



New South Wales

Administrative Decisions Review Regulation 2024

under the

Administrative Decisions Review Act 1997

Her Excellency the Governor, with the advice of the Executive Council, has made the following regulation under the *Administrative Decisions Review Act 1997*.

MICHAEL DALEY, MP
Attorney General

Explanatory note

The object of this regulation is to repeal and remake, with minor changes, the *Administrative Decisions Review Regulation 2019*, which would otherwise be repealed on 1 September 2024 by the *Subordinate Legislation Act 1989*, section 10(2).

This regulation provides for the exclusion of certain classes of administratively reviewable decisions from internal review.

This regulation comprises or relates to matters set out in the *Subordinate Legislation Act 1989*, Schedule 3, namely—

- (a) matters of a machinery nature, and
- (b) matters that are not likely to impose an appreciable burden, cost or disadvantage on any sector of the public.

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Administrative Decisions Review Act 1997

1 Name of regulation

This regulation is the *Administrative Decisions Review Regulation 2024*.

2 Commencement

This regulation commences on the day on which it is published on the NSW legislation website.

Note— This regulation repeals and replaces the *Administrative Decisions Review Regulation 2019*, which would otherwise be repealed on 1 September 2024 by the *Subordinate Legislation Act 1989*, section 10(2).

3 Definition

In this regulation—

the Act means the *Administrative Decisions Review Act 1997*.

Note— The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this regulation.

4 Administratively reviewable decisions excluded from internal review

For the Act, section 53(11)(b), the administratively reviewable decisions specified in the following table are excluded from the application of the Act, section 53—

Enabling legislation	Excluded decision
<i>Anti-Discrimination Act 1977</i>	A decision referred to in that Act, section 126A(6).
<i>Architects Act 2003</i>	A decision referred to in that Act, section 31 or 44.
<i>Education Act 1990</i>	A decision referred to in that Act, section 26HA(1), but only if the decision results in the student being directed not to attend school for more than a total of 20 days in a 12-month period.
<i>Fair Trading Act 1987</i>	A decision referred to in that Act, section 79A(8).
<i>Gaming and Liquor Administration Act 2007</i>	A decision in relation to a prescribed application within the meaning of that Act, section 13A(1).
<i>Legal Profession Uniform Law Application Act 2014</i>	A decision of the Bar Council, the Law Society Council or the Legal Services Commissioner under that Act.

Enabling legislation	Excluded decision
<i>Legal Profession Uniform Law (NSW)</i>	A decision of the Bar Council, the Law Society Council or the Legal Services Commissioner under that Law.
<i>Surveying and Spatial Information Act 2002</i>	A decision referred to in that Act, section 14.
<i>Tow Truck Industry Act 1998</i>	A decision referred to in that Act, section 45 involving the exercise of a function under that Act, Part 3, Division 4.
<i>Veterinary Practice Act 2003</i>	A decision referred to in that Act, section 34, 48 or 75.

5 Repeal and savings

- (1) The *Administrative Decisions Review Regulation 2019* is repealed.
- (2) An act, matter or thing that, immediately before the repeal of the *Administrative Decisions Review Regulation 2019*, had effect under that regulation continues to have effect under this regulation.