

TASMANIA

**TASMANIAN CIVIL AND ADMINISTRATIVE
TRIBUNAL (ADDITIONAL JURISDICTIONS) BILL
2024**

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**TASMANIAN CIVIL AND ADMINISTRATIVE
TRIBUNAL (ADDITIONAL JURISDICTIONS) BILL
2024**

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

A BILL FOR

**An Act to amend multiple Acts to enable the Tasmanian
Civil and Administrative Tribunal to review and determine
certain matters in accordance with the *Tasmanian Civil
and Administrative Tribunal Act 2020***

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 *Tasmanian Civil
and Administrative Tribunal (Additional
Jurisdictions) Act 2024.**

2. Commencement

The provisions of this Act commence on a day
or days to be proclaimed.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 3

Part 1 – Preliminary

3. Further amendment of regulations not prevented

The amendment by this Act of a provision of any statutory rule does not prevent that, or any other, provision of that statutory rule from being amended or rescinded by a subsequent statutory rule.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

Part 2 – Abandoned Lands Act 1973 Amended

s. 4

PART 2 – ABANDONED LANDS ACT 1973 AMENDED

4. Principal Act

In this Part, the *Abandoned Lands Act 1973** is referred to as the Principal Act.

5. Section 11 amended (Compensation in respect of registration of abandoned land notices)

Section 11 of the Principal Act is amended as follows:

- (a) by omitting from subsection (5) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (6) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 42 of 1973

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 6

Part 3 – Adoption Act 1988 Amended

PART 3 – ADOPTION ACT 1988 AMENDED

6. Principal Act

In this Part, the *Adoption Act 1988** is referred to as the Principal Act.

7. Section 96A amended (Reviews of decisions)

Section 96A of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (2) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (c) by omitting from subsection (3) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 41 of 1988

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 4 – Ambulance Service Act 1982 Amended

s. 8

**PART 4 – AMBULANCE SERVICE ACT 1982
AMENDED**

8. Principal Act

In this Part, the *Ambulance Service Act 1982** is referred to as the Principal Act.

9. Section 35P amended (Review of decisions)

Section 35P of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 105 of 1982

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 10

Part 5 – Anatomical Examinations Act 2006 Amended

**PART 5 – ANATOMICAL EXAMINATIONS ACT 2006
AMENDED**

10. Principal Act

In this Part, the *Anatomical Examinations Act 2006** is referred to as the Principal Act.

11. Section 9 amended (Individual authorisations to undertake anatomical examinations)

Section 9(7) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

12. Section 11 amended (Amendment and revocation of individual authorisations)

Section 11(5) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 26 of 2006

Tasmanian Civil and Administrative Tribunal (Additional Jurisdictions) Act 2024
Act No. of 2024

Part 6 – Animal Welfare (Domestic Poultry) Regulations (No. 2) 2023
Amended

s. 13

PART 6 – ANIMAL WELFARE (DOMESTIC POULTRY) REGULATIONS (NO. 2) 2023 AMENDED

13. Principal Regulations

In this Part, the *Animal Welfare (Domestic Poultry) Regulations (No. 2) 2023** are referred to as the Principal Regulations.

14. Regulation 4 amended (Determination of maximum hen capacity)

Regulation 4(4) of the Principal Regulations is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*S.R. 2023, No. 53

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 15

Part 7 – Animal Welfare Act 1993 Amended

PART 7 – ANIMAL WELFARE ACT 1993 AMENDED

15. Principal Act

In this Part, the *Animal Welfare Act 1993** is referred to as the Principal Act.

16. Section 26B amended (Decision of officer subject to review)

Section 26B of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

17. Section 31 amended (Duration of licences)

Section 31(2) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

18. Section 32 amended (Cancellation of licences)

Section 32(2)(b) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 63 of 1993

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

Part 7 – Animal Welfare Act 1993 Amended

s. 19

19. Section 33 amended (Reviews)

Section 33 of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 20

Part 8 – Anti-Discrimination Act 1998 Amended

**PART 8 – ANTI-DISCRIMINATION ACT 1998
AMENDED**

20. Principal Act

In this Part, the *Anti-Discrimination Act 1998** is referred to as the Principal Act.

21. Section 13 amended (Functions of Tribunal)

Section 13(b) of the Principal Act is amended by omitting “rejections and dismissals” and substituting “rejections, dismissals and non-acceptances”.

22. Section 65 amended (Review of rejected or non-accepted complaints)

Section 65 of the Principal Act is amended as follows:

- (a) by inserting in subsection (1)(a) “or non-acceptance” after “rejection”;
- (b) by inserting in subsection (1)(b) “or non-acceptance” after “rejection”;
- (c) by inserting in subsection (2) “or not accepted” after “rejected”;
- (d) by inserting in subsection (2) “or non-acceptance” after “rejection”;

*No. 46 of 1998

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 8 – Anti-Discrimination Act 1998 Amended

s. 23

- (e) by inserting in subsection (4) “or non-accepted” after “rejected”.

23. Section 72 amended (Review of rejection, dismissal or non-acceptance)

Section 72 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “or dismissal” and substituting “, dismissal or non-acceptance”;
- (b) by omitting from subsection (1) “or dismissing” and substituting “, dismissing or not accepting”;
- (c) by inserting the following subsection after subsection (3):
 - (4) If, on reviewing the non-acceptance of a complaint, the Tribunal is not satisfied that the Commissioner made a correct decision in not accepting the complaint, the Tribunal is to refer the complaint back to the Commissioner for acceptance or rejection.

24. Section 98A amended (Application to Tribunal to withdraw complaint)

Section 98A of the Principal Act is amended as follows:

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 25

Part 8 – Anti-Discrimination Act 1998 Amended

- (a) by omitting subsections (1), (2) and (3);
- (b) by omitting from subsection (4) “withdrawal” and substituting “withdrawal, under section 88 of the *Tasmanian Civil and Administrative Tribunal Act 2020*,”.

25. Section 109 amended (Regulations)

Section 109(1B)(b) of the Principal Act is amended by inserting “or non-accepted” after “rejected”.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 9 – Architects Act 1929 Amended

s. 26

PART 9 – ARCHITECTS ACT 1929 AMENDED

26. Principal Act

In this Part, the *Architects Act 1929** is referred to as the Principal Act.

27. Section 11 amended (Restoration of registration and name on register)

Section 11 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1)(b) “a magistrate so orders under the *Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “the Tasmanian Civil and Administrative Tribunal so orders”;
- (b) by omitting from subsection (2)(a) “magistrate” and substituting “Tasmanian Civil and Administrative Tribunal”.

28. Section 18 amended (Right of appeal if registration or renewal of registration refused)

Section 18 of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division) under the *Magistrates Court (Administrative Appeals Division) Act 2001*” and

*No. 42 of 1929

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 29

Part 9 – Architects Act 1929 Amended

substituting “Tasmanian Civil and
Administrative Tribunal”.

**29. Section 20F amended (Appeal against
determination of complaint)**

Section 20F of the Principal Act is amended by
omitting “Magistrates Court (Administrative
Appeals Division) under the *Magistrates Court
(Administrative Appeals Division) Act 2001*” and
substituting “Tasmanian Civil and
Administrative Tribunal”.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

Part 10 – Archives Act 1983 Amended

s. 30

PART 10 – ARCHIVES ACT 1983 AMENDED

30. Principal Act

In this Part, the *Archives Act 1983** is referred to as the Principal Act.

31. Section 13 amended (Compensation)

Section 13 of the Principal Act is amended as follows:

- (a) by omitting from subsection (3) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (4) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (c) by omitting from subsection (6) “*Magistrates Court (Administrative Appeals Division) Act 2001*, the Magistrates Court (Administrative Appeals Division)” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*, the Tasmanian Civil and Administrative Tribunal”;

*No. 76 of 1983

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 31

Part 10 – Archives Act 1983 Amended

- (d) by omitting from subsection (8) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 11 – Associations Incorporation Act 1964 Amended

s. 32

**PART 11 – ASSOCIATIONS INCORPORATION ACT
1964 AMENDED**

32. Principal Act

In this Part, the *Associations Incorporation Act 1964** is referred to as the Principal Act.

33. Section 35 amended (Review of cancellation of incorporation)

Section 35 of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 64 of 1964

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 34 Part 12 – Births, Deaths and Marriages Registration Act 1999 Amended

**PART 12 – BIRTHS, DEATHS AND MARRIAGES
REGISTRATION ACT 1999 AMENDED**

34. Principal Act

In this Part, the *Births, Deaths and Marriages
Registration Act 1999** is referred to as the
Principal Act.

35. Section 53 amended (Review)

Section 53(1) of the Principal Act is amended by
omitting “Magistrates Court (Administrative
Appeals Division)” and substituting “Tasmanian
Civil and Administrative Tribunal”.

*No. 58 of 1999

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 13 – Building and Construction Industry Security of Payment Act 2009
Amended

s. 36

**PART 13 – BUILDING AND CONSTRUCTION
INDUSTRY SECURITY OF PAYMENT ACT 2009
AMENDED**

36. Principal Act

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

37. Section 31 amended (Nominating authorities)

Section 31(7) of the Principal Act is amended by omitting “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal*”.

38. Section 36 amended (Request and review in relation to disqualification of adjudicator)

Section 36 of the Principal Act is amended as follows:

- (a) by omitting from subsection (4) “*Magistrates Court (Administrative Appeals Division)*” and substituting “*Tasmanian Civil and Administrative Tribunal*”;
- (b) by omitting from subsection (6) “*Magistrates Court (Administrative*

*No. 86 of 2009

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 39 Part 13 – Building and Construction Industry Security of Payment Act 2009
Amended

Appeals Division)” and substituting
“Tasmanian Civil and Administrative
Tribunal”.

39. Section 37 amended (Adjudicator’s fees)

Section 37(2) of the Principal Act is amended by
omitting “*Magistrates Court (Administrative
Appeals Division) Act 2001*” and substituting
“*Tasmanian Civil and Administrative Tribunal
Act 2020*”.

**PART 14 – BURIAL AND CREMATION ACT 2019
AMENDED**

40. Principal Act

In this Part, the *Burial and Cremation Act 2019** is referred to as the Principal Act.

41. Section 26 amended (Approval to carry on regulated business)

Section 26(6) of the Principal Act is amended by omitting “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”.

42. Section 32 amended (Approval of persons as cemetery manager)

Section 32 of the Principal Act is amended as follows:

- (a) by omitting from subsection (8)(c) “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”;
- (b) by omitting from subsection (9) “*Magistrates Court (Administrative Appeals Division) Act 2001*” and

*No. 50 of 2019

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 43

Part 14 – Burial and Cremation Act 2019 Amended

substituting “*Tasmanian Civil and
Administrative Tribunal Act 2020*”.

43. Section 45 amended (Approval of new cemeteries)

Section 45(5) of the Principal Act is amended by omitting “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”.

44. Section 46 amended (Refusal to approve new cemeteries)

Section 46 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1)(c) “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”;
- (b) by omitting from subsection (2) “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”.

45. Section 55 amended (Certificate of compliance)

Section 55(4) of the Principal Act is amended by omitting “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

Part 14 – Burial and Cremation Act 2019 Amended

s. 46

*“Tasmanian Civil and Administrative Tribunal
Act 2020”.*

46. Section 56 amended (Refusal to issue certificate of compliance)

Section 56 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1)(c) *“Magistrates Court (Administrative Appeals Division) Act 2001”* and substituting *“Tasmanian Civil and Administrative Tribunal Act 2020”*;
- (b) by omitting from subsection (2) *“Magistrates Court (Administrative Appeals Division) Act 2001”* and substituting *“Tasmanian Civil and Administrative Tribunal Act 2020”*.

47. Section 63 amended (Closure of cemeteries for reasons of public health or public safety)

Section 63(5) of the Principal Act is amended as follows:

- (a) by omitting “a magistrate” and substituting “the Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting “who” second occurring and substituting “which”.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 48

Part 14 – Burial and Cremation Act 2019 Amended

48. Section 64 amended (Intention of cemetery manager to close cemetery)

Section 64(7) of the Principal Act is amended by omitting “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”.

49. Section 65 amended (Review of rejected or non-accepted complaints)

Section 65(3)(c) of the Principal Act is amended by omitting “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”.

50. Section 71 amended (Regulator may reduce certain time frames in respect of closed cemeteries)

Section 71(9) of the Principal Act is amended by omitting “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”.

51. Section 73 amended (Declaration that land is not cemetery)

Section 73(9) of the Principal Act is amended by omitting “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting

Tasmanian Civil and Administrative Tribunal (Additional Jurisdictions) Act 2024
Act No. of 2024

Part 14 – Burial and Cremation Act 2019 Amended

s. 52

“Tasmanian Civil and Administrative Tribunal Act 2020”.

52. Section 75 amended (Approval to manage crematorium)

Section 75(6) of the Principal Act is amended by omitting *“Magistrates Court (Administrative Appeals Division) Act 2001”* and substituting *“Tasmanian Civil and Administrative Tribunal Act 2020”*.

53. Section 82 amended (Closure of crematoria for reasons of public health or public safety)

Section 82(5) of the Principal Act is amended as follows:

- (a) by omitting “a magistrate” and substituting “the Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting “who” second occurring and substituting “which”.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 54

Part 15 – Cat Management Act 2009 Amended

PART 15 – CAT MANAGEMENT ACT 2009 AMENDED

54. Principal Act

In this Part, the *Cat Management Act 2009** is referred to as the Principal Act.

