

FACT SHEET

LEGISLATION REPEAL BILL 2010

- The purpose of this Bill is to repeal a number of Acts and statutory rules that are no longer necessary.
- This Bill repeals 24 principal Acts, 35 amendment Acts, 15 Proclamations, 20 Orders and two Notices that have been identified by agencies as no longer being necessary.
- Details of the Acts to be repealed are provided in the Notes on Clauses.
- The following Acts are examples of the legislation to be repealed.
- The *Health Services Act 1960* amended a number of now redundant Acts to provide that any function of the Minister for Health appearing in those Acts may be delegated to a medical practitioner employed within the Department. To date, Health Ministers have chosen to carry out these functions, which relate to health service establishments, particularly under the *Hospitals Act 1918*. The *Health Service Establishments Act 2006* is scheduled to commence in 2010 and will repeal the *Hospitals Act 1918*. There is therefore no need to retain a specific delegation power.
- The *Consolidated Fund Appropriation (Supplementary Appropriation for 2006-2007) Act 2007* is an Act for the appropriation of money from the Consolidated Fund to certain agencies for the financial year ending 30 June 2007. The Department of Treasury and Finance has received advice from the Solicitor-General that an appropriation Act cannot authorise the appropriation of money for a longer period than one year. For this reason, the Act is now redundant and can be repealed.
- The *Tamar Improvement Act (No.2) 1913* amends the *Tamar Improvement Act 1912*. The *Tamar Improvement Act 1912* was repealed by the *Legislation Repeal Act 1995*. The remaining provisions of the *Tamar Improvement Act (No.2) 1913* serve no useful purpose in isolation. For this reason, the Act can be repealed.
- The Bill also removes specific sections in Acts that are no longer required. For example, Section 45A of the *Acts Interpretation Act 1931* refers to the State rate of interest on Commonwealth debt. This debt was repaid in July 2005. Accordingly, this section is irrelevant and can be removed from the Act.