

CABINET - SUBJECTS FOR CONSIDERATION, 29TH DECEMBER 1993

Not Relevant

4.2

AG82/93CS

Amendment of the Acts Interpretation Act 1915.

APPROVED

Not Relevant

TO THE HONOURABLE THE PREMIER FOR CABINET

RE: Children's Protection Act, 1993

1. PROPOSAL

- 1.1 That Cabinet approve an amendment to the Acts Interpretation Act, 1915.

2. BACKGROUND

- 2.1 The Children's Protection Act, 1993 ("the Act") was recently passed by Parliament and assented to on the 4 November, 1993.
- 2.2 The proclamation date for the Act is the 1 January 1994, save for Division 1, Part 5 and Sections 49 and 50 under Part 6 of the Act which have been suspended until 1 March 1994 to allow time for the Courts Administration Authority to implement the family care meeting initiative.
- 2.3 The Chief Justice had previously indicated to the former Attorney-General, that the estimated resource implications of establishing the family care meeting initiative for 1993/1994 were \$455,000, with full year costs estimated at \$713,000.
- 2.4 No resources for this new initiative were made available to the State Courts Administration Authority by the previous Government. The Authority considered it could not incur the costs of planning for implementation until the Government had taken the decision to make the necessary funds available.
- 2.5 The Chief Justice in a letter of the 17 December has advised me that the Council will defer further planning until the Government's intentions are known and that in any event the proclaimed commencement date of 1 March is now unachievable. The Chief Justice suggests that the proclamation should be deferred.

3. DISCUSSION

3.1

Clause 10(1) Legal Professional Privilege

3.2

Clause 10(1) Legal Professional Privilege

3.3 In my view it would be useful to amend the Acts Interpretation Act, 1915 to allow for the proclamation date of any Act of Parliament to be deferred or varied if later proven necessary.

4. **RECOMMENDATION**

4.1 I RECOMMEND THAT Cabinet approve that the Parliamentary Counsel prepare a draft bill to amend the Acts Interpretation Act, 1915 to allow for the deferral or variation of a proclamation which specifies a commencement date for an Act of Parliament.

A handwritten signature in black ink, appearing to read 'K Trevor Griffin', with a horizontal line underneath.

K Trevor Griffin
ATTORNEY-GENERAL

Letter from the Crown Solicitor

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Exempt clause 10(1) – Legal Professional Privilege