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STATE ADMINISTRATIVE TRIBUNAL ACT 2004

STATE ADMINISTRATIVE TRIBUNAL (CONFERRAL OF
JURISDICTION) AMENDMENT AND REPEAL
ACT 2004

**STATE ADMINISTRATIVE
TRIBUNAL REGULATIONS
2004**

Western Australia

State Administrative Tribunal Regulations 2004

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State Administrative Tribunal Act 2004

State Administrative Tribunal (Conferral of Jurisdiction) Amendment
and Repeal Act 2004

State Administrative Tribunal Regulations 2004

Made by the Governor in Executive Council under the *State Administrative Tribunal Act 2004* sections 167 and 169 and the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* sections 1326 and 1327.

Part 1 — Preliminary

1. Citation

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

2. Commencement

These regulations come into operation on the day on which the *State Administrative Tribunal Act 2004* comes into operation.

3. Terms used in these regulations

In these regulations, unless the contrary intention appears —
“**Act**” means the *State Administrative Tribunal Act 2004*;
“**approved form**” means a form approved by the President;

State Administrative Tribunal Regulations 2004**Part 1** Preliminary**r. 3**

“former adjudicator” has the meaning given to that term in the Act section 167(1)(a);

“notifiable person” has the meaning given to that term in the Act section 45(2);

“referring person” means a person referred to in the exception to the definition of “applicant” in the Act section 3(1).

State Administrative Tribunal Regulations 2004

General

Part 2

r. 4**Part 2 — General****4. Acts prescribed for the purpose of the definition of “vocational regulatory body”**

For the purpose of the definition of “vocational regulatory body” in the Act section 3(1), the enabling Acts listed in Schedule 1 are prescribed.

5. Register of proceedings

For the purpose of the Act section 155(1) the following details are specified —

- (a) the number allocated to the proceedings;
- (b) the date on which the proceedings are commenced;
- (c) the names of —
 - (i) the referring person;
 - (ii) the applicant;
 - (iii) any other party;
 - (iv) any notifiable person not referred to in subparagraphs (i), (ii) or (iii);
- (d) the enabling Act and the provision of that Act under which the proceedings are commenced;
- (e) if the proceedings are withdrawn, the date on which they are withdrawn;
- (f) the final decision;
- (g) if a matter is transferred to the Tribunal under the Act section 167(4)(a) or (b) or (5) —
 - (i) the date of the transfer to the Tribunal;
 - (ii) the name of the former adjudicator; and
 - (iii) the enabling Act and the provision of that Act under which the jurisdiction is conferred on the Tribunal.

State Administrative Tribunal Regulations 2004**Part 2** General**r. 6**

6. Prescribed places: section 116(3)(a) of the Act

For the purposes of the Act section 116(3)(a), the places listed in Schedule 2 are prescribed.

7. Class prescribed: section 117(5)(a) of the Act

A person who is a public sector employee may be appointed to be a non-judicial member in respect of matters in the Tribunal's original jurisdiction under the following enabling Acts —

- (a) *Guardianship and Administration Act 1990*;
- (b) *Mental Health Act 1996*;
- (c) *Nurses Act 1992*;
- (d) *Osteopaths Act 1997*;
- (e) *Occupational Therapists Registration Act 1980*;
- (f) *Physiotherapists Act 1950*;
- (g) *Psychologists Registration Act 1976*.

State Administrative Tribunal Regulations 2004

Fees

Part 3

r. 8**Part 3 — Fees****8. General**

- (1) The following persons are not required to pay a fee otherwise required to be paid under this Part —
 - (a) a Minister of the Crown in right of a State;
 - (b) the Commissioner as defined in the *Consumer Affairs Act 1971* section 4(1);
 - (c) the Commissioner as defined in the *Health Act 1911* section 3(1);
 - (d) the Commissioner of Police;
 - (e) the Commissioner of State Revenue.
- (2) If an application is made to the Tribunal by a referring person, any application fee that can be charged or is required to be paid under this Part in relation to that application must be paid by the person who, in relation to the application, is the applicant.
- (3) A proceeding before the Tribunal is stayed until the fee for the commencement of the proceeding required to be paid under this Part is paid or payment is waived or postponed under subregulation (4).
- (4) The executive officer may on an application in an approved form, in a particular case, on the ground of financial hardship, order —
 - (a) that payment of a fee be waived;
 - (b) that a fee be reduced; or
 - (c) that the payment of the whole or a part of a fee be postponed until such time, and upon such conditions, if any, as the executive officer thinks fit.

State Administrative Tribunal Regulations 2004**Part 3** Fees**r. 9**

9. Schedule 4 fees

- (1) In this regulation and Schedule 4, unless the contrary intention appears —

“corporation” has the meaning given to that term in section 57A of the *Corporations Act 2001* of the Commonwealth;

“individual” does not include a public officer of the Commonwealth, of this State or any other State, or of any Territory acting in the course of his or her duties as such an officer;

“non-profit association” means a society, club, institution or body that is not for the purpose of trading or securing pecuniary profit for its members from its transactions;

“small business” means —

- (a) an individual or individuals in partnership who wholly own and operate a business undertaking that has less than 20 full-time equivalent employees and partners;
- (b) a corporation that has less than 20 full-time equivalent employees and that is not a subsidiary of a corporation that has 20 or more full-time equivalent employees;
- (c) a company within the meaning of the *Companies (Co-operative) Act 1943* section 3 that has less than 20 full-time equivalent employees and that is not, under section 130(1) of that Act, deemed to be a subsidiary company of another company or corporation that has 20 or more full-time equivalent employees; or
- (d) a corporation within the meaning of the *Statutory Corporations (Liability of Directors) Act 1996* section 4 that has less than 20 full-time equivalent employees and that is not a body that would be a subsidiary, if the corporation were a corporation to

State Administrative Tribunal Regulations 2004

Fees

Part 3**r. 9**

which the *Corporations Act 2001* of the Commonwealth applies, of a corporation or the *Statutory Corporations (Liability of Directors) Act 1996* that has 20 or more full-time equivalent employees;

“**subsidiary**” has the meaning given to that term in section 9 of the *Corporations Act 2001* of the Commonwealth.

- (2) If—
- (a) an application is made to commence a proceeding or a proceeding has been commenced under or in relation to a provision listed in Schedule 3 column 1; and
 - (b) Schedule 3 column 2 opposite that provision refers to this regulation,
- this regulation applies to the proceeding and in relation to that proceeding the fees specified in Schedule 4 are to be charged in respect of the matters referred to in Schedule 3 column 3 opposite that provision.
- (3) On the lodgment of a declaration in an approved form, a person that is a small business or a non-profit association is to be charged fees specified in Schedule 4 as if the person were an individual.
- (4) Subregulation (3) does not apply to fees payable by joint parties if at least one of the parties is not a small business or a non-profit association.
- (5) A person who has lodged a declaration under subregulation (3) must immediately advise the executive officer if the person ceases to be a small business or a non-profit association.
Penalty: \$1 000.
- (6) Whether or not the person has complied with subregulation (5), a person is not entitled to be charged fees as if the person were an individual if the person is not a small business or a non-profit association.

State Administrative Tribunal Regulations 2004**Part 3 Fees****r. 10**

- (7) If a person is charged a fee under subregulation (3) when the person was not a small business or a non profit association, the Tribunal may —
- (a) order that the person pay the difference between the fee the person paid and the fee that the person would otherwise have been required to pay; and
 - (b) make orders to enforce the order for the payment.
- (8) An order under subregulation (7)(b) may provide that —
- (a) an application or other document must not be filed, issued or otherwise dealt with on the request of the person or that no other matter or thing is to be done in the Tribunal or by an officer of the Tribunal for the benefit of the person until the sum ordered to be paid is paid; and
 - (b) an application or other document filed, issued or otherwise dealt with on the request of the person or any other matter or thing done in the Tribunal or by an officer of the Tribunal for the benefit of the person is of no effect until the sum ordered to be paid is paid.
- (9) A person who makes a statement or representation in a declaration under subregulation (3) that the person knows or has reason to believe is false or misleading in a material particular commits an offence.
- Penalty: \$1 000.

10. Schedule 5 fees

- (1) In this regulation and Schedule 5, unless the contrary intention appears —
- “**corporation**” has the meaning given to that term in section 57A of the *Corporations Act 2001* of the Commonwealth;

State Administrative Tribunal Regulations 2004

Fees

Part 3**r. 10**

“individual” does not include a public officer of the Commonwealth, of this State or any other State, or of any Territory acting in the course of his or her duties as such an officer;

“non-profit association” means a society, club, institution or body that is not for the purpose of trading or securing pecuniary profit for its members from its transactions;

“small business” means —

- (a) an individual or individuals in partnership who wholly own and operate a business undertaking that has less than 20 full-time equivalent employees and partners;
- (b) a corporation that has less than 20 full-time equivalent employees and that is not a subsidiary of a corporation that has 20 or more full-time equivalent employees;
- (c) a company within the meaning of the *Companies (Co-operative) Act 1943* section 3 that has less than 20 full-time equivalent employees and that is not, under section 130(1) of that Act, deemed to be a subsidiary company of another company or corporation that has 20 or more full-time equivalent employees; or
- (d) a corporation within the meaning of the *Statutory Corporations (Liability of Directors) Act 1996* section 4 that has less than 20 full-time equivalent employees and that is not a body that would be a subsidiary, if the corporation were a corporation to which the *Corporations Act 2001* of the Commonwealth applies, of a corporation or the *Statutory Corporations (Liability of Directors) Act 1996* that has 20 or more full-time equivalent employees;

State Administrative Tribunal Regulations 2004**Part 3 Fees****r. 10**

“**subsidiary**” has the meaning given to that term in section 9 of the *Corporations Act 2001* of the Commonwealth.

- (2) If—
- (a) an application is made to commence a proceeding or a proceeding has been commenced under or in relation to a provision listed in Schedule 3 column 1; and
 - (b) Schedule 3 column 2 opposite that provision refers to this regulation,
- this regulation applies to the proceeding and in relation to the proceeding the fees specified in Schedule 5 are to be charged in respect of the matters referred to in Schedule 3 column 3 opposite that provision.
- (3) On the lodgment of a declaration in an approved form, a person that is a small business or a non-profit association is to be charged fees specified in Schedule 5 as if the person were an individual.
- (4) Subregulation (3) does not apply to fees payable by joint parties if at least one of the parties is not a small business or a non-profit association.
- (5) A person who has lodged a declaration under subregulation (3) must immediately advise the executive officer if the person ceases to be a small business or a non-profit association.
- Penalty: \$1 000.
- (6) Whether or not the person has complied with subregulation (5), a person is not entitled to be charged fees as if the person were an individual if the person is not a small business or a non-profit association.

State Administrative Tribunal Regulations 2004

Fees

Part 3**r. 11**

-
- (7) If a person is charged a fee under subregulation (3) when the person was not a small business or a non profit association, the Tribunal may —
- (a) order that the person pay the difference between the fee the person paid and the fee that the person would otherwise have been required to pay; and
 - (b) make orders to enforce the order for the payment.
- (8) An order under subregulation (7)(b) may provide that —
- (a) an application or other document must not be filed, issued or otherwise dealt with on the request of the person or that no other matter or thing is to be done in the Tribunal or by an officer of the Tribunal for the benefit of the person until the sum ordered to be paid is paid; and
 - (b) an application or other document filed, issued or otherwise dealt with on the request of the person or any other matter or thing done in the Tribunal or by an officer of the Tribunal for the benefit of the person is of no effect until the sum ordered to be paid is paid.
- (9) A person who makes a statement or representation in a declaration under subregulation (3) that the person knows or has reason to believe is false or misleading in a material particular commits an offence.

Penalty: \$1 000.

11. Schedule 6 fees

If —

- (a) an application is made to commence a proceeding or a proceeding has been commenced under or in relation to a provision listed in Schedule 3 column 1; and
- (b) Schedule 3 column 2 opposite that provision refers to this regulation,

State Administrative Tribunal Regulations 2004**Part 3 Fees****r. 12**

this regulation applies to the proceeding and in relation to that proceeding the fees specified in Schedule 6 are to be charged in respect of the matters referred to in Schedule 3 column 3 opposite that provision.

12. Schedule 7 fees

- (1) This regulation applies if Schedule 3 column 2 refers to this regulation.
- (2) If this regulation applies, a person who makes an application under or in relation to a provision specified in Schedule 3 column 1 opposite the reference in Schedule 3 column 2 to this regulation is required to pay the application fee specified in Schedule 7 item 1.

13. Schedule 8 fees

If —

- (a) an application is made to commence a proceeding or a proceeding has been commenced under or in relation to a provision listed in Schedule 3 column 1; and
- (b) Schedule 3 column 2 opposite that provision refers to this regulation,

this regulation applies to the proceeding and in relation to that proceeding the fees specified in Schedule 8 are to be charged in respect of the matters referred to in Schedule 3 column 3 opposite that provision.

14. Fees relating to proceedings under the *Associations Incorporation Act 1987*

- (1) This regulation applies if Schedule 3 column 2 refers to this regulation.
- (2) If this regulation applies, a person who makes an application under or in relation to a provision specified in Schedule 3 column 1 opposite the reference in Schedule 3 column 2 to this

State Administrative Tribunal Regulations 2004

Fees

Part 3

r. 15

regulation is required to pay the application fee specified in Schedule 9 item 1.

