





# **Federal Circuit and Family Court of Australia Legislation (Consequential Amendments and Other Measures) Regulations 2021**

---

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 19 August 2021

David Hurley  
Governor-General

By His Excellency's Command

Michaelia Cash  
Attorney-General

---



---

# Contents

1	Name.....	1
2	Commencement .....	1
3	Authority.....	1
4	Schedules.....	2
<b>Schedule 1—Main amendments</b>		<b>3</b>
Part 1—General amendments		3
<i>Federal Court and Federal Circuit Court Regulation 2012</i>		3
<i>Family Law (Fees) Regulation 2012</i>		9
Part 2—Amendments of listed provisions		17
<i>Federal Court and Federal Circuit Court Regulation 2012</i>		17
<i>Family Law (Fees) Regulation 2012</i>		18
<b>Schedule 2—Other consequential amendments</b>		<b>20</b>
Part 1—General amendments		20
<i>Administrative Decisions (Judicial Review) Regulations 2017</i>		20
<i>Australian Crime Commission Regulations 2018</i>		20
<i>Automotive Transformation Scheme Regulations 2010</i>		21
<i>Designs Regulations 2004</i>		21
<i>Extradition Regulations 1988</i>		21
<i>Fair Work (Registered Organisations) Regulations 2009</i>		22
<i>Fair Work Regulations 2009</i>		22
<i>Fair Work (Transitional Provisions and Consequential Amendments) Regulations 2009</i>		23
<i>Family Law (Child Abduction Convention) Regulations 1986</i>		23
<i>Family Law (Child Protection Convention) Regulations 2003</i>		24
<i>Family Law (Family Dispute Resolution Practitioners) Regulations 2008</i>		25
<i>Family Law (Hague Convention on Intercountry Adoption) Regulations 1998</i>		26
<i>Family Law Regulations 1984</i>		28
<i>Federal Proceedings (Costs) Regulations 2018</i>		30
<i>Financial Framework (Supplementary Powers) Regulations 1997</i>		31
<i>Legislation (Exemptions and Other Matters) Regulation 2015</i>		31
<i>Mutual Assistance in Criminal Matters Regulations 1988</i>		31
<i>National Consumer Credit Protection Regulations 2010</i>		32
<i>Superannuation (CSS) Eligible Employees Regulations 1976</i>		32
<i>Superannuation Industry (Supervision) Regulations 1994</i>		32
<i>Trans-Tasman Proceedings Regulation 2012</i>		32
Part 2—Amendments of listed provisions		33
<i>Family Law (Child Protection Convention) Regulations 2003</i>		33
<i>Family Law Regulations 1984</i>		33



---

## 1 Name

This instrument is the *Federal Circuit and Family Court of Australia Legislation (Consequential Amendments and Other Measures) Regulations 2021*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	At the same time as the <i>Federal Circuit and Family Court of Australia Act 2021</i> .	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the following:

- (a) the *Administrative Decisions (Judicial Review) Act 1977*;
- (b) the *Australian Crime Commission Act 2002*;
- (c) the *Automotive Transformation Scheme Act 2009*;
- (d) the *Designs Act 2003*;
- (e) the *Extradition Act 1988*;
- (f) the *Fair Work Act 2009*;
- (g) the *Fair Work (Registered Organisations) Act 2009*;
- (h) the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009*;
- (i) the *Family Law Act 1975*;
- (j) the *Federal Circuit and Family Court of Australia Act 2021*;
- (k) the *Federal Court of Australia Act 1976*;
- (l) the *Federal Proceedings (Costs) Act 1981*;
- (m) the *Financial Framework (Supplementary Powers) Act 1997*;
- (n) the *Legislation Act 2003*;
- (o) the *Mutual Assistance in Criminal Matters Act 1987*;
- (p) the *National Consumer Credit Protection Act 2009*;
- (q) the *Superannuation Act 1976*;
- (r) the *Superannuation Industry (Supervision) Act 1993*;
- (s) the *Trans-Tasman Proceedings Act 2010*.

---

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## **Schedule 1—Main amendments**

### **Part 1—General amendments**

#### ***Federal Court and Federal Circuit Court Regulation 2012***

##### **1 Section 1.01**

Repeal the section, substitute:

###### **1.01 Name**

This instrument is the *Federal Court and Federal Circuit and Family Court Regulations 2012*.

###### **1.02 Authority**

This instrument is made under the following:

- (a) the *Federal Circuit and Family Court of Australia Act 2021*;
- (b) the *Federal Court of Australia Act 1976*.

##### **2 After the heading to section 1.03**

Insert:

Note: A number of expressions used in this instrument are defined in the Federal Court Act or the Federal Circuit and Family Court Act.

##### **3 Section 1.03**

Omit “In this regulation:”, substitute “In this instrument:”.

##### **4 Section 1.03 (paragraph (b) of the definition of *authorised officer*)**

Repeal the paragraph, substitute:

- (b) in relation to the Federal Circuit and Family Court of Australia (Division 2)—the following:
  - (i) an officer of that court authorised by the Chief Executive Officer (within the meaning of the Federal Circuit and Family Court Act) to exercise the power or carry out the function;
  - (ii) an officer of another court performing the function under an arrangement under section 246 of that Act;
  - (iii) an employee of an agency or organisation performing the function under an arrangement under section 247 of that Act.

##### **5 Section 1.03**

Insert:

*Federal Circuit and Family Court Act* means the *Federal Circuit and Family Court of Australia Act 2021*.

##### **6 Section 1.03**

Repeal the following definitions:

- (a) definition of *Federal Circuit Court*;

- (b) definition of *Federal Circuit Court Act*;
- (c) definition of *Federal Circuit Court Rules*;
- (d) definition of *general federal law proceeding*;
- (e) definition of *Registrar*.

### **7 Section 1.03 (paragraph (b) of the definition of *relevant court*)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

### **8 Section 1.03**

Insert:

*relevant Registrar* of a court means:

- (a) in relation to the Federal Court—the following:
  - (i) the Chief Executive Officer and Principal Registrar (within the meaning of the Federal Court Act);
  - (ii) a District Registrar of the court;
  - (iii) a Deputy District Registrar of the court;
  - (iv) a Registrar of the court; and
- (b) in relation to the Federal Circuit and Family Court of Australia (Division 2)—the following:
  - (i) the Chief Executive Officer and Principal Registrar (within the meaning of the Federal Circuit and Family Court Act);
  - (ii) a Senior Registrar or Registrar of the court.

### **9 After section 1.03**

Insert:

#### **1.03A Expressions used in this instrument that are defined in the Federal Court Act and the Federal Circuit and Family Court Act**

- (1) This section applies if an expression is defined in the Federal Court Act and the Federal Circuit and Family Court Act.
- (2) When used in a provision of this instrument, the expression has the meaning given by whichever of those Acts is appropriate in the context of the application and operation of that provision.

### **10 Subsections 1.04(1) and (3)**

Omit “regulation”, substitute “instrument”.

### **11 Section 1.05**

Repeal the section, substitute:

#### **1.05 Application of Parts 1 and 2**

Parts 1 and 2 apply to a fee for a service that is requested, or for the filing of a document that is lodged, in relation to the following:

- (a) a proceeding in the Federal Court;

- (b) a proceeding in the Federal Circuit and Family Court of Australia (Division 2) (other than a proceeding under the *Family Law Act 1975*).

Note: See the *Family Law (Fees) Regulation 2012* for information about fees in relation to proceedings under the *Family Law Act 1975*.

