Legislative Assembly for the Australian Capital Territory
Standing Committee on Legal Affairs
(Legislative Scrutiny Role)

Scrutiny Report 18

Legislative Assembly for the Australian Capital Territory
Standing Committee on Legal Affairs (Legislative Scrutiny Role)

Approved for publication

11th Assembly
April 2026

About the committee

Establishing resolution

The Assembly established the Standing Committee on Legal Affairs (Legislative Scrutiny Role) on 3 December 2024.

The Committee is responsible for the following areas:

"(9) the Standing Committee on Legal Affairs is also to perform a legislative scrutiny role of bills and subordinate legislation by:

(a) considering whether the clauses of bills (and amendments proposed by the Government to its own bills) introduced into the Assembly:

(i) unduly trespass on personal rights and liberties;

(ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;

(iii) make rights, liberties and/or obligations unduly dependent upon non-reviewable decisions;

(iv) inappropriately delegate legislative powers; or

(v) insufficiently subject the exercise of legislative power to parliamentary scrutiny; and

(vi) consider whether any explanatory statement associated with legislation meets the technical or stylistic standards expected by the Assembly;

(b) reporting to the Legislative Assembly about human rights issues raised by bills and subordinate laws presented to the Assembly pursuant to section 38 of the *Human Rights Act 2004*;

(c) considering whether any instrument of a legislative nature made under an Act which is subject to disallowance and/or disapproval by the Assembly (including a regulation, rule or by-law):

(i) is in accord with the general objects of the Act under which it is made;

(ii) unduly trespasses on rights previously established by law;

(iii) makes rights, liberties and/or obligations unduly dependent upon non-reviewable decisions; or

(iv) contains matter which in the opinion of the Committee should properly be dealt with in an Act of the Legislative Assembly; and

(d) consider whether any explanatory statement or explanatory memorandum associated with legislation and any regulatory impact statement meets the technical or stylistic standards expected by the Assembly;".

You can read the full establishing resolution on our website.[1]

[1] https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees-11th-assembly/LA_Scrutiny.

Committee members

Chiaka Barry MLA, Chair

Taimus Werner-Gibbings MLA, Deputy Chair

Shane Rattenbury MLA

Secretariat

Hamish Finlay, Committee Secretary

Frieda Scott, Assistant Secretary

Melissa Trpkovski, Administration Officer

Stephen Argument, Legal Adviser (Subordinate Legislation)

Jacinta Dharmananda, Legal Adviser (Bills)

Contact us

Mail Standing Committee on Legal Affairs (Legislative Scrutiny Role)
Legislative Assembly for the Australian Capital Territory
GPO Box 1020
CANBERRA ACT 2601

Phone (02) 6205 0171

Email scrutiny@parliament.act.gov.au

Website parliament.act.gov.au/parliamentary-business/in-committees

Role of Committee

The Committee examines all Bills and subordinate legislation presented to the Assembly. It does not make any comments on the policy aspects of the legislation. The Committee's terms of reference contain principles of scrutiny that enable it to operate in the best traditions of totally non-partisan, non-political technical scrutiny of legislation. These traditions have been adopted, without exception, by all scrutiny committees in Australia. Non-partisan, non-policy scrutiny allows the Committee to help the Assembly pass into law Acts and subordinate legislation which comply with the ideals set out in its terms of reference.

Contents

1. Bills

Bills—Comment

City and Environment Legislation Amendment Bill 2026

1.1 This Bill amends the following legislation:

- *Cemeteries and Crematoria Act 2020*;
- *Electoral Act 1992*;
- *Heavy Vehicle National Law (ACT) Act 2013*;
- *Road Transport (Offences) Regulation 2005*; and
- *Road Transport (Safety and Traffic Management) Regulation 2017*.

1.2 The Bill is described in the explanatory statement as an omnibus bill to enable minor policy, technical and administrative amendments.

1.3 First, the Bill amends the *Cemeteries and Crematoria Act 2020* to clarify the requirements of crematorium licensees with respect to notification of the availability of cremated remains for collection. The Bill also proposes new sections 25A and 25B that create offences where licensees contravene a notification requirement or do not dispose of cremated remains according to the Act.

1.4 In addition, new section 63A provides for record keeping obligations in relation to cremated remains. The Bill also makes consequential amendments to reflect the new provisions and corrects minor drafting errors.

1.5 Second, the Bill amends the *Electoral Act 1992* to commence the electoral distribution process one month earlier pursuant to a recommendation of the ACT Electoral Commission's Report 2024.

1.6 Third, the Bill amends the *Heavy Vehicle National Law (ACT) Act 2013* to remove a reference to the mistake of fact defence. The explanatory statement and Clause Note 12 explain that the amendment is to omit an obsolete provision that refers to a "mistake of fact" defence repealed by the Queensland parliament in 2016 in the Heavy Vehicle National Law. Clause Note 12 states that the same amendment was not subsequently made to the ACT legislation.

Report under section 38 of the *Human Rights Act 2004* (HRA)

Rights in Criminal Proceedings (section 22 HRA)

1.7 Under section 22(1) of the HRA everyone charged with a criminal offence has the right to be presumed innocent until proved guilty according to law.

1.8 The Bill removes a mistake of fact defence for an offence under the *Heavy Vehicle National Law (ACT) Act 2013.* While the explanatory statement and Clause Notes explain why the defence was removed, the statement does not address the impact of this removal of a defence on an individual's rights in criminal proceedings.

1.9 **The Committee requests the Minister to address the impact of the removal of this defence from the *Heavy Vehicle National Law (ACT) Act 2013* on an individual's rights in criminal proceedings.**

The Committee draws this matter to the attention of the Assembly and asks the Minister to respond prior to the Bill being debated.

1.10 Fourth, the Bill amends the *Road Transport (Offences) Regulation 2005* to substitute a provision for penalties for infringement notices. Clause Note 13 states that this amendment is made "to omit the reference to a ***traffic offence detection device*** in section 6(2)(b) to allow for technological advances in traffic offence detection."

1.11 It is not clear from Clause 13 of the Bill or the Clause Note how the amendment impacts technological advances. The Committee notes that the term *traffic offence detection device* continues to be used elsewhere in the Regulation.

1.12 **The Committee requests the Minister to explain how the amendment to the *Road Transport (Offences) Regulation 2005* allows for technological advances in traffic offence detection.**

The Committee draws this matter to the attention of the Assembly and asks the Minister to respond prior to the Bill being debated.

