

Minutes of the Meeting of the Committee of
Subordinate Legislation held at 12 noon on
Tuesday 20 August 1991 in Room 9.13 of
the Parliamentary Annexe.

Present:

Mr R D Barber, MLA (Chairman)
Mr G B Fenlon, MLA
Mr A A Fitzgerald, MLA
Mr R K Hollis, MLA
Mrs J M Sheldon, MLA
Mr L W Stephan, MLA

Ms S Munro (Legal Counsel)
Ms M Cook (Secretary)

Apologies:

Mr J H Sullivan, MLA

**Minutes of previous
meeting:**

The minutes of the meeting held on 28 May 1991, having been circulated to members, were taken as read and confirmed on the motion of Mr Fenlon, seconded by Mr FitzGerald.

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

**Business arising
from Minutes:**

No. 32 Cabinet Decision re Crown
Solicitor's Office.

Discussion took place regarding the letter to Mr Mackenroth and the Committee resolved to await the Minister's reply.

No. 33 Letter to Acting Clerk (Committees) re
purchase of Statutes.

Secretary reported that approval for purchase of Statutes had been given and the Statutes have been ordered.

No. 2/91 Department of Transport (Variation of Fees) Regulations 1991.

Letter of 17 July 1991 to the Minister in accordance with resolution of previous meeting, endorsed.

No. 3/91 Traffic Amendment Regulations 1991 (No. 4).

Letter of 17 July 1991 to the Minister in accordance with resolution of previous meeting, endorsed.

No. 4/91 Superannuation (State Public Sector) Act 1990 - Order in Council.

Letter of 17 July 1991 to the Minister in accordance with resolution of previous meeting, endorsed and his acknowledgment of 22 July 1991, noted.

No. 5/91 Fire Service Act 1990 - Notification.

Letter of 17 July 1991 to the Minister in accordance with resolution of previous meeting, endorsed.

Other Business:

No. 1/91 Friendly Societies (Duties and Functions of Registrar) Regulations 1991.

The meeting discussed the finalising of this matter and resolved to write again to the Minister, enclosing a copy of its letter of 16 April 1991, and bringing the Minister's attention to the Committee's concerns.

No. 23/88 National Trust of Queensland By-laws.

The meeting considered the Minister's letter of 16 August 1991 stating that when the By-laws are

next under review, By-law 10 will be amended to provide for penalty units in penalty provisions. The meeting resolved to await the gazettal of the amending By-laws.

Annual Report

The meeting discussed the content of the Annual Report and resolved to table the report in September, and further resolved not to debate the Report.

Article of 9.8.91 in The Australian.

Counsel brought to the attention of the meeting an article which appeared in The Australian on 9 August 1991 regarding a private members Bill introduced by Senator Harradine. The Bill would provide for the partial disallowance of subordinate legislation.

Counsel noted that the proposed Legislative Standard Bill 1991 will allow for disallowance of part or all of subordinate legislation.

Counsel's Reports:

No. 6/91 Workplace Health and Safety Act - Notification.

Counsel reported that this notification amended an earlier notification that appeared in both the Industrial Gazette and the Government Gazette. Pursuant to section 58(1)(b) of the Act, such notification need only appear in the Industrial Gazette.

The amending notification refers only to the Industrial Gazette notification and omits any reference to the Government Gazette.

The meeting resolved to write to the Minister stating that to omit this reference could cause confusion to users of the Gazettes.

No. 7/91 Transport Infrastructure (Railways) Act 1991.

Counsel reported that the Order in Council purported to prescribe limits of damages payable by Queensland Railways in respect of loss of or injury to any animal or passenger's luggage carried by rail or otherwise. Counsel found that the appropriate instrument to be used in prescribing an amount is a regulation and not an Order in Council.

The meeting resolved to write to the Minister bringing this matter to his attention.

No. 8/91 Justices Act 1886 - Order in Council

Counsel reported that the Order in Council prescribes new fees in relation to Magistrate's Court proceedings by amending an Order in Council made under the Act on 10 December 1964. The original Order in Council has been amended many times since 1964, and reference to that fact has been omitted.

The meeting resolved to write to the Minister suggesting that mention should be made to previous amendments.

Next meeting:

The next meeting of the Committee will be on Tuesday 3 September 1991 at 12 noon in Room 9.13 of the Parliamentary Annexe.

There being no further business the Chairman declared the meeting closed at 12.30 pm.

Confirmed this

day of

3rd Sept 1991

1991.

R Bde

Chairman