



# HIGH COURT OF AUSTRALIA

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### Details of Filing

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### Important Information

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**IN THE HIGH COURT OF AUSTRALIA**  
**SYDNEY REGISTRY**

No. S39 of 2024

B E T W E E N:

**STATE OF NEW SOUTH WALES**  
Appellant

and

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**PAULINA WOJCIECHOWSKA**  
First Respondent

**REGISTRAR OF NSW CIVIL AND ADMINISTRATIVE TRIBUNAL**  
Second Respondent

**COMMISSIONER OF NSW POLICE FORCE**  
Third Respondent

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**SECRETARY OF NSW DEPARTMENT OF COMMUNITIES AND JUSTICE**  
Fourth Respondent

**REGISTRAR OF DISTRICT COURT OF NEW SOUTH WALES**  
Fifth Respondent

**SUBMISSIONS OF THE ATTORNEY GENERAL FOR WESTERN AUSTRALIA (INTERVENING)**

**PART I: SUITABILITY FOR PUBLICATION**

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1. These submissions are in a form suitable for publication on the internet.

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**PART II: BASIS OF INTERVENTION**

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2. The Attorney General for Western Australia intervenes pursuant to s 78A of the *Judiciary Act 1903* (Cth) in support of the appellant.

**PART III: WHY LEAVE TO INTERVENE SHOULD BE GRANTED**

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3. Not applicable.

**PART IV: ARGUMENT**

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**A. Summary**

4. The issue in this appeal is identified in the appellant's written submissions [2].

5. For the reasons advanced below, the Attorney General for Western Australia submits that the issue should be answered in the negative. Review proceedings in

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the New South Wales Civil and Administrative **Tribunal** pursuant to s 55 of the

*Privacy and Personal Information Protection Act 1998* (NSW) neither involve a "matter" within the meaning of ss 75 and 76 of the Constitution nor the exercise of judicial power.

## B. Facts

6. The Attorney General for Western Australia adopts the summary of facts set out in the appellant's written submissions [5]-[10].

## C. Legislative schemes

7. The Attorney General for Western Australia adopts the summary of the legislative schemes set out in the appellant's written submissions [15]-[38].

## 10 D. Overview

8. In *Citta Hobart Pty Ltd v Cawthorn* (2022) 276 CLR 216 [1], the plurality summarised the holding in *Burns v Corbett* (2018) 265 CLR 304 as follows:

a State Parliament lacks legislative capacity to confer on a State tribunal that is not a court of the State within the meaning of s 77(ii) and s 77(iii) of the *Constitution* judicial power with respect to any matter of a description in s 75 or s 76 of the *Constitution*.

9. The Court of Appeal below was broadly correct, with respect, to identify three core issues in light of *Burns v Corbett*:<sup>1</sup>

(1) Is the proceeding of a kind potentially falling within ss 75-76 ...?

- 20 (2) If so, would resolution of the claim or dispute involve exercise of the judicial power of the Commonwealth?

(3) If so, is the decision-maker a court in the relevant sense?

Only if the first two questions are answered "yes", and the third question is answered "no", does the *Burns v Corbett* restriction apply.

10. It is uncontroversial that the third question should be answered "no".<sup>2</sup>

11. The Court of Appeal's identification of the first two questions reflects that, as the Court of Appeal observed, notions of "matter", federal jurisdiction and the judicial power of the Commonwealth are interlinked.<sup>3</sup> Yet it remains important to approach the first question recalling that a proceeding can only fall within ss 75 or 76 of the Constitution if it concerns a "matter" in the sense that term is used in those sections.

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<sup>1</sup> *Wojciechowska v Secretary, Department of Communities and Justice; Wojciechowska v Registrar, Civil and Administrative Tribunal* [2023] NSWCA 191 [42]-[43] (**Primary Judgment**).

<sup>2</sup> See *Attorney General for New South Wales v Gatsby* (2018) 99 NSWLR 1.