55. Section 16E amended (Review of decision)

Section 16E of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

56. Section 33 amended (Review of decisions)

Section 33 of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

57. Section 38B amended (Appeal against requirement notice)

Section 38B of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “a magistrate” and substituting “the Tasmanian Civil and Administrative Tribunal”;

*No. 89 of 2009

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

Part 15 – Cat Management Act 2009 Amended

s. 57

- (b) by omitting from subsection (3) “a magistrate” and substituting “the Tasmanian Civil and Administrative Tribunal”.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 58

Part 16 – Cat Management Regulations 2022 Amended

**PART 16 – CAT MANAGEMENT REGULATIONS 2022
AMENDED**

58. Principal Regulations

In this Part, the *Cat Management Regulations 2022** are referred to as the Principal Regulations.

59. Regulation 15 amended (Review of decisions)

Regulation 15 of the Principal Regulations is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*S.R. 2022, No. 119

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 17 – Child Care Act 2001 Amended

s. 60

PART 17 – CHILD CARE ACT 2001 AMENDED

60. Principal Act

In this Part, the *Child Care Act 2001** is referred to as the Principal Act.

61. Section 50 amended (Reviewable decisions)

Section 50(2) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division) under the *Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 62 of 2001

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 62 Part 18 – Community Housing Providers National Law (Tasmania) Act
2013 Amended

**PART 18 – COMMUNITY HOUSING PROVIDERS
NATIONAL LAW (TASMANIA) ACT 2013 AMENDED**

62. Principal Act

In this Part, the *Community Housing Providers
National Law (Tasmania) Act 2013** is referred
to as the Principal Act.

**63. Section 6 amended (Meaning of certain terms in
Community Housing Providers National Law for
purposes of this jurisdiction)**

Section 6(1) of the Principal Act is amended by
omitting “Magistrates Court (Administrative
Appeals Division)” from the definition of *Appeal
Tribunal* and substituting “Tasmanian Civil and
Administrative Tribunal”.

*No. 21 of 2013

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

Part 19 – Conveyancing Act 2004 Amended

s. 64

PART 19 – CONVEYANCING ACT 2004 AMENDED

64. Principal Act

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

65. Section 42 substituted

Section 42 of the Principal Act is repealed and the following section is substituted:

42. Reviews by Tasmanian Civil and Administrative Tribunal

A person who is aggrieved by –

- (a) a decision of the Director refusing to grant a licence to the person; or
- (b) a decision of the Director to impose a condition on a licence or vary a condition on a licence of the person; or
- (c) a decision of the Director suspending or cancelling a licence of the person; or
- (d) a decision of the Director to appoint a receiver or manager in

*No. 22 of 2004

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 65

Part 19 – Conveyancing Act 2004 Amended

respect of the person’s business;
or

- (e) an order made by the Director
under section 39 –

may apply to the Tasmanian Civil and
Administrative Tribunal for a review of
the decision or order.

Tasmanian Civil and Administrative Tribunal (Additional Jurisdictions) Act 2024
Act No. of 2024

Part 20 – Criminal Justice (Mental Impairment) Act 1999 Amended

s. 66

PART 20 – CRIMINAL JUSTICE (MENTAL IMPAIRMENT) ACT 1999 AMENDED

66. Principal Act

In this Part, the *Criminal Justice (Mental Impairment) Act 1999** is referred to as the Principal Act.

67. Section 37 amended (Review of persons detained under forensic orders)

Section 37 of the Principal Act is amended by inserting after subsection (1) the following subsection:

- (1A) If a supervision order is suspended, the order may be reviewed in accordance with this section notwithstanding the suspension.

*No. 21 of 1999

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 68

Part 21 – Crown Lands (Shack Sites) Act 1997 Amended

**PART 21 – CROWN LANDS (SHACK SITES) ACT 1997
AMENDED**

68. Principal Act

In this Part, the *Crown Lands (Shack Sites) Act 1997** is referred to as the Principal Act.

69. Section 17A amended (Leasing hardship)

Section 17A(8) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

70. Section 27 amended (Reviews of assessment of land value)

Section 27 of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 87 of 1997

Tasmanian Civil and Administrative Tribunal (Additional Jurisdictions) Act 2024
Act No. of 2024

Part 22 – Crown Lands Act 1976 Amended

s. 71

PART 22 – CROWN LANDS ACT 1976 AMENDED

71. Principal Act

In this Part, the *Crown Lands Act 1976** is referred to as the Principal Act.

72. Section 23 amended (Forfeiture for breach of conditions)

Section 23 of the Principal Act is amended as follows:

- (a) by omitting from subsection (4) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (7) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

73. Section 32 amended (Re-assessment of rent in respect of land leased for rural purposes)

Section 32(3) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 28 of 1976

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 74

Part 22 – Crown Lands Act 1976 Amended

74. Section 35 amended (Grant of option to purchase to outgoing lessee or payment of value for improvements effected on Crown land)

Section 35 of the Principal Act is amended by omitting subsection (3) and substituting the following subsection:

- (3) If the Minister decides to fix an amount under subsection (2) in respect of improvements –
 - (a) the Minister is to notify the lessee of that decision by notice in writing served on the lessee; and
 - (b) if the lessee is aggrieved by that decision, the lessee may apply to the Tasmanian Civil and Administrative Tribunal for a review of the decision.

75. Section 35B amended (Compensation payable on vesting of certain land to Aboriginal Land Council of Tasmania)

Section 35B(5) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 22 – Crown Lands Act 1976 Amended

s. 76

76. Section 39 amended (Compensation for improvements)

Section 39(4) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

77. Section 67 amended (Reviews in certain cases)

Section 67(1) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 78

Part 23 – Dairy Industry Act 1994 Amended

PART 23 – DAIRY INDUSTRY ACT 1994 AMENDED

78. Principal Act

In this Part, the *Dairy Industry Act 1994** is referred to as the Principal Act.

79. Section 42 amended (Reviews)

Section 42 of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 36 of 1994

PART 24 – DOG CONTROL ACT 2000 AMENDED

80. Principal Act

In this Part, the *Dog Control Act 2000** is referred to as the Principal Act.

81. Section 19A amended (Subsequent attack by dangerous dog)

Section 19A of the Principal Act is amended as follows:

- (a) by omitting from subsection (4) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (5) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

82. Section 31 amended (Appeal against declaration)

Section 31 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Magistrates Court (Administrative

*No. 102 of 2000

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 83

Part 24 – Dog Control Act 2000 Amended

Appeals Division)” and substituting
“Tasmanian Civil and Administrative
Tribunal”;

(b) by omitting from subsection (1A)
“Magistrates Court (Administrative
Appeals Division)” and substituting
“Tasmanian Civil and Administrative
Tribunal”;

(c) by omitting from subsection (2)
“Magistrates Court (Administrative
Appeals Division)” and substituting
“Tasmanian Civil and Administrative
Tribunal”;

(d) by omitting from subsection (3)
“Magistrates Court (Administrative
Appeals Division)” and substituting
“Tasmanian Civil and Administrative
Tribunal”.

83. Section 34A amended (Application for approval to transfer ownership of dangerous dog or restricted breed dog)

Section 34A of the Principal Act is amended as follows:

(a) by omitting from subsection (4)
“Magistrates Court (Administrative
Appeals Division)” and substituting
“Tasmanian Civil and Administrative
Tribunal”;

Tasmanian Civil and Administrative Tribunal (Additional Jurisdictions) Act 2024
Act No. of 2024

Part 24 – Dog Control Act 2000 Amended

s. 84

- (b) by omitting from subsection (5) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

84. Section 39A amended (Destruction of dangerous dog if enclosure not suitable)

Section 39A of the Principal Act is amended as follows:

- (a) by omitting from subsection (6) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (7) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

85. Section 49A amended (Abatement notices)

Section 49A of the Principal Act is amended as follows:

- (a) by omitting from subsection (5) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 86

Part 24 – Dog Control Act 2000 Amended

- (b) by omitting from subsection (6) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

86. Section 59 amended (Appeals in respect of licence)

Section 59 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (4) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

Tasmanian Civil and Administrative Tribunal (Additional Jurisdictions) Act 2024
Act No. of 2024

Part 25 – Education Act 2016 Amended

s. 87

PART 25 – EDUCATION ACT 2016 AMENDED

87. Principal Act

In this Part, the *Education Act 2016** is referred to as the Principal Act.

88. Section 79 amended (Review of determination relating to approved home education program)

Section 79 of the Principal Act is amended as follows:

- (a) by omitting “Magistrates Court (Administrative Appeals Division)” first occurring and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”.

89. Section 135 amended (Appeal against prohibition)

Section 135 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Magistrates Court (Administrative Appeals Division)” first occurring and

*No. 51 of 2016

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 90

Part 25 – Education Act 2016 Amended

- substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (1) “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”;
- (c) by omitting paragraph (b) from subsection (2) and substituting the following paragraph:
- (b) of determining, for the purposes of section 74A(1) of the *Tasmanian Civil and Administrative Tribunal Act 2020*, the date on which the person was notified of the relevant reviewable decision for the purposes of the application for review under subsection (1).

90. Section 198 amended (Review of determination)

Section 198(2) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (a) “*Magistrates Court (Administrative Appeals Division)*” and substituting “*Tasmanian Civil and Administrative Tribunal*”;

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 25 – Education Act 2016 Amended

s. 90

- (b) by omitting from paragraph (b) “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 91 Part 26 – Education and Care Services National Law (Application) Act 2011
Amended

**PART 26 – EDUCATION AND CARE SERVICES
NATIONAL LAW (APPLICATION) ACT 2011
AMENDED**

91. Principal Act

In this Part, the *Education and Care Services National Law (Application) Act 2011** is referred to as the Principal Act.

92. Section 8 amended (Relevant tribunal or court)

Section 8 of the Principal Act is amended as follows:

- (a) by omitting from paragraph (a) “Magistrates Court” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from paragraph (b) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 48 of 2011

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

Part 27 – Electricity Industry Safety and Administration Act 1997 Amended

s. 93

**PART 27 – ELECTRICITY INDUSTRY SAFETY AND
ADMINISTRATION ACT 1997 AMENDED**

93. Principal Act

In this Part, the *Electricity Industry Safety and Administration Act 1997** is referred to as the Principal Act.

94. Part 7 substituted

Part 7 of the Principal Act is repealed and the following Part is substituted:

PART 7 – REVIEWS

77. Rights of appeal

A person who is directly affected by a decision of the Secretary may apply to the Tasmanian Civil and Administrative Tribunal for a review of that decision.

78. Enforcement of determination

The Secretary must give effect to a determination or order of the Tasmanian Civil and Administrative Tribunal.

*No. 72 of 1997

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 95

Part 28 – Explosives Act 2012 Amended

PART 28 – EXPLOSIVES ACT 2012 AMENDED

95. Principal Act

In this Part, the *Explosives Act 2012** is referred to as the Principal Act.

96. Section 69 amended (Applications for review of decisions)

Section 69(1) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 4 of 2012

**PART 29 – EXPUNGEMENT OF HISTORICAL
OFFENCES ACT 2017 AMENDED**

97. Principal Act

In this Part, the *Expungement of Historical Offences Act 2017** is referred to as the Principal Act.

98. Section 21 amended (Review of decisions)

Section 21 of the Principal Act is amended as follows:

(a) by omitting subsection (2) and substituting the following subsection:

(2) If the Secretary, or a person acting as the delegate of the Secretary, makes a reviewable decision, an interested person may apply to the Tasmanian Civil and Administrative Tribunal for a review of the decision.

(b) by omitting subsections (4) and (5) and substituting the following subsections:

(4) The review by the Tasmanian Civil and Administrative Tribunal of a reviewable decision made under this Act is to be held in private.

*No. 45 of 2017

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 98

Part 29 – Expungement of Historical Offences Act 2017 Amended

- (5) A person who made an application to have a charge expunged is taken to be a party to any proceedings before the Tasmanian Civil and Administrative Tribunal for a review of the decision to expunge that charge under section 12(2)(a).

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 30 – Fertilizers Act 1993 Amended

s. 99

PART 30 – FERTILIZERS ACT 1993 AMENDED

99. Principal Act

In this Part, the *Fertilizers Act 1993** is referred to as the Principal Act.

100. Section 28A amended (Reviews)

Section 28A of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 61 of 1993

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 101

Part 31 – Fire Service Act 1979 Amended

PART 31 – FIRE SERVICE ACT 1979 AMENDED

101. Principal Act

In this Part, the *Fire Service Act 1979** is referred to as the Principal Act.

102. Section 56 amended (Formation of firebreaks)

Section 56(6) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

103. Section 60I amended (Appeals)

Section 60I(2) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 35 of 1979

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 32 – Fishing (Licence Ownership and Interest) Registration Act 2001
Amended

s. 104

**PART 32 – FISHING (LICENCE OWNERSHIP AND
INTEREST) REGISTRATION ACT 2001 AMENDED**

104. Principal Act

In this Part, the *Fishing (Licence Ownership and Interest) Registration Act 2001** is referred to as the Principal Act.

105. Section 16 amended (Applications for review)

Section 16 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (2) “*Magistrates Court (Administrative Appeals Division) Act 2001*, the Magistrates Court (Administrative Appeals Division)” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*, the Tasmanian Civil and Administrative Tribunal”.

*No. 96 of 2001

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 106

Part 33 – Food Act 2003 Amended

PART 33 – FOOD ACT 2003 AMENDED

106. Principal Act

In this Part, the *Food Act 2003** is referred to as the Principal Act.

