

Authorised Version

**Victorian Civil and Administrative Tribunal
(Amendment No. 19) Rules 2018**

S.R. No. 18/2018

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Authorised Version

STATUTORY RULES 2018

S.R. No. 18/2018

Victorian Civil and Administrative Tribunal Act 1998

Victorian Civil and Administrative Tribunal (Amendment No. 19) Rules 2018

The Rules Committee established by section 150 of the **Victorian Civil and Administrative Tribunal Act 1998** makes the following Rules:

1 Object

The object of these Rules is to amend the Victorian Civil and Administrative Tribunal Rules 2008—

- (a) to provide for service by way of electronic communication; and
- (b) to make minor amendments to the allocation of functions to the legal practice list and the review and regulation list of the administrative division of the Tribunal; and
- (c) to make other minor amendments.

2 Authorising provisions

These Rules are made under section 157 of the **Victorian Civil and Administrative Tribunal Act 1998** and all other enabling powers.

3 Commencement

These Rules come into operation on 1 March 2018.

4 Principal Rules

In these Rules, the Victorian Civil and Administrative Tribunal Rules 2008¹ are called the Principal Rules.

5 Lodgement of application or referral

In Rule 4.05(2) of the Principal Rules, for "electronic transmission" **substitute** "electronic communication".

6 Lodgement of other documents by electronic communication

- (1) In the heading to Rule 4.06 of the Principal Rules, for "**transmission**" **substitute** "**communication**".
- (2) In Rule 4.06(1) of the Principal Rules, for "electronic transmission" **substitute** "electronic communication".

7 Address for service of documents

In Rule 4.08(4) of the Principal Rules, for "electronic transmissions" **substitute** "electronic communication".

8 Authentication of order

After Rule 4.17(ab) of the Principal Rules
insert—

- "(ac) affixation of the principal registrar's electronic signature and having the seal of the Tribunal electronically affixed; or".

9 Alternative method of service of documents on party

In Rule 4.23 of the Principal Rules, for "electronic transmission" **substitute** "electronic communication".

10 Service of process on partners and firms

- (1) In Rule 4.29(b) of the Principal Rules, for "post, facsimile or other electronic transmission" **substitute** "post".

(2) After Rule 4.29(b) of the Principal Rules **insert**—

"(ba) sending it by facsimile or other electronic communication to the firm at its last known address for receipt of electronic communication; or".

11 Revocation of Rule 5.05

Rule 5.05 of the Principal Rules is **revoked**.

12 Clause 1 of Schedule 1

In Clause 1(1) of Schedule 1 to the Principal Rules, after item 1.1 **insert**—

"1.1A **Business Licensing Authority Act 1998**";.

13 Clause 5 of Schedule 1

(1) In Clause 5(1) of Schedule 1 to the Principal Rules, for item 5.11 **substitute**—

"5.11 **Business Franchise (Petroleum Products) Act 1979**";.

(2) In Clause 5(1) of Schedule 1 to the Principal Rules, after item 5.15 **insert**—

"5.15A **Congestion Levy Act 2005**";.

(3) In Clause 5(1) of Schedule 1 to the Principal Rules, after item 5.22 **insert**—

"5.22AA **Duties Act 2000**";.

(4) In Clause 5(1) of Schedule 1 to the Principal Rules, after item 5.37 **insert**—

"5.37A **Land Tax Act 2005**";.

(5) In Clause 5(1) of Schedule 1 to the Principal Rules, after item 5.50 **insert**—

"5.50AA **Payroll Tax Act 2007**";.

(6) In Clause 5(1) of Schedule 1 to the Principal Rules, after item 5.50A **insert**—

"5.50B **Planning and Environment Act 1987**
Part 9B:".

Dated: 21 February 2018

GREG GARDE, *President*

FRANCES MILLANE, *Vice President*

MARK DWYER, *Deputy President*

MARGARET BAIRD, *Senior Member*

BILL SIBONIS, *Member*

CRAIG LYNCH, *Attorney-General's Nominee*

Endnotes

- ¹ Rule 4: S.R. No. 65/2008. Reprint No. 4 as at 1 June 2017. Reprinted to S.R. No. 35/2017. Subsequently amended by S.R. No. 110/2017.