



Legislation (Deferral of Sunsetting—Code of Practice for Notification of Reviewable Decisions and Rights of Review) Certificate 2017

I, George Brandis QC, Attorney-General, make the following certificate.

Dated 14 February 2017

George Brandis QC
Attorney-General

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1 Name

This instrument is the *Legislation (Deferral of Sunsetting—Code of Practice for Notification of Reviewable Decisions and Rights of Review) Certificate 2017*.

2 Commencement

(1) Each provision of this instrument 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. The whole of this instrument	The day after this instrument is registered.	22 February 2017

Note: This table relates only to the provisions of this instrument as originally made.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

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

3 Authority

This instrument is made under paragraph 51(1)(c) of the *Legislation Act 2003*.

4 Definitions

In this instrument:

AAT means the Administrative Appeals Tribunal.

Code of Practice means the Code of Practice for Notification of Reviewable Decisions and Rights of Review, determined under subsection 27B(1) of the *Administrative Appeals Tribunal Act 1975*.

Legislation Act means the *Legislation Act 2003*.

reviewable decision has the same meaning as in section 27A of the *Administrative Appeals Tribunal Act 1975*.

5 Statement of reasons for issue of certificate

For the purposes of paragraph 51(2)(a) of the Legislation Act, this section sets out the statement of the reasons for the issue of this certificate.

Section 6

Statement of reasons

I am satisfied that the Code of Practice would, apart from the operation of Part 4 of Chapter 3 of the Legislation Act, be likely to cease to be in force within 12 months after the sunsetting day for the Code of Practice.

The Code of Practice deals with the giving of notification of reviewable decisions and rights of review in respect of reviewable decisions. The *Tribunals Amalgamation Act 2015* merged a number of administrative review tribunals into the AAT. The AAT is seeking to harmonise practices and procedures of the various Divisions of the AAT.

The harmonisation project may result in amendments to the Code of Practice. It is intended that a replacement Code of Practice will be determined in late 2017 following an extensive consultation process with all affected agencies.

The Code of Practice is due to sunset on 1 April 2017. A 12 month deferral of the sunsetting date for the Code of Practice will avoid the need to remake the Code of Practice in its current form for the short period before a new Code of Practice is determined.

6 Deferral of sunsetting of the Code of Practice

The Code of Practice, for which the sunsetting day is 1 April 2017, is taken to cease to be in force under section 51 of the Legislation Act on 1 April 2018.

7 Repeal of this instrument

This instrument is repealed at the start of 2 April 2018.