15. Fees relating to proceedings under the *Caravan Parks and Camping Grounds Act 1995*

- (1) This regulation applies if Schedule 3 column 2 refers to this regulation.
- (2) If this regulation applies, a person who makes an application under or in relation to a provision specified in Schedule 3 column 1 opposite the reference in Schedule 3 column 2 to this regulation is required to pay the application fee specified in Schedule 10 item 1.

16. Fees relating to proceedings under the *Commercial Tenancy (Retail Shops) Agreements Act 1985*

- (1) If—
 - (a) an application is made to commence a proceeding or a proceeding has been commenced under or in relation to a provision listed in Schedule 3 column 1; and
 - (b) Schedule 3 column 2 opposite that provision refers to this regulation,

this regulation applies to the proceeding and in relation to that proceeding the fees specified in Schedule 8 are to be charged in respect of the matters referred to in Schedule 3 column 3 opposite that provision.

- (2) If an application to the Tribunal under the *Commercial Tenancy (Retail Shops) Agreements Act 1985* section 13(7) relates to more than one retail shop lease, as provided for by section 13(7a) of that Act, the fee specified in Schedule 8 item 2 is payable cumulatively in respect of each such lease that is the subject of the application.

State Administrative Tribunal Regulations 2004**Part 3** Fees**r. 17**

17. Fees relating to proceedings under the fisheries legislation

- (1) This regulation applies if Schedule 3 column 2 refers to this regulation.
- (2) If this regulation applies, a person who makes an application under or in relation to a provision specified in Schedule 3 column 1 opposite the reference in Schedule 3 column 2 to this regulation is required to pay the application fee specified in Schedule 11 item 1.

18. Fees relating to proceedings under the *Fish Resources Management Act 1994*

- (1) This regulation applies if Schedule 3 column 2 refers to this regulation.
- (2) If this regulation applies, a person who makes an application under or in relation to a provision specified in Schedule 3 column 1 opposite the reference in Schedule 3 column 2 to this regulation is required to pay the application fee specified in Schedule 12 item 1.

19. Fees relating to proceedings under the *Local Government (Miscellaneous Provisions) Act 1960*

- (1) This regulation applies if Schedule 3 column 2 refers to this regulation.
- (2) If this regulation applies, a person who makes an application under or in relation to a provision specified in Schedule 3 column 1 opposite the reference in Schedule 3 column 2 to this regulation is required to pay the application fee specified in Schedule 13 item 1.

20. Fees relating to proceedings under the *Retirement Villages Act 1992*

- (1) This regulation applies if Schedule 3 column 2 refers to this regulation.

State Administrative Tribunal Regulations 2004

Fees

Part 3

r. 21

- (2) If this regulation applies, a person who makes an application under or in relation to a provision specified in Schedule 3 column 1 opposite the reference in Schedule 3 column 2 to this regulation is required to pay the relevant application fee specified in Schedule 14 item 1.
- 21. Fees relating to proceedings under the *Rights in Water and Irrigation Act 1914***
- (1) This regulation applies if Schedule 3 column 2 refers to this regulation.
- (2) If this regulation applies, a person who makes an application under or in relation to a provision specified in Schedule 3 column 1 opposite the reference in Schedule 3 column 2 to this regulation is required to pay the application fee specified in Schedule 15 item 1, 2, 3 or 4.
- 22. Fees relating to proceedings under the *Strata Titles Act 1985***
- (1) This regulation applies if Schedule 3 column 2 refers to this regulation.
- (2) If this regulation applies, a person who makes an application under or in relation to a provision specified in Schedule 3 column 1 opposite the reference in Schedule 3 column 2 to this regulation is required to pay the application fee specified in Schedule 16 item 1.
- 23. Fees relating to proceedings under the *Taxation Administration Act 2003***
- (1) This regulation applies if Schedule 3 column 2 refers to this regulation.
- (2) If this regulation applies, a person who makes an application under or in relation to a proceeding specified in Schedule 3 column 1 opposite the reference in Schedule 3 column 2 to this regulation is required to pay the application fee specified in Schedule 17 item 1.

State Administrative Tribunal Regulations 2004**Part 3** Fees**r. 24**

24. Fees relating to proceedings under the *Town Planning and Development Act 1928*

- (1) In this regulation and Schedule 18, unless the contrary intention appears —

“Class 1 application” means an application for review referred to in the *Town Planning and Development Act 1928* section 38(4);

“Class 2 application” means an application for review under the *Town Planning and Development Act 1928* Part V that is not a Class 1 application;

“hearing fee” means the fee set out in Schedule 18 item 3(b) or 4 (as applicable).

- (2) If —

- (a) an application is made to commence a proceeding or a proceeding has been commenced under or in relation to a provision listed in Schedule 3 column 1; and
- (b) Schedule 3 column 2 opposite that provision refers to this regulation,

the fees specified in Schedule 18 are to be charged in respect of the matters referred to in Schedule 3 column 3 opposite that provision.

- (3) Subject to subregulation (2), a person who makes an application to commence a Class 1 application or a Class 2 application is required to pay the fee specified in Schedule 18 item 1 or 2 applicable to the class of application.
- (4) No fee is payable if the proceedings are of an interlocutory nature.
- (5) The hearing fee is payable by the applicant —
- (a) if the Tribunal or the executive officer directs a time within which the fee must be paid — within that time; or

State Administrative Tribunal Regulations 2004

Fees

Part 3**r. 25**

-
- (b) in any other case — at the time when a date is fixed for the hearing of the application.
- (6) The hearing fee is to be determined on the basis of the days or part of a day allocated at a hearing.
- (7) If a hearing date allocated is a half day or less, a hearing fee equal to half the daily prescribed amount is payable for that day.
- (8) If a hearing fee is unpaid —
- (a) the Tribunal may order that the application is not to be heard, except by leave of the Tribunal; or
 - (b) the Tribunal may vacate the date fixed for the hearing.
- (9) Upon written notice to the executive officer, a person who has paid a hearing fee is entitled to a refund of the fee if —
- (a) notice that the application for which the fee was paid will not proceed is given to the executive officer —
 - (i) if the hearing date was fixed less than 20 working days before that date — at least 2 working days before that date;
 - (ii) in any other case — at least 20 working days before the hearing date;
- and
- (b) the application is not heard.
- (10) A fee is not to be charged under Schedule 18 item 3 or 4 in respect of days allocated for a hearing if an appeal is referred to the Tribunal by the Minister under the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* section 1226(2).

25. No fees payable

A fee is not required to be paid in relation to a proceeding under or in relation to a written law or a provision of a written law listed in Schedule 3 column 1 if the word “Nil” appears in column 2 opposite that written law or provision.

State Administrative Tribunal Regulations 2004**Part 3** Fees**r. 26**

26. Proceedings commenced under other provisions

If an application is made to the Tribunal under or in relation to a provision other than one listed in Schedule 3 column 1 in relation to a matter other than a disciplinary matter, the person who makes the application under that provision is required to pay the application fee specified in Schedule 19.

27. Other fees

The fees set out in Schedule 20 are to be charged in respect of the matters shown in that Schedule.

State Administrative Tribunal Regulations 2004

Transitional provisions: State Administrative Tribunal Act 2004

Part 4**r. 28****Part 4 — Transitional provisions: *State Administrative Tribunal Act 2004*****28. Transitional provisions**

- (1) In this regulation, unless the contrary intention appears —
“commencement day”, in relation to a matter, means the day on which an enabling Act is amended by the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* so as to confer jurisdiction on the Tribunal to deal with the matter.
- (2) If a matter is transferred to the Tribunal under the Act section 167 —
 - (a) the matter is to be taken to have been commenced in the Tribunal;
 - (b) the Tribunal may have regard to any record of the proceedings of the former adjudicator, including a record of any evidence taken in proceedings before the former adjudicator;
 - (c) anything done or omitted to be done in relation to the matter by a party or other person before the matter is transferred to the Tribunal under or in accordance with the procedure that applied before that day is to be taken, as far as possible, to have been done or omitted under or in accordance with the procedure applying on and after that day.
- (3) If a matter is a devolved matter as defined in the Act section 167(1) and, immediately before the commencement day, the enabling Act under which jurisdiction in relation to the matter is conferred on the Tribunal fixed a time or a time was fixed under the enabling Act for commencing proceedings in relation to the matter (the **“time for making an application”**) —
 - (a) the time for making an application continues to apply on or after the commencement day in relation to any application that could have been made before that day;

State Administrative Tribunal Regulations 2004**Part 4** Transitional provisions: State Administrative Tribunal Act 2004**r. 29**

- (b) unless the contrary intention appears, nothing in the Act or the enabling Act, has the effect of extending or abridging the time for making an application; and
- (c) the time for making an application may be extended or abridged on or after the commencement day by the former adjudicator or the Tribunal, as the case may be, in accordance with any provision made by or under an enabling Act that applied to that application immediately before the commencement day as if that provision had not been amended or repealed on the commencement day by the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004*.

29. Commercial Tenancy (Retail Shops) Agreements Act 1985

- (1) In this regulation —

“commencement day” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 21 comes into operation;

“the CTRS Act” means the *Commercial Tenancy (Retail Shops) Agreements Act 1985*.

- (2) If before the commencement day a matter was being dealt with by the Commercial Registrar under the CTRS Act section 11(5), 12(1)(b), 12A(4), 12B(4), 13(3)(a), 13(7), 13(7b), 13A(3) or 27(3) of that Act and that matter is transferred to the Tribunal under the Act section 167(4)(a) or (b) —
- (a) the practice and procedure, and any hearing or other fees, applicable to the matter when it was being dealt with by the Commercial Registrar continue to apply to the matter when it is being dealt with by the Tribunal; and
 - (b) the Tribunal has the powers that the Commercial Registrar had in dealing with the matter.

State Administrative Tribunal Regulations 2004

Transitional provisions: State Administrative Tribunal Act 2004

Part 4**r. 30**

- (3) If—
- (a) before the commencement day a question arising under a retail shop lease is or is to be subject to mediation under the CTRS Act; and
 - (b) the question is transferred to the Tribunal under the Act section 167,

on or after the commencement day the question is to be dealt with as if it had been referred for mediation under the Act section 54(1) and the Tribunal is to specify a person to be the mediator.

30. Credit (Administration) Act 1984

- (1) In this regulation —
- “commencement day”** means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 31 comes into operation.
- (2) If—
- (a) before the commencement day a matter was being dealt with by the Commercial Tribunal of Western Australia under the *Credit (Administration) Act 1984* section 23; and
 - (b) that matter is transferred to the Tribunal under the Act section 167(4)(b),

despite the Act section 32(2) and (3), the *Evidence Act 1906* and the rules of evidence continue to apply to the matter when it is being dealt with by the Tribunal.

31. Firearms Act 1973

- (1) In this regulation —
- “commencement day”** means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 49 comes into operation.

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- (2) If a matter partly or fully heard before the commencement day by a firearms appeals tribunal, as defined in the *Firearms Act 1973* section 22(1) immediately before the commencement day, is transferred to the Tribunal under the Act section 167(4)(b), despite the Act section 39, a person who is a legal practitioner is not to appear as an advocate for, or represent, a party in proceedings before the Tribunal relating to the matter.

32. Fish Resources Management Act 1994

- (1) In this regulation —
“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 51 comes into operation.
- (2) If before the commencement day a tribunal established under the *Fish Resources Management Act 1994* section 152 has made a decision but has not given a notice under section 152(4) or (5) of that Act, the tribunal continues to exist for the purpose of complying with section 152(4) or (5), as if those subsections had not been replaced by the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* section 388.

33. Land Administration Act 1997

- (1) In this regulation —
“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 67 comes into operation.
- (2) If a matter has been partly or fully heard, but not determined, by a Compensation Court under the *Land Administration Act 1997* immediately before the commencement day —
- (a) the Act section 167(4)(b) does not apply; and

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- (b) the matter is to continue to be dealt with as if the written law applicable to the matter in force immediately before the commencement day continued to apply.

34. Local Government (Miscellaneous Provisions) Act 1960

- (1) In this regulation —

“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 75 comes into operation.

- (2) If a matter has been partly or fully heard, but not determined, under the *Local Government (Miscellaneous Provisions) Act 1960* Part XV Division 19 immediately before the commencement day —

- (a) the Act section 167(4)(b) does not apply; and
- (b) the matter is to continue to be dealt with as if the *Local Government (Miscellaneous Provisions) Act 1960* Part XV Division 19 as in force immediately before the commencement day continued to apply.

35. Nurses Act 1992

- (1) In this regulation —

“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 88 comes into operation;

“**Nurses Act**” means the *Nurses Act 1992*.

- (2) If before the commencement day —

- (a) an affected person has been given the option of proceeding by way of a formal inquiry under the Nurses Act section 63(2); and
- (b) the affected person has taken that option,

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but the Board has not determined that a formal inquiry is to be held, on or after the commencement day the Board is to make an allegation about the matter to the State Administrative Tribunal.

- (3) If, on or after the commencement day but within a period of 14 days after the date of the notice of the option, the affected person purports to take the option to proceed by way of a formal inquiry, that purported taking of the option is to be taken to be the taking of an option to have an allegation about the matter made to the State Administrative Tribunal.
- (4) If—
- (a) before the commencement day a matter was being dealt with by the professional standards committee under the Nurses Act section 65; and
 - (b) that matter is transferred to the Tribunal under the Act section 167(5),

despite the Act section 32(2) and (3), the *Evidence Act 1906* and the rules of evidence continue to apply to the matter when it is being dealt with by the Tribunal.