## **12 Section 2.01**

Repeal the section, substitute:

### **2.01 Purpose of this Part**

This Part prescribes matters relating to fees for the purposes of:

- (a) subsection 60(1) of the Federal Court Act; and
- (b) paragraphs 285(2)(b), (c) and (d) of the Federal Circuit and Family Court Act.

### **13 At the end of paragraph 2.02(1)(a)**

Add “in relation to a proceeding”.

### **14 Subsection 2.06A(1)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

### **15 Paragraph 2.06A(2)(b)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

### **16 Section 2.09 (heading)**

Repeal the heading, substitute:

### **2.09 Fee not payable in Federal Circuit and Family Court of Australia (Division 2) proceeding**

### **17 Subsections 2.09(1) and 2.10(4)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

### **18 At the end of subsection 2.11(1)**

Add:

- ; (g) a proceeding transferred from the Federal Circuit and Family Court of Australia (Division 2) by the Federal Court under section 32AC of the Federal Court Act;
- (h) a proceeding:
  - (i) transferred by the Federal Circuit and Family Court of Australia (Division 2) to the Federal Court under section 153 of the Federal Circuit and Family Court Act; and
  - (ii) whose transfer is confirmed by the Federal Court under section 32AD of the Federal Court Act.

**19 Subsection 2.11(2) (heading)**

Repeal the heading, substitute:

*Federal Circuit and Family Court of Australia (Division 2)*

**20 Subsection 2.11(2)**

Omit “Federal Circuit Court” (wherever occurring), substitute “Federal Circuit and Family Court of Australia (Division 2)”.

**21 At the end of subsection 2.12(1)**

Add:

; or (j) both:

- (i) the proceeding is one that is transferred from the Federal Circuit and Family Court of Australia (Division 2) by the Federal Court under section 32AC of the Federal Court Act; and
- (ii) a setting down fee has already been paid in relation to the proceeding;  
or
- (k) all of the following apply:
  - (i) the proceeding is one that is transferred by the Federal Circuit and Family Court of Australia (Division 2) to the Federal Court under section 153 of the Federal Circuit and Family Court Act;
  - (ii) the transfer of the proceeding is confirmed by the Federal Court under section 32AD of the Federal Court Act;
  - (iii) a setting down fee has already been paid in relation to the proceeding.

**22 Subsection 2.12(2) (heading)**

Repeal the heading, substitute:

*Federal Circuit and Family Court of Australia (Division 2)*

**23 Subsection 2.12(2)**

Omit “Federal Circuit Court” (wherever occurring), substitute “Federal Circuit and Family Court of Australia (Division 2)”.

**24 At the end of subsection 2.13(1)**

Add:

; or (k) both:

- (i) the proceeding is one that is transferred from the Federal Circuit and Family Court of Australia (Division 2) by the Federal Court under section 32AC of the Federal Court Act; and
- (ii) a hearing fee has already been paid in relation to the proceeding; or
- (l) all of the following apply:
  - (i) the proceeding is one that is transferred by the Federal Circuit and Family Court of Australia (Division 2) to the Federal Court under section 153 of the Federal Circuit and Family Court Act;
  - (ii) the transfer of the proceeding is confirmed by the Federal Court under section 32AD of the Federal Court Act;
  - (iii) a hearing fee has already been paid in relation to the proceeding.

**25 Subsection 2.13(2) (heading)**

Repeal the heading, substitute:

*Federal Circuit and Family Court of Australia (Division 2)*

**26 Subsection 2.13(2)**

Omit “Federal Circuit Court” (wherever occurring), substitute “Federal Circuit and Family Court of Australia (Division 2)”.

**27 Subsection 2.17(1)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

**28 Subsections 2.19(1) and (3)**

Omit “this regulation”, substitute “this instrument”.

**29 Section 2.22**

Omit “this regulation”, substitute “this instrument”.

**30 Section 4.01**

Omit “For subsection”, substitute “For the purposes of subsection”.

**31 Section 4.02**

Repeal the section, substitute:

**4.02 Leave to appeal—prescribed judgments of the Federal Circuit and Family Court of Australia (Division 2)**

(1) For the purposes of paragraphs 28(1)(b) and (3)(e) of the Federal Circuit and Family Court Act, the following judgments are prescribed:

- (a) an interlocutory decree (other than a decree in relation to a child welfare matter);
- (b) an order under section 102PE, 102QF or 102QG of the *Family Law Act 1975*.

(2) In this section:

*child welfare matter* means a matter relating to the following:

- (a) the person or persons with whom a child is to live;
- (b) the person or persons with whom a child is to spend time or communicate;
- (c) any other aspect of parental responsibility (within the meaning of Part VII of the *Family Law Act 1975*) for a child.

**32 Sections 5.01 and 5.02**

Repeal the sections.

**33 Paragraphs 5.03(e) and 5.04(e)**

Omit “this regulation”, substitute “this instrument”.

### **34 In the appropriate position in Part 5**

Insert:

#### **5.07 Application provision relating to the *Federal Circuit and Family Court of Australia Legislation (Consequential Amendments and Other Measures) Regulations 2021***

The amendments of this instrument made by Schedule 1 to the *Federal Circuit and Family Court of Australia Legislation (Consequential Amendments and Other Measures) Regulations 2021* apply in relation to the liability of a person to pay any of the following fees:

- (a) a filing fee for filing a document on or after 1 September 2021;
- (b) a setting down fee for a hearing if the hearing day is fixed on or after 1 September 2021;
- (c) a hearing fee for a day, or a part of a day, if the day (or part of the day) is fixed on or after 1 September 2021;
- (d) any other fee under this instrument for a service that is provided in relation to a proceeding on or after 1 September 2021.

### **35 Part 2 of Schedule 1 (heading)**

Repeal the heading, substitute:

## **Part 2—Fees for proceedings in the Federal Circuit and Family Court of Australia (Division 2)**

### **36 Part 2 of Schedule 1**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

### **37 Part 2 of Schedule 1 (table heading)**

Repeal the heading, substitute:

**Fees for proceedings in the Federal Circuit and Family Court of Australia (Division 2)**

### **38 Part 2 of Schedule 1 (table item 201, column headed “Document or service”)**

Omit “Federal Circuit Court of Australia”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

### **39 Part 2 of Schedule 1 (table item 201A, column headed “Document or service”)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

**40 Part 2 of Schedule 1 (table item 205, column headed “Document or service”)**

Omit “by the Registrar of the Federal Circuit Court under subsection 104(2) of the Federal Circuit Court Act”, substitute “by a delegate of the Federal Circuit and Family Court of Australia (Division 2) under subsection 256(1) of the Federal Circuit and Family Court Act”.

**41 Part 2 of Schedule 1 (table items 206 and 217, column headed “Document or service”)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

**42 Part 2 of Schedule 1 (table item 218, column headed “Document or service”)**

Omit “subsection 104(3) of the Federal Circuit Court Act”, substitute “subsection 256(2) of the Federal Circuit and Family Court Act”.

**43 Part 2 of Schedule 1 (table items 219, 220, 221 and 224, column headed “Document or service”)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

***Family Law (Fees) Regulation 2012***

**44 After section 1.01**

Insert:

**1.02 Authority**

This instrument is made under the following:

- (a) the *Family Law Act 1975*;
- (b) the *Federal Circuit and Family Court of Australia Act 2021*.

