



# **Administrative Review Tribunal (Miscellaneous Measures) Act 2025**

**No. 14, 2025**

**An Act to deal with miscellaneous and  
consequential matters arising from the enactment  
of the *Administrative Review Tribunal Act 2024*, and  
for other purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation  
(<https://www.legislation.gov.au/>)



---

## Contents

1	Short title.....	1
2	Commencement.....	2
3	Schedules.....	4
<b>Schedule 1—Repeals</b>		5
	<i>Tribunals Amalgamation Act 2015</i>	5
<b>Schedule 2—Consequential amendments</b>		6
Part 1—Attorney-General		6
	<i>Bankruptcy Act 1966</i>	6
	<i>Crimes Act 1914</i>	7
	<i>Freedom of Information Act 1982</i>	7
Part 2—Treasury		9
	<i>Australian Charities and Not-for-profits Commission Act 2012</i>	9
	<i>Banking Act 1959</i>	9
	<i>Corporations Act 2001</i>	9
	<i>Financial Accountability Regime Act 2023</i>	10
	<i>Financial Institutions Supervisory Levies Collection Act 1998</i>	10
	<i>Financial Sector (Collection of Data) Act 2001</i>	10
	<i>Financial Services Compensation Scheme of Last Resort Levy (Collection) Act 2023</i>	11
	<i>Insurance Acquisitions and Takeovers Act 1991</i>	11
	<i>Insurance Act 1973</i>	11
	<i>Life Insurance Act 1995</i>	11
	<i>Payment Times Reporting Act 2020</i>	11
	<i>Petroleum Excise (Prices) Act 1987</i>	12
	<i>Private Health Insurance (Prudential Supervision) Act 2015</i>	12
	<i>Retirement Savings Accounts Act 1997</i>	12
	<i>Small Superannuation Accounts Act 1995</i>	12
	<i>Superannuation Industry (Supervision) Act 1993</i>	12
	<i>Superannuation (Self Managed Superannuation Funds) Taxation Act 1987</i>	12
	<i>Tax Agent Services Act 2009</i>	13

---

---

<i>Taxation Administration Act 1953</i>	13
<b>Part 3—Finance</b>	14
<i>Digital ID Act 2024</i>	14
<b>Part 4—Defence</b>	15
<i>Defence Act 1903</i>	15
<b>Part 5—Health and Aged Care</b>	16
<i>Aged Care Act 1997</i>	16
<i>Aged Care (Transitional Provisions) Act 1997</i>	16
<i>Health Insurance Act 1973</i>	17
<i>Public Health (Tobacco and Other Products) Act 2023</i>	18
<b>Part 6—Education</b>	21
<i>A New Tax System (Family Assistance) (Administration) Act 1999</i>	21
<i>Higher Education Funding Act 1988</i>	21
<i>Higher Education Support Act 2003</i>	22
<b>Part 7—Veterans’ Affairs</b>	23
<i>Military Rehabilitation and Compensation Act 2004</i>	23
<i>Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988</i>	24
<i>Veterans’ Entitlements Act 1986</i>	25
<b>Part 8—Climate Change, Energy, the Environment and Water</b>	27
<i>Great Barrier Reef Marine Park Act 1975</i>	27
<b>Part 9—Industry, Science and Resources</b>	28
<i>Industry Research and Development Act 1986</i>	28
<b>Part 10—Employment and Workplace Relations</b>	29
<i>Australian Apprenticeship Support Loans Act 2014</i>	29
<i>Fair Entitlements Guarantee Act 2012</i>	29
<i>Higher Education Support Act 2003</i>	30
<i>Safety, Rehabilitation and Compensation Act 1988</i>	31
<i>Seafarers Rehabilitation and Compensation Act 1992</i>	31
<i>VET Student Loans Act 2016</i>	32

---

---

Part 11—Social Services	34
<i>Student Assistance Act 1973</i>	34
Part 12—Home Affairs	35
<i>Migration Act 1958</i>	35
Part 13—Agriculture, Fisheries and Forestry	37
<i>Primary Industries Levies and Charges Collection Act 2024</i>	37
<i>Primary Industries Levies and Charges Disbursement Act 2024</i>	37
<i>Wine Australia Act 2013</i>	38
Part 14—Infrastructure, Transport, Regional Development, Communications and the Arts	39
<i>Classification (Publications, Films and Computer Games) Act 1995</i>	39
<i>New Vehicle Standards Efficiency Act 2024</i>	39
<b>Schedule 3—Contingent amendments</b>	40
Part 1—Treasury	40
Division 1—Help to Buy Act 2024	40
<i>Help to Buy Act 2024</i>	40
Division 2—Schedule 1 to the Treasury Laws Amendment (Consumer Data Right) Act 2024	40
<i>Competition and Consumer Act 2010</i>	40
Part 2—Defence	41
<i>Australian Naval Nuclear Power Safety Act 2024</i>	41
Part 3—Veterans’ Affairs	42
<i>Military Rehabilitation and Compensation Act 2004</i>	42
<i>Safety, Rehabilitation and Compensation (Defence-related Claims)     Act 1988</i>	42
<i>Veterans’ Entitlements Act 1986</i>	42
Part 4—Social Services	44
<i>National Disability Insurance Scheme Act 2013</i>	44
Part 5—Agriculture, Fisheries and Forestry	45
<i>Agriculture (Biosecurity Protection) Levies and Charges Collection     Act 2025</i>	45

