

FACT SHEET

Repeal of By-laws Postponement Bill 2012

The *Subordinate Legislation Act 1992* provides for the systematic repeal of subordinate legislation over a rolling 10 year period. If by-laws are to continue to have effect they must be remade in accordance with the requirements of this Act.

The Council of Australian Governments (COAG) agreed in 2009 to establish single national regulators for heavy vehicles, maritime safety, and rail safety to be in place by 1 January 2013. The *Marine Safety (Domestic Commercial Vessel) National Law Bill 2012* was introduced into the Australian Parliament on 24th May 2012 and passed both Houses on 23rd August 2012.

The *Marine and Safety (Certificates of Competency) By-laws 2002* expire on 24 December 2012 and the *Marine and Safety (Definition of Operational Areas) By-laws 2003* expire on 1 April 2013. Both sets of by-laws need to be maintained to support the operation of *Marine and Safety Authority Act 1997* until such time as the national law is applied in Tasmania. The Bill will postpone, until 23 December 2013, the automatic repeal of these by-laws to ensure that they can continue to operate past the expiry dates.

Whilst it is possible to review and remake these by-laws it would be an unnecessary use of resources for both MAST and the Office of Parliamentary Counsel given that both will require amendment or repeal as a result of the application of the national law.