TASMANIA

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SUBORDINATE LEGISLATION BILL 2026

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SUBORDINATE LEGISLATION BILL 2026

(Brought in by the Treasurer, the Honourable Eric Abetz)

A BILL FOR

An Act relating to the making of certain subordinate legislation and to consequentially amend certain other Acts

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Subordinate Legislation Act 2026*.

2. Commencement

This Act commences on a day to be proclaimed.

3. Interpretation

In this Act –

regulatory impact statement, in relation to proposed subordinate legislation, means a statement prepared under section 8(1);

responsible Department, in connection with subordinate legislation, means the

department responsible to the responsible Minister in connection with the subordinate legislation;

responsible Minister, in connection with subordinate legislation, means the Minister administering the Act under which the subordinate legislation is, or is proposed to be, made;

Secretary means Secretary of the Department;

subordinate legislation means –

(a) a regulation, rule or by-law that is –

(i) made by the Governor; or

(ii) made by a person or body other than the Governor but required by law to be approved, confirmed or consented to by the Governor; or

(b) any other instrument that is declared by the Treasurer under section 4(1) to be subordinate legislation for the purposes of this Act;

Subordinate Legislation Committee means the committee for the time being constituted under the *Subordinate Legislation Committee Act 1969*.

4. Treasurer may declare certain instruments to be subordinate legislation

(1) The Treasurer, by notice published in the *Gazette*, may declare an instrument of a legislative character, that is made under the authority of an Act, to be subordinate legislation for the purposes of this Act.

(2) If the Treasurer makes a declaration under subsection (1) in respect of an instrument of a legislative character, the Treasurer is to ensure that a list of those instruments –

(a) is maintained on a website maintained by, or on behalf of, the Department; and

(b) is freely available to members of the public at all times.

(3) A notice under subsection (1) is not a statutory rule within the meaning of the *Rules Publication Act 1953*.

5. Guidelines

(1) The Treasurer may issue guidelines for one or more of the following:

(a) the preparation of subordinate legislation;

(b) matters that must be considered, or specified, as part of a regulatory impact statement;

(c) the preparation, and publication, of regulatory impact statements under this Act in respect of proposed subordinate legislation.

(2) If the Treasurer issues guidelines under subsection (1), the Treasurer is to ensure that those guidelines –

(a) are published on a website maintained by, or on behalf of, the Department; and

(b) are freely available to members of the public at all times.

(3) Guidelines issued under subsection (1) are not statutory rules within the meaning of the *Rules Publication Act 1953*.

(4) For the avoidance of doubt, the Treasurer may –

(a) amend guidelines issued under subsection (1); or

(b) rescind guidelines issued under subsection (1) and issue new guidelines under that subsection.

PART 2 – REQUIREMENTS REGARDING THE MAKING OF SUBORDINATE LEGISLATION

6. Requirements for proposed subordinate legislation

Before proposed subordinate legislation is made, the responsible Minister must ensure that –

(a) all relevant guidelines issued under section 5 are complied with, so far as is reasonably practicable, in respect of the proposed subordinate legislation; and

(b) one of the following certificates is issued or obtained in respect of the proposed subordinate legislation:

(i) a certificate under section 7(3);

(ii) a certificate under section 8(3);

(iii) a certificate under section 10(a);

(iv) a certificate under section 10(b);

(v) a certificate under section 11(2).

7. Preparation of proposed subordinate legislation

(1) Subject to this Part, a regulatory impact statement must be prepared in respect of any parts of proposed subordinate legislation that are likely to impose a significant burden, cost or disadvantage on any sector of the public.

(2) Before subordinate legislation is made, if the responsible Department believes that the proposed subordinate legislation is not likely to impose a significant burden, cost or disadvantage on any sector of the public, the responsible Department may seek a certificate from the Secretary to that effect.

(3) If the Secretary is satisfied that proposed subordinate legislation is not likely to impose a significant burden, cost or disadvantage on any sector of the public, the Secretary is to issue a certificate to that effect to the responsible Minister.

(4) A decision of the Secretary under this section, in respect of proposed subordinate legislation, is final and is only subject to review if the Secretary considers it reasonable in the circumstances to conduct the review.

8. Regulatory impact statements

(1) If a certificate is not issued by the Secretary under section 7(3) in respect of proposed subordinate legislation, subject to section 10 or 11, the responsible Department is to prepare a statement on the regulatory impact of the proposed subordinate legislation.

