

Administrative Decisions Review Regulation 2009

[2009-435]



New South Wales

Status Information

Currency of version

Repealed version for 1 July 2014 to 31 August 2014 (accessed 18 July 2024 at 2:16)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Previously named**
Administrative Decisions Tribunal Regulation 2009
- **Repeal**
The Regulation was repealed by sec 10 (2) of the [Subordinate Legislation Act 1989 No 146](#) with effect from 1.9.2014.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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Administrative Decisions Review Regulation 2009



New South Wales

1 Name of Regulation

This Regulation is the *Administrative Decisions Review Regulation 2009*.

2 Commencement

This Regulation commences on 1 September 2009 and is required to be published on the NSW legislation website.

Note—

This Regulation replaces the *Administrative Decisions Tribunal (General) Regulation 2004*, which is repealed on 1 September 2009 by section 10 (2) of the *Subordinate Legislation Act 1989*.

3 Definition

(1) In this Regulation:

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

(2) Notes included in this Regulation do not form part of this Regulation.

4 Administratively reviewable decisions excluded from requirement to provide reasons

For the purposes of section 49 (4) (a) of the Act, a decision to make a finding or to take action of a kind referred to in section 33 of the *Building Professionals Act 2005* is excluded from the application of section 49 of the Act.

5 Reviewable decisions excluded from internal review

For the purposes of section 53 (11) (b) of the Act, the following administratively reviewable decisions are excluded from the operation of section 53 of the Act:

(a) a decision referred to in section 126A (6) of the *Anti-Discrimination Act 1977*,

(b) a decision referred to in section 31 or 44 of the *Architects Act 2003*,

(c) a decision referred to in section 18 (b) or (d) of the *Building Professionals Act 2005*,

- (d) a decision referred to in section 18 (c) of the *Building Professionals Act 2005* made in the circumstances referred to in clause 2 (1) of Schedule 4 to the *Building Professionals Regulation 2007*,
- (e) a decision referred to in section 18 (e) of the *Building Professionals Act 2005*, but only if:
 - (i) the decision is made in the circumstances referred to in clause 2 (1) of Schedule 4 to the *Building Professionals Regulation 2007*, or
 - (ii) the decision relates to the renewal of the person's certificate of accreditation, or
 - (iii) the decision is made under section 9 (2) of the *Building Professionals Act 2005*,
- (f) a decision referred to in section 18 (f) of the *Building Professionals Act 2005* (but only if the decision is made on a ground set out in section 8 (2) (c), (d), (e) or (f) of that Act),
- (g) a decision to make a finding or to take action of a kind referred to in section 33 of the *Building Professionals Act 2005*,
- (h) a decision referred to in clause 209 (1) (b), (f) or (g) of the *Coal Mine Health and Safety Regulation 2006*,
- (i) a decision referred to in section 79A (8) of the *Fair Trading Act 1987*,
- (j) any administratively reviewable decision of the Bar Council, the Law Society Council or the Legal Services Commissioner under the *Legal Profession Act 2004*,
- (k) a decision referred to in section 14 of the *Surveying and Spatial Information Act 2002*,
- (l) a decision referred to in section 45 of the *Tow Truck Industry Act 1998* involving the exercise of a function conferred on the Roads and Traffic Authority under Division 4 of Part 3 of that Act,
- (m) (Repealed)
- (n) a decision referred to in section 34, 48 or 75 of the *Veterinary Practice Act 2003*.

6-8 (Repealed)

9 Saving

Any act, matter or thing that, immediately before the repeal of the *Administrative Decisions Tribunal (General) Regulation 2004*, had effect under that Regulation continues to have effect under this Regulation.

Schedule 1 (Repealed)