<sup>3</sup> Primary Judgment [40].

For the reasons submitted below [17]-[23], a review under s 55 of the PPIP Act does not involve a "matter" in that sense.

12. The Court of Appeal also observed, with respect correctly, that there were many features of the scheme of the PPIP Act that pointed towards a non-judicial characterisation of the powers being exercised by the Tribunal under the PPIP Act, including the following:<sup>4</sup>

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the context of the scheme is governmental administration; the criteria involved (in particular the information protection principles) are rather evaluative and administrative in nature; enforcement of the types of norms in the PPIP Act are not characteristically or historically exercised in courts; the rights at issue are not independent, pre-existing rights, and they are given effect in the manner and to the extent set out in the statutory scheme; the Tribunal's remedies, other than s 55(2)(a), are of a kind which can be exercised by an administrative decision-maker.

13. However the Court of Appeal considered that the Tribunal's power on reviewing the conduct of a public sector agency under s 55(2)(a) of the PPIP Act to make "an order requiring the public sector agency to pay to the applicant damages not exceeding \$40,000 by way of compensation for any loss or damage suffered because of the conduct" was "of a kind characteristically exercised by courts and that points to exercise of that power being judicial".<sup>5</sup>

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14. The Court of Appeal did not go on to determine whether this factor was sufficient of itself to conclude that the power could not be exercised by the Tribunal in the proceedings before it. For the reasons submitted below [24]-[38], in the context of the PPIP Act the Tribunal's exercise of power to order the payment of compensation is administrative and not judicial.

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15. The Court of Appeal instead held that the Tribunal would be exercising the judicial power of the Commonwealth if and when an order was sought under s 55(2)(a) of the PPIP Act because it concluded that: (a) s 78 of the *Civil and Administrative Tribunal Act 2013* (NSW) can apply to an order made under s 55(2)(a) of the PPIP Act;<sup>6</sup> (b) an order to which s 78 of the CAT Act applies is to be certified by a registrar of the Tribunal and when that certificate is filed in a court with jurisdiction to give judgment for a debt of the same amount, the certificate operates as such a

<sup>4</sup> Primary Judgment [134]. The Court of Appeal's analysis of the factors bearing on whether the Tribunal would be exercising judicial rather than administrative power appear in the Primary Judgment [122] to [144].

<sup>5</sup> Primary Judgment [134].

<sup>6</sup> Primary Judgment [137]-[139].

judgment;<sup>7</sup> and (c) *Brandy v Human Rights and Equal Opportunity Commission* (1995) 183 CLR 245 is binding and materially indistinguishable authority for the proposition that where a decision of an administrative body is given the effect of a decision of a court, that affects the characterisation of the power being exercised by the administrative body and must cause the exercise of power to be judicial rather than administrative.<sup>8</sup>

16. The Attorney General for Western Australia makes no submission on the constructional question of whether s 78 of the CAT Act can apply to an order made under s 55(2)(a) of the PPIP Act. If s 78 of the CAT Act can apply in that way, for the reasons submitted below at [39]-[45], *Brandy* does not compel the conclusion that the Tribunal could not exercise the power under s 55(2)(a) of the PPIP Act in this case because that would be an exercise of the judicial power of the Commonwealth.

**E. A review under s 55 of the PPIP Act does not involve a "matter"**

17. A "matter" for the purposes of ss 75 and 76 of the Constitution:<sup>9</sup>  
has two elements: "the subject matter itself as defined by reference to the heads of jurisdiction [in ss 75 and 76], and the concrete or adequate adversarial nature of the dispute sufficient to give rise to a justiciable controversy".
18. The first element is not in issue in these proceedings as it is not in dispute that the proceedings before the Tribunal were "between a State and a resident of another State".<sup>10</sup>
19. As to the second element, in *Unions NSW v New South Wales* (2023) 97 ALJR 150 [15] the plurality held:  
Exceptional categories aside, there can be no "matter" within the meaning of Ch III of the *Constitution* unless "there is some immediate right, duty or liability to be established by the determination of the Court" in the administration of a law and unless the determination can result in the Court granting relief which both quells a controversy between parties and is available at the suit of the party seeking that relief. (Citations omitted.)
20. For there to be a "matter" there must be a "justiciable controversy about a legal right or legal duty having an existence that is not dependent on the commencement

<sup>7</sup> Primary Judgment [137]; CAT Act, s 78(1) and (3).