(2) A regulatory impact statement prepared under this Act in respect of proposed subordinate legislation is to –

(a) address each part of the proposed subordinate legislation that imposes a

significant burden, cost or disadvantage on any sector of the public; and

(b) include such other matters as are specified in guidelines issued under section 5 in respect of regulatory impact statements; and

(c) be published in the manner specified in those guidelines in respect of regulatory impact statements.

(3) After a regulatory impact statement is prepared in respect of proposed subordinate legislation, the responsible Minister must obtain a certificate from the Secretary certifying that –

(a) the statement complies with the requirements of subsection (2); and

(b) the nature and extent of the consultation proposed to be undertaken, as notified under section 9, is appropriate.

9. Notification of proposed subordinate legislation

(1) If a regulatory impact statement is required in respect of proposed subordinate legislation, the responsible Minister must, subject to subsection (2), ensure that, before the proposed subordinate legislation is made –

(a) a notice is published in the *Gazette* –

(i) stating the objects of the proposed subordinate legislation; and

(ii) advising where a copy of the regulatory impact statement may be obtained or inspected; and

(iii) advising where a copy of the proposed subordinate legislation may be obtained or inspected; and

(iv) inviting comments and submissions within a specified time, but not less than 21 days from the date of publication of the notice; and

(b) a copy of the notice published under paragraph (a) is –

(i) published on a website maintained by, or on behalf of, the responsible Department while comments and submissions may be made in respect of the proposed subordinate legislation; and

(ii) made freely available to members of the public while so published; and

(c) consultation in respect of the proposed subordinate legislation –

(i) takes place with appropriate representatives of consumers, the public, relevant interest groups, and any sector of industry or

commerce, likely to be affected by the proposed subordinate legislation; and

(ii) is commensurate with any impact likely to arise for consumers, the public, relevant interest groups, and any sector of industry or commerce, from the making of the proposed subordinate legislation; and

(d) all comments and submissions received are considered before the proposed subordinate legislation is made.

(2) A notice must not be published under subsection (1) in respect of proposed subordinate legislation until a certificate has been obtained in respect of the proposed subordinate legislation under section 8(3).

10. Regulatory impact statements not necessary in certain cases

A regulatory impact statement is not required under section 8 in respect of proposed subordinate legislation if –

(a) the Secretary certifies, in writing, that the proposed subordinate legislation relates to matters, or falls within one of the categories, set out in Schedule 1; or

(b) the Treasurer certifies, in writing, that the Treasurer is satisfied that, due to

exceptional circumstances, it is in the public interest that the proposed subordinate legislation be made without a regulatory impact statement being prepared under section 8; or

(c) the Minister issues a certificate under section 11(2) in respect of the proposed subordinate legislation.

11. Minister may exempt proposed subordinate legislation from regulatory impact statement

(1) At any stage before subordinate legislation is made, the responsible Department may apply to the Minister for an exemption from the requirement to prepare a regulatory impact statement in respect of the proposed subordinate legislation.

(2) The Minister may issue a certificate to the responsible Minister, exempting the responsible Department from preparing a regulatory impact statement in respect of proposed subordinate legislation, if –

(a) the proposed subordinate legislation remakes an existing piece of subordinate legislation or consolidates 2 or more existing pieces of legislation; and

(b) the Minister is satisfied that it is not in the public interest for the subordinate legislation to be rescinded without replacement subordinate legislation being in force.

(3) Nothing in this section requires the Minister to issue a certificate under this section in respect of proposed subordinate legislation.

(4) If the Minister issues a certificate under this section in respect of proposed subordinate legislation, the proposed subordinate legislation may not be in effect for a period of more than 5 years.

(5) A decision of the Minister under this section, in respect of proposed subordinate legislation, is final and is only subject to review if the Minister considers it reasonable in the circumstances to conduct the review.

12. Certification of proposed subordinate legislation

(1) In this section –

relevant Act means the Act under which proposed subordinate legislation is to be made.

(2) All proposed subordinate legislation must be submitted to the Chief Parliamentary Counsel for advice as to whether it –

(a) appears to be within the powers conferred by the relevant Act; and

(b) appears, without clear and express authority being conferred by the relevant Act –

(i) to have a retrospective effect; or

(ii) to impose a tax, fee, fine, imprisonment or other penalty; or

(iii) to subdelegate powers delegated by the relevant Act; and

(c) appears to be within the general objectives of the relevant Act; and

(d) is expressed in as clear and unambiguous language as is reasonably possible.

