



# Victoria Government Gazette

No. S 187 Monday 26 April 2021  
By Authority of Victorian Government Printer

## Subordinate Legislation Act 1994

### NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT

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

Notice is given in accordance with section 11 of the **Subordinate Legislation Act 1994** (the Act) that a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Subordinate Legislation (Legislative Instruments) Regulations 2021 (the proposed Regulations).

The proposed Regulations, to be made under the Act, will:

- (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);
- (c) exempt certain legislative instruments from the operation of certain provisions of the Act (including the preparation of a RIS, associated consultation and other requirements) (Schedule 3 and proposed regulations 9 and 10).

The objectives of the proposed Regulations are to:

- (d) assist departments and agencies to allocate their resources efficiently to comply with the requirements of the Act and ensure they are not subject to excessive burden;
- (e) minimise unnecessary delays in making or amending legislative instruments; and
- (f) ensure legislative instruments are identifiable, publicly available and an appropriate level of scrutiny (parliamentary and Scrutiny of Acts and Regulations Committee) is applied to the legislative instruments.

The reason for the proposed Regulations is that the existing Subordinate Legislation (Legislative Instruments) Regulations 2011 are due to sunset on 28 June 2021.

The RIS examines the costs and benefits of the proposed Regulations and possible alternatives, and concludes that the proposed Regulations are the most efficient method of achieving the objectives.

Copies of the RIS and the proposed Regulations may be obtained from the Department of Premier and Cabinet's website or from Engage Victoria at [www.engage.vic.gov.au/](http://www.engage.vic.gov.au/) You may also request a copy via email to [GeneralOrdersLegislativeInstruments@dpc.vic.gov.au](mailto:GeneralOrdersLegislativeInstruments@dpc.vic.gov.au)

Public comments or submissions are invited on the RIS and the proposed Regulations. All comments or submissions must be in writing and should be marked 'Subordinate Legislation (Legislative Instruments) Regulations 2021'.

Comments or submissions must be received no later than 5 pm on Thursday 3 June 2021 via Engage Victoria (at [www.engage.vic.gov.au/](http://www.engage.vic.gov.au/)), via email to [GeneralOrdersLegislativeInstruments@dpc.vic.gov.au](mailto:GeneralOrdersLegislativeInstruments@dpc.vic.gov.au) or by mail to Office of the General Counsel, Department of Premier and Cabinet, Level 2, 1 Treasury Place, East Melbourne, Victoria 3002.

All comments and submissions will be treated as public documents, unless the person making the comment or submission requests that they not be publicly available.

THE HON. DANNY PEARSON MP  
Minister for Government Services

**SPECIAL**

# ive

The *Victoria Government Gazette* is published by IVE Group Limited with the authority of the Government Printer for the State of Victoria

© State of Victoria 2021

This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act.

Address all enquiries to the Government Printer for the State of Victoria  
Level 2, 1 Macarthur Street  
Melbourne 3002  
Victoria Australia

## How To Order



**Retail &  
Mail Sales**

**Victoria Government Gazette**

Ground Floor, Building 8,  
658 Church Street,  
Richmond 3121

DX 106 Melbourne



**Telephone**

(03) 8523 4601

**email**

[gazette@ivegroup.com.au](mailto:gazette@ivegroup.com.au)

**Price Code A**