

TASMANIA

**JUSTICE MISCELLANEOUS (ADMINISTRATIVE
REVIEW TRIBUNAL) BILL 2024**

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JUSTICE MISCELLANEOUS (ADMINISTRATIVE REVIEW TRIBUNAL) BILL 2024

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

A BILL FOR

An Act to amend the *Agricultural and Veterinary Chemicals (Tasmania) Act 1994*, the *Competition Policy Reform (Tasmania) Act 1996*, the *Corporations (Tasmania) Act 1990*, the *Federal Courts (State Jurisdiction) Act 1999*, the *Gene Technology (Tasmania) Act 2012*, the *Human Embryonic Research Regulation Act 2003*, the *Legal Profession (Board of Legal Education) Rules 2021*, the *Marine Safety (Domestic Commercial Vessel National Law Application) Act 2013*, the *New Tax System Price Exploitation Code (Tasmania) Act 1999*, the *Terrorism (Preventative Detention) Act 2005*, the *Therapeutic Goods Act 2001*, and the *Water Efficiency Labelling and Standards Act 2013*

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 *Justice Miscellaneous (Administrative Review Tribunal) Act 2024*.

Justice Miscellaneous (Administrative Review Tribunal) Act 2024
Act No. of 2024

s. 2

Part 1 – Preliminary

2. Commencement

This Act commences on the day on which the *Administrative Review Tribunal Act 2024* of the Commonwealth commences but, if that Act commences before this Act receives the Royal Assent, this Act is taken to have commenced on the day on which the *Administrative Review Tribunal Act 2024* of the Commonwealth commenced.

Justice Miscellaneous (Administrative Review Tribunal) Act 2024
Act No. of 2024

Part 2 – Agricultural and Veterinary Chemicals (Tasmania) Act 1994
Amended

s. 3

**PART 2 – AGRICULTURAL AND VETERINARY
CHEMICALS (TASMANIA) ACT 1994 AMENDED**

3. Principal Act

In this Part, the *Agricultural and Veterinary Chemicals (Tasmania) Act 1994** is referred to as the Principal Act.

4. Section 3 amended (Interpretation)

Section 3(1) of the Principal Act is amended by omitting subparagraph (i) from paragraph (a) of the definition of *Commonwealth administrative laws* and substituting the following subparagraph:

- (i) the *Administrative Review Tribunal Act 2024* of the Commonwealth (excluding Part 7);

5. Section 16 amended (Application of Commonwealth administrative laws in relation to applicable provisions)

Section 16(2) of the Principal Act is amended by omitting “section 28 of the *Administrative Appeals Tribunal Act 1975*” and substituting “Division 3 of Part 10 of the *Administrative Review Tribunal Act 2024*”.

*No. 84 of 1994

Justice Miscellaneous (Administrative Review Tribunal) Act 2024
Act No. of 2024

s. 6 Part 2 – Agricultural and Veterinary Chemicals (Tasmania) Act 1994
Amended

6. Section 18A amended (Construction of references to Part 7 of Commonwealth ART Act)

Section 18A of the Principal Act is amended as follows:

- (a) by omitting “*Administrative Appeals Tribunal Act 1975*” and substituting “*Administrative Review Tribunal Act 2024*”;
- (b) by omitting “Part IVA” and substituting “Part 7”.

**PART 3 – COMPETITION POLICY REFORM
(TASMANIA) ACT 1996 AMENDED**

7. Principal Act

In this Part, the *Competition Policy Reform (Tasmania) Act 1996** is referred to as the Principal Act.

8. Section 29 amended (Definition)

Section 29 of the Principal Act is amended by omitting subparagraph (i) from paragraph (a) of the definition of *Commonwealth administrative laws* and substituting the following subparagraph:

- (i) the *Administrative Review Tribunal Act 2024* of the Commonwealth (excluding Part 7);

9. Section 33A amended (Construction of references to Part 7 of Commonwealth ART Act)

Section 33A of the Principal Act is amended as follows:

- (a) by omitting “*Administrative Appeals Tribunal Act 1975*” and substituting “*Administrative Review Tribunal Act 2024*”;

*No. 11 of 1996

Justice Miscellaneous (Administrative Review Tribunal) Act 2024
Act No. of 2024

s. 9 Part 3 – Competition Policy Reform (Tasmania) Act 1996 Amended

- (b) by omitting “Part IVA” and substituting
“Part 7”.

