



Queensland

*Guardianship and Administration Act 2000*

# Guardianship and Administration Tribunal Rule 2004

Reprinted as in force on 5 December 2008

Reprint No. 1A

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the Office of the Queensland Parliamentary Counsel  
Warning—This reprint is not an authorised copy

NOT FURTHER AMENDED  
LAST REPRINT BEFORE REPEAL  
See 2009 Act No. 24 s 1472

# Information about this reprint

This rule is reprinted as at 5 December 2008. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

This page is specific to this reprint. See previous reprint for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprint.**

## Spelling

The spelling of certain words or phrases may be inconsistent in this reprint or with other reprints because of changes made in various editions of the Macquarie Dictionary (for example, in the dictionary, ‘lodgement’ has replaced ‘lodgment’). Variations of spelling will be updated in the next authorised reprint.

## Dates shown on reprints

**Reprints dated at last amendment** All reprints produced on or after 1 July 2002, authorised (that is, hard copy) and unauthorised (that is, electronic), are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If an authorised reprint is dated earlier than an unauthorised version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of an authorised reprint is the same as the date shown for an unauthorised version previously published, it merely means that the unauthorised version was published before the authorised version. Also, any revised edition of the previously published unauthorised version will have the same date as that version.

**Replacement reprint date** If the date of an authorised reprint is the same as the date shown on another authorised reprint it means that one is the replacement of the other.



Queensland

# Guardianship and Administration Tribunal Rule 2004

## Contents

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	Page
1 Short title .....	3
2 Prescribed non-contentious matters—Act, s 99 .....	3
3 Ways notice of hearing of application about matter may be given—Act, s 118 .....	3
4 Mistakes in notices or orders .....	3
<b>Schedule Prescribed non-contentious matters .....</b>	<b>5</b>
 <b>Endnotes</b>	
1 Index to endnotes .....	6
2 Date to which amendments incorporated .....	6
3 Key .....	6
4 Table of reprints .....	7
5 List of legislation .....	7
6 List of annotations .....	7



# **Guardianship and Administration Tribunal Rule 2004**

[as amended by all amendments that commenced on or before 5 December 2008]

## **1 Short title**

This rule may be cited as the *Guardianship and Administration Tribunal Rule 2004*.

## **2 Prescribed non-contentious matters—Act, s 99**

- (1) For section 99(3)<sup>1</sup> of the Act, a matter in relation to a provision of the Act specified in the schedule is a prescribed non-contentious matter.
- (2) However, despite subsection (1), a matter in a proceeding is not a prescribed non-contentious matter if an active party for the proceeding advises the registrar of an objection to the matter being dealt with by the registrar.

## **3 Ways notice of hearing of application about matter may be given—Act, s 118**

Without limiting the way notice may be given to an adult under section 118(3)<sup>2</sup> of the Act, the tribunal may give the notice in any of the following ways—

- (a) orally;
- (b) by post;
- (c) by facsimile.

## **4 Mistakes in notices or orders**

- (1) The tribunal or registrar may correct an irregularity in a notice or order of the tribunal.

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1 See section 99 (Rule-making power) of the Act.

2 See section 118 (Tribunal advises persons concerned of hearing) of the Act.

- (2) The irregularity does not affect the validity of the notice or order.
- (3) In this section—  
*irregularity* means a mistake or error resulting from an accidental slip or omission.

## **Schedule                      Prescribed non-contentious matters**

### section 2

Section 28 (Periodic review of appointment)

Section 29 (Other review of appointment)

Section 30(1) (Guardian or administrator to update advice about appropriateness and competence)

Section 31 (Appointment review process)

Section 39(2) (Act together with joint guardians or administrators)

Section 44(3) (Right of guardian or administrator to information)

Section 76(5) (Health providers to give information)

Section 108(6) (Procedural fairness and access) to the extent of displacing the right to access a document under section 108(3)

Section 118 (Tribunal advises persons concerned of hearing)

Section 122 (Withdrawal by leave)

Section 124 (Representative may be used with tribunal's leave)

Section 133 (Tribunal may adjourn proceeding)

Section 136 (Witness fees and expenses)

Section 153 (Records and audit)

Section 154 (Ratification or approval of exercise of power by informal decision maker)

Section 169 (Registration)

## Endnotes

### 1 Index to endnotes

	Page
2 Date to which amendments incorporated . . . . .	6
3 Key . . . . .	6
4 Table of reprints . . . . .	7
5 List of legislation . . . . .	7
6 List of annotations . . . . .	7

### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 5 December 2008. Future amendments of the Guardianship and Administration Tribunal Rule 2004 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	rv	= revised edition
num	= numbered	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 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments included	Effective	Notes
1	none	17 September 2004	
1A	2008 SL No. 403	5 December 2008	

## 5 List of legislation

### **Guardianship and Administration Tribunal Rule 2004 SL No. 187**

made by the Governor in Council on 16 September 2004

notfd gaz 17 September 2004 pp 249–50

commenced on date of notification

exp 1 September 2015 (see SIA s 54)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

### **Guardianship and Administration Tribunal Amendment Rule (No. 1) 2008 SL No. 403**

notfd gaz 5 December 2008 pp 1840–3

commenced on date of notification

## 6 List of annotations

### **SCHEDULE—PRESCRIBED NON-CONTENTIOUS MATTERS**

amd 2008 SL No. 403 s 3