

**JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION**

*Statement*

**HON MARTIN PRITCHARD (North Metropolitan)** [9.50 pm]: During the debate this evening, some comments were made about the Joint Standing Committee on Delegated Legislation. Some of them were not very complimentary, so I thought I would take this opportunity to remind members that last week, the committee tabled its annual report for 2019–20. During that period, 338 instruments were scrutinised. These instruments came from ministers, statutory bodies and local governments. I encourage people to read the annual report.

The process is basically that all delegated legislation is referred to the committee. The committee then scrutinises it. Most of that work is done by the staff, and they do a great job. They look at the instrument to consider whether it is within power, has no unintended effect on any person's existing rights or interests, provides an effective mechanism for the review of administrative decisions, and contains only matter that is appropriate for subsidiary legislation. If the instrument is found to be not within those guidelines, the normal process is that we place a notice of motion for disallowance on the table of this chamber. People may see only that and often see those disallowances being removed. But while they are placed on the table, the committee seeks undertakings from the minister or local government to try to remedy the instrument so that it can come into being. Obviously, those bodies want that subsidiary legislation to come into force, so they are very keen to try to remedy it. The committee does a lot of work to try to make sure that suitable undertakings are given so that we are comfortable that we have performed the functions that we are there for.

When a disallowance is placed on the table, the issue is resolved in one of two ways. One is that we recommend to this chamber that the instrument be disallowed. The comment was made that there is not a lot of debate. I suggest that that is because, on most occasions, if the committee suggests that it should be disallowed, it is. The other way is that a case is resolved because suitable undertakings are given—if people read the annual report, they will see that that happens in most cases—so that everybody is satisfied. I encourage people to read the report.

I want to thank my fellow committee members. The reason for me standing is I particularly want to thank the staff of the committee. They do an extraordinary job and make the committee members' jobs fairly easy. If anybody would like to talk to me about the role of that committee and express a view, I would be more than happy to accommodate that opportunity.