



PARLIAMENTARY STANDING COMMITTEE ON SUBORDINATE LEGISLATION

ANNUAL REPORT 2012-2013

INTRODUCTION

The Parliamentary Standing Committee on Subordinate Legislation is a statutory committee of the Tasmanian Parliament. It was established under the *Subordinate Legislation Committee Act 1969*.

The Committee's charter is to examine every regulation, by-law and rule. Regulations comprise all subordinate legislation made by the Governor-in-Council but do not include Orders, Proclamations or Rules of the Supreme Court. By-laws are those made by municipal councils, marine boards and other semi-government authorities. The Subordinate Legislation Committee Act 1969 uses "regulations" as the generic term to cover all subordinate legislation, be it a regulation, a by-law or a rule.

The Committee is required to conduct its examination of regulations with particular reference to the question of whether or not —

- (a) the regulation appears to be within the regulation-making power conferred by, or in accord with the general objects of, the Act pursuant to which it was made;
- (b) the form or purport of the regulation calls for elucidation;
- (c) the regulation unduly trespasses on personal rights and liberties;
- (d) the regulation unduly makes rights dependent on administrative decisions and not on judicial decisions;
- (e) the regulation contains matters that, in the opinion of the Committee, should be properly dealt with by an Act and not by regulation; or

- (f) whether the requirements of the Subordinate Legislation Act 1992 have been met.

The Committee also examines other instruments referred to it by Acts.

COMMITTEE ACTIVITY

General Overview

During 2012-2013 the Committee held eleven (11) meetings and examined eighty nine (89) instruments of subordinate legislation that had been published in the Government Gazette.

As part of the examination of these instruments the Committee requested information from Ministers in relation to regulations imposing significant increases in fees, explanations of some provisions and other issues of concern.

Additional information was requested, and received, in relation to :

- Regulatory Impact Analysis
- National Energy Retail Law (Tasmania) Regulators 2012 (SR 2012, No. 51)
- Liquor Licensing (Fees) Amendment Regulators (SR 2012, No. 96)
- Building Amendment Regulations 2012 (SR 2012, No. 104)
- Plumbing Amendment Regulations 2012 (SR 2012, No. 105)
- Magistrates Court (Civil Division) (Fees) Amendment Regulations 2012 (SR 2012, No. 132)
- Work Health and Safety Regulations 2012 (SR 2012, No. 122)

During the year, the Committee also received briefings from Departmental officers in relation to the following regulations –

- Taxation Administration Amendment Regulations 2012 (SR 2012, No. 32)
- Work Health and Safety Regulations 2012 (SR 2012, No. 122)
- Electricity Supply Industry (Pricing and Related Matters) Regulations 2013 (SR 2013, No. 26)

The briefings provided Members with further details and clarification of specific issues. The Regulations were subsequently passed as ‘Examined’ by the Committee.

The Director and Assistant Director of the Economic Policy Branch, Department of Treasury and Finance also briefed the Committee in relation to Regulatory Impact Analysis.

The Committee has continued to find the additional information provided by way of Fact Sheets to be extremely effective and useful in expediting the work of the Committee.

MEETING ATTENDANCE RECORD

	Forrest	Rattray	Taylor	Archer	Sturges	Morris
30 August	✓	✓	✓	✓	✓	✓
27 September	✓	✓	x	✓	✓	✓
18 October	✓	✓	✓	✓	✓	✓
15 November	✓	✓	✓	✓	✓	✓
22 November	✓	✓	✓	✓	x	✓
19 December	✓	✓	✓	x	✓	✓
21 March	✓	✓	✓	✓	✓	✓
18 April	x	✓	✓	✓	✓	✓
30 May	✓	✓	✓	✓	✓	✓
27 June	✓	✓	✓	✓	✓	✓



**Hon Ruth Forrest MLC
Chair**

17 September 2013