36. Psychologists Registration Act 1976

- (1) In this regulation —
- “**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 108 comes into operation.
- (2) If—
- (a) a matter being heard by The Psychologists Registration Board of Western Australia under the *Psychologists Registration Act 1976* section 42 is transferred to the Tribunal under the Act section 167(5); and

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- (b) the matter was being heard in camera in accordance with a decision made by a Judge under the *Psychologists Registration Act 1976* section 42(6),

the Tribunal has the powers that the Board had under the *Psychologists Registration Act 1976* section 42(5) immediately before the commencement day.

37. Retirement Villages Act 1992

- (1) In this regulation —

“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 113 comes into operation.

- (2) If a matter being dealt with under the *Retirement Villages Act 1992* by the Retirement Villages Disputes Tribunal before the commencement day is transferred to the Tribunal under the Act section 167(4)(b) —

- (a) the Act section 39 does not apply; and
(b) the matter is to be dealt with by the Tribunal as if the *Retirement Villages Act 1992* section 47 in force immediately before the commencement day continued to apply and a reference in that section to the Tribunal were a reference to the State Administrative Tribunal.

38. Rights in Water and Irrigation Act 1914

- (1) In this regulation —

“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 114 comes into operation.

- (2) If —

- (a) an appeal under the *Rights in Water and Irrigation Act 1914* Part III Division 3B is transferred to the Tribunal under the Act section 167(4)(b);

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- (b) before the commencement day a notice of appeal in relation to the appeal indicated that the appellant wished the Minister to exercise the power conferred on the Minister by the *Rights in Water and Irrigation Act 1914* Schedule 2 clause 4; and
- (c) the Minister had not exercised the power referred to in that clause,

the Tribunal may exercise the power referred to in the *Rights in Water and Irrigation Act 1914* Schedule 2 clause 4 in force immediately before the commencement day as if a reference in that clause to the Minister were a reference to the Tribunal and a reference to an appeal were a reference to a review by the Tribunal.

39. Strata Titles Act 1985

- (1) In this regulation —
“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 121 comes into operation.
- (2) Subregulations (3) and (4) apply if —
 - (a) before the commencement day a person was given a notice under the *Strata Titles Act 1985* section 79(1)(a); and
 - (b) the person had not before the commencement day made a written submission under section 79(1)(b) of that Act.
- (3) If this subregulation applies, on or after the commencement day, the person given the notice may, within the time specified in the notice, or any longer time allowed under the *Strata Titles Act 1985* section 79(1)(c), make a written submission to the Tribunal and the Tribunal is to take account of the submission as if the submission were a document provided in proceedings to be conducted in whole or part on the basis of documents under the Act section 60(2).

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- (4) If this subregulation applies, the Tribunal is not to make an order under the *Strata Titles Act 1985* Part VI Division 3, other than under section 82, until after the expiration of the time specified for the making of written submissions in the notice given under section 79(1)(a) of that Act, or where a further notice has been given under section 79(1)(c) of that Act, the expiration of the longer time specified in that notice.
- (5) If —
- (a) before the commencement day a matter was being dealt with by the Strata Titles Referee under the *Strata Titles Act 1985* and the Referee had made a requirement under section 80C(a) or (b) of that Act but that requirement had not been complied with before that day; and
 - (b) the matter is transferred to the Tribunal under the Act section 167(4)(a) or (b),

the Tribunal has, in relation to that matter, the power that the Strata Titles Referee had under the *Strata Titles Act 1985* section 80C(c) immediately before the commencement day.

40. Town Planning and Development Act 1928

- (1) In this regulation, unless the contrary intention appears —
- “commencement day”** means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 126 comes into operation.
- (2) Subregulations (3) and (4) apply if —
- (a) before the commencement day, under the *Town Planning and Development Act 1928* section 40(3)(b), the appellant had elected at the time of commencing the appeal to have the appeal determined by a single ordinary member, and the other parties to the appeal had agreed with that election; and

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- (b) the appeal is transferred to the Tribunal under section 167(4)(a) or (b) of the Act.
- (3) If this subregulation applies, despite the Act section 11 and the *Town Planning and Development Act 1928* section 38 the Tribunal is to be constituted by an ordinary member sitting alone.
- (4) If this subregulation applies and the appellant has, before the commencement day, made an election under the *Town Planning and Development Act 1928* section 58(3), as in force on the day of election —
 - (a) the Act section 39 does not apply to the hearing of the matter before the Tribunal; and
 - (b) the *Town Planning and Development Act 1928* section 58(4) applies to that hearing as if that subsection had not been amended on the commencement day.
- (5) If —
 - (a) before the commencement day the Registrar has fixed a time and day for the mediation of a Class 2 appeal under the *Town Planning Appeal Tribunal Rules 2003* rule 17(1) and a party to the appeal has not given a notice under rule 17(4) of those rules; and
 - (b) the appeal is transferred to the Tribunal under section 167(4)(a) of the Act,on or after the commencement day —
 - (c) the Act section 54 applies as if the Tribunal had referred the matter for mediation under the Act section 54(1); and
 - (d) the Tribunal is to specify a person as a mediator for the purposes of section 54.
- (6) If —
 - (a) before the commencement day the Registrar has fixed a time and day for the mediation of a Class 2 appeal under

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the *Town Planning Appeal Tribunal Rules 2003* rule 17(1) and a party to the appeal has given a notice under rule 17(4) of those rules; and

- (b) the appeal is transferred to the Tribunal under the Act section 167(4)(a),

on or after the commencement day the Act section 54 does not apply.

- (7) If —

- (a) before the commencement day the Registrar has fixed a time and day for the mediation of a Class 2 appeal under the *Town Planning Appeal Tribunal Rules 2003* rule 17(1) and a party to the appeal has not given a notice under rule 17(4) of those rules;
- (b) a party to the appeal purports to give the notice under rule 17(4) on or after the commencement day but within 14 days of the notice of appeal being filed and served; and
- (c) the appeal is transferred to the Tribunal under the Act section 167(4)(a),

on or after the commencement day the Act section 54 does not apply.

41. Travel Agents Act 1985

- (1) In this regulation —

“commencement day” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 128 comes into operation.

- (2) If —

- (a) before the commencement day a matter was being dealt with by the Commercial Tribunal of Western Australia under the *Travel Agents Act 1985* Part II Division 3; and

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- (b) that matter is transferred to the Tribunal under the Act section 167(4)(b),

despite the Act section 32(2) and (3), the *Evidence Act 1906* and the rules of evidence continue to apply to the matter when it is being dealt with by the Tribunal.

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42. Transitional provision

If a function that was performed by a particular functionary before the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* amendment of an Act has effect (the “**transfer day**”) ceases to be performed by that functionary and instead a different functionary (other than the State Administrative Tribunal) performs a function that is substantially similar, anything done or omitted to be done by a party or other person before the transfer day under or in accordance with the procedure that applied before that day is to be taken, as far as possible, to have been done or omitted under or in accordance with the procedure applying on or after the transfer day.

43. *Country Areas Water Supply Act 1947*

(1) In this regulation —

“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 28 comes into operation;

“**Corporation**” has the meaning given to that term in the CWS Act section 5(1);

“**the CWS Act**” means the *Country Areas Water Supply Act 1947*.

(2) If the Corporation receives, before the commencement day, a notice in accordance with the CWS Act section 59(1) (as in force when the notice was received by the Corporation) but does not before the commencement day refer the objection referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the Corporation must refer the

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relevant entry in the records to the State Administrative Tribunal for a review as if the notice were a notice served on the Corporation under the CWS Act section 59(1).

- (3) If the Corporation receives, before the commencement day, a notice in accordance with the CWS Act section 60(1) (as in force when the notice was received by the Corporation) but does not before the commencement day refer a decision referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the Corporation must refer the decision to the State Administrative Tribunal for a review as if the notice were a notice served on the Corporation under the CWS Act section 60(1).
- (4) If a notice has been given under the CWS Act section 58(7) before the commencement day, on or after the commencement day the notice is to be taken to refer to the time within which and the manner in which a review of the decision may be sought.

44. Country Towns Sewerage Act 1948

- (1) In this regulation —
 - “**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 29 comes into operation;
 - “**Corporation**” has the meaning given to that term in the CTS Act section 3(1);
 - “**the CTS Act**” means the *Country Towns Sewerage Act 1948*.
- (2) If the Corporation receives, before the commencement day, a notice in accordance with the CTS Act section 62(1) (as in force when the notice was received by the Corporation) but does not before the commencement day refer the objection referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the Corporation must refer the relevant entry to the State Administrative Tribunal for a review

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as if the notice were a notice served on the Corporation under the CTS Act section 62(1).

- (3) If the Corporation receives, before the commencement day, a notice in accordance with the CTS Act section 63(1) (as in force when the notice was received by the Corporation) but does not before the commencement day refer a decision referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the Corporation must refer the decision to the State Administrative Tribunal under the CTS Act section 63(1).
- (4) If a notice has been given under the CTS Act section 61(6) before the commencement day, on or after the commencement day the notice is to be taken to refer to the time within which and the manner in which a review of the decision may be sought.

45. Credit (Administration) Act 1984

- (1) In this regulation —
“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 31 comes into operation.
- (2) If before the commencement day an objection has been lodged with the Commercial Tribunal of Western Australia in accordance with the *Credit (Administration) Act 1984* section 11 and the matter in respect of which the objection was lodged has not been dealt with by that Tribunal, on or after the commencement day the objection is to be taken to be an objection lodged with the Commissioner for Fair Trading under that section.
- (3) If before the commencement day an objection has been lodged with the Commercial Tribunal of Western Australia in accordance with the *Credit (Administration) Act 1984* section 23(1) and the matter in respect of which the objection

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was lodged has not been dealt with by that Tribunal, on or after the commencement day the objection is to be taken to be a written complaint under that subsection to the Commissioner for Fair Trading about the holding of a licence by a specified licensee.

- (4) If immediately before the commencement day the Commercial Tribunal of Western Australia is conducting an inquiry under the *Credit (Administration) Act 1984* Part IV, on or after the commencement day that inquiry is to be conducted by a person appointed by the Minister under section 32(1) of that Act to conduct that inquiry as if that person, and not the Tribunal, had been appointed to conduct the inquiry.

46. Debt Collectors Licensing Act 1964

- (1) In this regulation —
- “**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 35 comes into operation;
- “**Commissioner**” has the meaning given to that term in the *Consumer Affairs Act 1971* section 4(1);
- “**DCL Act**” means the *Debt Collectors Licensing Act 1964*.
- (2) If immediately before the commencement day, a Clerk of a Local Court possesses —
- (a) a register kept under the DCL Act section 12;
 - (b) a notice given to the Clerk under the DCL Act section 15(4); or
 - (c) a fidelity bond or approved security lodged under the DCL Act section 20(1),

as soon as possible after the commencement day, the Clerk is to send those records or documents to the Commissioner.

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47. Dog Act 1976

- (1) If a notice has been given under the *Dog Act 1976* section 33F(1) before the commencement day, on or after the commencement day the notice is to be taken to refer to the right to apply to the State Administrative Tribunal for a review.
- (2) If a notice has been given under the *Dog Act 1976* section 33G(2) before the commencement day, on or after the commencement day the notice is to be taken to refer to the right to apply to the State Administrative Tribunal for a review.

48. Equal Opportunity Act 1984

Unless the context otherwise requires, where in an arrangement made under the *Equal Opportunity Act 1984* section 7 there is a reference to the Equal Opportunity Tribunal that reference is to be read and construed as a reference to the State Administrative Tribunal.

49. Fire and Emergency Services Authority of Western Australia Act 1998

- (1) In this regulation —
“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 47 comes into operation.
- (2) If the Minister receives, before the commencement day, a written notice in accordance with the *Fire and Emergency Services Authority of Western Australia Act 1998* section 36ZF (as in force when the notice was received by the Minister) but does not before the commencement day refer the objection referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the Minister must refer the notice to the State Administrative Tribunal and the notice is to be taken to be an application to the Tribunal for a review of the determination under the *Fire and Emergency*

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Services Authority of Western Australia Act 1998
section 36G(5) of the purpose for which the land is used.

50. Fish Resources Management Act 1994

- (1) In this regulation —
- “**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 51 comes into operation;
- “**Executive Director**” has the meaning given to that term in the FRM Act section 4(1);
- “**the FRM Act**” means the *Fish Resources Management Act 1994*.
- (2) If a notice has been given under the FRM Act section 147(1)(f) in the period of 21 days before the commencement day, on or after the commencement day the notice is to be taken to state that the affected person may, under the FRM Act section 149, apply for a review of the decision.
- (3) If an affected person has —
- objected to a proposal under the FRM Act section 149(1) before the commencement day but the Executive Director has not, before the commencement day, referred the objection to the Minister under section 149(4) of that Act; or
 - objected to a proposal under the FRM Act section 149(1) before the commencement day but the Minister has not, before the commencement day, referred the objection to a tribunal under the FRM Act section 152,
- the Executive Director must, on or after the commencement day, refer the objection to the State Administrative Tribunal and —
- the objection is to be taken to be an application to that Tribunal under the Act section 42(1);

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- (d) the affected person is to be taken to be the person applying to that Tribunal for review under the Act section 42(1);
- (e) the Executive Director is to give the affected person's objection to the executive officer of the Tribunal;
- (f) if the affected person has paid the fee payable on lodging the objection under the FRM Act section 149(1), that person is not required to pay an application fee for making an application for review to the State Administrative Tribunal;
- (g) for the purposes of the review under the Act, a reference in the FRM Act section 149 to a decision is to be taken to be a reference to the proposal the subject of the objection; and
- (h) for the purposes of the review under the Act, the Executive Director is to be taken to be the decision-maker.

