

Administrative Review Tribunal (Consequential and Transitional Provisions No. 1) Amendment Rules (No. 2) 2025

I, Michelle Rowland, Attorney‑General, make the following rules.

Dated 1 September 2025

Michelle Rowland

Attorney‑General

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1 Name

This instrument is the *Administrative Review Tribunal (Consequential and Transitional Provisions No. 1) Amendment Rules (No. 2) 2025*.

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. | 4 September 2025 |

Note: This table relates only to the provisions of this instrument as originally made.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 the *Administrative Review Tribunal (Consequential and Transitional Provisions No. 1) Act 2024*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Administrative Review Tribunal (Consequential and Transitional Provisions No. 1) Rules 2024

1 At the end of the instrument

Add:

Part 4—Other matters

13 Calculating pensions for certain former presidential members of the AAT

(1) This section is made for the purposes of subitem 51(2) of Schedule 16 to the Act.

(2) This section applies in relation to a person if:

(a) the person was, before 16 May 2005, appointed under the *Administrative Appeals Tribunal Act 1975* as a presidential member of the AAT; and

(b) at the time of that appointment, the person was not a Judge within the meaning of the *Judges’ Pensions Act 1968* (the ***Pensions Act***); and

(c) subsection 16(1) (the ***judicial deeming provision***)of the *Administrative Appeals Tribunal Act 1975*, as in force immediately before the start of 16 May 2005, continued to apply in relation to the person on and after that day under item 34 of Schedule 1 to the *Administrative Appeals Tribunal Amendment Act 2005*.

(3) For the purpose of applying the judicial deeming provision in relation to the person on and after the repeal of the *Administrative Appeals Tribunal Act 1975* on 14 October 2024, treat the appropriate current judicial salary in relation to the person for the purposes of the Pensions Act as being the salary for the time being payable to a Non‑Judicial Deputy President of the ART.