

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

INTERPRETATION (AMENDMENT) BILL 1998

EXPLANATORY MEMORANDUM

Circulated by authority of
Gary Humphries MLA
Attorney-General

Interpretation (Amendment) Bill 1998

Outline

A number of Acts and one Regulation include references to particular Committees of the Legislative Assembly. The Acts and method of identification are:

- *Administration Interstate Agreements Act 1997* section 7(b) refers to the Scrutiny of Bills and Subordinate Legislation Committee of the Legislative Assembly
- *Auditor-General Act 1996* section 3 defines the term "Public Accounts Committee" as the committee "whose functions include the examination of financial statements for the Territory, a department or a Territory authority". A number of provisions in the Act use the term "Public Accounts Committee", namely, sections 8, 19, 22 and 29 and clause 6 of the Schedule
- *Children's Services Act 1986* sections 62B(a) and 69FA(a) refer to the Legislative Assembly Standing Committee on Legal Affairs
- *Legislative Assembly (Broadcasting of Proceedings) Act 1997* section 7(1) refers to the Standing Committee on Administration and Procedure of the Legislative Assembly
- *Statutory Appointments Act 1994* section 4(1)(a)(ii) refers to the Public Accounts Committee of the Legislative Assembly
- *Remand Centres Regulations* regulation 23(3) refers to the Standing Committee on Legal Affairs of the Legislative Assembly

This can be contrasted with a number of Acts which require that the appropriate Committee be provided with information, or, be consulted. For example, section 25 of the *Land (Planning and Environment) Act 1991* requires that a draft plan variation and various documents be referred to "an appropriate committee of the Legislative Assembly".

This formulation ensures the Assembly and its Committees fulfill their necessary role in the Territory's affairs, but does not impose any restrictions on the manner in which the Assembly may choose to organise its Committees.

The purpose of the *Interpretation (Amendment) Bill 1998* is to ensure that if an ACT law includes a reference to a particular committee of the Legislative Assembly and there is no such committee then the Speaker will be able to nominate the committee which is to perform the necessary function.

Revenue/Cost Implications

The Bill has no financial implications.

Formal Clauses

Clauses 1 (Short title), 2 (Commencement) and 3 (Principal Act) These clauses are formal. They refer to the short title of the Bill; provide that the Bill will commence when it is notified in the Gazette; and provide a definition of "Principal Act".

Meaning of certain words

Clause 4 inserts a new section 14(1B) in the *Interpretation Act 1967*. The new section will enable the Speaker to nominate an Assembly committee if an Act includes a reference to a committee and there is no such committee.

Section 9(1) of the *Subordinate Laws Act 1989* provides, amongst other things, that this provision will apply to references to Assembly committees which are found in Regulations.