<sup>8</sup> Primary Judgment [140]-[143].

<sup>9</sup> *AZC20 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* (2023) 97 ALJR 674 [31] (Kiefel CJ, Gordon and Steward JJ), where their Honours cited *CGU Insurance Ltd v Blakeley* (2016) 259 CLR 339 [27] quoting Burmester, "Limitations on Federal Adjudication", in Opeskin and Wheeler (eds), *The Australian Federal Judicial System* (2000) 227, 232.

<sup>10</sup> Constitution, s 75(iv).

of a proceeding in the forum in which that controversy might come to be adjudicated",<sup>11</sup> and the controversy must involve a dispute about legal rights that is capable of being resolved by the exercise of judicial power.<sup>12</sup>

21. In administrative review proceedings before the Tribunal pursuant to s 55 of the PPIP Act and under the *Administrative Decisions Review Act 1997* (NSW) there is no legal right or duty having an existence that is not dependent on the commencement of an application for review pursuant to Part 5 of the PPIP Act.
22. The Court of Appeal was correct, with respect, to observe in the Primary Judgment [125] that the "rights created [by the PPIP Act] are not independent, pre-existing rights ... they are given effect in the manner and to the extent set out in the statutory scheme". This is because, save for the ability to seek review of conduct under Part 5 of the PPIP Act, nothing in Parts 2 and 3 of the PPIP Act gives rise to any civil cause of action and nothing in those Parts operates to create in any person any legal rights not in existence before the enactment of the PPIP Act.<sup>13</sup>
23. Consequently, there is no "immediate right, duty or liability"<sup>14</sup> to be established by the determination of the Tribunal that is capable of sustaining a "matter" within the meaning of ss 75 and 76 of the Constitution.

**F. In the context of the PPIP Act the Tribunal's exercise of power to order the payment of compensation is administrative and not judicial**

24. Exhaustive definition of the scope of "judicial power" is difficult and elusive, if not impossible.<sup>15</sup>
25. There is an identified and narrow exclusive area of judicial power which is "the quelling of ... controversies by ascertainment of the facts, by application of the law and by exercise, where appropriate, of judicial discretion".<sup>16</sup>

<sup>11</sup> *Citta Hobart* [31] (Kiefel CJ, Gageler, Keane, Gordon, Steward and Gleeson JJ).

<sup>12</sup> See *Hobart International Airport Pty Ltd v Clarence City Council; Australia Pacific Airports (Launceston) Pty Ltd v Northern Midlands Council* (2022) 96 ALJR 234 [47] (Gageler and Gleeson JJ), citing *R v Trade Practices Tribunal; Ex parte Tasmanian Breweries Pty Ltd* (1970) 123 CLR 361, 374 (Kitto J); also see *AZC20 v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs* (2023) 97 ALJR 674 [68] (Edelman J).

<sup>13</sup> PPIP Act, s 69.

<sup>14</sup> *Unions NSW v New South Wales* (2023) 97 ALJR 150 [15] (Kiefel CJ, Gageler, Gordon, Gleeson and Jagot JJ).

<sup>15</sup> See *Palmer v Ayres* (2017) 259 CLR 478 [43] (Gageler J) and the cases and secondary sources cited therein.

<sup>16</sup> *Fencott v Muller* (1983) 152 CLR 570, 608 (Mason, Murphy, Brennan and Deane JJ).

