



New South Wales

Legislation Review Amendment Bill 2002

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This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Clerk of the Legislative Assembly.
Legislative Assembly,*



New South Wales

Legislation Review Amendment Bill 2002

Act No , 2002

An Act to amend the *Regulation Review Act 1987* to rename the Regulation Review Committee as the Legislation Review Committee and to extend the role of the Committee to the scrutiny of Bills; and to make consequential amendments to other Acts.

EXAMINED

Chairman of Committees

The Legislature of New South Wales enacts:	1
1 Name of Act	2
This Act is the <i>Legislation Review Amendment Act 2002</i> .	3
2 Commencement	4
This Act commences on a day or days to be appointed by proclamation.	5 6
3 Amendment of Regulation Review Act 1987 No 165	7
The <i>Regulation Review Act 1987</i> is amended as set out in Schedule 1.	8
4 Consequential amendments of other Acts	9
The Acts specified in Schedule 2 are amended as set out in that Schedule.	10 11

Schedule 1	Amendments	1
	(Section 3)	2
[1]	Long title	3
	Omit “Regulation Review Committee”.	4
	Insert instead “Legislation Review Committee”.	5
[2]	Section 1 Short title	6
	Omit “ <i>Regulation Review Act</i> ”. Insert instead “ <i>Legislation Review Act</i> ”.	7
[3]	Section 3 Definitions	8
	Insert in alphabetical order in section 3 (1):	9
	<i>Bill</i> means a Bill for an Act of New South Wales.	10
[4]	Section 3 (1), definition of “Committee”	11
	Omit “Regulation Review Committee”.	12
	Insert instead “Legislation Review Committee”.	13
[5]	Section 4 Constitution of Legislation Review Committee	14
	Omit “the commencement of this Act and”.	15
[6]	Section 4	16
	Omit “Regulation Review Committee”.	17
	Insert instead “Legislation Review Committee”.	18
[7]	Section 8A	19
	Insert before section 9:	20
	8A Functions with respect to Bills	21
	(1) The functions of the Committee with respect to Bills are:	22
	(a) to consider any Bill introduced into Parliament, and	23
	(b) to report to both Houses of Parliament as to whether any such Bill, by express words or otherwise:	24
		25

(i)	trespasses unduly on personal rights and liberties, or	1 2
(ii)	makes rights, liberties or obligations unduly dependent upon insufficiently defined administrative powers, or	3 4 5
(iii)	makes rights, liberties or obligations unduly dependent upon non-reviewable decisions, or	6 7
(iv)	inappropriately delegates legislative powers, or	8
(v)	insufficiently subjects the exercise of legislative power to parliamentary scrutiny.	9 10
(2)	A House of Parliament may pass a Bill whether or not the Committee has reported on the Bill, but the Committee is not precluded from making such a report because the Bill has been so passed or has become an Act.	11 12 13 14
[8]	Section 9 Functions with respect to regulations	15
	Insert “with respect to regulations” after “functions of the Committee” wherever occurring in section 9 (1) and (3).	16 17
[9]	Section 10 Reports as to Bills or regulations	18
	Omit “section 9” from section 10 (1). Insert instead “section 8A or 9” .	19
[10]	Section 17	20
	Insert at the end of the Act:	21
	17 Savings and transitional provisions	22
	(1) In this section:	23
	<i>the amending Act</i> means the <i>Legislation Review Amendment Act 2002</i> .	24 25
	<i>the reconstitution day</i> means the day on which the amendment made to section 4 by Schedule 1 [6] to the amending Act commences.	26 27 28
	(2) On and from the reconstitution day:	29
	(a) the Regulation Review Committee constituted under section 4 immediately before that day continues in existence and is to be known as the Legislation Review Committee, and	30 31 32 33

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- (b) anything done by, or in relation to, the Regulation Review Committee is taken to have been done by, or in relation to, the Legislation Review Committee, and 1
2
3
 - (c) a reference in any other Act, in any instrument made under an Act or in any other document to the Regulation Review Committee is to be read as a reference to the Legislation Review Committee. 4
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Schedule 2 Consequential amendments of other Acts	1
(Section 4)	2
2.1 Parliamentary Remuneration Act 1989 No 160	3
Schedule 1 Additional salaries and expense allowances	4
Omit “Chairman of the Regulation Review Committee constituted under the <i>Regulation Review Act 1987</i> ”.	5
	6
Insert instead “Chairman of the Legislation Review Committee constituted under the <i>Legislation Review Act 1987</i> ”.	7
	8
2.2 Subordinate Legislation Act 1989 No 146	9
[1] Section 3 Definitions	10
Insert in alphabetical order in section 3 (1):	11
<i>Legislation Review Committee</i> means the committee for the time being constituted under the <i>Legislation Review Act 1987</i> .	12
	13
[2] Section 3 (1), definition of “Regulation Review Committee”	14
Omit the definition.	15
[3] Sections 5 (4) and (5), 11 (4) and (5), 13 and 14 (2)	16
Omit “Regulation Review Committee” wherever occurring.	17
Insert instead “Legislation Review Committee”.	18