---

---

<b>Schedule 4—Amendment of the Administrative Review Tribunal Act 2024</b>	46
<i>Administrative Review Tribunal Act 2024</i>	46
<b>Schedule 5—Contingent amendments of the Administrative Review Tribunal Act 2024</b>	49
<i>Administrative Review Tribunal Act 2024</i>	49



# **Administrative Review Tribunal (Miscellaneous Measures) Act 2025**

**No. 14, 2025**

---

**An Act to deal with miscellaneous and  
consequential matters arising from the enactment  
of the *Administrative Review Tribunal Act 2024*, and  
for other purposes**

*[Assented to 20 February 2025]*

The Parliament of Australia enacts:

## **1 Short title**

This Act is the *Administrative Review Tribunal (Miscellaneous Measures) Act 2025*.

---

---

## 2 Commencement

- (1) Each provision of this Act 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. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day this Act receives the Royal Assent.	20 February 2025
2. Schedules 1 and 2	The day after this Act receives the Royal Assent.	21 February 2025
3. Schedule 3, Part 1, Division 1	The later of: (a) immediately after the commencement of the provisions covered by table item 2; and (b) immediately after the commencement of the <i>Help to Buy Act 2024</i> .  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	21 February 2025 (paragraph (a) applies)
4. Schedule 3, Part 1, Division 2	The later of: (a) immediately after the commencement of the provisions covered by table item 2; and (b) immediately after the commencement of items 63 and 64 of Part 4 of Schedule 1 to the <i>Treasury Laws Amendment (Consumer Data Right) Act 2024</i> .  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	21 February 2025 (paragraph (a) applies)
5. Schedule 3, Part 2	The later of:	



Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
	<p>(a) immediately after the commencement of the provisions covered by table item 2; and</p> <p>(b) immediately after the commencement of the <i>Australian Naval Nuclear Power Safety Act 2024</i>.</p> <p>However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.</p>	
6. Schedule 3, Part 3	<p>The later of:</p> <p>(a) immediately after the commencement of the provisions covered by table item 2; and</p> <p>(b) immediately after the commencement of Part 1 of Schedule 3 to the <i>Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Act 2025</i>.</p> <p>However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.</p>	<p>21 April 2025</p> <p>(paragraph (b) applies)</p>
7. Schedule 3, Part 4	<p>The later of:</p> <p>(a) immediately after the commencement of the provisions covered by table item 2; and</p> <p>(b) immediately after the commencement of the <i>National Disability Insurance Scheme Amendment (Getting the NDIS Back on Track No. 1) Act 2024</i>.</p> <p>However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.</p>	<p>21 February 2025</p> <p>(paragraph (a) applies)</p>
8. Schedule 3, Part 5	<p>The later of:</p> <p>(a) immediately after the commencement of the provisions covered by table item 2; and</p>	<p>Never commenced</p>

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
	(b) immediately after the commencement of the <i>Agriculture (Biosecurity Protection) Levies and Charges Collection Act 2025</i> .  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	
9. Schedule 4	At the same time as the provisions covered by table item 2.	21 February 2025
10. Schedule 5	The later of: (a) immediately after the commencement of the provisions covered by table item 2; and (b) immediately after the commencement of the <i>Intelligence Services Legislation Amendment Act 2025</i> .  However, the provisions do not commence at all if the event mentioned in paragraph (b) does not occur.	

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

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

### 3 Schedules

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

## **Schedule 1—Repeals**

### ***Tribunals Amalgamation Act 2015***

#### **1 The whole of the Act**

Repeal the Act.

## Schedule 2—Consequential amendments

### Part 1—Attorney-General

#### *Bankruptcy Act 1966*

##### 1 Subsection 5(1)

Insert:

*guidance and appeals panel* has the same meaning as in the  
*Administrative Review Tribunal Act 2024*.

*guidance and appeals panel application* has the same meaning as  
in the *Administrative Review Tribunal Act 2024*.

##### 2 Paragraph 149N(2)(b)

Omit “is given”, substitute “becomes final”.

##### 3 After subsection 149N(2)

Insert:

(2A) For the purposes of paragraph (2)(b), a decision of the Tribunal  
becomes final:

- (a) if no application to refer the decision of the Tribunal to the  
guidance and appeals panel is made within the period for  
making the application—at the end of that period; or
- (b) if an application is made to refer the decision of the Tribunal  
to the guidance and appeals panel within the period for  
making the application—when:
  - (i) the application is refused; or
  - (ii) the decision of the Tribunal on the guidance and appeals  
panel application is given.

(2B) For the purposes of subsection (2A), the period for making an  
application to refer a decision of the Tribunal to the guidance and  
appeals panel includes any extension of that period under  
section 125 of the *Administrative Review Tribunal Act 2024*.