1.13 Fifth, the Bill amends the *Road Transport (Safety and Traffic Management) Regulation 2017* to standardise the accuracy tolerance for speed measuring devices and police vehicle speedometers (to either two percent or 2 km/h accuracy).

Civil Law (Wrongs) Amendment Bill 2026

1.14 This Bill amends the *Civil Law (Wrongs) Act 2002* and the *Legal Profession Act 2006*.

1.15 The two key amendments made by the Bill to the *Civil Law (Wrongs) Act* are summarised as follows:

- the Bill inserts a new division (Division 8A.1A.2) into chapter 8A of the Act imposing a new duty of care on an "organisation" responsible for a child to take reasonable precautions to prevent an individual associated with the organisation from perpetuating child abuse. By the amendment made in Clause 10, this new duty will apply to child abuse that happens or is alleged to have happened on or after the day the division commences. This is comparable to the rest of chapter 8A which the Bill provides will apply regardless of when the abuse occurred (Clause 5); and
- the Bill inserts a new Part 15.4A prohibiting "claim farming" in relation to claims for damages based on liability for personal injury and for claims for redress under the National Redress Scheme for Institutional Child Sexual Abuse (but excludes a motor accident claim). This new Part 15.4A applies to anything done or not done on or after the day the Bill commences.

1.16 The Bill also makes amendments that are consequential to the above amendments or are drafting amendments.

1.17 The Bill amendments *the Legal Profession Act 2006* to insert a new section 307A to provide that if a law practice or an associate of a law practice is convicted or found guilty of an offence under the new Part 15.4A (prohibition on claim farming), then the practice is not entitled to recover any legal costs in relation to the claim the subject of the conviction or finding of guilt. In addition, the law practice must repay any legal costs received in relation to that claim.

1.18 The Bill also amends section 389 of the *Legal Profession Act* to provide that conduct of a legal practitioner that consists of a contravention of Part 15.4A is capable of being considered “unsatisfactory professional conduct” or “professional misconduct”.

Do any provisions of the Bill unduly trespass on personal rights and liberties?—Committee resolution of appointment paragraph 9(a)(i)

1.19 The Committee notes proposed section 114BBD in new Division 8A.1A.2 imposes a duty on an organisation in relation to an individual associated with the organisation.

1.20 The Committee notes that the term “organisation” is currently defined widely in the *Civil Law (Wrongs) Act* for the purposes of dealing with liability of organisations. Existing section 114BB provides that:

> **organisation** includes the following:
>
> (a) an administrative unit;
>
> (b) a territory authority;
>
> (c) an unincorporated body.

1.21 Unincorporated bodies are a group of individuals that do not have a separate legal identity (e.g. a volunteer group like a Parents and Friends Association).

1.22 The Committee also notes that an organisation’s duty extends to an individual “associated” with the organisation. New section 114BBC provides that an individual “associated” with an organisation includes an office holder, officer, owner, employee, agent, volunteer or contractor of the organisation, as well as certain members of religious groups.

1.23 Consequently, as the explanatory statement identifies, the amendments made by the Bill to impose a new statutory duty on organisations will affect natural persons (e.g. members of a committee of an unincorporated organisation). The existing and new definitions mean that this duty is imposed on those individuals in relation to a potentially very wide range of persons.

1.24 The explanatory statement notes that the imposition of this duty on natural persons does not give rise to human rights limitations. The statement also notes that the amendments have the impact of shifting the evidential burden of proof for the civil liability to the organisation.

1.25 **The Committee brings these matters to the attention of the Assembly but does not require a response from the Minister.**

Report under section 38 of the *Human Rights Act 2004* (HRA)

Rights in criminal proceedings (section 22 HRA)

1.26 Under section 22(1) of the HRA, everyone charged with a criminal offence has the right to be presumed innocent until proved guilty according to law.

1.27 In the new Part 15.4A proposed by the Bill on prohibition on claim farming, several new offences are created in relation to:

- contacting a claimant for the purpose of soliciting or inducing a person to make a claim where the person receives a fee or benefit; and

- giving or receiving or arranging for someone else to give or receive a fee or other benefit for a claim referral.

1.28 For each offence, the Bill contains statutory exceptions to that offence. The evidential burden falls on the defendant to prove that defence. [2] As the explanatory statement identifies, because the defendant is required to prove that defence, the statutory exceptions limit the right to a defendant's presumption of innocence.

1.29 The explanatory statement states that this limitation is for a legitimate purpose:

> The establishment of defences to the offences are intended to allow legal practitioners who provide legitimate legal services to assist victim survivors and personal injury claimants to continue to do so in the course of their business.
>
> The evidential burden to demonstrate an exception/s applies falls on the defendant because they are better placed than the prosecution to provide evidence of their legitimacy in providing legal services to a claimant. If the defendant wishes to rely on one or more of the exceptions to the offence, the limitation from imposing the evidential burden on the accused is reasonable as they are better to provide evidence on why the defence applies, and to ensure appropriate regulatory action can be taken.

1.30 The explanatory statement rationalises the connection between the limitation and the purpose:

> This limitation to section 22 of the HRA exists because it is unreasonable to impose this burden on prosecution to provide evidence to disprove all possible defences to claim farming offences. The accused person is uniquely or better place [sic] to produce evidence to explain why they should be excused.

1.31 The Committee notes that the explanatory statement refers to the limitations of a person's rights under section 22 of the HRA imposed by this bill are "minor, necessary and appropriate". While the explanatory statement has appropriately set out an explanation for how the limitation is necessary and appropriate, the Committee questions the aptness of describing the limitation as "minor" when rights in criminal proceedings are diminished.

1.32 **The Committee refers the discussion in the explanatory statement to the Assembly and does not require a response from the Minister.**

Planning Legislation Amendment Bill 2026

1.33 This Bill makes amendments to legislation within the Planning and Sustainable Development portfolio. The Bill amends the:

(i) *Planning Act 2023*;

(ii) *Planning (Exempt Development) Regulation 2023*;

(iii) *Planning (General) Regulation 2023*;

(iv) *Recovery of Lands Act 1929*; and

(v) *Surveyors Act 2007.*

[2] *Criminal Code* section 58 provides that a defendant who wishes to rely on any exception, exemption, excuse, qualification or justification provided by the law creating an offence (whether or not it accompanies the description of the offence) has an evidential burden in relation to the matter.

1.34 The explanatory statement explains these amendments are "minor policy and technical amendments". The Committee refers the Assembly to the summary of those amendments in the explanatory statement.

