



## School of Law and Justice

### Academic Research Seminar presented by Professor Reid Mortensen

#### The Transfer of Proceedings under the Cross-vesting Scheme

##### Abstract

The *Jurisdiction of Courts (Cross-vesting) Acts*, passed between 1987 and 1993, create a scheme that was designed to eliminate conflicts of civil jurisdiction between, in particular, the federal courts and the State Supreme Courts. The *Cross-vesting Acts* ended up providing for more than that. They tried to ensure that each and every superior court in Australia could exercise all of the jurisdictions of all other superior courts, but that, if proceedings were not commenced in the most appropriate court to hear them, they were to be transferred to that court. That neat and rational structure has proved to be impossible, and the cross-vesting scheme has become a highly technical aspect of Australia courts' civil jurisdiction. This seminar will introduce Australia's distinctive cross-vesting scheme. It will then focus on the scheme's provision for transferring proceedings. While there are some special provisions for transferring federal matters, the focus will be on the general transfer provisions of s 5 of the *Cross-vesting Acts*. Account will be taken of insights gained from the similar schemes for transferring civil proceedings that are in place in the United States and Canada.

##### About the speaker



**Reid Mortensen** is Professor of Law at the University of Southern Queensland in Toowoomba. He has fellowships with the Centre of Public, International and Comparative Law (University of Queensland) and the Centre for Private International Law (University of Aberdeen), and is a Fellow of the Australian Academy of Law. He is also Secretary of the Australasian Association of Private International Law. Reid is co-author of *Private International Law in Australia*, now in its fifth edition. He is a member of the Editorial Board of the *Journal of Private International Law*.

**Date and Time:** Wednesday 29 October 2025, 12:30pm to 1:30pm (AEST)

**Location:** Wonderley & Hall Moot Court (TWB) and Online via Zoom

**Zoom:** Zoom ID: **837 8355 0254**

**RSVP:** Please register through [Microsoft Forms](#) by Tuesday 28 October 2025, 5pm for housekeeping purposes