

Tasmanian Civil and Administrative Tribunal Amendment Bill 2020

On 18 March 2020, the Government announced that a Tasmanian Civil and Administrative Tribunal (TasCAT) will be established to streamline services and improve access to justice in Tasmania.

As a first step towards the establishment of TasCAT, the following Tribunals and Boards co-located at new tribunal premises at Barrack Street, Hobart in July 2020:

- The Anti-Discrimination Tribunal;
- The Asbestos Compensation Tribunal;
- The Forest Practices Tribunal;
- The Guardianship and Administration Board;
- The Health Practitioners Tribunal;
- The Mental Health Tribunal;
- The Motor Accident Compensation Tribunal;
- The Resource Management and Planning Appeal Tribunal; and
- The Workers Rehabilitation and Compensation Tribunal.

The *Tasmanian Civil and Administrative Tribunal Bill 2020* passed Parliament on 15 October 2020 and further legislation to expand TasCAT's jurisdiction is being prepared.

I have enclosed a draft version of the *Tasmanian Civil and Administrative Tribunal Amendment Bill 2020* which is the second of at least two Bills that will be tabled in Parliament as part of the establishment of TasCAT.

This Bill:

- Sets out how the Tribunal is to be constituted in a particular matter;
- Establishes the original jurisdiction of TasCAT and the review jurisdiction of TasCAT;
- Provides for further powers and procedures for TasCAT (e.g. costs, appeals, ADR);
- Provides for referral of matters from TasCAT to the Magistrates Court Civil Division for matters that involve Federal diversity jurisdiction; and
- Sets out the transitional arrangements allowing current Tribunal/Board members to be transferred to TasCAT from the commencement date of TasCat.

In addition to this Bill, there will be a further bill setting out consequential amendments to a range of legislation in order to confer jurisdiction on to TasCAT within both its original and review jurisdictions, which will be consulted on in 2021.

Please provide any submissions on the draft Bill by Monday 8 February 2021.

Submissions can be made in one of the following ways:

1. Online via our [Public Consultation website](#)
2. By email to haveyoursay@justice.tas.gov.au
3. By post to:
Department of Justice
Office of the Secretary
GPO Box 825
HOBART TAS 7001

Please note that this consultation process is subject to the Government's 'Publication of Submissions Received by Tasmanian Government Departments in Response to Consultation on Major Policy Issues' policy, which can be accessed through the [Department of Premier and Cabinet's website](#).

Under this policy, submissions will be made publicly available on the Department of Justice website unless, for instance, the submitting party requests that their submission remain confidential, or it contains material that is defamatory or offensive.

If you would like your submission to be treated as confidential, please indicate this in writing at the time of making your submission, including the reasons why.

Submissions that have not been marked as confidential and which meet publication guidelines will be published once they have been considered by the Government.

If you have any questions about the Bill, please contact David Sealy, Senior Project Officer (6165 7500 or david.sealy@justice.tas.gov.au).

Thank you for considering the Bill.



Kerrie Crowder
Acting Deputy Secretary – Corrections & Justice

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