

Top tips to sharpen your child support practice

Family Law Practitioners' Association

2021 Family Law Retreat

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Introduction

- **Departure prohibition orders**
 - Operation of orders
 - Appealing / reviewing orders
- **Appeals on questions of law**
 - Procedure
 - Grounds

Departure Prohibition

- COVID-19.
- Opening borders.

Departure Prohibition

- Registration and Collection Act, Part VA.
- Nature of a departure prohibition order.
- Object and purpose.

Departure Prohibition

- Making of an order.
- Notice of an order: *ex parte*.
- Enforcement of an order.

Departure Prohibition

- Revocation of an order.
- Variation of an order.
- Departure certificates.

Departure Prohibition

- Appeal against making of order.
- Review of refusal to revoke / vary order.
- Review of refusal of departure certificate.
- Stay orders.

Question of law appeals

- Appeals against AAT first review decisions.
- Appeals against AAT second review decision.
- Appeals against other AAT decisions.

Question of law appeals

- Appeals to FedCFamC Div 2.
- Appeals to Federal Court.
- Scope of appeal: question of law.

Question of law appeals

- Grounds of appeal:
 - Procedural grounds.
 - Construction / application grounds.
 - Unreasonableness.

Question of law appeals

- Compromising / settling appeal.
- Scope of settlement.
- Consent orders.

Question of law appeals

- Material to support appeal:
 - Documents before the decision-maker.
 - Evidence on appeal.

Question of law appeals

- Pleading / particulars.
- Written submissions.
- Amendment.