



Queensland

Queensland Civil and Administrative Tribunal Act 2009

Queensland Civil and Administrative Tribunal Regulation 2009

Current as at 1 December 2014

Information about this reprint

This reprint shows the legislation current as at the date on the cover and is authorised by the Parliamentary Counsel.

A new reprint of the legislation will be prepared by the Office of the Queensland Parliamentary Counsel when any change to the legislation takes effect. This change may be because a provision of the original legislation, or an amendment to it, commences or because a particular provision of the legislation expires or is repealed.

When a new reprint is prepared, this reprint will become a historical reprint. Also, if it is necessary to replace this reprint before a new reprint is prepared, for example, to include amendments with a retrospective commencement, an appropriate note would be included on the cover of the replacement reprint and on the copy of this reprint at www.legislation.qld.gov.au.

The endnotes to this reprint contain detailed information about the legislation and reprint. For example—

- The table of reprints endnote lists any previous reprints and, for this reprint, gives details of any discretionary editorial powers under the *Reprints Act 1992* used by the Office of the Queensland Parliamentary Counsel in preparing it.
- The list of legislation endnote gives historical information about the original legislation and the legislation which amended it. It also gives details of uncommenced amendments to this legislation. For information about possible amendments to the legislation by Bills introduced in Parliament, see the Queensland Legislation Current Annotations at www.legislation.qld.gov.au/Leg_Info/information.htm.
- The list of annotations endnote gives historical information at section level.

All Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints are not continued.



Queensland

Queensland Civil and Administrative Tribunal Regulation 2009

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Queensland Civil and Administrative Tribunal Regulation 2009

[as amended by all amendments that commenced on or before 1 December 2014]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Queensland Civil and Administrative Tribunal Regulation 2009*.

2 Commencement

This regulation commences on 31 July 2009.

3 Definitions

The dictionary in schedule 3 defines particular terms used in this regulation.

Part 2 Oath of office

4 Oath of office

(1) For section 228(2) of the Act, the oath is as follows—

‘I, [name] swear I will discharge the functions of the office of [title of office] of the Queensland Civil and Administrative Tribunal to the best of my knowledge and ability and that I will treat everyone fairly and without bias according to law.

So help me God.’.

[s 5]

(2) For section 228(2) of the Act, the affirmation is as follows—

‘I, [name] do solemnly sincerely and truly affirm and declare I will discharge the functions of the office of [title of office] of the Queensland Civil and Administrative Tribunal to the best of my knowledge and ability and that I will treat everyone fairly and without bias according to law.’.

Part 3 Prescribed fees

5 Fee for an application for a minor civil dispute—Act, s 38(1)

(1) The fee for an application to hear a minor civil dispute is as follows—

- (a) if the amount claimed is not more than \$500 or if no amount is claimed—\$23;
- (b) if the amount claimed is more than \$500 but not more than \$1000—\$58.90;
- (c) if the amount claimed is more than \$1000 but not more than \$10,000—\$105;
- (d) if the amount claimed is more than \$10,000—\$294.60.

(2) However, no fee is payable under subsection (1) by a State-related applicant.

(3) In this section—

State-related applicant means—

- (a) the Sovereign; or
- (b) the State or a person acting for the State; or
- (c) an entity whose expenditure is payable, in whole or in part, out of the consolidated fund or a person acting for the entity.

6 Fee for an application or referral made under an enabling Act—Act, s 38(1)

- (1) The fee for an application or referral made under an enabling Act or provision of an enabling Act stated in schedule 1 is as follows—
- (a) for an application or referral made under an Act or provision stated in schedule 1, part 1—\$295;
 - (b) for an application or referral made under an Act or provision stated in schedule 1, part 2—\$295;
 - (c) for an application or referral made under an Act or provision stated in schedule 1, part 3—\$295;
 - (d) for an application or referral made under an Act or provision stated in schedule 1, part 4—\$295;
 - (e) for an application or referral made under an Act or provision stated in schedule 1, part 5—\$295.

Note—

If the fee for each application or referral under a particular enabling Act stated in a particular part of schedule 1 is the same, the part states only the enabling Act and not each of its provisions under which an application or referral may be made. Otherwise, the part states the particular provision under which the application or referral may be made.

- (2) Also, the fee for an application made under the *Prostitution Act 1999*, section 64A or 64B is \$2340.
- (3) However, if an application mentioned in subsection (1) is an application to hear a minor civil dispute, the fee for the application is the fee payable under section 5.

7 Fee for an application for a proceeding to be reopened—Act, s 138(2)(c)

- (1) The fee for an application for a proceeding to be reopened (*reopening application*) is—
- (a) the amount equalling the fee stated in section 5 or 6 for the application or referral that started the proceeding; or

[s 8]

- (b) if no fee is stated in section 5 or 6 for the application or referral that started the proceeding—
 - (i) for a proceeding started under an enabling Act or provision of an enabling Act stated in schedule 1, part 6—nil; or
 - (ii) otherwise—\$294.60.
- (2) If the reopening application is refused, the tribunal must refund to the applicant the balance of the fee paid for the reopening application after deducting, as an administration charge, an amount equalling half the fee payable for the reopening application.

