

TASMANIA

**LEGISLATION AND REGULATORY REVIEW
(JUSTICE) BILL 2026**

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LEGISLATION AND REGULATORY REVIEW (JUSTICE) BILL 2026

*(Brought in by the Minister for Justice, Corrections and
Rehabilitation, the Honourable Guy Barnett)*

A BILL FOR

An Act to amend the *Administration and Probate Act 1935*, the *Building and Construction Industry Security of Payment Act 2009*, the *Electoral Act 2004*, the *Health Complaints Act 1995*, the *Long Service Leave Act 1976*, the *Tasmanian Civil and Administrative Tribunal Act 2020* and the *Workers Rehabilitation and Compensation Act 1988* and to repeal, rescind and revoke certain spent legislation

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Legislation and Regulatory Review (Justice) Act 2026*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

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s. 3

Part 2 – Administration and Probate Act 1935 Amended

**PART 2 – ADMINISTRATION AND PROBATE ACT
1935 AMENDED**

3. Principal Act

In this Part, the *Administration and Probate Act 1935** is referred to as the Principal Act.

4. Section 33 amended (Trust for sale)

Section 33 of the Principal Act is amended by omitting subsection (6).

5. Section 66 amended (General saving)

Section 66 of the Principal Act is amended by omitting subsection (2).

*No. 38 of 1935

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Part 3 – Building and Construction Industry Security of Payment Act 2009
Amended

s. 6

**PART 3 – BUILDING AND CONSTRUCTION
INDUSTRY SECURITY OF PAYMENT ACT 2009
AMENDED**

6. Principal Act

In this Part, the *Building and Construction Industry Security of Payment Act 2009** is referred to as the Principal Act.

7. Section 4 amended (Interpretation)

Section 4 of the Principal Act is amended by omitting paragraph (f) from the definition of *fire safety system* and substituting:

- (f) provisions for special fire hazard premises within the meaning of the *Building Regulations 2016*, or any regulations that replace those regulations;

*No. 86 of 2009

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Act No. of 2026

s. 8

Part 4 – Electoral Act 2004 Amended

PART 4 – ELECTORAL ACT 2004 AMENDED

8. Principal Act

In this Part, the *Electoral Act 2004** is referred to as the Principal Act.

9. Section 37 amended (Division rolls)

Section 37 of the Principal Act is amended as follows:

- (a) by omitting from subsection (2) “print” and substituting “prepare”;
- (b) by inserting in subsection (2) “in such form as the Commission determines” after “year”;
- (c) by omitting from subsection (3) “print of a”;
- (d) by inserting in subsection (3) “prepared under subsection (2)” after “division roll”;
- (e) by omitting from subsection (4) “print of a”;
- (f) by inserting in subsection (4) “prepared under subsection (2)” after “roll”.

*No. 51 of 2004

10. Section 40 amended (Supply of rolls)

Section 40 of the Principal Act is amended as follows:

- (a) by omitting from subsection (2) “any of the following” and substituting “the following, in such form as the Commission determines”;
- (b) by omitting paragraph (b) from subsection (2) and substituting the following paragraph:
 - (b) the latest edition of each division roll, prepared under section 37, and such future editions of each division roll as may be requested.
- (c) by omitting subsection (3) and substituting the following subsection:
 - (3) On receiving a written request from a Member in an approved form, the Commission is to provide the Member, in such form as the Commission determines, with the latest edition of the division roll prepared under section 37 for the division represented by the Member, and with any subsequent editions of that roll requested by the Member.
- (d) by omitting from subsection (5) “a printed copy of”;

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Part 4 – Electoral Act 2004 Amended

- (e) by inserting in subsection (5) “in such form as the Commission determines.” after “roll”;
- (f) by omitting from subsection (6) “printed or electronic form” and substituting “such form as the Commission determines”.

11. Section 77 amended (How and when nomination takes place)

Section 77(8) of the Principal Act is amended by omitting “nominated, in legal tender or in a cheque drawn by an authorised deposit-taking institution or other financial institution on itself” and substituting “nominated and is payable in cash or by another approved method”.

