

**2025**

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

**ELEVENTH ASSEMBLY**

**BETTER REGULATION (REPEAL OF LEGISLATION) BILL 2025**

**EXPLANATORY STATEMENT  
and  
HUMAN RIGHTS COMPATIBILITY STATEMENT  
(*Human Rights Act 2004, s 37*)**

**Presented by  
Tara Cheyne MLA  
Attorney-General  
March 2025**



## BETTER REGULATION (REPEAL OF LEGISLATION) BILL 2025

This explanatory statement relates to the *Better Regulation (Repeal of Legislation) Bill 2025* as presented to the Legislative Assembly. It has been prepared to assist the reader of the Bill and to help inform debate on it. The statement is to be read in conjunction with the Bill. It is not, and is not meant to be, a comprehensive description of the amendments. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

### OVERVIEW OF THE BILL

This Bill is an omnibus bill which repeals multiple Acts, Regulations and notifiable instruments:

- *COVID-19 Emergency Response Legislation Amendment Act 2020*
- *COVID-19 Emergency Response Legislation Amendment Act 2021*
- *Drugs in Sport Act 1999 (A1999-84)*
- *Hemp Fibre Industry Facilitation Act 2004*
- *Magistrates Court (Fair Trading Motor Vehicle Repair Industry Infringement Notices) Regulation 2012*
- Notifiable instruments, listed below, made under the *Public Interest Disclosure Act 2012*, section 11:
  - *Public Interest Disclosure (Designated Disclosure Officer – ACT Health Directorate) Declaration 2019 (No 1) (NI2019-279)*
  - *Public Interest Disclosure (Designated Disclosure Officer – ACT Human Rights Commission) Declaration 2020 (No 1) (NI2020-628)*
  - *Public Interest Disclosure (Designated Disclosure Officer – Calvary Health Care Public) Declaration 2018 (No 1) (NI2018-564)*
  - *Public Interest Disclosure (Designated Disclosure Officer – Canberra Health Services) Declaration 2019 (No 2) (NI2019-530)*
  - *Public Interest Disclosure (Designated Disclosure Officer – Canberra Institute of Technology) Declaration 2018 (No 1) (NI2018-587)*
  - *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2013 (No 9) (NI2013-578)*
  - *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2015 (No 5) (NI2015-629)*
  - *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2016 (No 5) (NI2016-649)*
  - *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2017 (No 3) (NI2017-666)*
  - *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2018 (No 2) (NI2018-126)*
  - *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2018 (No 3) (NI2018-388)*
  - *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2018 (No 4) (NI2018-484)*

- *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2019 (No 1) (NI2019-56)*
- *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2019 (No 2) (NI2019-392)*
- *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2019 (No 3) (NI2019-415)*
- *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2019 (No 4) (NI2019-465)*
- *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2019 (No 5) (NI2019-464)*
- *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2019 (No 6) (NI2019-590)*
- *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2020 (No 1) (NI2020-152)*
- *Public Interest Disclosure (Designated Disclosure Officer) Declaration 2020 (No 2) (NI2020-349)*
- *Public Interest Disclosure (Designated Disclosure Officer – Director of Public Prosecutions) Declaration 2019 (No 1) (NI2019-439)*
- *Public Interest Disclosure (Designated Disclosure Officer—JACS) Declaration 2018 (No 1) (NI2018-465)*
- *Public Interest Disclosure (Designated Disclosure Officer - MPC) Declaration 2019 (No 1) (NI2019-642)*
- *Public Interest Disclosure (Designated Disclosure Officer – TCCS) Declaration 2020 (No 1) (NI2020-384)*

## **CONSULTATION ON THE PROPOSED APPROACH**

Consultation on the Bill was conducted internally with the relevant ACT Government directorates.

## **CLIMATE IMPACT**

Not applicable.

## **CONSISTENCY WITH HUMAN RIGHTS**

The Bill is not a Significant Bill. Significant Bills are bills that have been assessed as likely to have significant engagement of human rights and require more detailed reasoning in relation to compatibility with the *Human Rights Act 2004*. This Bill does not engage human rights.