8 Fee for an appeal to the appeal tribunal—Act, s 143(2)(c)

- (1) The fee for an appeal to the appeal tribunal against a decision of the tribunal is as follows—
 - (a) for an appeal against a decision of the tribunal on an application or referral made under an enabling Act or a provision of an enabling Act stated in schedule 1, parts 1 to 5—the amount equalling twice the fee stated in section 6(1) for the application or referral;
 - (b) for an appeal against a decision of the tribunal on an application made under the *Prostitution Act 1999*, section 64A or 64B—\$2340;
 - (c) for an appeal against a decision of the tribunal on any other application or referral other than an application to hear a minor civil dispute—\$589.10.
- (2) However, if the appeal is against a decision of the tribunal in a proceeding for a minor civil dispute, the fee for the appeal is—
 - (a) if the amount claimed is not more than \$10,000 or no amount is claimed—\$294.60; or
 - (b) otherwise—\$589.10.
- (3) The fee for an appeal to the appeal tribunal against a decision of another entity under an enabling Act is \$294.60.

- (4) If leave to appeal against a decision of the tribunal or of another entity under an enabling Act is required under section 142 of the Act or under an enabling Act, the fee mentioned in subsection (1), (2) or (3) for the appeal must accompany the application for leave.
- (5) If the application for leave to appeal is refused, the tribunal must refund to the applicant the balance of the fee mentioned in subsection (1), (2) or (3) for the appeal after deducting, as an administration charge, an amount equalling half the fee payable for the appeal.

9 Other fees

Other fees payable under the Act are stated in schedule 2.

10 Waiver of fees

- (1) A person may apply, in the approved form, to the principal registrar for a fee payable under the Act to be waived.
- (2) The principal registrar may waive the payment of a fee if the principal registrar is satisfied payment of the fee would cause, or would be likely to cause, the person undue financial hardship.

Part 4 Allowances for witnesses and other persons

10A Application of pt 4

This part does not apply to reviews of reviewable decisions under the following Acts—

- (a) the *Adoption Act 2009*;
- (b) the *Child Protection Act 1999*;

[s 11]

- (c) the *Working with Children (Risk Management and Screening) Act 2000*.

Note—

Section 97(3) of the Act provides that if no fees and allowances are prescribed under a regulation in relation to a proceeding, a person required to attend or produce a document or thing to the tribunal is entitled to be paid the fees and allowances decided by the tribunal.

11 Non-professional witness attendance allowance—Act, s 97(3)

- (1) The allowance payable to a non-professional witness who is given a notice under section 97(1)(a) of the Act is—
- (a) if the witness is under 16 years—\$38; or
 - (b) if the witness is 16 years or older—\$76.05;
- for each day or part of a day of necessary absence from the witness's place of employment, practice or residence to attend a hearing.
- (2) The allowance must be paid to the witness within a reasonable time after the witness attends the hearing as required by the notice mentioned in subsection (1).

12 Professional or expert witness attendance allowance—Act, s 97(3)

- (1) The allowance payable to a professional or expert witness who is given a notice under section 97(1)(a) of the Act is \$235.70 for each day of necessary absence from the witness's place of employment, practice or residence to attend a hearing.
- (2) However, if the period for which a professional or expert witness is necessarily absent is 7 hours or less, the amount of the allowance payable is as follows—
- (a) for an absence of 3 hours or less—\$88.90;
 - (b) for an absence of more than 3 hours but not more than 4 hours—\$123.20;

-
- (c) for an absence of more than 4 hours but not more than 5 hours—\$150;
 - (d) for an absence of more than 5 hours but not more than 6 hours—\$176.80;
 - (e) for an absence of more than 6 hours but not more than 7 hours—\$214.30.
- (3) Also, if the witness is a doctor who is employed under the *Hospital and Health Boards Act 2011* as a health service employee at a public sector hospital, the allowance payable for each day or part of a day of necessary absence from the hospital at which the person is employed is \$78.15.
 - (4) The allowance must be paid to the witness within a reasonable time after the witness attends the hearing as required by the notice mentioned in subsection (1).
 - (5) Travelling time is to be taken into account for deciding the amount of the allowance under this section.

13 Increase if GST payable

If an amount payable under section 12 is for a supply on which GST is payable, the amount payable under the section is to be increased to take account of the GST.

14 Conduct money—Act, s 97(3)

- (1) A person who is given a notice under section 97(1) of the Act is entitled to be paid an allowance, as conduct money, in an amount sufficient to meet the reasonable expenses of complying with the notice.
- (2) If the reasonable expenses involve travel and accommodation expenses, those components of the expenses are to be calculated as stated in sections 15 and 16.
- (3) The conduct money must be paid to the person—
 - (a) at the time the person is given the notice under section 97(1) of the Act; or

[s 15]

- (b) within a reasonable time before the person is required to comply with the notice.
- (4) Payment of conduct money is in addition to payment of any other amount to which the person is entitled under section 11 or 12.

15 Travel expenses

- (1) For section 14(2), the amount of the travel expenses payable to a person who is given a notice under section 97(1) of the Act is—
 - (a) the amount payable for fares on public transport for return travel between the person's place of employment, practice or residence (whichever is the furthest from the tribunal) and the tribunal; or
 - (b) if there is no public transport available—the amount calculated at the rate per kilometre payable under the *Public Service Act 2008* to a public service employee required to use the employee's private motor vehicle for official purposes, taken to the nearest whole cent.
- (2) If it is reasonable for the person to travel to and from the tribunal by air, the amount of the travel expenses to be paid is the amount payable for economy class air travel by the person to and from the tribunal.
- (3) For calculating travel expenses, in deciding whether public transport is available, regard is to be had to whether a public transport system operates by which a person could conveniently—
 - (a) travel to the tribunal in reasonable time before the person is required to attend a hearing or produce a document or other thing; and
 - (b) return to the person's place of employment, practice or residence (whichever is the furthest from the tribunal) after the person has attended the hearing or produced the document or other thing.
- (4) In this section—

public transport means any form of passenger transport that is available for use by the public on payment of a fare.

16 Accommodation expenses

For section 14(2), the amount of the accommodation expenses payable to a person who is given a notice under section 97(1) of the Act is the amount calculated at the rate payable under the *Public Service Act 2008* to a public service officer.

