TASMANIA

JUSTICE AND RELATED LEGISLATION (MISCELLANEOUS AMENDMENTS) ACT (No. 2) 2026

No. 26 of 2026

CONTENTS

PART 1 – PRELIMINARY

1. Short title
2. Commencement
3. Repeal of Act

PART 2 – LOCAL GOVERNMENT (HIGHWAYS) ACT 1982 AMENDED

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

PART 3 – RETIREMENT VILLAGES ACT 2004 AMENDED

6. Principal Act

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

PART 4 – TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL ACT 2020 AMENDED

8. Principal Act

9. Section 115 substituted
   115. Changes to time limits

10. Section 160A inserted
   160A. Further amendment of regulations not prevented

11. Section 162 inserted
   162. Savings provision consequent on *Justice and Related Legislation (Miscellaneous Amendments) Act (No. 2) 2026*

12. Schedule 2 amended (General Division)

13. Schedule 3 amended (Protective Division)

PART 5 – TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL REGULATIONS 2021 AMENDED

14. Principal Regulations

15. Schedule 2 amended (Fees)

JUSTICE AND RELATED LEGISLATION (MISCELLANEOUS AMENDMENTS) ACT (No. 2) 2026

No. 26 of 2026

An Act to amend 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

[Royal Assent 20 November 2026]

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 (No. 2) 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This Act is repealed on the first anniversary of the day on which it commenced.

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)";

(b) by omitting subsection (10).

*No. 57 of 1982

PART 3 – RETIREMENT VILLAGES ACT 2004 AMENDED

6. Principal Act

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

7. 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 4 – TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL ACT 2020 AMENDED

8. Principal Act

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

9. 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

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

10. 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.

11. 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 (No. 2) 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 (No. 2) 2026* are to be heard and determined in

that stream as if that Act had not commenced.

12. 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.

13. 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;

(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.

PART 5 – TASMANIAN CIVIL AND ADMINISTRATIVE TRIBUNAL REGULATIONS 2021 AMENDED

14. Principal Regulations

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

15. 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

*S.R. 2021, No. 85

Justice and Related Legislation (Miscellaneous Amendments) Act (No. 2) 2026
Act No. 26 of 2026

[Second reading presentation speech made in:–
House of Assembly on 28 May 2026
Legislative Council on 20 August 2026]