

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

**NOISE CONTROL MANUAL AMENDMENT BILL 1994**

**EXPLANATORY MEMORANDUM**

**Circulated by authority of Lou v Westende MLA  
Opposition Spokesman on the Environment**

## **Outline**

The Noise Control Manual Amendment Bill 1994 (the Bill) amends the Noise Control Manual, prepared pursuant to the Noise Control Act 1988.

The addition to the Manual is designed to put in place a procedure by which measurement of noise made by participants of motorsport may be measured, which is in accordance with, or as close as practicable to, the Australian Standards on Motor Sport.

This will bring the ACT into line with most States of Australia, including New South Wales, which already applies the Australian Standards with regards to motorsport.

## **Financial Impact**

The Bill should have little if any impact on revenue and expenditure.

## **Detail of the Bill**

### **Clauses 1, 2 and 3**

Clauses 1, 2 and 3 identify the fact that the Assembly is making an amendment to the Noise Control Manual prepared for the purpose of the Noise Control Act 1988.

### **Clause 4**

Subclause (1), identifies the fact that the Assembly, as the ultimate maker of laws in the Territory, has determined that the method of measuring the amount of noise emitted by motorsports should, for the purpose of the Noise Control Act 1988, be that method provided for in the Schedule.

Subclause (2) provides that the amendment made to the Noise Control Manual by the Assembly should be deemed as if the amendment was made by the bureaucracy and the Minister.

Therefore, as the Assembly has approved of the amendment to the Manual, the protection from arbitrary action by the Executive, provided by the Subordinate Laws Act 1989 and the Interpretation Act 1967 are unnecessary.

Subclause (3) has the effect of suspending them for the purposes of this amendment to the Noise Control Manual only.

## **The Schedule**

The Schedule adds a section 12 to the Noise Control Manual, which is designed to put in place a procedure by which measurement of noise made by participants of motorsport may be measured, which is in accordance with, or as close as practicable to, the Australian Standards on Motor Sport.

This will bring the ACT into line with most States of Australia, including New south Wales, which already applies the Australian Standards with regards to motorsport.