

TASMANIA

**JUSTICE AND RELATED LEGISLATION
(MISCELLANEOUS AMENDMENTS) BILL 2026**

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**JUSTICE AND RELATED LEGISLATION
(MISCELLANEOUS AMENDMENTS) BILL 2026**

*(Brought in by the Minister for Justice, Corrections and
Rehabilitation, the Honourable Guy Barnett)*

A BILL FOR

An Act to amend the *Local Government Act 1993*, the *Local Government (Highways) Act 1982*, the *Retirement Villages Act 2004* and the *Tasmanian Civil and Administrative Tribunal Act 2020* and regulations made under that Act

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Justice and Related Legislation (Miscellaneous Amendments) Act 2026*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

3. Repeal of Act

This Act is repealed on the first anniversary of the day on which it commenced.

Justice and Related Legislation (Miscellaneous Amendments)
Act 2026
Act No. of 2026

s. 4

Part 2 – Local Government (Highways) Act 1982 Amended

**PART 2 – LOCAL GOVERNMENT (HIGHWAYS) ACT
1982 AMENDED**

4. Principal Act

In this Part, the *Local Government (Highways) Act 1982** is referred to as the Principal Act.

5. Section 46 amended (Permission to carry out various works in relation to highways)

Section 46 of the Principal Act is amended as follows:

- (a) by omitting from subsection (8) “subsections (9) and (10)” and substituting “subsection (9)”; and
- (b) by omitting subsection (10).

*No. 57 of 1982

Justice and Related Legislation (Miscellaneous Amendments)
Act 2026
Act No. of 2026

Part 3 – Local Government Act 1993 Amended

s. 6

**PART 3 – LOCAL GOVERNMENT ACT 1993
AMENDED**

6. Principal Act

In this Part, the *Local Government Act 1993** is referred to as the Principal Act.

7. Section 28ZK amended (Notification of determination of code of conduct complaint)

Section 28ZK(6)(a) of the Principal Act is amended by omitting “Magistrates Court (Administrative Appeals Division)” and substituting “Tasmanian Civil and Administrative Tribunal”.

*No. 95 of 1993

Justice and Related Legislation (Miscellaneous Amendments)
Act 2026
Act No. of 2026

s. 8

Part 4 – Retirement Villages Act 2004 Amended

**PART 4 – RETIREMENT VILLAGES ACT 2004
AMENDED**

8. Principal Act

In this Part, the *Retirement Villages Act 2004** is referred to as the Principal Act.

9. Section 14B amended (Tribunal may order increase in recurrent charges in certain circumstances)

Section 14B of the Principal Act is amended as follows:

- (a) by omitting from subsection (6) “Subject to subsection (7), the” and substituting “The”;
- (b) by omitting subsection (7).

*No. 50 of 2004

**PART 5 – TASMANIAN CIVIL AND
ADMINISTRATIVE TRIBUNAL ACT 2020 AMENDED**

10. Principal Act

In this Part, the *Tasmanian Civil and Administrative Tribunal Act 2020** is referred to as the Principal Act.

11. Section 115 substituted

Section 115 of the Principal Act is repealed and the following section is substituted:

115. Changes to time limits

- (1) The Tribunal rules may provide for the Tribunal to, on the application of the applicant or another party to proceedings, or on its own initiative, extend or shorten a time limit for doing anything in connection with any proceedings, or the commencement of proceedings, despite the time limit otherwise imposed under this Act or a relevant Act.
- (2) A time limit may be –
 - (a) extended or shortened subject to conditions specified by the Tribunal; and

*No. 24 of 2020

*Justice and Related Legislation (Miscellaneous Amendments)
Act 2026
Act No. of 2026*

s. 12 Part 5 – Tasmanian Civil and Administrative Tribunal Act 2020 Amended

- (b) extended even if the original time limit has ended.

12. Section 160A inserted

Before section 161 of the Principal Act, the following section is inserted in Division 3:

160A. Further amendment of regulations not prevented

The amendment of a provision of regulations made under this Act, or any other Act, by an Act amending this Act does not prevent that or any other provision of the regulations from being amended or rescinded by a subsequent regulation.

13. Section 162 inserted

After section 161 of the Principal Act, the following section is inserted in Division 3:

162. Savings provision consequent on *Justice and Related Legislation (Miscellaneous Amendments) Act 2026*

Proceedings commenced or instituted in the Resource and Planning stream in relation to the *Retirement Villages Act 2004* before the commencement of the *Justice and Related Legislation (Miscellaneous Amendments) Act 2026*

are to be heard and determined in that stream as if that Act had not commenced.

14. Schedule 2 amended (General Division)

Schedule 2 to the Principal Act is amended as follows:

- (a) by omitting the definitions of *health practitioner* and *National Law* from clause 1 of Part 1;
- (b) by omitting paragraph (ra) from clause 3 of Part 8;
- (c) by omitting from clause 4(1)(b)(i) of Part 8 “resource economics”;
- (d) by omitting from clause 4(1)(b)(xiii) of Part 8 “.” and substituting “;”;
- (e) by inserting the following subparagraph after subparagraph (xiii) in clause 4(1)(b) of Part 8:
 - (xiv) resource economics.

15. Schedule 3 amended (Protective Division)

Schedule 3 to the Principal Act is amended as follows:

- (a) by omitting the definition of *Division function or power* from clause 1 of Part 1;

Justice and Related Legislation (Miscellaneous Amendments)
Act 2026
Act No. of 2026

s. 15 Part 5 – Tasmanian Civil and Administrative Tribunal Act 2020 Amended

- (b) by omitting the definition of *government department* from clause 1 of Part 4;
- (c) by omitting the definitions of *restrictive intervention* and *service provider* from clause 1 of Part 4;
- (d) by omitting “;” from the definition of *spouse* in clause 1 of Part 4 and substituting “.”;
- (e) by omitting the definition of *State authority* from clause 1 of Part 4.

Justice and Related Legislation (Miscellaneous Amendments)
Act 2026
Act No. of 2026

Part 6 – Tasmanian Civil and Administrative Tribunal Regulations 2021
Amended

s. 16

**PART 6 – TASMANIAN CIVIL AND
ADMINISTRATIVE TRIBUNAL REGULATIONS 2021
AMENDED**

16. Principal Regulations

In this Part, the *Tasmanian Civil and Administrative Tribunal Regulations 2021** are referred to as the Principal Regulations.

17. Schedule 2 amended (Fees)

Schedule 2 to the Principal Regulations is amended by inserting after paragraph (b) in item 6 the following item:

6A.	Application under section 115 of the Act to extend or shorten time limit	60
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*S.R. 2021, No. 85