

[Act 1998 No 48]



New South Wales

Administrative Decisions Tribunal Legislation Amendment Bill 1998

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are as follows:

- (a) to amend the *Administrative Decisions Tribunal Act 1997* so as:
 - (i) to provide that a Judge of the District Court is the only judicial officer eligible to be appointed as the President of the Tribunal, and
 - (ii) to enable the President of the Tribunal simultaneously to hold office as a member of another tribunal, and
 - (iii) to enable members of other tribunals to be appointed to act as members of the Tribunal, and
 - (iv) to make other consequential amendments, and
 - (v) to make provision for matters of a savings and transitional nature consequent on the enactment of the proposed Act.
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- (b) to amend the *Local Government Act 1993* to enable the Tribunal (instead of a Local Court, the District Court or the Supreme Court) to make orders dismissing persons from civic office,
- (c) to amend various other Acts and Regulations to confer jurisdiction on the Tribunal to review decisions made under those Acts and Regulations that are presently appealable to courts, specified persons or other bodies or are not appealable at all.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to be made to the *Administrative Decisions Tribunal Act 1997* by Schedule 1.

Clause 4 is a formal provision giving effect to the amendments to be made to the various Acts and Regulations specified in Schedule 2.

Clause 5 provides that the matter appearing under the heading “Explanatory note” in any of the Schedules does not form part of the proposed Act.

A detailed explanation of each of the amendments is set out in the Bill after the amendment concerned. A list of the Acts and Regulations to be amended by the Bill is set out in the notes at the end of the Bill.