



Queensland

Land Court (Transitional) Regulation 2017

Subordinate Legislation 2017 No. 2

made under the

Land Court Act 2000

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1 Short title

This regulation may be cited as the *Land Court (Transitional) Regulation 2017*.

2 Declaration that regulation is a transitional regulation—Act, s 97

This regulation is a transitional regulation.

Note—

Under section 97(4) of the Act, this regulation expires on 23 July 2017.

3 Application of Act to Land Court in exercise of functions or powers under recommendatory provisions—Act, s 97

- (1) The following provisions of the Act apply to the Land Court in the exercise of a function or power conferred on the court under a recommendatory provision as if the exercise of the function or power under the recommendatory provision were a proceeding—
- (a) section 5;
 - (b) section 7A(2)(a) and (c) and (3);
 - (c) section 9;
 - (d) section 16;
 - (e) section 22;
 - (f) section 24;
 - (g) section 25;
 - (h) section 27;
 - (i) section 33;
 - (j) section 34;
 - (k) section 36;
 - (l) section 37, other than to the extent the *Civil Proceedings Act 2011*, part 6 refers to case appraisal;
 - (m) section 42;

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- (n) section 46;
 - (o) section 52.
- (2) Sections 32A, 32C and 32D of the Act apply to the Land Court in the exercise of a function or power conferred on the court under the following recommendatory provisions as if the exercise of the function or power under the recommendatory provision were a proceeding—
- (a) the *Aboriginal Cultural Heritage Act 2003*, part 6, division 5 and part 7, division 6;
 - (b) the *Torres Strait Islander Cultural Heritage Act 2003*, part 6, division 5 and part 7, division 6.
- (3) In this section—
- recommendatory provision*** means—
- (a) section 32F; or
 - (b) the *Aboriginal Cultural Heritage Act 2003*, part 6, division 5 and part 7, division 6; or
 - (c) the *Environmental Protection Act 1994*, chapter 5, part 5, division 3, subdivision 3; or
 - (d) the following provisions of the *Mineral Resources Act 1989*—
 - (i) sections 72 and 75 to 78;
 - (ii) sections 265, 268 and 269;
 - (iii) section 318BC; or
 - (e) the *Petroleum and Gas (Production and Safety) Act 2004*, sections 320 and 363I; or
 - (f) the *Torres Strait Islander Cultural Heritage Act 2003*, part 6, division 5 and part 7, division 6.

ENDNOTES

- 1 Made by the Governor in Council on 25 January 2017.
- 2 Notified on the Queensland legislation website on 27 January 2017.
- 3 The administering agency is the Department of Justice and Attorney-General.

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