**45 Section 1.03 (after the heading)**

Insert:

- Note: A number of expressions used in this regulation are defined in the Family Law Act, including the following:
- (a) family dispute resolution practitioner;
  - (b) Federal Circuit and Family Court of Australia;
  - (c) financial or Part VII proceedings;
  - (d) party to a de facto relationship;
  - (e) recovery order.

**46 Section 1.03 (paragraph (a) of the definition of *authorised officer*)**

Repeal the paragraph, substitute:

- (a) in relation to the Federal Circuit and Family Court of Australia (Division 1)—the following:
  - (i) an officer of that court authorised by the Chief Executive Officer and Principal Registrar to exercise the power or carry out the function;

- (ii) an officer of another court performing the function under an arrangement under section 79 of the *Federal Circuit and Family Court of Australia Act 2021*;
- (iii) an employee of an agency or organisation performing the function under an arrangement under section 80 of that Act; or
- (aa) in relation to the Federal Circuit and Family Court of Australia (Division 2)—the following:
  - (i) an officer of that court authorised by the Chief Executive Officer and Principal Registrar to exercise the power or carry out the function;
  - (ii) an officer of another court performing the function under an arrangement under section 246 of the *Federal Circuit and Family Court of Australia Act 2021*;
  - (iii) an employee of an agency or organisation performing the function under an arrangement under section 247 of that Act; or

**47 Section 1.03 (paragraph (b) of the definition of *authorised officer*)**

After “Family Court” (first occurring), insert “of a State”.

**48 Section 1.03 (definition of *Family Court*)**

Repeal the definition.

**49 Section 1.03**

Insert:

*Federal Circuit and Family Court Act* means the *Federal Circuit and Family Court of Australia Act 2021*.

**50 Section 1.03**

Repeal the following definitions:

- (a) definition of *Federal Circuit Court*;
- (b) definition of *Federal Circuit Court Act*;
- (c) definition of *magistrate*;
- (d) definition of *Registrar*.

**51 Section 1.03 (paragraphs (a) and (b) of the definition of *relevant court*)**

Repeal the paragraphs, substitute:

- (a) if the proceeding is in the Federal Circuit and Family Court of Australia (Division 1)—that Division; or
- (b) if the proceeding is in the Federal Circuit and Family Court of Australia (Division 2)—that Division; or
- (ba) if the proceeding is in a Family Court of a State—that court; or

**52 Section 1.03**

Insert:

*relevant Registrar* of a court means:

- (a) in relation to the Federal Circuit and Family Court of Australia (Division 1)—the following:

- (i) the Chief Executive Officer and Principal Registrar (within the meaning of the Federal Circuit and Family Court Act);
- (ii) a Senior Registrar or Registrar of that court; or
- (b) in relation to the Federal Circuit and Family Court of Australia (Division 2)—the following:
  - (i) the Chief Executive Officer and Principal Registrar (within the meaning of the Federal Circuit and Family Court Act);
  - (ii) a Senior Registrar or Registrar of that court; or
- (c) in relation to any other court—the principal officer of the court or any other appropriate officer or staff member of the court.

**53 Section 1.03 (note)**

Repeal the note.

**54 After section 1.03**

Insert:

**1.03A Expressions used in this instrument that are defined in the Family Law Act and the Federal Circuit and Family Court Act**

- (1) This section applies if an expression is defined in the Family Law Act and the Federal Circuit and Family Court Act.
- (2) When used in a provision of this instrument, the expression has the meaning given by whichever of those Acts is appropriate in the context of the application and operation of that provision.

**55 Subsection 1.04(1)**

Omit “(1)”.

**56 Subsection 1.04(2)**

Repeal the subsection (including the notes).

**57 Section 2.01**

After “For”, insert “the purposes of”.

**58 Section 2.01**

Omit “and section 120 of the Federal Circuit Court Act”, substitute “and section 285 of the *Federal Circuit and Family Court of Australia Act 2021*”.

**59 After paragraph 2.08(1)(c)**

Insert:

- (ca) a proceeding under the *Child Support (Assessment) Act 1989* or *Child Support (Registration and Collection) Act 1988*;
- (cb) an appeal under section 47A of the Family Law Act from a decree of a court exercising jurisdiction under the *Child Support (Assessment) Act 1989* or *Child Support (Registration and Collection) Act 1988*;
- (cc) an appeal under section 26 of the *Federal Circuit and Family Court of Australia Act 2021*:

- (i) from a judgment of a single Judge of the Federal Circuit and Family Court of Australia (Division 1) exercising appellate jurisdiction in relation to a judgment mentioned in subparagraph (v); or
  - (ii) from a judgment of the Federal Circuit and Family Court of Australia (Division 1) exercising original jurisdiction under the *Child Support (Assessment) Act 1989* or *Child Support (Registration and Collection) Act 1988*; or
  - (iii) from a judgment of the Federal Circuit and Family Court of Australia (Division 2) exercising original jurisdiction under the *Child Support (Assessment) Act 1989* or *Child Support (Registration and Collection) Act 1988*; or
  - (iv) from a judgment of a Family Court of a State, or a Supreme Court of a State or Territory constituted by a single Judge, exercising original or appellate jurisdiction under the *Child Support (Assessment) Act 1989* or *Child Support (Registration and Collection) Act 1988*; or
  - (v) from a judgment of a court of summary jurisdiction of a State or Territory (other than the Magistrates Court of Western Australia) exercising original jurisdiction under the *Child Support (Assessment) Act 1989* or *Child Support (Registration and Collection) Act 1988*; or
  - (vi) from a judgment of the Magistrates Court of Western Australia exercising original jurisdiction under the *Child Support (Assessment) Act 1989* or *Child Support (Registration and Collection) Act 1988*;
- (cd) an application for leave to appeal under section 47B of the Family Law Act;
- (ce) an application for leave to appeal under section 28 of the *Federal Circuit and Family Court of Australia Act 2021* from a judgment of a court exercising jurisdiction under or in relation to the *Child Support (Assessment) Act 1989* or *Child Support (Registration and Collection) Act 1988*;

**60 Subsection 2.13(1)**

Omit “1 July 2019”, substitute “1 July 2022”.

**61 Subsection 2.13(9) (definition of *relevant period*)**

Omit “1 July 2018”, substitute “1 July 2021”.

**62 Section 3.01**

Repeal the section, substitute:

**3.01 Application provision in relation to the *Federal Circuit and Family Court of Australia Legislation (Consequential Amendments and Other Measures) Regulations 2021***

- (1) The amendments of this regulation made by the *Federal Circuit and Family Court of Australia Legislation (Consequential Amendments and Other Measures) Regulations 2021* apply in relation to the liability of a person to pay any of the following fees:
- (a) a filing fee for filing a document on or after 1 September 2021;
  - (b) a setting down fee for a hearing if the hearing day is fixed on or after 1 September 2021;

- (c) a hearing fee for a day, or a part of a day, if the day (or part of the day) is fixed on or after 1 September 2021;
- (d) a conciliation conference fee for a conference fixed on or after 1 September 2021;
- (e) any other fee under this regulation for a service provided on or after 1 September 2021.

(2) To avoid doubt, the repeal of the definition of *magistrate* applies in relation to a proceeding that began before, or begins on or after, 1 September 2021.

Note: This means that the rate of a fee payable on or after 1 September 2021 in respect of a hearing before a Judge of the Federal Circuit and Family Court of Australia is that stated in the relevant table item in Schedule 1, even if a fee was paid before that day in respect of a service provided by a magistrate.

