



1959.

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THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA.

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THE SENATE

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FOURTEENTH REPORT

from the

STANDING COMMITTEE

on

REGULATIONS AND ORDINANCES.

(Being the First Report of the 1959 Session, and the  
Fourteenth Report since the formation of the Committee.)

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STANDING COMMITTEE ON REGULATIONS AND ORDINANCES.

FOURTEENTH REPORT OF THE COMMITTEE.

The Standing Committee on Regulations and Ordinances has the honour to present its Fourteenth Report to the Senate.

2. The Committee has considered regulation-making powers contained in the Civil Aviation (Carriers' Liability) Bill 1959, which, at the date of this report, is before the Senate for consideration. The Clauses of the Bill to which the Committee has given its serious consideration are Clauses 40 and 41.

3. Having in mind the proper limits of delegated legislation, the Committee has reached the following conclusions -

- (a) Clause 40: In the opinion of the Committee, Clause 40 purports to enable, by regulation, the modification of Clause 31, a key clause of Part IV of the Bill, and that this is not a matter of administrative detail but substantive legislation, appropriate only to Parliamentary enactment. In the opinion of the Committee, Clause 31 is a most important clause of Part IV, and it should not be permissible to use regulations to modify Parliament's will in that respect.
- (b) Clause 41: In the opinion of the Committee, Clause 41 does not concern itself with power to make regulations dealing with administrative detail, but gives power to enact regulations which amount to substantive legislation, appropriate to Parliament.



Ian Wood,

Chairman.