107. Section 4 amended (Interpretation)

Section 4(1) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” from the definition of *appropriate review body* and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 8 of 2003

Tasmanian Civil and Administrative Tribunal (Additional Jurisdictions) Act 2024
Act No. of 2024

Part 34 – Forestry (Fair Contract Codes) Act 2001 Amended

s. 108

**PART 34 – FORESTRY (FAIR CONTRACT CODES)
ACT 2001 AMENDED**

108. Principal Act

In this Part, the *Forestry (Fair Contract Codes) Act 2001** is referred to as the Principal Act.

109. Section 16 amended (Status of interested parties)

Section 16(3) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 117 of 2001

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 110

Part 35 – Gaming Control Act 1993 Amended

PART 35 – GAMING CONTROL ACT 1993 AMENDED

110. Principal Act

In this Part, the *Gaming Control Act 1993** is referred to as the Principal Act.

111. Section 112C amended (Exclusion from wagering on application of interested person)

Section 112C(8) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division) under the *Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “Tasmanian Civil and Administrative Tribunal”.

112. Section 112GB amended (Application for review by Tasmanian Civil and Administrative Tribunal)

Section 112GB of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (2) “Magistrates Court (Administrative Appeals Division)” and substituting

*No. 94 of 1993

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

Part 35 – Gaming Control Act 1993 Amended

s. 112

“Tasmanian Civil and Administrative
Tribunal”;

- (c) by omitting from subsection (3)
“Magistrates Court (Administrative
Appeals Division)” and substituting
“Tasmanian Civil and Administrative
Tribunal”.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 113 Part 36 – Genetically Modified Organisms Control Act 2004 Amended

**PART 36 – GENETICALLY MODIFIED ORGANISMS
CONTROL ACT 2004 AMENDED**

113. Principal Act

In this Part, the *Genetically Modified Organisms
Control Act 2004** is referred to as the Principal
Act.

114. Section 30 amended (Review of decisions)

Section 30(2) of the Principal Act is amended by
omitting “Magistrates Court (Administrative
Appeals Division)” and substituting “Tasmanian
Civil and Administrative Tribunal”.

*No. 45 of 2004

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 37 – Health Practitioners Tribunal Act 2010 Amended

s. 115

**PART 37 – HEALTH PRACTITIONERS TRIBUNAL
ACT 2010 AMENDED**

115. Principal Act

In this Part, the *Health Practitioners Tribunal Act 2010** is referred to as the Principal Act.

116. Section 11 amended (Professional members of Tribunal)

Section 11(2) of the Principal Act is amended by omitting paragraph (c).

117. Section 12 repealed

Section 12 of the Principal Act is repealed.

*No. 12 of 2010

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 118

Part 38 – Health Service Establishments Act 2006 Amended

**PART 38 – HEALTH SERVICE ESTABLISHMENTS
ACT 2006 AMENDED**

118. Principal Act

In this Part, the *Health Service Establishments Act 2006** is referred to as the Principal Act.

119. Section 28 substituted

Section 28 of the Principal Act is repealed and the following section is substituted:

28. Right of appeal to Tasmanian Civil and Administrative Tribunal

A person aggrieved by a decision of the Secretary may appeal to the Tasmanian Civil and Administrative Tribunal.

120. Section 30 amended (Cancellation of licence with notice)

Section 30(4) of the Principal Act is amended by omitting “under the *Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “by the Tasmanian Civil and Administrative Tribunal”.

*No. 17 of 2006

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 39 – Heavy Vehicle National Law (Tasmania) Act 2013 Amended

s. 121

**PART 39 – HEAVY VEHICLE NATIONAL LAW
(TASMANIA) ACT 2013 AMENDED**

121. Principal Act

In this Part, the *Heavy Vehicle National Law (Tasmania) Act 2013** is referred to as the Principal Act.

122. Section 13 amended (Relevant tribunal or court)

Section 13 of the Principal Act is amended as follows:

- (a) by omitting from paragraph (a) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from paragraph (b) “Magistrates Court” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 30 of 2013

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 123

Part 40 – Land Valuers Act 2001 Amended

PART 40 – LAND VALUERS ACT 2001 AMENDED

123. Principal Act

In this Part, the *Land Valuers Act 2001** is referred to as the Principal Act.

124. Sections 16 and 17 substituted

Sections 16 and 17 of the Principal Act are repealed and the following section is substituted:

16. Appeals to Tasmanian Civil and Administrative Tribunal

A person aggrieved by a determination or order made by the Director may apply to the Tasmanian Civil and Administrative Tribunal for a review of the determination or order.

*No. 101 of 2001

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

Part 41 – Litter Act 2007 Amended

s. 125

PART 41 – LITTER ACT 2007 AMENDED

125. Principal Act

In this Part, the *Litter Act 2007** is referred to as the Principal Act.

126. Section 35 amended (Litter abatement notices)

Section 35(5) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division) for a review of the notice under the *Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “Tasmanian Civil and Administrative Tribunal for a review of the notice”.

127. Section 36 amended (Form of litter abatement notices)

Section 36(g) of the Principal Act is amended by omitting “in the Magistrates Court (Administrative Appeals Division)” and substituting “by the Tasmanian Civil and Administrative Tribunal”.

*No. 38 of 2007

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 128

Part 42 – Local Government (Highways) Act 1982 Amended

**PART 42 – LOCAL GOVERNMENT (HIGHWAYS) ACT
1982 AMENDED**

128. Principal Act

In this Part, the *Local Government (Highways)
Act 1982** is referred to as the Principal Act.

**129. Section 14 amended (Closure and diversion of
highways)**

Section 14 of the Principal Act is amended as follows:

- (a) by omitting from subsection (6) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (7) “Magistrates Court (Administrative Appeals Division)” first occurring and substituting “Tasmanian Civil and Administrative Tribunal”;
- (c) by omitting from subsection (7) “, in addition to its powers under the *Magistrates Court (Administrative Appeals Division) Act 2001*, the Court” and substituting “the Tribunal”;

*No. 57 of 1982

Tasmanian Civil and Administrative Tribunal (Additional Jurisdictions) Act 2024
Act No. of 2024

Part 42 – Local Government (Highways) Act 1982 Amended

s. 130

- (d) by omitting from subsection (8) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (e) by omitting from subsection (9) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

130. Section 39 amended (Obligation of occupiers to cut back vegetation, &c.)

Section 39(10) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

131. Section 46 amended (Permission to carry out various works in relation to highways)

Section 46 of the Principal Act is amended as follows:

- (a) by omitting from subsection (7) “Tribunal” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (8) “Tribunal” first occurring and substituting “Tasmanian Civil and Administrative Tribunal”;

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 132

Part 42 – Local Government (Highways) Act 1982 Amended

- (c) by omitting from subsection (9) “Tribunal” second occurring and substituting “Tasmanian Civil and Administrative Tribunal”;
- (d) by omitting from subsection (10)(a) “Tribunal” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (e) by omitting from subsection (10)(b) “Tribunal’s” and substituting “Tasmanian Civil and Administrative Tribunal’s”;
- (f) by omitting “work;” from the definition of *gas installer* in subsection (11) and substituting “work.”;
- (g) by omitting the definition of *Tribunal* from subsection (11).

132. Section 114 amended (Right of private persons opening new streets to obtain contributions)

Section 114(4) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

**PART 43 – LOCAL GOVERNMENT ACT 1993
AMENDED**

133. Principal Act

In this Part, the *Local Government Act 1993** is referred to as the Principal Act.

134. Section 28ZJ amended (Determination report)

Section 28ZJ(1)(f) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

135. Section 28ZP amended (Review of Code of Conduct Panel decision)

Section 28ZP of the Principal Act is amended as follows:

- (a) by omitting from paragraph (a) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from paragraph (b) “a reviewable decision for the purposes of the *Magistrates Court (Administrative Appeals Division) Act 2001*” and

*No. 95 of 1993

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 136

Part 43 – Local Government Act 1993 Amended

substituting “subject to administrative review under Schedule 4 to the *Tasmanian Civil and Administrative Tribunal Act 2020*”.

136. Section 109 amended (Objections to variations)

Section 109(6) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

137. Section 113 amended (Declaration of land as urban farm land)

Section 113(5) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

138. Section 114 amended (Revocation of declaration)

Section 114(3) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

139. Section 123 amended (Objections to rates notice)

Section 123(4) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

Part 43 – Local Government Act 1993 Amended

s. 140

140. Section 178 amended (Sale, exchange and disposal of public land)

Section 178(7) of the Principal Act is amended as follows:

- (a) by inserting “in respect of land” after “action under this section”;
- (b) by inserting in paragraph (a) “in respect of the land” after “section”;
- (c) by omitting from paragraph (b) “section 178A” and substituting “section 178A, in respect of the land,”;
- (d) by omitting paragraph (c) and substituting the following paragraph:
 - (c) the action is in contravention of a determination made in respect of an appeal under section 178A in respect of the land.

141. Section 200 amended (Abatement notices)

Section 200 of the Principal Act is amended as follows:

- (a) by omitting from subsection (5) “a magistrate” and substituting “the Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (6) “A magistrate” and substituting “The

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Jurisdictions) Act 2024*
Act No. of 2024

s. 142

Part 43 – Local Government Act 1993 Amended

Tasmanian Civil and Administrative
Tribunal”.

142. Section 202 amended (Appeal against general manager’s action)

Section 202 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “a magistrate” and substituting “the Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (2) “A magistrate” and substituting “The Tasmanian Civil and Administrative Tribunal”;
- (c) by omitting from subsection (3) “a magistrate” and substituting “the Tasmanian Civil and Administrative Tribunal”;
- (d) by omitting from subsection (3) “magistrate” second occurring and substituting “Tribunal”.

143. Section 209 amended (Corrections of map)

Section 209(3) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

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Jurisdictions) Act 2024
Act No. of 2024*

Part 43 – Local Government Act 1993 Amended

s. 144

144. Section 262 amended (Reviews)

Section 262 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (2) “Court” and substituting “Tribunal”;
- (c) by omitting from subsection (3) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (d) by omitting from subsection (4) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 145

Part 44 – Motor Vehicle Traders Act 2011 Amended

**PART 44 – MOTOR VEHICLE TRADERS ACT 2011
AMENDED**

145. Principal Act

In this Part, the *Motor Vehicle Traders Act 2011** is referred to as the Principal Act.

146. Section 26 amended (Review of decisions)

Section 26 of the Principal Act is amended by omitting subsection (2) and substituting the following subsection:

- (2) If the Director or another person makes a reviewable decision, any person aggrieved by that decision may apply to the Tasmanian Civil and Administrative Tribunal for a review of the decision.

*No. 23 of 2011

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 45 – National Parks and Reserves Management Act 2002 Amended

s. 147

**PART 45 – NATIONAL PARKS AND RESERVES
MANAGEMENT ACT 2002 AMENDED**

147. Principal Act

In this Part, the *National Parks and Reserves Management Act 2002** is referred to as the Principal Act.

148. Section 53 amended (Compensation for improvements where lease cancelled for public or other purpose)

Section 53(4) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 62 of 2002

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 149 Part 46 – Nature Conservation (Deer Farming) Regulations 2022 Amended

**PART 46 – NATURE CONSERVATION (DEER
FARMING) REGULATIONS 2022 AMENDED**

149. Principal Regulations

In this Part, the *Nature Conservation (Deer Farming) Regulations 2022** are referred to as the Principal Regulations.

150. Regulation 5 amended (Person may apply for licence to operate deer farm)

Regulation 5(6) of the Principal Regulations is amended by omitting “Magistrates Court (Administrative Appeals Division) under the *Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “Tasmanian Civil and Administrative Tribunal”.

151. Regulation 8 amended (Cancellation or surrender of deer farm licence)

Regulation 8(7) of the Principal Regulations is amended by omitting “Magistrates Court (Administrative Appeals Division) under the *Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “Tasmanian Civil and Administrative Tribunal”.

*S.R. 2022, No. 37

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 46 – Nature Conservation (Deer Farming) Regulations 2022 Amended

s. 152

152. Regulation 9 amended (Suspension of deer farm licence)

Regulation 9(6) of the Principal Regulations is amended by omitting “Magistrates Court (Administrative Appeals Division) under the *Magistrates Court (Administrative Appeals Division) Act 2001*,” and substituting “Tasmanian Civil and Administrative Tribunal”.

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Jurisdictions) Act 2024
Act No. of 2024*

s. 153

Part 47 – Nature Conservation (Wildlife) Regulations 2021 Amended

**PART 47 – NATURE CONSERVATION (WILDLIFE)
REGULATIONS 2021 AMENDED**

153. Principal Regulations

In this Part, the *Nature Conservation (Wildlife) Regulations 2021** are referred to as the Principal Regulations.

154. Regulation 47 amended (Application for renewal of wildlife exhibition licences)

Regulation 47 of the Principal Regulations is amended as follows:

- (a) by omitting from subregulation (8)(a)(iii) “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”;
- (b) by omitting from subregulation (8)(a)(iv) “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”;
- (c) by omitting from subregulation (9) “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”.

*S.R. 2021, No. 93

155. Regulation 48 amended (Grant or refusal of applications)

Regulation 48(5) of the Principal Regulations is amended by omitting “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”.

156. Regulation 59 amended (Cancellation of licences and permits generally)

Regulation 59 of the Principal Regulations is amended as follows:

- (a) by omitting from subregulation (4)(b) “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”;
- (b) by omitting from subregulation (6) “*Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “*Tasmanian Civil and Administrative Tribunal Act 2020*”.

157. Regulation 60 amended (Suspension of licences and permits)

Regulation 60(7) of the Principal Regulations is amended by omitting “*Magistrates Court (Administrative Appeals Division) Act 2001*” and

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 157 Part 47 – Nature Conservation (Wildlife) Regulations 2021 Amended

substituting “*Tasmanian Civil and
Administrative Tribunal Act 2020*”.

