

## SUMMARY OF CONCLUSIONS

### SECTION A: Comment on Bills

#### 1. Education Amendment (Educational Support For Children With Significant Learning Difficulties) Bill 2008\*

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| 7. The Committee has not identified any issues under s 8A(1)(b) of the Legislation Review Act 1987. |
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#### 2. Food Amendment (Meat Grading) Bill 2008\*

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| 17. The Committee has not identified any issues under s 8A(1)(b) of the Legislation Review Act 1987. |
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#### 3. Liquor Amendment (Special Licence) Conditions Bill 2008

Issue: Schedule 1 – Proposed section 11(1A) - Inappropriate delegation of legislative power

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| 9. The Committee always draws Parliament's attention to provisions that allow subordinate legislation to take precedence over primary legislation because those provisions involve a delegation of legislative power. Proposed section 11(1A) will allow the subject matter of Schedule 4 of the proposed Act to be amended, without limitation, by regulation. The strong public interest evident in relation to these legislative proposals, which are fundamental to the Act, indicates in the Committee's view that changes to them should more appropriately be considered by the Parliament rather than be enacted through a regulation. This is particularly so as the Minister is required, under the Bill, to review the operation of the provisions within 12 months of the date of assent to the proposed Act and to report to Parliament on the matter. The Committee therefore refers to Parliament the question of whether proposed section 11(1A) is an inappropriate delegation of legislative power. |
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#### 4. Telecommunications (Interception and Access) (New South Wales) Amendment Bill 2008

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| 11. The Committee has not identified any issues under s 8A(1)(b) of the Legislation Review Act 1987. |
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5. Western Lands Amendment Bill 2008

Issue: Clause 2 – Commencement by Proclamation – Schedule 2[24]

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| 12. | Although there may be good reasons why such discretion is required, the Committee has concerns about commencement by proclamation and asks Parliament to consider whether the proposed commencement of Schedule 2[24] by proclamation rather than on assent is an inappropriate delegation of power. |
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SECTION B: Ministerial Correspondence – Bills previously Considered

6. Contaminated Land Management Amendment Bill 2008

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| 6. | The Committee thanks the Deputy Premier for her reply. |
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7. Crimes (Forensic Procedures) Amendment Bill 2008

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| 4. | The Committee thanks the Attorney General for his reply. |
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