## ***Crimes Act 1914***

### **4 Subsection 3UJC(3) (note)**

Repeal the note.

### **5 At the end of section 3UJC**

Add:

- (4) A nominated ART member has, in relation to the performance or exercise of a function or power conferred on an assessment officer by this Division, the same protection and immunity as a Justice of the High Court has in relation to proceedings in the High Court.

### **6 Subsection 3ZZAD(3) (note)**

Repeal the note.

### **7 At the end of section 3ZZAD**

Add:

- (4) A nominated ART member has, in relation to the performance or exercise of a function or power conferred on an eligible issuing officer by this Part, the same protection and immunity as a Justice of the High Court has in relation to proceedings in the High Court.

## ***Freedom of Information Act 1982***

### **8 After paragraph 61A(1)(b)**

Insert:

- (ba) section 24 (decision-maker must give Tribunal additional statement if Tribunal requires—general rule);
- (bb) section 25 (decision-maker must give Tribunal additional documents within 28 days—general rule);
- (bc) section 26 (decision-maker must give Tribunal additional documents on request—general rule);
- (bd) section 27 (decision-maker must give copies of reasons and documents to other parties—general rule);

**9 Paragraph 61A(1)(c)**

Repeal the paragraph, substitute:

(c) section 28 (exceptions—Tribunal may adjust requirements);

**10 Paragraph 61A(1)(h)**

Omit “subsection56(2)”, substitute “subsection 56(2)”.

## **Part 2—Treasury**

### ***Australian Charities and Not-for-profits Commission Act 2012***

#### **11 Subsection 165-10(2)**

Omit “period for making the application has not expired”, substitute “request for a longer period is made before the period for making the application has expired”.

#### **12 At the end of section 165-35**

Add:

- (3) For the purposes of paragraph (2)(b), the period for making an application to refer a decision of the Tribunal to the guidance and appeals panel includes any extension of that period under section 125 of the ART Act.

#### **13 Section 300-5**

Insert:

*guidance and appeals panel* has the same meaning as in the ART Act.

### ***Banking Act 1959***

#### **14 Subsection 51C(2)**

Repeal the subsection.

### ***Corporations Act 2001***

#### **15 Section 9 (definition of *decision*)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

#### **16 Subsection 1297(1)**

Omit “32 and 178”, substitute “32, 127 and 178”.

**17 Subsection 1299K(1)**

Omit “32 and 178”, substitute “32, 127 and 178”.

***Financial Accountability Regime Act 2023***

**18 Subsection 94(3) (note)**

Omit “Section 27A of the *Administrative Appeals Tribunal Act 1975*”, substitute “Section 266 of the *Administrative Review Tribunal Act 2024*”.

**19 Section 95 (heading)**

Omit “**Administrative Appeals Tribunal**”, substitute “**Administrative Review Tribunal**”.

**20 Subsection 95(1)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

**21 Subsection 95(3)**

Omit “subsection 27(1) of the *Administrative Appeals Tribunal Act 1975*”, substitute “section 17 of the *Administrative Review Tribunal Act 2024*”.

***Financial Institutions Supervisory Levies Collection Act 1998***

**22 Subsection 27(7)**

Repeal the subsection.

***Financial Sector (Collection of Data) Act 2001***

**23 Subsection 25D(2)**

Repeal the subsection.



***Financial Services Compensation Scheme of Last Resort  
Levy (Collection) Act 2023***

**24 Section 25 (heading)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

**25 Section 25**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

***Insurance Acquisitions and Takeovers Act 1991***

**26 Subsection 67(2)**

Repeal the subsection.

***Insurance Act 1973***

**27 Subsection 63(8)**

Repeal the subsection.

***Life Insurance Act 1995***

**28 Subsection 236(9)**

Repeal the subsection.

***Payment Times Reporting Act 2020***

**29 Section 54AA (heading)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

**30 Section 54AA**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

***Petroleum Excise (Prices) Act 1987***

**31 Subsections 12(7) and (8)**

Repeal the subsections.

***Private Health Insurance (Prudential Supervision) Act 2015***

**32 Subsection 168(8)**

Repeal the subsection.

***Retirement Savings Accounts Act 1997***

**33 Subsection 189(8)**

Repeal the subsection.

***Small Superannuation Accounts Act 1995***

**34 Subsection 84(1)**

Repeal the subsection.

**35 Subsection 84(2) (heading)**

Repeal the heading.

***Superannuation Industry (Supervision) Act 1993***

**36 Subsection 344(9)**

Repeal the subsection.

***Superannuation (Self Managed Superannuation Funds)  
Taxation Act 1987***

**37 Subsection 16(7)**

Repeal the subsection.

## ***Tax Agent Services Act 2009***

### **38 Subsection 70-30(5) (definition of *reviewable decision*)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

## ***Taxation Administration Act 1953***

### **39 Section 14ZQ**

Insert:

*guidance and appeals panel* has the same meaning as in the ART Act.

