

MINUTES OF THE MEETING OF THE COMMITTEE OF SUBORDINATE LEGISLATION
HELD AT 12.30 PM ON TUESDAY, 12 MARCH 1991,
IN ROOM 9.13 PARLIAMENTARY ANNEXE

PRESENT:

Mr G B Fenlon, MLA (Deputy Chairman)
Mr A A FitzGerald, MLA
Mr L W Stephan, MLA
Mr J H Sullivan, MLA
Ms S Munro (Legal Counsel)
Miss J Dingwell (Secretary)
Miss M Cook (observer)

APOLOGIES:

Mr R D Barber, MLA
Mr R K Hollis, MLA
Mr R J Quinn, MLA

In the absence of the Chairman, the Deputy
Chairman took the chair.

MINUTES OF PREVIOUS
MEETING:

The minutes of the previous meeting, having been
circulated to members, were taken as read and
confirmed on the motion of Mr Stephan, seconded
by Mr Sullivan.

CARRIED

BUSINESS ARISING
FROM MINUTES:

No 1/91 Regulations - Friendly Societies Act

The meeting endorsed letter of 26.2.1991 to the
Minister and noted his acknowledgment of
5.3.1991. Consideration was given to a draft
follow-up letter to the Minister and approved for
despatch subject to the following amendments -

- (1) reference be made to the Minister's
acknowledgment;
- (2) his response be requested for the
Committee's next meeting on 9.4.1991.

Perth Conference

The meeting (1) noted formal decision of the
Parliamentary Service Commission that a
Queensland delegation attend the conference; (2)
endorsed letters of 27.2.1991 and 7.3.1991 to the
Attorney-General and the Western Australian
Committee respectively.

Travel arrangements were discussed and members
were requested to advise the Secretary as soon as
possible which class they and their spouses
(where applicable) wished to fly so that early
bookings might be made.

Enquiry re Adoption of Children Regulations

Letter of 27.2.1991 to the Minister in accordance
with resolution of previous meeting, endorsed.

OTHER BUSINESS:

No 34/88 Regulations - Tobacco Products (Licensing) Act

The meeting noted that regulations gazetted on 2.3.1991 substituted a new form 10 (Warrant to Enter Dwelling House) which included the two amendments suggested by the Committee.

It was resolved to thank the Minister for his co-operation in finalising the matter.

No 5/89 Order in Council (Rule) - Supreme Court Act

The Secretary reported that a departmental officer had advised verbally that fresh Orders in Council were still awaiting the concurrence of the Supreme Court Judges.

After discussion it was resolved to request the Minister to advise if there have been any developments in relation to the matter.

No 9/89 Regulations - Firearms and Offensive Weapons Act

Consideration was given to the Minister's letter of 27.2.1991 conveying the Crown Solicitor's opinion that regulation 8 complied with section 10 of the Act by virtue of the use of the words "save where otherwise prescribed" in section 10. Counsel agreed with that view.

Discussion then centred on whether the Act should address the issue of applications for visitors' licences; however, before pursuing that aspect the meeting requested Counsel to examine the Weapons Act to ascertain whether applications by visitors have been dealt with in that legislation. Counsel undertook to report at next meeting.

No 19/89 Proclamations, Order in Council - Rental Bond Act

The meeting noted the introduction of the Rental Bond Act Amendment and Validation Bill which clarified the application of the Rental Bond Act 1989, validated certain actions by the Rental Bond Authority and confirmed the commencement dates of sections 42 to 46 of the Act.

It was agreed that the amending legislation, when passed and assented to, would resolve the matter and finalise the Committee's action.

Committee's Budget

Consideration was given to letter of 27.2.1991 from the Clerk of the Parliament requesting advice as to the Committee's budgetary requirements for the next three financial years.

The Clerk-Assistant (Committees) had discussed the matter with the Secretary and prepared a draft budget totalling \$9 000 for the 1991-2 financial year. A note would also be added indicating the possibility of members attending the next conference of Australian Delegated Legislation Committees in 1993 at an estimated cost of \$20 000.

The meeting discussed the various budget items and considered them to be satisfactory. It was moved by Mr Sullivan, seconded by Mr Stephan, that the budget as prepared be endorsed.

CARRIED

NEXT MEETING:

The next meeting of the Committee will be held at 12.30 pm on Tuesday, 9 April 1991 in Room 9.13, Parliamentary Annexe.

There being no further business the Chairman declared the meeting closed at 1.10 pm.

CONFIRMED this 11th day of April 1991.

R. S. D.

Chairman