**PART 48 – OCCUPATIONAL LICENSING ACT 2005
AMENDED**

158. Principal Act

In this Part, the *Occupational Licensing Act 2005** is referred to as the Principal Act.

159. Section 29D amended (Determination of applications for owner builder permit)

Section 29D(6) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

160. Section 34 amended (Determination of application)

Section 34(4) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

161. Section 37 amended (Determination of application)

Section 37(4) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 47 of 2005

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 162

Part 48 – Occupational Licensing Act 2005 Amended

162. Section 37B amended (Determination of application)

Section 37B(4) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

163. Section 81 amended (Review of decisions)

Section 81(2)(e) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

164. Section 82 substituted

Section 82 of the Principal Act is repealed and the following section is substituted:

82. Appeal to Tasmanian Civil and Administrative Tribunal

A person who is directly affected by a decision taken by the Administrator may appeal to the Tasmanian Civil and Administrative Tribunal for a review of the decision.

165. Section 84 amended (Enforcement of determination)

Section 84 of the Principal Act is amended by omitting “Magistrates Court (Administrative

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

Part 48 – Occupational Licensing Act 2005 Amended

s. 165

Appeals Division)” and substituting “Tasmanian
Civil and Administrative Tribunal”.

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Jurisdictions) Act 2024
Act No. of 2024*

s. 166

Part 49 – Passenger Transport Services Act 2011 Amended

**PART 49 – PASSENGER TRANSPORT SERVICES ACT
2011 AMENDED**

166. Principal Act

In this Part, the *Passenger Transport Services Act 2011** is referred to as the Principal Act.

167. Section 59 amended (External review of decisions)

Section 59(1) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 59 of 2011

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

Part 50 – Poisons Act 1971 Amended

s. 168

PART 50 – POISONS ACT 1971 AMENDED

168. Principal Act

In this Part, the *Poisons Act 1971** is referred to as the Principal Act.

169. Section 69AD amended (Review of improvement notice)

Section 69AD of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

170. Section 92 amended (Revocation or suspension of rights)

Section 92 of the Principal Act is amended as follows:

- (a) by omitting from subsection (3) “a magistrate” and substituting “the Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (3) “him” and substituting “the Tribunal”;
- (c) by omitting from subsection (4) “Magistrates Court (Administrative Appeals Division)” and substituting

*No. 81 of 1971

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 170

Part 50 – Poisons Act 1971 Amended

“Tasmanian Civil and Administrative
Tribunal”;

- (d) by omitting from subsection (4A) “a
magistrate” and substituting “the
Tasmanian Civil and Administrative
Tribunal”;
- (e) by omitting subsection (5).

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Jurisdictions) Act 2024
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Part 51 – Police Service Act 2003 Amended

s. 171

PART 51 – POLICE SERVICE ACT 2003 AMENDED

171. Principal Act

In this Part, the *Police Service Act 2003** is referred to as the Principal Act.

172. Section 75B amended (Appeal from decision of Police Review Board)

Section 75B of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “a judge of the Supreme Court, sitting in chambers, only on a point of law and that judge has jurisdiction to hear and determine any such appeal” and substituting “the Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (2) “a judge” and substituting “the Tasmanian Civil and Administrative Tribunal”;
- (c) by omitting from subsection (2) “he or she” and substituting “it”;
- (d) by omitting from subsection (2) “his or her” and substituting “its”;
- (e) by omitting from subsection (3) “Supreme Court” and substituting

*No. 75 of 2003

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

s. 172

Part 51 – Police Service Act 2003 Amended

“Tasmanian Civil and Administrative
Tribunal”.

**PART 52 – PRIMARY PRODUCE SAFETY ACT 2011
AMENDED**

173. Principal Act

In this Part, the *Primary Produce Safety Act 2011** is referred to as the Principal Act.

174. Section 22 amended (Review of decisions relating to accreditation)

Section 22(1) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

175. Section 52 amended (Review of decisions relating to prohibition orders)

Section 52(1) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

176. Section 62 amended (Review of decisions relating to approval)

Section 62(1) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 36 of 2011

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 177

Part 53 – Property Agents and Land Transactions Act 2016 Amended

**PART 53 – PROPERTY AGENTS AND LAND
TRANSACTIONS ACT 2016 AMENDED**

177. Principal Act

In this Part, the *Property Agents and Land Transactions Act 2016** is referred to as the Principal Act.

178. Section 3 amended (Interpretation)

Section 3(1) of the Principal Act is amended by omitting the definition of *Tribunal* and substituting the following definition:

Tribunal means the Tasmanian Civil and Administrative Tribunal;

179. Section 4 amended (Application of Act)

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

(a) CPA Australia; or

180. Section 12 amended (Funds of Board)

Section 12(3) of the Principal Act is amended as follows:

*No. 58 of 2016

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
Act No. of 2024*

Part 53 – Property Agents and Land Transactions Act 2016 Amended

s. 181

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

181. Section 14 amended (Annual report)

Section 14(2) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (e) “year; and” and substituting “year.”;
- (b) by omitting paragraph (f).

182. Section 100 amended (Powers of Board after investigation)

Section 100 of the Principal Act is amended by omitting paragraph (c) and substituting the following paragraph:

- (c) apply to the Tribunal to hear and determine the complaint in accordance with the *Tasmanian Civil and Administrative Tribunal Act 2020*.

183. Section 102 amended (Procedure if offence suspected)

Section 102 of the Principal Act is amended as follows:

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Jurisdictions) Act 2024
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s. 184 Part 53 – Property Agents and Land Transactions Act 2016 Amended

- (a) by omitting from subsection (1) “or Tribunal”;
- (b) by omitting from subsection (2) “or Tribunal”.

184. Part 7, Division 5 repealed

Division 5 of Part 7 of the Principal Act is repealed.

185. Section 110 amended (Determination by Tribunal)

Section 110 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1)(d) “1 000” and substituting “750”;
- (b) by inserting the following subsection after subsection (2):
 - (2A) A fine imposed by the Tribunal under this section is to be paid to the Board.

186. Section 111 amended (Costs and expenses of hearings)

Section 111 of the Principal Act is amended by omitting subsections (1) and (2) and substituting the following subsections:

- (1) The Tribunal may order a party to proceedings to pay all or part of the costs

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Jurisdictions) Act 2024*
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Part 53 – Property Agents and Land Transactions Act 2016 Amended

s. 187

of another party to those proceedings if the Tribunal considers it appropriate to do so.

- (2) Section 120(1), (2), (3) and (4) of the *Tasmanian Civil and Administrative Tribunal Act 2020* do not apply in relation to proceedings under this Act.

187. Section 113 repealed

Section 113 of the Principal Act is repealed.

188. Section 116 amended (Right to appeal decisions of Board)

Section 116 of the Principal Act is amended by omitting subsection (5).

189. Section 117 repealed

Section 117 of the Principal Act is repealed.

190. Schedule 2 repealed

Schedule 2 to the Principal Act is repealed.

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Jurisdictions) Act 2024
Act No. of 2024*

s. 191

Part 54 – Public Health Act 1997 Amended

PART 54 – PUBLIC HEALTH ACT 1997 AMENDED

191. Principal Act

In this Part, the *Public Health Act 1997** is referred to as the Principal Act.

192. Section 72B amended (Specialist tobacconist premises)

Section 72B(3) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

193. Section 74G amended (Variation of smoking product licence)

Section 74G(3)(b) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

194. Section 74H amended (Cancellation of smoking product licence)

Section 74H(3)(b) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

*No. 86 of 1997

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Part 54 – Public Health Act 1997 Amended

s. 195

195. Section 111 amended (Variation of licence)

Section 111(4)(b) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

196. Section 112 amended (Cancellation of licence)

Section 112(3)(b) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

197. Section 122 amended (Variation of registration)

Section 122(4)(b) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

198. Section 123 amended (Cancellation of registration)

Section 123(3)(b) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

199. Section 129D amended (Variation of condition of approval as a water quality auditor)

Section 129D(2)(b) of the Principal Act is amended by omitting “Magistrates Court

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Part 54 – Public Health Act 1997 Amended

(Administrative Appeals Division)” and substituting “Appeal Tribunal”.

200. Section 129E amended (Suspension and cancellation of approval)

Section 129E(2)(b) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

201. Section 136B amended (Variation of registration)

Section 136B(4)(b) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

202. Section 136C amended (Cancellation of registration)

Section 136C(3)(b) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

203. Section 136K amended (Variation of registration)

Section 136K(4)(b) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

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Part 54 – Public Health Act 1997 Amended

s. 204

204. Section 136L amended (Cancellation of registration)

Section 136L(3)(b) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

205. Section 160AA amended (Reviews relating to permits to supply needles and syringes)

Section 160AA of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”;
- (b) by omitting from subsection (2) “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

206. Section 160A amended (Reviews relating to smoking product licence)

Section 160A of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

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Jurisdictions) Act 2024
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s. 207

Part 54 – Public Health Act 1997 Amended

207. Section 160B amended (Reviews relating to approval of designated smoking area)

Section 160B of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

208. Section 160C amended (Reviews relating to approval of water quality auditor)

Section 160C of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

209. Section 163 amended (Reviews relating to public health risk activity licence)

Section 163 of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

210. Section 163A amended (Reviews relating to registration as supplier of water)

Section 163A of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

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Jurisdictions) Act 2024
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Part 54 – Public Health Act 1997 Amended

s. 211

211. Section 163B amended (Reviews relating to registration as a water carrier)

Section 163B of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

212. Section 164 amended (Reviews relating to regulated systems)

Section 164 of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

213. Section 165 amended (Review of orders)

Section 165 of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

214. Section 166 amended (Review of notices)

Section 166 of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Appeal Tribunal”.

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Jurisdictions) Act 2024*
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s. 215

Part 55 – Radiation Protection Act 2005 Amended

**PART 55 – RADIATION PROTECTION ACT 2005
AMENDED**

215. Principal Act

In this Part, the *Radiation Protection Act 2005** is referred to as the Principal Act.

216. Section 4 amended (Interpretation)

Section 4 of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” from paragraph (c) of the definition of *review notice* and substituting “Tasmanian Civil and Administrative Tribunal”.

217. Section 74 amended (Reviews of decisions)

Section 74 of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division) for a review of the decision and that decision is a reviewable decision for the purposes of the *Magistrates Court (Administrative Appeals Division) Act 2001*” and substituting “Tasmanian Civil and Administrative Tribunal for a review of the decision”.

*No. 48 of 2005

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Jurisdictions) Act 2024
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Part 55 – Radiation Protection Act 2005 Amended

s. 218

218. Section 86 amended (Regulations)

Section 86(3) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

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Jurisdictions) Act 2024*
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s. 219

Part 56 – Rail Safety National Law (Tasmania) Act 2012 Amended

**PART 56 – RAIL SAFETY NATIONAL LAW
(TASMANIA) ACT 2012 AMENDED**

219. Principal Act

In this Part, the *Rail Safety National Law (Tasmania) Act 2012** is referred to as the Principal Act.

220. Section 5 amended (Interpretation of certain expressions)

Section 5(1) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” from paragraph (b) of the definition of *court* and substituting “Tasmanian Civil and Administrative Tribunal”.

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Jurisdictions) Act 2024*
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Part 57 – Registration to Work with Vulnerable People Act 2013 Amended

s. 221

**PART 57 – REGISTRATION TO WORK WITH
VULNERABLE PEOPLE ACT 2013 AMENDED**

221. Principal Act

In this Part, the *Registration to Work with Vulnerable People Act 2013** is referred to as the Principal Act.

222. Section 18A amended (Unregistered person may engage in regulated activity in special circumstances)

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

- (a) by omitting the definition of *prescribed period* from subsection (1);
- (b) by omitting from subsection (2)(b)(ii) “under section 53 within the prescribed period” and substituting “within the period specified in section 74A(1) of the *Tasmanian Civil and Administrative Tribunal Act 2020*”;
- (c) by omitting from subsection (2)(b)(iii) “under section 53 within the prescribed period, when the review is determined by the Magistrates Court (Administrative Appeals Division)” and substituting “under the *Tasmanian Civil and Administrative Tribunal Act 2020*, when

*No. 65 of 2013

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s. 223 Part 57 – Registration to Work with Vulnerable People Act 2013 Amended

the review is determined by the
Tasmanian Civil and Administrative
Tribunal”.

223. Section 53 amended (Review of decisions)

Section 53 of the Principal Act is amended as follows:

(a) by omitting subsection (2) and substituting the following subsection:

(2) If the Registrar, or a person acting as the delegate of the Registrar, makes a reviewable decision, a person aggrieved by that decision may apply to the Tasmanian Civil and Administrative Tribunal for a review of the decision.

(b) by omitting from subsection (3) “Despite section 36(1) of the *Magistrates Court (Administrative Appeals Division) Act 2001*, the review by the Magistrates Court (Administrative Appeals Division)” and substituting “The review by the Tasmanian Civil and Administrative Tribunal”;

(c) by omitting from subsection (4) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;

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- (d) by omitting from subsection (6) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (e) by omitting from subsection (7) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (f) by omitting from subsection (9) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (g) by omitting subsection (10) and substituting the following subsection:
 - (10) Section 86A(4) of the *Tasmanian Civil and Administrative Tribunal Act 2020* does not apply to a decision of the Tribunal if the Tribunal does not give reasons for the decision in order to prevent the disclosure of information referred to in subsection (7).

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Jurisdictions) Act 2024*
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s. 224

Part 58 – Relationships Act 2003 Amended

PART 58 – RELATIONSHIPS ACT 2003 AMENDED

224. Principal Act

In this Part, the *Relationships Act 2003** is referred to as the Principal Act.

