

TASMANIA

**MAGISTRATES COURT (CIVIL DIVISION)
(MINOR CIVIL CLAIMS) REGULATIONS 2023**

STATUTORY RULES 2023, No. 77

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**MAGISTRATES COURT (CIVIL DIVISION)
(MINOR CIVIL CLAIMS) REGULATIONS 2023**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Magistrates Court (Civil Division) Act 1992*.

Dated 20 November 2023.

B. BAKER
Governor

By Her Excellency's Command,

GUY BARNETT
Minister for Justice

1. Short title

These regulations may be cited as the
*Magistrates Court (Civil Division) (Minor Civil
Claims) Regulations 2023*.

2. Commencement

These regulations take effect on
10 December 2023.

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3. Prescribed minor civil claims

- (1) For the purpose of paragraph (a) of the definition of *minor civil claim* in section 3 of the *Magistrates Court (Civil Division) Act 1992*, a claim or counterclaim for damages, or for the payment of money, is a minor civil claim if the amount claimed does not exceed \$15 000.
- (2) For the purpose of paragraph (b) of the definition of *minor civil claim* in section 3 of the *Magistrates Court (Civil Division) Act 1992*, the following are prescribed to be minor civil claims:
 - (a) proceedings for damages under the *Residential Tenancy Act 1997*, if the amount claimed does not exceed \$15 000;
 - (b) proceedings under any provision of the *Residential Tenancy Act 1997* that confers a right to apply to, or appeal to, the Court;
 - (c) proceedings under any provision of the *Irrigation Clauses Act 1973* that confers a right to apply to, or appeal to, the Court;
 - (d) proceedings under any provision of the *Access to Neighbouring Land Act 1992* that confers a right to apply to, or appeal to, the Court.

*Magistrates Court (Civil Division) (Minor Civil Claims)
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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 29 November 2023.

These regulations are administered in the Department of Justice.

EXPLANATORY NOTE

(This note is not part of the regulations)

These regulations –

- (a) prescribe certain proceedings to be minor civil claims for the purpose of the definition of *minor civil claim* in the *Magistrates Court (Civil Division) Act 1992*; and
- (b) are made consequentially on the repeal of the *Magistrates Court (Civil Division) (Minor Civil Claims) Regulations 2013* under section 11 of the *Subordinate Legislation Act 1992*.