



FEDERAL MAGISTRATES COURT OF AUSTRALIA SECTION 90 ARRANGEMENT

1. This arrangement is made between the Honourable Michael Black AC, Chief Justice of the Federal Court of Australia, and John Pascoe AO, Chief Federal Magistrate of the Federal Magistrates Court.
2. Section 90 of the *Federal Magistrates Act 1999* provides that the Chief Federal Magistrate may arrange with the chief judicial officer (however described) of another Australian court for an officer or officers of that court to perform certain functions that are defined in the section on behalf of the Federal Magistrates Court of Australia.
3. This arrangement applies to the work of the Federal Magistrates Court of Australia that relates to the jurisdiction it exercises under section 10 of the *Federal Magistrates Act 1999* in relation to:
 - (a) matters arising under:
 - (i) the *Administrative Appeals Tribunal Act 1975*;
 - (ii) the *Administrative Decisions (Judicial Review) Act 1977*;
 - (iii) the *Admiralty Act 1988*;
 - (iv) the *Bankruptcy Act 1955*;
 - (v) the *Copyright Act 1958*;
 - (vi) the *Human Rights and Equal Opportunity Commission Act 1986*;
 - (vii) the *Migration Act 1958*;
 - (viii) the *Privacy Act 1988*;
 - (ix) the *Trade Practice Act 1974*; and
 - (x) the *Workplace Relations Act 1996*, the *Building and Construction Industry Improvement Act 2005*, the *Independent Contractors Act 2006*, the *Fair Work Act 2009*.
 - (b) matters in which the Federal Magistrates Court has jurisdiction pursuant to subsection 32AB(8A) of the *Federal Court of Australia Act 1976*.
5. An officer of the Federal Court of Australia is authorised to perform, on behalf of the Federal Magistrates Court of Australia, any of the following functions:
 - (a) to provide advice of a routine and procedural nature;
 - (b) to receive fees, provide receipts, and bank all money received (subject to the Financial Management and Accountability Act 1996 and relevant regulations, delegations and authorisations);
 - (c) debt recovery;
 - (d) to enter details of filings in the Federal Magistrates Court case management system and schedule listings;
 - (e) to maintain files held in the registry, with all file documents indexed;
 - (f) to provide photocopy services to litigants;
 - (g) to archive files in accordance with Federal Magistrates Court disposal schedules that have been approved by Australian National Archives.

6. In addition to the functions set out in paragraph 4 above, each officer of the Federal Court of Australia who is authorised under section 37 of the Federal Court of Australia Act 1976 to issue writs, commissions and process, and is employed in a registry of that Court, is authorised to perform, on behalf of the Federal Magistrates Court of Australia, any of the following functions:
- (a) to receive documents to be lodged with or filed in the Federal Magistrates Court of Australia;
 - (b) to sign and issue writs, commissions and process for the purposes of a proceeding in the Federal Magistrates Court of Australia;
 - (c) to authenticate orders of the Federal Magistrates Court of Australia;
 - (d) to administer oaths and affirmations, and to witness affidavits, for the purposes of a proceeding in the Federal Magistrates Court of Australia;
 - (e) to accept and approve applications for fee deferment, waiver and exemption in accordance with the Federal Magistrates Regulations

Dated: 24th/6/2009



MICHAEL BLACK AC
Chief Justice
Federal Court of Australia



JOHN PASCOE AO
Chief Federal Magistrate
Federal Magistrates Court of Australia