13. Requirements before Governor makes subordinate legislation

If proposed subordinate legislation is submitted for making by the Governor, or for the approval, confirmation or consent of the Governor, each of the following documents must also be submitted to the Governor with the proposed subordinate legislation:

(a) the advice given by the Chief Parliamentary Counsel, under section 12, in respect of the proposed subordinate legislation;

(b) a certificate of the responsible Minister, in a form approved by the Secretary, that certifies that all relevant guidelines issued under section 5 are complied with, so far as is reasonably practicable, in respect of the proposed subordinate legislation;

(c) one of the following certificates:

(i) a certificate issued under section 7(3) in respect of the proposed subordinate legislation;

(ii) a certificate obtained under section 8(3) in respect of the proposed subordinate legislation;

(iii) a certificate issued under section 10 in respect of the proposed subordinate legislation;

(iv) a certificate issued under section 11(2) in respect of the proposed subordinate legislation.

14. Certain documents to be sent to Subordinate Legislation Committee

(1) If subordinate legislation is made, the Secretary of the responsible Department must send to the Subordinate Legislation Committee –

(a) a copy of the advice given by the Chief Parliamentary Counsel, under section 12, in respect of the proposed subordinate legislation; and

(b) a copy of the certificate of the responsible Minister that certifies that all relevant guidelines issued under section 5 are complied with, so far as is reasonably practicable, in respect of the proposed subordinate legislation; and

(c) if a certificate has been issued under section 7(3) in respect of the proposed subordinate legislation – a copy of that certificate; and

(d) if a certificate has been obtained under section 8(3) in respect of the proposed subordinate legislation –

(i) a copy of that certificate; and

(ii) a copy of the regulatory impact statement prepared in respect of the proposed subordinate legislation; and

(iii) a copy of the comments and submissions, if any, received pursuant to section 9(1)(a)(iv) in respect of the proposed subordinate legislation; and

(iv) a statement as to how the comments and submissions received pursuant to section 9(1)(a)(iv) in respect of the proposed subordinate legislation, if any, were considered by the Department; and

(e) if a certificate has been issued under section 10 in respect of the proposed subordinate legislation – a copy of that certificate; and

(f) if a certificate has been issued under section 11(2) in respect of the proposed subordinate legislation – a copy of that certificate.

(2) The documents referred to in subsection (1) must be sent to the Subordinate Legislation Committee –

(a) within 7 days of the subordinate legislation, or notification of its making, being published in the *Gazette*; or

(b) if the subordinate legislation, or notification of its making, is not required to be published in the *Gazette*, within 7 days of the subordinate legislation being made.

(3) If the Subordinate Legislation Committee is not in office when material is required to be sent to it under this section, the material is to be sent to a person nominated by the Clerk of the Legislative Council and the Clerk of the House of Assembly for the attention of the Committee after its appointment.

(4) This section does not apply to an instrument declared to be subordinate legislation under section 4(1).

15. Effect of compliance with Part

(1) A failure to comply with a provision of this Part in respect of subordinate legislation does not affect the validity of that subordinate legislation.

(2) The provisions of this Part regarding the requirements to be complied with before subordinate legislation is made, approved, confirmed or consented to are in addition to, and do not affect, the provisions of any other Act.

PART 3 – AUTOMATIC RESCISSION OF SUBORDINATE LEGISLATION

16. Subordinate legislation automatically rescinded

(1) Unless it sooner ceases to be in force, subordinate legislation is rescinded on the tenth anniversary of the date on which it was published, or notification of its making was published, in the *Gazette*.

(2) If subordinate legislation (the ***principal subordinate legislation***) is rescinded by virtue of subsection (1), the following legislation is also rescinded:

(a) any subordinate legislation which solely amends the principal subordinate legislation;

(b) any provision of another piece of subordinate legislation which amends the principal subordinate legislation.

17. Governor may extend operation of subordinate legislation

(1) The Governor, by order, may postpone for one period not exceeding 12 months the date on which any subordinate legislation specified in the order would otherwise be rescinded under section 16(1).

(2) An order may only be made under subsection (1) in respect of subordinate legislation if –

(a) the Treasurer certifies that it is not in the public interest for the subordinate legislation to be rescinded without replacement subordinate legislation being in force; and

(b) the order is made before the day on which that subordinate legislation, but for the order, is to be rescinded under this Act.

PART 4 – MISCELLANEOUS

18. Delegation

(1) The Treasurer may delegate any of the Treasurer's functions or powers under this Act other than this power of delegation.