BETTER REGULATION (REPEAL OF LEGISLATION) BILL 2025

*Human Rights Act 2004 - Compatibility Statement*

In accordance with section 37 of the *Human Rights Act 2004* I have examined the BETTER REGULATION (REPEAL OF LEGISLATION) BILL 2025 (the Bill). In my opinion, having regard to the Bill and the outline of the policy considerations and justification of any limitations on rights outlined in this explanatory statement, the Bill as presented to the Legislative Assembly is consistent with the *Human Rights Act 2004*.

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Tara Cheyne MLA  
Attorney-General

## Clause Notes

Preliminary

### Clause 1 Name of the Act

This clause provides that the name of the Act is the *Better Regulation (Repeal of Legislation) Act 2025* (the Act).

### Clause 2 Commencement

This clause provides for the commencement of the Act.

This clause provides that the provisions in this Act will commence on the notification day, as standard commencement (see Legislation Act, s 75(1)).

### Clause 3 Legislation Repealed

This clause identifies the Acts, Regulations and notifiable instruments that will be repealed by this Act:

- *COVID-19 Emergency Response Legislation Amendment Act 2020*

The *COVID-19 Emergency Response Legislation Amendment Act 2020* (the 2020 Act) is no longer needed as the relevant state of emergency has ended.

The commencement of schedule 1, part 1.4 of the 2020 Act is by written notice of the Minister. There is no automatic commencement date for the 2020 Act, schedule 1, part 1.4 because the Legislation Act, section 79 (Automatic commencement of postponed law) was disapplied. The amendments in schedule 1, part 1.4 have no effect unless there is a COVID-19 emergency in force or it is less than 1 month since a COVID-19 emergency was last in force. The COVID-19 emergency ended on 29 September 2022.

- *COVID-19 Emergency Response Legislation Amendment Act 2021*

The *COVID-19 Emergency Response Legislation Amendment Act 2021* (the 2021 Act) is no longer needed.

Schedule 1, amendments 1.5 and 1.7 of the Act are to commence on the commencement of amendments in the 2020 Act, schedule 1, part 1.4. As the 2020 Act is repealed, the repeal of the 2021 is also required.

- *Drugs in Sport Act 1999*

The *Drugs in Sport Act 1999* is no longer needed. The *Drugs in Sport Act 1999* was originally enacted to confer functions and powers on the Australian Sports Drug Agency of the Commonwealth about the use of drugs and doping methods in sport, by ACT competitors. The *Drugs in Sport Act 1999*

complemented the *Australian Sports Drug Agency Act 1990* (Cwlth). The *Drugs in Sport Act 1999* has no practical effect as it has been superseded by the *Australian Sports Anti-Doping Authority Act 2006* (Cwlth) (now titled the *Sports Integrity Australia Act 2020* (Cwlth)).

- *Hemp Fibre Industry Facilitation Act 2004*

The *Hemp Fibre Industry Facilitation Act 2004* (the Hemp Fibre Act) provides for a licensing scheme to produce industrial (Low-THC) hemp fibre. It has no connection to cannabis production.

The Hemp Fibre Act is being repealed because there is no viable hemp fibre industry within the region due to a lack of interest from rural lessees in cultivating industrial hemp and to climatic issues which means that Canberra's climate is not conducive to a viable hemp fibre industry. No rural lease holders have ever applied for a licence under the Hemp Fibre Act. This repeal will lessen the burden on the government from having to respond to inquiries about applications for hemp fibre licences that are inappropriate.

- *Magistrates Court (Fair Trading Motor Vehicle Repair Industry Infringement Notices) Regulation 2012*

All infringement notice offences under this regulation were repealed in 2016 (when the *Traders (Licensing) Act 2016* was enacted). Therefore, this regulation is no longer needed.

- Notifiable instruments, listed below, made under the *Public Interest Disclosure Act 2012*, section 11:
  - *Public Interest Disclosure (Designated Disclosure Officer – ACT Health Directorate) Declaration 2019 (No 1) (NI2019-279)*
  - *Public Interest Disclosure (Designated Disclosure Officer – ACT Human Rights Commission) Declaration 2020 (No 1) (NI2020-628)*
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This repeals 24 notifiable instruments made under the *Public Interest Disclosure Act 2012*, section 11, listed in Clause 3 of this Bill, as they are no longer needed.

The *Public Interest Disclosure Amendment Act 2020* amended the *Public Interest Disclosure Act 2012*, section 11 to remove the requirement for declarations of disclosure officers to be notifiable instruments.