

FORMATION OF THE QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL

PURPOSE OF THE ACT

On 12 March 2008 Premier Anna Bligh announced the formation of a single overarching tribunal to deal with civil and administrative matters. The Queensland Civil and Administrative Tribunal (**QCAT**) will consolidate jurisdictions currently being exercised by 23 different bodies and provide applicants with a simpler, unified approach to administrative justice. The purpose of the QCAT is to provide a consistent and efficient approach to administrative justice.

COURTS, TRIBUNALS AND COMMITTEES TO BE AMALGAMATED

The QCAT will take over the functions of the following courts, tribunals and committees:

1. Anti-Discrimination Tribunal;
2. Children Services Tribunal;
3. Commercial and Consumer Tribunal;
4. Teachers Disciplinary Committee;
5. Panel of Referees convened under the *Fire and Rescue Service Act 1990*;
6. Fisheries Tribunal;
7. Guardianship and Administration Tribunal;
8. Health Practitioners Tribunal;
9. Legal Practice Tribunal;
10. Appeal Tribunal formed under the *Local Government Act 1993*;
11. Misconduct Tribunal;
12. Nursing Tribunal;
13. Racing Appeals Tribunal;
14. Retail Shop Lease Tribunal;
15. Small Claims Tribunal;
16. Surveyors Disciplinary Committee;
17. Committee appointed under the *Valuers Registration Act 1992*; and
18. Veterinary Tribunal of Queensland.

TRIBUNAL STRUCTURE

The QCAT will be divided into three divisions hearing human rights matters, civil disputes and administrative and civil disputes.

The Human Rights Division will hear matters regarding child protection and human rights. Matters previously heard by the Anti-Discrimination Tribunal, Guardianship and Administrative Tribunal and the Child Services Tribunal will be now be dealt by the Human Rights Division of the QCAT.

The Civil Disputes Division will hear matters that currently fall within the jurisdiction of the Small Claims Tribunal, Commercial and Consumer Tribunal and minor debt claims currently dealt with in the Magistrates Court.

The Administrative and Disciplinary Division will be responsible for disciplinary actions formerly dealt with by Health Practitioners Tribunal, Legal Practice Tribunal, Misconduct Tribunal, Surveyors

Disciplinary Committee. The Administrative and Disciplinary Division will also be responsible for reviewing government decisions regarding gaming, liquor and taxation.

A Supreme Court Judge and a District Court Judge will be appointed as the President and Deputy President of the QCAT. Members of the QCAT will consist of either legal practitioners or individuals with special knowledge that falls within the jurisdiction of the QCAT. Adjudicators will also be appointed to oversee alternative dispute resolutions process as well as direction hearings.

COMMENCEMENT

The *Queensland Civil and Administrative Tribunal Bill 2009* (Qld) which established the tribunal and the *Queensland Civil and Administrative Tribunal (Jurisdictions Provisions) Amendment Bill 2009* (Qld) which will amend 160 pieces of legislation will take effect on 1 December 2009.

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