

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**SUBORDINATE LAWS AMENDMENT BILL  
(No. 2) 1999**

**EXPLANATORY MEMORANDUM**

**Circulated by Authority of**

**Jon Stanhope  
Member for Ginninderra**

## **EXPLANATORY MEMORANDUM**

### **Subordinate Laws Amendment Bill (No. 2) 1999**

#### **Outline**

This is a Bill to amend to the *Subordinate Laws Act 1989*, referred to in the Bill as the Principal Act.

Among other things, the Principal Act establishes the process for making regulations.

This Bill amends the process to require the Executive to approve the making of any proposed regulations. The Bill also amends the signing procedures to ensure that the Minister responsible for administering an Act is one of the Ministers who signs any regulations made under that Act.

#### **Formal Clauses**

Clauses 1, 2 and 3 are formal requirements. They refer to the short title of the Bill, commencement of the amendments and definition of the Principal Act. The Bill commences on the date it is notified in the *Gazette*.

#### **Exercise of regulation – making power**

Clause 4 of the Bill repeals section 3 of the Principal Act and substitutes a new section 3 that will apply if

- (a) an Act authorises or requires the Executive to make regulations; and
- (b) the Executive approves the making of the proposed regulations under the Act.

The regulations may be made by 2 or more Ministers, who are members of the Executive, signing the regulations if

- (a) the regulations expressly state that the Executive has approved the making of the regulations; and
- (b) the responsible Minister is one of the signing Ministers.

Responsible Minister is defined to mean the Minister or Ministers responsible for administering the Act.