### 63 Schedule 1 (table items 1 and 2)

Repeal the items, substitute:

1	Filing an application in proceedings for a divorce order in relation to a marriage or a decree of nullity of marriage, other than proceedings to which item 2 applies	(a) general fee—\$1,335 (b) reduced fee—\$445
2	Filing an application in proceedings for a divorce order: <ul style="list-style-type: none"> <li>(a) commenced in a court mentioned in paragraph 10A(a) or (c) of the <i>Family Law Regulations 1984</i>; or</li> <li>(b) commenced in another court for transfer to a court mentioned in paragraph 10A(a) or (c) of those Regulations; or</li> <li>(c) commenced in the Federal Circuit and Family Court of Australia (Division 1) or the Federal Circuit and Family Court of Australia (Division 2)</li> </ul>	(a) general fee—\$940 (b) reduced fee—\$310

### 64 Schedule 1 (cell at table item 3, column headed “Fee”)

Omit “\$1,275”, substitute “\$1,335”.

### 65 Schedule 1 (cell at table item 4, column headed “Fee”)

Omit “\$345”, substitute “\$365”.

### 66 Schedule 1 (cell at table item 5, column headed “Fee”)

Omit “\$345”, substitute “\$365”.

### 67 Schedule 1 (cell at table item 6, column headed “Fee”)

Omit “\$165”, substitute “\$170”.

### 68 Schedule 1 (table items 7 and 8)

Repeal the items, substitute:

7	Filing an appeal under section 26 of the <i>Federal Circuit and Family Court of Australia Act 2021</i> , unless the fee mentioned in item 8 has been paid	\$1,425
---	---	---------

**Schedule 1** Main amendments

**Part 1** General amendments

---

8 Filing an application for leave to appeal under section 28 of the *Federal Circuit and Family Court of Australia Act 2021* \$1,425

**69 Schedule 1 (cell at table item 9, column headed “Fee”)**

Omit “\$120”, substitute “\$125”.

**70 Schedule 1 (cell at table item 10, column headed “Fee”)**

Omit “\$565”, substitute “\$595”.

**71 Schedule 1 (cell at table item 11, column headed “Fee”)**

Repeal the cell, substitute:

- (a) for hearing before a judge of the Federal Circuit and Family Court (Division 1)—\$900
- (b) for hearing before a judge of the Federal Circuit and Family Court (Division 2)—\$660
- (c) for hearing before any other judge—\$900
- (d) for hearing before a magistrate—\$660

**72 Schedule 1 (cell at table item 12, column headed “Fee”)**

Repeal the cell, substitute:

- (a) for hearing before a judge of the Federal Circuit and Family Court (Division 1)—\$900
- (b) for hearing before a judge of the Federal Circuit and Family Court (Division 2)—\$660
- (c) for hearing before any other judge—\$900
- (d) for hearing before a magistrate—\$660

**73 Schedule 1 (cell at table item 13, column headed “Fee”)**

Repeal the cell, substitute:

- (a) for hearing before a judge of the Federal Circuit and Family Court

- (Division 1)—\$900
- (b) for hearing before a judge of the Federal Circuit and Family Court (Division 2)—\$660
- (c) for hearing before any other judge—\$900
- (d) for hearing before a magistrate—\$660

#### **74 Schedule 1 (table item 14)**

Repeal the item, substitute:

- |    |  |       |
|----|--|-------|
| 14 | Setting down for hearing in an appeal under section 47A of the Family Law Act from a decree of a court of summary jurisdiction | \$900 |
|----|--|-------|

#### **75 Schedule 1 (cell at table item 15, column headed “Fee”)**

Repeal the cell, substitute:

- (a) for hearing before a judge of the Federal Circuit and Family Court (Division 1)—\$900
- (b) for hearing before a judge of the Federal Circuit and Family Court (Division 2)—\$660
- (c) for hearing before any other judge—\$900
- (d) for hearing before a magistrate—\$660

#### **76 Schedule 1 (cell at table item 16, column headed “Fee”)**

Repeal the cell, substitute:

- (a) for hearing before a judge of the Federal Circuit and Family Court (Division 1)—\$900
- (b) for hearing before a judge of the Federal Circuit and Family Court (Division 2)—\$660
- (c) for hearing before any other judge—\$900
- (d) for hearing before a magistrate—\$660

**77 Schedule 1 (cell at table item 17, column headed “Fee”)**

Repeal the cell, substitute:

- (a) for hearing before a judge of the Federal Circuit and Family Court (Division 1)—\$900
- (b) for hearing before a judge of the Federal Circuit and Family Court (Division 2)—\$660
- (c) for hearing before any other judge—\$900
- (d) for hearing before a magistrate—\$660

**78 Schedule 1 (table item 18)**

Repeal the item, substitute:

- 18 Hearing in an appeal under section 47A of the Family Law Act from a decree of a court of summary jurisdiction—for each hearing day or part of a hearing day, other than the first hearing day \$900

**79 Schedule 1 (cell at table item 20, column headed “Fee”)**

Omit “\$395”, substitute “\$415”.

**80 Schedule 1 (note 1)**

Omit “Note 1”, substitute “Note”.

**81 Schedule 1 (note 2)**

Repeal the note.

## Part 2—Amendments of listed provisions

### *Federal Court and Federal Circuit Court Regulation 2012*

#### **82 Amendments of listed provisions—*Federal Court and Federal Circuit Court Regulation 2012***

<b>Further amendments</b>			
<b>Item</b>	<b>Provision</b>	<b>Omit</b>	<b>Substitute</b>
1	Section 1.03 (paragraph (a) of the definition of <i>authorised officer</i> )	Registrar	relevant Registrar
2	Subsections 2.03(1) and (7)	Registrar	relevant Registrar
3	Paragraph 2.06(1)(b)	Registrar	relevant Registrar
4	Subsections 2.06(1) and (2)	Registrar	relevant Registrar
5	Subsection 2.06(2) (note)	Registrar	relevant Registrar
6	Paragraph 2.06A(2)(b)	Registrar	relevant Registrar
7	Subsection 2.06A(2)	Registrar	relevant Registrar
8	Paragraph 2.06A(2)(d)	Registrar	relevant Registrar
9	Subsection 2.06A(3)	Registrar	relevant Registrar
10	Subsection 2.06A(3) (note)	Registrar	relevant Registrar
11	Subsection 2.08(4)	Registrar	relevant Registrar
12	Subsection 2.08(4) (note)	Registrar	relevant Registrar
13	Paragraph 2.14(2)(a)	Registrar	relevant Registrar
14	Subsection 2.14(4)	Registrar	relevant Registrar
15	Subsections 2.15(1) and (2)	Registrar	relevant Registrar
16	Paragraphs 2.15(2)(a) and (3)(b)	Registrar	relevant Registrar
17	Subsection 2.15(5)	Registrar	relevant Registrar
18	Subsection 2.15(5) (note)	Registrar	relevant Registrar
19	Subsections 2.16(4) and (5)	Registrar	relevant Registrar
20	Paragraph 2.16(5)(e)	Registrar	relevant Registrar
21	Subsection 2.16(6)	Registrar	relevant Registrar
22	Paragraph 2.17(1)(c)	Registrar	relevant Registrar
23	Subsection 2.17(3)	Registrar	relevant Registrar
24	Subsection 2.18(3)	Registrar	relevant Registrar
25	Paragraphs 2.18(4)(a), (b) and (c)	Registrar	relevant Registrar
26	Paragraph 2.19(5)(a)	Registrar	relevant Registrar