### **40 Subsection 14ZZB(3)**

Omit “period for making the application has not expired”, insert “request for a longer period is made before the period for making the application has expired”.

### **41 After subsection 14ZZB(7)**

Insert:

- (7A) However, despite subsection (7), section 127 (Tribunal decision continues to operate unless Tribunal orders otherwise) of the ART Act applies in relation to a reviewable objection decision that relates to a small business taxation assessment decision, subject to the modifications set out in section 14ZZH of this Act.

### **42 At the end of section 14ZZL**

Add:

- (3) For the purposes of paragraph (2)(b), the period for making an application to refer a decision of the ART to the guidance and appeals panel includes any extension of that period under section 125 of the ART Act.

## Part 3—Finance

### *Digital ID Act 2024*

#### **43 Section 140 (heading)**

Omit “**Administrative Appeals Tribunal**”, substitute “**Administrative Review Tribunal**”.

#### **44 Subsection 140(1)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

#### **45 Subsection 140(3)**

Omit “subsection 27(1) of the *Administrative Appeals Tribunal Act 1975*”, substitute “section 17 of the *Administrative Review Tribunal Act 2024*”.

## **Part 4—Defence**

### ***Defence Act 1903***

#### **46 Section 115L (heading)**

Omit “AAT”, substitute “ART”.

#### **47 Section 115L**

Omit “AAT”, substitute “ART”.

## Part 5—Health and Aged Care

### *Aged Care Act 1997*

#### **48 After subsection 85-4(3)**

Insert:

- (3AA) However, if an application has been made under section 85-8 for review of the decision, section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the decision if:
- (a) the application is referred to the \*guidance and appeals panel under section 122 of that Act; or
  - (b) a \*guidance and appeals panel application is taken to be made because the Administrative Review Tribunal’s decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

#### **49 Subsection 85-4(4)**

Omit “subsection (3B)”, substitute “subsections (3AA) and (3B)”.

#### **50 Clause 1 of Schedule 1**

Insert:

*guidance and appeals panel* has the same meaning as in the *Administrative Review Tribunal Act 2024*.

*guidance and appeals panel application* has the same meaning as in the *Administrative Review Tribunal Act 2024*.

### *Aged Care (Transitional Provisions) Act 1997*

#### **51 After subsection 85-4(3)**

Insert:

- (3A) However, if an application has been made under section 85-8 for review of the decision, section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the decision if:

- (a) the application is referred to the \*guidance and appeals panel under section 122 of that Act; or
- (b) a \*guidance and appeals panel application is taken to be made because the Administrative Review Tribunal’s decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

**52 Subsection 85-4(4)**

After “must”, insert “, subject to subsection (3A)”.

**53 Clause 1 of Schedule 1**

Insert:

*guidance and appeals panel* has the same meaning as in the *Administrative Review Tribunal Act 2024*.

*guidance and appeals panel application* has the same meaning as in the *Administrative Review Tribunal Act 2024*.

***Health Insurance Act 1973***

**54 Subsection 3(1)**

Insert:

*guidance and appeals panel* has the same meaning as in the *Administrative Review Tribunal Act 2024*.

*guidance and appeals panel application* has the same meaning as in the *Administrative Review Tribunal Act 2024*.

**55 Subsection 124ZL(4)**

After “must”, insert “, subject to subsection 124ZN(2)”.

**56 Section 124ZN**

Before “Application”, insert “(1)”.

**57 At the end of section 124ZN**

Add:

- (2) If the application is for review of a decision under subsection 124ZL(4), section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the decision if:
- (a) the application is referred to the guidance and appeals panel under section 122 of that Act; or
  - (b) a guidance and appeals panel application is taken to be made because the Administrative Review Tribunal's decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

### ***Public Health (Tobacco and Other Products) Act 2023***

#### **58 Section 8**

Insert:

***guidance and appeals panel*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

***guidance and appeals panel application*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

#### **59 Subsection 142(10) (heading)**

Omit “*Administrative Appeals Tribunal*”, substitute “*Administrative Review Tribunal*”.

#### **60 Subsection 142(10)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

#### **61 Subsection 147(4) (heading)**

Omit “*Administrative Appeals Tribunal*”, substitute “*Administrative Review Tribunal*”.

#### **62 Subsection 147(4)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.



### 63 Paragraphs 147(5)(a) and (b)

Repeal the paragraphs, substitute:

- (a) the reporting entity withdraws the application for review of the Minister's decision; or
- (b) the Administrative Review Tribunal dismisses the application for review of the Minister's decision; or
- (c) the Administrative Review Tribunal makes a decision (the ***Tribunal decision***) to affirm or vary the Minister's decision and any of the following applies:
  - (i) the reporting entity makes a referral application in relation to the Tribunal decision and the President of the Tribunal refuses the application;
  - (ii) the reporting entity makes a referral application in relation to the Tribunal decision and withdraws the application;
  - (iii) the reporting entity does not make a referral application in relation to the Tribunal decision within the period specified in section 125 of the *Administrative Review Tribunal Act 2024*;
  - (iv) no referral application may be made in relation to the Tribunal decision;
  - (v) the guidance and appeals panel application taken to be made because the Tribunal decision is referred to the guidance and appeals panel is withdrawn or dismissed; or
- (d) all of the following apply:
  - (i) the Administrative Review Tribunal makes a decision (the ***Tribunal decision***) on review of the Minister's decision;
  - (ii) the Tribunal makes a decision (the ***GAP decision***) on the guidance and appeals panel application taken to have been made because the Tribunal decision is referred to the guidance and appeals panel;
  - (iii) the effect of the GAP decision is to publish the non-compliance information.

