



Senate Standing Committee on Regulations and Ordinances Delegated Legislation Monitor Tabling Statement

Wednesday 18 September 2019

As Deputy Chair of the Standing Committee on Regulations and Ordinances I rise to speak to the tabling of the committee's *Delegated Legislation Monitor 6 of 2019*.

As the Chair has previously noted, in this Parliament the committee has resolved to take a stronger, more targeted approach to its work—with a view to enhancing parliamentary oversight and control of delegated legislation. This includes using the disallowance process to highlight and prosecute the committee's more significant scrutiny concerns.

Consistent with this approach, on 1 August 2019 the Chair, acting on the committee's behalf, gave notice of a motion to disallow the Water Amendment (Murray Darling Basin Agreement—Basin Salinity Management) Regulations 2018.

The committee's decision to place the notice was based on its serious and unresolved concerns that the instrument incorporated certain documents as in force from time to time, without the legal authority to do so.

I am pleased to report that, since the notice of motion to disallow was placed, the Minister for Water Resources has advised the committee that he will seek to progress amendments to the Water Act to remove doubt about this issue.

In light of the minister's undertaking, the committee has resolved to withdraw the notice of motion to disallow the instrument. The committee will continue to monitor the minister's undertaking to ensure that it is implemented.

This matter highlights the effectiveness of the committee in promoting transparency and accountability in relation to delegated legislation. The committee thanks the minister and the department for the respect they have shown the committee, and for their willingness to engage constructively with the committee's scrutiny concerns.

The committee trusts that the satisfactory resolution of this matter will provide an example to other ministers and agencies to guide their engagement with the committee.

With these comments, I commend the committee's *Delegated Legislation Monitor 6 of 2019* to the Senate.