51. *Fishing and Related Industries Compensation (Marine Reserves) Act 1997*

- (1) In this regulation —
“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 53 comes into operation.
- (2) If—
 - (a) advice has been given under the *Fishing and Related Industries Compensation (Marine Reserves) Act 1997* section 8(1) before the commencement day; and
 - (b) the person who received the advice has not applied to the Fisheries Adjustment Compensation Tribunal established under the *Fisheries Adjustment Schemes Act 1987* section 14O before that day,

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on or after that day, the advice is to be taken to be an advice under the *Fishing and Related Industries Compensation (Marine Reserves) Act 1997* section 8(1) received on the commencement day.

52. Guardianship and Administration Act 1990

(1) In this regulation —

“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 56 comes into operation;

“**the GA Act**” means the *Guardianship and Administration Act 1990*.

(2) Unless the context otherwise requires, where in —

(a) an arrangement entered into under the GA Act section 44A(1); or

(b) a notice of an arrangement published in the *Gazette* under the GA Act section 44A(2),

there is a reference to the Guardianship and Administration Board, on or after the commencement day that reference is to be read and construed as a reference to the State Administrative Tribunal.

(3) If immediately before the commencement day —

(a) the Guardianship and Administration Board is required under the GA Act section 80(3) to examine any accounts lodged under section 80(1) or delivered under section 80(2) of the GA Act; and

(b) the Board has not made a decision under the GA Act section 80(3),

on the commencement day, the obligation to examine those accounts is transferred to the Public Trustee and the Public Trustee is to examine the accounts in accordance with the GA Act section 80.

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- (4) If immediately before the commencement day the Guardianship and Administration Board is carrying out, but has not completed, a review under the GA Act section 85 or 86, on or after the commencement day the review is to be carried out and completed by the State Administrative Tribunal as if the application for the review had been made to it under the relevant section.
- (5) If—
- (a) before the commencement day a report is made to the Guardianship and Administration Board under the GA Act section 107(1)(d); and
 - (b) the Board has not made an order under the GA Act section 109(3) in relation to that report,
- on or after the commencement day, the State Administrative Tribunal may make an order under the GA Act section 109(3) as if the report had been made to it under the GA Act section 107(1)(d).
- (6) If before the commencement day the Guardianship and Administration Board has appointed an auditor under the GA Act section 109(1)(b) and a copy of the auditor's report has not been furnished to the Board under that provision, on and after the commencement day, the auditor is to be taken to have been appointed by the State Administrative Tribunal and is to furnish the report to the Tribunal and the applicant for the order.
- (7) If immediately before the commencement day a notice is required to be given under the GA Act section 111(4) but that notice has not been given before the commencement day, on or after the commencement day that notice is to be given by the executive officer of the State Administrative Tribunal.
- (8) If immediately before the commencement day the Guardianship and Administration Board is dealing with, but has not completed the consideration of, an application under the GA Act section 111(5) or 112(4), on or after the commencement

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day the application is to be transferred to the State Administrative Tribunal and the Tribunal is to deal with the application as if the application had been made to it under the relevant subsection.

- (9) If —
- (a) an enduring power of attorney created by instrument in the form or substantially in the form of the GA Act Schedule 3 Form 1; or
 - (b) a statement of acceptance in the form, or substantially in the form, of the GA Act Schedule 3 Form 2,

in effect immediately before the commencement day contains a reference to the Guardianship and Administration Board, on and after the commencement day that reference is to be taken to be a reference to the State Administrative Tribunal.

53. *Heritage of Western Australia Act 1990*

- (1) In this regulation —
- “commencement day”** means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 60 comes into operation;
- “the HWA Act”** means the *Heritage of Western Australia Act 1990*.
- (2) If, before the commencement day, the Minister receives a notice in accordance with the HWA Act section 30(1) (as in force when the notice was received by the Minister) but does not before the commencement day refer to the Town Planning Appeal Tribunal the question the Minister is requested to so refer in the notice, on and after the commencement day —
- (a) the notice is to be taken to refer to the State Administrative Tribunal and not to the Town Planning Appeal Tribunal; and

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- (b) section 30(2)(a) of the HWA Act applies as if any requirement made or undertaking given under that paragraph referred to the State Administrative Tribunal and not to the Town Planning Appeal Tribunal.
- (3) If a Heritage Agreement is entered into pursuant to a determination the provisions of which have been approved by the Town Planning Appeal Tribunal but has not been endorsed as so approved by the Registrar of that Tribunal before the commencement day, on and after the commencement day, the HWA Act section 30(5) applies to that Agreement as if a reference in that subsection to the Registrar were a reference to the executive officer of the State Administrative Tribunal.
- (4) If, before the commencement day, the Minister is required in accordance with the HWA Act section 37(3) (as in force when the requirement was received by the Minister) to refer a question to the Town Planning Appeal Tribunal but does not do so before the commencement day, on and after the commencement day the Minister must refer the question to the State Administrative Tribunal as if the requirement had referred to the State Administrative Tribunal and not to the Town Planning Appeal Tribunal.
- (5) On and after the commencement day, a reference in the HWA Act section 37(4) to a finding made by the State Administrative Tribunal on a reference in relation to the same or a related matter under the HWA Act section 37(3) is to be taken to include a reference to such a finding lawfully made by the Town Planning Appeal Tribunal before the commencement day.
- (6) If, before the commencement day, the Minister is required in accordance with the HWA Act section 73(4) (as in force when the requirement was received by the Minister) to refer a question to the Town Planning Appeal Tribunal but does not do so before the commencement day, on and after the commencement day the Minister must refer the question to the State Administrative Tribunal as if the requirement had referred

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to the State Administrative Tribunal and not to the Town Planning Appeal Tribunal.

- (7) If, before the commencement day, the Minister is requested in accordance with the HWA Act section 76(1) (as in force when the requirement was received by the Minister) to refer a question to the Town Planning Appeal Tribunal but does not do so before the commencement day, on and after the commencement day the Minister must refer the question to the State Administrative Tribunal as if the request had referred to the State Administrative Tribunal and not to the Town Planning Appeal Tribunal.

54. Land Drainage Act 1925

- (1) In this regulation —

“commencement day” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 68 comes into operation;

“Corporation” has the meaning given to that term in the LD Act section 6(1);

“the LD Act” means the *Land Drainage Act 1925*.

- (2) If the Corporation receives, before the commencement day, a notice in accordance with the LD Act section 99(1) (as in force when the notice was received by the Corporation) but does not before the commencement day refer the objection referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the Corporation must refer the relevant entry in the records to the State Administrative Tribunal for a review as if the notice were a notice served on the Corporation under the LD Act section 99(1).
- (3) If the Corporation receives, before the commencement day, a notice in accordance with the LD Act section 99A(1) (as in force when the notice was received by the Corporation) but does not before the commencement day refer a decision referred to in

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the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the Corporation must refer the decision to refuse to extend time to the State Administrative Tribunal for a review as if the notice were a notice served on the Corporation under the LD Act section 99A(1).

- (4) If a notice has been given under the LD Act section 98(6) before the commencement day, on or after the commencement day the notice is to be taken to refer to the time within which and the manner in which a review of the decision may be made be sought.

55. Local Government (Miscellaneous Provisions) Act 1960

- (1) In this regulation —

“commencement day” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* section 683 comes into operation;

- (2) If a local law made under the *Local Government (Miscellaneous Provisions) Act 1960* section 433 and the *Local Government Act 1995* is expressed as conferring on a person a right to appeal under the *Local Government (Miscellaneous Provisions) Act 1960* Part XV Division 19 against a decision, that local law is to be taken to give a right on or after the commencement day to apply to the State Administrative Tribunal for a review of that decision.

56. Local Government Act 1995

- (1) In this regulation —

“commencement day” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 76 comes into operation;

“the LG Act” means the *Local Government Act 1995*.

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- (2) If a local government receives, before the commencement day, a notice in accordance with the LG Act section 6.77 (as in force when the notice was received by the local government) but does not before the commencement day refer the decision referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the local government must refer the notice to the State Administrative Tribunal and the notice is to be taken to be an application to the Tribunal for a review of the decision under the LG Act section 6.77.
- (3) If a local government receives, before the commencement day, a notice in accordance with the LG Act section 6.78 (as in force when the notice was received by the local government) but does not before the commencement day refer the decision referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the local government must refer the notice to the State Administrative Tribunal and the notice is to be taken to be an application to the Tribunal for a review of the decision under the LG Act section 6.78.

57. Metropolitan Region Town Planning Scheme Act 1959

- (1) In this regulation —
“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 82 comes into operation;
“**the MRTPS Act**” means the *Metropolitan Region Town Planning Scheme Act 1959*.
- (2) If, before the commencement day, a determination or an order is made under the *Heritage of Western Australia Act 1990* section 60, on and after the commencement day the MRTPS Act section 32A(2) applies to that determination or order as if the determination or order had been made on an application or referral made under the *Heritage of Western Australia Act 1990* section 60 to the State Administrative Tribunal.

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- (3) If—
- (a) before the commencement day, a direction is confirmed or varied under the MRTPS Act section 43(3); and
 - (b) the owner fails to carry out the direction as confirmed or varied,

the Western Australian Planning Commission or local government may, on or after the commencement day, take the action specified in the MRTPS Act section 43(5).

58. Metropolitan Water Authority Act 1982

- (1) In this regulation —

“commencement day” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 83 comes into operation;

“Corporation” has the meaning given to that term in the MWA Act section 4(1);

“the MWA Act” means the *Metropolitan Water Authority Act 1982*.

- (2) If the Corporation receives, before the commencement day, a notice in accordance with the MWA Act section 43(10) (as in force when the notice was received by the Corporation) but does not before the commencement day refer the relevant assessment referred to in the notice to a Land Valuation Tribunal, on and after the commencement day the Corporation must refer the relevant assessment to the State Administrative Tribunal for a review as if the notice were a notice served on the Corporation under the MWA Act section 43(10).
- (3) If the Corporation receives, before the commencement day, a notice in accordance with the MWA Act section 43(12) (as in force when the notice was received by the Corporation) but does not before the commencement day refer a decision referred to in the notice to a Land Valuation Tribunal as an appeal, on and

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after the commencement day the Corporation must refer the decision to refuse to extend time to the State Administrative Tribunal for a review as if the notice were a notice served on the Corporation under the MWA Act section 43(12).

- (4) If a notice has been given under the MWA Act section 43(9) before the commencement day, on or after the commencement day the notice is to be taken to refer to the time within which and the manner in which a review of the decision may be sought.

59. Pawnbrokers and Second-hand Dealers Act 1994

- (1) In this regulation —
“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 94 comes into operation.
- (2) On or after the commencement day a clerk of a court of petty sessions is to cause to be sent to the executive officer of the State Administrative Tribunal all records under the control of the clerk relating to proceedings under the *Pawnbrokers and Second-hand Dealers Act 1994* Part 2 Division 3.

60. Pearling Act 1990

- (1) In this regulation —
“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 95 comes into operation.
- (2) If a notice has been published in the *Gazette* under the *Pearling Act 1990* section 23(8) in the period of 14 days before the commencement day, on or after the commencement day the notice is to be taken to refer to a right of review set out in section 33 of the *Pearling Act 1990*.

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- (3) If a notice has been served under the *Pearling Act 1990* section 33(2) in the period of 14 days before the commencement day, on or after the commencement day the notice is to be taken to refer to a right of review set out in section 33 of the *Pearling Act 1990*.

61. Rights in Water and Irrigation Act 1914

- (1) In this regulation —
“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 114 comes into operation;
“**Corporation**” has the meaning given to that term in the RWI Act section 2(1);
“**the RWI Act**” means the *Rights in Water and Irrigation Act 1914*.
- (2) If a local by-law made under the RWI Act section 26M(g) makes provision for an appeal against decisions relating to applications made and licences granted under the local by-law, that local by-law is to be taken to give a right on or after the commencement day to apply to the State Administrative Tribunal for a review of that decision.
- (3) If the Corporation receives, before the commencement day, a notice in accordance with the RWI Act section 39F(1) (as in force when the notice was received by the Corporation) but does not before the commencement day refer the objection referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the Corporation must refer the relevant entry to the State Administrative Tribunal for a review as if the notice were a notice served on the Corporation under the RWI Act section 39F(1).
- (4) If the Corporation receives, before the commencement day, a notice in accordance with the RWI Act section 39G(1) (as in force when the notice was received by the Corporation) but does

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not before the commencement day refer a decision referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the Corporation must refer the decision to refuse to extend time to the State Administrative Tribunal for a review as if the notice were a notice served on the Corporation under the RWI Act section 39G(1).

- (5) If a notice has been given under the RWI Act section 39E(7) before the commencement day, on or after the commencement day the notice is to be taken to refer to the time within which and the manner in which a review of the decision may be sought.