**Schedule 1** Main amendments  
**Part 2** Amendments of listed provisions

<b>Further amendments</b>			
<b>Item</b>	<b>Provision</b>	<b>Omit</b>	<b>Substitute</b>
27	Subsections 2.19(6) and (7)	Registrar	relevant Registrar
28	Paragraph 2.19(7)(a)	Registrar	relevant Registrar
29	Paragraph 2.19(7)(b)	Registrar (wherever occurring)	relevant Registrar
30	Paragraph 2.19(10)(b)	Registrar	relevant Registrar
31	Subsection 2.19(10) (note)	Registrar	relevant Registrar
32	Subsection 2.21(1)	Registrar (wherever occurring)	relevant Registrar
33	Subsection 2.21(2)	Registrar	relevant Registrar
34	Part 1 of Schedule 1 (table items 110, 121A and 122)	Registrar	relevant registrar
35	Part 2 of Schedule 1 (table items 201A, 205 and 217)	Registrar	relevant Registrar

***Family Law (Fees) Regulation 2012***

**83 Amendments of listed provisions—*Family Law (Fees) Regulation 2012***

<b>Further amendments</b>			
<b>Item</b>	<b>Provision</b>	<b>Omit</b>	<b>Substitute</b>
1	Section 1.03 (paragraph (d) of the definition of <i>authorised officer</i> )	Registrar	relevant Registrar
2	Section 1.03 (subparagraph (a)(i) of the definition of <i>conciliation conference</i> )	Registrar	relevant Registrar
3	Paragraph 2.03(2)(b)	Registrar	relevant Registrar
4	Paragraph 2.05(1)(b)	Registrar	relevant Registrar
5	Subsection 2.05(1)	Registrar	relevant Registrar
6	Subsection 2.05(2)	Registrar	relevant Registrar
7	Subsection 2.05(2) (note)	Registrar	relevant Registrar
8	Paragraph 2.06(2)(b)	Registrar	relevant Registrar
9	Subsection 2.06(2)	Registrar	relevant Registrar
10	Subsection 2.06(3)	Registrar	relevant Registrar
11	Subsection 2.06(3) (note)	Registrar	relevant Registrar
12	Paragraph 2.09(2)(a)	Registrar	relevant Registrar
13	Subsection 2.10(1)	Registrar	relevant Registrar
14	Subsection 2.10(2)	Registrar (wherever occurring)	relevant Registrar

---

<b>Further amendments</b>			
<b>Item</b>	<b>Provision</b>	<b>Omit</b>	<b>Substitute</b>
15	Paragraph 2.10(3)(b)	Registrar	relevant Registrar
16	Subsection 2.10(5)	Registrar	relevant Registrar
17	Subsection 2.10(5) (note)	Registrar	relevant Registrar
18	Subsection 2.11(3)	Registrar	relevant Registrar
19	Paragraphs 2.11(5)(a), (b) and (c)	Registrar	relevant Registrar
20	Paragraph 2.12(5)(a)	Registrar	relevant Registrar
21	Subsection 2.12(6)	Registrar	relevant Registrar
22	Subsection 2.12(7)	Registrar	relevant Registrar
23	Paragraph 2.12(7)(a)	Registrar	relevant Registrar
24	Paragraph 2.12(7)(b)	Registrar (wherever occurring)	relevant Registrar
25	Subsection 2.12(10) (note)	Registrar	relevant Registrar
26	Subsection 2.14(1)	Registrar (wherever occurring)	relevant Registrar
27	Subsection 2.14(2)	Registrar	relevant Registrar

---

## **Schedule 2—Other consequential amendments**

### **Part 1—General amendments**

#### *Administrative Decisions (Judicial Review) Regulations 2017*

##### **1 Subsection 6(1)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

#### *Australian Crime Commission Regulations 2018*

##### **2 Paragraph 12(6)(b)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

##### **3 Subsection 14(3)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

##### **4 Schedule 6 (heading)**

Repeal the heading (including the note), substitute:

### **Schedule 6—Duties, functions and powers conferred on Federal Court Judges or Federal Circuit and Family Court of Australia (Division 2) Judges by State laws**

Note: See subsection 14(3).

##### **5 Clause 1 of Schedule 6**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

##### **6 Clause 1 of Schedule 6 (table, heading to column headed “Federal Court Judge or Federal Circuit Court Judge”)**

Repeal the heading, substitute:

**Judge of the Federal  
Court or Federal  
Circuit and Family  
Court of Australia  
(Division 2)**

##### **7 Clause 1 of Schedule 6 (table item 3, column headed “Federal Court Judge or Federal Circuit Court Judge”)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

**8 Clause 2 of Schedule 6**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

**9 Clause 2 of Schedule 6 (table, heading to column headed “Federal Court Judge or Federal Circuit Court Judge”)**

Repeal the heading, substitute:

**Judge of the Federal  
Court or Federal  
Circuit and Family  
Court of Australia  
(Division 2)**

**10 Clause 2 of Schedule 6 (table item 3, column headed “Federal Court Judge or Federal Circuit Court Judge”)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

*Automotive Transformation Scheme Regulations 2010*

**11 Subparagraph 5.4(1)(a)(i)**

Omit “Federal Circuit Court of Australia”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

*Designs Regulations 2004*

**12 Subparagraph 5.04(c)(iii)**

Omit “, the Federal Magistrates Court or the Federal Circuit Court of Australia”, substitute “or the Federal Circuit and Family Court of Australia (Division 2)”.

*Extradition Regulations 1988*

**13 Regulation 4 (heading)**

Repeal the heading, substitute:

**4 Power of magistrate or eligible Judge to send for witnesses and documents**

**14 Subregulation 4(1)**

Omit “eligible Federal Circuit Court Judge”, substitute “eligible Judge”.

**15 Regulation 5**

Omit “eligible Federal Circuit Court Judge”, substitute “eligible Judge”.

**16 Subregulations 6(1), (2) and (4), 7(1), 8(1) and 9(1)**

Omit “eligible Federal Circuit Court Judge”, substitute “eligible Judge”.

**17 Regulation 10 (heading)**

Repeal the heading, substitute:

## **10 Offences in relation to magistrates or eligible Judges**

### **18 Regulation 10**

Omit “eligible Federal Circuit Court Judge”, substitute “eligible Judge”.

### **19 Subregulations 11(2), (3) and (4)**

Omit “eligible Federal Circuit Court Judge”, substitute “eligible Judge”.

### **20 Subregulation 12(1)**

Omit “eligible Federal Circuit Court Judge” (wherever occurring), substitute “eligible Judge”.

### **21 Subregulation 13(1)**

Omit “eligible Federal Circuit Court Judge”, substitute “eligible Judge”.

### **22 Regulations 14 and 15**

Omit “eligible Federal Circuit Court Judge”, substitute “eligible Judge”.

### **23 Schedule (Forms 1, 2, 4, 5, 6, 7, 8, 8A, 8B, 9, 9A, 10, 11, 12, 12A, 13A, 16, 17, 18, 19, 20, 20A, 20B, 21 and 22)**

Omit “eligible Federal Circuit Court Judge” (wherever occurring), substitute “eligible Judge”.

### **24 Schedule (Form 22A)**

Omit “Federal Circuit Court Judge” (wherever occurring), substitute “eligible judge”.

### **25 Schedule (Forms 26, 27, 28 and 29)**

Omit “eligible Federal Circuit Court Judge” (wherever occurring), substitute “eligible Judge”.

