

2016

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Attorney-General)

# **ACT Civil and Administrative Tribunal Amendment Bill 2016**

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## **A Bill for**

An Act to amend the *ACT Civil and Administrative Tribunal Act 2008*

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

1 **1 Name of Act**

2 This Act is the *ACT Civil and Administrative Tribunal Amendment*  
3 *Act 2016*.

4 **2 Commencement**

5 This Act commences on the day after its notification day.

6 *Note* The naming and commencement provisions automatically commence on  
7 the notification day (see [Legislation Act](#), s 75 (1)).

8 **3 Legislation amended**

9 This Act amends the *ACT Civil and Administrative Tribunal*  
10 *Act 2008*.

11 **4 New part 31**

12 *insert*

13 **Part 31 Validations**

14 **350 Validation of appointments**

- 15 (1) This section applies despite the repeal of the appointment instrument  
16 by the *ACT Civil and Administrative Tribunal (Presidential*  
17 *Members) Appointment 2015 (No 2)* (NI2015-657), section 5.
- 18 (2) Peta Spender is taken to have been appointed as a presidential  
19 member of the ACT Civil and Administrative Tribunal for the  
20 period beginning on 1 January 2016 and ending on 2 February 2016.
- 21 (3) Without limiting subsection (2), and to remove any doubt, anything  
22 done, or purporting to have been done, by Peta Spender during the  
23 period mentioned in subsection (2) as a presidential member of the  
24 tribunal is taken to be, and always to have been, as valid as if the  
25 appointment instrument had not been repealed.

- 1 (4) Elizabeth Symons is taken to have been appointed as a presidential  
2 member of the ACT Civil and Administrative Tribunal for the  
3 period beginning on 1 January 2016 and ending on 2 April 2019.
- 4 (5) Without limiting subsection (4), and to remove any doubt, anything  
5 done, or purporting to have been done, by Elizabeth Symons during  
6 the period beginning on 1 January 2016 and ending on the  
7 commencement of this section as a presidential member of the  
8 tribunal is taken to be, and always to have been, as valid as if the  
9 appointment instrument had not been repealed.
- 10 (6) The appointments made under subsections (2) and (4) are taken for  
11 all purposes to have been made in accordance with this Act.
- 12 (7) The conditions of the appointments made under subsections (2) and  
13 (4) are taken to be the conditions stated in the appointment  
14 instrument and other conditions applying from time to time under  
15 this Act or another Territory law.
- 16 (8) In this section:
- 17 *appointment instrument* means the *ACT Civil and Administrative*  
18 *Tribunal (Presidential Members) Appointment 2008 (No 1)*  
19 *(NI2008-435)* as amended by the *ACT Civil and Administrative*  
20 *Tribunal (Presidential Members) Appointment Amendment 2012*  
21 *(No 1) (NI2012-138)*.

22 **351 Expiry—pt 31**

23 This part expires on the day it commences.

24 *Note 1* If a law validates something, the validating effect of the law does not  
25 end only because of the repeal of the law (see [Legislation Act](#), s 88 (1)).

26 *Note 2* The expiry of transitional provisions does not end their effect (see  
27 [Legislation Act](#), s 88).

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## Endnotes

**1 Presentation speech**

Presentation speech made in the Legislative Assembly on 8 March 2016.

**2 Notification**

Notified under the [Legislation Act](#) on 2016.

**3 Republications of amended laws**

For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

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