



# Victoria Government Gazette

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## Subordinate Legislation Act 1994

### NOTICE OF DECISION

#### Subordinate Legislation (Legislative Instruments) Regulations 2021

I, Danny Pearson MP, Minister for Government Services and Minister responsible for administering the **Subordinate Legislation Act 1994** (the Act), give notice under section 12 of the **Subordinate Legislation Act 1994** of my decision to make the proposed Subordinate Legislation (Legislative Instruments) Regulations 2021 (the proposed Regulations).

The proposed Regulations:

- (a) prescribe a non-exhaustive list of instruments which are not to be legislative instruments for the purposes of the Act (mostly instruments of purely administrative character) (Schedule 1);
- (b) clarify the characterisation of instruments as legislative instruments and prescribe them to be legislative instruments for the purposes of the Act (Schedule 2); and
- (c) exempt certain legislative instruments from the operation of certain provisions of the Act (including the preparation of a Regulatory Impact Statement (RIS), associated consultation and other requirements) (Schedule 3 and proposed Regulations 9 and 10).

The proposed Regulations have been the subject of a RIS. The RIS was made available for public comment and submissions from 26 April 2021 until 3 June 2021. No submissions were received.

Technical changes have been made to the proposed Regulations since the consultation draft was released, to:

- (a) better reflect the drafting in the relevant provisions of the **Education and Training Reform Act 2006** (item 31 of Schedule 3 of the proposed Regulations);
- (b) remove instrument provisions that have been repealed; and
- (c) update the statutory rule and instrument reference in item 42 of Schedule 1 so that it refers to the Forests (Recreation) (Temporary) Regulations 2021 and a determination under regulation 24(1) of Forests (Recreation) (Temporary) Regulations 2021. The Forests (Recreation) (Temporary) Regulations 2021 have replaced the Forests (Recreation) Regulations 2010.

As there were no submissions for me to consider in accordance with section 11 of the Act, I give notice of my intention to proceed with the making of the proposed Regulations with no amendments.

After the proposed Regulations are made, they can be downloaded from [www.legislation.vic.gov.au](http://www.legislation.vic.gov.au) or purchased from TIMG Bookshop.

Dated 22 June 2021

THE HON. DANNY PEARSON MP  
Minister for Government Services

**SPECIAL**

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