

JU301*

State Administrative Tribunal Act 2004

State Administrative Tribunal Amendment Rules 2010

Made by the Rules Committee under the *State Administrative Tribunal Act 2004* section 170.

1. Citation

These rules are the *State Administrative Tribunal Amendment Rules 2010*.

2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day after that day.

3. Rules amended

These rules amend the *State Administrative Tribunal Rules 2004*.

4. Rule 3 amended

In rule 3 delete the definition of *legal practitioner*.

5. Rule 4 amended

In rule 4(1):

- (a) in paragraph (b) delete “post.” and insert:

post; or

- (b) after paragraph (b) insert:

- (c) if the application is of a type approved under rule 7A(1), filing it electronically under rule 7A.

6. Rule 7A inserted

After rule 6 insert:

7A. Filing some applications using the Tribunal’s website

- (1) The executive officer may approve a particular type of application that can be made electronically by means of the Tribunal’s website (an *approved application*).
- (2) An approved application may be filed electronically only by the following —
- (a) the applicant;
 - (b) the referring person;
 - (c) a person authorised under section 39 of the Act to represent the applicant or referring person.
- (3) A person who files an approved application electronically must —
- (a) keep a paper copy of the application; and
 - (b) produce the paper copy of the application as ordered by the Tribunal.
- (4) For the purposes of section 42(3) of the Act, an application filed electronically is accepted by the executive officer when he or she affixes the Tribunal’s seal to a print out of the application.

- (5) If the Tribunal orders that a paper copy of an application filed electronically be produced, the first page of the application must be endorsed by the applicant or referring person with —
- (a) a statement that the paper copy is a true copy of the application filed electronically; and
 - (b) the date that the application was filed electronically.

7. Rule 59 amended

- (1) In rule 59(1) in the definition of *legally qualified person* delete paragraph (b) and “or” after it and insert:

- (b) an articulated clerk as defined in the *Legal Profession (Admission) Rules 2009* rule 14; or

- (2) In rule 59(2) delete “the Act” and insert:

the RV Act

- (3) In rule 59(3) delete “the Act” (second occurrence) and insert:

the RV Act

Dated: 1 July 2010.

Hon. Justice J A Chaney,
President.

Judge J E Eckert,
Deputy President.

M J Allen,
Senior Member.

D R Parry,
Senior Member.

T J Carey,
Member.

J Mansveld,
Member.

M J Hardy.

P Bagdonavicius.