Part 5 QCAT justices of the peace

17 Prescribed location for tribunal constituted by QCAT justices of the peace—Act, s 206E

For section 206E of the Act, the following locations are prescribed—

- (a) Brisbane;
- (b) Ipswich;
- (c) Maroochydore;
- (d) Southport;
- (e) Townsville.

18 Daily sitting fee payable to QCAT justices of the peace—Act, s 206R

For section 206R(2) of the Act, the prescribed daily sitting fee is \$100.

19 Expiry of pt 5

This part expires on the day chapter 4, part 4B of the Act expires.

Schedule 1 Enabling Acts and provisions

sections 6 and 7

Part 1 Acts and provisions for section 6(1)(a)

Agents Financial Administration Act 2014, section 45

Architects Act 2002, section 121(2)

Associations Incorporation Act 1981, section 113

Births, Deaths and Marriages Registration Act 2003

Body Corporate and Community Management Act 1997, section 47AA(3)(b), 47B(3)(b), 48(1)(b), 133(2)(b), 149A(b), 149B(2)(b), 178(2)(b), 304, 385(8)(b), 387(6)(b), 389(4), 405(2)(b), 412(2)(b) or 414(3)

Building Act 1975, section 189(2) or 205(2)

Building and Construction Industry Payments Act 2004, section 97

Casino Control Act 1982, section 91A(1)

Charitable and Non-Profit Gaming Act 1999, section 174(2) or 174(5)

Classification of Computer Games and Images Act 1995

Classification of Films Act 1991

Classification of Publications Act 1991

Cooperatives Act 1997

Crime and Corruption Act 2001, section 219G(1) (for any application other than an application by the Crime and Corruption Commission)

Debt Collectors (Field Agents and Collection Agents) Act 2014, section 117

Domestic Building Contracts Act 2000, section 18(6)(b), 55(4), 60(3) or 84(2)(b) or (3)(b)

Drugs Misuse Act 1986

Education (Queensland College of Teachers) Act 2005, section 215

Environmental Offsets Act 2014, section 30 or 38

Environmental Offsets Regulation 2014, section 21

Exotic Diseases in Animals Act 1981, section 33(1)(c) (for any application other than an application by the Minister) or section 34(1)(b)

Fisheries Act 1994

Funeral Benefit Business Act 1982, section 61(6) or 65(9)

Gaming Machine Act 1991, section 29(1), (2), (6), (7), (8), (9), (10) or (11)

Gas Supply Act 2003

Health Ombudsman Act 2013, section 94(1)(a) or (c) or (2)(b)

Health Practitioner Regulation National Law (Queensland), section 199

Health Practitioners (Disciplinary Proceedings) Act 1999, section 398F (repealed, as applied by the *Health Ombudsman Act 2013*, section 315)

Information Privacy Act 2009, section 133(1)

Integrated Resort Development Act 1987

Interactive Gambling (Player Protection) Act 1998, section 249, 250, 251, 252 or 253(1)

Interactive Gambling (Player Protection) Regulation 1998

Keno Act 1996, section 228, 229, 230, 231, 232 or 233(1)

Legal Profession Act 2007, section 26(4)(b), 51(9), 54(2)(b), 54(4)(b), 61(3)(b), 69(3)(b), 70(3), 76(3)(b), 87(5), 183(4)(b), 185(7)(b), 188(3)(b), 194(3)(b), 195(3)(b), 208(4)(b), 278(6), 328(1), 375(1)(c), 392(1), 393(1) or 469(1) (in relation to

section 469(1), for any application other than an application by the Legal Services Commissioner)

Liquor Act 1992, section 30(1) (for any application other than an application by a person who made an objection in the proceeding in which the decision was made)

Liquor Regulation 2002

Lotteries Act 1997

Motor Accident Insurance Act 1994

Motor Dealers and Chattel Auctioneers Act 2014, section 196

Neighbourhood Disputes Resolution Act 2011, section 62(1)

Pest Management Act 2001, section 108

Petroleum and Gas (Production and Safety) Act 2004

Pharmacy Business Ownership Act 2001

Plumbing and Drainage Act 2002, section 129(2)

Police Powers and Responsibilities Act 2000, section 602P

Private Health Facilities Act 1999, section 131

Professional Engineers Act 2002, section 122(2)

Property Occupations Act 2014, section 176

Queensland Building Services Authority Act 1991, section 77(1) or 87

Racing Act 2002, section 150(1) or (2) or 242(2)

Radiation Safety Act 1999, section 188

Relationships Act 2011, section 29

Residential Services (Accreditation) Act 2002, section 159

Retail Shop Leases Act 1994, section 22E

Retirement Villages Act 1999, section 29(1) or (3)

Right to Information Act 2009, section 121

Sanctuary Cove Resort Act 1985

Surveyors Act 2003, section 163(1) or (2)

Tattoo Parlours Act 2013, section 56(1)
Taxation Administration Act 2001
Tourism Services Act 2003, section 85
Travel Agents Act 1988
Valuers Registration Act 1992, section 61(1)
Veterinary Surgeons Act 1936, section 22H
Victims of Crime Assistance Act 2009, section 116(7), 125(2)
or 190(7)
Wagering Act 1998, section 291, 292, 293, 294, 295 or 296

Part 2 Acts and provisions for section 6(1)(b)

