

**COMMONS REGULATION (DELEGATIONS) AMENDMENT
BILL, 1981 (No. 2)**

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Crown Lands (Miscellaneous Provisions) Amendment Bill, 1981.

The object of this Bill is—

- (a) to amend the Commons Regulation Act, 1898, so as to remove the requirement to prescribe—
 - (i) the holders of the offices to whom the Minister may delegate his powers, authorities, duties and functions under that Act; and
 - (ii) the powers, authorities, duties and functions of the Minister that may be delegated under that Act; and
- (b) to make other amendments to that Act of a minor, consequential or ancillary nature.



**COMMONS REGULATION (DELEGATIONS)
AMENDMENT BILL, 1981 (No. 2)**

No. , 1981.

A BILL FOR

**An Act to amend the Commons Regulation Act, 1898, in relation
to the Minister's powers of delegation and in certain other
respects.**

[MR GORDON—11 *November*, 1981.]

Commons Regulation (Delegations) Amendment.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 Short title.

1. This Act may be cited as the "Commons Regulation (Delegations) Amendment Act, 1981".

Principal Act.

2. The Commons Regulation Act, 1898, is referred to in this
10 Act as the Principal Act.

Amendment of Act No. 15, 1898.

3. The Principal Act is amended in the manner set forth in Schedule 1.

Savings.

15 4. (1) A delegation—

- (a) made under section 28A of the Principal Act; and
- (b) in force immediately before the date of assent to this Act,

shall be deemed to be a delegation made under section 28A of the
20 Principal Act as in force after the date of assent to this Act.

(2) A regulation—

- (a) purporting to have been made under section 29 of the Principal Act; and

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(b) in force immediately before the date of assent to this Act,

shall to the extent that it could have been made on or after that date be deemed to be a regulation made under section 29 of the
5 Principal Act as in force after that date.

SCHEDULE 1.

(Sec. 3.)

AMENDMENTS TO THE PRINCIPAL ACT.

(1) (a) Section 28A (1)—

10 Omit “prescribed office the exercise or performance of such”, insert instead “office under the Minister’s administration the exercise or performance”.

(b) Section 28A (1)—

15 Omit “as may be prescribed in relation to the holder of that office”.

(c) Section 28A (2)—

 Omit “a prescribed”, insert instead “an”.

(d) Section 28A (3)—

 Omit “prescribed”.

20 (e) Section 28A (4)—

 Omit the subsection.

(2) Section 29—

 Omit the section, insert instead :—

Regulations.

25 29. (1) The Governor may, in regard to any common or class of commons, make regulations, not inconsistent with this Act, for or with respect to any matter that by

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SCHEDULE 1—*continued.*

AMENDMENTS TO THE PRINCIPAL ACT—*continued.*

5 this Act is required or permitted to be prescribed or that is necessary or convenient to be prescribed for carrying out or giving effect to this Act and, in particular, for or with respect to—

- 10 (a) the payment of fees by carriers, teamsters, travellers and drovers of travelling stock for extended pasturage;
- (b) the payment of license fees for removing soil, stone or minerals and for cutting and removing timber;
- (c) the appropriation of fees referred to in paragraphs (a) and (b); and
- 15 (d) the enforcing of payment of fees referred to in paragraphs (a) and (b).

20 (2) Section 41 of the Interpretation Act, 1897, applies in respect of a regulation made under this Act as if this Act had been passed after the commencement of the Interpretation (Amendment) Act, 1969.

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1981
(20c)



