



Administrative Decisions (Judicial Review) Regulations 2017

I, General the Honourable Sir Peter Cosgrove AK MC (Ret'd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 14 December 2017

Peter Cosgrove
Governor-General

By His Excellency's Command

George Brandis QC
Attorney-General

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1 Name

This instrument is the *Administrative Decisions (Judicial Review) Regulations 2017*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	22 December 2017

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Administrative Decisions (Judicial Review) Act 1977*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

- (1) In this instrument:
- Act* means the *Administrative Decisions (Judicial Review) Act 1977*.
- (2) A reference in section 6 to an Act or a provision of an Act includes a reference to instruments made under that Act or for the purposes of that provision, as the case may be.

6 Decisions not subject to judicial review

- (1) For the purposes of subsection 19(1) of the Act, the following classes of decisions are declared to be decisions that are not subject to judicial review by the Federal Court or the Federal Circuit Court under the Act:

Section 6

- (a) decisions under the *Builders Labourers' Federation (Cancellation of Registration—Consequential Provisions) Act 1986*;
 - (b) decisions under the *Fair Work (Registered Organisations) Act 2009* in its application by virtue of the *Builders Labourers' Federation (Cancellation of Registration—Consequential Provisions) Act 1986*;
 - (c) decisions under the provisions of the *Fair Work Act 2009*, to the extent that the provisions apply to proceedings under or by virtue of the *Builders Labourers' Federation (Cancellation of Registration—Consequential Provisions) Act 1986*;
 - (d) decisions under a law of Western Australia, in its application in the Territory of Christmas Island by virtue of the *Christmas Island Act 1958*, by a person employed by Western Australia;
 - (e) decisions under a law of Western Australia, in its application in the Territory of Cocos (Keeling) Islands by virtue of the *Cocos (Keeling) Islands Act 1955*, by a person employed by Western Australia;
 - (f) decisions under a law of New South Wales, in its application in Norfolk Island by virtue of the *Norfolk Island Act 1979*, by a person employed by New South Wales;
 - (g) decisions under Part 1 of Chapter 8 of the *Biosecurity Act 2015* in relation to a declaration made under subsection 443(1) of that Act;
 - (h) decisions under Part 1 of Chapter 8 of the *Biosecurity Act 2015* to determine a requirement, give a direction, take any action or exercise any other power during a biosecurity emergency period (within the meaning of that Act);
 - (i) decisions under Part 2 of Chapter 8 of the *Biosecurity Act 2015* in relation to a declaration made under subsection 475(1) of that Act;
 - (j) decisions under Part 2 of Chapter 8 of the *Biosecurity Act 2015* to determine a requirement or give a direction during a human biosecurity emergency period (within the meaning of that Act).
- (2) A reference in paragraphs (1)(d), (e) and (f) to a person employed by a particular State includes a reference to:
- (a) a person occupying, or acting in, an office or position under a law of that State; and
 - (b) a person employed by a body established by or under a law of that State.

Schedule 1—Repeals

Administrative Decisions (Judicial Review) Regulations 1985

1 The whole of the instrument

Repeal the instrument.