

LEGISLATION REPEAL BILL 2010

SECOND READING SPEECH

Mr Speaker

The purpose of the *Legislation Repeal Bill 2010* is to repeal legislation that is no longer necessary.

Legislation Repeal Bills have been prepared over the past decade. The Government has consistently given a high priority to removing redundant legislation from the State's statute books.

The Bill repeals 24 principal Acts, 35 amending Acts, 15 Proclamations, 20 Orders and two Notices that have been identified as being no longer necessary.

Mr Speaker, I refer Members to the Notes on Clauses that provides information on all of the Acts that are repealed in Schedule 2 of the Bill.

The majority of the legislation contained in the Bill is amendment legislation, the provisions of which have been fully incorporated into the relevant principal Acts.

The Department of Treasury and Finance has also recommended that agencies include a repeal clause in amending legislation. This will automatically ensure that the legislation database does not include any unnecessary amending Acts.

Some legislation was introduced to facilitate the expiry of other Acts and is no longer needed.

The *Tasmanian International Velodrome Management Authority (Winding-Up) Act 2006*, for example, was established to enable the repeal of the *Tasmanian International Velodrome*

Management Act 1984. This Act provided for the winding up of the Tasmanian International Velodrome Management Authority and the transfer of liabilities, assets, and contractual matters and legal proceedings to the Crown. All of these matters have been transferred to the Crown and the Act can now be repealed.

Mr Speaker, the Bill also contains a number of other Acts that have been identified as being no longer relevant and are therefore suitable for repeal.

An example is the *Tasmanian Symphony Orchestra (Financial Assistance) Act 1987*. This Act provided for contributions to the Tasmanian Symphony Orchestra by the State and municipalities. These contributions have been made and the Act no longer has any application and can therefore be repealed.

The *Health Services Act 1960* amended a number of 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 later in 2010 and will repeal the *Hospitals Act 1918*. There is no need to retain a specific delegation power and therefore the *Health Services Act 1960* can be repealed.

The Bill also seeks to repeal those Acts that were enacted for specific purposes or events. The *Trustee Companies (Merger) Act 2001* and the *Legislative Council (Division of Hobart) By-election Validation Act 1992* are examples of such Acts. All of the obligations contained within these Acts have been discharged and, therefore, these Acts can be repealed.

The Bill also revokes Proclamations made under principal Acts. The *Proclamation under the Tasmanian International Velodrome Management Authority (Winding-up) Act 2006* is an example of the proclamations that will be repealed along with the principal Act that they relate to.

Mr Speaker, 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.

The Bill also repeals the *Substandard Housing Control Act 1973*. This Act is no longer needed as there is now legislation that addresses the standards of dwellings and sets out the actions to take in cases of substandard housing. However, there are still some notices under this Act declaring a house to be substandard. This Bill therefore contains a clause that cancels those notices.

The repeal of these pieces of redundant legislation will achieve greater administrative efficiency by ensuring that only legislation that is practical and necessary remains on the statute books.

I commend the Bill to the House.