

# **Foreign Judgments (Amendment) Regulations 1999 (No. 2)**

## **1999 No. 334**

### **EXPLANATORY STATEMENT**

#### **Statutory Rules 1999 No. 334**

*Issued by the Authority of the Attorney-General*

*Foreign Judgments Act 1991*

Foreign Judgments (Amendment) Regulations 1999 (No. 2)

Section 16 of the *Foreign Judgments Act 1991* (the Act) provides that the Governor-General may make regulations prescribing all matters required or permitted by the Act to be prescribed.

Part 2 of the Act provides, amongst other matters, for the registration and enforcement in Australia of judgments given in foreign courts to which the Act, has been extended.

Subsection 5(1) of the Act provides that the regulations may provide that Part 2 of the Act extends in relation to a country if the Governor-General is satisfied that, in the event of the benefits conferred by Part 2 being applied to money judgments given in the superior courts of that country, substantial reciprocity of treatment will be assured in relation to the enforcement in that country of money judgments given in Australian superior courts.

The purpose of the regulations is to extend Part 2 of the Act in relation to specified superior courts of the Republic of Korea.

Details of the Regulations are set out in the attachment.

The Regulations commenced on gazettal.

Regulation 1 is formal.

Regulation 2 provides that the Regulations commence on gazettal.

Regulation 3 provides that Schedule 1 in the Regulations amends the Foreign Judgments Regulations.

Item 1 of Schedule 1 substitutes item 16A of the Schedule to the Foreign Judgments Regulations. Existing item 16A of the Schedule, which refers to the High Court and Supreme of Malawi, is now item 16B of the Schedule. The new item 16A refers to the Republic of Korea, effectively extending Part 2 of the Act to the Supreme Court, Appellate Courts, District Courts, Family Court, Patent Court and Administrative Court of the Republic of Korea.