### 64 At the end of section 147

Add:

*Definitions*

(6) In this section:

***referral application*** means an application made under section 123 of the *Administrative Review Tribunal Act 2024* to refer a decision of the Administrative Review Tribunal to the guidance and appeals panel.

## **Part 6—Education**

### ***A New Tax System (Family Assistance) (Administration) Act 1999***

#### **64A Subsection 124(3)**

Omit “AAT’s”, substitute “ART’s”.

#### **65 Section 138A**

Repeal the section.

### ***Higher Education Funding Act 1988***

#### **66 Section 3**

Insert:

*guidance and appeals panel* has the same meaning as in the *Administrative Review Tribunal Act 2024*.

*guidance and appeals panel application* has the same meaning as in the *Administrative Review Tribunal Act 2024*.

#### **67 After subsection 106MA(1)**

Insert:

(1A) However, section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the reconsideration decision if:

- (a) the application is referred to the guidance and appeals panel under section 122 of that Act; or
- (b) a guidance and appeals panel application is taken to be made because the Administrative Review Tribunal’s decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

#### **68 Subsection 106MA(2)**

After “as soon as practicable”, insert “and subject to subsection (1A)”.

## ***Higher Education Support Act 2003***

### **69 After subsection 209-5(2)**

Insert:

- (2A) If an application has been made under section 212-1 for review of a \*reviewable decision, section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the decision if:
- (a) the application is referred to the \*guidance and appeals panel under section 122 of that Act; or
  - (b) a \*guidance and appeals panel application is taken to be made because the Administrative Review Tribunal's decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

### **70 Subsection 209-5(3)**

After “must”, insert “, subject to subsection (2A)”.

### **71 Subclause 1(1) of Schedule 1**

Insert:

***guidance and appeals panel*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

***guidance and appeals panel application*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

## **Part 7—Veterans' Affairs**

### ***Military Rehabilitation and Compensation Act 2004***

#### **72 Subsection 5(1)**

Insert:

*guidance and appeals panel* has the same meaning as in the *Administrative Review Tribunal Act 2024*.

*guidance and appeals panel application* has the same meaning as in the *Administrative Review Tribunal Act 2024*.

#### **73 Subsection 348(1)**

Omit “The”, substitute “Subject to subsection (1A), the”.

#### **74 After subsection 348(1)**

Insert:

- (1A) Section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the affirmed determination or the determination made by the Board if:
- (a) the application is referred to the guidance and appeals panel under section 122 of that Act; or
  - (b) a guidance and appeals panel application is taken to be made because the Administrative Review Tribunal's decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

#### **75 After subsection 350(1)**

Insert:

- (1A) If an application has been made under subsection 354(1) for review of the original determination, section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the original determination if:
- (a) the application is referred to the guidance and appeals panel under section 122 of that Act; or

- (b) a guidance and appeals panel application is taken to be made because the Administrative Review Tribunal's decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

**76 Subsection 350(2)**

After "may", insert " , subject to subsection (1A),".

**77 At the end of section 357**

Add:

- (8) For the purposes of section 115 of the *Administrative Review Tribunal Act 2024*, the Commonwealth is taken to be a party to a proceeding before the Tribunal.

***Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988***

**78 Subsection 60(1)**

Insert:

***guidance and appeals panel*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

***guidance and appeals panel application*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

**79 At the end of section 62**

Add:

- (7) This section has effect subject to subsection 64(2).

**80 After subsection 64(1)**

Insert:

- (2) If the reviewable decision is a decision made under section 62, section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the decision if:
- (a) the application is referred to the guidance and appeals panel under section 122 of that Act; or

- (b) a guidance and appeals panel application is taken to be made because the Administrative Review Tribunal's decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

## ***Veterans' Entitlements Act 1986***

### **81 Section 12**

Insert:

***guidance and appeals panel*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

***guidance and appeals panel application*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

### **82 Subsection 31(2)**

Omit "Where", substitute "Subject to subsection (2A), where".

### **83 After subsection 31(2)**

Insert:

- (2A) Section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the decision if:

- (a) the application is referred to the guidance and appeals panel under section 122 of that Act; or
- (b) a guidance and appeals panel application is taken to be made because the Administrative Review Tribunal's decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

### **84 At the end of section 106**

Add:

- (3) A legislative instrument made by the Commission for the purposes of subsection (1) may modify the operation of section 18 of the *Administrative Review Tribunal Act 2024* (when to apply—general rule) as it applies in relation to an application made under the instrument.

**85 Subsection 177(1)**

Omit “section 107”, substitute “section 108”.



