

TASMANIA

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**LAND VALUERS AMENDMENT BILL (No. 2)  
2002**

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**LAND VALUERS AMENDMENT BILL (No. 2)  
2002**

*(Brought in by the Minister for Primary Industries, Water  
and Environment, the Honourable Bryan Alexander Green)*

**A BILL FOR**

**An Act to amend the *Land Valuers Act 2001* to  
provide for transitional arrangements**

Be it enacted by His 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:

**Short title**

1. This Act may be cited as the *Land Valuers Amendment  
Act 2002*.

**Commencement**

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

**Principal Act**

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

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\*No. 101 of 2001

**Section 3 amended (Interpretation)**

4. Section 3(1) of the Principal Act is amended by omitting the definition of “land valuer” and substituting the following definition:

“**land valuer**” means a person who carries on the business, or is engaged in the business, that consists of, or involves, valuing land and, for the purposes of Part 2, includes a person who was at any time registered under the repealed Act;

**Section 6 substituted**

5. Section 6 of the Principal Act is repealed and the following section is substituted:

**Complaints relating to land valuers**

6. (1) The Director may receive a complaint –

- (a) relating to this Act with respect to the conduct of a land valuer; or
- (b) relating to the conduct of a land valuer where the conduct occurred before the commencement day.

(2) On receipt of a complaint under subsection (1)(a) relating to a land valuer, the Director must consider whether there are grounds for disciplinary action against the land valuer under section 9.

(3) On receipt of a complaint under subsection (1)(b) relating to a land valuer, the Director must consider whether there are grounds for disciplinary action against the land valuer under section 9(b) or (c).

**Section 7 amended (Investigations)**

**6.** Section 7 of the Principal Act is amended by inserting after subsection (1) the following subsection:

**(1A)** For the purposes of an investigation into the conduct of a land valuer where the conduct occurred before the commencement day –

- (a) the Director may rely on the results of any investigation made by the Valuers Registration Board before that day and any findings made by the Board in that investigation; and
- (b) any evidence obtained by the Board for any such purpose is taken to have been obtained by the Director.

**Section 9 amended (Grounds for disciplinary action)**

**7.** Section 9(a) of the Principal Act is amended by inserting “after the commencement day” after “*Fair Trading Act 1990*”.

**Section 11 repealed**

**8.** Section 11 of the Principal Act is repealed.

**Section 19 substituted**

**9.** Section 19 of the Principal Act is repealed and the following section is substituted:

**Regulations**

**19. (1)** The Governor may make regulations for the purposes of this Act.

**(2)** Without limiting the generality of subsection (1), the regulations may provide for matters of a savings or transitional nature consequent on the repeal of the *Valuers Registration Act 1974* effected by section 25.

**Schedule 1 amended (Savings and Transitional Provisions)**

**10.** Clause 1 of Schedule 1 to the Principal Act is amended as follows:

(a) by inserting the following subclause after subclause (2):

**(2A)** If it is necessary or expedient to do so for the purposes of subclause (2), the Director may perform any function or exercise any power that, immediately before the commencement day, was vested in the Board.

(b) by omitting from subclause (3) “subclause (1) or (2)” and substituting “this clause”.