62. Security and Related Activities (Control) Act 1996

- (1) In this regulation —
“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 117 comes into operation.
- (2) If in the period of 21 days before the commencement day a notice has been given under the *Security and Related Activities (Control) Act 1996* section 68(2) (applying section 67(2), (3) and (4) to the cancellation of an endorsement under section 68(1)), on or after the commencement day that notice is to be taken to be a notice given on the commencement day under that Act section 68(2)(a).

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(1) In this regulation —

“commencement day” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 121 comes into operation;

“referee” means a Strata Titles Referee appointed and holding office before the commencement day under the ST Act section 71;

“the ST Act” means the *Strata Titles Act 1985*.

(2) If —

- (a) a special resolution authorising an application to a Land Valuation Tribunal under the ST Act section 16(1) for an order that the Schedule of unit entitlement be amended was passed before the commencement day; or
- (b) a certificate under seal of a strata company certifying that the strata company has by special resolution authorised such an application,

and an application has not been made to a Land Valuation Tribunal before the commencement day or an application to the Land Valuation Tribunal is transferred to the State Administrative Tribunal under the Act section 167, on and after the commencement day, the reference to a Land Valuation Tribunal in the special resolution and the certificate is to be read and construed as a reference to the State Administrative Tribunal.

- (3) On and after the commencement day, a copy of an order certified under the ST Act by a referee as being a true copy is to be taken to have been certified by the executive officer of the State Administrative Tribunal.
- (4) A certificate of a local government made before the commencement day which complies with the ST Act

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section 23(1)(a) or (3), as in force at the time the certificate was made, is to be taken, on and after the commencement day, to comply with the ST Act section 23(1)(a) or (3).

- (5) A certificate issued before the commencement day by the Town Planning Appeal Tribunal under the ST Act section 27(9) or 25B(3)(a) certifying that an appeal has been upheld, is to be taken, on and after the commencement day, to be a certificate of the executive officer of the State Administrative Tribunal to the effect that a successful application has been made to the State Administrative Tribunal for a review of the Commission's refusal or failure to give an approval referred to in the ST Act section 25B(2).
- (6) If a notice of refusal has been given under the ST Act section 26 before the commencement day, on or after the commencement day the notice is to be taken to inform the applicant of the right conferred by that section to apply for a review of the refusal.
- (7) If, before the commencement day, the Minister or the Town Planning Appeal Tribunal has upheld an appeal under the ST Act section 26 but has not under section 26(11) of the ST Act issued to the applicant a certificate certifying that the appeal has been upheld, on or after the commencement day, the President of the State Administrative Tribunal may issue to the applicant a certificate certifying that the appeal has been upheld and that certificate has the same effect as a certificate issued under section 26(11) would have had if the certificate had been issued by the Minister or the Town Planning Appeal Tribunal before the commencement day.
- (8) If a referee has determined under the ST Act section 39A(4)(c)(ii) (as in force at the time of the determination) that an agreement is unfair to the proprietors of 25% or more of the aggregate unit entitlement of the lots, on or after the commencement day that determination is to be taken to be a determination of the State Administrative Tribunal under the ST Act section 39A(4)(c)(ii).

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- (9) If before the commencement day —
- (a) an application for an order was made to a referee in relation to a matter of a type referred to in the ST Act section 77A(1) (as in force at the time of the application); and
 - (b) the referee did not refer the application to the Retirement Villages Disputes Tribunal,
- on the commencement day the application is to be taken to be an application by an applicant for review to the State Administrative Tribunal under the *State Administrative Tribunal Act 2004* and the applicant for the order of the referee is to be taken to be an applicant under that Act.
- (10) If an appeal is commenced before the commencement day under the ST Act section 105 and a strata company is the respondent to a successful appeal under that section, section 111(1) is to be taken to apply to that strata company as if that subsection had not been amended by the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004*.
- (11) If an order is made by the District Court under the ST Act section 113(1) (as in force immediately before the commencement day), on or after the commencement day the District Court must not cause the order and the records of the District Court relating to the appeal, including records forwarded to it by the referee when referring that appeal to the District Court, to be sent to the referee but must cause the order and those records to be sent to the executive officer of the State Administrative Tribunal.
- (12) If an order is sent to the executive officer under subregulation (11), the executive officer must serve a copy of the order, certified by him or her to be a true copy, on —
- (a) the strata company for the Scheme to which the order relates;
 - (b) the appellant;

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- (c) any person who was given notice under the ST Act section 105(6) (as in force immediately before the commencement day) of the time and place for the determination of the appeal; and
- (d) any person who, by the order, is required to do or to refrain from doing a specified act.

64. Travel Agents Act 1985

- (1) In this regulation —

“commencement day” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 128 comes into operation;

“the TA Act” means the *Travel Agents Act 1985*.

- (2) If before the commencement day —

- (a) an objection has been lodged with the Commercial Tribunal of Western Australia under the TA Act section 21(1); and
- (b) the objection has not been dealt with under the TA Act section 21(3) or (4),

the Commissioner for Fair Trading may have regard to the objection in deciding under the TA Act section 21(5) whether or not it is appropriate to make an allegation to the State Administrative Tribunal.

- (3) If before the commencement day an application has been made under the TA Act section 33(1) and no objection has been lodged under the TA Act section 33(2)(a), on or after the commencement day the application is to be dealt with by the Commissioner for Fair Trading under the TA Act section 33 as if the application had been made to the Commissioner.

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- (4) If before the commencement day —
- (a) an application has been made under the TA Act section 33(1); and
 - (b) the application has been referred to the Commercial Tribunal of Western Australia under the TA Act section 33(2)(b)(i) but that Tribunal has not dealt with the application,

on or after the commencement day the application is to be dealt with by the Commissioner for Fair Trading under the TA Act section 33 as if the application had been made to the Commissioner.

65. Valuation of Land Act 1978

- (1) In this regulation —
- “**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 129 comes into operation;
- “**the VL Act**” means the *Valuation of Land Act 1978*.
- (2) If advice has been given under the VL Act section 32(9) before the commencement day, on or after the commencement day the advice is to be taken to refer to the time within which and the manner in which a review of the valuation may be sought.
- (3) If the Valuer-General receives, before the commencement day, a notice in accordance with the VL Act section 33(1) (as in force when the notice was received by the Valuer-General) but does not before the commencement day refer the objection referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the Valuer-General must refer the valuation to the State Administrative Tribunal for a review as if the notice were a notice served on the Valuer-General under the VL Act section 33(1).

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r. 66

- (4) If the Valuer-General receives, before the commencement day, a notice in accordance with the VL Act section 35(1) (as in force when the notice was received by the Valuer-General) but does not before the commencement day refer a decision referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the Valuer-General must refer the decision to the State Administrative Tribunal for a review as if the notice were a notice served on the Valuer-General under the VL Act section 35(1).

66. Water Boards Act 1904

- (1) In this regulation —
“**commencement day**” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 132 comes into operation;
“**the WB Act**” means the *Water Boards Act 1904*;
“**Water Board**” means a Water Board constituted under the WB Act.
- (2) If advice has been given under the WB Act section 87(7) before the commencement day, on or after the commencement day the advice is to be taken to refer to the time within which and the manner in which a review of the decision may be sought.
- (3) If a Water Board receives, before the commencement day, a notice in accordance with the WB Act section 88(1) (as in force when the notice was received by the Water Board) but does not before the commencement day refer the objection referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the Water Board must refer the relevant entry in the rating records to the State Administrative Tribunal for a review as if the notice were a notice served on the Water Board under the WB Act section 88(1).

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- (4) If a Water Board receives, before the commencement day, a notice in accordance with the WB Act section 89(1) (as in force when the notice was received by the Water Board) but does not before the commencement day refer a decision referred to in the notice to a Land Valuation Tribunal as an appeal, on and after the commencement day the Water Board must refer the decision to refuse to extend time to the State Administrative Tribunal for a review as if the notice were a notice served on the Water Board under the WB Act section 89(1).

67. Western Australian Planning Commission Act 1985

- (1) In this regulation —

“commencement day” means the day on which the *State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004* Part 2 Division 137 comes into operation;

“the WAPC Act” means the *Western Australian Planning Commission Act 1985*.

- (2) If, before the commencement day, an order is made under the *Heritage of Western Australia Act 1990* section 60, on and after the commencement day the *Metropolitan Region Town Planning Scheme Act 1959* section 32A(2) (as substituted by the WAPC Act section 18(1b)) applies to that order as if the order had been made on an application or referral made under section 60 of the *Heritage of Western Australia Act 1990* to the State Administrative Tribunal.
- (3) If, before the commencement day, an appeal made by a claimant under the WAPC Act section 25 has not been disallowed wholly or in part, the WAPC Act section 29(1)(b) applies as if the appeal were an application for review to the State Administrative Tribunal that had not been wholly or in part unsuccessful.

**Schedule 1 — Enabling Acts prescribed for the purposes of
the definition of “vocational regulatory body”**

[r. 4]

Architects Act 1921

Boxing Control Act 1987

Builders’ Registration Act 1939

Chiropractors Act 1964

Credit (Administration) Act 1984

Debt Collectors Licensing Act 1964

Dental Act 1939

Dental Prosthetists Act 1985

Electricity (Licensing) Regulations 1991

Employment Agents Act 1976

Finance Brokers Control Act 1975

Gas Standards (Gasfitting and Consumer Gas Installations) Regulations 1999

Hairdressers Registration Act 1946

Human Reproductive Technology Act 1991

Licensed Surveyors Act 1909

Land Valuers Licensing Act 1978

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

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Enabling Acts prescribed for the purposes of the definition of
“vocational regulatory body”

Schedule 1

Optical Dispensers Act 1966

Optometrists Act 1940

Osteopaths Act 1997

Painters' Registration Act 1961

Pawnbrokers and Second-hand Dealers Act 1994

Pharmacy Act 1964

Physiotherapists Act 1950

Podiatrists Registration Act 1984

Psychologists Registration Act 1976

Radiation Safety Act 1975

Real Estate and Business Agents Act 1978

Security and Related Activities (Control) Act 1996

Settlement Agents Act 1981

Travel Agents Act 1985

Veterinary Surgeons Act 1960

Water Services Licensing Act 1995

**Schedule 2 — Places at which a magistrate may be
authorised to perform functions as a member of
the Tribunal**

[r. 6]

Albany	Geraldton	Moora
Armadale	Joondalup	Mount Magnet
Broome	Kalgoorlie	Narrogin
Bunbury	Karratha	Norseman
Busselton	Katanning	Northam
Carnarvon	Kununurra	Perth
Collie	Mandurah	Rockingham
Coolgardie	Manjimup	Roebourne
Derby	Meekatharra	South Hedland
Esperance	Merredin	
Fremantle	Midland	

State Administrative Tribunal Regulations 2004**Fees Schedule 3****Schedule 3 — Fees**

[r. 9 - 25]

Provision under which proceedings commenced	Relevant regulation	Fees payable \$
<i>Aboriginal Heritage Act 1972</i> s. 18(5)	r. 9	Sch. 4 items 1, 3-6
<i>Aboriginal Heritage Act 1972</i> s. 43(3) or 47(2)	r. 11	Sch. 6 items 2-4
<i>Aboriginal Heritage Act 1972</i> s. 46(3)	r. 11	Sch. 6 item 1
<i>Adoption Regulations 1995</i> r. 17, 23M or 77	r. 10	Sch. 5 items 2, 4-7
<i>Aerial Spraying Control Act 1966</i> s. 8(1)	r. 12	Sch. 7
<i>Aerial Spraying Control Act 1966</i> s. 13A(8)	Nil	
<i>Agricultural Produce (Chemical Residues) Act 1983</i> s. 20(1)	Nil	
<i>Agricultural Produce Commission Act 1988</i> s. 16(2)	r. 11	Sch. 6 item 1
<i>Agriculture and Related Resources Protection Act 1976</i> s. 54(5)	r. 11	Sch. 6 item 1
<i>Animal Welfare Act 2002</i> s. 74(1) or (2)	r. 11	Sch. 6 item 1
<i>Architects Act 1921</i> s. 16(1)	r. 10	Sch. 5 items 2, 4-7
<i>Architects Act 1921</i> s. 22A(3)	Nil	
<i>Armadale Redevelopment Act 2001</i> s. 50(1)	r. 24	Sch. 18 items 1-4
<i>Armadale Redevelopment Act 2001</i> s. 52(2)	r. 24	Sch. 18 item 1
<i>Associations Incorporation Act 1987</i> s. 4(6), 7(2), 8(2), 9(3), 18(4) or 19(3)	r. 14	Sch. 9
<i>Biological Control Act 1986</i> s. 54(1)	Nil	
<i>Births, Deaths and Marriages Registration Act 1998</i> s. 67(1)	Nil	
<i>Boxing Control Act 1987</i> s. 34(1)	r. 11	Sch. 6 item 1