225. Section 25 amended (Review)

Section 25 of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 44 of 2003

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Jurisdictions) Act 2024*
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Part 59 – Retirement Villages Act 2004 Amended

s. 226

**PART 59 – RETIREMENT VILLAGES ACT 2004
AMENDED**

226. Principal Act

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

227. Section 34 amended (Appeal against decision or order)

Section 34 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “a magistrate” and substituting “the Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (3) “magistrate” and substituting “Tasmanian Civil and Administrative Tribunal”.

228. Section 35 amended (Stay of operation of order)

Section 35 of the Principal Act is amended as follows:

- (a) by omitting “A magistrate” and substituting “The Tasmanian Civil and Administrative Tribunal”;

*No. 50 of 2004

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Jurisdictions) Act 2024
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s. 228

Part 59 – Retirement Villages Act 2004 Amended

- (b) by omitting “magistrate” second
occurring and substituting “Tribunal”.

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Part 60 – Roads and Jetties Act 1935 Amended

s. 229

PART 60 – ROADS AND JETTIES ACT 1935 AMENDED

229. Principal Act

In this Part, the *Roads and Jetties Act 1935** is referred to as the Principal Act.

230. Section 52CE amended (Variation of conditions of licence by Minister)

Section 52CE(6) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 82 of 1935

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

s. 231

Part 61 – Security and Investigations Agents Act 2002 Amended

**PART 61 – SECURITY AND INVESTIGATIONS
AGENTS ACT 2002 AMENDED**

231. Principal Act

In this Part, the *Security and Investigations Agents Act 2002** is referred to as the Principal Act.

232. Section 37 amended (Appeals)

Section 37 of the Principal Act is amended as follows:

- (a) by inserting in subsection (1) “to the Tasmanian Civil and Administrative Tribunal” after “apply”;
- (b) by omitting subsections (2) and (3);
- (c) by omitting from subsection (4) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 19 of 2002

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Jurisdictions) Act 2024*
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Part 62 – Security-sensitive Dangerous Substances Act 2005 Amended

s. 233

**PART 62 – SECURITY-SENSITIVE DANGEROUS
SUBSTANCES ACT 2005 AMENDED**

233. Principal Act

In this Part, the *Security-sensitive Dangerous Substances Act 2005** is referred to as the Principal Act.

234. Section 74 amended (Applications for review of decisions)

Section 74 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting subsection (2) and substituting the following subsection:
 - (2) Sections 79C, 79D, 79E and 79F of the *Tasmanian Civil and Administrative Tribunal Act 2020* do not apply to an application referred to in subsection (1) if the notification given under this Act of the relevant decision stated, pursuant to section 73, that the

*No. 31 of 2005

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
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s. 234 Part 62 – Security-sensitive Dangerous Substances Act 2005 Amended

decision was made on security
grounds.

- (c) by omitting from subsection (3) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

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Part 63 – Surveyors Act 2002 Amended

s. 235

PART 63 – SURVEYORS ACT 2002 AMENDED

235. Principal Act

In this Part, the *Surveyors Act 2002** is referred to as the Principal Act.

236. Sections 37 and 38 substituted

Sections 37 and 38 of the Principal Act are repealed and the following section is substituted:

37. Appeals to Tasmanian Civil and Administrative Tribunal

A person aggrieved by a determination or order made by the Director may apply to the Tasmanian Civil and Administrative Tribunal for a review of the determination or order.

*No. 36 of 2002

*Tasmanian Civil and Administrative Tribunal (Additional
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s. 237 Part 64 – Tasmanian Civil and Administrative Tribunal Act 2020 Amended

**PART 64 – TASMANIAN CIVIL AND
ADMINISTRATIVE TRIBUNAL ACT 2020 AMENDED**

237. Principal Act

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

238. Section 3 amended (Interpretation)

Section 3(1) of the Principal Act is amended as follows:

- (a) by inserting the following definition after the definition of *Acting President*:

Administrative stream means the Administrative stream established by clause 1 of Part 6 of Schedule 2;

- (b) by inserting the following definition after the definition of *commencement day*:

Community, Children and Families stream means the Community, Children and Families stream established by clause 1 of Part 6 of Schedule 3;

- (c) by omitting the definition of *Forestry Practices stream*;

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- (d) by inserting the following definition after the definition of *Guardianship stream*:

interested person, in relation to a reviewable decision, means –

- (a) the person who applied under the relevant Act for the decision to be made; and
 - (b) each person who is entitled under this Act, or the relevant Act, to apply for a review of the decision; and
 - (c) such other persons, or classes of persons, who are prescribed as interested persons in respect of the reviewable decision;
- (e) by omitting the definition of *Health Practitioners stream*;
- (f) by inserting the following definition after the definition of *monetary order*:

Occupational and Disciplinary stream means the Occupational and Disciplinary stream established by clause 1 of Part 5 of Schedule 2;

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s. 239 Part 64 – Tasmanian Civil and Administrative Tribunal Act 2020 Amended

239. Section 44 amended (Appointment of senior members and ordinary members)

Section 44(5)(a) of the Principal Act is amended by omitting “of” second occurring and substituting “not exceeding”.

240. Section 74A inserted

After section 74 of the Principal Act, the following section is inserted in Division 3:

74A. Applications for review

- (1) Unless otherwise specified in this Act or a relevant Act, or regulations made under a relevant Act, an application for a review of a reviewable decision may only be made –
 - (a) by an interested person in respect of the reviewable decision or any other person that the Tribunal is satisfied has a sufficient interest in the reviewable decision; and
 - (b) in the manner prescribed or, if no manner is prescribed, as otherwise determined by the Tribunal; and
 - (c) within one of the following periods in respect of the reviewable decision:

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- (i) if the applicant requested a statement of reasons under Division 1A of Part 8 in respect of the reviewable decision, within 28 days after the person was provided with a statement of reasons, or a notification of the refusal to provide reasons, under that Division in respect of the decision;
 - (ii) in any other case, 28 days from the date on which the person was notified of the making of the reviewable decision or such other period as is prescribed.
- (2) If an application for a review of a reviewable decision is made, the Registrar must –
- (a) cause notice of the application to be served on any party to the proceedings (other than the applicant) within such time, and in such manner, as may be specified in the Tribunal rules; or
 - (b) direct the applicant to serve notice of the application –

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- (i) on such persons as are specified by the Registrar; and
 - (ii) within such time, and in such manner, as may be specified in the Tribunal rules.
- (3) If an applicant is given a direction of the Registrar under subsection (2)(b) in respect of an application, the application is of no effect until the applicant complies with the direction.

241. Section 75 amended (Nature of proceedings in review jurisdiction)

Section 75 of the Principal Act is amended by omitting subsection (2) and substituting the following subsection:

- (2) Subject to subsection (6), if an application for review is made to the Tribunal in respect of one of the following reviewable decisions, the review by the Tribunal of the reviewable decision is to be by way of a hearing de novo of the matter to which the reviewable decision relates:
- (a) a reviewable decision under an Act, including any regulations or instruments made under such an Act, that is an Act in relation to

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which the functions and powers of the Tribunal are allocated under clause 3 of Part 8 of Schedule 2 to the Resource and Planning stream;

- (b) a reviewable decision under an Act or a provision of an Act, including any regulations or instruments made under such an Act, that is specified in Schedule 4.

242. Section 76 amended (Decision-maker must assist Tribunal)

Section 76 of the Principal Act is amended as follows:

- (a) by omitting from subsection (6) “The decision-maker” and substituting “Subject to subsection (6B), the decision-maker”;
- (b) by inserting the following subsections after subsection (6):
 - (6A) A decision-maker who is subject to a direction or requirement of the Tribunal under this section may apply to the Tribunal for an order exempting the decision-maker from complying with the direction or requirement in respect of the statements,

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documents or other things specified in the application.

(6B) The Tribunal may make an exemption order in respect of one or more statements, documents or other things specified in an application under subsection (6A) if the Tribunal is satisfied that –

- (a) it is desirable to do so given the confidential nature of the statement, document or other thing; or
- (b) it is otherwise reasonable in the circumstances to make the exemption order.

243. Part 8, Division 1A inserted

After section 79 of the Principal Act, the following Division is inserted in Part 8:

Division 1A – Preliminary procedure for certain decision-makers

79A. Application of Division

- (1) This Division applies to a reviewable decision that is made under –

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- (a) an Act, including any regulations or instruments made under such an Act, that is specified in Schedule 4; or
 - (b) a section of an Act that is specified in Schedule 4.
- (2) Despite subsection (1), this Division does not apply to the following reviewable decisions:
- (a) a decision that has been taken to have been made, under this Act or the relevant Act, due to the decision-maker failing to make a decision within the time limit specified in the relevant Act for the decision;
 - (b) one of the following decisions, if the decision does not adversely affect the interests of an interested person:
 - (i) a decision not to impose a liability, penalty or any kind of limitation on a person;
 - (ii) if the relevant Act provides for more than one category of entitlement to a monetary or other benefit, a decision that determines a

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person to be in the most
favourable of those
categories;

- (c) a decision to adjust the level of periodic payments to be made to a person, as a member of a class of persons, if a similar adjustment is being made to the level of such payments to the other members of the class;
- (d) any other decision or class of decisions prescribed by the regulations for the purposes of this subsection.

79B. Decision-maker to provide certain information

- (1) A decision-maker who makes a reviewable decision to which this Division applies must take such steps as are reasonable in the circumstances to give each relevant interested person notice, in writing, of –
 - (a) the decision; and
 - (b) the rights of the person to do one or more of the following in respect of the decision:
 - (i) apply under Division 3 of Part 7 to have the decision

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reviewed as a reviewable decision under this Act;

- (ii) make a written request under section 79C to the decision-maker for a statement of the reasons for the decision.

- (2) Subsection (1) does not apply in respect of a reviewable decision to which this Division applies if –

- (a) the decision-maker complies with the notification requirements of the relevant Act in respect of the reviewable decision; and

- (b) as part of the notification under the relevant Act, the decision-maker gives written notice of the rights of an interested person in respect of the decision, as specified in subsection (1)(b).

- (3) For the avoidance of doubt, a failure to provide notice in respect of a reviewable decision, as required under this section, does not affect the validity of the decision.

79C. Decision-maker to give reasons if requested

- (1) If a decision-maker makes a reviewable decision to which this Division applies,

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an interested person in respect of the decision may make a written request to the decision-maker for a statement of the reasons for the decision.

- (2) As soon as practicable (and in any event within the prescribed period) after receiving a request under subsection (1) in respect of a reviewable decision, the decision-maker is to –
 - (a) prepare a written statement of reasons for the decision; and
 - (b) provide it to the person who requested the statement of reasons.
- (3) A statement of reasons under subsection (2) is to include –
 - (a) the reasons for the decision; and
 - (b) if relevant, the findings on material questions of fact that relate to the decision; and
 - (c) details of the information, or other materials, on which the decision was made.
- (4) For the avoidance of doubt, this section does not apply in respect of a reviewable decision if section 79D applies in respect of the reviewable decision.

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79D. Decision-maker may refuse to provide reasons in certain circumstances

- (1) A decision-maker may refuse to prepare and provide a statement of reasons in respect of a reviewable decision to which this Division applies, as requested by a person under section 79C, if –
 - (a) the decision-maker is satisfied that the person is not an interested person in respect of the decision; or
 - (b) the written notification in respect of the reviewable decision under the relevant Act included a time period, being not less than 28 days, during which a request under section 79C may be made and the request was made after the expiry of that time period; or
 - (c) in any other case, the request was not made within a reasonable time after the decision was made.
- (2) A decision-maker may not refuse to prepare and provide a statement of reasons under subsection (1) in respect of a reviewable decision if the Tribunal has made an order under section 79F that requires the decision-maker to prepare and provide a statement of reasons in respect of the reviewable decision.

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- (3) If a decision-maker refuses under subsection (1) to prepare and provide a statement of reasons in respect of a reviewable decision, the decision-maker must –
- (a) notify the person who requested the statement of reasons under section 79C –
 - (i) of the decision-maker’s refusal; and
 - (ii) the reasons for the refusal; and
 - (b) give the notification to the person as soon as practicable and, in any event, within 28 days after the request for the statement of reasons was made.

79E. Tribunal may determine certain matters

- (1) If a person has received notification under section 79D(3) refusing a request to prepare and provide a statement of reasons on the grounds specified in section 79D(1)(a) –
- (a) the person may apply to the Tribunal for an order declaring that the person was entitled to make the request; and

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- (b) the Tribunal may make an order declaring that the person was, or was not, entitled to make the request.
- (2) If a person has received notification under section 79D(3) refusing a request to prepare and provide a statement of reasons on the grounds specified in section 79D(1)(c) –
- (a) the person may apply to the Tribunal for an order declaring that the person made the request within a reasonable time; and
 - (b) the Tribunal may make an order declaring that the request was, or was not, made within a reasonable time.

