



# Foreign Judgments Regulations 1992

Statutory Rules No. 321, 1992

made under the

*Foreign Judgments Act 1991*

## Compilation No. 9

<b>Compilation date:</b>	1 December 2015
<b>Includes amendments up to:</b>	SLI No. 207, 2015
<b>Registered:</b>	23 December 2015

Prepared by the Office of Parliamentary Counsel, Canberra

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## About this compilation

### This compilation

This is a compilation of the *Foreign Judgments Regulations 1992* that shows the text of the law as amended and in force on 1 December 2015 (the *compilation date*).

This compilation was prepared on 9 December 2015.

The notes at the end of this compilation (the *endnotes*) include information about amending laws and the amendment history of provisions of the compiled law.

### Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on ComLaw ([www.comlaw.gov.au](http://www.comlaw.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the series page on ComLaw for the compiled law.

### Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the series page on ComLaw for the compiled law.

### Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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## 1 Name of regulations

These regulations are the *Foreign Judgments Regulations 1992*.

## 2 Interpretation

In these Regulations:

*Act* means the *Foreign Judgments Act 1991*.

*Privy Council* means the Privy Council of the United Kingdom, and is taken to include the Judicial Committee of the Privy Council.

## 3 Extension of Part 2 of the Act

Part 2 of the Act extends to each country specified in column 2 of the Schedule.

## 4 Specified superior courts

For the purposes of the Act, the courts specified in column 3 of an item in the Schedule are taken to be superior courts of the country specified in column 2 of that item.

## 5 Specified inferior courts

- (2) Part 2 of the Act extends in relation to the following inferior courts of the United Kingdom:
  - (a) County Courts (England and Wales);
  - (b) County Courts (Northern Ireland);
  - (c) Sheriff Courts (Scotland).
- (3) Part 2 of the Act extends in relation to the following inferior courts of Canada:
  - (a) the Provincial Court of Alberta;
  - (b) the Provincial Court of British Columbia;
  - (c) the Provincial Court of Manitoba.
- (4) Part 2 of the Act extends in relation to the following inferior courts of Switzerland:
  - (a) Bezirksgerichte;
  - (b) Erstinstanzliche Gerichte;
  - (c) Arbeitsgerichte;
  - (d) Mietgerichte.
- (6) Part 2 of the Act extends in relation to each District Court of the Republic of Poland.

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## Schedule—Superior Courts

Item	Country	Courts
1A	Province of Alberta, Canada	Supreme Court of Canada Court of Appeal of Alberta Court of Queen's Bench of Alberta
2	Bahamas, The Commonwealth of the	Court of Appeal Supreme Court
3	Province of British Columbia, Canada	Supreme Court of Canada Court of Appeal of British Columbia Supreme Court of British Columbia
4	British Virgin Islands	Eastern Caribbean Supreme Court
5	Cayman Islands	Grand Court
6	Dominica, Commonwealth of	Eastern Caribbean Supreme Court Court of Appeal High Court of Justice
7	Falkland Islands	Court of Appeal Supreme Court
8	Fiji, Republic of	Supreme Court Court of Appeal High Court
9	France (French Republic)	Cour de Cassation Cours d'Appel Tribunaux de grand instance Tribunaux de commerce Cours d'assise Tribunaux correctionnels
10	Germany, Federal Republic of	Bundesgerichtshof Oberlandesgerichte Bayerische Oberste Landesgericht Landgerichte
11	Gibraltar	Court of Appeal Supreme Court
12	Grenada	Supreme Court (consisting of the: Court of Appeal; High Court)
13	Hong Kong Special Administrative Region of the People's Republic of China, The	Court of Final Appeal High Court (consisting of the: Court of Appeal; Court of First Instance)
14	Israel, State of	Supreme Court District Courts Moslem Religious Courts Druze Religious Courts
15	Italy (Italian Republic)	Corte Suprema di Cassazione Corte di Assise

<b>Item</b>	<b>Country</b>	<b>Courts</b>
		Corte d'Appello Tribunale
16	Japan	Supreme Court High Courts District Courts Family Courts
16A	Korea, Republic of	Supreme Court Appellate Courts District Courts Family Court Patent Court Administrative Court
16B	Malawi	High Court Supreme Court
17	Province of Manitoba, Canada	Court of the Queen's Bench of Manitoba
18	Montserrat	Privy Council Eastern Caribbean Court of Appeal High Court of Montserrat
19	Papua New Guinea	Supreme Court of Justice National Court of Justice
19A	Poland, Republic of	Supreme Court Commercial Courts Courts of Appeal Provincial Courts
20	St Helena	Supreme Court
21	St Kitts and Nevis, Federation of	Privy Council Eastern Caribbean Court of Appeal High Court (Saint Christopher Circuit) High Court (Nevis Circuit)
22	St Vincent and the Grenadines	Eastern Caribbean Supreme Court (consisting of the: Court of Appeal, High Court)
23	Seychelles, Republic of	Court of Appeal Supreme Court
24	Singapore, Republic of	Privy Council: in respect of orders made on appeals from the Singapore Supreme Court and filed with the Court of Appeal of Singapore Supreme Court of Singapore (consisting of the: Court of Appeal; High Court)
25	Solomon Islands	Court of Appeal High Court
25A	Sri Lanka	Supreme Court Court of Appeal High Court District Court

