

Administrative Decisions Review Regulation 2014

[2014-460]



New South Wales

Status Information

Currency of version

Repealed version for 14 January 2018 to 15 August 2019 (accessed 25 November 2024 at 16:55)

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—

- **Does not include amendments by**
[Building and Development Certifiers Act 2018 No 63](#) (not commenced)
- **Repeal**
This Regulation was repealed by cl 6 of the [Administrative Decisions Review Regulation 2019 \(380\)](#) with effect from 16.8.2019.

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](#).

File last modified 16 August 2019

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Contents

1 Name of Regulation	3
2 Commencement	3
3 Definition	3
4 Administratively reviewable decisions excluded from requirement to provide reasons.....	3
5 Administratively reviewable decisions excluded from internal review	3
6 Saving.....	5

Administrative Decisions Review Regulation 2014



New South Wales

1 Name of Regulation

This Regulation is the *Administrative Decisions Review Regulation 2014*.

2 Commencement

This Regulation commences on 1 September 2014 and is required to be published on the NSW legislation website.

Note—

This Regulation replaces the *Administrative Decisions Review Regulation 2009*, which is repealed on 1 September 2014 by section 10 (2) of the *Subordinate Legislation Act 1989*.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*.

Note—

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

(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 Administratively reviewable decisions excluded from internal review

For the purposes of section 53 (11) (b) of the Act, the administratively reviewable decisions specified in the Table to this clause are excluded from the operation of section 53 of the Act.

Table

Enabling legislation

Excluded decision

Anti-Discrimination Act 1977

A decision referred to in section 126A (6) of that Act.

Architects Act 2003

A decision referred to in section 31 or 44 of that Act.

Each of the following decisions:

- (a) a decision referred to in section 18 (b) or (d) of that Act,
- (b) a decision referred to in section 18 (c) of that Act in the circumstances referred to in clause 2 (1) of Schedule 4 to the *Building Professionals Regulation 2007*,
- (c) a decision referred to in section 18 (e) of that Act, 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 that Act,
- (d) a decision referred to in section 18 (f) of that Act (but only if the decision is made on a ground set out in section 8 (2) (c), (d), (e) or (f) of that Act),
- (e) a decision to make a finding or to take action of a kind referred to in section 33 of that Act.

Building Professionals Act 2005

Coal Mine Health and Safety Regulation 2006

A decision referred to in clause 209 (1) (b), (f) or (g) of the Regulation.

Fair Trading Act 1987

A decision referred to in section 79A (8) of that Act.

Gaming and Liquor Administration Regulation 2008

A decision in relation to an application referred to in clause 5B of that Regulation.

Legal Profession Act 2004

A decision of the Bar Council, the Law Society Council or the Legal Services Commissioner under that Act.

Surveying and Spatial Information Act 2002	A decision referred to in section 14 of that Act.
Tow Truck Industry Act 1998	A decision referred to in section 45 of that Act involving the exercise of a function conferred on the Secretary of the Department of Finance, Services and Innovation under Division 4 of Part 3 of that Act.
Veterinary Practice Act 2003	A decision referred to in section 34, 48 or 75 of that Act.

6 Saving

Any act, matter or thing that, immediately before the repeal of the [Administrative Decisions Review Regulation 2009](#), had effect under that Regulation continues to have effect under this Regulation.