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Part 5 – Health Complaints Act 1995 Amended

s. 12

**PART 5 – HEALTH COMPLAINTS ACT 1995
AMENDED**

12. Principal Act

In this Part, the *Health Complaints Act 1995** is referred to as the Principal Act.

13. Schedule 1 amended (Health Services)

Schedule 1 to the Principal Act is amended by omitting “*Burial and Cremation Act 2002*” from clause 11A of Part 1 and substituting “*Burial and Cremation Act 2019.*”.

*No. 95 of 1995

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Act No. of 2026

s. 14

Part 6 – Long Service Leave Act 1976 Amended

**PART 6 – LONG SERVICE LEAVE ACT 1976
AMENDED**

14. Principal Act

In this Part, the *Long Service Leave Act 1976** is referred to as the Principal Act.

15. Section 2 amended (Interpretation)

The definition of *workers' compensation* in section 2(1) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (ab) “*Asbestos-Related Diseases (Occupational Exposure) Compensation Act 2011*; or” and substituting “*Asbestos-Related Diseases (Occupational Exposure) Compensation Act 2011*.”;
- (b) by omitting paragraph (b).

*No. 95 of 1976

**PART 7 – TASMANIAN CIVIL AND
ADMINISTRATIVE TRIBUNAL ACT 2020 AMENDED**

16. Principal Act

In this Part, the *Tasmanian Civil and Administrative Tribunal Act 2020** is referred to as the Principal Act.

17. Schedule 1 amended (Relevant Acts)

Schedule 1 to the Principal Act is amended by omitting item 97.

18. Schedule 2 amended (General Division)

Schedule 2 to the Principal Act is amended as follows:

- (a) by omitting paragraph (zzze) from clause 1(1) of Part 3;
- (b) by omitting paragraph (c) from clause 2 of Part 7.

19. Schedule 4 amended (Acts subject to Administrative Review)

Schedule 4 to the Principal Act is amended by omitting item 62.

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s. 20

Part 8 – Workers Rehabilitation and Compensation Act 1988 Amended

**PART 8 – WORKERS REHABILITATION AND
COMPENSATION ACT 1988 AMENDED**

20. Principal Act

In this Part, the *Workers Rehabilitation and Compensation Act 1988** is referred to as the Principal Act.

21. Section 20 amended (Functions of Tribunal)

Section 20 of the Principal Act is amended as follows:

- (a) by omitting from paragraph (c) “this Act;” and substituting “this Act.”;
- (b) by omitting paragraph (d).

22. Section 25 amended (Liability of employers to compensate workers for injuries)

Section 25 of the Principal Act is amended by omitting subsection (8).

*No. 4 of 1988

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Act No. of 2026

Part 9 – Legislation repealed, rescinded and revoked

s. 23

**PART 9 – LEGISLATION REPEALED, RESCINDED
AND REVOKED**

23. Legislation repealed

The legislation specified in Schedule 1 is repealed.

24. Legislation rescinded

The legislation specified in Schedule 2 is rescinded.

25. Legislation revoked

The legislation specified in Schedule 3 is revoked.

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sch. 1

SCHEDULE 1 – LEGISLATION REPEALED

Section 23

Workers' (Occupational Diseases) Relief Fund Act 1954 (No. 45 of 1954)

Flammable Clothing Act 1973 (No. 111 of 1973)

Second-hand Dealers and Pawnbrokers Amendment Act 2003
(No. 43 of 2003)

Justice and Related Legislation (Miscellaneous Amendments) Act 2006 (No. 16 of 2006)

Property Agents and Land Transactions Amendment Act 2012
(No. 26 of 2012)

Registration to Work with Vulnerable People Amendment Act 2015 (No. 46 of 2015)

Building (Consequential Amendments) Act 2016 (No. 12 of 2016)

Justice Legislation Miscellaneous Amendments Act 2020 (No. 19 of 2020)