## Schedule Superior Courts

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<b>Item</b>	<b>Country</b>	<b>Courts</b>
25AA	Switzerland	Bundesgericht Kantonale Obere Gerichte Handelsgerichte
25AB	Taiwan	Supreme Court High Courts District Courts
25B	Tonga	Court of Appeal Supreme Court
26	Tuvalu	Court of Appeal High Court
27	United Kingdom, The	Supreme Court of the United Kingdom Senior Courts of England and Wales Court of Judicature of Northern Ireland Court of Session
28	Western Samoa	Court of Appeal Supreme Court of Western Samoa

Note: The Eastern Caribbean Supreme Court is constituted by Statutory Instrument 1967 No. 223, as amended by Statutory Instrument 1983 No. 1108, of the United Kingdom. The Court is differently described in the usage of the countries mentioned in the Schedule in relation to which it is listed as a superior court. The description used by each of those countries is set out in column 3 of the relevant item in the Schedule.



**Endnote 1—About the endnotes**

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

Endnotes about misdescribed amendments and other matters are included in a compilation only as necessary.

**Abbreviation key—Endnote 2**

The abbreviation key sets out abbreviations that may be used in the endnotes.

**Legislation history and amendment history—Endnotes 3 and 4**

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

**Misdescribed amendments**

A misdescribed amendment is an amendment that does not accurately describe the amendment to be made. If, despite the misdescription, the amendment can be given effect as intended, the amendment is incorporated into the compiled law and the abbreviation “(md)” added to the details of the amendment included in the amendment history.

If a misdescribed amendment cannot be given effect as intended, the abbreviation “(md not incorp)” is added to the details of the amendment included in the amendment history.

## Endnotes

### Endnote 2—Abbreviation key

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#### Endnote 2—Abbreviation key

A = Act	o = order(s)
ad = added or inserted	Ord = Ordinance
am = amended	orig = original
amdt = amendment	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
c = clause(s)	pres = present
C[x] = Compilation No. x	prev = previous
Ch = Chapter(s)	(prev...) = previously
def = definition(s)	Pt = Part(s)
Dict = Dictionary	r = regulation(s)/rule(s)
disallowed = disallowed by Parliament	Reg = Regulation/Regulations
Div = Division(s)	reloc = relocated
exp = expires/expired or ceases/ceased to have effect	renum = renumbered
F = Federal Register of Legislative Instruments	rep = repealed
gaz = gazette	rs = repealed and substituted
LI = Legislative Instrument	s = section(s)/subsection(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sch = Schedule(s)
(md) = misdescribed amendment can be given effect	Sdiv = Subdivision(s)
(md not incorp) = misdescribed amendment cannot be given effect	SLI = Select Legislative Instrument
mod = modified/modification	SR = Statutory Rules
No. = Number(s)	Sub-Ch = Sub-Chapter(s)
	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

## Endnote 3—Legislation history

## Endnote 3—Legislation history

Number and year	FRLI registration or gazettal	Commencement	Application, saving and transitional provisions
321, 1992	16 Oct 1992	16 Oct 1992	
143, 1993	25 June 1993	25 June 1993	—
283, 1994	23 Aug 1994	1 Sept 1994	—
35, 1995	14 Mar 1995	14 Mar 1995	—
145, 1996	5 July 1996	5 July 1996	—
205, 1997	13 Aug 1997	13 Aug 1997	—
16, 1998	25 Feb 1998	25 Feb 1998	—
84, 1999	4 June 1999	4 June 1999 (s 2)	—
334, 1999	22 Dec 1999	22 Dec 1999 (s 2)	—
207, 2015	30 Nov 2015	1 Dec 2015 (s 2(1) item 1)	—

## Endnotes

### Endnote 4—Amendment history

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<b>Provision affected</b>	<b>How affected</b>
r. 1 .....	rs. 1999 No. 84
r. 2 .....	rs. 1993 No. 143
r. 5 .....	am No 283, 1994; No 35, 1995; No 145, 1996; No 16, 1998; No 84, 1999; No 207, 2015
Schedule .....	am No 143, 1993; No 35, 1995; No 145, 1996; No 205, 1997; No 16, 1998; No 84, 1999; No 334, 1999; No 207, 2015

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