



AUSTRALIAN
SENATE

**Senate Standing Committee for the
Scrutiny of Delegated Legislation**

Parliament House, Canberra ACT 2600
02 6277 3066 | sdlc.sen@aph.gov.au
www.aph.gov.au/senate_sdlc

25 February 2021

The Hon Josh Frydenberg MP
Treasurer
Parliament House
CANBERRA ACT 2600

Via email: tsrdlos@treasury.gov.au
CC: committeescrutiny@treasury.gov.au

Dear Treasurer,

**ASIC Corporations – various instruments [F2020L00962] [F2020L01045] [F2020L01064]
[F2020L01066] [F2020L01069] [F2020L01199] [F2020L01261] [F2020L01259]**

Thank you for your response of 18 February 2021 to the Senate Standing Committee for the Scrutiny of Delegated Legislation in relation to the above instrument.

The committee has resolved to withdraw its notices of motion to disallow six of the eight ASIC instruments detailed in Chapter 1 of its *Delegated Legislation Monitor 4 of 2021*, on the basis of your undertaking to engage with the committee to resolve the committee's systemic scrutiny concerns in relation to legislative instruments across the Treasury portfolio, including the eight instruments referred to above.

The committee welcomes your advice that the government has commissioned the Australian Law Reform Commission (ALRC) to conduct a review of the corporations and financial services law. However, the committee would like to emphasise that it considers that this review is separate to and independent of your undertaking to engage with the committee in relation to our systemic scrutiny concerns, and anticipates that the outcome of this undertaking is not dependent on the outcome of the ALRC review.

As the committee has not yet received a response to all scrutiny concerns raised by the committee in relation to the ASIC Credit (Electronic Precontractual Disclosure) Instrument 2020/835 [F2020L01261] (the Electronic Precontractual Disclosure Instrument) and the ASIC Credit (Notice Requirements for Unlicensed Carried Over Instrument Lenders) Instrument 2020/834 [F2020L01259] (the Carried Over Instrument Lenders Instrument), the committee is reiterating its previous requests for advice.

Your response to these ongoing scrutiny concerns will assist the committee in determining whether to withdraw the disallowance notices currently in place on these instruments. The committee has therefore resolved to retain its notices of motion to disallow the Electronic Precontractual Disclosure Instrument and the Carried Over Instrument Lenders Instrument.

The committee's systemic scrutiny concerns, and requests for advice, are set out in detail in Chapter 1 of its *Delegated Legislation Monitor 4 of 2021*, available on the committee's website at: https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation/Monitor.

In the interests of transparency, I note that this correspondence will be published on the committee's website and recorded in the *Delegated Legislation Monitor*.

If you have any questions or concerns, please contact the committee's secretariat on (02) 6277 3066, or by email at sdlc.sen@aph.gov.au.

Yours sincerely,

Senator the Hon Concetta Fierravanti-Wells
Chair
Senate Standing Committee for the Scrutiny of Delegated Legislation



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Senator the Hon Amanda Stoker
Assistant Minister to the Attorney-General
Parliament House
CANBERRA ACT 2600

Via email: AMO.DLO@ag.gov.au

Dear Assistant Minister,

Disability (Access to Premises – Buildings) Amendment Standards 2020 [F2020L01245]

Thank you for your response of 11 February 2021 to the Senate Standing Committee for the Scrutiny of Delegated Legislation in relation to the above instrument.

The committee considered your response at its private meeting on 24 February 2021. On the basis of your advice and your undertaking to amend the explanatory statement to the instrument the committee has concluded its examination of the instrument.

In light of this, the committee has resolved to withdraw the disallowance notice in place on the instrument.

In the interests of transparency, I note that this correspondence will be published on the committee's website and recorded in the *Delegated Legislation Monitor*.

Thank you for your assistance with this matter.

Yours sincerely,

Senator the Hon Concetta Fierravanti-Wells
Chair
Senate Standing Committee for the Scrutiny of Delegated Legislation



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25 February 2021

The Hon David Littleproud MP
Minister for Agriculture, Drought and Emergency Management
Parliament House
CANBERRA ACT 2600

Via email: minister.littleproud@agriculture.gov.au

CC: DLO-MO@agriculture.gov.au

Dear Minister,

**Industry Research and Development (Supporting Agricultural Shows and Field Days Program)
Instrument 2020 [F2020L01401]**

Thank you for your response of 17 February 2021 to the Senate Standing Committee for the Scrutiny of Delegated Legislation, in relation to the above instrument.

The committee considered your response at its private meeting on 24 February 2021. On the basis of your undertaking to register an amended explanatory statement to provide further detail on eligibility criteria, the committee has concluded its examination of the instrument.

In light of this, the committee has resolved to withdraw the disallowance notice in place on the instrument.

In the interests of transparency, I note that this correspondence will be published on the committee's website and recorded in the *Delegated Legislation Monitor*.

Thank you for your assistance with this matter.

Yours sincerely,

Senator the Hon Concetta Fierravanti-Wells
Chair
Senate Standing Committee for the Scrutiny of Delegated Legislation



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25 February 2021

The Hon Paul Fletcher MP
Minister for Communications, Urban Infrastructure, Cities and the Arts
Parliament House
CANBERRA ACT 2600

Via email: dlo@communications.gov.au

Dear Minister,

**Radiocommunications (Police Forces – Disruption of Unmanned Aircraft) Exemption
Determination 2020 [F2020L01296]**

Thank you for your response of 15 February 2021 to the Senate Standing Committee for the Scrutiny of Delegated Legislation, in relation to the above instrument.

The committee considered your response at its private meeting on 24 February 2021. On the basis of your advice and your undertaking to amend the explanatory statement to the instrument, the committee has concluded its examination of the instrument.

In light of this, the committee has resolved to withdraw the disallowance notice in place on the instrument.

In the interests of transparency, I note that this correspondence will be published on the committee's website and recorded in the *Delegated Legislation Monitor*.

Thank you for your assistance with this matter.

Yours sincerely,

Senator the Hon Concetta Fierravanti-Wells
Chair
Senate Standing Committee for the Scrutiny of Delegated Legislation