79F. Tribunal may order statement of reasons to be provided

- (1) A person may apply to the Tribunal for an order under subsection (2) in respect of a decision-maker if –
- (a) the person has requested, under section 79C, that the decision-maker prepare and provide a statement of reasons in respect of a reviewable decision and the decision-maker has refused the request under section 79D; or

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- (b) the person has requested, under section 79C, that the decision-maker prepare and provide a statement of reasons and the decision-maker has not responded to the request within 28 days after the request was made; or
 - (c) the decision-maker has prepared and provided a statement of reasons to the person under this Division that the person believes does not meet the requirements of section 79C(3).
- (2) If the Tribunal considers it reasonable in the circumstances to do so, the Tribunal may make an order that requires a decision-maker –
 - (a) to prepare and provide a statement of reasons in respect of a reviewable decision regardless of whether –
 - (i) the person who requested the statement was an interested person in respect of the reviewable decision; or
 - (ii) the request for the statement was made outside the time period during which such a

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request may be made in respect of the reviewable decision; or

- (b) to provide to the applicant for the order such information as is specified in the order, so as to provide the applicant with a statement of reasons that meets the requirements of section 79C(3).
- (3) A decision-maker who is the subject of an order under subsection (2) in respect of a reviewable decision must comply with the order within 28 days after the order is made or such further period as is specified in the order.
- (4) For the avoidance of doubt, nothing in this section requires the Tribunal to make an order under this section if the Tribunal is not satisfied that the order is reasonable in the circumstances.

244. Section 86A inserted

After section 86 of the Principal Act, the following section is inserted in Division 2:

86A. Tribunal to give reasons

- (1) Subject to this or any other Act, the Tribunal is to cause a copy of its decision

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in respect of proceedings to be provided to –

- (a) each party to the proceedings;
and
 - (b) each other person that the Tribunal is satisfied has a proper interest in the subject matter of the proceedings.
- (2) Subsection (1) does not apply to proceedings of the Tribunal that relate to interlocutory matters.
- (3) In addition to its decision in respect of proceedings, the Tribunal may also give the reasons for the decision either orally or in writing.
- (4) If the Tribunal does not give reasons for its decision in respect of proceedings in writing –
- (a) a person provided with a copy of the decision of the Tribunal in respect of the proceedings under subsection (1) may, within 28 days after receiving that copy of the decision, request the Tribunal to give the person a statement of the reasons given by the Tribunal under subsection (3) in respect of the proceedings; and

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- (b) within 28 days after receiving a request from a person under paragraph (a) in respect of proceedings, the Tribunal must give the person such a statement.
- (5) The Tribunal may give a statement under subsection (4), in respect of proceedings, more than 28 days after giving a decision in relation to the proceedings if the Tribunal considers it appropriate to do so in the circumstances.
- (6) A statement given under subsection (4) of the reasons of the Tribunal for its decision in respect of proceedings is to include the following:
 - (a) the findings on material questions of fact in the proceedings, with reference to the evidence or other material on which those findings were based;
 - (b) the Tribunal’s understanding of the applicable law as it applies to the proceedings;
 - (c) the reasoning processes that led the Tribunal to the conclusions that it made in respect of the proceedings.
- (7) Nothing in this section prevents the Tribunal from –

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- (a) providing reasons, for its decisions in relation to proceedings, to persons other than parties to the proceedings, if the Tribunal considers it appropriate to do so; or
- (b) providing reasons, for its decisions in relation to proceedings, without a request being made under this section in respect of the proceedings; or
- (c) providing a statement of the reasons for its decisions, in relation to proceedings, to a person at any time if the Tribunal is satisfied that it is in the interests of justice to do so; or
- (d) providing a transcript or recording of oral reasons as a statement, given under subsection (4), if the transcript or recording complies with subsection (6); or
- (e) providing a statement of reasons in a prescribed manner.

245. Section 136 amended (Appeals to Supreme Court)

Section 136 of the Principal Act is amended as follows:

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(a) by inserting the following subsection after subsection (1):

(1A) A party to proceedings in the Community, Children and Families stream of the Protective Division, in relation to an Act, may appeal to the Supreme Court, on a question of law, against any decision of the Tribunal in the proceedings.

(b) by inserting in subsection (7) “the *Criminal Justice (Mental Impairment) Act 1999*,” after “relation to”;

(c) by inserting in subsection (8) “the *Criminal Justice (Mental Impairment) Act 1999* or” after “relation to”;

(d) by inserting the following subsection after subsection (10):

(11) For the avoidance of doubt, the jurisdiction of the Supreme Court in respect of the *Criminal Justice (Mental Impairment) Act 1999* applies to a decision of the Tribunal in respect of that Act, regardless of whether the decision was made before, or after, the commencement of section 245 of the *Tasmanian Civil and Administrative Tribunal*

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246. Part 13, Division 3 inserted

After section 160 of the Principal Act, the following Division is inserted in Part 13:

Division 3 – Miscellaneous

**161. Transitional provisions consequent on the
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(1) In this section –

Amending Act means the *Tasmanian Civil and Administrative Tribunal (Additional Jurisdictions) Act 2024*;

new proceedings means proceedings that, as a result of a provision of the Amending Act, fall under the jurisdiction of the Tribunal for the first time;

relevant commencement day, in relation to a transitional provision, means the day on which that transitional provision commences;

transitional provision, in relation to a relevant Act, means a provision

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of the Amending Act that results
in the relevant Act coming under
a new stream.

- (2) If the Amending Act contains a transitional provision in relation to a relevant Act, on the relevant commencement day for the transitional provision –
- (a) the transitional provision does not apply to any Tribunal proceedings, in respect of the relevant Act, that are in progress under this Act on the relevant commencement day; and
 - (b) this Act, as in force before that relevant commencement day, applies to those Tribunal proceedings.
- (3) This Act, as amended by the Amending Act, does not apply to new proceedings if, before the commencement of the provision of the Amending Act that relates to the new proceedings –
- (a) the proceedings were to be determined by the Supreme Court or the Magistrates Court (Administrative Appeals Division); and
 - (b) that court had allocated a date for the hearing of those proceedings.

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247. Schedule 1 substituted

Schedule 1 to the Principal Act is repealed and the following Schedule is substituted:

SCHEDULE 1 – RELEVANT ACTS

Section 3

1. *The Abandoned Lands Act 1973.*
2. *The Adoption Act 1988.*
3. *The Agricultural and Veterinary Chemicals (Control of Use) Act 1995.*
4. *The Ambulance Service Act 1982.*
5. *The Anatomical Examinations Act 2006.*
6. *The Animal Welfare Act 1993.*
7. *The Anti-Discrimination Act 1998.*
8. *The Architects Act 1929.*
9. *The Archives Act 1983.*
10. *The Asbestos-Related Diseases (Occupational Exposure) Compensation Act 2011.*
11. *The Associations Incorporation Act 1964.*
12. *The Biosecurity Act 2019.*
13. *The Births, Deaths and Marriages Registration Act 1999.*

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14. The *Building Act 2016*.
15. The *Building and Construction Industry Security of Payment Act 2009*.
16. The *Burial and Cremation Act 2019*.
17. The *Cat Management Act 2009*.
18. The *Child Care Act 2001*.
19. The Community Housing Providers National Law (Tasmania).
20. The *Conveyancing Act 2004*.
21. The *Corrections Act 1997*.
22. The *Criminal Justice (Mental Impairment) Act 1999*.
23. The *Crown Lands (Shack Sites) Act 1997*.
24. The *Crown Lands Act 1976*.
25. The *Dairy Industry Act 1994*.
26. The *Disability Services Act 2011*.
27. The *Dog Control Act 2000*.
28. The *Education Act 2016*.
29. The Education and Care Services National Law (Tasmania).

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30. The *Electricity Industry Safety and Administration Act 1997*.
31. The *Environmental Management and Pollution Control Act 1994*.
32. The *Explosives Act 2012*.
33. The *Expungement of Historical Offences Act 2017*.
34. The *Fertilizers Act 1993*.
35. The *Fire Service Act 1979*.
36. The *Fishing (Licence Ownership and Interest) Registration Act 2001*.
37. The *Food Act 2003*.
38. The *Forest Practices Act 1985*.
39. The *Forestry (Fair Contract Codes) Act 2001*.
40. The *Gaming Control Act 1993*.
41. The *Gas Industry Act 2019*.
42. The *Gas Safety Act 2019*.
43. The *Genetically Modified Organisms Control Act 2004*.
44. The *Guardianship and Administration Act 1995*.

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45. The Health Practitioner Regulation National Law (Tasmania).
46. The *Health Practitioners Tribunal Act 2010*.
47. The *Health Service Establishments Act 2006*.
48. The Heavy Vehicle National Law (Tasmania).
49. The *Historic Cultural Heritage Act 1995*.
50. The *Inland Fisheries Act 1995*.
51. The *Land Use Planning and Approvals Act 1993*.
52. The *Land Valuers Act 2001*.
53. The *Launceston Flood Risk Management Act 2015*.
54. The *Litter Act 2007*.
55. The *Living Marine Resources Management Act 1995*.
56. The *Local Government Act 1993*.
57. The *Local Government (Highways) Act 1982*.
58. The *Marine Farming Planning Act 1995*.
59. The *Mental Health Act 2013*.

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60. *The Motor Accidents (Liabilities and Compensation) Act 1973.*
61. *The Motor Vehicle Traders Act 2011.*
62. *The National Parks and Reserves Management Act 2002.*
63. *The Nature Conservation Act 2002.*
64. *The Neighbourhood Disputes About Plants Act 2017.*
65. *The Occupational Licensing Act 2005.*
66. *The Passenger Transport Services Act 2011.*
67. *The Pharmacy Control Act 2001.*
68. *The Poisons Act 1971.*
69. *The Police Service Act 2003.*
70. *The Powers of Attorney Act 2000.*
71. *The Primary Produce Safety Act 2011.*
72. *The Property Agents and Land Transactions Act 2016.*
73. *The Public Health Act 1997.*
74. *The Radiation Protection Act 2005.*
75. *The Rail Safety National Law (Tasmania).*

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76. *The Registration to Work with Vulnerable People Act 2013.*
77. *The Relationships Act 2003.*
78. *The Residential Building Work Contracts and Dispute Resolution Act 2016.*
79. *The Resource Management and Planning Appeal Tribunal Act 1993.*
80. *The Retirement Villages Act 2004.*
81. *The Roads and Jetties Act 1935.*
82. *The Security and Investigations Agents Act 2017.*
83. *The Security-sensitive Dangerous Substances Act 2005.*
84. *The Strata Titles Act 1998.*
85. *The Surveyors Act 2002.*
86. *The Taxi and Hire Vehicle Industries Act 2008.*
87. *The Teachers Registration Act 2000.*
88. *The Theatre Royal Precinct Redevelopment Act 2016.*
89. *The Threatened Species Protection Act 1995.*
90. *The Urban Drainage Act 2013.*

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91. *The Vehicle and Traffic Act 1999.*
92. *The Veterinary Surgeons Act 1987.*
93. *The Water and Sewerage Industry Act 2008.*
94. *The Water Management Act 1999.*
95. *The Wills Act 2008.*
96. *The Work Health and Safety Act 2012.*
97. *The Workers' (Occupational Diseases) Relief Fund Act 1954.*
98. *The Workers Rehabilitation and Compensation Act 1988.*

248. Schedule 2 amended (General Division)

Schedule 2 to the Principal Act is amended as follows:

- (a) by omitting subclause (1) from clause 1 of Part 3 and substituting the following subclause:
 - (1) The functions and powers of the Tribunal in relation to the following Acts or the following specified provisions of such Acts, including functions and powers conferred or imposed on the Tribunal by regulations or instruments made under any of

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the following Acts, are allocated to the Division:

- (a) the *Abandoned Lands Act 1973*;
- (b) the *Agricultural and Veterinary Chemicals (Control of Use) Act 1995*;
- (c) the *Ambulance Service Act 1982*;
- (d) the *Anatomical Examinations Act 2006*;
- (e) the *Animal Welfare Act 1993*;
- (f) the *Anti-Discrimination Act 1998*;
- (g) the *Architects Act 1929*;
- (h) the *Archives Act 1983*;
- (i) the *Asbestos-Related Diseases (Occupational Exposure) Compensation Act 2011*;
- (j) the *Associations Incorporations Act 1964*;
- (k) the *Biosecurity Act 2019*;

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- (l) the *Building Act 2016*;
- (m) the *Building and Construction Industry Security of Payment Act 2009*;
- (n) the *Burial and Cremation Act 2019*;
- (o) the *Cat Management Act 2009*;
- (p) the *Child Care Act 2001*;
- (q) the *Community Housing Providers National Law (Tasmania)*;
- (r) the *Conveyancing Act 2004*;
- (s) the *Crown Lands Act 1976*;
- (t) the *Crown Lands (Shack Sites) Act 1997*;
- (u) the *Dairy Industry Act 1994*;
- (v) the *Dog Control Act 2000*;
- (w) section 198 of the *Education Act 2016*;

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- (x) the Education and Care Services National Law (Tasmania);
- (y) the *Electricity Industry Safety and Administration Act 1997*;
- (z) the *Environmental Management and Pollution Control Act 1994*;
- (za) the *Explosives Act 2012*;
- (zb) the *Expungement of Historical Offences Act 2017*;
- (zc) the *Fertilizers Act 1993*;
- (zd) the *Fire Service Act 1979*;
- (ze) the *Fishing (Licence Ownership and Interest) Registration Act 2001*;
- (zf) the *Food Act 2003*;
- (zg) the *Forest Practices Act 1985*;
- (zh) the *Forestry (Fair Contract Code) Act 2001*;
- (zi) the *Gaming Control Act 1993*;

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- (zj) the *Gas Industry Act 2019*;
- (zk) the *Gas Safety Act 2019*;
- (zl) the *Genetically Modified Organisms Control Act 2004*;
- (zm) the Health Practitioner Regulation National Law (Tasmania);
- (zn) the *Health Practitioners Tribunal Act 2010*;
- (zo) the *Health Service Establishments Act 2006*;
- (zp) the Heavy Vehicle National Law (Tasmania);
- (zq) the *Historic Cultural Heritage Act 1995*;
- (zr) the *Inland Fisheries Act 1995*;
- (zs) the *Land Use Planning and Approvals Act 1993*;
- (zt) the *Land Valuers Act 2001*;
- (zu) the *Launceston Flood Risk Management Act 2015*;

