

JU301*

State Administrative Tribunal Act 2004

State Administrative Tribunal Amendment Regulations 2013

Made by the Governor in Executive Council.

1. Citation

These regulations are the *State Administrative Tribunal Amendment Regulations 2013*.

2. Commencement

These regulations come into operation as follows —

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

3. Regulations amended

These regulations amend the *State Administrative Tribunal Regulations 2004*.

4. Regulation 7 amended

Delete regulation 7(b) to (g) and insert:

- (b) *Health Practitioner Regulation National Law (Western Australia)*;
- (c) *Mental Health Act 1996*;
- (d) *Teacher Registration Act 2012*.

5. Regulation 8 amended

Delete regulation 8(1)(c) and insert:

- (c) the CEO as defined in the *Health Legislation Administration Act 1984* section 3;

6. Regulation 9 amended

(1) In regulation 9(1) in the Table:

- (a) delete “Assessment of costs —” and insert:

Application for assessment of costs —

- (b) delete paragraph (b) and insert:

- (b) in addition to the application fee, an assessment fee equal to 2.5% of the costs claimed in the application

(2) In regulation 9(2) in the Table:

- (a) delete “Assessment of costs —” and insert:

Application for assessment of costs —

- (b) delete paragraph (b) and insert:

- (b) in addition to the application fee, an assessment fee equal to 2.5% of the costs claimed in the application

(3) Delete regulation 9(3).

(4) In regulation 9(4) in the Table:

- (a) delete “Assessment of costs —” and insert:

Application for assessment of costs —

- (b) delete paragraph (b) and insert:

- (b) in addition to the application fee, an assessment fee equal to 2.5% of the costs claimed in the application

Note: The heading to amended regulation 9 is to read:

Fees relating to application under provision in Sch. 3, 4 or 6

7. Regulation 10 amended

(1) Delete regulation 10(1) and insert:

(1) In this regulation —

Class 1 application means a review application made in relation to —

- (a) a development with a value of less than \$250 000; or
- (b) a development that is a single house with a value less than \$500 000 on a single lot; or
- (c) a subdivision of a lot into not more than 3 lots;

Class 2 application means a review application that is not a Class 1 application;

review application means an application made under any of these provisions —

- (a) the *Hope Valley-Wattleup Redevelopment Act 2000* section 29(1);
- (b) the *Metropolitan Redevelopment Authority Act 2011* section 69(1);
- (c) the *Metropolitan Redevelopment Authority Regulations 2011* regulation 23;
- (d) the *Perry Lakes Redevelopment Act 2005* section 35;
- (e) the *Planning and Development Act 2005* section 249(1), 250(1), 251(1), (2), (3) or (4), 252(1) or (2), 253(3) or 254;
- (f) the *Planning and Development (Development Assessment Panels) Regulations 2011* regulation 18(2).

(2) In regulation 10(2) in the Table:

(a) delete “Assessment of costs —” and insert:

Application for assessment of costs —

(b) delete paragraph (b) and insert:

(b) in addition to the application fee, an assessment fee equal to 2.5% of the costs claimed in the application

- (3) In regulation 10(3) in the Table:
- (a) delete “Assessment of costs —” and insert:
- Application for assessment of costs —
- (b) delete paragraph (b) and insert:
- (b) in addition to the application fee, an assessment fee equal to 2.5% of the costs claimed in the application

Note: The heading to amended regulation 10 is to read:

Fees relating to application to do with development on land

8. Regulations 11A and 11B inserted

After regulation 10 insert:

11A. No fee relating to application under provision in Sch. 7

A fee is not to be charged in respect of an application made under an enactment listed in Schedule 7 or proceedings in relation to such an application.

11B. Fees relating to application not covered by r. 9, 10 or 11A

Subject to regulation 8, the fees specified in the Table to this regulation are to be charged in respect of the following —

- (a) an application made and proceedings under or in relation to an enactment not listed in Schedule 3, 4, 6 or 7;
- (b) an application, or proceedings relating to an application, to which regulation 10 does not apply.

Table

Matter	Fee (\$)
Application	315.00
Hearing fee (for each day or part of a day allocated, other than the first day) for an application by a person	315.00
Application for assessment of costs —	
(a) fee for application by —	
(i) an individual	109.50
(ii) a person other than an individual	165.50

Matter	Fee (\$)
(b) in addition to the application fee, an assessment fee equal to 2.5% of the costs claimed in the application	

9. Regulations 25 and 26 deleted

Delete regulations 25 and 26.