(2) The Minister may delegate any of the Minister's function or power under this Act other than this power of delegation.

19. Regulations

The Governor may make regulations for the purposes of this Act.

20. Administration of Act

Until provision is made in relation to this Act by order under section 4 of the *Administrative Arrangements Act 1990* –

(a) the administration of this Act is assigned to the Treasurer; and

(b) the department responsible to the Treasurer in relation to the administration of this Act is the Department of Treasury and Finance.

21. Savings and transitional provisions

(1) In this section –

commencement day means the day on which this Act commences;

former Act means the *Subordinate Legislation Act 1992*.

(2) Any action taken under Part 2 of the former Act, before the commencement day, in respect of subordinate legislation is taken to be an action taken under Part 2 of this Act in respect of that subordinate legislation.

(3) For the avoidance of doubt, any declaration of the Treasurer, under section 3(2) of the former Act, that was in force immediately before the commencement day is taken to be revoked on the commencement day.

22. Consequential amendments

The legislation specified in Schedule 2 is amended as specified in that Schedule.

23. Legislation repealed

The legislation specified in Schedule 3 is repealed.

SCHEDULE 1 – EXEMPT MATTERS AND CATEGORIES

Section 10

1. Matters involving corrections to existing subordinate legislation.

2. Matters of a purely savings or transitional nature.

3. Matters of a declaratory, machinery or procedural nature.

4. Subordinate legislation where –

(a) the subordinate legislation is being prepared under proposed primary legislation; and

(b) that proposed primary legislation has been through a process that is equivalent to the process of preparing, and consulting on, a regulatory impact statement for subordinate legislation (an ***equivalent review process***); and

(c) as part of that equivalent review process, the impact of the subordinate legislation on Tasmania was directly, or indirectly, considered; and

(d) the subordinate legislation –

(i) is made within 10 years after that equivalent review process was completed; and

(ii) only remains in force during the 10-year period after that equivalent review process was completed.

5. Subordinate legislation where –

(a) matters arising under the subordinate legislation –

(i) are substantially uniform or complementary with legislation, including but not limited to subordinate legislation, of the Commonwealth or another State or a Territory; or

(ii) involve the adoption of international or Australian standards or codes of practice; and

(b) those substantially uniform or complementary matters, or the matters being adopted, have been through a process in another jurisdiction that is substantially equivalent to the process of preparing, and consulting on, a regulatory impact statement for the subordinate legislation (an ***equivalent review process***); and

(c) as part of the equivalent review process, the impact of the subordinate legislation on Tasmania was considered, whether directly or indirectly; and

(d) the subordinate legislation –

(i) is made within 10 years after that equivalent review process was completed; and

(ii) only remains in force during the 10-year period after that equivalent review process was completed.

6. Subordinate legislation that –

(a) remakes an existing piece of subordinate legislation or consolidates 2 or more existing pieces of legislation; and

(b) is made within 10 years of –

(i) in the case of remaking existing subordinate legislation – the preparation of a regulatory impact statement for that existing subordinate legislation; or

(ii) in the case of consolidating existing subordinate legislation – the preparation of a regulatory impact statement for each piece of existing subordinate legislation to be consolidated; and

(c) does not substantially change any costs, burdens or disadvantages imposed under the existing subordinate legislation, as assessed by a regulatory impact statement within the previous 10 years; and

(d) only remains in force during the relevant 10-year period specified in paragraph (b).

7. Subordinate legislation that –

(a) relates to the procedure, practice or costs of a court or of a tribunal exercising judicial or quasi-judicial powers; and

(b) does not impose fees.

SCHEDULE 2 – CONSEQUENTIAL AMENDMENTS

Section 22

Tasmanian Assessment, Standards and Certification Act 2003

1. Section 64(7)(c) is amended by omitting "section 3(2) of the *Subordinate Legislation Act 1992*" and substituting "section 4 of the *Subordinate Legislation Act 2026*".

Aboriginal Heritage Act 1975

1. Section 21A(3)(d) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Abt Railway Development Act 1999

1. Section 32(4)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Australian Consumer Law (Tasmania) Act 2010

1. Section 34(6)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Biosecurity Act 2019

1. Section 9(3)(c) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 280(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

COVID-19 Disease Emergency (Commercial Leases) Act 2020

1. Section 32(7) is amended by omitting "section 5 of the *Subordinate Legislation Act 1992*" and substituting "the *Subordinate Legislation Act 2026*".