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- (zv) the *Litter Act 2007*;
- (zw) the *Living Marine Resources Management Act 1995*;
- (zx) the *Local Government Act 1993*;
- (zy) the *Local Government (Highways) Act 1982*;
- (zz) the *Marine Farming Planning Act 1995*;
- (zza) the *Motor Accidents (Liabilities and Compensation) Act 1973*;
- (zzb) the *Motor Vehicle Traders Act 2011*;
- (zzc) the *National Parks and Reserves Management Act 2002*;
- (zzd) the *Nature Conservation Act 2002*;
- (zze) the *Neighbourhood Disputes About Plants Act 2017*;
- (zzf) the *Passenger Transport Services Act 2011*;

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- (zzg) the *Pharmacy Control Act 2001*;
- (zzh) the *Poisons Act 1971*;
- (zzi) the *Police Service Act 2003*;
- (zzj) the *Primary Produce Safety Act 2011*;
- (zzk) the *Property Agents and Land Transactions Act 2016*;
- (zzl) the *Public Health Act 1997*;
- (zzm) the *Radiation Protection Act 2005*;
- (zzn) the Rail Safety National Law (Tasmania);
- (zzo) the *Residential Building Work Contracts and Dispute Resolution Act 2016*;
- (zzp) the *Retirement Villages Act 2004*;
- (zzq) the *Roads and Jetties Act 1935*;

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- (zxr) the *Security and Investigations Agents Act 2002*;
- (zxs) the *Security-sensitive Dangerous Substances Act 2005*;
- (zxt) the *Strata Titles Act 1998*;
- (zxu) the *Surveyors Act 2002*;
- (z xv) the *Taxi and Hire Vehicle Industries Act 2008*;
- (z xw) the *Teachers Registration Act 2000*;
- (z xx) the *Theatre Royal Precinct Redevelopment Act 2016*;
- (z xy) the *Threatened Species Protection Act 1995*;
- (z xz) the *Urban Drainage Act 2013*;
- (z xza) the *Vehicle and Traffic Act 1999*;
- (z xzb) the *Veterinary Surgeons Act 1987*;
- (z xzc) the *Water and Sewerage Industry Act 2008*;

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(zzzd) the *Water Management Act 1999*;

(zzze) the *Workers' (Occupational Diseases) Relief Fund Act 1954*;

(zzzf) the *Workers Rehabilitation and Compensation Act 1988*;

(zzzg) the *Work Health and Safety Act 2012*.

(b) by omitting Parts 5 and 6 and substituting the following Parts:

PART 5 – OCCUPATIONAL AND DISCIPLINARY STREAM

1. Occupational and Disciplinary stream

There is a stream of the Division to be known as the Occupational and Disciplinary stream.

2. Functions and powers allocated to Occupational and Disciplinary stream

The functions and powers of the Tribunal in relation to the following Acts or the following specified provisions of such Acts, including functions and powers

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conferred or imposed on the Tribunal by regulations or instruments made under any of the following Acts, are allocated to the Occupational and Disciplinary stream:

- (a) the *Architects Act 1929*;
- (b) the *Conveyancing Act 2004*;
- (c) the Health Practitioner Regulation National Law (Tasmania);
- (d) the *Health Practitioners Tribunal Act 2010*;
- (e) the *Land Valuers Act 2001*;
- (f) sections 28ZJ and 28ZP of the *Local Government Act 1993*;
- (g) the *Motor Vehicle Traders Act 2011*;
- (h) the *Occupational Licensing Act 2005*;
- (i) the *Pharmacy Control Act 2001*;
- (j) the *Police Service Act 2003*;

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- (k) the *Property Agents and Land Transactions Act 2016*;
- (l) the *Security and Investigations Agents Act 2008*;
- (m) the *Surveyors Act 2002*;
- (n) the *Taxi and Hire Vehicle Industries Act 2008*;
- (o) the *Teachers Registration Act 2000*;
- (p) the *Veterinary Surgeons Act 1987*.

3. Composition of Tribunal in relation to Occupational and Disciplinary stream

- (1) If proceedings relate to the functions or powers of the Tribunal allocated to the Occupational and Disciplinary stream in respect of the Health Practitioner Regulation National Law (Tasmania) or the *Health Practitioners Tribunal Act 2010*, the Tribunal is not to be constituted, in whole or in part, in relation to the proceedings, other than in accordance with the

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requirements of the *Health Practitioners Tribunal Act 2010*.

- (2) If proceedings relate to the functions or powers of the Tribunal allocated to the Occupational and Disciplinary stream in respect of the *Property Agents and Land Transactions Act 2016*, the Tribunal is to include in its composition, if practicable, a person who has at least 5 years' experience as a property agent.
- (3) If proceedings relate to the functions or powers of the Tribunal allocated to the Occupational and Disciplinary stream other than in respect of the Health Practitioner Regulation National Law (Tasmania), the *Health Practitioners Tribunal Act 2010* or the *Property Agents and Land Transactions Act 2016*, the Tribunal is not to be constituted, in whole or in part, in relation to the proceedings other than –
- (a) by the President; or
 - (b) by one or more Deputy Presidents assigned to the Division; or

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(c) by one or more legally qualified members who are assigned to the stream; or

(d) by –

(i) the President, one or more persons who are Deputy Presidents assigned to the Division or a legally qualified member who is assigned to the stream; and

(ii) one or more members who are assigned to the stream.

PART 6 – ADMINISTRATIVE STREAM

1. Administrative stream

There is a stream of the Division to be known as the Administrative stream.

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2. Functions and powers allocated to the Administrative stream

The functions and powers of the Tribunal in relation to the following Acts or the following specified provisions of such Acts, including functions and powers conferred or imposed on the Tribunal by regulations or instruments made under any of the following Acts, or the following specified provisions of such Acts, are allocated to the Administrative stream:

- (a) the *Ambulance Service Act 1982*;
- (b) the *Anatomical Examinations Act 2006*;
- (c) the *Animal Welfare Act 1993*;
- (d) the *Archives Act 1983*;
- (e) the *Associations Incorporations Act 1964*;
- (f) the *Building and Construction Industry Security of Payment Act 2009*;

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- (g) the *Burial and Cremation Act 2019*;
- (h) the *Cat Management Act 2009*;
- (i) the *Child Care Act 2001*;
- (j) the Community Housing Providers National Law (Tasmania);
- (k) the *Dairy Industry Act 1994*;
- (l) the *Dog Control Act 2000*;
- (m) section 198 of the *Education Act 2016*;
- (n) the Education and Care Services National Law (Tasmania);
- (o) the *Electricity Industry Safety and Administration Act 1997*;
- (p) the *Explosives Act 2012*;
- (q) the *Expungement of Historical Offences Act 2017*;
- (r) the *Fertilizers Act 1993*;

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- (s) the *Fire Service Act 1979*;
- (t) the *Fishing (Licence Ownership and Interest) Registration Act 2001*;
- (u) the *Food Act 2003*;
- (v) the *Gaming Control Act 1993*;
- (w) the *Genetically Modified Organisms Control Act 2004*;
- (x) the *Health Service Establishments Act 2006*;
- (y) the Heavy Vehicle National Law (Tasmania);
- (z) the *Litter Act 2007*;
- (za) section 262 of the *Local Government Act 1993*;
- (zb) the *Nature Conservation Act 2002*;
- (zc) the *Passenger Transport Services Act 2011*;
- (zd) the *Poisons Act 1971*;
- (ze) the *Primary Produce Safety Act 2011*;

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- (zf) the *Radiation Protection Act 2005*;
- (zg) the Rail Safety National Law (Tasmania);
- (zh) the *Retirement Villages Act 2004*;
- (zi) the *Security-sensitive Dangerous Substances Act 2005*;
- (zj) the *Vehicle and Traffic Act 1999*;
- (zk) the *Work Health and Safety Act 2012*.

3. Composition of Tribunal in relation to stream

If proceedings relate to the functions or powers of the Tribunal allocated to the Administrative stream, the Tribunal is not to be constituted, in whole or in part, in relation to the proceedings other than –

- (a) by the President; or
- (b) by one or more Deputy Presidents assigned to the Division; or

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- (c) by one or more legally qualified members who are assigned to the stream; or
 - (d) by –
 - (i) the President, one or more persons who are Deputy Presidents assigned to the Division or a legally qualified member who is assigned to the stream; and
 - (ii) one or more other members, each of whom is assigned to the stream and has experience and expertise relevant to the matter to which the proceedings relate.
- (c) by omitting from clause 3(c) of Part 7 “a legally qualified member who is” and substituting “one or more legally qualified members who are”;

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- (d) by inserting in clause 3 of Part 8 “or the following specified provisions of such Acts” after “following Acts”;
- (e) by inserting the following paragraph before paragraph (a) in clause 3 of Part 8:
 - (aa) the *Abandoned Lands Act 1973*;
- (f) by inserting the following paragraphs after paragraph (c) in clause 3 of Part 8:
 - (ca) the *Crown Lands Act 1976*;
 - (cb) the *Crown Lands (Shack Sites) Act 1997*;
- (g) by omitting paragraph (e) from clause 3 of Part 8 and substituting the following paragraph:
 - (e) the *Forestry (Fair Contract Code) Act 2001*;
- (h) by omitting paragraph (m) from clause 3 of Part 8 and substituting the following paragraph:
 - (m) the *Local Government Act 1993*, other than sections 28ZJ, 28ZP and 262 of that Act;
- (i) by omitting paragraph (r) from clause 3 of Part 8 and substituting the following paragraph:
 - (r) the *Roads and Jetties Act 1935*;

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- (j) by inserting in clause 4(1) of Part 8 “other than in relation to the *Forest Practices Act 1985*” after “Planning stream”;
- (k) by inserting in clause 4(2) of Part 8 “other than in relation to the *Forest Practices Act 1985*” after “stream”;
- (l) by inserting the following clause after clause 4 in Part 8:

4A. Composition of Tribunal in relation to Resource and Planning stream when dealing with forestry matters

- (1) If proceedings relate to the functions or powers of the Tribunal allocated to the Resource and Planning stream in relation to the *Forest Practices Act 1985*, the Tribunal is not, unless subclause (2) applies, to be constituted, in whole or in part, in relation to the proceedings, other than by 3 members, of whom –
 - (a) one is the President, a Deputy President assigned to the Resource and Planning stream or a legally qualified member who is assigned to the stream; and

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- (b) one is a member who is assigned to the Resource and Planning stream and who possesses a sound and practical knowledge of forestry, road construction in forests and harvesting of timber; and
 - (c) one is a member who –
 - (i) is assigned to the Resource and Planning stream; and
 - (ii) possesses tertiary qualifications in the sciences appropriate to land and forest management and has had substantial practical experience in those sciences.
- (2) If the proceedings relate to an appeal under section 25 of the *Forest Practices Act 1985* and involve any question relating to the protection of threatened species of flora or fauna or the protection of threatened native vegetation communities from

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clearance and conversion, the Tribunal is not to be constituted, in whole or in part, in relation to the proceedings unless it is constituted by 3 members, of whom –

- (a) one is the President, a Deputy President assigned to the Division or a legally qualified member who is assigned to the Resource and Planning stream; and
- (b) one is a member who –
 - (i) is assigned to the Resource and Planning stream; and
 - (ii) possesses a sound knowledge of, and has at least 5 years' practical experience in, agriculture and forestry; and
 - (iii) has nominated to be a member in response to a notice by the Minister, in 2

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newspapers
published in, and
circulating
generally in, the
State, calling for
expressions of
interest from
persons who seek
to be appointed as
a member of the
Tribunal; and

(iv) is approved by the
Minister; and

(c) one is a member who –

(i) is assigned to the
Resource and
Planning stream;
and

(ii) possesses a sound
knowledge of, and
has at least 5
years' practical
experience in,
conservation
science; and

(iii) is nominated for
membership by
the Minister
administering the
Nature

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- (m) by omitting clause 5 from Part 8 and substituting the following clause:

5. Tribunal to be part of State's resource management and planning system in relation to Resource and Planning stream proceedings

- (1) The Tribunal is, in relation to Resource and Planning stream proceedings, part of the State's resource management and planning system, the objectives of which are set out in Schedule 1 to the *Land Use Planning and Approvals Act 1993*.
- (2) For the avoidance of doubt, the following Acts do not form part of the State's resource management and planning system solely on the basis that they are within the Resource and Planning stream:
 - (a) the *Abandoned Lands Act 1973*;
 - (b) the *Crown Lands (Shack Sites) Act 1997*;
 - (c) the *Forestry (Fair Contract Code) Act 2001*;

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- (d) the *Forest Practices Act 1985*;
- (e) the *Roads and Jetties Act 1935*.
- (n) by omitting subclauses (1), (2) and (3) from clause 9 of Part 8.

249. Schedule 3 amended (Protective Division)

Schedule 3 to the Principal Act is amended as follows:

- (a) by omitting from clause 1(1) of Part 3 “Acts” and substituting “Acts or the following specified provisions of such Acts, including functions and powers conferred or imposed on the Tribunal by regulations or instruments made under any of the following Acts,”;
- (b) by omitting paragraph (aa) from clause 1(1) of Part 3 and substituting the following paragraphs:
 - (aa) the *Adoption Act 1988*;
 - (aaa) the *Births, Deaths and Marriages Registration Act 1999*;
 - (aab) the *Corrections Act 1997*;
- (c) by inserting the following paragraph after paragraph (b) in clause 1(1) of Part 3:

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- (ba) sections 79 and 135 of the *Education Act 2016*;
- (d) by inserting the following paragraphs after paragraph (e) in clause 1(1) of Part 3:
 - (ea) the *Registration to Work with Vulnerable People Act 2013*;
 - (eb) the *Relationships Act 2003*;
- (e) by inserting the following Part after clause 3 in Part 5:

**PART 6 – COMMUNITY, CHILDREN AND FAMILIES
STREAM**

1. Community, Children and Families stream

There is a stream of the Division to be known as the Community, Children and Families stream.

