

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

REPORT NO. 9 OF 1992

2 July 1992

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

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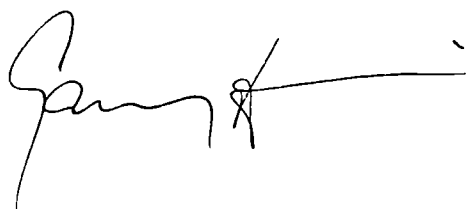
STANDING COMMITTEE ON
SCRUTINY OF BILLS AND
SUBORDINATE LEGISLATION

Ms Roberta McRae, OAM, MLA
Speaker
Legislative Assembly
CANBERRA ACT 2601

Dear Ms McRae

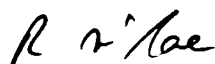
Please find enclosed a copy of Report No. 9 of 1992 of the Standing Committee on Scrutiny of Bills and Subordinate Legislation. Under its resolution of appointment, the Committee is empowered to send a report to you while the Assembly is not sitting so that it may be circulated to Members. Accordingly, I seek your approval to print and circulate Report No. 9 of 1992.

Yours sincerely



Gary Humphries, MLA
Acting Presiding Member

2 July 1992



Approved
Roberta McRae, OAM, MLA
Speaker

2 July 1992

MEMBERS OF THE COMMITTEE

Mrs E Grassby, MLA (Presiding Member)
Mr G Humphries, MLA (Deputy Presiding Member)
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.

Legal Aid (Amendment) Bill (No. 2) 1992

This Bill effects changes to the Commission's constitution, review machinery and means of recovering monies due to the Commission.

The Committee noted two possible small errors in Clause 5 and Clause 15 of the Bill, and has drawn them to the attention of the Clerk in accordance with standing order 191.

SUBORDINATE LEGISLATION

Subordinate Legislation upon which Comment is Offered

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

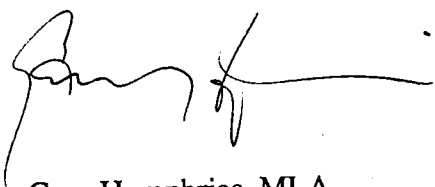
Determination No. 67 of 1992 made under section 80C of the Co-operative Societies Act 1939 revokes Determination No. 64 of 1991 and determines fees under the Act.

Suggested Minor Improvements to Assist Members

As Determination No. 69 of 1992 (in item above) does, it would be helpful if the revocation clause referred to the number of the Determination that is being revoked to avoid any possible doubt.

In passing it is noted that the heading of the Determination refers to the "Co-operatives" Society Act, but the tiny mistake is not repeated in the body of the instrument.

The Explanatory Statement follows the same format as last year instead of the more helpful up-to-date form. It states that the increase in fees is in line with the forecast CPI increase of 3%. The fee increases are generally consistent with this, as they range from zero to 5.55%. The Explanatory Statements that are most helpful to Members tabulate the existing fees and set out the new fees alongside. In this way Members can see at a glance exactly what is happening.



Gary Humphries, MLA
Acting Presiding Member

2 July 1992