**PART 4 – CORPORATIONS (TASMANIA) ACT 1990
AMENDED**

10. Principal Act

In this Part, the *Corporations (Tasmania) Act 1990** is referred to as the Principal Act.

11. Section 3 amended (Definitions)

Section 3(1) of the Principal Act is amended by omitting paragraph (a) from the definition of *Commonwealth administrative laws* and substituting the following paragraph:

- (a) the *Administrative Review Tribunal Act 2024* of the Commonwealth (excluding Part 7);

12. Section 36A amended (Construction of references to Part 7 of Commonwealth ART Act)

Section 36A of the Principal Act is amended as follows:

- (a) by omitting “*Administrative Appeals Tribunal Act 1975*” and substituting “*Administrative Review Tribunal Act 2024*”;
- (b) by omitting “Part IVA” and substituting “Part 7”.

*No. 41 of 1990

Justice Miscellaneous (Administrative Review Tribunal) Act 2024
Act No. of 2024

s. 13

Part 5 – Federal Courts (State Jurisdiction) Act 1999 Amended

**PART 5 – FEDERAL COURTS (STATE
JURISDICTION) ACT 1999 AMENDED**

13. Principal Act

In this Part, the *Federal Courts (State Jurisdiction) Act 1999** is referred to as the Principal Act.

14. Section 3 amended (Interpretation)

Section 3 of the Principal Act is amended by omitting subparagraph (i) from paragraph (a) of the definition of *Commonwealth administrative law* and substituting the following subparagraph:

- (i) *Administrative Review Tribunal Act 2024*;

*No. 50 of 1999

**PART 6 – GENE TECHNOLOGY (TASMANIA) ACT
2012 AMENDED**

15. Principal Act

In this Part, the *Gene Technology (Tasmania) Act 2012** is referred to as the Principal Act.

16. Section 4 amended (Interpretation)

Section 4(1) of the Principal Act is amended by omitting paragraph (a) from the definition of *Commonwealth administrative laws* and substituting the following paragraph:

- (a) the *Administrative Review Tribunal Act 2024* (excluding Part 7);

17. Section 15 amended (Application of Commonwealth administrative laws to applied provisions)

Section 15(5) of the Principal Act is amended as follows:

- (a) by omitting “*Administrative Appeals Tribunal Act 1975*” and substituting “*Administrative Review Tribunal Act 2024*”;
- (b) by omitting “Part IVA” and substituting “Part 7”.

*No. 15 of 2012

**PART 7 – HUMAN EMBRYONIC RESEARCH
REGULATION ACT 2003 AMENDED**

18. Principal Act

In this Part, the *Human Embryonic Research Regulation Act 2003** is referred to as the Principal Act.

19. Section 4 amended (Interpretation)

Section 4(1) of the Principal Act is amended by omitting paragraph (a) from the definition of *Commonwealth administrative laws* and substituting the following paragraph:

- (a) the *Administrative Review Tribunal Act 2024* (excluding Part 7);

20. Section 15 amended (Application of Commonwealth administrative laws to applied provisions)

Section 15(5) of the Principal Act is amended as follows:

- (a) by omitting “*Administrative Appeals Tribunal Act 1975*” and substituting “*Administrative Review Tribunal Act 2024*”;
- (b) by omitting “Part IVA” and substituting “Part 7”.

*No. 52 of 2003

**PART 8 – LEGAL PROFESSION (BOARD OF LEGAL
EDUCATION) RULES 2021 AMENDED**

21. Principal Rules

In this Part, the *Legal Profession (Board of Legal Education) Rules 2021** are referred to as the Principal Rules.

22. Schedule 1 amended (Areas of Academic Knowledge)

Clause 8(2)(g) of Schedule 1 to the Principal Rules is amended by omitting “Administrative Appeals Tribunal” and substituting “Administrative Review Tribunal”.

*S.R. 2021, No. 40

Justice Miscellaneous (Administrative Review Tribunal) Act 2024
Act No. of 2024

s. 23 Part 9 – Marine Safety (Domestic Commercial Vessel National Law Application) Act 2013 Amended

**PART 9 – MARINE SAFETY (DOMESTIC
COMMERCIAL VESSEL NATIONAL LAW
APPLICATION) ACT 2013 AMENDED**

23. Principal Act

In this Part, the *Marine Safety (Domestic Commercial Vessel National Law Application) Act 2013** is referred to as the Principal Act.

