

**EXPLANATORY STATEMENT**  
**AUSTRALIAN CAPITAL TERRITORY**  
**CLASSIFICATION OF PUBLICATIONS (AMENDMENT)**  
**ORDINANCE (NO. 2) 1988**  
**No. 35, 1988**

Subsection 56(1) of the Classification of Publications Ordinance 1983 ("the Principal Ordinance") provides that the Attorney-General or the Minister may exempt a person or body from provisions of the Ordinance by notice in writing. Concerns were raised in the Senate over a Minister's power to grant an exemption from a law without Parliamentary scrutiny.

The Classification of Publications (Amendment) Ordinance (No. 2) 1988 will amend the Principal Ordinance to require that the granting of exemptions be by Regulation. This will ensure that exemptions are subject to Parliamentary scrutiny in the usual way.

Details of the Ordinance are as follows.

Section 1: provides that the Ordinance may be cited as the Classification of Publications (Amendment) Ordinance (No.2) 1988.

Section 2: provides that the Ordinance will commence on a date fixed by the Minister by notice in the Gazette.

Section 3: amends subsection 56(1) of the Classification of Publications Ordinance 1983 ("CPO") to provide that the Regulations may exempt a person or body from provisions of the Ordinance.

Section 4: deletes subsection 56(1) of the CPO from Item 2 of Schedule 1 of the Administrative Arrangements (Consequential Amendments) Ordinance 1987 so that the regulation-making power is only vested in the Attorney-General.

Authorised by the Minister  
for the Arts and Territories