1.35 The Committee notes that clause 6 of the Bill amends the *Planning Act 2023* to insert a new section 63(1A) that provides that, for a draft major plan amendment, the territory planning authority must give a copy of the consultation notice to each person prescribed by regulation. Clause Note 6 states that these are adjoining lessees.

1.36 Clause Note 6 also states that this notice must be given at the commencement of the consultation period. However, the Committee does not identify any text in the new section 63(1A) proposed by the Bill to reflect this timing.

1.37 **The Committee requests the Minister to explain how that timing can be inferred from the proposed new section 63(1A).**

> The Committee draws this matter to the attention of the Assembly and asks the Minister to respond prior to the Bill being debated.

Planning (Missing Middle Housing) Amendment Bill 2026

1.38 This Bill amends the *Planning Act 2023* ("Planning Act") and the *Planning (General) Regulation 2023*. The amendments to the Planning Act:

(i) revise the definition of "subdivision development proposal" to exclude small scale subdivisions from being designated as "significant development," the latter of which requires additional assessment processes and extended time frame;

(ii) provide that all single dwelling residential leases may be used for a "secondary residence"[3] (e.g. a "granny flat") without the need for a lease variation; and

(iii) establish a new process for certain types of lease variations (e.g.: to maximum number of permitted dwellings or units on a block), including other types prescribed by regulation, to "nominal rent leases".[4] Such new processes include application to the territory planning authority, shorter decision making times, removal of the requirement of public notification or entity referral and removal of third-party ACT Civil & Administrative Tribunal (ACAT) appeal rights on decisions.

1.39 The amendments proposed by the Bill to the *Planning (General) Regulation 2023* make amendments consequential to the amendments to the Planning Act.

1.40 The explanatory statement explains:

> The amendments are focussed on process improvements to support applications for missing middle housing developments to progress through the planning approvals process in a timely manner. Each development proposal will still need to be assessed against the climate and environmental outcomes contained within the Territory Plan, including canopy cover, planting area and permeable surface requirements.

---

[3] Defined in the new definition inserted by clause 43 of the Bill as a "second dwelling on the land that is subordinate to the principal dwelling on the land."

[4] A "nominal rent lease" is defined in the current *Planning Act 2023* as meaning "a lease for a nominal rent" (Dictionary) and "lease" is defined as a lease (other than a sublease) of land (a) granted under the Act; or (b) granted or arising under the *Unit Titles Act 2001*. See also section 367. The territory planning authority has the power to grant leases on behalf of the executive under section 18 of the Act. See also section 262.

1.41 The Committee notes that, addressing the human rights discussion separately (addressed below), some aspects of the explanatory statement are insufficient or unclear.

1.42 First, the statement refers, by way of background, to the "Missing Middle Housing" reforms, but does not explain what these reforms are. The Committee notes that one of the purposes of an explanatory statement is:

> to inform members of the public – who must be regarded as lacking both legal expertise, and technical expertise in the relevant subject matter - as to what it is proposed the Assembly should do by way of making or amending an Act. The explanatory statement should "help the reader grasp what the bill does, how it does it, and to provide helpful background"……[5]

1.43 Second, in relation to reform (i) mentioned above about subdivision development proposals, clause 4 of the Bill provides for the new definition of "subdivision development proposal" in new section 42A:

> (1) In this part:
>
> ***subdivision development proposal*** means a development proposal to do both of the following:
>
> (a) create or consolidate blocks;
>
> (b) create or remove roads.
>
> (2) A subdivision development proposal may also involve 1 or more of the following:
>
> (a) changes to land use zones;
>
> (b) design or construction requirements for roads or infrastructure;
>
> (c) design or construction requirements for future development on the land the subject of the application.

1.44 This drafting suggests that a proposal is only a subdivision development plan if it does *both* (1)(a) and (b). However, the explanation in the explanatory statement suggests that these are alternatives:

> A subdivision development proposal is defined as a development proposal that either creates or consolidates blocks, creates or removes roads, or involves land use zone, design and construction requirements for future development on the land that is the subject of the [development] application.

1.45 The Committee does note that the Clause Note to Clause 4 appears to more accurately reflect the drafting. However, it is unclear from the explanatory statement and Clause Note 4 whether new sub-section 42A(2) permits a subdivision development proposal in (1) to also include the matters listed in (2)(a) to (c), or whether the matters listed in (2)(a) to (c) are of themselves each to be regarded as subdivision development proposals.

---

[5] Standing Committee on Justice and Community Safety (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee), *Guide to Writing an Explanatory Statement* (March 2011), p. 2 (citations omitted).
https://www.parliament.act.gov.au/__data/assets/pdf_file/0006/434346/Guide-to-writing-an-explanatory-statement.pdf

1.46 Thirdly, the Committee notes that the Clause Notes for clauses 14 to 42 of the Bill are dealt with in summary form. The Clause Notes state that "Clauses 14 – 42 make various consequential amendments to the Act" to reflect the variations of nominal rent leases made by clause 7 with two brief bullet point explanations. This is not the standard that the Committee has come to expect for Clause Notes. Some of the Clauses are not obviously technical consequential amendments (e.g. Clauses 15, 16, 17, 18, 22, 30, 33, 36, 41). Even those clauses that might be described as such should be the subject of a separate clause note to explain how each of them relates to which amendment made by the Bill. This separate treatment is particularly important when a Bill is amending a lengthy, detailed and complex Act like the Planning Act; each amendment needs to be clearly and sufficiently explained in the Clause Notes so that the Committee can "identify all respects in which provisions of the bill may be fairly regarded as engaging a Committee term of reference".[6]

1.47 As a general comment, much of "Overview of the Bill" in the explanatory statement and the summary for Clause Notes 14 to 42 appear to assume that the Committee and a member of the public have a sophisticated working understanding of the concepts and processes in the current Planning Act. Noting the Committee's comment above in paragraph 1.42 about the purpose of an explanatory statement, this is not an appropriate premise for drafting the statement.

1.48 **The Committee requests the Minister to revise the explanatory statement to explain more clearly the background reforms to the Planning Act, clarify how the subdivision development proposal works and to revise Clause Notes 14 to 42 to address each clause of the Bill separately to explain their purpose or their relevance to the rest of the Bill.**

> The Committee draws this matter to the attention of the Assembly and asks the Minister to respond prior to the Bill being debated.