SCHEDULE 2 – LEGISLATION RESCINDED

Section 24

Probate Amendment Rules 2000 (No. 104 of 2000)

Criminal (Case Management) Amendment Rules 2002 (No. 19 of 2002)

Criminal (Case Management) Amendment Rules (No. 2) 2002 (No. 131 of 2002)

Probate Amendment Rules 2004 (No. 23 of 2004)

Probate Amendment (Fees) Rules 2004 (No. 59 of 2004)

Probate Amendment Rules 2005 (No. 16 of 2005)

Probate Amendment Rules 2010 (No. 157 of 2010)

Probate Amendment Rules 2011 (No. 16 of 2011)

Probate Amendment Rules 2012 (No. 59 of 2012)

Probate Amendment Rules 2017 (No. 4 of 2017)

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SCHEDULE 3 – LEGISLATION REVOKED

Section 25

Proclamation under the Evidence Amendment Act 1997 (No. 1 of 1998)

Proclamation under the Friendly Societies (Tasmania) Act 1997 (No. 2 of 1998)

Ombudsman Order 1999 (No. 189 of 1999)

Sale of Hazardous Goods Order 2000 (No. 18 of 2000)

Proclamation under the Cooperatives Act 1999 (No. 35 of 2000)

Proclamation under the Criminal Code Amendment (Evidence) Act 2001 (No. 55 of 2002)

Proclamation under the Burial and Cremation Act 2002 (No. 74 of 2002)

Proclamation under the Sentencing Amendment Act 2002 (No. 92 of 2002)

Proclamation under the Sentencing Amendment Act 2002 (No. 110 of 2002)

Misuse of Drugs Order 2002 (No. 111 of 2002)

Sale of Hazardous Goods Order 2002 (No. 116 of 2002)

Trustee Companies (Merger) Order 2003 (No. 16 of 2003)

Proclamation under the Justice (Delegated Legislation) Act 2003 (No. 51 of 2003)

Misuse of Drugs Order 2003 (No. 87 of 2003)

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Prisoners (Interstate Transfer) Amendment Order 2003 (No. 172 of 2003)

Proclamation under the Residential Tenancy Amendment Act 2003 (No. 1 of 2004)

Proclamation under the Residential Tenancy Amendment Act 2003 (No. 8 of 2004)

Ombudsman Order 2004 (No. 11 of 2004)

Annulled Convictions Order 2004 (No. 49 of 2004)

Proclamation under the Fair Trading (Miscellaneous Amendments) Act 2004 (No. 62 of 2004)

Proclamation under the Residential Tenancy Amendment (Boarding Premises) Act 2003 (No. 70 of 2004)

Sale of Hazardous Goods Order 2004 (No. 82 of 2004)

Proclamation under the Limitation Amendment Act 2004 (No. 159 of 2004)

Proclamation under the Sentencing Amendment Act 2002 (No. 170 of 2004)

Misuse of Drugs Order 2005 (No. 39 of 2005)

Proclamation under the Civil Liability Amendment (Proportionate Liability) Act 2005 (No. 43 of 2005)

Proclamation under the Local Government Amendment Act 2005 (No. 62 of 2005)

Proclamation under the Local Government (Consequential Amendments) Act 2005 (No. 63 of 2005)

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Proclamation under the Criminal Code Amendment (Child Exploitation) Act 2005 (No. 81 of 2005)

Proclamation under the Prisoners (Interstate Transfer) Amendment Act 2005 (No. 108 of 2005)

Proclamation under the Local Government Amendment Act 2005 (No. 56 of 2006)

Misuse of Drugs Order 2006 (No. 90 of 2006)

Parole Orders (Transfer) (Corresponding Laws) Amendment Notice 2006 (No. 91 of 2006)

Prisoners (Interstate Transfer) Amendment Order 2006 (No. 92 of 2006)

Proclamation under the Trustee Legislation (Miscellaneous Amendments) Act 2006 (No. 97 of 2006)

