

**STANDING COMMITTEE ON
SCRUTINY OF BILLS AND
SUBORDINATE LEGISLATION**

REPORT NO. 17 OF 1993

12 October 1993

TERMS OF REFERENCE

- (1) a Standing Committee for scrutiny of bills and subordinate legislation shall be appointed;
- (2) the Committee shall with respect to any instrument of a legislative nature which is subject to disallowance and/or disapproval by the Assembly (including a regulation, rule or by-law) made under an Act consider whether the instrument -
 - (a) is in accord with the general objects of the Act under which it is made;
 - (b) unduly trespasses on rights previously established by law;
 - (c) makes rights, liberties and/or obligations unduly dependent upon non-reviewable decisions;
 - (d) contains matter which in the opinion of the Committee should properly be dealt with in an Act of the Legislative Assembly; or
 - (e) or the explanatory statement accompanying it meets the technical or stylistic standards to which such an instrument or explanatory statement ought, in the opinion of the Committee, to conform;
- (3) the Committee shall with respect to the clauses of Bills introduced into the Legislative Assembly consider whether such Bills -
 - (a) unduly trespass on personal rights and liberties;
 - (b) makes rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (c) makes rights, liberties and/or obligations unduly dependent upon non-reviewable decisions;
 - (d) inappropriately delegate legislative powers;
 - (e) insufficiently subject the exercise of legislative power to parliamentary scrutiny; or
 - (f) or the explanatory memorandum accompanying it meets the technical or stylistic standards to which such a Bill or explanatory memorandum ought, in the opinion of the Committee, to conform;
- (4) the Committee shall consist of three members;
- (5) if the Assembly is not sitting when the Committee is ready to report on Bills and subordinate legislation, the Committee may send its report to the Speaker, or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing and circulation;
- (6) the majority of members constitutes a quorum of the Committee;
- (7) the Committee be provided with the necessary additional staff, facilities and resources; and
- (8) the foregoing provisions of the resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

MEMBERS OF THE COMMITTEE

Mrs E. Grassby, MLA (Chairperson)
Mr G. Humphries, MLA (Deputy Chairperson)
Ms H. Szuty, MLA

Legal Advisor: Emeritus Professor D. Whalan
Secretary: Mr T. Duncan
Deputy Secretary: Ms B. Irvin

ROLE OF THE COMMITTEE

The Committee examines all Bills and subordinate legislation presented to the Legislative Assembly. The Committee does not make any comments on the policy aspects of the legislation. The terms of reference contain the customary principles of scrutiny that enable the Committee to operate in the best traditions of totally non-partisan, non-political technical scrutiny of legislation that have been adopted, without exception, by all scrutiny committees in Australia. Such non-partisan, non-policy scrutiny allows the Committee to assist the Assembly passing into law Acts and subordinate legislation that comply with the high ideals set out in the terms of reference.

SUBORDINATE LEGISLATION

Subordinate Legislation Upon Which no Comment is Offered

The Committee has examined the following subordinate legislation and offers no comment:

Subordinate Law No. 36 of 1993 being the *Boxing Control Regulations (Amendment)* made under section 21 of the *Boxing Control Act 1993* amends the principal regulations to change the date of exemption of a specified boxing contest from 23 August 1993 to 19 September 1993.

Subordinate Law No. 37 of 1993 being the *Motor Traffic Regulations (Amendment)* made under section 218 of the *Motor Traffic Act 1936* amend the Principal Regulations by prescribing the number of demerit points which are incurred by the holder of a driver's licence in respect of prescribed driving offences.

Determination No. 122 of 1993 made under section 44A of the *Business Franchise (Tobacco and Petroleum Products) Act 1984* revokes Determination No. 116 of 1992 and determines licence fees for new and renewed licences for petroleum product wholesalers and retailers and for tobacco wholesalers and retailers.

Determination No. 123 of 1993 being the *Stamp Duty (Interests in Land) Determination 1993* made under subsection 99(1) of the *Taxation (Administration) Act 1987* revokes Determination No. 88 of 1991 and provides for the rates of stamp duties on the conveyance of a fee simple or the transfer of a lease.

Determination No. 124 of 1993 made under subsection 99(1) of the *Taxation (Administration) Act 1987* revokes Determination No. 50 of 1993 and determines the concession rates of duties that are payable by eligible homebuyers.