Adult Proof of Age Card Act 2008
Agents Financial Administration Act 2014, section 103
Agricultural Chemicals Distribution Control Act 1966
Agricultural Chemicals Distribution Control Regulation 1998
Agricultural Standards Act 1994, section 51
Animal Care and Protection Act 2001, section 198A
Animal Management (Cats and Dogs) Act 2008, section 188
Apiaries Regulation 1998
Biodiscovery Act 2004
Casino Control Act 1982, section 91A(2)
Charitable and Non-Profit Gaming Act 1999, section 174(4)
Chemical Usage (Agricultural and Veterinary) Control Act 1988
Community Ambulance Cover Act 2003
Disaster Management Act 2003

Duties Act 2001

Education (General Provisions) Act 2006, section 139, 394, 397 or 402(1)

Education (Overseas Students) Act 1996

Education (Queensland Curriculum and Assessment Authority) Regulation 2014

Electricity Act 1994, section 219(1)

Electricity Regulation 2006, section 212(a) or (b)

Explosives Act 1999, section 111

Financial Intermediaries Act 1996

First Home Owner Grant Act 2000

Food Act 2006, section 241

Food Production (Safety) Act 2000

Further Education and Training Act 2014

Gaming Machine Act 1991, section 29(3), (4) or (5)

Health (Drugs and Poisons) Regulation 1996

Heavy Vehicle National Law (Queensland)

Interactive Gambling (Player Protection) Act 1998, section 253(2)

Introduction Agents Act 2001

Keno Act 1996, section 233(2)

Land Protection (Pest and Stock Route Management) Act 2002

Liquid Fuel Supply Act 1984

Local Government Act 1993, section 942 or 999

Marine Parks Act 2004, section 121

Marine Parks Regulation 2006, section 151

Nature Conservation (Administration) Regulation 2006, section 103

Plant Protection Act 1989

Public Health Act 2005

Public Health (Infection Control for Personal Appearance Services) Act 2003, section 124

Queensland Heritage Act 1992

Recreation Areas Management Act 2006, section 210

Second-hand Dealers and Pawnbrokers Act 2003

Security Providers Act 1993

South Bank Corporation Act 1989

Stock Act 1915

Tow Truck Act 1973

Trade Measurement Act 1990

Transport Infrastructure Act 1994

Transport Infrastructure (Dangerous Goods by Rail) Regulation 2008

Transport Operations (Marine Pollution) Act 1995

Transport Operations (Marine Safety) Act 1994

Transport Operations (Passenger Transport) Act 1994

Transport Operations (Road Use Management) Act 1995

Transport (Rail Safety) Act 2010

Vegetation Management Act 1999

Vocational Education, Training and Employment Act 2000

Wagering Act 1998, section 297

Water Act 2000, section 877(1)(a) or (c)

Water Supply (Safety and Reliability) Act 2008, section 517(1)(b)

Weapons Act 1990

Part 3 **Acts and provisions for section 6(1)(c)**

Agents Financial Administration Act 2014, section 122(1)

Agricultural Standards Act 1994, section 50(1)

Animal Care and Protection Act 2001, section 196(2)

Animal Management (Cats and Dogs) Act 2008, section 184(2)

Associations Incorporation Act 1981, section 111(1)

Building and Construction Industry Payments Act 2004, section 96(1)

Debt Collectors (Field Agents and Collection Agents) Act 2014, section 119(1)

Disability Services Act 2006, section 109(1) or 115(3)

Electricity Act 1994, section 216(1)

Electricity Regulation 2006, section 210(1)

Environmental Offsets Regulation 2014, section 20(1)

Explosives Act 1999, section 110(1)

Food Act 2006, section 240(1)

Guide, Hearing and Assistance Dogs Act 2009

Legal Profession Act 2007, section 62(3)(a) or 189(3)(a)

Liquor Act 1992, section 30(1) (for an application by a person who made an objection in the proceeding in which the decision was made)

Marine Parks Act 2004, section 120(1)

Marine Parks Regulation 2006, section 150(1)

Motor Dealers and Chattel Auctioneers Act 2014, section 198(1)

Nature Conservation (Administration) Regulation 2006, section 102(1)

Pest Management Act 2001, section 107(1)

Private Health Facilities Act 1999, section 130(1)

Property Occupations Act 2014, section 178(1)

Public Health (Infection Control for Personal Appearance Services) Act 2003, section 123(1)

Radiation Safety Act 1999, section 187(1)

Recreation Areas Management Act 2006, section 209(1)

Residential Services (Accreditation) Act 2002, section 157(4)

Transport Planning and Coordination Act 1994, section 32(1)

Water Act 2000, section 865(1)(a)

Water Supply (Safety and Reliability) Act 2008, section 516(2)(b)

Part 4 **Acts and provisions for section 6(1)(d)**

Casino Control Act 1982, section 91A(3)

Education and Care Services Act 2013

Education and Care Services National Law (Queensland) Act 2011

Fire and Emergency Services Act 1990

Part 5 **Acts and provisions for section
6(1)(e)**

Manufactured Homes (Residential Parks) Act 2003

Retirement Villages Act 1999, section 157 (an application to the principal registrar to have a retirement village dispute referred to mediation), 167, 169(2), 170(2) or 171(2)

Part 6 **Acts and provisions for section
7(1)(b)(i)**

Adoption Act 2009

Anti-Discrimination Act 1991

Child Protection Act 1999

Disability Services Act 2006, section 178(9)