24. Section 4 amended (Interpretation)

Section 4(1) of the Principal Act is amended by omitting paragraph (a) from the definition of *Commonwealth administrative laws* and substituting the following paragraph:

- (a) the *Administrative Review Tribunal Act 2024* (excluding Part 7);

25. Section 13 amended (Application of Commonwealth administrative laws to applied provisions)

Section 13(5) of the Principal Act is amended as follows:

- (a) by omitting “*Administrative Appeals Tribunal Act 1975*” and substituting “*Administrative Review Tribunal Act 2024*”;
- (b) by omitting “Part IVA” and substituting “Part 7”.

*No. 4 of 2013

**PART 10 – NEW TAX SYSTEM PRICE
EXPLOITATION CODE (TASMANIA) ACT 1999
AMENDED**

26. Principal Act

In this Part, the *New Tax System Price Exploitation Code (Tasmania) Act 1999** is referred to as the Principal Act.

27. Section 26 amended (Interpretation, Division 4)

Section 26 of the Principal Act is amended by omitting subparagraph (i) from paragraph (a) of the definition of *Commonwealth administrative laws* and substituting the following subparagraph:

- (i) the *Administrative Review Tribunal Act 2024* of the Commonwealth (excluding Part 7);

28. Section 31 amended (Construction of references to Part 7 of Commonwealth ART Act)

Section 31 of the Principal Act is amended as follows:

- (a) by omitting “*Administrative Appeals Tribunal Act 1975*” and substituting “*Administrative Review Tribunal Act 2024*”;

*No. 81 of 1999

Justice Miscellaneous (Administrative Review Tribunal) Act 2024
Act No. of 2024

s. 28 Part 10 – New Tax System Price Exploitation Code (Tasmania) Act 1999
Amended

(b) by omitting “Part IVA” and substituting
“Part 7”.

**PART 11 – TERRORISM (PREVENTATIVE
DETENTION) ACT 2005 AMENDED**

29. Principal Act

In this Part, the *Terrorism (Preventative Detention) Act 2005** is referred to as the Principal Act.

30. Section 51 amended (Annual report)

Section 51(2)(f) of the Principal Act is amended by omitting “or that the Administrative Appeals Tribunal has declared to be void”.

*No. 71 of 2005

Justice Miscellaneous (Administrative Review Tribunal) Act 2024
Act No. of 2024

s. 31

Part 12 – Therapeutic Goods Act 2001 Amended

**PART 12 – THERAPEUTIC GOODS ACT 2001
AMENDED**

31. Principal Act

In this Part, the *Therapeutic Goods Act 2001** is referred to as the Principal Act.

32. Section 3 amended (Interpretation)

Section 3 of the Principal Act is amended by omitting paragraph (a) from the definition of *Commonwealth administrative laws* and substituting the following paragraph:

- (a) the *Administrative Review Tribunal Act 2024*;

*No. 97 of 2001

**PART 13 – WATER EFFICIENCY LABELLING AND
STANDARDS ACT 2013 AMENDED**

33. Principal Act

In this Part, the *Water Efficiency Labelling and Standards Act 2013** is referred to as the Principal Act.

34. Section 4 amended (Interpretation)

Section 4(1) of the Principal Act is amended by omitting paragraph (a) from the definition of *Commonwealth administrative laws* and substituting the following paragraph:

- (a) the *Administrative Review Tribunal Act 2024* (excluding Part 7) ;

35. Section 15 amended (Application of Commonwealth administrative laws to applied provisions)

Section 15(5) of the Principal Act is amended as follows:

- (a) by omitting “*Administrative Appeals Tribunal Act 1975*” and substituting “*Administrative Review Tribunal Act 2024*”;
- (b) by omitting “Part IVA” and substituting “Part 7”.

*No. 26 of 2013

Justice Miscellaneous (Administrative Review Tribunal) Act 2024
Act No. of 2024

s. 36

Part 14 – Repeal of Act

PART 14 – REPEAL OF ACT

36. Repeal of Act

This Act is repealed on the first anniversary of the day on which this Act received the Royal Assent.