Forensic Procedures Order 2006 (No. 151 of 2006)

Security-sensitive Dangerous Substances Order 2009 (No. 50 of 2009)

Sale of Hazardous Goods Amendment Order 2009 (No. 123 of 2009)

Trustee Companies Order 2009 (No. 127 of 2009)

Annulled Convictions Order 2009 (No. 171 of 2009)

Proclamation under the Workers Rehabilitation and Compensation Amendment Act 2009 (No. 40 of 2010)

Proclamation under the Personal Information Protection Amendment Act 2009 (No. 68 of 2010)

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Sale of Hazardous Goods (Children's Toys) Order 2010 (No. 89 of 2010)

Sale of Hazardous Goods (Flotation and Aquatic Toys) Order 2010 (No. 90 of 2010)

Sale of Hazardous Goods (Swimming and Flotation Aids) Order 2010 (No. 91 of 2010)

Proclamation under the Public Interest Disclosures Amendment Act 2009 (No. 97 of 2010)

Proclamation under the Electronic Transactions Amendment Act 2010 (No. 139 of 2010)

Proclamation under the Evidence Amendment Act 2010 (No. 141 of 2010)

Proclamation under the Trustee Companies Amendment Act 2010 (No. 155 of 2010)

Proclamation under the Relationships Amendment (Recognition of Registered Relationships) Act 2010 (No. 18 of 2011)

Prisoners (Interstate Transfer) Amendment Order 2011 (No. 43 of 2011)

Proclamation under the Security and Investigations Agents Amendment Act 2010 (No. 56 of 2011)

Misuse of Drugs Order 2011 (No. 74 of 2011)

Proclamation under the Residential Tenancy Amendment Act 2011 (No. 126 of 2011)

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*Proclamation under the Commercial Arbitration
(Consequential Amendments) Act 2011 (No. 78 of 2012)*

Justices Amendment Order 2012 (No. 81 of 2012)

Misuse of Drugs Order 2012 (No. 86 of 2012)

Dog Control Amendment Order 2012 (No. 98 of 2012)

*Proclamation under the Justice and Related Legislation
(Miscellaneous Amendments) Act 2012 (No. 110 of 2012)*

Dog Control Amendment Order 2013 (No. 1 of 2013)

*Proclamation under the Electoral Amendment Act 2012 (No. 4
of 2013)*

*Proclamation under the Residential Tenancy Amendment
(Smoke Alarms) Act 2012 (No. 16 of 2013)*

*Collections for Charities (Approved Organisations)
Amendment Order 2013 (No. 52 of 2013)*

Council of Law Reporting Order 2013 (No. 85 of 2013)

Magistrates Court Order 2013 (No. 89 of 2013)

*Proclamation under the Anti-Discrimination Amendment Act
2013 (No. 95 of 2013)*

*Proclamation under the Legal Profession Amendment Act
2013 (No. 115 of 2013)*

*Proclamation under the Powers of Attorney Amendment Act
2013 (No. 117 of 2013)*

*Proclamation under the Local Government (Miscellaneous
Amendments) Act 2013 (No. 8 of 2014)*

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Proclamation under the Civil Liability Amendment Act 2013
(No. 15 of 2014)

Proclamation under the Crime (Confiscation of Profits)
Amendment (Unexplained Wealth) Act 2013 (No. 16 of
2014)

Proclamation under the Evidence (Children and Special
Witnesses) Amendment Act 2013 (No. 17 of 2014)

Proclamation under the Financial Transaction Reports
Amendment Act 2013 (No. 18 of 2014)

Proclamation under the Corrections Amendment Act 2013
(No. 48 of 2014)

Annulled Convictions Order 2014 (No. 79 of 2014)

Proclamation under the Residential Tenancy Amendment Act
2013 (No. 97 of 2014)

Proclamation under the Wills Amendment (International
Wills) Act 2012 (No. 146 of 2014)

Proclamation under the Workplaces (Protection from
Protesters) Act 2014 (No. 149 of 2014)