Guardianship and Administration Act 2000

Powers of Attorney Act 1998

Working with Children (Risk Management and Screening) Act 2000

Schedule 2 Other fees

section 9

\$

Inspection of register or record for a proceeding

- | | | |
|---|--|-------|
| 1 | Fee for inspecting the register (under section 229(4)(a) of the Act) or the record for a proceeding (under section 230(3)(a) of the Act), other than an inspection made by a party to a proceeding of the part of the register relating to the proceeding or the record kept for the proceeding— | |
| | (a) for each hour or part of an hour | 15.55 |
| | (b) maximum fee for a day | 61.05 |
| 2 | Additional fee for inspecting the register or the record for a proceeding (other than an inspection made by a party to a proceeding of the part of the register relating to the proceeding or the record kept for the proceeding) if the register or record, or part of the register or record, must be retrieved from off-site storage, for each box retrieved— | |
| | (a) 1 box | 33.20 |
| | (b) 2 boxes | 36.95 |
| | (c) 3 or more boxes | 41.20 |

Copying of register or record for a proceeding

- | | | |
|---|---|------|
| 3 | Fee for a black and white copy of part of the register (under section 229(4)(b) of the Act) or part of a record for a proceeding (under section 230(3)(b) of the Act), other than a plan or drawing, for each page— | |
| | (a) for less than 20 pages | 1.80 |
| | (b) for 20 to 50 pages | 1.50 |
| | (c) for more than 50 pages | 1.05 |

Schedule 2

	\$
4	Fee for a colour copy of part of the register or part of a record for a proceeding, other than a plan or drawing, for each page—
	(a) for an A4 page 5.40
	(b) for an A3 page 5.80
5	Fee for a copy of part of the register or part of a record for a proceeding that is a plan or drawing, for each page—
	(a) for an A3 page 4.60
	(b) for an A2 page 5.90
	(c) for an A1 page 7.50
 Other	
6	Fee for an application (under section 63(5) of the Act) for an order requiring a person who is not a party to a proceeding to produce a document or thing to the tribunal or a party to a proceeding 18.20
7	Fee for an application (under section 97(2) of the Act) for a notice requiring a person to attend at a stated hearing of a proceeding to give evidence or produce a stated document or other thing to the tribunal 18.20
8	Fee for an officer of the tribunal to accompany a record or document at a place out of a registry of the tribunal, for each day or part of a day the officer is necessarily absent from the registry 171.40 plus the officer's reasonable travel and other expenses

	\$
9 Fee for supplying a certificate as to the correctness of a matter in the register	56.70
	in addition to any other fee under items 3–5

Schedule 3 Dictionary

section 3

expert witness means a witness who attends a hearing to give evidence of an expert nature.

non-professional witness means a witness who attends a hearing to give evidence of a non-professional nature.

professional witness means a witness who attends a hearing to give evidence of a professional nature.

Endnotes

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2 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised version
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

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From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments included	Effective	Notes
1	none	31 July 2009	
1A	2009 SL No. 240 2009 SL No. 278	1 December 2009	
2	2009 SL No. 278	2 December 2009	
2A	2010 SL No. 6	29 January 2010	
2B	2009 SL No. 278	1 February 2010	
2C	2010 SL No. 108 2010 SL No. 155	1 July 2010	
2D	2010 SL No. 230	27 August 2010	
2E	2010 SL No. 167	1 September 2010	
2F	2010 Act No. 42	14 October 2010	
2G	2011 Act No. 9	14 April 2011	
2H	2011 SL No. 115	1 July 2011	R2H withdrawn, see R3
3	—	1 July 2011	
3A	2011 SL No. 210	1 November 2011	
3B	2011 SL No. 240 2011 SL No. 278	1 January 2012	
3C	2012 SL No. 16	23 February 2012	
3D	2012 Act No. 12	27 June 2012	
3E	2012 SL No. 82 2012 SL No. 90	1 July 2012	
3F	2012 SL No. 102	13 July 2012	R3F withdrawn, see R4
4	—	13 July 2012	

Current as at	Amendments included	Notes
27 March 2013	2013 Act No. 11	
14 May 2013	2013 Act No. 20	
20 May 2013	2013 Act No. 13	
1 July 2013	2013 SL No. 122	
23 September 2013	2013 SL No. 105	
1 January 2014	2013 SL No. 265	
6 January 2014	2013 SL No. 244	
10 February 2014	2014 SL No. 8	

Current as at	Amendments included	Notes
16 May 2014	—	provs orig exp 15 May 2014 reprint withdrawn, see reprint current as at 13 May 2014
13 May 2014	—	
21 May 2014 rv	2014 Act No. 17	
1 July 2014	2006 Act No. 12 (amd 2014 Act No. 12) 2014 Act No. 21 2014 SL No. 97 2014 SL No. 103 2014 SL No. 105 2014 SL No. 124 2014 SL No. 126 2014 SL No. 127 2014 SL No. 128 2014 SL No. 145	
25 July 2014	2014 SL No. 163	
1 October 2014	2014 SL No. 225	
1 December 2014	2014 SL No. 251	

4 List of legislation

Regulatory impact statements

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

Explanatory notes

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

Queensland Civil and Administrative Tribunal Regulation 2009 SL No. 160

made by the Governor in Council on 30 July 2009

notfd gaz 31 July 2009 pp 1231–2

commenced on date of notification (see s 2)

exp 1 September 2019 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

Disability Services Act 2006 No. 12 ss 1–2, 333 sch 2 (this Act is amended, see amending legislation below)

date of assent 4 April 2006

ss 1–2 commenced on date of assent

Endnotes

remaining provisions commenced 1 July 2014 (2014 SL No. 95)
amending legislation—

**Communities Legislation (Funding Red Tape Reduction) Amendment Act
2014 No. 12 ss 1–2, pt 4 (amends 2006 No. 12 above)**

date of assent 9 April 2014
ss 1–2 commenced on date of assent
remaining provisions commenced 1 July 2014 (2014 SL No. 95)

**Queensland Civil and Administrative Tribunal and Other Legislation Amendment
Regulation (No. 1) 2009 SL No. 240 pts 1–2**

notfd gaz 30 October 2009 pp 657–8
ss 1–2 commenced on date of notification
remaining provisions commenced 1 December 2009 (see s 2)