State Administrative Tribunal Regulations 2004**Schedule 3 Fees**

Provision under which proceedings commenced	Relevant regulation	Fees payable \$
<i>Builders' Registration Act 1939</i> s. 12D or 13(1ba)(b) or (2)	Nil	
<i>Builders' Registration Act 1939</i> s. 14(1) or 41(1)	r. 10	Sch. 5 items 2, 4-7
<i>Builders' Registration Act 1939</i> s. 42(1)	r. 10	Sch. 5 items 1, 4-7
<i>Business Names Act 1962</i> s. 19(3)	r. 9	Sch. 4 items 1, 3-6
<i>Caravan Parks and Camping Grounds Act 1995</i> s. 27(1) or 34(4)	r. 15	Sch. 10
<i>Cemeteries Act 1986</i> s. 19(2)	r. 11	Sch. 6 item 1
<i>Chattel Securities Act 1987</i> s. 26(1)	r. 13	Sch. 8 items 1, 4-7
<i>Chicken Meat Industry Act 1977</i> s. 18(2)	r. 9	Sch. 4 items 1, 3-6
<i>Chicken Meat Industry Act 1977</i> s. 19A(11)	Nil	
<i>Chiropractors Act 1964</i> s. 20A(1)	r. 11	Sch. 6 item 1
<i>Chiropractors Registration Board Rules 1966</i> r. 12(1)	Nil	
<i>Commercial Tenancy (Retail Shops) Agreements Act 1985</i> s. 6(1)(b), 9(3), 11(5), 13(3)(a), 13(7), 13A(2), 14 or 16(1)	r. 16	Sch. 8 items 2, 4-7
<i>Commercial Tenancy (Retail Shops) Agreements Act 1985</i> s. 6A(1)(b), 6A(3) or 12C(2)	r. 16	Sch. 8 items 1, 4-7
<i>Commercial Tenancy (Retail Shops) Agreements Act 1985</i> s. 12(1)(b), 12A(4), 12B(4), 13(7b), 13A(3) or 27(3)(b)	r. 16	Sch. 8 item 2
<i>Community Services Act 1972</i> s. 17C(1)	r. 11	Sch. 6 item 1

State Administrative Tribunal Regulations 2004

	Fees	Schedule 3
Provision under which proceedings commenced	Relevant regulation	Fees payable \$
<i>Competition Policy Reform (Western Australia) Act 1996</i> : proceedings commenced under the Competition Code as defined in section 3(1) of the above Act	r. 13	Sch. 8 items 1, 4-7
<i>Consumer Credit (Western Australia) Code</i> as defined in section 3(1) of the <i>Consumer Credit (Western Australia) Act 1996</i> s. 34(5), 35, 36(6) or (7), 44(4), 47(3), 68(1), 69(1) or (2), 70(1), 72(1), 77(1), 79(1), 80(4)(c), 82(b), 83(1), 85(2)(c), 88(1), 89(1), 91(1)(a), 92, 93(1) or (2), 94(2), 98(1), 99(3), 101(1) and 102(1), 101 and 103(1), 101 and 105(1), 101 and 107(1), 101 and 109(1), 111, 112(4), 114(2), 128, 152(2), 155, 156(2)(e), 157(1) and 162(2)	r. 13	Sch. 8 items 1, 4-7
<i>Control of Vehicles (Off-road Areas) Act 1978</i> s. 33	r. 12	Sch. 7
<i>Co-operative and Provident Societies Act 1903</i> s. 6(1) or 8(4)	r. 9	Sch. 4 items 1, 3-6
<i>Country Areas Water Supply Act 1947</i> s. 12D(1), 59(2) or 60(2)	Nil	
<i>Country Towns Sewerage Act 1948</i> s. 62(2) or 63(2)	Nil	
<i>Credit Act 1984</i> : applications under all provisions of the Act except those under s. 74(3), 116(4) or 153	r. 13	Sch. 8 items 1, 4-7
<i>Credit Act 1984</i> s. 74(3) or 116(4)	Nil	
<i>Credit Act 1984</i> s. 153	r. 13	Sch. 8 item 3
<i>Credit (Administration) Act 1984</i> s. 23(5), 30(1) or (2) or 31	Nil	
<i>Credit (Administration) Act 1984</i> s. 24(1)	r. 10	Sch. 5 items 2, 4-7

State Administrative Tribunal Regulations 2004**Schedule 3 Fees**

Provision under which proceedings commenced	Relevant regulation	Fees payable \$
<i>Cremation Act 1929</i> s. 8(6)	Nil	
<i>Dangerous Goods Safety Act 2004</i> s. 67(2)	r. 11	Sch. 6 item 1
<i>Dangerous Goods (Transport) Act 1998</i> s. 27 or 31	r. 11	Sch. 6 item 1
<i>Debt Collectors Licensing Act 1964</i> s. 11(1)	r. 9	Sch. 4 items 1, 3-6
<i>Debt Collectors Licensing Act 1964</i> s. 10(1c) or 11(2)	Nil	
<i>Dental Act 1939</i> s. 30(2), 30A or 31(1aa)	Nil	
<i>Dental Act 1939</i> s. 33	r. 9	Sch. 4 items 1, 3-6
<i>Dental Prosthetists Act 1985</i> s. 20(1) or (4)	Nil	
<i>Dental Prosthetists Act 1985</i> s. 22(1)	r. 11	Sch. 6 item 1
<i>Dog Act 1976</i> s. 16A(3), 17(1), 27(7), 33F(6)(a) or (b) or (8), 33G(4)(a) or (b), 33H(5)(a) or (b), 33I(1)(a)(i), (b) or (c) or 36(3)	r. 11	Sch. 6 item 1
<i>Dog Act 1976</i> s. 26(5) or 40(4)	Nil	
<i>East Perth Redevelopment Act 1991</i> s. 45	r. 24	Sch. 18 items 1-4
<i>East Perth Redevelopment Act 1991</i> s. 47(2)	r. 24	Sch. 18 item 1
<i>Electricity (Licensing) Regulations 1991</i> r. 31(1) or 47(1)	Nil	
<i>Employment Agents Act 1976</i> s. 22(4) or 25(1)	r. 12	Sch. 7 item 1
<i>Energy Coordination Act 1994</i> s. 11ZH(2) or (2a), 11ZPD(1) or (2), 11ZPE, 11ZPF(1) or (2) or 24AC	Nil	
<i>Equal Opportunity Act 1984</i> s. 85, 90(2), 93(1), 107(1), 126, or 135(1), (2) or (6)(b)	Nil	

State Administrative Tribunal Regulations 2004

	Fees	Schedule 3
Provision under which proceedings commenced	Relevant regulation	Fees payable \$
<i>Explosives and Dangerous Goods Act 1961</i> s. 52(1)	r. 11	Sch. 6 item 1
<i>Fair Trading Act 1987</i> s. 46(2), (3) or (8) or 47(1)	Nil	
<i>Finance Brokers Control Act 1975</i> s. 23(1)	r. 10	Sch. 5 items 2, 4-7
<i>Finance Brokers Control Act 1975</i> s. 35(5), 72(1), 73(1), 73(2) or 73(4)(b)	r. 10	Sch. 5 items 1, 4-7
<i>Finance Brokers Control Act 1975</i> s. 77, 78(1) or 78(3)	r. 10	Sch. 5 items 3-7
<i>Finance Brokers Control Act 1975</i> s. 82	Nil	
<i>Fire and Emergency Services Authority of Western Australia Act 1998</i> s. 36ZF	Nil	
<i>Firearms Act 1973</i> s. 22(2)	Nil	
<i>Fire Brigades Act 1942</i> s. 25A(4) or 33(e)(ii)	r. 12	Sch. 7
<i>First Home Owner Grant Act 2000</i> s. 31(1)	r. 11	Sch. 6 item 1
<i>Fisheries Adjustment Schemes Act 1987</i> s. 14J(1) or 14L(1)	r. 17	Sch. 11
<i>Fishing and Related Industries Compensation (Marine Reserves) Act 1997</i> s. 8(1a) or (2), or 10(1)	r. 17	Sch. 11
<i>Fish Resources Management Act 1994</i> s. 149(1)	r. 18	Sch. 12
<i>Fish Resources Management Act 1994</i> s. 255(5)	Nil	
<i>Gas (Standards) Act 1947</i> s. 13A(11) or 13B(1)	Nil	
<i>Gas (Standards) Act 1947</i> s. 13A(15)	r. 9	Sch. 4 items 2-6
<i>Gender Reassignment Act 2000</i> s. 21(1)	r. 9	Sch. 4 items 1, 3-6

State Administrative Tribunal Regulations 2004**Schedule 3 Fees**

Provision under which proceedings commenced	Relevant regulation	Fees payable \$
<i>Guardianship and Administration Act 1990</i>	Nil	
<i>Hairdressers Registration Act 1946</i> s. 16(1a)	Nil	
<i>Hairdressers Registration Act 1946</i> s. 16A(1)	r. 12	Sch. 7
<i>Health Act 1911</i> s. 36(1), 137(ii) or 192(2)	Nil	
<i>Health Act 1911</i> s. 62 —		
(a) if the claim does not exceed the jurisdiction of the Local Court	r. 11	Sch. 6 items 2-4
(b) if the claim exceeds the jurisdiction of the Local Court but does not exceed the jurisdiction of the District Court	r. 10	Sch. 5 items 1, 4-7
(c) if the claim exceeds the jurisdiction of the District Court	r. 9	Sch. 4 items 1, 3-6
<i>Health Act 1911</i> s. 244(1)	r. 9	Sch. 4 items 1, 3-6
<i>Health Act 1911</i> s. 246Y(6) or 246ZG(1)	r. 11	Sch. 6 item 1
<i>Heritage of Western Australia Act 1990</i> s. 30(1), 37(3), 59(10), 60(1)(b), 73(4) or 76(1)	Nil	
<i>Heritage of Western Australia Act 1990</i> s. 60(1)(a)	r. 24	Sch. 18 item 1
<i>Heritage of Western Australia Act 1990</i> s. 42(1)	r. 9	Sch. 4 items 1, 3-6
<i>Hire-Purchase Act 1959</i> s. 3(4g), 12A(2) or 36A(6)	r. 11	Sch. 6 item 1
<i>Hope Valley-Wattleup Redevelopment Act 2000</i> s. 29(1)	r. 24	Sch. 18 items 1-4
<i>Hope Valley-Wattleup Redevelopment Act 2000</i> s. 31(2)	r. 24	Sch. 18 item 1

State Administrative Tribunal Regulations 2004

	Fees	Schedule 3
Provision under which proceedings commenced	Relevant regulation	Fees payable \$
<i>Hospitals and Health Services Act 1927</i> s. 26H(1)	r. 11	Sch. 6 item 1
<i>Housing Societies Act 1976</i> s. 87(2)	r. 10	Sch. 5 items 2, 4-7
<i>Human Reproductive Technology Act 1991</i> s. 36A, 42(3), 42(3a) or 43(1)	r. 9	Sch. 4 items 1, 3-6
<i>Human Reproductive Technology Act 1991</i> s. 38(1)	Nil	
<i>Jetties Act 1926</i> s. 7A(1)	Nil	
<i>Land Administration Act 1997</i> s. 126	Nil	
<i>Land Administration Act 1997</i> s. 210(1), 214(2) or 222(1)	r. 9	Sch. 4 items 1, 3-6
<i>Land Administration Act 1997</i> s. 221(1)(b) or 220(c) —		
(a) if the claim does not exceed the jurisdiction of the Local Court	r. 11	Sch. 6 items 2-4
(b) if the claim exceeds the jurisdiction of the Local Court but does not exceed the jurisdiction of the District Court	r. 10	Sch. 5 items 1, 4-7
(c) if the claim exceeds the jurisdiction of the District Court	r. 9	Sch. 4 items 1, 3-6
<i>Land Administration Act 1997</i> s. 230(1)	Nil	
<i>Land Drainage Act 1925</i> s. 85(6), 99(2) or 99A(2)	Nil	
<i>Land Valuers Licensing Act 1978</i> s. 16(1)	r. 10	Sch. 5 items 2, 4-7
<i>Land Valuers Licensing Act 1978</i> s. 27	Nil	
<i>Legal Contribution Trust Act 1967</i> s. 28(2)	r. 9	Sch. 4 items 1, 3-6
<i>Legal Practice Act 2003</i> s. 20(9), 26(2), 28(5), 34(4), 44, 69(1), 70(1) or (2), 87(2), 113, 132(2), 135, 149(1), 150(1), 155, 156(1), 182(1) or 202	r. 9	Sch. 4 items 1, 3-6

State Administrative Tribunal Regulations 2004**Schedule 3 Fees**

Provision under which proceedings commenced	Relevant regulation	Fees payable \$
<i>Legal Practice Act 2003</i> s. 39(2) or (3), 60(3), 94(4), 180(1) or 204(6)	Nil	
<i>Legal Practice Act 2003</i> s. 87(3), 132(3), 149(3), 153(b), 156(4)	r. 9	Sch. 4 items 2-6
<i>Licensed Surveyors Act 1909</i> s. 20B or 21(6)	Nil	
<i>Licensed Surveyors Act 1909</i> s. 22A(1)	r. 10	Sch. 5 items 2, 4-7
<i>Litter Act 1979</i> s. 25(6)	Nil	
<i>Local Government Act 1995</i> s. 2.27(6) or (7)	r. 12	Sch. 7
<i>Local Government Act 1995</i> s. 3.25(5), 6.77, 6.78, 6.82(1), or 9.7(1) or (2)	Nil	
<i>Local Government (Miscellaneous Provisions) Act 1960</i> s. 295(3)(d) or (4)(d), 374(2)(a), 347A(3), 399(5), 401(3), 401A(6), 409A(3) or 413(2)	Nil	
<i>Local Government (Miscellaneous Provisions) Act 1960</i> s. 377(5), 378(3), 380(3), 389, 392(1), 395(1), 403(6), 408(3), 409(3), 411(3) or 417(3)	r. 19	Sch. 13 item 1
<i>Maritime Archaeology Act 1973</i> s. 18(6)	r. 9	Sch. 4 items 1, 3-6
<i>Marketing of Eggs Act 1945</i> s. 32(3)	r. 11	Sch. 6 items 2-4
<i>Marketing of Eggs Act 1945</i> s. 32H(1) or 32J(3)	Nil	
<i>Marketing of Potatoes Act 1946</i> s. 19A or 28(3)	Nil	
<i>Marketing of Potatoes Act 1946</i> s. 31	r. 12	Sch. 7
<i>Medical Act 1894</i> s. 12BA(5), 12BB(1)(a), 13(1), 13(2), 13(9ba) or 13(9bb)	Nil	
<i>Medical Act 1894</i> s. 13(8)	r. 9	Sch. 4 items 1, 3-6
<i>Medical Act 1894</i> s. 21CA(8) or 21CD(1)	r. 10	Sch. 5 items 2, 4-7

