

COMMERCIAL AND CONSUMER TRIBUNAL BILL 2003

EXPLANATORY NOTES

AMENDMENTS IN COMMITTEE

This first clause makes clear that the chief executive under the *Property Agents and Motor Dealers Act 2000* will retain their current right of appeal from tribunal decisions on a question of law. The Bill provides that only a party to a proceeding may appeal a tribunal decision but was not clear on whether the chief executive would in fact be a party in all proceedings.

This second clause amends a division heading in the Bill.

This third clause makes an amendment in the Dictionary to the Bill to clarify the definition of a “State agency”. Previously the definition of State agency was confined to matters in relation to a disciplinary or review proceeding. This definition inadvertently excluded matters such as a public examination, to which a State agency would also be a party. This amendment also clarifies that a stop order or suspension order need not be sought only for a disciplinary or review proceeding, as was the case under the Bill as introduced.