

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S DEPARTMENT

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Question No. 36

Senator Ludwig asked the following question at the hearing on 31 October 2006:

- (a) Please explain where the Department is up to in terms of transferring old legislation from SCALEplus across to ComLaw? Is there a percentage completion rate available?
- (b) Please explain whether there is a plan to complete the upload of all Commonwealth legislation back to 1901.
- (c) Please explain whether there will be any attempt to identify and upload such Imperial statutes as may be still in force.

The answer to the honourable senator's questions is as follows:

- (a) On 1 January 2005, all numbered Acts, compilations of Acts, numbered Statutory Rules and compilations of Statutory Rules that are currently in force were transferred. No Acts or Statutory Rules that are no longer in force have been transferred so far, either individually or as compilations.

A project is being scoped to transfer repealed Acts and legislative instruments, compilations of repealed legislation, and superseded compilations of in-force legislation, from SCALEplus. The project is expected to take 2 to 3 years, as much of the metadata for that legislation does not exist and would have to be manually generated.

Our estimate is that 30% of the SCALEplus data that is intended to be transferred from SCALEplus to ComLaw/FRLI has been transferred to date. This represents approximately 15% of the entire data on SCALEplus. Some of that data will not be transferred because other arrangements have been made (for example, transfer of data from the interim Legislative Instruments Database rather than from SCALEplus itself).

- (b) There is no plan to upload all Commonwealth legislation since 1901 to ComLaw because most of it is not in electronic form on SCALEplus or elsewhere, and its inclusion would be very resource intensive.
- (c) There are no current plans to deal with Imperial statutes that may still be in force in relation to the Commonwealth.

ComLaw's resources are already fully committed to a number of important projects. As those projects are completed, the opportunity will be taken to examine other services that ComLaw should provide.