State Administrative Tribunal Regulations 2004

		Fees	Schedule 3
Provision under which proceedings commenced	Relevant regulation	Fees payable \$	
<i>Mental Health Act 1996</i> s. 148A(1) or (2)	Nil		
<i>Metropolitan Region Town Planning Scheme Act 1959</i> s. 35F(1)	r. 24	Sch. 18 items 1-4	
<i>Metropolitan Region Town Planning Scheme Act 1959</i> s. 36(2b)(b) —			
(a) if the value of the land claimed by the owner is not more than \$1 000	r. 11	Sch. 6 items 2-4	
(b) if the value of the land claimed by the owner is more than \$1 000	r. 9	Sch. 4 items 1, 3 and 4	
<i>Metropolitan Region Town Planning Scheme Act 1959</i> s. 43(3)	r. 24	Sch. 18 item 1	
<i>Metropolitan Water Authority Act 1982</i> s. 43(11) or (13)	Nil		
<i>Metropolitan Water Supply, Sewerage, and Drainage Act 1909</i> s. 57D(1) or 57G(7)	r. 11	Sch. 6 item 1	
<i>Midland Redevelopment Act 1999</i> s. 52(1)	r. 24	Sch. 18 items 1-4	
<i>Midland Redevelopment Act 1999</i> s. 54(2)	r. 24	Sch. 18 item 1	
<i>Motor Vehicle Dealers Act 1973</i> s. 20(1), (2) or (3) or 22(3)	Nil		
<i>Motor Vehicle Dealers Act 1973</i> s. 22(1) or 37B(2)	r. 11	Sch. 6 item 1	
<i>Motor Vehicle Dealers Act 1973</i> s. 32K(1), 32L(1) or 32L(3)	r. 10	Sch. 5 items 1, 4-7	
<i>Motor Vehicle Dealers Act 1973</i> s. 32M(1) or 32N(1) or (3)	r. 10	Sch. 5 items 3-7	
<i>Motor Vehicle Drivers Instructors Act 1963</i> s. 10(2)(a)	r. 12	Sch. 7	

State Administrative Tribunal Regulations 2004**Schedule 3 Fees**

Provision under which proceedings commenced	Relevant regulation	Fees payable \$
<i>Nurses Act 1992</i> s. 43(2a), 44(3), 59B(4), 59C(1), 63(1)(b) or 64(2)(g)	Nil	
<i>Nurses Act 1992</i> s. 78	r. 11	Sch. 6 item 1
<i>Occupational Therapists Registration Act 1980</i> s. 15(1aa), 21(1aa), 23(4), 28(1) or 29(1)	Nil	
<i>Occupational Therapists Registration Act 1980</i> s. 33	r. 11	Sch. 6 item 1
<i>Optical Dispensers Act 1966</i> s. 5(4), or 7(1) or (4)	Nil	
<i>Optometrists Act 1940</i> s. 26(1), 28(1) or (2), or 42(3)	Nil	
<i>Optometrists Act 1940</i> s. 31	r. 9	Sch. 4 items 1, 3-6
<i>Osteopaths Act 1997</i> s. 36(3a), 37(3), 55(1)(a), 64(f), 70(1) or 74(1)(b)	Nil	
<i>Osteopaths Act 1997</i> s. 89	r. 9	Sch. 4 items 1, 3-6
<i>Painters' Registration Act 1961</i> s. 16(1) or 16B(1)	Nil	
<i>Painters' Registration Act 1961</i> s. 18(1)	r. 11	Sch. 6 item 1
<i>Pawnbrokers and Second-hand Dealers Act 1994</i> s. 27(2)	Nil	
<i>Pawnbrokers and Second-hand Dealers Act 1994</i> s. 30(1) or 93(1)	r. 12	Sch. 7
<i>Pawnbrokers and Second-hand Dealers Act 1994</i> s. 68 or 73(2)	r. 13	Sch. 8 items 1, 4-7
<i>Pawnbrokers and Second-hand Dealers Act 1994</i> s. 73(2)	r. 13	Sch. 8 item 1
<i>Pearling Act 1990</i> s. 33(1) or (3)	Nil	
<i>Perth Parking Management Act 1999</i> s. 17(1) or (2)	Nil	
<i>Petroleum Act 1967</i> s. 82(1) or 85(2)	r. 9	Sch. 4 items 1 and 3-6

State Administrative Tribunal Regulations 2004

	Fees	Schedule 3
Provision under which proceedings commenced	Relevant regulation	Fees payable \$
<i>Petroleum Pipelines Act 1969</i> s. 54(1)	r. 9	Sch. 4 items 1 and 3-6
<i>Petroleum Retailers Rights and Liabilities Act 1982</i> s. 5(10)	Nil	
<i>Petroleum (Submerged Lands) Act 1982</i> s. 88(1) or 92(1)	r. 9	Sch. 4 items 1, 3-6
<i>Pharmacy Act 1964</i> s. 22(3), 23(4), 26(3) or 32B	r. 9	Sch. 4 items 1, 3-6
<i>Pharmacy Act 1964</i> s. 26(5) or 32(2)	Nil	
<i>Physiotherapists Regulations 1951</i> r. 20 or 21	Nil	
<i>Pig Industry Compensation Act 1942</i> s. 8(3)	Nil	
<i>Plant Diseases Act 1914</i> s. 18(4) or 22(5)	Nil	
<i>Plant Pests and Diseases (Eradication Funds) Act 1974</i> s. 13(6)	r. 11	Sch. 6 item 1
<i>Podiatrists Registration Act 1984</i> s. 22(3), 28(1a) or 29(1)	Nil	
<i>Podiatrists Registration Act 1984</i> s. 33	r. 11	Sch. 6 item 1
<i>Poisons Act 1964</i> s. 29(1)	r. 12	Sch. 7
<i>Psychologists Registration Act 1976</i> s. 35(3), 39(1a) or 40(1)	Nil	
<i>Psychologists Registration Act 1976</i> s. 44	r. 9	Sch. 4 items 1, 3-6
<i>Public Meetings and Processions Act 1984</i> s. 8(1)	r. 12	Sch. 7
<i>Radiation Safety Act 1975</i> s. 12(1)	r. 9	Sch. 4 items 1, 3-6
<i>Radiation Safety Act 1975</i> s. 54(3)	r. 12	Sch. 7
<i>Rail Safety Act 1998</i> s. 20(1)(e) or (3)	r. 10	Sch. 5 items 2, 4-7
<i>Real Estate and Business Agents Act 1978</i> s. 23(1)	r. 10	Sch. 5 items 2, 4-7

State Administrative Tribunal Regulations 2004**Schedule 3 Fees**

Provision under which proceedings commenced	Relevant regulation	Fees payable \$
<i>Real Estate and Business Agents Act 1978</i> s. 92(1) or 93(1) or (2)	r. 10	Sch. 5 items 1, 4-7
<i>Real Estate and Business Agents Act 1978</i> s. 93(4)(b), 97 or 98(1) or (3)	r. 10	Sch. 5 items 3-7
<i>Real Estate and Business Agents Act 1978</i> s. 102(1)	Nil	
<i>Retirement Villages Act 1992</i> s. 9(3)(c)	Nil	
<i>Retirement Villages Act 1992</i> s. 9(3)(e), 9(6), 44(1), 56(1), 57(1), 58(1), 59(1), 62(1), 63(1), 64(1), 67(2), 68(1), 69(3), 70(1)(a) or 75(4)	r. 20	Sch. 14 item 1
<i>Rights in Water and Irrigation Act 1914</i> s. 26GG(1), 26GH(1) or (2) or 26GI	r. 21	Sch. 15 item 1, 2, 3 or 4
<i>Rights in Water and Irrigation Act 1914</i> s. 39F(2) or 39G(2)	Nil	
<i>Road Traffic Act 1974</i> s. 25(1) or 48(4)	r. 12	Sch. 7
<i>Royal Agricultural Society Act 1926</i> s. 3(3)	Nil	
<i>Security and Related Activities (Control) Act 1996</i> s. 67(1) or (3b)(a)	Nil	
<i>Security and Related Activities (Control) Act 1996</i> s. 72(1)	r. 12	Sch. 7
<i>Settlement Agents Act 1981</i> s. 23(1)	r. 10	Sch. 5 items 2, 4-7
<i>Settlement Agents Act 1981</i> s. 73(1) or 74(1) or (2)	r. 10	Sch. 5 items 1, 4-7
<i>Settlement Agents Act 1981</i> s. 74(4)(b), 78 or 79(1) or (3)	r. 10	Sch. 5 items 3-7
<i>Settlement Agents Act 1981</i> s. 83	Nil	
<i>Soil and Land Conservation Act 1945</i> s. 34(1) or 39(1)	Nil	
<i>State Administrative Tribunal Act 2004</i> s. 44(3)(b) or (4)	Nil	

State Administrative Tribunal Regulations 2004

	Fees	Schedule 3
Provision under which proceedings commenced	Relevant regulation	Fees payable \$
<i>State Superannuation Act 2000</i> s. 13(3)(a)	r. 9	Sch. 4 items 1 and 3-6
<i>Strata Titles Act 1985</i> s. 16(1), 26(4) or 64(1)	Nil	
<i>Strata Titles Act 1985</i> s. 26(5) and 27(3)	r. 24	Sch. 18 items 1-4
<i>Strata Titles Act 1985</i> s. 39A(5), 47(2)(a), 83(1), 85, 86, 87, 88, 89, 90, 91, 92, 93(1), 94(1), 95(1), 97(1), 98, 99(1), 99A(1), 100(1), 101, 102(1)(e), (f) or (g), 102(3), 103(1) or (2), 103A(1), 103B(1), 103C(1), 103D(1), 103E(1), 103F(1) or (4), 103G(1), 103H(1), 103I(1), 103J(1), 103K(1), 103L(1), 103M(1), 103N(1), 103O(1), 103P(1), 103Q(1), 103R(1), 114(5), Sch. 3 cl. 12(10)(a) or 13A(5) or Sch. 4 cl. 2(7)(a)	r. 22	Sch. 16
<i>Subiaco Redevelopment Act 1994</i> s. 52(1)	r. 24	Sch. 18 items 1-4
<i>Subiaco Redevelopment Act 1994</i> s. 54(2)	r. 24	Sch. 18 item 1
<i>Swan River Trust Act 1988</i> s. 68(2)	Nil	
<i>Taxation Administration Act 2003</i> s. 38(5)	Nil	
<i>Taxation Administration Act 2003</i> s. 40(1) — (a) in relation to an objection or on an application for an extension of time for lodging an objection under the <i>Land Tax Assessment Act 2002</i> (including a minor proceeding as defined in the Act section 93(1))	Nil	

State Administrative Tribunal Regulations 2004**Schedule 3 Fees**

Provision under which proceedings commenced	Relevant regulation	Fees payable \$
(b) any other minor proceeding as defined in the Act section 93(1)	r. 23	Sch. 17 item 1
(c) in relation to any other objection or on an application for an extension of time for lodging an objection	r. 9	Sch. 4 items 1, 3-6
<i>Taxi Act 1994</i> s. 20(4), 22(2), 23(4), 30(3) or 37(2)	r. 11	Sch. 6 item 1
<i>Town Planning and Development Act 1928</i> s. 17(3)	r. 9	Sch. 4 items 1, 3-6
<i>Town Planning and Development Act 1928</i> s. 7B(6)(a), 8A(1), 8B or 26(1)(a), (ab) or (ad)	r. 24	Sch. 18 items 1-4
<i>Town Planning and Development Act 1928</i> s. 7B(8)(b) or 10AA	r. 24	Sch. 18 item 1
<i>Town Planning and Development Act 1928</i> s. 18(2a)	Nil	
<i>Transport Co-ordination Act 1966</i> s. 57(3)	r. 12	Sch. 7
<i>Travel Agents Act 1985</i> s. 21(5)	Nil	
<i>Travel Agents Act 1985</i> s. 23(1)	r. 10	Sch. 5 items 2, 4-7
<i>Travel Agents Act 1985</i> s. 39(1) or (2), or 40	Nil	
<i>Valuation of Land Act 1978</i> s. 33(2), 35(2) or 36(1)	Nil	
<i>Veterinary Preparations and Animal Feeding Stuffs Act 1976</i> s. 40(3)	r. 12	Sch. 7
<i>Veterinary Surgeons Act 1960</i> s. 23(2a), 24(4a), 24A(10) or 26F(2)	Nil	
<i>Veterinary Surgeons Act 1960</i> s. 22(1), 23(12), 24(1), 24B(1) or 26E(5)	r. 10	Sch. 5 items 2, 4-7