10. Regulations 29 to 32 deleted

Delete regulations 29, 30, 31 and 32.

11. Regulation 33A deleted

Delete regulation 33A.

12. Regulations 34 to 41 deleted

Delete regulations 34, 35, 36, 37, 38, 39, 40 and 41.

13. Regulations 43 to 54 deleted

Delete regulations 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53 and 54.

14. Regulations 56 to 60 deleted

Delete regulations 56, 57, 58, 59 and 60.

15. Regulation 61 amended(1) In regulation 61(1) delete the definition of *Corporation*.

(2) Delete regulation 61(3), (4) and (5).

16. Regulation 62 deleted

Delete regulation 62.

17. Regulation 63 amended

Delete regulation 63(2), (6), (9), (10), (11) and (12).

18. Regulations 64 to 67 deleted

Delete regulations 64, 65, 66 and 67.

19. Schedule 1 amended

(1) In Schedule 1 delete these items:

*Boxing Control Act 1987**Builders' Registration Act 1939**Chiropractors Act 1964**Debt Collectors Licensing Act 1964*

Dental Act 1939
Dental Prosthetists Act 1985
Electricity (Licensing) Regulations 1991
Gas Standards (Gasfitting and Consumer Gas Installations) Regulations 1999
Hairdressers Registration Act 1946
Licensed Surveyors Act 1909
Legal Practice Act 2003
Medical Act 1894
Motor Vehicle Dealers Act 1973
Motor Vehicle Drivers Instructors Act 1963
Nurses Act 1992
Occupational Therapists Registration Act 1980
Optometrists Act 2005
Osteopaths Act 2005
Painters' Registration Act 1961
Pawnbrokers and Second-hand Dealers Act 1994
Pharmacy Act 1964
Physiotherapists Act 2005
Podiatrists Act 2005
Psychologists Act 2005
Radiation Safety Act 1975
Water Services Licensing Act 1995

(2) In Schedule 1 insert in alphabetical order:

Building Services (Registration) Act 2011
Health Practitioner Regulation National Law (Western Australia)
Legal Profession Act 2008
Licensed Surveyors Act 1909
Pharmacy Act 2010

20. Schedule 3 amended

In Schedule 3 insert in alphabetical order:

Home Building Contracts Act 1991 s. 15(4)

21. Schedule 4 replaced

Delete Schedule 4 and insert:

Schedule 4 — Provision under which proceedings commenced

[r. 9(2)]

Strata Titles Act 1985 s. 26(4), 26(5) or 27(3)

22. Schedule 5 deleted

Delete Schedule 5.

23. Schedule 6 amended

- (1) In Schedule 6 delete the items relating to these written laws:

Consumer Credit (Western Australia) Code

Security and Related Activities (Control) Act 1996

- (2) In Schedule 6 insert in alphabetical order:

Cat Act 2011 s. 71 or 72

Fair Trading (Retirement Villages Interim Code)

Regulations 2012 Sch. 1 cl. 5.8(2)

Security and Related Activities (Control) Act 1996 s. 67(1),
67A(4) or 72(1)

- (3) In Schedule 6 in the item relating to the *Commercial Tenancy (Retail Shops) Agreements Act 1985* after “14,” insert:

14A(3),

24. Schedule 7 heading replaced

Delete the heading to Schedule 7 and the reference after it and insert:

Schedule 7 — Enactments under which proceedings commenced

[r. 11A]

25. Schedule 7 amended

- (1) In Schedule 7 delete the items relating to these written laws:

Adoption Regulations 1995

Consumer Credit (Western Australia) Code

Credit (Administration) Act 1984

Fair Trading Act 2010

Fire and Emergency Services Authority of Western Australia Act 1998

- (2) In Schedule 7 insert in alphabetical order:

Adoption Regulations 1995 r. 23M(1)(a)

Building Services (Complaint Resolution and Administration) Act 2011 s. 11(1)(d), 11(4)(b) or 55(1)

Credit (Administration) Act 1984 s. 23(5)

Fair Trading Act 2010 s. 42(2), 47(1), 53(1)(c) or 83(1)

Fire and Emergency Services Act 1998 s. 36ZF

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.