Report under section 38 of the *Human Rights Act 2004* (HRA)

Right to a fair trial (section 21 HRA)

1.49 The right to a fair trial under section 21 of the HRA protects the right to procedural fairness. The right to a fair trial includes all stages of proceedings in a court or tribunal and has been extended to include review processes in administrative decision-making. It therefore includes, as the explanatory statement identifies, the right of appeal for third parties whose substantive legal rights may be affected.[7]

1.50 Clause 10 of the Bill (which inserts the new Division 7.2.1A on exempt variations of nominal rent leases) contains new section 149A which provides that the division applies to the following nominal rent variations:

(a) a variation to state the maximum number of dwellings permitted on the land under the lease;

---

[6] Ibid p. 2.

[7] *Thomson v ACT Planning and Land Authority (Administrative Review)* [2009] ACAT 38. See ACT Government Right to a Fair trial Fact Sheet: [Fact Sheet - N - s 21 - Fair trial - Human Rights Education](#).

(b) a variation to change the maximum number of dwellings permitted on the land under the lease;

(c) a variation to authorise the use of the land for a secondary residence;

(d) a variation to a provision of the lease relating to an easement;

(e) a variation prescribed by regulation.

1.51 The statement states that the Bill limits the right to a fair trial by removing third-party appeal rights in relation to certain planning and lease-related decisions:

> The amendments will create a pathway for some Crown lease variations to be exempt from requiring a DA, thereby limiting opportunities to participate in planning decisions. The proposed amendments will also mean that these lease variations are exempt from third party appeal rights in the ACT Civil and Administrative Tribunal (ACAT), limiting individuals' opportunity to pursue objections to planning decisions.

1.52 However, neither the explanatory statement nor the Clause Notes clearly explain how the amendments lead to this outcome. They are clear that new Division 7.2.1A creates new processes for certain development decisions for nominal rent leases, but it is not clear from the statement how appeal rights are impacted by Crown lease variations becoming exempt from Development Application approval.

1.53 **The Committee requests the Minister to explain in the explanatory statement how the new Division 7.2.1A results in such variations being exempt from third party appeal rights in ACAT by reference to relevant Planning Act provisions.**

> The Committee draws this matter to the attention of the Assembly and asks the Minister to respond prior to the Bill being debated.

1.54 Subject to that Committee request, the statement rationalises the asserted limitation as follows:

> The objective sought to be achieved by these amendments is to provide for improved efficiency of the planning system that will facilitate the timely delivery of more housing, which is a matter that directly impacts all Canberrans. These changes will support greater supply of low-rise, sustainable and comfortable homes envisaged by the Missing Middle Housing reforms that can blend into our existing suburbs without too much change to the character of these areas, helping individuals, couples and families to find homes in existing suburbs, limiting urban sprawl and making it easier for older Canberrans to stay in their communities as they age. Ensuring the timely assessment and approval of development proposals through the planning system will enable additional housing to be constructed more quickly. This will also introduce opportunities for aging in place, inter-generational living, and greater opportunities for more marginalised or vulnerable groups such as young people, single persons and low-income earners to find housing.

1.55 The statement goes on to state:

> The limit on the ability to review decisions of the lease variations outlined in the Bill … will only apply to simple lease variations that are key to facilitating the future development on existing residential lease. The design and siting of future development permitted by the variations will continue to be considered through the relevant assessment and approvals pathway under the Act, such as DAs or DA exemptions. Also, DAs will continue to be required for the lease variations not specified in this Bill, which are generally the more complex variations. Through this process, current third-party appeal rights will remain.
>
> Subdivisions and consolidations as envisaged by the Missing Middle Housing reforms will continue to be assessed through the DA process as non-significant developments (as opposed to significant development). Third party appeal rights in this case will remain largely unimpacted by the bill.
>
> A further safeguard is that members of the public may still seek judicial review of development decisions where this is available under the Administrative Decisions (Judicial Review) Act 1989. These measures balance the need for fair trial with the need to ensure suitable housing supply benefiting all Canberrans and the efficient functioning of the planning system.

1.56 **The Committee refers the Assembly to the discussion in the explanatory statement and notes that its final analysis is subject to the more detailed explanation requested above in relation to this right.**

Right to take part in public life (section 17 HRA)

1.57 Section 17 of the HRA relevantly provides that every citizen has the right, and is to have the opportunity, to take part in the conduct of public affairs. As the explanatory statement identifies, this includes the right to meaningful participation in administrative and decision-making processes that affect the public or particular communities.

1.58 The explanatory statement explains how the Bill limits this right:

> The amendments will create a pathway for nominated lease variations to be exempt from requiring a DA and will therefore not be subject to public notification requirements under the Act, thereby limiting opportunities for members of the community to participate in planning decisions.
>
> The amended definition of a subdivision development proposal means that small scale subdivisions, such as those associated with Missing Middle housing on typical residential blocks, will no longer be classified as significant development and will therefore not require two periods of public notification and a 60 working day DA decision timeframe. Rather, they will be subject to one period of public notification and the 30-45 working day DA decision timeframe that applies to non-significant developments.
>
> The clarification that secondary residences may be developed on all single dwelling leases without the need for a lease variation also removes public notification that is currently required through the DA process for this type of Crown lease variation.

1.59 The Committee thanks the Minister for this explanation, though notes that the explanation would be of greater assistance if it clearly identified the relevant provisions of the Planning Act that the lease variations will be exempt from. This would assist the Committee in its understanding of the effect of the Bill amendments on the operation of the Planning Act.

1.60 The explanatory statement contains a discussion on the purpose of the amendments and their connection to the limitation on the right to take part in public life and its proportionality.

1.61 **The Committee refers that discussion to the Assembly and does not require a response from the Minister.**

Right to privacy (section 12 HRA)

1.62 Section 12 of the HRA relevantly provides that each individual has the right not to have their privacy, family, home or correspondence interfered with unlawfully or arbitrarily. The explanatory statement identifies that the amendments made by the Bill "will allow the Authority to request more information from an applicant when applications are made through the DA exemption pathway" and that the "amendment will limit the right to privacy because it will authorise the collection and storage of personal information".

1.63 The explanatory statement does not identify which particular amendments made by the Bill impose these limitations. The Committee assumes that the statement is intending to refer to new sections 149B(2)(c) and 149C(3) and (4) which refer to the provision of information to the territory planning authority.