## **Part 8—Climate Change, Energy, the Environment and Water**

### ***Great Barrier Reef Marine Park Act 1975***

#### **86 Subsection 39M(2)**

Repeal the subsection.

## **Part 9—Industry, Science and Resources**

### ***Industry Research and Development Act 1986***

#### **87 Subsection 30E(3)**

Repeal the subsection.

## **Part 10—Employment and Workplace Relations**

### ***Australian Apprenticeship Support Loans Act 2014***

#### **88 Section 5**

Insert:

***guidance and appeals panel*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

***guidance and appeals panel application*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

#### **89 After subsection 81(2)**

Insert:

- (2A) However, if an application has been made to the Administrative Review Tribunal for review of the decision, section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the decision if:
- (a) the application is referred to the guidance and appeals panel under section 122 of that Act; or
  - (b) a guidance and appeals panel application is taken to be made because the Administrative Review Tribunal’s decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

#### **90 Subsection 81(3)**

After “must”, insert “, subject to subsection (2A)”.

### ***Fair Entitlements Guarantee Act 2012***

#### **91 Section 5**

Insert:

***guidance and appeals panel*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

***guidance and appeals panel application*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

**92 After subsection 37(2)**

Insert:

- (2A) However, section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the decision if:
- (a) the application is referred to the guidance and appeals panel under section 122 of that Act; or
  - (b) a guidance and appeals panel application is taken to be made because the Administrative Review Tribunal's decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

**93 Subsection 37(4)**

After “may”, insert “, subject to subsection (2A),”.

***Higher Education Support Act 2003***

**94 After subclause 95(2) of Schedule 1A**

Insert:

- (2A) However, if an application has been made under clause 97 for review of the decision, section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the decision if:
- (a) the application is referred to the \*guidance and appeals panel under section 122 of that Act; or
  - (b) a \*guidance and appeals panel application is taken to be made because the Administrative Review Tribunal's decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

**95 Subclause 95(3) of Schedule 1A**

After “must”, insert “, subject to subsection (2A)”.

**96 Subclause 1(1) of Schedule 1**

Insert:

***guidance and appeals panel*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

***guidance and appeals panel application*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

## ***Safety, Rehabilitation and Compensation Act 1988***

### **97 Subsection 60(1)**

Insert:

***guidance and appeals panel*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

***guidance and appeals panel application*** has the same meaning as in the *Administrative Review Tribunal Act 2024*.

### **98 At the end of section 62**

Add:

- (7) This section has effect subject to subsection 64(2).

### **99 After subsection 64(1)**

Insert:

- (2) If the reviewable decision is a decision made under section 62, section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the decision if:
- (a) the application is referred to the guidance and appeals panel under section 122 of that Act; or
  - (b) a guidance and appeals panel application is taken to be made because the Administrative Review Tribunal's decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

## ***Seafarers Rehabilitation and Compensation Act 1992***

### **100 Subsection 76(1)**

Insert:

*guidance and appeals panel* has the same meaning as in the ART Act.

*guidance and appeals panel application* has the same meaning as in the ART Act.

**101 After subsection 78(6)**

Insert:

(6A) This section has effect subject to section 88(1A).

**102 After subsection 88(1)**

Insert:

(1A) Section 31 (decision cannot be altered outside Tribunal process) of the ART Act applies to the reviewable decision if:

- (a) the application is referred to the guidance and appeals panel under section 122 of that Act; or
- (b) a guidance and appeals panel application is taken to be made because the ART's decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

***VET Student Loans Act 2016***

**103 Section 6**

Insert:

*guidance and appeals panel* has the same meaning as in the *Administrative Review Tribunal Act 2024*.

*guidance and appeals panel application* has the same meaning as in the *Administrative Review Tribunal Act 2024*.

**104 After subsection 77(2)**

Insert:

(2A) However, if an application has been made under section 80 for review of the decision, section 31 (decision cannot be altered outside Tribunal process) of the *Administrative Review Tribunal Act 2024* applies to the decision if:

- (a) the application is referred to the guidance and appeals panel under section 122 of that Act; or
- (b) a guidance and appeals panel application is taken to be made because the Administrative Review Tribunal's decision on the review is referred to the guidance and appeals panel under section 128 of that Act.

**105 Subsection 77(3)**

After “must”, insert “, subject to subsection (2A)”.

## Part 11—Social Services

### *Student Assistance Act 1973*

#### **106 Subsection 304(2)**

Repeal the subsection.

#### **107 Subsection 304(5)**

Omit “, if the application to the AAT is made within any applicable time limit under subsection (2),”.

#### **108 Subsection 308D(3)**

Omit “After”, substitute “Subject to subsection 308H(2), after”.

#### **109 Section 308H**

Before “An application”, insert “(1)”.

#### **110 At the end of section 308H**

Add:

- (2) If the President of the Administrative Review Tribunal refers such an application to the guidance and appeals panel under section 122 of the *Administrative Review Tribunal Act 2024*, section 31 (decision cannot be altered outside Tribunal process) of that Act applies to the decision after the referral is made.