**Queensland Civil and Administrative Tribunal Amendment Regulation (No. 1) 2009
SL No. 278**

notfd gaz 27 November 2009 pp 1001–6
ss 1–3 commenced on date of notification
s 13 commenced 2 December 2009 (see s 2(2))
s 14 commenced 1 February 2010 (see s 2(3) and 2009 SL No. 275)
remaining provisions commenced 1 December 2009 immediately after the
commencement of the Queensland Civil and Administrative Tribunal and Other
Legislation Amendment Regulation (No. 1) 2009 (see s 2(1) and 2009 SL No.
240)

**Queensland Civil and Administrative Tribunal Amendment Regulation (No. 1) 2010
SL No. 6**

notfd gaz 29 January 2010 pp 233–4
commenced on date of notification

**Health and Other Legislation Amendment Regulation (No. 1) 2010 SL No. 108 pts 1,
13**

notfd gaz 11 June 2010 pp 459–61
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2010 (see s 2)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2010 SL No. 155

notfd gaz 25 June 2010 pp 823–30
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2010 (see s 2)

Transport (Rail Safety) Regulation 2010 SL No. 167 ss 1–2, pt 7 div 1

notfd gaz 2 July 2010 pp 1033–7
ss 1–2 commenced on date of notification
remaining provisions commenced 1 September 2010 (see s 2)
Note—A national regulatory impact statement was prepared.

**Retail Shop Leases and Another Regulation Amendment Regulation (No. 1) 2010 SL
No. 230 s 1, pt 3**

notfd gaz 27 August 2010 pp 1520–4

commenced on date of notification

Justice and Other Legislation Amendment Act 2010 No. 42 s 1, pt 30

date of assent 14 October 2010

commenced on date of assent

Body Corporate and Community Management and Other Legislation Amendment Act 2011 No. 9 s 1, pt 3

date of assent 14 April 2011

commenced on date of assent

Justice (Fees) Amendment Regulation (No. 1) 2011 SL No. 115

notfd gaz 1 July 2011 pp 589–96

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2011 (see s 2)

Queensland Civil and Administrative Tribunal Amendment Regulation (No. 1) 2011 SL No. 210

notfd gaz 28 October 2011 pp 398–9

ss 1–2 commenced on date of notification

remaining provisions commenced 1 November 2011 immediately after the commencement of the Neighbourhood Disputes Resolution Act 2011 s 62 (see s 2)

Work Health and Safety Regulation 2011 SL No. 240 ss 1, 2(4), ch 14 pt 14.10

notfd gaz 25 November 2011 pp 603–6

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2012 on the commencement of s 277 of the Act (see s 2(4) and 2011 SL No. 238)

Education and Care Services National Law (Queensland) Regulation 2011 SL No. 278 pts 1, 8

notfd gaz 9 December 2011 pp 729–35

ss 1–2 commenced on date of notification

remaining provisions commenced 1 January 2012 (see s 2)

Civil Partnerships Regulation 2012 SL No. 16 pts 1, 5

notfd gaz 3 February 2012 pp 227–8

ss 1–2 commenced on date of notification

remaining provisions commenced 23 February 2012 (see s 2)

Civil Partnerships and Other Legislation Amendment Act 2012 No. 12 ss 1, 59(1) sch pt 1

date of assent 27 June 2012

commenced on date of assent

Health and Other Legislation Amendment Regulation (No. 1) 2012 SL No. 82 pts 1, 7

notfd gaz 29 June 2012 pp 704–10

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2012 (see s 2)

Health and Hospitals Network and Other Legislation Amendment Regulation (No. 1) 2012 SL No. 90 ss 1–2, 41 sch

notfd gaz 29 June 2012 pp 704–10
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2012 (see s 2)

Justice Legislation (Fees) Amendment Regulation (No. 1) 2012 SL No. 102

notfd gaz 13 July 2012 pp 820–5
ss 1–2 commenced on date of notification
remaining provisions commenced 13 July 2012 (see s 2)

Body Corporate and Community Management and Other Legislation Amendment Act 2013 No. 11 s 1, pt 3

date of assent 27 March 2013
commenced on date of assent

Health Practitioner Registration and Other Legislation Amendment Act 2013 No. 13 ss 1–2(1), pt 16

date of assent 27 March 2013
ss 1–2 commenced on date of assent
remaining provisions commenced 20 May 2013 (2013 SL No. 69 item 1)

Queensland Civil and Administrative Tribunal (Justices of the Peace) Amendment Act 2013 No. 20 pts 1, 3

date of assent 14 May 2013
commenced on date of assent

Electricity and Another Regulation Amendment Regulation (No. 1) 2013 SL No. 105 ss 1, 2(3), pt 3

notfd gaz 21 June 2013 pp 503–7
ss 1–2 commenced on date of notification
pt 3 commenced 23 September 2013 on the date of assent of the Energy and Water Legislation Amendment Act 2013 (see s 2(3))

Justice Legislation (Fees) Amendment Regulation (No. 1) 2013 SL No. 122

notfd gaz 28 June 2013 pp 739–47
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2013 immediately after the Uniform Civil Procedure and Another Rule Amendment Rule (No. 1) 2013 (see s 2)

Tattoo Parlours Regulation 2013 SL No. 244 pts 1, 3

notfd <www.legislation.qld.gov.au> 29 November 2013
ss 1–2 commenced on date of notification
remaining provisions commenced 6 January 2014 (see s 2)