State Administrative Tribunal Regulations 2004

		Fees	Schedule 3
Provision under which proceedings commenced	Relevant regulation	Fees payable \$	
<i>Water Agencies (Powers) Act 1984</i>			
s. 62(2) —			
(a) if the claim does not exceed the jurisdiction of the Local Court	r. 11	Sch. 6 items 2-4	
(b) if the claim exceeds the jurisdiction of the Local Court but does not exceed the jurisdiction of the District Court	r. 10	Sch. 5 items 1, 4-7	
(c) if the claim exceeds the jurisdiction of the District Court	r. 9	Sch. 4 items 1, 3-6	
<i>Water Boards Act 1904</i> s. 88(2) or 89(2)	Nil		
<i>Water Services Licensing Act 1995</i> s. 44(1) or 54(1)	Nil		
<i>Water Services Licensing Act 1995</i> s. 57(4)	r. 10	Sch. 5 items 2, 4-7	
<i>Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000</i> r. 29(1)	Nil		
<i>Water Services Licensing (Plumbers Licensing and Plumbing Standards) Regulations 2000</i> r. 100(2)	r. 11	Sch. 6 item 1	
<i>Waterways Conservation Act 1976</i> s. 46(11)	Nil		
<i>Western Australian Meat Industry Authority Act 1976</i> s. 22(1)	Nil		
<i>Western Australian Planning Commission Act 1985</i> s. 32(2)(b) —			
(a) if the value of the land claimed by the owner is not more than \$25 000	r. 11	Sch. 6 items 2-4	
(b) if the value of the land claimed by the owner is more than \$25 000	r. 9	Sch. 4 item 1	

State Administrative Tribunal Regulations 2004**Schedule 3 Fees**

Provision under which proceedings commenced	Relevant regulation	Fees payable \$
<i>Western Australian Planning Commission Act 1985 s. 25(1) or (2), or 37E(1)</i>	r. 24	Sch. 18 items 1-4
<i>Western Australian Planning Commission Act 1985 s. 37J(4)</i>	r. 24	Sch. 18 item 1

State Administrative Tribunal Regulations 2004**Fees Schedule 4****Schedule 4 — Fees**

[r. 9]

Item	Matter	Fee \$
1.	Application by —	
	(a) an individual	558.00
	(b) a person other than an individual	837.00
2.	Application by —	
	(a) an individual	147.00
	(b) a person other than an individual	221.00
3.	Application to extend time for lodging an application by —	
	(a) an individual	210.00
	(b) a person other than an individual	315.00
4.	Hearing fee (for each day allocated) for an application by —	
	(a) an individual	420.00
	(b) a person other than an individual	840.00
5.	Hearing fee (for each half day allocated) for an application by —	
	(a) an individual	210.00
	(b) a person other than an individual	420.00
6.	Assessment of costs —	
	(a) fee for application by —	
	(i) an individual	147.00
	(ii) a person other than an individual	221.00
	(b) in addition to the application fee, an assessment fee at the rate of	2.5%

State Administrative Tribunal Regulations 2004**Schedule 5 Fees****Schedule 5 — Fees**

[r. 10]

Item	Matter	Fee \$
1.	Application by —	
	(a) an individual	158.00
	(b) a person other than an individual	210.00
2.	Application by —	
	(a) an individual	52.50
	(b) a person other than an individual	105.00
3.	Application by —	
	(a) an individual	105.00
	(b) a person other than an individual	158.00
4.	Application to extend time for lodging an application by —	
	(a) an individual	52.50
	(b) a person other than an individual	105.00
5.	Hearing fee (for each day allocated) for an application by —	
	(a) an individual	368.00
	(b) a person other than an individual	736.00
6.	Hearing fee (for each half day allocated) for an application by —	
	(a) an individual	184.00
	(b) a person other than an individual	368.00
7.	Assessment of costs —	
	(a) fee for application by —	
	(i) an individual	105.00
	(ii) a person other than an individual	158.00
	(b) in addition to the application fee, an assessment fee at the rate of	2.5%

State Administrative Tribunal Regulations 2004**Fees Schedule 6****Schedule 6 — Fees**

[r. 11]

Item	Matter	Fee \$
1.	Application	
	(a) if the claim is less than \$5 000	64.00
	(b) if the claim is \$5 000 or more but less than \$10 000	130.00
	(c) if the claim is \$10 000 or more	221.00
2.	Application	
	(a) if the claim is less than \$5 000	51.00
	(b) if the claim is \$5 000 or more but less than \$10 000	105.00
	(c) if the claim is \$10 000 or more	208.00
3.	Response	40.00
4.	Hearing fee (for each day or part of a day allocated) —	
	(a) if the claim is less than \$5 000	64.00
	(b) if the claim is \$5 000 or more but less than \$10 000	130.00
	(c) if the claim is \$10 000 or more	221.00

State Administrative Tribunal Regulations 2004**Schedule 7** Application fee

Schedule 7 — Application fee

[r. 12]

Item	Matter	Fee \$
1.	Application	51.00

State Administrative Tribunal Regulations 2004Fees **Schedule 8****Schedule 8 — Fees**

[r. 13]

Item	Matter	Fee \$
1.	Application	66.00
2.	Application	29.00
3.	Application (per folio: a folio comprises 72 words)	6.00
4.	Interim application fee	66.00
5.	Issue of third party notice	66.00
6.	Application to extend time or limit time within which proceedings may be taken	18.00
7.	Response	21.00

State Administrative Tribunal Regulations 2004

Schedule 9 Application fee relating to proceedings under the Associations
Incorporation Act 1987

**Schedule 9 — Application fee relating to proceedings
under the *Associations Incorporation Act 1987***

[r. 14]

Item	Matter	Fee \$
1.	Application	31.00

State Administrative Tribunal Regulations 2004

Application fee relating to proceedings under the Caravan Parks and Camping Grounds Act 1995 **Schedule 10**

**Schedule 10 — Application fee relating to proceedings
under the *Caravan Parks and Camping Grounds Act 1995***

[r. 15]

Item	Matter	Fee \$
1.	Application	100.00

State Administrative Tribunal Regulations 2004

Schedule 11 Application fee relating to proceedings under fisheries
legislation

**Schedule 11 — Application fee relating to proceedings
under fisheries legislation**

[r. 17]

Item	Matter	Fee \$
1.	Application	300.00

State Administrative Tribunal Regulations 2004

Application fee relating to proceedings under the Fish Resources Management Act 1994 **Schedule 12**

**Schedule 12 — Application fee relating to proceedings
under the *Fish Resources Management Act 1994***

[r. 18]

Item	Matter	Fee \$
1.	Application	365.00

State Administrative Tribunal Regulations 2004

Schedule 13 Application fees relating to proceedings under the Local Government (Miscellaneous Provisions) Act 1960

**Schedule 13 — Application fees relating to proceedings
under the *Local Government (Miscellaneous Provisions)
Act 1960***

[r. 19]

Item	Matter	Fee
		\$
1.	Application	200.00

State Administrative Tribunal Regulations 2004

Application fees relating to proceedings under the Retirement Villages Act 1992 **Schedule 14**

**Schedule 14 — Application fees relating to proceedings
under the *Retirement Villages Act 1992***

[r. 20]

Item	Matter	Fee \$
1.	Application	30.00

State Administrative Tribunal Regulations 2004**Schedule 15** Application fees relating to proceedings under the Rights in Water and Irrigation Act 1914**Schedule 15 — Application fees relating to proceedings under the *Rights in Water and Irrigation Act 1914***

[r. 21]

Item	Matter	Fee \$
1.	An application under section 26GG(1) where the volume of water taken, or the water entitlement transferred or proposed to be taken or transferred, under the licence per year is —	
	(a) not more than 1 500 kilolitres	100
	(b) more than 1 500 but less than 10 000 kilolitres	200
	(c) more than 10 000 but less than 100 000 kilolitres	300
	(d) more than 100 000 kilolitres	500
2.	(1) An application under section 26GH(1) regarding a direction related to the taking of water for domestic purposes, or for the watering of stock	100
	(2) All other applications under section 26GH(1)	200
3.	An application under section 26GI	300
4.	All other applications under the <i>Rights in Water and Irrigation Act 1914</i> Part III Division 3B	300

State Administrative Tribunal Regulations 2004

Application fee relating to proceedings under the Strata Titles Act 1985 **Schedule 16**

**Schedule 16 — Application fee relating to proceedings
under the *Strata Titles Act 1985***

[r. 22]

Item	Matter	Fee \$
1.	Application	55.00

State Administrative Tribunal Regulations 2004

Schedule 17 Fee relating to proceedings under the Taxation Administration Act 2003

**Schedule 17 — Fee relating to proceedings under the
*Taxation Administration Act 2003***

[r. 23]

Item	Matter	Fee \$
1.	For a minor proceeding as defined in the Act section 93(1)	27.00

State Administrative Tribunal Regulations 2004

Fees relating to proceedings under the Town Planning and Development Act 1928 **Schedule 18**

**Schedule 18 — Fees relating to proceedings under the
*Town Planning and Development Act 1928***

[r. 24]

Item	Matter	Fee \$
1.	Class 1 application	325.00
2.	Class 2 application	600.00
3.	Hearing fee for Class 1 application —	
	(a) first day allocated	Nil
	(b) for each subsequent day allocated	250.00
4.	Hearing fee for Class 2 application (for each day allocated)	400.00

State Administrative Tribunal Regulations 2004**Schedule 19** Application fee for applications under other provisions

**Schedule 19 — Application fee for applications under
other provisions**

[r. 26]

Item	Matter	Fee \$
1.	Application by —	
	(a) an individual	52.50
	(b) a person other than an individual	105.00

State Administrative Tribunal Regulations 2004**Other fees Schedule 20****Schedule 20 — Other fees**

[r. 27]

Item	Type of fee	Fee \$
1.	Application under the Act section 22(1) by —	
	(a) an individual	52.50
	(b) a person other than an individual	105.00
2.	For a copy of a document, for each page or part of a page	1.00
3.	For a copy of reasons for decision —	
	(a) for one copy on the request of a party to the application	Nil
	(b) for each additional copy on the request of a party to the application, for each page or part of a page	1.00
	(c) for each copy on the request of a person who is not a party to the application, for each page or part of a page	1.00
4.	For certifying under seal that a document is a true copy, an additional fee of	10.00
5.	For a copy of a transcript (whether or not in electronic format), for each page or part of a page (minimum fee: \$15.00)	4.50
6.	For a copy of a running transcript (whether or not in electronic format), for each page or part of a page (minimum fee: \$15.00)	4.50 plus 44.00 per day
7.	For a copy of a transcript on a disk, for each page or part of a page (minimum fee: \$15.00)	4.50 plus 5.00 per disk

State Administrative Tribunal Regulations 2004**Schedule 20** Other fees

Item	Type of fee	Fee \$
8.	For searching the register of proceedings other than a search made by or on behalf of a party to the application of that part of the register applicable to the application	11.50
9.	For searching any proceeding or record other than a search made by or on behalf of a party to the application	26.00
10.	For sealing a summons to a witness	21.00

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

State Administrative Tribunal Regulations 2004**Defined Terms****Defined Terms**

*[This is a list of terms defined and the provisions where they are defined.
The list is not part of the law.]*

Defined Term	Provision(s)
Act.....	3
approved form.....	3
Class 1 application.....	24(1)
Class 2 application.....	24(1)
commencement day	28(1), 29(1), 30(1), 31(1), 32(1), 33(1), 34(1), 35(1), 36(1), 37(1), 38(1), 39(1), 40(1), 41(1), 43(1), 44(1), 45(1), 46(1), 49(1), 50(1), 51(1), 52(1), 53(1), 54(1), 55(1), 56(1), 57(1), 58(1), 59(1), 60(1), 61(1), 62(1), 63(1), 64(1), 65(1), 66(1), 67(1)
Commissioner	46(1)
corporation.....	9(1), 10(1)
Corporation.....	43(1), 44(1), 54(1), 58(1), 61(1)
DCL Act.....	46(1)
Executive Director	50(1)
former adjudicator.....	3
hearing fee.....	24(1)
individual	9(1), 10(1)
non-profit association.....	9(1), 10(1)
notifiable person	3
Nurses Act.....	35(1)
referee	63(1)
referring person.....	3
small business	9(1), 10(1)
subsidiary	9(1), 10(1)
the CTRS Act.....	29(1)
the CTS Act	44(1)
the CWS Act	43(1)
the FRM Act	50(1)
the GA Act	52(1)
the HWA Act	53(1)
the LD Act	54(1)
the LG Act	56(1)
the MRTPS Act.....	57(1)
the MWA Act.....	58(1)
the RWI Act.....	61(1)
the ST Act	63(1)
the TA Act	64(1)

State Administrative Tribunal Regulations 2004**Defined Terms**

the VL Act	65(1)
the WAPC Act	67(1)
the WB Act	66(1)
time for making an application	28(3)
transfer day	42
Water Board.....	66(1)