26. There is also:

an area of judicial power, within "[t]he borderland in which judicial and administrative functions overlap", and within which a particular act or thing done by a court through the application of a judicial process is directed to an ultimate end that might equally be achieved through the application of a non-judicial process.<sup>17</sup>

27. In that "borderland", the nature of decision-making functions may take their character "from their legislative setting, the character of the decision-maker and the nature of the decision-making process".<sup>18</sup> It has been observed that "[t]he nature of the final act determines the nature of the previous inquiry".<sup>19</sup>

10 28. As has been submitted above [12], the Court of Appeal identified many features of the PPIP Act which pointed towards a non-judicial characterisation of the Tribunal's powers in administrative review proceedings brought pursuant to s 55 of the PPIP Act. To the extent that the exercise of powers in review proceedings fall within the "borderland", the character of the Tribunal, the nature of the Tribunal's decision-making process, the statutory context and the nature of the final act following proceedings brought pursuant to s 55 of the PPIP Act support the characterisation of the nature of the power being exercised by the Tribunal as administrative rather than judicial.

20 29. *The character of the Tribunal.* Review proceedings are conducted by the Tribunal under the ADR Act which provides a scheme for merits review of administrative decisions made by administrators. The Tribunal need not be constituted by a member who has legal training or expertise.<sup>20</sup> These factors indicate that the nature of the power being exercised is administrative.

30. *The nature of the Tribunal's decision-making process.* The role of the Tribunal is to make the "correct and preferable" decision having regard to the material before it.<sup>21</sup> It is unnecessary for the Tribunal to find error in the decision or conduct the subject of review before it can exercise its powers on review. The Tribunal has the power to affirm, vary, set aside and substitute a new decision, or set aside and remit the matter to the administrator for reconsideration, and any decision by the Tribunal

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<sup>17</sup> *Palmer v Ayres* (2017) 259 CLR 478 [47] (Gageler J) (citations omitted).

<sup>18</sup> See *Brandy*, 258 (Mason CJ, Brennan and Toohey JJ); also see *R v Davison* (1954) 90 CLR 353, 370 (Dixon CJ and McTiernan J).

<sup>19</sup> *R v Davison* (1954) 90 CLR 353, 370 (Dixon CJ and McTiernan J); *Citta Hobart* [22] (Kiefel CJ, Gageler, Keane, Gordon, Steward and Gleeson JJ).

<sup>20</sup> See Primary Judgment [135].

<sup>21</sup> ADR Act, s 63(1).

which varies or is made in substitution for an administrator's decision is taken to be a decision of the administrator.<sup>22</sup> The Tribunal is not bound by the rules of evidence and can inform itself as it thinks fit.<sup>23</sup> In determining an application for administrative review, subject to certain irrelevant exceptions, the Tribunal is required to give effect to any relevant Government policy in force at the time the decision under review was made.<sup>24</sup> The requirement to give effect to any relevant Government policy is inconsistent with the exercise of judicial power.<sup>25</sup>

- 10 31. If, in the course of a review, the Tribunal forms the opinion that the chief executive officer or an employee of the public sector agency has failed to exercise in good faith a function conferred or imposed on the officer or employee under the PPIP Act, the Tribunal may bring such matters to the attention of the responsible Minister for the public sector agency.<sup>26</sup>
32. The decision-making process on review proceedings as a whole reflects an administrative merits review process as opposed to an exercise of judicial power.
33. *The statutory context.* As the Court of Appeal observed, with respect correctly, the PPIP Act only regulates public sector agencies and "addresses aspects of governmental record-keeping", which places it in an administrative context.<sup>27</sup>
- 20 34. As the Court of Appeal also recognised, "[t]he criteria set out in the information protection principles are, to a significant extent, rather amorphous, evaluative and directed to the way in which administrative processes are undertaken".<sup>28</sup> The Court was correct, with respect, to observe that this pointed towards the power being characterised as administrative, and that the legal norms established by the PPIP Act are "not norms characteristically or historically exercised in courts",<sup>29</sup> and relatedly, that the rights created by the PPIP Act are "not independent, pre-existing rights" and are given effect in the "manner and to the extent set out in the statutory scheme".<sup>30</sup>

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<sup>22</sup> ADR Act, s 66(2).