COVID-19 Disease Emergency (Miscellaneous Provisions) Act (No. 2) 2020

1. Section 29(6) is amended by omitting "section 4 or 5 of the *Subordinate Legislation Act 1992*" and substituting "the *Subordinate Legislation Act 2026*".

Cat Management Act 2009

1. Section 44(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Children, Young Persons and Their Families Act 1997

1. Section 53F(6)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Co-operatives National Law (Tasmania) Act 2015

1. Section 6(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Competition Policy Reform (Tasmania) Act 1996

1. Section 3(1) is amended as follows:

(a) by omitting the definition of *Conduct Code Agreement*;

(b) by inserting the following definition after the definition of *month*:

National Competition Policy Agreement means the Intergovernmental Agreement on National Competition Policy, entered into by the governments of the Commonwealth and each State and Territory on 29 November 2024, as amended from time to time;

(c) by omitting "Conduct Code Agreement" from the definition of *participating jurisdiction* and substituting "National Competition Policy Agreement".

Dangerous Goods (Road and Rail Transport) Act 2010

1. Section 11(4)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 12(6)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

3. Section 64(9)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

4. Section 65(5)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

5. Section 67(3)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

6. Section 136(4)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Duties Act 2001

1. Section 46B(3)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 46K(3)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

3. Section 46T(3)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

4. Section 57D(3)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Economic Regulator Act 2009

1. Section 3(1) is amended by omitting paragraph (a) from the definition of *national competition policy competitive neutrality principles* and substituting:

(a) Principle 4 of the agreement called the "Intergovernmental Agreement on National Competition Policy", entered into by the governments of the Commonwealth and each State and Territory on 29 November 2024, as amended or substituted from time to time; or

2. Section 36(7) is amended by omitting "section 3(2) of the *Subordinate Legislation Act 1992*" and substituting "the *Subordinate Legislation Act 2026*".

3. Section 48(b) is amended by omitting "by" and substituting "by, or is likely to be adversely affected by,".

4. Section 49(b)(iv) is amended by omitting "by" and substituting "by, or is likely to be adversely affected by,".

5. Section 51(1) is amended as follows:

(a) by omitting from paragraph (a)(iii) "by" and substituting "by, or is likely to be adversely affected by,";

(b) by omitting from paragraph (c) "by" and substituting "by, or is likely to be adversely affected by,".

6. After section 57, the following section is inserted in Part 6:

57A. Publication of determination report

(1) If the Regulator provides a written report under section 57(2) in respect of a complaint, the Regulator is to publish a copy of the report on a website maintained by, or on behalf of, the Regulator.

(2) Despite subsection (1), the Regulator may –

(a) refuse to publish a written report, provided under section 57(2), under this section; or

(b) omit a part of a written report, provided under section 57(2), before publishing the report under this section –

if the Regulator is of the opinion that publishing the report, either in full or without omitting that part, is not appropriate in the circumstances.

(3) If the Regulator publishes a report that has a part omitted under subsection (2), the Regulator is to publish, with the report, a statement that part of the report has been omitted under this section before being so published.

7. Section 65(4) is amended by omitting "section 3(2) of the *Subordinate Legislation Act 1992*" and substituting "the *Subordinate Legislation Act 2026*".

Education and Care Services National Law (Application) Act 2011

1. Section 5(1)(e) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Electricity Supply Industry Act 1995

1. Section 121C(3)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 122(2BE)(b) is amended by omitting "section 3(2) of the *Subordinate Legislation Act 1992*" and substituting "the *Subordinate Legislation Act 2026*".

Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Act 1995

1. Section 16D(6)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Energy Ombudsman Act 1998

1. Section 39(5)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Environmental Management and Pollution Control Act 1994

1. Section 27A(5) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 96F(2) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

3. Section 96H(2)(b) is amended by omitting "Schedule 2 to the *Subordinate Legislation Act 1992*" and substituting "all guidelines issued under section 5 of the *Subordinate Legislation Act 2026* in relation to the preparation of regulatory impact statements".

