

# Childrens Court (Magistrates Court)

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## Practice Direction No. 6 of 2018

### Application for an extension of a court assessment order

1. The purpose of this Practice Direction is to assist where there is an application for an extension of a court assessment order pursuant to section 49(3) of the *Child Protection Act 1999* (the Act).
2. Nothing in this Practice Direction is to be taken as removing or limiting the discretion of the Court.
3. The following definitions apply in this Practice Direction unless otherwise stated:
  - (a) *Authorised officer* means a person holding office as an authorised officer under an appointment under the Act.
  - (b) *Child* see the Act section 8
  - (c) *Court assessment order* means an order under chapter 2, part 3, and includes –
    - (i) An order extending, varying or revoking a court assessment order; and
    - (ii) An interim order under section 67 in relation to a proceeding for a court assessment order.
4. This Practice Direction applies where an authorised officer applies to the Childrens Court for an order to extend the term of a court assessment order under section 49(3) and the child is in the chief executive's custody or guardianship, or the custody of a member of the child's family, under an order.
5. Pursuant to section 49(3) of the Act, any application to extend a court assessment order must be filed, heard and decided prior to the first court assessment order ending in order to retain custody under section 99 of the Act.

  
Judge Orazio Rinaudo AM  
Chief Magistrate  
6 November 2018