions. In addition, there are some consequential amendments to the

Children's Court of Western Australia Act 1988.

Part 1 – Preliminary

1. Short title

This is the Restraining Orders Amendment Bill 2013

2. Commencement

This Act will come into operation on the day it receives Royal Assent.

Part 2 – Restraining Orders Act 1997 amended

3. Act amended

This part amends the Restraining Orders Act 1997

4. Section 25 amended

This clause provides for child applicants to have their application heard in the Children's Court or the Magistrates Court

5. Section 64 amended

This clause amends sections 64(3) and (4) of the *Restraining Orders Act 1997* to correct references to the *Children's Court of Western*

Australia Act 1988 that no longer exist since the latter Act was amended.

Part 3 – Children’s Court of Western Australia Act 1988 amended

6. Act amended

This Part amends the *Children’s Court of Western Australia Act 1988*

7. Section 20 amended

This clause makes consequential amendments to the *Children’s Court of Western Australia Act 1988* so that the Children’s Court has the jurisdiction to hear all applications with respect to a child under the *Restraining Orders Act 1997*.