<sup>23</sup> CAT Act, s 38(2).

<sup>24</sup> ADR Act, s 64(1).

<sup>25</sup> See, eg, *Brandy*, 268 (Deane, Dawson, Gaudron and McHugh JJ).

<sup>26</sup> PPIP Act, s 55(5).

<sup>27</sup> Primary Judgment [122].

<sup>28</sup> Primary Judgment [123].

<sup>29</sup> Primary Judgment [124]; also see [134].

<sup>30</sup> Primary Judgment [125].



35. *The nature of the final act.* As the Court of Appeal observed, the Tribunal's powers on a review provided by s 55(2)(b)–(g) of the PPIP Act, whilst expressed in more specific terms than what the agency may do following internal review, can be characterised as "remedial action" (a power the agency possesses on internal review under s 53(7)(c)) or "administrative measures" (a power the agency possesses on internal review under s 53(7)(e)).<sup>31</sup> Accordingly, while the powers in s 55(2)(b)–(g) "are orders which could have been made in the exercise of judicial power, they are also decisions which could be made as an exercise of administrative power".<sup>32</sup>
- 10 36. As to the power in s 55(2)(a) of the PPIP Act, the award of compensation for loss is not the sole purview of courts exercising judicial power. As was recognised by the Court of Appeal below,<sup>33</sup> administrative tribunals award compensation, including the Fair Work Commission,<sup>34</sup> workers' compensation tribunals<sup>35</sup> and industrial tribunals, including by taking into account legal norms. Additionally, the discretionary award of compensation by the executive is a feature of the Australian legislative landscape. Examples include a discretion to make act of grace payments where the payment would not otherwise be authorised by law or required to meet a legal liability,<sup>36</sup> a discretion to grant compensation for loss occasioned by early termination of employment<sup>37</sup> and a discretion to grant compensation for removal  
20 from office.<sup>38</sup>
37. Given the power to award compensation is not a power that has historically been exclusively granted to courts exercising judicial power, the nature of any power to award compensation may take its character "from [its] legislative setting, the character of the decision-maker and the nature of the decision-making process".<sup>39</sup>

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<sup>31</sup> Primary Judgment [128]; also see [134].

<sup>32</sup> Primary Judgment [128]; also see [134].

<sup>33</sup> Primary Judgment [131].

<sup>34</sup> See, eg, *Fair Work Act 2009* (Cth), s 392; see also s 405, which is a civil remedy provision, and which provides that a person must not contravene a term of an order made under Part 3-2 of the *Fair Work Act* (which includes an order to pay compensation as an unfair dismissal remedy).

<sup>35</sup> See, eg, *Safety, Rehabilitation and Compensation Act 1988* (Cth), s 64; *Workers' Compensation and Injury Management Act 1981* (WA), Part XI.

<sup>36</sup> *Financial Management Act 2006* (WA), s 80; *Government Sector Finance Act 2018* (NSW), s 5.7.

<sup>37</sup> *Public Sector Management Act 1994* (WA), ss 59(2) and 70(3).

<sup>38</sup> *Government Sector Employment Act 2013* (NSW), s 78; also see *Prisons Act 1981* (WA), s 103(2).

<sup>39</sup> See *Brandy*, 258 (Mason CJ, Brennan and Toohey JJ); also see *R v Davison* (1954) 90 CLR 353, 370 (Dixon CJ and McTiernan J).