#### **111 Section 312 (heading)**

Omit “**Time**”, substitute “**No time**”.

#### **112 Subsections 312(1) and (2)**

Repeal the subsections, substitute:

Section 18 of the ART Act (which deals with when applications for review may be made) does not apply to applications for ART review.



## **Part 12—Home Affairs**

### ***Migration Act 1958***

#### **113 After section 140GB**

Insert:

- (4A) If the regulations provide for notification by the Minister of a decision whether or not to approve a person's nomination, then the following provisions of the ART Act do not apply to the decision:
- (a) section 267 (decision-maker must have regard to rules when giving notice of decision);
  - (b) section 268 (requesting reasons for a reviewable decision from decision-maker).

#### **113A Subsection 245AYK(9) (heading)**

Omit “*Appeals*”, substitute “*Review*”.

#### **113B Subsection 245AYK(9)**

Omit “Tribunal”, substitute “ART”.

#### **113C Subsection 245AYK(9) (note)**

Omit “Section 27A of the *Administrative Appeals Tribunal Act 1975*”, substitute “Section 266 of the ART Act”.

#### **114 After paragraph 336P(2)(i)**

Insert:

- (ia) section 97 (Tribunal must dismiss application if decision is not reviewable decision);
- (ib) section 98 (Tribunal may dismiss application if fee is not paid);

#### **115 Paragraph 347(3)(a)**

Omit “7 days”, substitute “14 days”.

#### **120 Subsection 348A(1)**

After “ART Act”, insert “, other than in relation to a guidance and appeals panel proceeding”.

**120A Paragraph 375A(2)(b)**

Omit “Tribunal”, substitute “ART”.

## **Part 13—Agriculture, Fisheries and Forestry**

### ***Primary Industries Levies and Charges Collection Act 2024***

#### **121 Subsection 48(8) (note)**

Omit “Section 27A of the *Administrative Appeals Tribunal Act 1975*”, substitute “Section 266 of the *Administrative Review Tribunal Act 2024*”.

#### **122 Section 49 (heading)**

Omit “**Administrative Appeals Tribunal**”, substitute “**Administrative Review Tribunal**”.

#### **123 Section 49**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

### ***Primary Industries Levies and Charges Disbursement Act 2024***

#### **124 Subsection 84(8) (note)**

Omit “Section 27A of the *Administrative Appeals Tribunal Act 1975*”, substitute “Section 266 of the *Administrative Review Tribunal Act 2024*”.

#### **125 Section 85 (heading)**

Omit “**Administrative Appeals Tribunal**”, substitute “**Administrative Review Tribunal**”.

#### **126 Subsection 85(1)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

#### **127 Subsection 85(3)**

Omit “subsection 27(1) of the *Administrative Appeals Tribunal Act 1975*”, substitute “section 17 of the *Administrative Review Tribunal Act 2024*”.

***Wine Australia Act 2013***

**127A At the end of section 40ZAQ**

Add:

*Timing of applications for review to the Administrative Review Tribunal*

- (4) Regulations made for the purposes of subsection (1) may modify the operation of sections 18 and 19 of the *Administrative Review Tribunal Act 2024* (which deal with when applications for review may be made) as they apply in relation to a determination made under those regulations.

**127B At the end of section 40ZAT**

Add:

*Timing of applications for review to the Administrative Review Tribunal*

- (3) Regulations made for the purposes of subsection (1) may modify the operation of sections 18 and 19 of the *Administrative Review Tribunal Act 2024* (which deal with when applications for review may be made) as they apply in relation to a determination made under those regulations.

## **Part 14—Infrastructure, Transport, Regional Development, Communications and the Arts**

### ***Classification (Publications, Films and Computer Games) Act 1995***

#### **127C Section 22R (heading)**

Omit “AAT”, substitute “ART”.

#### **127D Section 22R**

Omit “Appeals”, substitute “Review”.

### ***New Vehicle Standards Efficiency Act 2024***

#### **128 Paragraph 69(2)(i)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

#### **129 Paragraph 85(c)**

Omit “Administrative Appeals Tribunal”, insert “Administrative Review Tribunal”.

#### **130 Section 89**

Omit “Administrative Appeals Tribunal”, insert “Administrative Review Tribunal”.

## **Schedule 3—Contingent amendments**

### **Part 1—Treasury**

#### **Division 1—Help to Buy Act 2024**

##### *Help to Buy Act 2024*

##### **1 Section 43 (heading)**

Omit “**Administrative Appeals Tribunal**”, substitute “**Administrative Review Tribunal**”.

##### **2 Section 43**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

#### **Division 2—Schedule 1 to the Treasury Laws Amendment (Consumer Data Right) Act 2024**

##### *Competition and Consumer Act 2010*

##### **3 Subsection 56BH(4)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

##### **4 Subsection 56BH(4) (note 1)**

Omit “AAT”, substitute “ART”.

##### **5 Subsection 56BHA(5)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

##### **6 Subsection 56BHA(5) (note)**

Omit “AAT”, substitute “ART”.