Explosives Act 2012

1. Section 74(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Gaming Control Act 1993

1. Section 112L(12)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Health Practitioner Regulation National Law (Tasmania) Act 2010

1. Section 7(j) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Heavy Vehicle National Law (Tasmania) Act 2013

1. Section 6 is amended as follows:

(a) by omitting from subsection (1)(i) "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*";

(b) by omitting from subsection (4)(b) "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

HomeBuilder Grants Act 2020

1. Section 14(5)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 19(3)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Judicial Review Act 2000

1. Clause 2 of Schedule 1 is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Land Tax Act 2000

1. Section 19F(3)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Land Titles Act 1980

1. Section 160A is amended as follows:

(a) by omitting from subsection (10) "*Subordinate Legislation Act 1992*" and

substituting "*Subordinate Legislation Act 2026*";

(b) by omitting from subsection (11) "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Launceston Flood Risk Management Act 2015

1. Section 4(4)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Legal Profession Act 2007

1. Section 229(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 348(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

3. Section 597(4) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

4. Section 609(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

5. Section 615(6)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

6. Section 628(8)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Local Government Act 1993

1. Section 3 is amended by omitting the definition of *competitive neutrality principles* and substituting the following definition:

competitive neutrality principles means Principle 4 of the agreement called the "Intergovernmental Agreement on National Competition Policy", entered into by the governments of the Commonwealth and each State and Territory on 29 November 2024, as amended from time to time;

2. Section 38(2)(a) is amended by omitting "Competition Principles Agreement made between the Commonwealth, the States and the Territories" and substituting "competitive neutrality principles".

Macquarie Point Development Corporation Act 2012

1. Section 39J(8) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 39L(7) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

3. Section 39M(6) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Marine and Safety Authority Act 1997

1. Section 42(4)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Mental Health Act 2013

1. Section 153(7)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 225(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

3. Section 228(2) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Misuse of Drugs Act 2001

1. Section 37A(8)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

National Energy Retail Law (Tasmania) Act 2012

1. Section 9 is amended as follows:

(a) by omitting from subsection (2) "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*";

(b) by omitting from subsection (3)(b) "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

National Health Funding Administration Act 2012

1. Section 24(3)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Natural Resource Management Act 2002

1. Section 11A(2)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Nature Conservation Act 2002

1. Section 76A(3) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Passenger Transport Services Act 2011

1. Section 67(2)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Payroll Tax Act 2008

1. Schedule 2 is amended by omitting "*Subordinate Legislation Act 1992*" from clause 10B(8)(b) of Part 4A and substituting "*Subordinate Legislation Act 2026*".

Payroll Tax Rebate (Apprentices, Trainees and Youth Employees) Act 2017

1. Section 26A(4)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Pharmacy Control Act 2001

1. Section 11(6)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Poisons Act 1971

1. Section 59AB(4)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 59R(2)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Professional Standards Act 2005

1. Section 4(1) is amended by omitting "*Subordinate Legislation Act 1992*" from the definition of *subordinate legislation* and substituting "*Subordinate Legislation Act 2026*".

2. Section 13 is amended by omitting subsection (3) and substituting the following subsection:

(3) If a proposed scheme submitted to the Minister would impinge on, or may affect, the area of responsibility of an Agency, within the meaning of the *State Service Act 2000*, the Minister is to consult with that Agency with a view to ensuring in advance that, as far as is reasonably practicable –

(a) any differences are reconciled; and

(b) there will be no overlapping of, duplication of or conflict with Acts, subordinate legislation or stated government policies administered by the Agency.

Public Sector Superannuation Reform Act 2016

1. Section 6(6)(a) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Racing Regulation and Integrity Act 2024

1. Section 53(14)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 64(1)(c) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Radiation Protection Act 2005

1. Section 56(7)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 57(5)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Rail Infrastructure Act 2007

1. Section 50(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Rail Safety National Law (Tasmania) Act 2012

1. Section 7(2)(g) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Residential Building Work Contracts and Dispute Resolution Act 2016

1. Section 81(8)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 82(5)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Security and Investigations Agents Act 2002

1. Section 38A(5)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Security-sensitive Dangerous Substances Act 2005

1. Section 84(5) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Strategic Infrastructure Corridors (Strategic and Recreational Use) Act 2016

1. Section 3(3)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 109(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Subordinate Legislation Committee Act 1969

1. Section 8(1)(ab) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Tasmanian Public Finance Corporation Act 1985

1. Section 24(3)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Theatre Royal Precinct Redevelopment Act 2016

1. Section 22(7)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

2. Section 23(5)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Waste and Resource Recovery Act 2022

1. Section 54(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Water and Sewerage Industry Act 2008

1. Section 114(2) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

Work Health and Safety Act 2012

1. Section 274(5A)(b) is amended by omitting "*Subordinate Legislation Act 1992*" and substituting "*Subordinate Legislation Act 2026*".

SCHEDULE 3 – LEGISLATION REPEALED

Section 23

Subordinate Legislation Act 1992 (No. 30 of 1992)