

2019

**THE LEGISLATIVE ASSEMBLY FOR
THE AUSTRALIAN CAPITAL TERRITORY**

Litter Legislation Amendment Bill 2019

SUPPLEMENTARY EXPLANATORY STATEMENT

**Presented by
Chris Steel MLA
Minister for City Services**

Introduction

This supplementary explanatory statement relates to the amendment to the Litter Legislation Amendment Bill 2019 (the Bill) as presented to the Legislative Assembly. It has been prepared to assist the reader of the Bill and to help inform debate on it. It does not form part of the Bill and has not been endorsed by the ACT Legislative Assembly.

This statement must be read in conjunction with the amendment and the Bill. It is not, and is not intended to be, a comprehensive description of the Bill. What is written about a provision is not to be taken as an authoritative statement of the meaning of a provision, this being a responsibility of the Courts.

Overview of the Bill

This purpose of this government amendment is to ensure that the provisions related to hoarding do not automatically take effect six months after the Act's notification date, unless specifically commenced by written notice of the Minister.

Human Rights Implications

There are no human rights implications from this amendment.

PROVISIONS OF THE BILL

1

Clause 2 (2), note 2

Page 2, line 18 –

This amendment omits note 2 from the Bill. Note 2 references section 79 of the *Legislation Act 2001*, which states that 'if a postponed law has not commenced within 6 months beginning on its notification day, it automatically commences on the first day after that period'. This will be overridden in relation to the provisions of the Litter Legislation Amendment Bill that relate to hoarding which, if not commenced earlier, will commence 12 months after its notification day.

2

Proposed new clause 2 (3) and (4)

Page 2, line 20 –

This amendment inserts new subsections (3) and (4) to clause 2. Subsection (3) provides for the provisions listed in subsection (1), that relate to hoarding, to commence 12 months after the Act's notification day if not commenced earlier.

Subsection (4) disapplies section 79 of the *Legislation Act 2001* to the provisions related to hoarding which are listed in subsection (1).