

FACT SHEET

Validation Bill 2023

The Validation Bill 2023 addresses administrative errors that have been identified by the Department of Justice, the Department of Health and the Tasmanian Law Society.

State Forensic Pathologist

The *Coroners Act 1995* provides that the State Forensic Pathologist is a State Service officer or State Service employee appointed by the Minister for Justice. In practice, the Department of Health employs a forensic pathologist as a Director in the State Service, who fulfils the duties of the State Forensic Pathologist. A historical oversight was identified in that the persons undertaking this role were not appointed to the statutory role.

The Bill provides that the persons appointed to the relevant Director positions over time within the State Service are taken to have been validly appointed to the position of the State Forensic Pathologist by the Minister. The Bill also validates the functions and powers exercised, including the approval of pathologists or medical practitioners to undertake coronial autopsies, during that time.

Law Society By-laws

The *Law Society By-laws 2010* were made for administrative matters relating to the operation of the Tasmanian Law Society. A procedural error by the Law Society when making the By-laws in 2012 has been identified, which affects the validity of those By-laws.

The Bill provides that the By-laws are taken to be validly made, and that actions taken during the period 1 December 2012 to 31 January 2023 are not invalid solely on the basis that the action was taken during that period.

The *Law Society By-laws 2023* are now in operation, being correctly made with effect from 1 February 2023.

The Bill is to commence on Royal Assent.