1.64 **The Committee requests the Minister to confirm that the explanatory statement is referring to sections 149B and 149C in relation to the limitation on the right to privacy, and if not, the Committee requests the Minister to revise the explanatory statement to specifically identify the Bill amendments having this effect.**

> The Committee draws this matter to the attention of the Assembly and asks the Minister to respond prior to the Bill being debated.

1.65 The explanatory statement contains a discussion on the limitation of this right. In particular the Committee notes the following.

> The collection of relevant personal information is directly connected to achieving these administrative objectives. Without this information, the planning authority would be unable to confirm whether applications are being made by or on behalf of Crown lessees, maintain accurate records, or ensure accountability and legal compliance.
>
> …
>
> The engagement of the right to privacy is proportionate because the information collected is minimal, limited to that which is required to support the administering the Act, and is consistent with information already routinely collected through comparable planning processes, such as the DA process. The Bill does not grant powers to collect information unrelated to the lease variation process. The information will also remain subject to existing privacy protections under the *Information Privacy Act 2014*.

1.66 **Subject to the Committee's requests above, the Committee refers the discussion in the explanatory statement to the Assembly and does not require any further response from the Minister.**

Proposed amendment—Comment

Juries (Peremptory Challenges) Amendment Bill 2025

1.67 The Committee has received from the Attorney-General by letter dated 17 April 2026, proposed government amendments to the Juries (Peremptory Challenges) Amendment Bill 2025, together with a supplementary explanatory statement. The Juries (Peremptory Challenges) Amendment Bill 2025 was the subject of scrutiny by the Committee in *Scrutiny Report 14* (January 2026).

1.68 The government amendment is to amend the Bill so that the Bill commences, once enacted, on the day after its notification day, rather than having the 6-month delay proposed by the current version of the Bill.

1.69 The Committee brings these matters and the supplementary explanatory statement in relation to the government amendment to the attention of the Assembly.

2. Subordinate Legislation

Disallowable Instruments—No comment

2.1 The Committee has examined the following disallowable instruments and has no comments on them:

- **Disallowable Instrument DI2026-18 being the Canberra Institute of Technology (CIT Board Chair) Appointment 2026 (No 1) made under section 9 of the** *Canberra Institute of Technology Act 1987* **and section 79 of the** *Financial Management Act 1996* **appoints a specified person to be Chair of the Canberra Institute of Technology Board for a period of 3 years.**
- **Disallowable Instrument DI2026-19 being the Canberra Institute of Technology (CIT Board Deputy Chair) Appointment 2026 (No 1) made under section 9 of the** *Canberra Institute of Technology Act 1987* **and section 79 of the** *Financial Management Act 1996* **appoints a specified person as Deputy Chair of the CIT Board for a period of 3 years.**
- **Disallowable Instrument DI2026-20 being the Board of Senior Secondary Studies Appointment 2026 (No 1) made under section 8 of the** *Board of Senior Secondary Studies Act 1997* **revokes DI2023-291 and appoints a specified person as Chair of the Board of Senior Secondary Studies until 31 December 2026.**

Disallowable Instruments—Comment

2.2 The Committee has examined the following disallowable instruments and offers these comments on them:

No human rights issues

- **Disallowable Instrument DI2026-21 being the Unit Titles (Management) Rental Certificate Determination 2026 made under section 119 of the** *Unit Titles (Management) Act 2011* **revokes DI2025-74 and determines information to be included in a unit title rental certificate.**
- **Disallowable Instrument DI2026-22 being the Unit Titles (Management) Sale Certificate Determination 2026 made under section 119 of the** *Unit Titles (Management) Act 2011* **revokes DI2025-75 and determines information to be included in a unit title sale certificate and a unit title sale update certificate.**

2.3 The Committee notes that the explanatory statements for each of the instruments mentioned above contain a statement that the instrument does not engage any human rights.

2.4 **The Committee draws the attention of the Legislative Assembly to the discussion of human rights issues in the explanatory statements for these instruments.**

2.5 **This comment does not require a response from the Minister.**

Human rights issues

- **Disallowable Instrument DI2026-23 being the Medicines, Poisons and Therapeutic Goods (Vaccinations by Pharmacists) Direction 2026 (No 1) made under section 352 and paragraph 37(1)(b) of the** *Medicines, Poisons and Therapeutic Goods Regulation 2008* **revokes DI2025-33 and provides that a pharmacist or intern pharmacist may administer vaccines without prescription if they comply with the Pharmacist Vaccination Standards as determined by the Chief Health Officer.**

2.6 This instrument, made by the Chief Health Officer (CHO) under section 352 and paragraph 37(1)(b) of the *Medicines, Poisons and Therapeutic Goods Regulation 2008*, gives a direction for the administration of a vaccine to a person without prescription by a pharmacist (or an intern pharmacist under the direct supervision of a pharmacist). The direction instructs that a pharmacist or intern pharmacist may administer a vaccine without prescription if they comply with the Pharmacist Vaccination Standards (Vaccination Standards) as determined by the CHO at Schedule 1 of this instrument.

2.7 The explanatory statement for the instrument states:

> The Vaccination Standards outline the need for administering pharmacists to comply with the following three components:
>
> - Part A of the Vaccination Standards specifies the training requirements for pharmacists to be authorised to administer an approved vaccines in the ACT.
> - Part B of the Vaccination Standards outline the practice standards, including general administration requirements, premises and equipment, and requirements for the area where vaccines are administered.
> - Part C of the Vaccination Standards sets out record keeping and reporting requirements for pharmacists. Consistent with requirements of the *Australian Immunisation Register Act 2015* (Cwlth), this section requires pharmacists to record all vaccination events on the Australian Immunisation Register (AIR).
>
> Consistent with the Public Health (Reporting of Notifiable Conditions) Code of Practice 2022 (No 2) (ACT), Part C also outlines the requirement to report Adverse Events Following Immunisation.
>
> Part C has been updated to include the requirement to report information about whether a person was pregnant at the time of vaccination. This became a requirement of the *Australian Immunisation Register Act 2015* (Cwlth) from 1 March 2025.
>
> Minor changes have been made to the Vaccination Standards to correct weblinks, phone numbers and team names, and update references to refer to the Health and Community Services Directorate.

2.8 The Committee notes that the explanatory statement for the instrument discusses human rights, by reference to the right to life, the right to protection of the family and children and the right to privacy, protected by sections 9, 11 and 12 of the *Human Rights Act 2004*, respectively. The first 2 rights mentioned are promoted. Only the right to privacy is considered to potentially be limited. The limitation arises from the collection of “sensitive personal health information, such as vaccine history, medical conditions, and contact details”.