Determination No. 125 of 1993 made under section 23 of the *Rates and Land Rent (Relief) Act 1970* revokes the previous Notice Fixing Rates of Interest and fixes the rates of interest for the purposes of subsection 23(1) of the Act.

Determination No. 127 of 1993 made under section 77 of the *Radiation Act 1983* revokes Determination No. 142 of 1992 and determines fees payable under the Act.

Determination No. 128 of 1993 made under section 4 of the *Public Place Names Act 1989* determines the name of a division of Territory Land to be Dunlop.

Determination No. 129 of 1993 made under section 4 of the *Public Place Names Act 1989* determines the name of a public place that is Territory Land to be "The Errol Kavanagh Memorial Oval".

Declaration No. 130 of 1993 made under section 19 of the *Credit Act 1985* being Credit Order No. 78 - Continuing Credit Contracts - Fees and Charges (Variation of Order) amends Credit Order No. 78 - Continuing Credit Contracts - Fees and Charges to allow credit providers to charge fees relating to existing as well as new contracts and makes some technical amendments to the principal order.

Determination No. 133 of 1993 made under section 217A of the *Motor Traffic Act 1936* revokes Determination No. 95 of 1993 and determines new fees payable under the Act.

Determination No. 135 of 1993 made under section 12 of the *Housing Assistance Act 1987* approves variations to the Public Rental Housing Assistance Program, the Rent Relief Program, the HomeBuyer Housing Assistance Program, the 1983 Scheme for Providing Concessional Home Loans, the 1986 Scheme for Providing or Assisting in Providing Dwelling Houses and the HomeSafe Housing Assistance Program made by the Acting Commissioner for Housing dealing with the Housing Review Committee which reviews decisions of the Commissioner for Housing.

Determination No. 136 of 1993 made under section 12 of the *Housing Assistance Act 1987* approves variations to the HomeBuyer Housing Assistance Program made by the Acting Commissioner for Housing.

Determination No. 137 of 1993 made under section 12 of the *Housing Assistance Act 1987* approves variations to the 1986 Scheme for Providing or Assisting in Providing Dwelling Houses made by the Acting Commissioner for Housing.

Determination No. 138 of 1993 made under section 12 of the *Housing Assistance Act 1987* approves variations to the Scheme for Providing Concessional Home Loans made by the Acting Commissioner for Housing.

Determination No. 140 of 1993 made under section 12 of the *Housing Assistance Act 1987* approves variations to the Rent Relief Program being the Rent Relief Program Variation 1993 made by the Acting Commissioner for Housing.

Determination No. 141 of 1993 made under section 12 of the *Housing Assistance Act 1987* approves variations to the Public Rental Housing Assistance Program being the Public Rental Housing Assistance Program Variation 1993 made by the Acting Commissioner for Housing.

Determination No. 142 of 1993 made under section 12 of the *Housing Assistance Act 1987* approves variations to the Short Term Lodging Housing Assistance Program being the Short Term Lodging Housing Assistance Program Variation 1993 made by the Acting Commissioner for Housing.

Subordinate Legislation Upon Which Comment is Offered

The Committee has examined the following subordinate legislation and offers the following comment:

Determination No. 131 of 1993 made under section 17 of the *Health Act 1993* revokes Determination No. 82 of 1993 and sets fees and charges under the Act.

A Tiny Mistake

There is a definition of "medical practitioner" in subclause 1(1). It states as follows:

"'medical practitioner' means a person registered as a medical practitioner under the *Medical Practitioners Registration Act 1930*".

The name of the Act is now the *Medical Practitioners Act 1930*, having been changed by section 5 of the *Medical Practitioners Registration (Amendment) Act 1993*.

Correction of Errors Reported by Committee and No References to Revoked Determination or the Relevant Gazette

Determination No. 132 of 1993 made under subsection 161(5) of the *Land (Planning and Environment) Act 1991* revokes Determination No. 1 of 1993 and redetermines the criteria for the direct grant of a holding lease for estate development by Government Joint Venture.

This determination appears to correct two significant errors in the original determination made on 23 December 1992 and published in *Gazette* No. S2 of 1993 on 6 January 1993.

These errors were pointed out by the Committee in its Report No. 1 of 1993, but, unfortunately, the usual acknowledgment of the Committee's role is not mentioned in the explanatory statement.

