

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

**REPORT NO. 3 OF 1992**

**19 May 1992**

# **STANDING COMMITTEE FOR THE SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION**

## **MEMBERS OF THE COMMITTEE**

**Mrs E Grassby, MLA (Presiding Member)**  
**Mr G Humphries, MLA**  
**Ms H Szuty, MLA**

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

## **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; or
  - (d) contains matter which in the opinion of the Committee should properly be dealt with in an Act of the Legislative Assembly;
- (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; or
  - (e) insufficiently subject the exercise of legislative power to parliamentary scrutiny;
- (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.

## BILLS

### Bills upon which no comment is offered.

The Committee has examined the following Bills and offers no comment:

#### **Canberra Advance Bank Limited (Merger) Bill 1992**

This Bill enables the Canberra Advance Bank to be integrated with the Advance Bank of Australia.

#### **Consumer Affairs (Amendment) Bill 1992**

This Bill sets out product information standards requiring the disclosure of such things as the "use by" date, the price, contents, place of manufacture and other details to give consumers information about goods they purchase.

#### **Epidemiological Studies (Confidentiality) Bill 1992**

This Bill provides for the confidentiality of information relating to the Canberra Drug Users Study or any epidemiological study declared by the regulations to be subject to the Act and creates offences for breach of the confidentiality provisions.

#### **Motor Traffic (Amendment) Bill 1992**

This Bill makes it an offence to drive a motor vehicle other than in the left hand lane where the speed limit is greater than 80 kilometres per hour or after passing a "KEEP LEFT UNLESS OVERTAKING" sign and the next intersection if not overtaking or preparing to turn to the right.

## DELEGATED LEGISLATION

### (1) Delegated Legislation upon which no comment is offered.

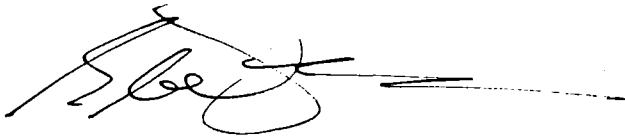
The Committee has examined the following subordinate legislation and offers no comment:

Determination No. 45 of 1992 made under section 4 of the Public Place Names Act 1989 revokes the name of a public place that was designated as a circuit, varies the name of that public place by renaming it as a crescent and relocates the crescent.

Determination No. 46 of 1992 made under section 99 of the Taxation (Administration) Act 1987 revokes the existing determination and determines the concession rates of stamp duty that is payable by eligible home buyers and removes the reference to the Commonwealth First Home Ownership Act 1983.

Determination No. 47 of 1992 made under section 4 of the Public Place Names Act 1989 corrects the spelling of the name of a public place being a Division in the District of Gungahlin.

Although explanatory statements to the determinations were tabled they failed to mention which previous determinations had been revoked. The Committee suggests that in future it would be helpful for Members and others to easily find the determinations that had been revoked. This could be achieved by citing the number of the determination that is to be revoked.

A handwritten signature in black ink, appearing to read 'Ellnor Grassby', followed by a long horizontal line.

Ellnor Grassby, MLA  
Presiding Member

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