2.9 The explanatory statement for the instrument states:

> The collection or reporting of health information by practitioners, including reports of adverse events following immunisation (AEFI), engages the right to privacy under section 12 of the HR Act. These engagements are governed by existing legislation including the *Health Records (Privacy and Access) Act 1997, Information Privacy Act 2014*, *Australian Immunisation Register Act 2015* (Cwlth) as well as relevant professional standards overseen by the Australian Health Practitioner Regulation Agency. These frameworks collectively function to protect against unreasonable interference regarding the collection, use and disclosure of personal information; and outline how a person can access their personal information stored by an immunisation service provider.
>
> Health consumers are also reasonably made aware of their human rights about pharmacy services. In accordance with section 95 of the *Human Rights Commission Act 2005*, all health service providers are required to prominently display information about how complaints may be made to the ACT Human Rights Commission or appropriate regulatory agency.
>
> This instrument does not establish any new obligations on pharmacists or consumers in the collection, storage or reporting of information. The Vaccination Standards are therefore considered to engage with the right to privacy under the HRA, but do not operate as to arbitrarily or unlawfully interfere with or otherwise limit an individual's right to privacy or reputation as described by the HR Act.

2.10 **The Committee draws the attention of the Legislative Assembly to the discussion of human rights issues in the explanatory statement for this instrument.**

2.11 **This comment does not require a response from the Minister.**

National Law—Comment

2.12 The Committee has examined the following National Law and offers these comments on it:

- **Education and Care Services National Amendment Regulations 2026, made under the Education and Care Services National Law**

2.13 The Committee notes, with approval, that this National Law is accompanied by a detailed and helpful explanatory statement that includes a discussion of human rights issues, by reference to the right to protection of the family and children, the right to privacy, rights in criminal proceedings and the right to work, protected by sections 11, 12, 22 and 27B of the *Human Rights Act 2004*, respectively. The right to protection of the family and children is promoted.

2.14 The right to privacy is engaged because the amendments made by the National Law …

> … support the establishment of a National Early Childhood Worker Register (National Register), to be created and maintained by the National Authority. The National Register will contain personal information about nominated supervisors, staff members and volunteers, including names, dates of birth, qualification, and employment details. This information will be uploaded to the National Register by approved providers and will be accessible by the National Authority and Regulatory Authorities. Approved providers will be able to access the National Register to the extent that it applies to services they operate.

2.15 The justification given in the explanatory statement is …

> … to better facilitate information sharing amongst specified government entities, including Regulatory Authorities and Working with Children Check agencies, within and across jurisdictions. Effective information sharing is essential for managing risk posed by individuals who are not safe or need additional training to be working with children. The National Register will also facilitate monitoring of potentially unsafe individuals moving between services and participating jurisdictions. It supports child safety and risk management by ensuring that workforce safety requirements, such as training, qualifications and relevant registration status, are recorded and kept up to date.

2.16 The explanatory statement also notes:

> Information can only be used and shared for specified purposes, with the *Privacy Act 1988* (Cth) applying, and offences in place for unlawful disclosure. The National Authority requires access to the personal information in order to establish and maintain the National Register.

2.17 The explanatory statement goes on:

> The information in the National Register is already accessible by Regulatory Authorities under existing provisions, but this does not facilitate monitoring of high-risk individuals who may move across services and jurisdictions, including individuals subject to enforcement action. Including this information in the National Register is the only reasonable way to enable Regulatory Authorities to access essential information promptly, and share with relevant agencies, such as Working with Children Check agencies, to manage risk to children.

2.18 In relation to the rights in criminal proceedings, the explanatory statement notes that, under section 22 of the Human Rights Act, everyone has the right to be presumed innocent until proved guilty according to law. The explanatory statement notes that new clauses 5, 41, 59 and 60 create new strict liability offences for approved providers.

2.19 The explanatory statement goes on:

> These changes have been made to improve consistency within the National Regulations to ensure that, where appropriate, regulatory requirements have penalties attached, to align with other similar offences.

2.20 After discussing the particular legislative requirements imposed, the explanatory statement states:

> It is [the Education Ministers Meeting's] intention that all offences set out in the National Law and Regulations are strict liability. This includes the offences set out in the Further Amendment Regulations. However, the ultimate arbiter of the characterisation of the offence will be a relevant Court. Therefore, a presumption exists that all offences under the National Law are interpreted as strict liability, unless determined otherwise.
>
> An accepted argument against a limitation of human rights in the context of strict liability offences is that strict liability offences are crafted to address unlawful behaviour in a context where the person or entity knows, or ought to know, their legal obligations.

This concept, known as the licensing concept or approach, is discussed by Cory J (judgment of L'Heureux-Dube and Cory JJ) in *R v Wholesale Travel Group Inc* [1991] 3 SCR 154 at [55]:

> The licensing concept rests on the view that those who choose to participate in regulated activities have, in doing so, placed themselves in a responsible relationship to the public generally and must accept the consequences of that responsibility. Therefore, it is said, those who engage in regulated activity should, as part of the burden of Responsible conduct attending participation in the regulated field, be deemed to have accepted certain terms and conditions applicable to those who act within the regulated sphere. Foremost among these implied terms is an undertaking that the conduct of the regulated actor will comply with and maintain a certain minimum standard of care. [p. 93]

The new offences in [this National Law] will apply to approved providers who are regulated under the National Law. Approved providers seeking to be involved in the [early childhood education and care - **ECEC**] sector must apply for approval under the Education and Care National Law, they are assessed for fitness and propriety, must be appropriately qualified where relevant and are obliged to familiarise themselves with their obligations under the National Law. Once approved they are deemed to have agreed with the obligations and liabilities of the law. This includes enforcement action by the regulatory authority when approved providers fail to meet their obligations. Particularly when this puts children at risk.

There is a community expectation that the education and care of children is closely monitored and proactively regulated.

2.21 The discussion in the explanatory statement concludes:

The new penalty offences relate to existing regulatory requirements which approved providers should be well aware of. The strict liability offences meet a legitimate aim, namely the protection of the safety, health and wellbeing of children attending education and care services. The offences apply to approved providers rather than individuals and are proportionate in the context of the high degree of knowledge expected of participants in the ECEC sector.

Additionally, all statutory enforcement actions are subject to review rights and, where appropriate, show cause processes.