Also, it would have been helpful to have references to the revoked determination and to the relevant *Gazette* in which the revoked determination appeared. As the Guidelines for the Preparation of Disallowable Instruments issued by the Attorney-General's Department in May 1993 suggests (at page 11):

"This will enable a member of the Assembly or a member of the community who wishes to check back on the previous situation to do so easily."

Determination No. 126 of 1993 being the *Rates and Land Tax Determination No. 126 of 1993* made under section 99(1) of the *Taxation (Administration) Act 1987* revokes the current determination and fixes the rates of interest on unpaid rates and land tax.

A Tiny Mistake

This Determination is numbered at the top and the helpful explanatory statement is also properly numbered. However, the citation clause itself refers to it as the Rates and Land Tax Determination No. of 1993. Fortunately, this tiny gap does not affect validity in any way.

Determination No. 139 of 1993 made under section 22 of the *Animal Welfare Act 1992* approves as a Code of Practice the ACT Code of Practice for the Care and Management of Animals in Pet Shops.

Explanatory Statement Could Have Been More Helpful

There is an explanatory statement, but it does not give much of an explanation concerning the contents of the code of practice. Thus Members wishing to find out more details of a section in the code of practice would not be able to do so if they used the explanatory statement provided.

Determination No. 134 of 1993 made under section 40A of the *Dog Control Act 1975* revokes the existing determination and fixes new fees and charges under the Act.

Mistakes that are Repeated from Last Year Plus Some New Ones

In its Report No. 10 of 1992 the Committee commented on last year's determination that is revoked by the present determination.

The Committee can find no formal response to its comments. Unfortunately, most of the questions asked last year still need to be asked about the present determination and some new points are also raised.

No Reference to the Revoked Determination

In Report No. 10 of 1992 the Committee commented that:

"it would have been helpful to have a reference to the specific determination ... that was being revoked."

The specific determination that is being revoked this year appears to be Determination No. 82 of 1992. Could this be confirmed? Since last year the very helpful Guidelines for the Preparation of Disallowable Instruments of the Attorney-General's Department (dated May 1993) have been prepared and circulated. The Guidelines suggest (at page 11):

"This will enable a member of the Assembly or a member of the community who wishes to check back on the previous situation to do so easily."

It would have been particularly helpful here to have had the number of the determination that is being revoked.

Are the References to the Sections Correct and have Fees been Legally Collected?

Report No. 10 of 1992 also queried the accuracy of references to sections under which fees and charges were imposed by Determination No. 82 of 1992.

Most of these questions will be repeated in relation to Determination No. 134 of 1993. But, first, the Committee suggests that perhaps a check should be made to see if fees have been collected under the queried parts of Determination No. 82 of 1992. If so, a further check needs to be made to see whether the sections were accurately specified in the determination or whether the Committee's comments that there were inaccuracies were correct. If the latter, a final check needs to be made - to decide whether the fees and charges were legally collected.

The Committee now returns to Determination No. 134 of 1993 and repeat another part of last year's comments which stated as follows:

"There are references in the determination to the 'Provisions for purposes for which fee is payable'.

The first of these is a reference to subsection 13(1) covering the fees for registration of a dog. Section 13 was repealed by section 9 of the *Dog Control (Amendment) Act 1991* and does not appear to have been substituted. Could section 9 of the principal Act, as it was repealed and substituted by section 6 of the *Dog Control (Amendment) Act 1991*, perhaps be relevant? If not, what is the correct reference? If the new section 9 is the correct reference, does it cover both first registrations and renewals of registrations?"

These comments and questions are all relevant to the present determination and should perhaps be considered.

The Committee also had this to say last year:

"There does not appear to be a reference to section 18B (inserted by section 12 of the *Dog Control (Amendment) Act 1991*), which provides for determined fees for keepers' licences."

Keepers' Licences are provided for under Part IIA of the Act and are required to be held by people who keep more than 3 dogs on premises. This year's determination does determine a fee of \$62.00 which is to be lodged with an application for a keeper's licence.

Unfortunately, the explanatory statement for this year's determination does not make any reference to this new fee. In the case of other fees that are mentioned in the explanatory statement (including some that are mentioned for the first time), the fees for this year are compared with those for last year.

The absence of a comparison in the case of keepers' licences means that no check can be made by Members to see if a fee was charged for a keeper's licence prior to the coming into force of Determination No. 134 of 1993. This is of significance, because, if any fees have been charged for keepers' licences before the commencement of Determination No. 134 of 1993, they may have been charged without legal authority. The Committee can find no earlier relevant determination made under section 40A of the principal Act that provides for such a fee.