## **Part 2—Defence**

### ***Australian Naval Nuclear Power Safety Act 2024***

#### **7 Subsection 38(9) (heading)**

Omit “*AAT*”, substitute “*ART*”.

#### **8 Subsection 38(9)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

#### **9 Subsection 144(6) (heading)**

Omit “*AAT*”, substitute “*ART*”.

#### **10 Subsection 144(6)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

## Part 3—Veterans' Affairs

### *Military Rehabilitation and Compensation Act 2004*

#### **11 Subparagraph 353C(10)(b)(i)**

Omit “*Administrative Appeals Tribunal Act 1975*”, substitute  
“*Administrative Review Tribunal Act 2024*”.

#### **12 Subparagraph 353C(10)(b)(ii)**

Repeal the subparagraph, substitute:

- (ii) the person may, under section 268 of the *Administrative Review Tribunal Act 2024*, request a statement of reasons for the decision.

### *Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988*

#### **13 Subsection 62(4) (note)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

### *Veterans' Entitlements Act 1986*

#### **14 Subsection 134(2) (note)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

#### **15 Subsection 174(1) (note)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

#### **16 Subsection 176(1)**

Repeal the subsection.



**17 Subsection 176(3)**

Omit “Section 28 of the *Administrative Appeals Tribunal Act 1975*”,  
substitute “Section 268 of the *Administrative Review Tribunal Act*  
*2024*”.

## **Part 4—Social Services**

### ***National Disability Insurance Scheme Act 2013***

#### **18 Subsection 32L(7) (note)**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

## **Part 5—Agriculture, Fisheries and Forestry**

### ***Agriculture (Biosecurity Protection) Levies and Charges Collection Act 2025***

#### **19 Section 44 (heading)**

Omit “**Administrative Appeals Tribunal**”, substitute “**Administrative Review Tribunal**”.

#### **20 Section 44**

Omit “Administrative Appeals Tribunal”, substitute “Administrative Review Tribunal”.

## **Schedule 4—Amendment of the Administrative Review Tribunal Act 2024**

### *Administrative Review Tribunal Act 2024*

#### **1 Section 4 (subparagraph (b)(i) of the definition of *exempt security record decision*)**

After “paragraph 33(1)(a) or (b)”, insert “or subsection 33(4A) or (4C)”.

#### **2 Section 25**

Omit “came into the possession or under the control of the decision-maker”, substitute “came into the possession or under the control of the decision-maker, or within a longer period specified in the practice directions”.

#### **3 Paragraph 84(2)(b)**

Repeal the paragraph, substitute:

- (b) a person who would have been entitled to apply for review of the decision at the time the substantive application was made.

#### **4 After subsection 94(3)**

Insert:

##### *Question of law*

- (3A) For the purposes of this Act, each of the following is a question of law:

- (a) the question whether information, or a document, should be made available to a party to a proceeding under subsection 91(6);
- (b) the question whether the answering of a question would be contrary to the public interest.

#### **5 After subsection 174(2)**

Insert:

- (2A) For the purposes of counting the 28 days mentioned in paragraphs (1)(a), (b) and (c), do not take into account any day in the period starting on 24 December in a year and ending on 14 January in the next year.

**5A At the end of section 237**

Add:

*Registrar in each State, in the Australian Capital Territory and in the Northern Territory*

- (3) The Principal Registrar must ensure that at least one registrar is appointed in each State, in the Australian Capital Territory and in the Northern Territory.

**5B Section 243**

Repeal the section, substitute:

**243 Registries**

The Minister must cause such registries of the Tribunal to be established as the Minister thinks fit, but so that at least one registry shall be established in each State, in the Australian Capital Territory and in the Northern Territory.

**6 At the end of section 278**

Add:

*Interaction with the Law Officers Act 1964*

- (4) This section does not affect or limit the operation of section 17 of the *Law Officers Act 1964* in relation to a function or power under:
- (a) section 59 (Attorney-General of the Commonwealth may become a party) of this Act; or
  - (b) section 294 (legal or financial assistance) of this Act.

Note: Section 17 of the *Law Officers Act 1964* provides for the Attorney-General to delegate any of the Attorney-General's powers or functions.

**7 Subsection 284(1) (table item 13)**

Repeal the item.

**8 Subsection 285(1) (table items 26 to 28)**

Repeal the items.

## **Schedule 5—Contingent amendments of the Administrative Review Tribunal Act 2024**

### *Administrative Review Tribunal Act 2024*

#### **1 Section 4**

Insert:

*ACC Act* means the *Australian Crime Commission Act 2002*.

*ACIC* means the agency known as the Australian Criminal Intelligence Commission established by the *Australian Crime Commission Act 2002*.

#### **2 Section 4 (after subparagraph (b)(i) of the definition of *exempt security record decision*)**

Insert:

- (ia) a record of the ACIC relating to a criminal intelligence assessment (within the meaning of Division 2A of Part II of the ACC Act); or

---

[Minister's second reading speech made in—  
House of Representatives on 21 August 2024  
Senate on 11 September 2024]

(105/24)

---