2.22 In relation to the right to work, the explanatory statement states:

The right to work and other work-related rights provides that everyone has the right to work, including the right to choose their occupation or profession freely, and is entitled to enjoy those rights without discrimination. The Register may also limit the right to work as the information updated may affect whether a person is able to work in an education and care service. If the information shows that a requirement has expired or is not up to date, the individual should not be rostered until the requirement is met.

2.23 The explanatory statement does not directly provide a justification for the limitation of the right to work but the justification is implicit in the statement that the effect of the National Register will "facilitate monitoring of potentially unsafe individuals moving between services and participating jurisdictions. It supports child safety and risk management by ensuring that workforce safety requirements, such as training, qualifications and relevant registration status, are recorded and kept up to date."

2.24 **The Committee draws the attention of the Legislative Assembly to the discussion of human rights issues in the explanatory statement for this National Law.**

2.25 **This comment does not require a response from the Minister.**

Government response—Comment

- **Subordinate Law SL2026-1 being the Legal Profession (Barristers) Rules 2026 made under subsection 579(1) of the** *Legal Profession Act 2006* **revokes SL2021-5 and makes the Legal Profession (Barristers) Rules.**

2.26 The Committee commented on this subordinate law in *Scrutiny Report 16* (10 March 2026). The Committee noted that the explanatory statement for the subordinate law contained no discussion of possible human rights issues raised by the subordinate law, to assist the Committee in its (expanded) role under section 38 of the *Human Rights Act 2004*.

2.27 The Committee drew the attention of the Legislative Assembly to the subordinate law, under principle (10)(d) of the Committee's resolution of appointment, on the basis that the explanatory statement for the instrument did not meet the technical or stylistic standards expected by the Committee.

2.28 This comment required a response from the Minister, indicating that it would be grateful if the Minister could respond before the Legislative Assembly's capacity to move to disallow the subordinate law expired.

2.29 After five sitting days elapsed following the presentation of this subordinate law in the Assembly and no response had been received by the Committee, on 23 March 2026, the Chair of the Committee lodged the following notice of motion to disallow:[8]

> *3 MS BARRY: To move—That Subordinate Law SL2026-1 being the Legal Profession (Barristers) Rules 2026, made pursuant to the Legal Profession Act 2006, be disallowed. (Notice given 23 March 2026. Subordinate Law will be deemed to have been disallowed unless disposed of within 6 sitting days, including today.).

2.30 The Attorney-General responded to the Committee on 21 April 2026.[9] The Attorney-General provided a revised explanatory statement for the subordinate law, prepared by the ACT Bar Association.[10] The revised explanatory statement includes an assessment of human rights protected by the *Human Rights Act 2004*.

[8] *Notice Paper 52*, Tuesday 24 March 2026, p. 859. https://www.parliament.act.gov.au/__data/assets/pdf_file/0012/3039798/NP-52-24-March-2026.pdf.

[9] Available at https://www.parliament.act.gov.au/__data/assets/pdf_file/0010/3052738/SL2026-1Legal-Profession-Barristers-Rules-2026Government-response.pdf.

[10] https://www.parliament.act.gov.au/__data/assets/pdf_file/0004/3052741/SL2026-1Legal-Profession-Barristers-Rules-2026Revised-ES.pdf.

2.31 The Attorney-General's response states:

> Due to the operation of section 142 of the *Legislation Act 2001* and time that has passed since notification of the Barristers Rules, the revised explanatory statement cannot be published on the ACT Legislation Register.

2.32 The response goes on:

> I request that the Committee consider publishing the revised explanatory statement on its website to support transparency and public accessibility. Subject to your agreement, the Justice and Community Safety Directorate will arrange for the Parliamentary Counsel's Office to make a link to the relevant Assembly website page available from the Register.

2.33 Section 142 of the Legislation Act deals with the use of "non-legislative context" in interpreting legislation:

> **142 Non-legislative context—material that may be considered**
>
> (1) In working out the meaning of an Act, material mentioned in table 142, column 2 may be considered.
>
> (2) In working out the meaning of a statutory instrument, material mentioned in table 142, column 3 may be considered.
>
> (3) This section does not limit the material that may be considered in working out the meaning of an Act or statutory instrument.

Table 142

column 1 **item**	**column 2** **Act**	**column 3** **statutory instrument**
1	material not forming part of the Act contained in an authorised version of the Act *Note* See ch 3 (Authorised versions and evidence of laws and legislative material).	material not forming part of the statutory instrument contained in an authorised version of the instrument *Note* See ch 3 (Authorised versions and evidence of laws and legislative material).

column 1 item	column 2 Act	column 3 statutory instrument
2	any relevant report of a royal commission, law reform commission, committee of inquiry or other similar entity that was presented to the Legislative Assembly before the Act was passed	any relevant report of a royal commission, law reform commission, committee of inquiry or other similar entity that was presented to the Legislative Assembly— (a) if the statutory instrument was presented to the Assembly—before the end of 6 sitting days after the day the instrument was presented to the Assembly; or (b) in any other case—before the instrument was made
3	any relevant report of a committee of the Legislative Assembly that was made to the Assembly before the Act was passed	any relevant report of a committee of the Legislative Assembly that was made to the Assembly— (a) if the statutory instrument was presented to the Assembly—before the end of 6 sitting days after the day the instrument was presented to the Assembly; or (b) in any other case—before the instrument was made

column 1 item	column 2 Act	column 3 statutory instrument
4	**any explanatory statement (however described) for the bill that became the Act, or any other relevant document, that was presented to the Legislative Assembly before the Act was passed**	**if the statutory instrument was presented to the Legislative Assembly—any explanatory statement (however described) for the instrument, or any other relevant document, that was presented to the Legislative Assembly before the end of 6 sitting days after the instrument was presented to the Assembly**
5	the presentation speech made to the Legislative Assembly during the passage of the bill that became the Act	if the statutory instrument was presented to the Legislative Assembly by a member of the Assembly—any presentation speech made to the Assembly
6	official reports of proceedings in the Legislative Assembly in relation to the bill that became the Act	if the statutory instrument was presented to the Legislative Assembly—official reports of proceedings in the Legislative Assembly in relation to the statutory instrument
7	any relevant treaty or other international agreement to which Australia is a party	any relevant treaty or other international agreement to which Australia is a party

[emphasis added]

2.34 The point is that a revised explanatory statement can only be used for interpretation purposes if it was tabled within 6 sitting days after the relevant subordinate law, etc was presented to the Assembly.

