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Construction

A Daily Bulletin listing Decisions of Superior Courts of Australia

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Executive Summary (1 minute read)

Ericson v Queensland Building and Construction Commission (QCA) - administrative law - cancellation of contractor's licence - Appeal Tribunal erred on remitter - appeal allowed

Summaries with links (5 minute read)

Ericson v Queensland Building and Construction Commission [2014] QCA 297

Court of Appeal of Queensland

Holmes JA; Mullins & Henry JJ

Administrative law - contractor sought review of Building Services Authority's decision to suspend and cancel his licence - contractor sought leave to appeal against Appeal Tribunal's confirmation of QCAT's cancellation of licence - Appeal Tribunal had received fresh evidence but did not remit matter to member for fresh exercise of discretion in accordance with its decision - Court of Appeal held Appeal Panel failed to exercise discretion under s48 and contractor entitled to further review - on remitter, Appeal Tribunal again confirmed decision to cancel licence - held: Appeal Tribunal erred by failing to identify basis on which it was dealing with matter and failing to reconsider it in accordance with Court's earlier decision - appeal allowed - matter remitted to differently constituted Tribunal.

[Ericson](#)

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