## ***Fair Work (Registered Organisations) Regulations 2009***

### **26 Subregulation 176F(2)**

Omit “*Federal Circuit Court Rules 2001*”, substitute “*Federal Circuit Court Rules 2001*, as in force on 2 May 2017”.

## ***Fair Work Regulations 2009***

### **27 Subregulation 4.01A(2) (table)**

Omit “Federal Circuit Court” (wherever occurring), substitute “Federal Circuit and Family Court of Australia (Division 2)”.

### **28 Subparagraph 4.01(1)(a)(ii)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

**29 Subregulation 4.01(2)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

**30 Subregulation 4.01(3)**

Omit “Federal Circuit Court” (wherever occurring), substitute “Federal Circuit and Family Court of Australia (Division 2)”.

***Fair Work (Transitional Provisions and Consequential Amendments)  
Regulations 2009***

**31 Subregulation 5.06(1)**

Omit “subregulation (3)”, substitute “subregulation (2)”.

**32 Subregulation 5.06(2) (table)**

Omit “Federal Circuit Court” (wherever occurring), substitute “Federal Circuit and Family Court of Australia (Division 2)”.

**33 Regulation 5.13**

Omit “Federal Circuit Court” (wherever occurring), substitute “Federal Circuit and Family Court of Australia (Division 2)”.

***Family Law (Child Abduction Convention) Regulations 1986***

**34 After regulation 1**

Insert:

**1AA Authority**

These Regulations are made under the *Family Law Act 1975*.

**35 Regulation 2 (heading)**

Repeal the heading, substitute:

**2 Definitions**

Note: A number of expressions used in these Regulations are defined in the Act, including the following:

- (a) applicable Rules of Court;
- (b) court.

**36 Subregulation 2(1)**

Omit “unless the contrary intention appears”.

**37 Subregulation 2(1)**

Insert:

*Act* means the *Family Law Act 1975*.

### 38 Subregulation 2(1)

Repeal the following definitions:

- (a) definition of *court*;
- (b) definition of *Registrar*.

### 39 Subregulation 2(1)

Insert:

*relevant Registrar* of a court means:

- (a) in relation to the Federal Circuit and Family Court of Australia (Division 1)—the following:
  - (i) the Chief Executive Officer and Principal Registrar (within the meaning of the *Federal Circuit and Family Court of Australia Act 2021*);
  - (ii) a Senior Registrar or Registrar of that court; or
- (b) in relation to the Federal Circuit and Family Court of Australia (Division 2)—the following:
  - (i) the Chief Executive Officer and Principal Registrar (within the meaning of the *Federal Circuit and Family Court of Australia Act 2021*);
  - (ii) a Senior Registrar or Registrar of that court; or
- (c) in relation to any other court—the principal officer of the court or any other appropriate officer or staff member of the court.

### 40 Subregulation 2(1) (definition of *the Act*)

Repeal the definition (including the note).

### 41 Paragraphs 15(4)(a) and (b)

Omit “Registrar”, substitute “relevant Registrar”.

### 42 Paragraph 28(2)(b)

Omit “Registrar”, substitute “relevant Registrar”.

### 43 Subregulation 28(2A)

Omit “Registrar” (wherever occurring), substitute “relevant Registrar”.

### 44 Schedule 3 (Forms 2, 2C and 4)

Omit “Registrar”, substitute “relevant Registrar”.

## *Family Law (Child Protection Convention) Regulations 2003*

### 45 After regulation 1

Insert:

#### 1A Authority

These Regulations are made under the *Family Law Act 1975*.

#### **46 Subregulation 3(1)**

Insert:

*relevant Registrar* of a court means:

- (a) in relation to the Federal Circuit and Family Court of Australia (Division 1)—the following:
  - (i) the Chief Executive Officer and Principal Registrar (within the meaning of the *Federal Circuit and Family Court of Australia Act 2021*);
  - (ii) a Senior Registrar or Registrar of that court; or
- (b) in relation to the Federal Circuit and Family Court of Australia (Division 2)—the following:
  - (i) the Chief Executive Officer and Principal Registrar (within the meaning of the *Federal Circuit and Family Court of Australia Act 2021*);
  - (ii) a Senior Registrar or Registrar of that court; or
- (c) in relation to any other court—the principal officer of the court or any other appropriate officer or staff member of the court.

#### **47 Subregulation 3(2) (note 2)**

Omit “Registrar (in relation to a court)”.

#### **48 Paragraph 11(b)**

Omit “Registrar of the Family Court of Australia”, substitute “relevant Registrar of the Federal Circuit and Family Court of Australia”.

#### **49 Subregulation 13(2)**

Omit “Family Court”, substitute “Federal Circuit and Family Court of Australia”.

### ***Family Law (Family Dispute Resolution Practitioners) Regulations 2008***

#### **50 Regulation 2**

Repeal the regulation, substitute:

#### **2 Authority**

These Regulations are made under the *Family Law Act 1975*.

#### **51 Subparagraph 26(4)(b)(ii)**

Repeal the subparagraph, substitute:

- (ii) the certificate may be taken into account by a court as specified in subparagraph (4A).

#### **52 After subparagraph 26(4)**

Insert:

- (4A) For the purposes of subparagraph (4)(b)(ii), the certificate may be taken into account by a court:

- (a) when determining whether to make an order under section 13C of the Act referring the parties to attend family dispute resolution; or
- (b) in relation to the Federal Circuit and Family Court of Australia (Division 1)—in taking into account the powers of the Court under Division 4 of Part 6 of Chapter 3 of the *Federal Circuit and Family Court of Australia Act 2021* (dealing with case management) to award costs against a party under section 117 of the Act; or
- (c) in relation to the Federal Circuit and Family Court of Australia (Division 2)—in taking into account the powers of the Court under Division 4 of Part 6 of Chapter 4 of the *Federal Circuit and Family Court of Australia Act 2021* (dealing with case management) to award costs against a party under section 117 of the Act; or
- (d) in relation to any other court—when determining whether to award costs against a party under section 117 of the Act.

### 53 Paragraph 28(1)(h)

Repeal the paragraph, substitute:

- (h) if a certificate under subsection 60I(8) of the Act is filed, a court may take the certificate into account as specified in subregulation (1A);

### 54 After subregulation 28(1)

Insert:

- (1A) For the purposes of paragraph (1)(h), a court may take the certificate into account:
  - (a) when determining whether to make an order under section 13C of the Act referring the parties to family dispute resolution; or
  - (b) in relation to the Federal Circuit and Family Court of Australia (Division 1)—in taking into account the powers of the Court under Division 4 of Part 6 of Chapter 3 of the *Federal Circuit and Family Court of Australia Act 2021* (dealing with case management) to award costs against a party under section 117 of the Act; or
  - (c) in relation to the Federal Circuit and Family Court of Australia (Division 2)—in taking into account the powers of the Court under Division 4 of Part 6 of Chapter 4 of the *Federal Circuit and Family Court of Australia Act 2021* (dealing with case management) to award costs against a party under section 117 of the Act; or
  - (d) in relation to any other court—when determining whether to award costs against a party under section 117 of the Act.

## ***Family Law (Hague Convention on Intercountry Adoption) Regulations 1998***

### 55 Regulation 2

Repeal the regulation, substitute:

#### 2 Authority

These Regulations are made under the *Family Law Act 1975*.

