



Inquiry into the making of delegated legislation in New South Wales

TERMS OF REFERENCE

1. That the Regulation Committee inquire into and report on the making of delegated legislation in New South Wales, and in particular:
 - (a) the extent to which the Parliament has delegated power to make delegated legislation to the executive government, including through the passage of so-called "shell" legislation and "Henry VIII clauses",
 - (b) the use of delegated legislation making power, including any instances of executive government overreach, which might include:
 - (i) the amendment of primary legislation by delegated instruments,
 - (ii) the adoption of certain laws by means of delegated rather than primary legislation, and
 - (c) any other related matter.
2. That the committee report by the last sitting day in September 2020.¹

Committee membership

Hon Mick Veitch MLC	Australian Labor Party	<i>Chair</i>
Ms Abigail Boyd MLC	The Greens	<i>Deputy Chair</i>
Hon Robert Borsak MLC	Shooters Fishers and Farmers Party	
Hon Catherine Cusack MLC	Liberal Party	
Hon Greg Donnelly MLC	Australian Labor Party	
Hon Scott Farlow MLC	Liberal Party	
Hon Ben Franklin MLC*	The Nationals	
Hon Peter Poulos MLC**	Liberal Party	

* The Hon Ben Franklin MLC replaced the Hon Sam Farraway MLC as a member of the committee from 3 August 2020.

** The Hon Peter Poulos MLC replaced The Hon Matthew Mason-Cox MLC as a committee member on 13 May 2021.

¹ The original reporting date was the last sitting day in June 2020 (*Minutes*, Legislative Council, 26 February 2020, p 801). On Tuesday 24 March 2020, the reporting date was extended to the last sitting day in September 2020 (*Minutes*, Legislative Council, 24 March 2020, p 878).