



AUSTRALIAN CAPITAL TERRITORY

Administrative Decisions (Judicial Review) (Amendment) Act 1991

No. 102 of 1991

An Act to amend the *Administrative Decisions (Judicial Review) Act 1989*

[Notified in ACT Gazette S3: 15 January 1992]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

1. This Act may be cited as the *Administrative Decisions (Judicial Review) (Amendment) Act 1991*.

Commencement

2. (1) Section 1 and this section commence on the day on which this Act is notified in the *Gazette*.

(2) The remaining provisions commence on a day fixed by the Minister by notice in the *Gazette*.

(3) If a provision referred to in subsection (2) has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period.

Principal Act

3. In this Act, “Principal Act” means the *Administrative Decisions (Judicial Review) Act 1989*.¹

Interpretation

4. Section 3 of the Principal Act is amended—

- (a) by omitting from the end of subparagraph (4) (a) (i) “or”;
- (b) by inserting after subparagraph (4) (a) (ii) the following word and subparagraph:
 - “and (iii) in the case of a decision made under the *Land (Planning and Environment) Act 1991* or the *Heritage Objects Act 1991*—to a person who considers the decision to be contrary to law;”; and
- (c) by omitting paragraph (4) (b) and substituting the following paragraph:
 - “(b) a reference to a person aggrieved by conduct that has been, is being, or is proposed to be engaged in for the purpose of making a decision, or by a failure to make a decision, includes a reference to—
 - (i) a person whose interests are, or would be, adversely affected by the conduct or failure; and
 - (ii) in a case where the relevant decision would be a decision made under the *Land (Planning and Environment) Act 1991* or the *Heritage Objects Act 1991*—a person who considers the conduct or failure to be contrary to law; and”.

Effect of Act on other rights

5. Section 9 of the Principal Act is amended—
- (a) by omitting from the end of subparagraph (2) (b) (i) “or”; and
 - (b) by adding at the end of paragraph (2) (b) the following word and subparagraph:
 - “; or (iii) the matter to which the application relates arises under the *Land (Planning and Environment) Act 1991* or the *Heritage Objects Act 1991* and is a matter being reviewed, or for which application has been made for review, under a law other than this Act, whether on the application of the person who has made application to the Supreme Court for review of the matter under this Act or any other person.”.

NOTE

1. Ordinance No. 33, 1989 as amended by No. 21, 1989; Act No. 3, 1991.

[Presentation speech made in Assembly on 19 September 1991]

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