

2024

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Chief Minister)

COAG Legislation Amendment Bill 2024

Contents

	Page
Part 1	
Preliminary	
1 Name of Act	2
2 Commencement	2
3 Legislation amended	2
Part 2	
Dangerous Goods (Road Transport) Act 2009	
4 Use of codes of practice etc in proceedings Section 168 (4), definition of <i>relevant document</i>	3
5 Dictionary, new definition of <i>Ministerial Council</i>	3

		Page
Part 3	Dangerous Goods (Road Transport) Regulation 2010	
6	Dictionary, note 3	4
7	Dictionary, definition of <i>competent authorities panel</i> (or <i>CAP</i>)	4
8	Dictionary, definition of <i>Ministerial council</i>	4
9	Dictionary, new definition of <i>National Transport Commission</i>	4
Part 4	Health (National Health Funding Pool and Administration) Act 2013	
10	Section 4 heading	5
11	Functions of administrator Section 13 (3)	5
12	Section 13 (4)	5
13	New part 10	6
14	Dictionary, definition of <i>COAG</i>	8
15	Dictionary, new definitions	8
16	Dictionary, definition of <i>national health reform agreement</i>	8
17	Dictionary, definition of <i>standing council on health</i>	9
18	Further amendments, mentions of <i>standing council on health</i>	9
Part 5	Utilities Act 2000	
19	National regulatory obligations and costs Section 54E (1) (b) and (4) (a) (ii)	10
20	Section 54E (4) (a) (iii) to (v)	10
21	Section 54E (7), definition of <i>COAG EC</i>	10
22	New part 21	11
Part 6	Work Health and Safety Regulation 2011	
23	Dictionary, definition of <i>ADG Code</i>	13
24	Dictionary, new definition of <i>Ministerial Council</i>	13

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THE LEGISLATIVE ASSEMBLY
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(As presented)

(Chief Minister)

COAG Legislation Amendment Bill 2024

A Bill for

An Act to amend legislation to deal with the cessation of the Council of Australian Governments, and for related purposes

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *COAG Legislation Amendment Act 2024*.

4 **2 Commencement**

5 This Act commences on the 7th day after its notification day.

6 *Note* The naming and commencement provisions automatically commence on
7 the notification day (see [Legislation Act](#), s 75 (1)).

8 **3 Legislation amended**

9 This Act amends the following legislation:

- 10 • *Dangerous Goods (Road Transport) Act 2009*
- 11 • *Dangerous Goods (Road Transport) Regulation 2010*
- 12 • *Health (National Health Funding Pool and Administration)*
13 *Act 2013*
- 14 • *Utilities Act 2000*
- 15 • *Work Health and Safety Regulation 2011*.

1 **Part 2** **Dangerous Goods (Road**
2 **Transport) Act 2009**

3 **4 Use of codes of practice etc in proceedings**
4 **Section 168 (4), definition of *relevant document***

5 *omit*

6 Transport and Infrastructure Council

7 *substitute*

8 Ministerial Council

9 **5 Dictionary, new definition of *Ministerial Council***

10 *insert*

11 ***Ministerial Council*** means a body (however described) that consists
12 of the Minister of the Commonwealth, and the Minister of each State
13 and Territory, who is responsible, or principally responsible, for
14 matters relating to transport.

1 **Part 3** **Dangerous Goods (Road**
2 **Transport) Regulation 2010**

3 **6 Dictionary, note 3**

4 *insert*

- 5 • Ministerial Council

6 **7 Dictionary, definition of *competent authorities panel***
7 **(or CAP)**

8 *omit*

9 Ministerial council

10 *substitute*

11 Ministerial Council

12 **8 Dictionary, definition of *Ministerial council***

13 *omit*

14 **9 Dictionary, new definition of *National Transport***
15 ***Commission***

16 *insert*

17 *National Transport Commission*—see the *National Transport*
18 *Commission Act 2003* (Cwlth), section 5.

1	Part 4	Health (National Health Funding
2		Pool and Administration)
3		Act 2013
4	10	Section 4 heading
5		<i>substitute</i>
6	4	Constitution of Ministerial Council etc
7	11	Functions of administrator
8		Section 13 (3)
9		<i>omit</i>
10		COAG
11		<i>substitute</i>
12		the First Ministers' Council
13	12	Section 13 (4)
14		<i>omit everything before paragraph (b), substitute</i>
15		(4) Directions given by the First Ministers' Council under
16		subsection (3)—
17		(a) are to be given in accordance with a written resolution of the
18		First Ministers' Council passed in accordance with the
19		procedures determined by that council; and

13 **New part 10**

2 *insert*

3 Part 10 **Transitional—COAG Legislation**
4 Amendment Act 2024**5 60** **Definitions—pt 10**

6 In this part:

7 *COAG*—see the pre-amendment Act, dictionary.

8 *commencement day* means the day the *COAG Legislation*
9 *Amendment Act 2024*, section 3 commences.

10 *pre-amendment Act* means the *Health (National Health Funding*
11 *Pool and Administration) Act 2013*, as in force immediately before
12 the commencement day.

13 *standing council on health*—see the pre-amendment Act, dictionary.

14 61 **References to COAG and standing council on health**

15 (1) A reference to COAG in the Act before the commencement day is
16 taken, from 29 May 2020, to be a reference to the First Ministers'
17 Council.

18 *Note* On 29 May 2020, National Cabinet agreed to the cessation of the Council
19 of Australian Governments.

20 (2) A reference to the standing council on health in the Act before the
21 commencement day is taken, from 23 October 2020, to be a reference
22 to the Ministerial Council.