## **56 Regulation 3 (heading)**

Repeal the heading, substitute:

### **3 Definitions**

Note: A number of expressions used in these Regulations are defined in the Act, including the following:

- (a) court;
- (b) Territory.

## **57 Subregulation 3(1)**

Omit “unless the contrary intention appears”.

## **58 Subregulation 3(1) (note)**

Repeal the note.

## **59 Regulation 24A (heading)**

Repeal the heading, substitute:

### **24A Jurisdiction of Federal Circuit and Family Court of Australia (Division 2)**

#### **60 Subregulation 24A(1)**

Omit “Family Court of Australia”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

#### **61 Subregulation 24A(2)**

Omit “Family Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

#### **62 Paragraph 24A(3)(a)**

Omit “Family Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

#### **63 Regulations 24B to 24F**

Repeal the regulations, substitute:

### **24B Appeals to the Federal Circuit and Family Court of Australia (Division 1)**

- (1) An appeal may be made to the Federal Circuit and Family Court of Australia (Division 1) from:
  - (a) a decision of a single judge of the Federal Circuit and Family Court of Australia (Division 1) exercising original jurisdiction; or
  - (b) a decision of a single judge of the Federal Circuit and Family Court of Australia (Division 1) exercising appellate jurisdiction; or
  - (c) a decision of the Federal Circuit and Family Court of Australia (Division 2) exercising jurisdiction under subregulation 24A(1).
- (2) The appellate jurisdiction of the Federal Circuit and Family Court of Australia (Division 1) is to be exercised:

- (a) if the appeal is from a decision of a single judge of the Federal Circuit and Family Court of Australia (Division 1)—by a Full Court of the Federal Circuit and Family Court of Australia (Division 1); or
- (b) if the appeal is from a decision of the Federal Circuit and Family Court of Australia (Division 2)—by a single Judge of the Federal Circuit and Family Court of Australia (Division 1) unless the Chief Justice directs that the application be heard and determined by a Full Court.

## ***Family Law Regulations 1984***

### **64 After regulation 1**

Insert:

#### **2 Authority**

These Regulations are made under the *Family Law Act 1975*.

### **65 Regulation 3 (heading)**

Repeal the heading (including the note), substitute:

#### **3 Definitions**

Note: A number of expressions used in these Regulations are defined in the Act, including the following:

- (a) applicable Rules of Court;
- (b) Chief Executive Officer;
- (c) Federal Circuit and Family Court of Australia;
- (d) standard Rules of Court.

### **66 Subregulation 3(1)**

Omit “(1) In these Regulations, unless the contrary intention appears:”, substitute “In these Regulations:”.

### **67 Subregulation 3(1) (definition of registrar)**

Repeal the definition.

### **68 Subregulation 3(1)**

Insert:

***relevant Registrar*** of a court means:

- (a) in relation to the Federal Circuit and Family Court of Australia (Division 1)—the following:
  - (i) the Chief Executive Officer and Principal Registrar (within the meaning of the *Federal Circuit and Family Court of Australia Act 2021*);
  - (ii) a Senior Registrar or Registrar of that court; or
- (b) in relation to the Federal Circuit and Family Court of Australia (Division 2)—the following:
  - (i) the Chief Executive Officer and Principal Registrar (within the meaning of the *Federal Circuit and Family Court of Australia Act 2021*);

- (ii) a Senior Registrar or Registrar of that court; or
- (c) in relation to any other court—the principal officer of the court or any other appropriate officer or staff member of the court.

**69 Subregulation 3(1) (definition of *State Family Court*)**

Repeal the definition.

**70 Subregulation 3(2)**

Repeal the subregulation.

**71 Regulation 3A**

Repeal the regulation.

**72 Subregulation 4(2)**

Repeal the subregulation.

**73 Regulation 7**

Repeal the regulation, substitute:

**7 Appointment of family consultants**

For the purposes of paragraph 11B(c) of the Act, a family consultant may be appointed in writing by the Chief Executive Officer.

**74 Regulations 10 and 12AB**

Repeal the regulations.

**75 Regulation 15A**

Repeal the regulation.

**76 Paragraphs 21N(2)(b) to (d)**

Repeal the paragraphs, substitute:

- (b) the Chief Executive Officer; and
- (c) the relevant Registrar of the Family Court of Western Australia.

**77 Subregulation 23(1A)**

Repeal the subregulation, substitute:

- (1A) The Secretary must send the documents mentioned in paragraph (1)(a) to a relevant Registrar.

**78 Subregulation 28(2) (note)**

Omit “subregulation 3(1)”, substitute “regulation 3”.

**79 Subregulation 28C(2) (note)**

Omit “subregulation 3(1)”, substitute “regulation 3”.

**80 Subregulation 38A(3) (note)**

Omit “subregulation 3(1)”, substitute “regulation 3”.

### **81 Regulation 39BB (heading)**

Repeal the heading, substitute:

### **39BB Certain jurisdiction of Federal Circuit and Family Court of Australia (Division 2) must not be exercised in States and Territories**

#### **82 Subregulation 39BB(1)**

Omit “from 21 April 2012 the jurisdiction of the Family Court must not be exercised in relation to proceedings under paragraph 31(1)(c) of the Act”, substitute “from 1 September 2021 the jurisdiction of the Federal Circuit and Family Court of Australia (Division 2) must not be exercised in relation to proceedings referred to in paragraph 132(1)(c) of the *Federal Circuit and Family Court of Australia Act 2021*”.

#### **83 Subregulations 39BB(2) and (3)**

Repeal the subregulations, substitute:

- (2) For the purposes of subsection 40(1) of the Act, from 1 September 2021, the jurisdiction of the Federal Circuit and Family Court of Australia (Division 2) must not be exercised in Western Australia, the Territory of Christmas Island or the Territory of Cocos (Keeling) Islands in relation to the following:
- (a) matters arising under the Act or under the repealed Act in respect of which matrimonial causes are instituted or continued under the Act;
  - (b) matters arising under the Act in respect of which de facto financial causes are instituted under the Act;
  - (c) matters arising under the *Marriage Act 1961* in respect of which proceedings (other than proceedings under Part VII of that Act) are instituted or continued under that Act;
  - (d) matters (other than matters referred to in any of the preceding paragraphs) with respect to which proceedings may be instituted in the Federal Circuit and Family Court of Australia (Division 2) under the Act or any other Act;
  - (e) proceedings under the following provisions of the Act:
    - (i) subsection 39(5);
    - (ii) paragraph 39B(1)(a).

#### **84 Regulation 45 (note)**

Omit “subregulation 3(1)”, substitute “regulation 3”.

#### **85 Regulations 79 and 82**

Repeal the regulations.

### ***Federal Proceedings (Costs) Regulations 2018***

#### **86 Section 6 (table item 3)**

Repeal the item, substitute:

- 3 Federal Circuit and Family Court of Australia \$4,000

***Financial Framework (Supplementary Powers) Regulations 1997***

**87 Part 2 of Schedule 1AB (table item 11, column headed “Purpose”)**

Omit “Family Court of Australia and the Federal Circuit Court of Australia”, substitute “Federal Circuit and Family Court of Australia (Division 1) and the Federal Circuit and Family Court of Australia (Division 2)”.

***Legislation (Exemptions and Other Matters) Regulation 2015***

**88 Section 12 (table item 28, column headed “Legislative instrument”, after paragraph (d))**

Insert:

(da) subsection 47A(5);

**89 Section 12 (table item 28, column headed “Legislative instrument”, paragraph (h))**

Omit “69ZF(1);”, substitute “69ZF(1)”.

