

1991

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Attorney-General)

**Administrative Decisions (Judicial Review)  
(Amendment) Bill 1991**

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**A BILL  
FOR**

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

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

**Short title**

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

**Commencement**

- 10    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*.

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Authorised by the ACT Parliamentary Counsel—also accessible at [www.legislation.act.gov.au](http://www.legislation.act.gov.au)

(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.

## 5      **Principal Act**

3. In this Act, "Principal Act" means the *Administrative Decisions (Judicial Review) Act 1989*.<sup>†</sup>

### **Interpretation**

4. Section 3 of the Principal Act is amended—

- 10      (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 prescribed decision—a person who considers the decision to be contrary to law;" and
- 15      (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—
- 20                   (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".
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### **Effect of Act on other rights**

5. Section 9 of the Principal Act is amended—

- 30      (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
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**application to the Supreme Court for review of the matter under this Act or any other person.”.**

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**NOTE**

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