

Communication



Subject: *Court and Civil Legislation Amendment Act 2017*

Audience: Land Court of Queensland Website & Land Court Legal Reference Group

Commencing: Effective 5 June 2017 (Provisions relevant to Land Court)

Legislation: *Court and Civil Legislation Amendment Act 2017*

BACKGROUND

The Court and Civil Legislation Amendment Act 2017 (CCLAA) was passed on 23 May 2017. The provisions relevant to the Land court commenced on assent by the Governor on 5 June 2017. The CCLAA amends a number of pieces of legislation.

CHANGES WITH DIRECT IMPACT ON THE LAND COURT OF QUEENSLAND

Land Court act 1981 – Amendments were passed to:

- Ensure that orders of the Land Appeal Court may be enforced in the Supreme Court.
- Remove any doubt as the power of the Land Appeal Court to make declarations.
- Provide for the appointment of acting judicial registrars on a full-time or part-time basis.
- Ensure that the Land Appeal Court has the jurisdiction and power to award costs in respect of a previous Land Court hearing where the Land court had not previously determined costs.
- Strengthen the alternative dispute resolution processes for Land Court proceedings with a view to ensuring so far as possible that persons attending have the authority to settle the matter.
- Incorporate the provisions of the Land Court Act (Transitional) Regulation 2017. This regulation is due to expire on 23 July 2017, and was originally created to apply certain functions and powers under the Land Court Act (which could previously only be applied to judicial proceedings) to the Land Court in the exercise of its recommendatory jurisdiction.

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