

2002

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Ms Kerrie Tucker)

Magistrates Court (Refund of Fees) Amendment Bill 2002

A Bill for

An Act to amend the *Magistrates Court Act 1930*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **1 Name of Act**

2 This Act is the *Magistrates Court (Refund of Fees) Amendment Act*
3 *2002*.

4 **2 Commencement**

5 This Act commences on the day after its notification day.

6 **3 Act amended**

7 This Act amends the *Magistrates Court Act 1930*.

8 **4 Remission, refund, deferral, waiver and exemption of fees**
9 **New sections 248C (3) to (5)**

10 *insert*

11 (3) A determined fee for an application for review of a decision by the
12 administrative appeals tribunal must be refunded by the registrar of
13 the tribunal if the application ends in the applicant's favour.

14 **Examples**

15 1 If an applicant applies for review of an approval given to someone else and
16 the tribunal upholds the approval but adds or amends conditions consistent
17 with the applicant's application, the application ends in the applicant's
18 favour.

19 2 If an applicant applies for review of an approval seeking its revocation and
20 the tribunal overturns the approval but not for, or only partially for, the
21 reasons presented by the applicant, the application ends in the applicant's
22 favour.

23 *Note* An example is part of the Act, is not exhaustive and may extend, but
24 does not limit, the meaning of the provision in which it appears (see the
25 *Legislation Act 2001*, s 126 and 132).

26 (4) Subsection (3) applies to an application that ends after
27 subsection (3) commences, whether the application was made before
28 or after the commencement of subsection (3).

- 1 (5) Subsection (4) and this subsection expire 1 year after subsection (3)
2 commences.
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Endnotes

Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.