Perhaps these matters should also be checked.

The Committee also made some generally supportive remarks last year about the accuracy of the statutory references to fees made under sections 18 and 30(1) of the Act. However, the Committee queried the correctness of one and, although there have been changes this year, part of the Committee's point still appears to be relevant.

Section 18 provides as follows:

"18. If the Registrar is satisfied that a certificate of registration or a registration tag has been lost, damaged or destroyed, he or she may, on receipt of the determined fee, issue a new certificate of registration or a new registration tag, as the case requires, to the keeper of the dog to which the certificate or tag relates."

In this year's determination section 18 is given as the authority for three matters. They are:

1. "The fee for the issue of a new registration tag 2.00"
2. "The fee for a certified replacement of a Certificate is, 2.00"
3. "The fee for a replacement of a tag is, 2.00"

There seems to be no doubt that section 18 is the authority for item no. 3 - the issue of a replacement tag for one that has been "lost, damaged or destroyed".

If item 1 is also being used only to issue a new replacement tag in these three circumstances, its use is valid, but seemingly unnecessary as item 3 covers the point. But, if item 1 is being used to charge people for the issue of a new tag on first registration of a dog, section 18 does not permit this.

A check should perhaps be made to check to see if a fee has been, or is being, charged on first registration. If so, the Committee can find no determination made under an appropriate section that authorises this.

Last year the authority for item 2 was given as subsection 30(1) and the Committee suggested that this was not correct, as section 30 deals with the return of impounded dogs. The Committee then said:

"Would section 36 perhaps be relevant here? Of course, section 36 does not cover only replacement certificates, but certified copies of certificates of registration required for any purpose".

This comment is still relevant.

It is suggested that it may be better to have two items.

First, there could be one fee under section 18 which would be a "fee for a replacement of a Certificate", which would cover the three circumstances in section 18 of a "lost, damaged or destroyed" certificate.

Secondly, as there does not seem at present to be a fee determined at all under section 36, under section 36 there could be a fee "for a certified copy of a certificate of registration" (to quote section 36).

In addition, checks need to be made in this area also to see that fees have not been incorrectly charged.

Finally, a moment ago, the Committee mentioned section 30, which deals with the return of dogs seized by an inspector. Both last year's determination and the present one fix fees for the return of dogs and those fees, quite reasonably, increase the longer a dog is impounded. The highest fee for the return of a seized dog last year was "if that period exceeds 48 hours \$96.00". This year the scale has been extended - 48 to 72 hours costs \$100.00, 72 to 96 hours \$125.00 and 96 to 120 hours \$150.00.

The Committee makes two points.

First, unlike the position with last year's determination, where the fee for any time in excess of 48 hours incurred a fee of \$96.00, it does not seem to be clear what the fee is, if the period is in excess of 120 hours.

Secondly, the explanatory statement very helpfully gives the new fees and compares them with last year's fees. It states that the fee for 48 to 72 hours in this year's determination is \$100.00 and that last year's fee was \$0.00. This is, of course, technically accurate, as there was no time and fee exactly the same last year. But, in practice, there is no such large jump, for, as we saw above, last year there was a fee of \$96.00 for everything in excess of 48 hours.

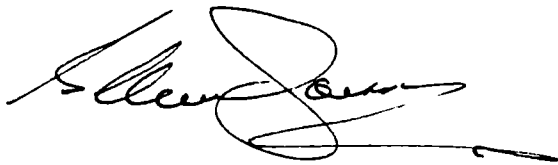
GOVERNMENT RESPONSES

The Committee has received responses to comments made concerning the following Bills and subordinate legislation:

- . Animal Diseases Bill 1993 (Report No. 12 of 1993).
- . Sports (Drug Testing) Bill 1993 (Report No. 12 of 1993).
- . Various disallowable instruments (Report No. 13 of 1993).
- . Determination No. 91 of 1993 made under subsection 57(1) of the *Motor Vehicles (Dimensions and Mass) Act 1990* (Report No. 13 of 1993).
- . Determination No. 92 of 1993 made under section 9A of the *Roads and Public Places Act 1937* (Report No. 13 of 1993).

A copy of the responses is attached.

The Committee thanks the Attorney-General for his positive responses.

A handwritten signature in black ink, appearing to read 'Ellnor Grassby', with a long horizontal flourish extending to the right.

