

JU301\*

State Administrative Tribunal Act 2004

## State Administrative Tribunal Amendment Rules (No. 2) 2008

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 (No. 2) 2008*.

### 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. The rules amended

The amendments in these rules are to the *State Administrative Tribunal Rules 2004*.

### 4. Rule 51 amended

After rule 51(4) the following subrule is inserted —

“

- (5) Rule 34(6) and (7) do not apply if the Commissioner for Equal Opportunity, or a counsel or representative of the Commissioner, is the legal practitioner or agent representing the complainant in proceedings relating to a complaint referred to the Tribunal under the *Equal Opportunity Act 1984* section 93(1).

”

### 5. Rule 61 amended

- (1) Rule 61(1) is amended by deleting “This rule applies to —” and inserting instead —

“ Subrules (2), (3) and (4) apply to — ”.

(2) After rule 61(4) the following subrule is inserted —

“

- (5) Despite rule 26(3), a copy of the application under the *Security and Related Activities (Control) Act 1996* section 67(1) or (3b)(a) may be given to the licensee by pre-paid post or ordinary service.

”.

**6. Rule 63 amended**

After rule 63(3) the following subrule is inserted —

“

- (4) Rule 34(6) and (7) do not apply if the State Solicitor is the legal practitioner representing the Western Australian Planning Commission in proceedings under the *Planning and Development Act 2005* Part 14.

”.

**7. Rule 64 inserted**

After rule 63 the following rule is inserted —

“

**64. *Taxation Administration Act 2003***

Rule 34(6) and (7) do not apply if the State Solicitor is the legal practitioner representing the Commissioner of State Revenue in proceedings under the *Taxation Administration Act 2003*.

”.

Dated: 19 August 2008.

Hon. Justice M L BARKER, President

Judge J A CHANEY SC,  
Deputy 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