Proclamation under the Conveyancing Amendment Act (No. 2)
2012 (No. 8 of 2015)

Proclamation under the Interstate Transfers (Miscellaneous
Amendments) Act 2013 (No. 19 of 2015)

Misuse of Drugs Order 2015 (No. 20 of 2015)

Proclamation under the Corrections Amendment (Parole
Board) Act 2015 (No. 42 of 2015)

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Proclamation under the Residential Tenancy Amendment Act 2013 (No. 45 of 2015)

Proclamation under the Victims of Crime Assistance Amendment (Funeral Expenses) Act 2015 (No. 71 of 2015)

Proclamation under the Local Government Amendment (Code of Conduct) Act 2015 (No. 22 of 2016)

Misuse of Drugs Order 2016 (No. 72 of 2016)

Registration to Work with Vulnerable People (Risk Assessment for Child-related Activities) Amendment Order 2016 (No. 98 of 2016)

Proclamation under the Sentencing Amendment Act 2016 (No. 2 of 2017)

Proclamation under the Crown Proceedings Amendment Act 2016 (No. 70 of 2017)

Proclamation under the Workers Rehabilitation and Compensation Amendment Act 2017 (No. 81 of 2017)

Proclamation under the Corrections (Miscellaneous Amendments) Act 2016 (No. 82 of 2017)

Shop Trading Hours (Anzac Day) Amendment Order 2018 (No. 15 of 2018)

Proclamation under the Limitation Amendment Act 2017 (No. 32 of 2018)

Proclamation under the Sentencing Amendment (Sentences of Imprisonment) Act 2017 (No. 37 of 2018)

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Proclamation under the Terrorism (Restrictions on Bail and Parole) Act 2018 (No. 75 of 2018)

Proclamation under the Burial and Cremation Amendment Act 2018 (No. 85 of 2018)

Proclamation under the Residential Tenancy Amendment Act 2018 (No. 10 of 2019)

Proclamation under the Corrections Amendment Act 2018 (No. 19 of 2019)

Proclamation under the Electoral Amendment Act 2019 (No. 22 of 2019)

Proclamation under the Supreme Court Civil Procedure Amendment Act 2019 (No. 55 of 2019)

Proclamation under the Justice Legislation Amendment (Organisational Liability for Child Abuse) Act 2019 (No. 28 of 2020)

Proclamation under the Justice Legislation Amendments (Criminal Responsibility) Act 2020 (No. 40 of 2020)

Proclamation under the Corrections Amendment (Prisoner Remission) Act 2019 (No. 65 of 2020)

Proclamation under the Registration to Work with Vulnerable People Amendment Act 2019 (No. 92 of 2020)

Registration to Work with Vulnerable People (Risk Assessment for Child-related Activities) Amendment Order 2020 (No. 100 of 2020)

Annulled Convictions Order 2021 (No. 17 of 2021)

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Proclamation under the Justice Miscellaneous (Court Backlog and Related Matters) Act 2020 (No. 47 of 2021)

Proclamation under the Property Agents and Land Transactions Amendment Act 2020 (No. 16 of 2022)

Proclamation under the Criminal Code (Judge Alone Trials) Act 2021 (No. 24 of 2022)

Proclamation under the Criminal Code Amendment Act 2022 (No. 60 of 2022)

Misuse of Drugs Order 2022 (No. 89 of 2022)

Proclamation under the Youth Justice Amendment (Searches in Custody) Act 2022 (No. 103 of 2022)

Proclamation under the Occupational Licensing (Automatic Mutual Recognition Consequential Amendments) Act 2022 (No. 113 of 2022)

Proclamation under the Occupational Licensing (Automatic Mutual Recognition Consequential Amendments) Act 2022 (No. 40 of 2023)

Proclamation under the Corrections Amendment Act 2023 (No. 62 of 2023)

Proclamation under the Occupational Licensing (Automatic Mutual Recognition Consequential Amendments) Act 2022 (No. 69 of 2023)