

1994

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Attorney-General)

**Subordinate Laws (Amendment) Bill 1994**

**A BILL**

FOR

**An Act to amend the *Subordinate Laws Act 1989***

The Legislative Assembly for the Australian Capital Territory enacts as follows:

**Short title**

- 5       1. This Act may be cited as the *Subordinate Laws (Amendment) Act 1994*.

**Commencement**

2. This Act commences on the day on which it is notified in the *Gazette*.

**Principal Act**

- 10       3. In this Act, "Principal Act" means the *Subordinate Laws Act 1989*.<sup>1</sup>

84003 1994/6 (T3/94)

**Insertion**

4. After section 2 of the Principal Act the following section is inserted:

**Ambit of regulation-making power**

5 “2A. (1) A provision of an Act empowering the Executive to make regulations for the purposes of the Act shall be taken to empower the Executive to make regulations, not inconsistent with the Act, prescribing matters—

- 10 (a) required or permitted by the Act to be prescribed; or  
 (b) necessary or convenient to be prescribed for carrying out or giving effect to the Act.

“(2) The application of subsection (1) in relation to a provision of an Act is not displaced by reason only that the Act also empowers the Executive to make regulations under the Act in relation to specified matters.”

**Notification, tabling and disallowance**

15 5. Section 6 of the Principal Act is amended—

- (a) by omitting from subsection (2) “regulations, rules or by-laws” and substituting “a subordinate law”;
- (b) by omitting from subsection (3) “regulations, rules or by-laws” and substituting “subordinate law”;
- 20 (c) by omitting from subsection (4) “the regulations, rules or by-laws” and substituting “the subordinate law”; and
- (d) by omitting from subsection (4) “those regulations, rules or by-laws” and substituting “the subordinate law”.

**Insertion**

25 6. After section 8 of the Principal Act the following section is inserted:

**Amendment by Act**

“8A. (1) Where a subordinate law made under an Act has been amended by any Act, that subordinate law as so amended may be amended or repealed by a subordinate law made under the first-mentioned Act.

30 “(2) Subsection (1) applies in relation to amendments effected before or after the commencement of this section.”

**NOTE**

1. Reprinted as at 31 August 1991.

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