

Family Law (Bilateral Arrangements—Intercountry Adoption) (Repeals and Consequential Amendments) Regulations 2023

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 16 March 2023

David Hurley

Governor‑General

By His Excellency’s Command

Amanda Rishworth

Minister for Social Services

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1 Name

This instrument is the *Family Law (Bilateral Arrangements—Intercountry Adoption) (Repeals and Consequential Amendments) Regulations 2023*.

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 *Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 2023*. | 23 March 2023 |

Note: This table relates only to the provisions of this instrument as originally made.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 Acts:

(a) the *Australian Citizenship Act 2007*;

(b) the *Family Law Act 1975*;

(c) the *Migration Act 1958*.

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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Part 1—Repeals

Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998

1 The whole of the instrument

Repeal the instrument.

Part 2—Amendments

Australian Citizenship Regulation 2016

2 Subsection 6A(1)

Omit “*Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998*”, substitute “*Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 2023*”.

Migration Regulations 1994

3 Regulation 1.03 (definitions of *adoption compliance certificate* and *bilateral adoption arrangement*)

Omit “*Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998*”, substitute “*Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 2023*”.

4 Regulation 1.03 (subparagraph (a)(ii) of the definition of *competent authority*)

Omit “the *Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998*”, substitute “paragraph (b) of the definition of ***competent authority*** in subsection 4(1) of the *Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 2023*”.

5 Regulation 1.03 (paragraph (c) of the definition of *competent authority*)

Repeal the paragraph, substitute:

(c) for an overseas jurisdiction that is declared under section 5 of the *Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 2023* to be a prescribed overseas jurisdiction for the purposes of that instrument—a person, body or office in the prescribed overseas jurisdiction responsible for approving the adoption of children; and

6 Subparagraph 102.211(4)(d)(ii) of Schedule 2

Omit “regulation 5 of the *Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 1998*”, substitute “section 7 of the *Family Law (Bilateral Arrangements—Intercountry Adoption) Regulations 2023*”.