**90 Section 12 (table item 28, column headed “Legislative instrument”, paragraph (i))**

Repeal the paragraph.

***Mutual Assistance in Criminal Matters Regulations 1988***

**91 Regulation 3 (heading)**

Repeal the heading, substitute:

**3 Power of Magistrate or eligible Judge to send for witnesses and documents**

**92 Subregulations 3(1), (3) and (4)**

Omit “eligible Federal Circuit Court Judge” (wherever occurring), substitute “eligible Judge”.

**93 Regulation 4**

Omit “eligible Federal Circuit Court Judge”, substitute “eligible Judge”.

**94 Subregulations 5(1), (2) and (4)**

Omit “eligible Federal Circuit Court Judge” (wherever occurring), substitute “eligible Judge”.

**95 Subregulations 6(1), 7(1) and 8(1)**

Omit “eligible Federal Circuit Court Judge”, substitute “eligible Judge”.

**96 Regulation 9 (heading)**

Repeal the heading, substitute:

## **9 Offences in relation to Magistrates or eligible Judges**

### **97 Regulation 9**

Omit “eligible Federal Circuit Court Judge”, substitute “eligible Judge”.

### **98 Subregulations 10(2), (3) and (4)**

Omit “eligible Federal Circuit Court Judge”, substitute “eligible Judge”.

### **99 Subregulation 11(1)**

Omit “eligible Federal Circuit Court Judge” (wherever occurring), substitute “eligible Judge”.

### **100 Schedule 1 (Form 1)**

Omit “eligible Federal Circuit Court Judge”, substitute “eligible Judge”.

### **101 Schedule 1 (Form 2)**

Omit “eligible Federal Circuit Court Judge” (wherever occurring), substitute “eligible Judge”.

## ***National Consumer Credit Protection Regulations 2010***

### **102 Paragraph 36(5)(c)**

Omit “Federal Circuit Court”, substitute “Federal Circuit and Family Court of Australia (Division 2)”.

## ***Superannuation (CSS) Eligible Employees Regulations 1976***

### **103 Paragraph 4(1)(zr)**

Repeal the paragraph, substitute:

(zr) a person who is a Judge of the Federal Circuit and Family Court of Australia (Division 2);

## ***Superannuation Industry (Supervision) Regulations 1994***

### **104 Part 3 of Schedule 1AA**

Omit “*Federal Magistrates Act 1999*”, substitute “*Federal Circuit and Family Court of Australia Act 2021*”.

## ***Trans-Tasman Proceedings Regulation 2012***

### **105 Paragraph 8(a)**

Repeal the paragraph, substitute:

(a) Federal Circuit and Family Court of Australia (Division 2);

## Part 2—Amendments of listed provisions

### *Family Law (Child Protection Convention) Regulations 2003*

#### 106 Amendments of listed provisions—*Family Law (Child Protection Convention) Regulations 2003*

<b>Further amendments</b>			
<b>Item</b>	<b>Provision</b>	<b>Omit</b>	<b>Substitute</b>
1	Subregulation 10(1)	Registrar	relevant Registrar
2	Subregulation 12(1)	Registrar	relevant Registrar
3	Paragraph 12(2)(b)	Registrar	relevant Registrar
4	Subregulation 13(2)	Registrar	relevant Registrar
5	Paragraph 13(3)(b)	Registrar	relevant Registrar
6	Subregulation 14(2)	Registrar	relevant Registrar
7	Regulation 17	Registrar	relevant Registrar
8	Regulation 19 (heading)	Registrar	relevant Registrar
9	Subregulations 19(1) and (3)	Registrar	relevant Registrar
10	Paragraph 24(b)	Registrar	relevant Registrar
11	Subregulation 25(1)	Registrar	relevant Registrar
12	Paragraph 25(2)(b)	Registrar	relevant Registrar
13	Regulation 28	Registrar	relevant Registrar

### *Family Law Regulations 1984*

#### 107 Amendments of listed provisions—*Family Law Regulations 1984*

<b>Further amendments</b>			
<b>Item</b>	<b>Provision</b>	<b>Omit</b>	<b>Substitute</b>
1	Subregulation 3(1) (definition of <i>application</i> )	registrar	relevant Registrar
2	Regulation 6 (heading)	registrar	relevant Registrar
3	Paragraph 6(1)(a)	registrar (wherever occurring)	relevant Registrar
4	Subregulation 12CC(1)	registrar (wherever occurring)	relevant Registrar
5	Subregulation 12CC(2)	registrar	relevant Registrar
6	Subregulation 18(4)	registrar	relevant Registrar
7	Paragraph 18(4)(c)	registrar	relevant Registrar
8	Subregulation 18(5)	registrar (wherever occurring)	relevant Registrar
9	Subregulation 18(7)	registrar	relevant Registrar
10	Paragraph 18(7)(a)	registrar	relevant Registrar
11	Subregulation 18(9)	registrar (wherever occurring)	relevant Registrar

**Schedule 2** Other consequential amendments  
**Part 2** Amendments of listed provisions

<b>Further amendments</b>			
<b>Item</b>	<b>Provision</b>	<b>Omit</b>	<b>Substitute</b>
12	Paragraph 18(10)(b)	registrar	relevant Registrar
13	Subregulation 18(10)	registrar	relevant Registrar
14	Regulation 21AC (definition of <i>forwarding authority</i> )	Registrar	relevant Registrar
15	Subregulation 21AF(1)	Registrar	relevant Registrar
16	Subregulation 21AF(1)	Registrar's	relevant Registrar's
17	Paragraph 21AF(3)(b)	Registrar (wherever occurring)	relevant Registrar
18	Paragraph 21AF(3)(c)	Registrar	relevant Registrar
19	Subregulations 21AG(1) and (3)	Registrar	relevant Registrar
20	Subregulations 21AH(1) and (3)	Registrar	relevant Registrar
21	Paragraph 21AH(5)(b)	Registrar	relevant Registrar
22	Subregulation 21AI(1)	Registrar	relevant Registrar
23	Paragraphs 21AI(2)(a) and (b)	Registrar	relevant Registrar
24	Paragraph 21AR(1)(b)	Registrar	relevant Registrar
25	Subregulation 21AR(2)	Registrar	relevant Registrar
26	Paragraph 21AS(1)(b)	Registrar	relevant Registrar
27	Paragraph 23(1A)(c)	Registrar	relevant Registrar
28	Subregulation 23(2)	registrar (wherever occurring)	relevant Registrar
29	Subregulation 23(3)	registrar	relevant Registrar
30	Subregulation 23(7)	registrar	relevant Registrar
31	Subregulation 24(2)	registrar (wherever occurring)	relevant Registrar
32	Paragraphs 24(4)(b) and (c)	registrar	relevant Registrar
33	Subregulation 24(6)	registrar	relevant Registrar
34	Subregulation 29A(2)	registrar	relevant Registrar
35	Paragraph 29A(2)(d)	registrar	relevant Registrar
36	Subregulation 31(2)	registrar	relevant Registrar
37	Subregulation 32(1)	registrar	relevant Registrar
38	Subregulation 32(3)	registrar (wherever occurring)	relevant Registrar
39	Subregulation 34(1)	registrar	relevant Registrar
40	Subregulation 34(3)	registrar (wherever occurring)	relevant Registrar
41	Subregulation 38A(4)	registrar	relevant Registrar
42	Subregulation 38B(2)	registrar	relevant Registrar