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# Parliament of Tasmania

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**PARLIAMENTARY STANDING COMMITTEE**

## **SUBORDINATE LEGISLATION**

### **SCRUTINY OF NOTICES ISSUED UNDER THE COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020 – REPORT 4**

#### **Members of the Committee**

**Ms Ruth Forrest MLC  
Ms Tania Rattray MLC (Chair)  
Ms Meg Webb MLC**

**Ms Alison Standen MP  
Mr Nic Street MP  
Mr John Tucker MP**



The Committee was appointed under the provisions of Section 3 of the *Subordinate Legislation Committee Act 1969* (No. 44 of 1969). Section 8 of the Act outlines the functions of the Committee, as follows –

- (a) to examine the provisions of every regulation, with special reference to the question whether or not –
  - (i) 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 is made;
  - (ii) the form or purport of the regulation calls for elucidation;
  - (iii) the regulation unduly trespasses on personal rights and liberties;
  - (iv) the regulation unduly makes rights dependent on administrative decisions and not on judicial decisions; or
  - (v) the regulation contains matters that, in the opinion of the Committee, should properly be dealt with by an Act and not by regulation; and
- (b) to make such reports and recommendations to the Legislative Council and the House of Assembly as it thinks desirable as the result of any such examination.

### **COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020 – SCRUTINY OF NOTICES**

The Parliament of Tasmania passed the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (the Act) on 26 March 2020. The Act prescribes a role for the Joint Standing Committee on Subordinate Legislation in the scrutiny of certain notices under the Act.

In response to this new scrutiny role, the Committee has given extensive consideration to an appropriate mechanism for it to report upon its deliberations on all notices gazetted under the Act in the interest of public transparency. The Committee will:

- Meet twice weekly on Tuesdays and Fridays until further notice;
- Publish a list of the notices to be discussed by the Committee, and documentation relating to notices to be examined by the Committee, to be published on the Committee website prior to each meeting; and
- Present regular reports to Parliament, which will contain further information in relation to the completed examinations of notice.

#### **Notice Under Section 15 (Land Use Planning and Approvals Act 1993)**

The Committee examined the Notice at its meeting on Tuesday 5 May 2020 and **Resolved** the Notice be examined, noting that it was consistent with the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 and the intent of the Parliament.



Tania Rattray MLC  
**CHAIR**

8 May 2020