

Queensland



Property Agents and Motor Dealers Act 2000

PROPERTY AGENTS AND MOTOR DEALERS (TRIBUNAL) REGULATION 2002

**Reprinted as in force on 6 December 2002
(regulation not amended up to this date)**

Reprint No. 1

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NOT FURTHER AMENDED
LAST REPRINT BEFORE REPEAL
See 2003 SL No. 144 s 12

Information about this reprint

This regulation is reprinted as at 6 December 2002.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have been made to—

- omit provisions that are no longer required (s 40)
- make all necessary consequential amendments (s 7(1)(k)).

Also see endnotes for information about when provisions commenced.

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Queensland



**PROPERTY AGENTS AND MOTOR
DEALERS (TRIBUNAL) REGULATION
2002**

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PROPERTY AGENTS AND MOTOR DEALERS (TRIBUNAL) REGULATION 2002

[reprinted as in force on 6 December 2002]

PART 1—PRELIMINARY

1 Short title

This regulation may be cited as the *Property Agents and Motor Dealers (Tribunal) Regulation 2002*.

2 Commencement

This regulation commences on 6 December 2002.

PART 2—PROVISIONS RELATING TO TRIBUNAL

3 Witness fees and expenses

(1) For section 513(4)(a)¹ of the Act, the witness fees and expenses are the following—

- (a) an attendance allowance of \$49 for each day or part of a day;
- (b) a travelling allowance;
- (c) an accommodation allowance.

(2) If the person travels to and from the tribunal by air and it is reasonable in the circumstances to travel by air, the travelling allowance is the amount payable for economy class air travel by the person to and from the tribunal.

¹ Section 513 (Attendance notice) of the Act

*Property Agents and Motor Dealers (Tribunal)
Regulation 2002*

(3) If subsection (2) does not apply, the travelling allowance is—

- (a) the amount actually and properly paid for fares for public transport to and from the tribunal; or
- (b) if there is no public transport available—\$10 for each day or part of a day plus an amount worked out at the rate of 40 cents a kilometre travelled.

(4) If the person is required to attend at the tribunal for more than 1 day and it is not reasonably practicable for the person to return to the person's place of residence on any day on which the person is required to attend at the tribunal, the accommodation allowance is \$90 for each overnight stay.

4 Applications or matters for Queensland Building Tribunal Act 2000, s 26C(9)

The applications or matters for the *Queensland Building Tribunal Act 2000*, section 26C(9),² definition “prescribed application or matter” are stated in schedule 1.

5 Fees

The fees payable under the Act in relation to the tribunal are stated in schedule 2.

² *Queensland Building Tribunal Act 2000*, section 26C (Presiding case manager's power to deal with particular applications to central tribunals)

SCHEDULE 1

APPLICATIONS OR MATTERS FOR QUEENSLAND BUILDING TRIBUNAL ACT 2000, SECTION 26C(9)

section 4

- 1.** An application made to, or matter before, the tribunal to the extent necessary—
- (a) to decide whether it has jurisdiction, under section 450³ of the Act—
 - (i) to hear and decide a particular application, claim or disciplinary matter; or
 - (ii) to review a particular decision; or
 - (b) to decide whether it is appropriate, under section 508(5)⁴ of the Act, to conduct a proceeding by means of telephone conferencing, video conferencing or another form of communication that allows reasonably contemporaneous and continuous communication between persons taking part in the proceeding; or
 - (c) to decide whether to make an order or give a direction under section 509(1)⁵ of the Act; or
 - (d) to decide whether to extend time under section 511(1)⁶ of the Act; or
 - (e) to conduct a preliminary hearing under section 515(1)⁷ of the Act; or

3 Section 450 (Jurisdiction) of the Act

4 Section 508 (Way tribunal is to conduct proceedings) of the Act

5 Section 509 (Directions and orders) of the Act

6 Section 511 (Tribunal may extend time) of the Act

7 Section 515 (Preliminary hearing) of the Act

SCHEDULE 1 (continued)

(f) to decide, under section 528B(2)⁸ of the Act, the time and place for a public examination.

2. An application under any of the following provisions of the Act—

- section 486(1)
- section 500(1)
- section 500E(1)
- section 503(1)
- section 513(1).⁹

⁸ Section 528B (Procedure before public examination starts) of the Act

⁹ Section 486 (Amendment of claim), 500 (Amendment of complaint), 500E (Amendment of complaint), 503 (Amendment of application for review) or 513 (Attendance notice) of the Act

SCHEDULE 2

FEES

	section 5
	\$
<p>1. Inspection of tribunal’s register kept under the <i>Queensland Building Tribunal Act 2000</i>, section 21(2)(a)—</p> <p style="padding-left: 20px;">(a) each hour or part of an hour</p> <p style="padding-left: 20px;">(b) maximum fee for each day</p> <p>2. Supplying a certificate as to the correctness of a matter in the register</p> <p>3. Application for review fee under section 483 of the Act</p> <p>4. Application for review fee under section 502 of the Act</p> <p>5. Application fee for extension of time</p>	<p>10.20</p> <p>41.40</p> <p>38.40</p> <p>51.00</p> <p>102.50</p> <p>51.00</p>

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). However, no amendments have commenced operation on or before that day. Future amendments of the Property Agents and Motor Dealers (Tribunal) Regulation 2002 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 List of legislation

Property Agents and Motor Dealers (Tribunal) Regulation 2002 SL No. 327
made by the Governor in Council on 5 December 2002
notfd gaz 6 December 2002 pp 1162–66
ss 1–2 commenced on date of notification
remaining provisions commenced 6 December 2002 (see s 2)
exp 1 September 2013 (see SIA s 54)

5 List of annotations

**PART 3—AMENDMENT OF PROPERTY AGENTS AND MOTOR DEALERS
REGULATION 2001**
pt 3 (ss 6–8) om R1 (see RA ss 7(1)(k) and 40)