Education and Care Services Regulation 2013 SL No. 265 ss 1–2, 81 sch 5 pt 2

notfd <www.legislation.qld.gov.au> 6 December 2013
ss 1–2 commenced on date of notification
remaining provisions commenced 1 January 2014 (see s 2)

Transport and Other Legislation Amendment Regulation (No. 1) 2014 SL No. 8 pts 1, 3

notfd <www.legislation.qld.gov.au> 3 February 2014

ss 1–2 commenced on date of notification

remaining provisions commenced 10 February 2014 on the commencement of the Transport and Other Legislation (Heavy Vehicle National Law) Amendment Act 2013, part 4 (see s 2)

Public Safety Business Agency Act 2014 No. 17 ss 1, 184 sch 1 pt 2

date of assent 21 May 2014

commenced on date of assent

Crime and Misconduct and Other Legislation Amendment Act 2014 No. 21 ss 1, 2(2), 94(2) sch 2

date of assent 21 May 2014

ss 1–2 commenced on date of assent

remaining provisions commenced 1 July 2014 (2014 SL No. 107)

Disability Services and Other Legislation Amendment Regulation (No. 1) 2014 SL No. 97 pts 1, 5

notfd <www.legislation.qld.gov.au> 13 June 2014

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2014 (see s 2)

Further Education and Training Regulation 2014 SL No. 103 pts 1, 13

notfd <www.legislation.qld.gov.au> 20 June 2014

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2014 (see s 2)

Public Guardian Regulation 2014 SL No. 105 pts 1, 9

notfd <www.legislation.qld.gov.au> 20 June 2014

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2014 (see s 2(1))

Health Ombudsman Regulation 2014 SL No. 124 pts 1, 3

notfd <www.legislation.qld.gov.au> 27 June 2014

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2014 (see s 2)

Education (Queensland Curriculum and Assessment Authority) Regulation 2014 SL No. 126 ss 1–2, pt 15 div 4

notfd <www.legislation.qld.gov.au> 27 June 2014

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2014 (see s 2)

Queensland Civil and Administrative Tribunal Amendment Regulation (No. 1) 2014 SL No. 127 pts 1–2

notfd <www.legislation.qld.gov.au> 27 June 2014

ss 1–2 commenced on date of notification

remaining provisions commenced 1 July 2014 (see s 2)

Endnotes

Justice Legislation (Fees) Amendment and Repeal Regulation (No. 1) 2014 SL No. 128 ss 1–2(1), 3 sch

notfd <www.legislation.qld.gov.au> 27 June 2014
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2014 (see s 2(1))

Environmental Offsets Regulation 2014 SL No. 145 ss 1–2, pt 9 div 3

notfd <www.legislation.qld.gov.au> 27 June 2014
ss 1–2 commenced on date of notification
remaining provisions commenced 1 July 2014 (see s 2)

Nature Conservation (Wildlife Management) and Another Regulation Amendment Regulation (No. 1) 2014 SL No. 163 pts 1, 3

notfd <www.legislation.qld.gov.au> 25 July 2014
commenced on date of notification

Safe Night Out Legislation Amendment Regulation (No. 1) 2014 SL No. 225 pts 1, 4

notfd <www.legislation.qld.gov.au> 26 September 2014
ss 1–2 commenced on date of notification
remaining provisions commenced 1 October 2014 (see s 2)

Property Occupations Regulation 2014 SL No. 251 ss 1–2, 48 sch 2

notfd <www.legislation.qld.gov.au> 31 October 2014
ss 1–2 commenced on date of notification
remaining provisions commenced 1 December 2014 (see s 2)

5 List of annotations

PART 1—PRELIMINARY

pt hdg ins 2009 SL No. 240 s 4(1)

Definitions

s 3 (prev s 2A) ins 2009 SL No. 278 s 4
renum 2009 SL No. 278 s 11

PART 2—OATH OF OFFICE

pt hdg ins 2009 SL No. 240 s 4(2)

Oath of office

s 4 (prev s 3) renum 2009 SL No. 278 s 11

PART 3—PRESCRIBED FEES

pt hdg ins 2009 SL No. 240 s 5

Fee for an application for a minor civil dispute—Act, s 38(1)

s 5 (prev s 4) ins 2009 SL No. 240 s 5
renum 2009 SL No. 278 s 11
sub 2010 SL No. 155 s 3 sch
amd 2011 SL No. 115 s 3 sch; 2012 SL No. 102 s 3 sch; 2013 SL No. 122 s 3
sch; 2014 SL No. 128 s 3 sch

Fee for an application or referral made under an enabling Act—Act, s 38(1)

- s 6** (prev s 5) ins 2009 SL No. 240 s 5
 amd 2009 SL No. 278 s 5
 renum 2009 SL No. 278 s 11
 amd 2010 SL No. 155 s 3 sch; 2011 SL No. 115 s 3 sch; 2012 SL No. 102 s 3
 sch; 2013 SL No. 122 s 3 sch; 2014 SL No. 128 s 3 sch

Fee for an application for a proceeding to be reopened—Act, s 138(2)(c)

- s 7** (prev s 6) ins 2009 SL No. 240 s 5
 amd 2009 SL No. 278 s 6
 renum 2009 SL No. 278 s 11
 amd 2010 SL No. 155 s 3 sch; 2011 SL No. 115 s 3 sch; 2012 SL No. 102 s 3
 sch; 2013 SL No. 122 s 3 sch; 2014 SL No. 128 s 3 sch

Fee for an appeal to the appeal tribunal—Act, s 143(2)(c)

- s 8** (prev s 7) ins 2009 SL No. 240 s 5
 amd 2009 SL No. 278 s 7
 renum 2009 SL No. 278 s 11
 amd 2010 SL No. 155 s 3 sch; 2011 SL No. 115 s 3 sch; 2012 SL No. 102 s 3
 sch; 2013 SL No. 122 s 3 sch; 2014 SL No. 128 s 3 sch