Ellnor Grassby, MLA
Chairperson

12 October 1993



A.C.T. GOVERNMENT

TERRY CONNOLLY MLA

ATTORNEY GENERAL

1 Constitution Ave, Canberra ACT 2601

Phone (06) 20 50011

Mrs Ellnor Grassby MLA
Presiding Member
Standing Committee on Scrutiny of Bills
and Subordinate Legislation
ACT Legislative Assembly
1 Constitution Avenue
CANBERRA ACT 2601


Dear Mrs Grassby

In its Report No. 12 of 1993 the Standing Committee on Scrutiny of Bills and Subordinate Legislation commented on clause 53 of the Animal Diseases Bill 1993 and clause 13 of the Sports (Drug Testing) Bill 1993.

ANIMAL DISEASES BILL 1993

Clause 53 of this Bill relates to self-incrimination and the Committee expressed concern that part of the provision appears to depart from what the Committee saw as the more usual form of self-incrimination provisions. The Committee quoted section 66 of the Trade Measurement Act 1991 and section 69 of the Weapons Act 1991 as being drafted in the more usual form.

Clause 53, along with other provisions in the Bill, is in similar form to equivalent provisions of the Exotic Diseases of Animals Act 1991 (NSW). The Department of the Environment, Land and Planning, which was responsible for the preparation of the Bill, sought advice from my Department about the concerns expressed by the Committee.

When considering clause 53 it is important to bear in mind that it refers to the situation in which an inspector is exercising formal powers under paragraph 47 (1) (h) to require a person to disclose information. In practice an inspector would exercise these formal powers only where a person refuses to disclose information when

informally requested to do so. In order to persuade the person to answer, the inspector would inform the person of the statutory powers to seek information and of the protection available under clause 53 in relation to the incrimination. The difficulties referred to by the Committee are not expected to arise in practice.

I am advised that there is no 'usual' form of incrimination provision. ACT legislation contains a variety of incrimination provisions and some of these have unsatisfactory aspects. For example, section 69 of the Weapons Act 1991, which the Committee refers to, is unsatisfactory in so far as it allows incriminating answers to be used in evidence against a person in any proceeding under that Act rather than just proceedings for falsely answering questions under that Act. Accordingly I have asked my department to review all incrimination provisions in ACT legislation with a view to their subsequent replacement, where necessary, with a satisfactory model provision.

SPORTS (DRUG TESTING) BILL 1993

Clause 13 provides that the Minister may obtain advice from the Australian Sports Drug Agency as to whether a competitor's name has been entered in the Register of Notifiable Events and the detail of any entry. The Committee noted that the Commonwealth Act has a similar provision and as the Commonwealth Act relates to athletes representing Australia or receiving assistance the Commonwealth Minister does have a legitimate need to know about any entry on the Register. The Committee asked whether similar considerations apply in relation to clause 13.

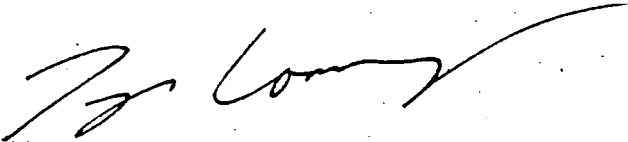
I am advised that similar considerations do apply. The Government does make grants to sporting organisations within the Territory and also provides assistance to individuals who are competitors within the meaning of the Bill. It is a condition of these grants or offers of assistance that there is an agreement to adhere to the Government's policy on drugs in sport. A requirement of this policy, for example, is that a competitor agree to repay a grant if suspended from competition due to the taking of a scheduled drug. In order to make decisions about making grants, offering assistance, or reviewing such grants or offers it is necessary for the Minister to be able to obtain advice from the Agency about entries on the Register of Notifiable Events.

I am also advised that both New South Wales and Victoria have draft legislation performing functions similar to those of the Bill

and both jurisdictions have included a provision similar to clause 13 of the Bill.

I trust this information is of assistance to the Committee.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Terry Connolly', with a long, sweeping horizontal stroke extending to the right.

Terry Connolly

- 2 SEP 1993



A.C.T. GOVERNMENT

TERRY CONNOLLY MLA

ATTORNEY GENERAL

1 Constitution Ave, Canberra ACT 2601

Phone (06) 20 50011

Mrs Ellnor Grassby MLA
Presiding Member
Standing Committee on Scrutiny of Bills and
Subordinate Legislation
ACT Legislative Assembly
1 Constitution Avenue
CANBERRA ACT 2601


Dear Mrs Grassby

I refer to Report No.13 of 1993 in which the Standing Committee on Scrutiny of Bills and Subordinate Legislation identified a large number of disallowable instruments which contained errors or omissions or failed to follow the Guidelines for the Preparation of Disallowable Instruments prepared by the Attorney-General's Department.