38. For the reasons submitted at [29] to [34] above, those factors all point towards the power being administrative rather than judicial in nature. In addition, that damages are only available as a matter of discretion rather than as of right once a contravention is found is a further factor supporting the conclusion that the power to award damages is administrative, not judicial. That s 55(2)(a) refers to "damages" does not require a different conclusion.

**G. If s 78 of the CAT can apply to an order under s 55(2)(a) of the PPIP Act, *Brandy* does not compel the conclusion that the exercise of power under s 55(2)(a) is an exercise of the judicial power of the Commonwealth**

10 39. If s 78 of the CAT Act can apply to an order requiring an agency to pay damages made under s 55(2)(a) of the PPIP Act, that factor when understood in the legislative context as a whole does not compel the conclusion that the judicial power of the Commonwealth was engaged in this case once an order for damages under s 55(2)(a) was sought.

40. As has been submitted above [17]-[23], a review under s 55 of the PPIP Act does not involve a "matter" within the meaning of ss 75 and 76 of the Constitution. The existence of a "matter" is essential to the exercise of the judicial power of the Commonwealth.<sup>40</sup> As there is no "matter", such a review does not involve the exercise of Commonwealth judicial power which means that the limitation identified in *Burns v Corbett* has not been transgressed.<sup>41</sup>

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41. Further, in *Brandy* the impugned statutory provisions provided for the determination of the Human Rights and Equal Opportunity Commission to be registered in the Federal Court and, on registration, the determination took effect as an order of the Federal Court. A judicial order of the Federal Court takes effect as an exercise of the judicial power of the Commonwealth.<sup>42</sup>

42. Section 78 of the CAT Act provides for an order of the Tribunal for the payment of money to be enforceable as a judgment of a State court of competent jurisdiction once a Tribunal registrar has certified the order and the certificate has been filed in the State court's registry. Unlike an order of the Federal Court, a judgment of a

<sup>40</sup> *Unions NSW v New South Wales* (2023) 97 ALJR 150 [13]-[15] (Kiefel CJ, Gageler, Gordon, Gleeson and Jagot JJ).

<sup>41</sup> See *Burns v Corbett* (2018) 265 CLR 34 [2]-[3], [43] (Kiefel CJ, Bell and Keane JJ) [106] (Gageler J).

<sup>42</sup> *Brandy* at 259-260 (Mason CJ, Brennan and Toohey JJ).

State court does not of itself take effect as an exercise of the judicial power of the Commonwealth. And unlike the exercise of the judicial power of the Commonwealth, the exercise of State judicial power does not depend on the existence of a "matter" within the meaning of ss 75 and 76 of the Constitution.<sup>43</sup>

43. State legislatures are not bound by the same constitutional restriction in respect of State courts as the Commonwealth Parliament is with respect to federal courts.<sup>44</sup> The use of enforcement mechanisms in a State court to enforce an administrative order for payment of money is not prohibited by the Constitution unless the use of that mechanism for that purpose is incompatible with that State court being a repository of federal judicial power.<sup>45</sup> (Indeed, the use of such a mechanism is not uncommon in Western Australia.)<sup>46</sup>
44. Accordingly, unlike in the federal sphere, the use of enforcement mechanisms in a State court does not in and of itself compel a conclusion that judicial power is being exercised by the Tribunal.
45. That the Tribunal can make an order requiring the agency to pay damages and the possibility of such an order being enforceable as an order of a court under s 78 of the CAT Act does not, in the legislative setting taken as a whole, alter that conclusion.

<sup>43</sup> *Burns v Corbett* (2018) 265 CLR 34 [71] (Gageler J). Indeed, the existence of a "matter" within the meaning of ss 75 and 76 of the Constitution rules out the possibility of State judicial power being available to quell the dispute: *Citta Hobart* [31]–[33] (Kiefel CJ, Gageler, Keane, Gordon, Steward and Gleeson JJ).

