



# **Federal Courts Legislation Amendment (Judicial Immunity) Act 2023**

**No. 102, 2023**

**An Act to amend the law relating to federal courts,  
and for related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation  
(<https://www.legislation.gov.au/>)



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## An Act to amend the law relating to federal courts, and for related purposes

[Assented to 27 November 2023]

The Parliament of Australia enacts:

### 1 Short title

This Act is the *Federal Courts Legislation Amendment (Judicial Immunity) Act 2023*.

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## 2 Commencement

- (1) Each provision of this Act 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.

<b>Commencement information</b>		
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>
<b>Provisions</b>	<b>Commencement</b>	<b>Date/Details</b>
1. The whole of this Act	The day after this Act receives the Royal Assent.	28 November 2023

Note: This table relates only to the provisions of this Act as originally enacted.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

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

## 3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

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## **Schedule 1—Amendments**

### ***Family Law Act 1975***

#### **1 Section 10P**

Omit “(Division 2)”, substitute “(Division 1)”.

### ***Federal Circuit and Family Court of Australia Act 2021***

#### **2 Subsections 169(5) and 170(5)**

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

#### **3 Subsection 257(1)**

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

#### **4 At the end of Chapter 4**

Add:

## **Part 10—Miscellaneous**

### **277A Immunity for Judges of Federal Circuit and Family Court of Australia (Division 2)**

A Judge of the Federal Circuit and Family Court of Australia (Division 2) has the same protection and immunity as a Judge of the Federal Circuit and Family Court of Australia (Division 1).

#### **5 Application of amendments**

The amendments made by this Schedule apply in relation to functions performed on or after the day this Schedule commences.

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*[Minister's second reading speech made in—  
Senate on 7 November 2023  
House of Representatives on 15 November 2023]*

(130/23)

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