

- MINUTES -

Minutes of the meeting of the Committee of Subordinate Legislation
held at 12.30 on 4 August 1992 in Room 9.13,
Parliamentary Annexe

Present:

Mr R D Barber, MLA (Chairman)
Mr G B Fenlon, MLA
Mr R Connor, MLA
Mr R K Hollis, MLA
Mr L W Stephan, MLA
Mr J H Sullivan, MLA

Mr G Cooper (Legal Advisor)
Ms M Cook (Secretary)

Apologies:

Mr A A FitzGerald, MLA

**Minutes of the previous
meeting:**

The minutes of the meeting of 16 June 1992
having been circulated to members were
taken as read and confirmed on the motion of
Mr Sullivan and seconded by Mr Hollis.

Business arising:

Letter to Premier re supply of subordinate
legislation

The meeting noted the letter from the
Department and resolved to await further
advice from the Premier.

3/91 Traffic Act 1949

The meeting noted the Minister's advice that
the regulation had been amended by the
Statute Law (Miscellaneous Provision) Act
1992.

The meeting resolved to take no further
action.

Business arising: (cont)

13/91 Primary Producers' Organisation and Marketing Act

The meeting received a further report from Counsel regarding three egg levies which were considered to be invalid.

It was resolved to write to the Minister asking for validating legislation.

32/92 Sugar Industry Act

The meeting endorsed the letter to the Minister thanking him for his attention to the Committee's concern. No further action is required.

33/92 Architects Act

The meeting discussed the Minister's reply in which he stated that fees paid to Board members are no longer subject to tabling. Fees paid to Board members will be published in the annual report of the Administrative Services Department.

It was resolved that no further action is required.

Appointment of an independent full time legal advisor

The meeting noted that in accordance with the resolution of the previous meeting a memorandum seeking the appointment of a full time independent legal advisor was sent to the Clerk Assistant (Committees) for submission to the Parliamentary Service Commission on 27 August 1992.

Business arising: (cont)

Annual Report

The draft annual report was discussed by the meeting.

It was resolved to table the report as drafted unless members advise the Secretary of changes. A further meeting will be held if changes are needed.

Other business:

14/91 Education (Senior Secondary School Studies) Act 1988

The meeting noted that the Minister's reply of 9 December 1991 stated that a detailed response would be forwarded to the Committee. No further reply has been received.

It was resolved to write to the Minister requesting a response.

19A/91 Fruit Marketing Organisation Amendment Regulation 1991

The Minister wrote to the Committee stating that validating legislation was necessary. As yet no legislation has been introduced.

It was resolved to write to the Minister requesting information on when the legislation would be introduced.

12/92 Queensland Museum Act 1970

The meeting noted the Premier's letter of 16 July 1992.

It was resolved that no further action be taken.

Other business: (cont)

26/92 Primary Producers' Organisation and Marketing Act 1926

The meeting discussed the Minister's reply of 15 July 1992 and resolved to await the gazettal of the new order in council.

40A/92 Workplace Health and Safety Act 1989

It was noted that an order in council gazetted on 14 December 1991 does not appear to have been tabled.

It was resolved to write to the Minister informing him.

40B/92 Industrial Development Act 1962

The meeting noted that an order in council gazetted on 6 March 1992 appears not to have been tabled.

It was resolved to write to the Minister bringing this matter to his attention.

40C/92 State Housing Act

The meeting noted that an order in council gazetted on 13 March 1992 appeared not to have been tabled.

It was resolved to write to the Minister bringing this matter to this attention.

Counsel's report:

41/92 Financial Administration and Audit Act 1977

Counsel reported that orders in council gazetted on 19 June 1992 need clarification from the Minister.

It was resolved to write to the Minister in terms of Counsel's report.

Counsel's report: (cont)

42/92 Fair Trading Act 1989

Counsel reported that the name of the instrument is incorrect.

The meeting resolved to write to the Minister in terms of Counsel's report.

43/92 Mines Regulation Act 1964

Counsel's report stated that the instrument gazetted does not indicate with any certainty, the source of power to make the direction.

It was resolved to write to the Minister in terms of Counsel's report.

44/92 Primary Producers' Organisation and Marketing Act 1926

Counsel reported on the retrospectivity of the egg levy.

It was resolved to write to the Minister in terms of Counsel's report.

General business:

Supply of Government gazettes to members

It was discussed by the meeting whether members still require a copy of the gazette. All members, except Mr Sullivan wish to continue receiving the gazettes.

Letter from EARC

The members noted that since the previous meeting the Chair of EARC had sent a letter with a number of questions. The letter had been replied to by the Chairman and it was resolved to discuss the reply at the next meeting after members had had the chance to read it.

General business: (cont)

Report on Secretary's attendance at
Legislative Drafting Conference

The Secretary presented a report to the meeting on her recent attendance at the Legislative Drafting Conference in Canberra.

Visit from WA Committee

The meeting was advised that the proposed visit from the WA Committee would go ahead on Monday 10 August 1992. Members were asked if they would be available. Mr Barber and Mr Fenlon confirmed they would be available.

Committee Guidelines for travel and
entertainment

The meeting discussed the proposed guidelines and resolved to put it on the agenda for the next meeting.

Next meeting:

The next meeting of the Committee will be held on Tuesday 25 August 1992 at 12:30 pm.

There being no further business, the Chairman declared the meeting closed at 1.20 pm.

Confirmed this

6th

day of

August

1992.

R. B. de.
Chairman