Other fees

- s 9** (prev s 8) ins 2009 SL No. 240 s 5
 renum 2009 SL No. 278 s 11

Waiver of fees

- s 10** (prev s 9) ins 2009 SL No. 240 s 5
 renum 2009 SL No. 278 s 11

PART 4—ALLOWANCES FOR WITNESSES AND OTHER PERSONS

- pt hdg** ins 2009 SL No. 240 s 5

Application of pt 4

- s 10A** ins 2010 SL No. 155 s 3 sch
 amd 2014 SL No. 105 s 23

Non-professional witness attendance allowance—Act, s 97(3)

- s 11** (prev s 10) ins 2009 SL No. 240 s 5
 amd 2009 SL No. 278 s 8
 renum 2009 SL No. 278 s 11
 amd 2010 SL No. 155 s 3 sch; 2011 SL No. 115 s 3 sch; 2012 SL No. 102 s 3
 sch; 2013 SL No. 122 s 3 sch; 2014 SL No. 128 s 3 sch

Professional or expert witness attendance allowance—Act, s 97(3)

- s 12** (prev s 11) ins 2009 SL No. 240 s 5
 renum 2009 SL No. 278 s 11
 amd 2010 SL No. 155 s 3 sch; 2011 SL No. 115 s 3 sch; 2012 SL No. 90 s 41
 sch; 2012 SL No. 102 s 3 sch; 2013 SL No. 122 s 3 sch; 2014 SL No. 128 s
 3 sch

Increase if GST payable

- s 13** (prev s 12) ins 2009 SL No. 240 s 5

Endnotes

amd 2009 SL No. 278 s 9
renum 2009 SL No. 278 s 11

Conduct money—Act, s 97(3)

s 14 (prev s 13) ins 2009 SL No. 240 s 5
sub 2009 SL No. 278 s 10
renum 2009 SL No. 278 s 11

Travel expenses

s 15 (prev s 14) ins 2009 SL No. 278 s 10
renum 2009 SL No. 278 s 11

Accommodation expenses

s 16 (prev s 15) ins 2009 SL No. 278 s 10
renum 2009 SL No. 278 s 11

PART 5—QCAT JUSTICES OF THE PEACE

pt hdg prev pt 5 hdg ins 2009 SL No. 240 s 5
sub 2009 SL No. 278 s 10
om 2010 Act No. 42 s 179
pres pt 5 hdg ins 2013 Act No. 20 s 12
exp 15 May 2015 (see s 19)

Prescribed location for tribunal constituted by QCAT justices of the peace—Act, s 206E

s 17 prev s 17 (prev s 16) ins 2009 SL No. 278 s 10
renum 2009 SL No. 278 s 11
om 2010 Act No. 42 s 179
pres s 17 ins 2013 Act No. 20 s 12
exp 15 May 2015 (see s 19)

Daily sitting fee payable to QCAT justices of the peace—Act, s 206R

s 18 ins 2013 Act No. 20 s 12
exp 15 May 2015 (see s 19)

Expiry of pt 5

s 19 ins 2013 Act No. 20 s 12
exp 15 May 2015 (see s 19)

SCHEDULE 1—ENABLING ACTS AND PROVISIONS

sch hdg amd 2009 SL No. 278 s 12(1)

sch 1 ins 2009 SL No. 240 s 6
amd 2009 SL No. 278 ss 12(2)–(14), 13; 2010 SL No. 6 s 3; 2009 SL No. 278 s 14; 2010 SL No. 108 s 58; 2010 SL No. 155 s 3 sch; 2010 SL No. 167 s 51; 2011 Act No. 9 s 45; 2011 SL No. 210 s 4; 2011 SL No. 240 s 819; 2011 SL No. 278 s 18; 2012 SL No. 16 s 16; 2012 Act No. 12 s 59 sch pt 1; 2012 SL No. 82 s 14; 2012 SL No. 102 s 3 sch; 2013 Act No. 11 s 18; 2013 No. 13 s 107; 2013 SL No. 105 s 9; 2013 SL No. 265 s 81 sch 5 pt 2; 2013 SL No. 244 s 6; 2014 SL No. 8 pt 3; 2014 Act No. 17 s 184 sch 1 pt 2; 2006 Act No. 12 s 333 sch 2 (amd 2014 Act No. 12 s 74); 2014 Act No. 21 s 94(2) sch 2; 2014 SL No. 97 s 28; 2014 SL No. 103 s 30; 2014 SL No. 105 s 24; 2014 SL No. 124 s 7; 2014 SL No. 126 s 191; 2014 SL No. 127 s 4;

2014 SL No. 145 s 41; 2014 SL No. 163 s 7; 2014 SL No. 225 s 19; 2014 SL No. 251 s 48 sch 2

SCHEDULE 2—OTHER FEES

sch hdg amd 2009 SL No. 278 s 15

sch 2 ins 2009 SL No. 240 s 6

sub 2010 SL No. 155 s 3 sch

amd 2010 SL No. 230 s 6

sub 2011 SL No. 115 s 3 sch; 2012 SL No. 102 s 3 sch; 2013 SL No. 122 s 3 sch; 2014 SL No. 128 s 3 sch

SCHEDULE 3—DICTIONARY

sch hdg amd 2009 SL No. 278 s 16

sch 3 ins 2009 SL No. 240 s 6

6 Information about retrospectivity

Retrospective amendments that have been consolidated are noted in the list of legislation and list of annotations. From mid-2013 any retrospective amendment that has not been consolidated is noted on the cover page.

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