



Australian Government

Australian Government response to the Senate Standing Committee
on Finance and Public Administration Legislation Report – COAG
Legislation Amendment Bill 2023

04/2026

Introduction

The COAG Legislation Amendment Bill 2023 sought to make minor and technical amendments to relevant Commonwealth Acts where there are outdated references to “COAG” (the Council of Australian Governments) and “Ministerial Councils” to align with the revised federal-state relations architecture. The Bill also sought to provide greater flexibility in nomenclature in the event of future changes to this architecture.

Doing so necessitated minor amendments to various Commonwealth Acts which will assist in addressing potential confusion in the interpretation of references to these intergovernmental bodies.

The Senate Standing Committee on Finance and Public Administration agreed that this Bill provided an opportunity to improve administrative consistency across the public sector and provide greater flexibility in the event of future changes to federal-state architecture.

The Committee made two recommendations:

4.10. The committee recommends that the Australian Government review Schedule 2 Part 1 Items 20 and 30 for accuracy.

4.11. The committee recommends that the bill be passed.

4.10 recommended that the Government should review Schedule 2 Part 1 Items 20 and 30 for accuracy, since they retain references to the “Council of Australian Governments”.

- Item 20 omits “COAG” in subparagraph 3(3)(c)(i) of the *National Disability Insurance Scheme*, which is substituted for “the Council of Australian Governments”.
- Item 30 omits “COAG” in section 5 (definition of *National Health Reform Agreement*) of the *National Health Reform Act 2011*, which is substituted for “the Council of Australian Governments”.

As outlined in the Explanatory Memorandum, Items include references to the Council of Australian Governments to reflect **historical endorsements**:

1. Item 20 substitutes the term “COAG” with “the Council of Australian Governments” to reflect the historical endorsement of the National Disability Strategy 2010-2020 by COAG on the 13 February 2011.
2. Item 30 substitutes the term “COAG” with the “Council of Australian Governments” to reflect that the National Health Reform Agreement was agreed by the Council of Australian Governments on 2 August 2011.

The Government notes recommendation 4.10. “COAG” is substituted for “Council of Australian Governments” to the sake of future readability. The term “Council of Australian Governments” is correct since it reflects actions taken by COAG historically.

The Bill was passed in accordance with recommendation 4.11.

Government Response to Committee Recommendations

No.	Recommendation	Government Response
1	The committee recommends that the Australian Government review Schedule 2 Part 1 Items 20 and 30 for accuracy.	<p><u>Noted.</u></p> <p>The Australian Government consulted with Commonwealth agencies and the Office of Parliamentary Counsel throughout the drafting of the Bill to ensure its accuracy.</p> <p>As outlined in the Explanatory Memorandum, Items include references to the Council of Australian Governments to reflect historical endorsements:</p> <ol style="list-style-type: none"> 1. Item 20 substitutes the term “COAG” with “the Council of Australian Governments” to reflect the historical endorsement of the National Disability Strategy 2010-2020 by COAG on the 13 February 2011. 2. Item 30 substitutes the term “COAG” with the “Council of Australian Governments” to reflect that the National Health Reform Agreement was agreed by the Council of Australian Governments on 2 August 2011. <p>The Government notes recommendation 4.10. “COAG” is substituted for “Council of Australian Governments” to the sake of future readability. The term “Council of Australian Governments” is correct since it reflects actions taken by COAG historically.</p>
2	The committee recommends that the bill be passed.	<u>Noted.</u>