<sup>44</sup> *K-Generation Pty Ltd v Liquor Licensing Court* (2009) 237 CLR 501 [153] (Gummow, Hayne, Heydon, Crennan and Kiefel JJ); *Burns v Corbett* (2018) 265 CLR 34 [54] (Kiefel CJ, Bell and Keane JJ) [71] (Gageler J); *Kable v The Director of Public Prosecutions for the State of New South Wales* (1996) 189 CLR 51, 103 (Gaudron J), 109–10 and 117 (McHugh J), 136–37 (Gummow J).

<sup>45</sup> *Kable v The Director of Public Prosecutions for the State of New South Wales* (1996) 189 CLR 51, 98 (Toohey J), 103–4 (Gaudron J), 116–17 (McHugh J).

<sup>46</sup> See, eg, *Criminal Injuries Compensation Act 2003* (WA), s 53; *Liquor Control Act 1988* (WA), s 18A; *State Administrative Tribunal Act 2004* (WA), ss 85 and 86; *Workers' Compensation and Injury Management Act 1981* (WA), s 219.

**PART V: LENGTH OF ORAL ARGUMENT**

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46. It is estimated that the oral argument will take 15 minutes.

Dated: 22 May 2024



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**IN THE HIGH COURT OF AUSTRALIA**  
**SYDNEY REGISTRY**

No. S39 of 2024

B E T W E E N:

**STATE OF NEW SOUTH WALES**  
 Appellant

and

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**PAULINA WOJCIECHOWSKA**  
 First Respondent

**REGISTRAR OF NSW CIVIL AND ADMINISTRATIVE TRIBUNAL**  
 Second Respondent

**COMMISSIONER OF NSW POLICE FORCE**  
 Third Respondent

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**SECRETARY OF NSW DEPARTMENT OF COMMUNITIES AND JUSTICE**  
 Fourth Respondent

**REGISTRAR OF DISTRICT COURT OF NEW SOUTH WALES**  
 Fifth Respondent

**ANNEXURE TO SUBMISSIONS OF THE ATTORNEY GENERAL FOR  
 WESTERN AUSTRALIA (INTERVENING)**

30 Pursuant to paragraph 3 of Practice Direction No. 1 of 2019, the Attorney General for Western Australia sets out below a list of the particular constitutional provisions, statutes and statutory instruments referred to in the submissions.

	<b>Description</b>	<b>Version</b>	<b>Provision</b>
<b>Constitutional Provisions</b>			
1.	<i>Commonwealth Constitution</i>	Current	ss.75, 76
<b>Statutory Provisions</b>			
2.	<i>Administrative Decisions Review Act 1997</i> (NSW)	Current	ss.63, 64, 66
3.	<i>Civil and Administrative Tribunal Act 2013</i> (NSW)	Current	ss.38, 78
4.	<i>Criminal Injuries Compensation Act 2003</i> (WA)	Current	s.53
5.	<i>Fair Work Act 2009</i> (Cth)	Current	ss.392, 405
6.	<i>Financial Management Act 2006</i> (WA)	Current	s.80

7.	<i>Government Sector Employment Act 2013 (NSW)</i>	Current	s.78
8.	<i>Government Sector Finance Act 2018 (NSW)</i>	Current	s.5.7
9.	<i>Liquor Control Act 1988 (WA)</i>	Current	s.18A
10.	<i>Privacy and Personal Information Protection Act 1998 (NSW)</i>	Current	ss.53, 55, 69 and Parts 2, 3 and 5
11.	<i>Prisons Act 1981 (WA)</i>	Current	s.103
12.	<i>Public Sector Management Act 1994 (WA)</i>	Current	ss 59, 70
13.	<i>Safety, Rehabilitation and Compensation Act 1988 (Cth)</i>	Current	s.64
14.	<i>State Administrative Tribunal Act 2004 (WA)</i>	Current	ss.85, 86
15.	<i>Workers' Compensation and Injury Management Act 1981 (WA)</i>	Current	s.219 and Pt XI