2.35 The Committee notes that it discussed the effect of section 142 at some length in *Scrutiny Report 40* of the 10th Assembly (2 April 2024), in the context of issues arising from the Children and Young People (Kinship and Foster Carers Risk Assessment) Guidelines 2023 (DI2023-202).[11] In that instance, the relevant Minister agreed to amend an explanatory statement, in the light of the Committee's concerns, then came back to the Committee to say that the explanatory statement couldn't be amended, due to the limitations of section 142.

2.36 This had been a recurring issue for the Committee. In the light of the recurrence, the Committee sought to identify a solution, to prevent further recurrence. The Committee suggested that the most obvious solution was for Ministers to respond to such comments before the Legislative Assembly's capacity to disallow the instrument/subordinate law in question expires, as the Committee requested, in making the comment.[12]

2.37 The Committee went on to state that, if this was going to continue to be an issue, the Committee may have to consider adopting a practice similar to the Senate Standing Committee for the Scrutiny of Delegated Legislation, which issues a "protective notice of motion to disallow",[13] to preserve the Senate's capacity to disallow a legislative instrument, pending the receipt of a satisfactory response. The Committee suggested that this would appear to avoid the issue that has recently arisen with the instruments discussed, at that time.

2.38 The Committee also suggested that another option would appear to be to amend the Legislation Act, to remove the limitation on registering amended explanatory statements, outside of the 6-day period.

2.39 Finally, the Committee suggested that another option, in the interim, might be to include information such as that generated in relation to the instruments it was then dealing with on the ACT Legislation Register, perhaps under the relevant "Law History" tab.

2.40 The Committee sought the views of the Minister for Families and Community Services and the Attorney-General on the above discussion.

2.41 The Minister for Families and Community Services provided a further response, dated 15 March 2024.[14]

2.42 The Minister stated:

> To prevent recurrence and ensure revised explanatory statements are tabled in the Legislative Assembly within the disallowance period in the future, whole of ACT Government directorate guidance material has been reviewed and updated. The information now includes clearer guidance regarding the timeframe for tabling of a revised explanatory statement being the same as the requirement to provide a response to the Committee within the disallowance period.

---

[11] Available at https://www.parliament.act.gov.au/__data/assets/pdf_file/0020/2426114/Scrutiny-Report-40-Final.pdf. See pp 13-5.
[12] See, e.g. *Scrutiny Report 33*, at page 24.
[13] See https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Guidelines/Guide_to_working_with_the_committee.
[14] Available at https://www.parliament.act.gov.au/__data/assets/pdf_file/0016/2421232/DI2023-202Further-response-to-Report-38.pdf.

2.43 The Committee welcomed this response to the Committee's concerns.

2.44 The Minister went on:

> The Committee also suggested the *Legislation Act 2001* could be amended 'to remove the limitation on registering amended explanatory statements, outside of the disallowance period'. The main purposes of explanatory statements are to:
>
> a. provide the Legislative Assembly with information about the purpose and effect of proposed legislation that is before the Assembly, to assist it in its deliberations on the legislation; and
>
> b. aid in the interpretation of the legislation once it has taken effect.
>
> The Parliamentary Counsel notes explanatory statements tabled after the disallowance period do not achieve either of these main purposes and publishing them is potentially misleading. This is because deliberation on the legislation associated with explanatory statements provided outside of the disallowance period has concluded. Further, a court interpreting a law would only consider explanatory statements tabled while a law is before parliament. This is recognised in the Legislation Act 2001, section 142. As such, the Government does not intend to amend the Legislation Act 2001 in response to the Committee's suggestion.

2.45 The Committee noted the Minister's views relating to the limitations imposed by section 142 of the Legislation Act and observed that those limitations could, of course, be removed.

2.46 Finally, on the Committee's suggestion that it might consider adopting a practice similar to the Senate Standing Committee for the Scrutiny of Delegated Legislation, which issues a "protective notice of motion to disallow",[15] to preserve the Senate's capacity to disallow a legislative instrument, pending the receipt of a satisfactory response, the Minister stated:

> I note the Committee's comment regarding the possibility of the Committee adopting a practice similar to the Federal Government to move a 'protective notice of motion to disallow', which would grant an additional disallowance period to resolve any outstanding matters. It is at the discretion of the Committee as to whether or not to adopt this practice and to consider any legislative change which may be required to facilitate such a practice.

2.47 In response, the Committee indicated that it was its understanding that the Senate Committee approach is merely a Committee practice and does not involve legislative or standing order authorisation. The Committee decided, should there be a recurrence of this issue, it would move a protective notice of motion to disallow.

2.48 This has occurred, in this case.

2.49 However, the problem has still arisen, because the amended explanatory statement was not made available until after the 6 sitting day period had elapsed.

[15] See https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Guidelines/Guide_to_working_with_the_committee.

2.50 The Committee notes that it could still support the current notice of motion to disallow the subordinate law. This would, clearly, be unhelpful, especially given that a satisfactory explanatory statement has now been produced. However, the problem (obviously) continues, to the Committee's disappointment.

2.51 The Committee's expectations regarding explanatory statements are long-stated and should be well-known. The more recent application of the Human Rights Act to subordinate laws might be less well-known but the Committee has been clear in stating its views and expectations.

2.52 The Attorney-General's suggestions, regarding how the revised explanatory statement might be made accessible, in this instance, are welcome. But the fundamental problem remains.

2.53 The Committee would welcome further consideration of amending section 142 of the Legislation Act to cover extended disallowance periods.

Government responses—No comment

2.54 The Committee received responses to the Committee's comment on the following subordinate legislation and national law and has no further comment:

- Disallowable Instrument DI2026-15 being the Major Events (2026 Winter Sports Season Events) Notice 2026.
- Education and Care Services National Further Amendment Regulations 2025 (NSW).

2.55 The responses can be viewed online.[16]

2.56 The Committee thanks the Attorney-General and the Minister for Education and Early Childhood for these responses.

Chiaka Barry MLA
Chair

28 April 2026

[16] https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees-11th-assembly/LA_Scrutiny/response-to-comments-on-subordinate-legislation.

Outstanding responses

Bills/Subordinate Legislation/National Laws

Report 14, dated 27 January 2026

Bill

- Family, Personal and Sexual Violence Amendment Bill 2025 (an interim response was received on 5 March 2026).

Report 15, dated 17 February 2026

Bill

- Firearms (Public Safety) Amendment Bill 2026.

Report 16, dated 10 March 2026

Bill

- Firearms (Firearm Prohibition Orders) Amendment Bill 2026.