

FACT SHEET

State Litigator (Consequential Amendments) Bill 2024

The purpose of this Bill is to make minor consequential amendments to several Acts to reflect the establishment of the Office of the State Litigator.

The Bill serves to reintroduce the same amendments that were passed by the previous House of Assembly in 2023 but lapsed due to the calling of the election.

In late 2023 the Office of the State Litigator was established as a new office within Crown Law, with the sole responsibility for the management of civil litigation for the State of Tasmania. This Bill makes consequential amendments to several pieces of legislation to support those functions.

The Bill adds references to the State Litigator and, where appropriate, any person employed in relation to the functions of the State Litigator, to legislative provisions in the *Annulled Convictions Act 2003*, *Ombudsman Act 1978*, *Personal Information Protection Act 2004*, *Right to Information Act 2009* and *Supreme Court Civil Procedure Act 1932* that list legal officers who act on behalf of the Crown in comparable capacities, such as the Solicitor-General and the Director of Public Prosecutions.

The Bill amends the *Crown Proceedings Act 1993* to substitute existing references to the Solicitor-General with references to the State Litigator, reflecting that the State Litigator has responsibility for certain functions previously associated with the Solicitor-General.

New savings and transitional provisions are also inserted into the *Crown Proceedings Act 1993* to enable the State Litigator to assume responsibilities and functions formerly attributed to the Solicitor-General, in circumstances where a matter has commenced before a court, tribunal or other authority, but has not yet been determined, prior to the amendments in the Bill commencing.