



TASMANIA

TASMANIAN INDUSTRIAL COMMISSION

CITATION: Applicant 1 v Minister administering the State Service Act 2000/a
Department of the State of Tasmania [2025] TASIC(RS) 1

PARTIES: Applicant 1 (Applicant)

Minister administering the *State Service Act 2000*/a Department of the State of
Tasmania (Respondent)

SUBJECT: *State Service Act 2000*, s 50(1)(a) Review of State Service Selection

FILE NO: RS35 of 2024/25

DATE REASONS PUBLISHED: 25 November 2025
Decision given ex tempore on 5 August 2025

COMMISSIONER: President D J Barclay

CATCHWORDS: Out of time, application dismissed

REPRESENTATION:

Shane Hamel for the Applicant

Gillian Fiddy for the Respondent

**APPLICANT1 v MINISTER ADMINISTERING THE STATE SERVICE ACT 2000 –
A DEPARTMENT OF THE STATE OF TASMANIA**

REASONS FOR DECISION

25 NOVEMBER 2025

Edited reasons for decision given ex tempore on 5 August 2025.

[1] This is an application under s50(1)(a) of the *State Service Act 2000* (Tas) for a review of the selection in relation to a position at a Department of the State of Tasmania.

[2] The Applicant was notified of the outcome of the selection process on 2 June 2025 and lodged her application on 18 June 2025.

[3] The *State Service Regulations 2021* (Tas) require that an application to review a selection be made within 14 days of notification of the outcome of the selection. I note that the regulation excludes public holidays, and I have done so in the reckoning of time. The time expired on 17 June 2025 because of a public holiday, being the King's Birthday holiday on 9 June 2025.

[4] There is no scope to extend time provided in the Regulations. Because the Commission is a statutory authority, it cannot exercise any inherent jurisdiction. Therefore, it needs statutory authority to extend time.

[5] There is power to extend time under the *Industrial Relations Act 1984* (Tas), for time limits prescribed by or under the *Industrial Relations Act* except for the time prescribed in relation to an appeal.

[6] The time limit provided for an application to review a selection is not prescribed by or under the *Industrial Relations Act*; it is prescribed under the *State Service Act* and in the *State Service Regulations*.

[7] Accordingly, there is no power to extend the time. Even though I note that the application is only one day out of time, I must dismiss the application.

Order

[8] The Application is dismissed.