I am extremely disappointed that this has occurred.

I have sought advice from the Attorney-General's Department on the matter. It is the Department's view that there has not yet been sufficient time for the Guidelines to have an effect on the preparation of these instruments. The Guidelines were distributed at the end of May 1993 and it is apparent that in many cases copies had not filtered down to action officers by the time the instruments which are the subject of Report No.13 were prepared. The Department is confident that ultimately the beneficial effect of the Guidelines will become apparent.

The Department has also pointed out that in the overwhelming number of cases the errors which are occurring are of a clerical rather than a legal nature. The means of minimising these errors is set out in the Guidelines. As a consequence it is not proposed at this time to consider the possibility of the Department taking a role in examining disallowable instruments.

So far as legal errors in these instruments are concerned you will be aware that the Guidelines invite action officers to take up with the Government Solicitor's Office any apparent legal issues and, indeed, to seek assistance with the drafting of the more complex instruments.

In an effort to minimise errors and to improve the quality of these instruments agency heads have been asked to arrange for the preparation of instruments, or at least their checking, to be centralised within each agency. This suggestion has already been taken up, or is in the course of being introduced, in 2 Departments. The matter will be pursued with the other agencies.

It is proposed that the Department keep the issue under review and if an improvement is not evident by the end of the year to consider what further initiatives might be taken.

I will write to you separately on the particular matters raised in Report No. 13 following examination and advice by the agencies concerned.

Yours sincerely



Terry Connolly

- 8 SEP 1993



A.C.T. GOVERNMENT

TERRY CONNOLLY MLA

ATTORNEY GENERAL

1 Constitution Ave, Canberra ACT 2601

Phone (06) 20 50011

Fax (06) 20 50495

Mrs Elnor Grassby MLA
Presiding Member
Standing Committee on Scrutiny of Bills and
Subordinate Legislation
ACT Legislative Assembly
1 Constitution Avenue
CANBERRA ACT 2601

Dear Mrs *Elnor* Grassby

In its Report No. 13 of 1993 the Standing Committee on Scrutiny of Bills and Subordinate Legislation commented on 2 aspects of Determination No. 91 of 1993 made under subsection 57 (1) of the Motor Vehicles (Dimensions and Mass) Act 1990.

The Committee pointed out that, although the heading of the determination correctly states that the Act was made in 1990, the text of the determination refers to the Motor Vehicles (Dimensions and Mass) Act 1991. Moreover, the Committee noted that the same error occurred in last year's equivalent determination.

The Committee also pointed out that, although the heading of the determination cites the correct year of the Act, the Act is referred to as the Motor Vehicles (Dimension and Mass) Act 1990.

I am advised that as no Act of the same name was made in 1991 and no Act entitled the Motor Vehicles (Dimension and Mass) Act 1990 was made in that year, there is no uncertainty as to which Act the determination was made under and the validity of the determination is, therefore, unaffected.

I agree with the Committee that these are typographical errors but nevertheless, in order to remove confusion and ensure that the errors are not perpetuated, I have signed a new determination to correct the situation and this will be tabled in the Assembly shortly.

In Report No. 13 of 1993 the Committee also commented that the inclusion of a reference to the revoked determination as well as to the relevant Gazette in Determination No. 92 of 1993 made under section 9A of the Roads and Public Places Act 1937, and a number of other determinations, would have been helpful. In fact Determination No. 92 of 1993 did indicate that the revoked determination was Determination No. 100 of 1 July 1992.

The Committee appears to acknowledge this notwithstanding an apparently incorrect reference in the Report to Determination No. 86 of 1993 which relates to the Clinical Waste Act 1990, in indicating that -

Although Determination No. 85 of 1993 does not identify the number of the determination which it is revoking (it appears to be Determination No. 105 of 1992), fortunately some help is afforded to a searcher as Determination No. 86 of 1993 (sic) does follow the helpful formula and indicate that it is revoking Determination No. 100 of 1992.

I trust this information is of assistance to the Committee.

Yours sincerely



Terry Connolly

14 SEP 1993