2. Functions and powers allocated to Community, Children and Families stream

The functions and powers of the Tribunal in relation to the following Acts or the following specified provisions of such Acts, including functions and powers conferred or imposed on the

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Tribunal by regulations or instruments made under any of the following Acts, are allocated to the Community, Children and Families stream:

- (a) the *Adoption Act 1988*;
- (b) the *Births, Deaths and Marriages Registration Act 1999*;
- (c) sections 79 and 135 of the *Education Act 2016*;
- (d) the *Registration to Work with Vulnerable People Act 2013*;
- (e) the *Relationships Act 2003*.

3. Composition of the Tribunal in relation to stream

- (1) Subject to subclause (2), if proceedings relate to the functions or powers of the Tribunal allocated to the Community, Children and Families stream, the Tribunal is not to be constituted, in whole or in part, in relation to proceedings other than –

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- (a) by the President; or
 - (b) by one or more Deputy Presidents assigned to the Division; or
 - (c) by one or more legally qualified members who are assigned to the stream; or
 - (d) by –
 - (i) the President, one or more Deputy Presidents assigned to the Division or a legally qualified member who is assigned to the stream; and
 - (ii) one or more members who are assigned to the stream.
- (2) If proceedings relate to a matter under section 53 of the *Registration to Work with Vulnerable People Act 2013*, the Tribunal constituted in respect of the matter, in accordance with subclause (1), must be constituted by members who, in the opinion

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of the President, have relevant knowledge, expertise or experience in relation to the matter including, but not limited to, expertise or qualifications in the prevention or identification of child sexual abuse, neglect or family violence if relevant.

250. Schedule 4 inserted

After Schedule 3 to the Principal Act, the following Schedule is inserted:

**SCHEDULE 4 – ACTS SUBJECT TO
ADMINISTRATIVE REVIEW**

Division 1A of Part 8

1. *The Abandoned Lands Act 1973.*
2. *The Adoption Act 1988.*
3. *The Ambulance Service Act 1982.*
4. *The Anatomical Examinations Act 2006.*
5. *The Animal Welfare Act 1993.*
6. *The Architects Act 1929.*
7. *The Archives Act 1983.*
8. *The Associations Incorporations Act 1964.*

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9. *The Births, Deaths and Marriages Registration Act 1999.*
10. *The Building and Construction Industry Security of Payment Act 2009.*
11. *The Burial and Cremation Act 2019.*
12. *The Cat Management Act 2009.*
13. *The Child Care Act 2001.*
14. *The Community Housing Providers National Law (Tasmania).*
15. *The Conveyancing Act 2004.*
16. *The Crown Lands Act 1976.*
17. *The Crown Lands (Shack Sites) Act 1997.*
18. *The Dairy Industry Act 1994.*
19. *The Dog Control Act 2000.*
20. *The Education Act 2016.*
21. *The Education and Care Services National Law (Tasmania).*
22. *The Electricity Industry Safety and Administration Act 1997.*
23. *The Explosives Act 2012.*
24. *The Expungement of Historical Offences Act 2017.*

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25. *The Fertilizers Act 1993.*
26. *The Fire Service Act 1979.*
27. *The Fishing (Licence Ownership and Interest) Registration Act 2001.*
28. *The Food Act 2003.*
29. *The Forestry (Fair Contract Code) Act 2001.*
30. *The Gaming Control Act 1993.*
31. *The Genetically Modified Organisms Control Act 2004.*
32. *The Health Service Establishments Act 2006.*
33. *The Heavy Vehicle National Law (Tasmania).*
34. *The Land Valuers Act 2001.*
35. *The Litter Act 2007.*
36. *The Local Government Act 1993, other than section 178A.*
37. *Sections 14, 39 and 114 of the Local Government (Highways) Act 1982.*
38. *The Motor Vehicle Traders Act 2011.*
39. *Section 53 of the National Parks and Reserves Management Act 2002.*

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40. *The Nature Conservation Act 2002.*
41. *The Occupational Licensing Act 2005.*
42. *The Passenger Transport Services Act 2011.*
43. *The Poisons Act 1971.*
44. *The Police Services Act 2003.*
45. *The Primary Produce Safety Act 2011.*
46. *The Public Health Act 1997.*
47. *The Radiation Protection Act 2005.*
48. *The Rail Safety National Law (Tasmania).*
49. *The Registration to Work with Vulnerable People Act 2013.*
50. *The Relationships Act 2003.*
51. *The Retirement Villages Act 2004.*
52. *The Roads and Jetties Act 1935.*
53. *The Security and Investigations Agents Act 2002.*
54. *The Security-sensitive Dangerous Substances Act 2005.*
55. *The Surveyors Act 2002.*

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- 56.** *The Taxi and Hire Vehicle Industries Act 2008.*
- 57.** *The Teachers Registration Act 2000.*
- 58.** *The Vehicle and Traffic Act 1999.*
- 59.** *The Veterinary Surgeons Act 1987.*
- 60.** Sections 56V and 56X of the *Water and Sewerage Industry Act 2008.*
- 61.** *The Work Health and Safety Act 2012.*
- 62.** Section 44 of the *Workers (Occupational Disease) Relief Fund Act 1954.*

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Part 65 – Taxi and Hire Vehicle Industries (Review of Decisions) Regulations 2019 Amended **s. 251**

**PART 65 – TAXI AND HIRE VEHICLE INDUSTRIES
(REVIEW OF DECISIONS) REGULATIONS 2019
AMENDED**

251. Principal Regulations

In this Part, the *Taxi and Hire Vehicle Industries (Review of Decisions) Regulations 2019** are referred to as the Principal Regulations.

252. Regulation 11 amended (Right of appeal)

Regulation 11 of the Principal Regulations is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

253. Regulation 12 amended (Orders on appeal of applications found frivolous or vexatious)

Regulation 12 of the Principal Regulations is amended as follows:

- (a) by omitting from subregulation (1) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;

*S.R. 2019, No. 73

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s. 253

Part 65 – Taxi and Hire Vehicle Industries (Review of Decisions)
Regulations 2019 Amended

- (b) by omitting from subregulation (2) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (c) by omitting from subregulation (2) “Court” second occurring and substituting “Tribunal”.

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Part 66 – Teachers Registration Act 2000 Amended

s. 254

**PART 66 – TEACHERS REGISTRATION ACT 2000
AMENDED**

254. Principal Act

In this Part, the *Teachers Registration Act 2000** is referred to as the Principal Act.

255. Section 29 amended (Applications for review)

Section 29 of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subsection (2) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 98 of 2000

*Tasmanian Civil and Administrative Tribunal (Additional
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s. 256 Part 67 – Vehicle and Traffic (Review of Decisions) Regulations 2021
Amended

**PART 67 – VEHICLE AND TRAFFIC (REVIEW OF
DECISIONS) REGULATIONS 2021 AMENDED**

256. Principal Regulations

In this Part, the *Vehicle and Traffic (Review of Decisions) Regulations 2021** are referred to as the Principal Regulations.

257. Regulation 15 amended (Review of finding or determination)

Regulation 15 of the Principal Regulations is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

258. Regulation 16 amended (Orders on appeal of finding)

Regulation 16 of the Principal Regulations is amended as follows:

- (a) by omitting from subregulation (1) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;

*S.R. 2021, No. 53

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Part 67 – Vehicle and Traffic (Review of Decisions) Regulations 2021
Amended

s. 258

- (b) by omitting from subregulation (2) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (c) by omitting from subregulation (2) “Court” second occurring and substituting “Tribunal”.

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s. 259

Part 68 – Veterinary Surgeons Act 1987 Amended

**PART 68 – VETERINARY SURGEONS ACT 1987
AMENDED**

259. Principal Act

In this Part, the *Veterinary Surgeons Act 1987**
is referred to as the Principal Act.

260. Section 53 amended (Reviews)

Section 53 of the Principal Act is amended as
follows:

- (a) by omitting from subsection (1)
“Magistrates Court (Administrative
Appeals Division)” and substituting
“Tasmanian Civil and Administrative
Tribunal”;
- (b) by omitting from subsection (1A)
“Magistrates Court (Administrative
Appeals Division)” and substituting
“Tasmanian Civil and Administrative
Tribunal”.

*No. 104 of 1987

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
Act No. of 2024

Part 69 – Water Management Act 1999 Amended

s. 261

**PART 69 – WATER MANAGEMENT ACT 1999
AMENDED**

261. Principal Act

In this Part, the *Water Management Act 1999** is referred to as the Principal Act.

262. Section 278 amended (Form of appeal to Appeal Tribunal)

Section 278 of the Principal Act is amended by omitting subsection (2).

*No. 45 of 1999

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
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s. 263

Part 70 – Water and Sewerage Industry Act 2008 Amended

**PART 70 – WATER AND SEWERAGE INDUSTRY ACT
2008 AMENDED**

263. Principal Act

In this Part, the *Water and Sewerage Industry Act 2008** is referred to as the Principal Act.

264. Section 56V amended (Requirement to connect or disconnect)

Section 56V(5) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

265. Section 56X amended (Removal of trees)

Section 56X(8) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 13 of 2008

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
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Part 71 – Work Health and Safety Act 2012 Amended

s. 266

**PART 71 – WORK HEALTH AND SAFETY ACT 2012
AMENDED**

266. Principal Act

In this Part, the *Work Health and Safety Act 2012** is referred to as the Principal Act.

267. Section 229 amended (Application for external review)

Section 229(1) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

268. Schedule 3 amended (Regulation-making Powers)

Clause 14(c) of Schedule 3 to the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 1 of 2012

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024*
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s. 269

Part 72 – Work Health and Safety Regulations 2022 Amended

**PART 72 – WORK HEALTH AND SAFETY
REGULATIONS 2022 AMENDED**

269. Principal Regulations

In this Part, the *Work Health and Safety Regulations 2022** are referred to as the Principal Regulations.

270. Regulation 105 amended (Status of licence during review)

Regulation 105(5)(b) of the Principal Regulations is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

271. Regulation 280 amended (Status of registration during review)

Regulation 280(5)(b) of the Principal Regulations is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*S.R. 2022, No. 109

*Tasmanian Civil and Administrative Tribunal (Additional
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Part 72 – Work Health and Safety Regulations 2022 Amended

s. 272

272. Regulation 519 amended (Status of licence during review)

Regulation 519(5)(b) of the Principal Regulations is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

273. Regulation 599 amended (Status of major hazard facility licence during review)

Regulation 599(3)(b) of the Principal Regulations is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

274. Regulation 683 amended (Application for external review)

Regulation 683 of the Principal Regulations is amended as follows:

- (a) by omitting from subregulation (1) “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”;
- (b) by omitting from subregulation (2)(b) “Magistrates Court (Administrative Appeals Division)” and substituting

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Part 72 – Work Health and Safety Regulations 2022 Amended

“Tasmanian Civil and Administrative
Tribunal”.

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Jurisdictions) Act 2024
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Part 73 – Workers Rehabilitation and Compensation Act 1988 Amended

s. 275

**PART 73 – WORKERS REHABILITATION AND
COMPENSATION ACT 1988 AMENDED**

275. Principal Act

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

276. Section 42H amended (Representation during conciliation process)

Section 42H of the Principal Act is amended as follows:

- (a) by omitting from subsection (1) “subsections (3) and (4)” and substituting “subsection (3)”;
- (b) by omitting subsections (4), (5) and (6).

277. Section 47 repealed

Section 47 of the Principal Act is repealed.

278. Section 159 amended (Service of documents)

Section 159 of the Principal Act is amended by inserting after subsection (2) the following subsection:

*No. 4 of 1988

*Tasmanian Civil and Administrative Tribunal (Additional
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s. 278 Part 73 – Workers Rehabilitation and Compensation Act 1988 Amended

- (2A) If a notice or document is required or authorised to be served under this Act in respect of proceedings held by the Tribunal –
- (a) subsection (1) does not apply in respect of the service of the notice or document; and
 - (b) the *Tasmanian Civil and Administrative Tribunal Act 2020* applies to the service of the notice or document.

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Part 74 – Workers’ (Occupational Diseases) Relief Fund Act 1954 Amended s. 279

**PART 74 – WORKERS’ (OCCUPATIONAL DISEASES)
RELIEF FUND ACT 1954 AMENDED**

279. Principal Act

In this Part, the *Workers’ (Occupational Diseases) Relief Fund Act 1954** is referred to as the Principal Act.

280. Section 44 amended (Power of Secretary to terminate payments in certain cases)

Section 44 of the Principal Act is amended as follows:

- (a) by omitting from subsection (2) “therefrom, as prescribed, to a police magistrate” and substituting “to the Tasmanian Civil and Administrative Tribunal for a review of the decision”;
- (b) by omitting subsection (3);
- (c) by omitting from subsection (4) “a police magistrate” and substituting “the Tasmanian Civil and Administrative Tribunal”.

*No. 45 of 1954

*Tasmanian Civil and Administrative Tribunal (Additional
Jurisdictions) Act 2024
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s. 281

Part 75 – Repeal of Act

PART 75 – REPEAL OF ACT

281. Repeal of Act

This Act is repealed on the first anniversary of the day on which its last uncommenced provision commenced.