



Speech by

GARY FENLON

MEMBER FOR GREENSLOPES

Hansard 25 May 1999

STATUTORY INSTRUMENTS AND ANOTHER ACT AMENDMENT BILL

Mr FENLON (Greenslopes—ALP) (4.49 p.m.): In his second-reading speech in relation to the Statutory Instruments and Legislative Standards Amendment Act 1994, the then Premier, Wayne Goss, stated that the reasons for the exemption of subordinate legislation from expiring automatically under Part 7 of the Act would be very limited. At present, an instrument may only be exempted from expiry for a maximum period of one year. That is permitted on the basis that replacement subordinate legislation is being drafted and will be made before the end of the period of extension, or that it is not proposed that the instrument is to be replaced unless the instrument is substantially uniform or complementary with legislation of the Commonwealth or another State. This Bill will amend the Act to provide that subordinate legislation will be able to be exempted from expiry for periods of up to one year on the basis that the Act or provision under which the subordinate legislation is made is subject to review.

It is also proposed that instruments will be able to be exempted for subsequent periods of up to one year if the principal legislation continues to be subject to review. The Bill will be criticised on the basis that it is significantly extending the circumstances in which subordinate legislation will be able to be exempted from expiring automatically. However, this increased flexibility will allow Ministers to better integrate the expiry regime with other review processes and will, therefore, promote more rational legislative review. Ministers should not have to remake subordinate legislation prematurely. However, the Statutory Instruments Act does not provide any ability to extend subordinate legislation affected by an ongoing review of the Act or provision under which it is made.

The Beattie Government is serious about the task of reducing the legislative burden placed on the people and businesses of Queensland. We want to achieve that in a very sensible way. This is a piece of legislation that will expedite and provide a smoother running of the machinery of Government. I therefore commend this Bill to the House.