23 *Note* On 23 October 2020, National Cabinet agreed to the review of the
24 Ministerial councils and forums.

- 1 **62 Things started but not finished by COAG**
- 2 (1) This section applies if—
- 3 (a) COAG started doing something before 30 May 2020; and
- 4 (b) immediately before 30 May 2020, COAG had not finished doing
- 5 the thing.
- 6 (2) The First Ministers' Council may, after 29 May 2020, finish doing
- 7 the thing.
- 8 **63 Things started but not finished by standing council on**
- 9 **health**
- 10 (1) This section applies if—
- 11 (a) the standing council on health started doing something before
- 12 24 October 2020; and
- 13 (b) immediately before 24 October 2020, the standing council on
- 14 health had not finished doing the thing.
- 15 (2) The Ministerial Council may, after 23 October 2020, finish doing the
- 16 thing.
- 17 **64 Transitional regulations**
- 18 (1) A regulation may prescribe transitional matters necessary or
- 19 convenient to be prescribed because of the enactment of the
- 20 *COAG Legislation Amendment Act 2024*.
- 21 (2) A regulation may modify this part (including in relation to another
- 22 territory law) to make provision in relation to anything that, in the
- 23 Executive's opinion, is not, or is not adequately or appropriately,
- 24 dealt with in this part.
- 25 (3) A regulation under subsection (2) has effect despite anything
- 26 elsewhere in this Act or another territory law.

1 **65 Expiry—pt 10**

2 This part expires 2 years after the commencement day.

3 *Note* A transitional provision is repealed on its expiry but continues to have
4 effect after its repeal (see [Legislation Act](#), s 88).5 **14 Dictionary, definition of COAG**6 *omit*7 **15 Dictionary, new definitions**8 *insert*9 ***First Ministers' Council*** means a body (however described) that
10 consists only of, or that includes, the following:

- 11 (a) the Prime Minister;
-
- 12 (b) the Premiers of each State;
-
- 13 (c) the Chief Ministers of the Australian Capital Territory and
-
- 14 Northern Territory.

15 ***Ministerial Council*** means a body (however described) that consists
16 of the Minister of the Commonwealth, and the Minister of each State
17 and Territory, who is responsible, or principally responsible, for
18 matters relating to health.19 **16 Dictionary, definition of *national health reform agreement***20 *substitute*21 ***national health reform agreement*** means the National Health
22 Reform Agreement between the Commonwealth and the States that
23 was agreed to by the Council of Australian Governments on
24 2 August 2011, as amended from time to time.25 *Note* On 29 May 2020, National Cabinet agreed to the cessation of the Council
26 of Australian Governments.

1 **17 Dictionary, definition of *standing council on health***

2 *omit*

3 **18 Further amendments, mentions of *standing council on***
4 ***health***

5 *omit*

6 standing council on health

7 *substitute*

8 Ministerial Council

9 *in*

- 10 • section 4
11 • sections 8 to 11
12 • section 32 (2)

1 **Part 5** **Utilities Act 2000**

2 **19 National regulatory obligations and costs**
3 **Section 54E (1) (b) and (4) (a) (ii)**

4 *omit*

5 COAG EC's

6 *substitute*

7 Ministerial Council's

8 **20 Section 54E (4) (a) (iii) to (v)**

9 *omit*

10 COAG EC

11 *substitute*

12 Ministerial Council

13 **21 Section 54E (7), definition of COAG EC**

14 *substitute*

15 ***Ministerial Council*** means a body (however described) that consists
16 of the Minister of the Commonwealth, and the Minister of each State
17 and Territory, who is responsible, or principally responsible, for
18 matters relating to energy.

22 **New part 21***insert***Part 21** **Transitional—COAG Legislation
Amendment Act 2024****413** **References to COAG EC**

- (1) A reference to COAG EC in the Act before the commencement day is taken, from 23 October 2020, to be a reference to the Ministerial Council.

Note On 23 October 2020, National Cabinet agreed to the review of the Ministerial councils and forums.

- (2) In this section:

COAG EC—see the pre-amendment Act, section 54E (7).

commencement day means the day the *COAG Legislation Amendment Act 2024*, section 3 commences.

Ministerial Council—see section 54E (7).

pre-amendment Act means the *Utilities Act 2000*, as in force immediately before the commencement day.

414 **Transitional regulations**

- (1) A regulation may prescribe transitional matters necessary or convenient to be prescribed because of the enactment of the *COAG Legislation Amendment Act 2024*.

- (2) A regulation may modify this part (including in relation to another territory law) to make provision in relation to anything that, in the Executive's opinion, is not, or is not adequately or appropriately, dealt with in this part.

1 (3) A regulation under subsection (2) has effect despite anything
2 elsewhere in this Act or another territory law.

3 **415 Expiry—pt 21**

4 This part expires 2 years after the commencement day.

5 *Note* A transitional provision is repealed on its expiry but continues to have
6 effect after its repeal (see [Legislation Act](#), s 88).

1 **Part 6** **Work Health and Safety**
2 **Regulation 2011**

3 **23 Dictionary, definition of *ADG Code***

4 *omit*

5 Transport and Infrastructure Council

6 *substitute*

7 Ministerial Council

8 **24 Dictionary, new definition of *Ministerial Council***

9 *insert*

10 ***Ministerial Council*** means a body (however described) that consists
11 of the Minister of the Commonwealth, and the Minister of each State
12 and Territory, who is responsible, or principally responsible, for
13 matters relating to transport.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 3 December 2024.

2 Notification

Notified under the [Legislation Act](#) on 2024.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

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