

Foreign Evidence (Application of Amendments) 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 08 July 2021

David Hurley

Governor‑General

By His Excellency’s Command

Michaelia Cash

Attorney‑General

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Part 1—Introduction

1 Name

This instrument is the *Foreign Evidence (Application of Amendments) 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 | 1 October 2021. | 1 October 2021 |

Note: This table relates only to the provisions of this instrument as originally made.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 subitem 19(3) of Schedule 1 to the *Foreign Evidence Amendment 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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

In this instrument:

***Act*** means the *Foreign Evidence Amendment Act 2010*.

Part 2—Application of amendments to State and Territory court proceedings

6 Application of amendments to State and Territory court proceedings

(1) For the purposes of subitem 19(2) of Schedule 1 to the Act, the amendments made by that Schedule apply to a proceeding mentioned in subsection 20(2) of the *Foreign Evidence Act 1994* in a court of any of the following States and Territories:

(a) Western Australia;

(b) South Australia;

(c) Tasmania;

(d) the Australian Capital Territory;

(e) the Northern Territory.

(2) This section applies in relation to a proceeding that commences on or after 1 October 2021.

Schedule 1—Repeals

Foreign Evidence (Application of Amendments) Regulations 2011

1 The whole of the instrument

Repeal the instrument.