

Summary Offences (Graffiti Removal Powers) Amendment Bill 2008

Explanatory Notes for Amendments to be moved during consideration in detail by the Honourable Judy Spence MP

Title of the Bill

Summary Offences (Graffiti Removal Powers) Amendment Bill 2008

Objectives of the Amendments

The objectives of the amendments are to:

- (1) clarify that the section 45 allows the Minister to delegate the Minister's functions under this part to the chief executive officer of a government owned corporation; and
- (2) clarify that the chief executive officer of the government owned corporation can delegate those functions to another officer in the government owned corporation or a subsidiary of the government owned corporation.

Achievement of the Objectives

The proposed amendments will amend section 45 'Delegation by Minister' of the *Summary Offences Act 2005*.

Alternative Ways of Achieving Policy Objectives

There is no alternative way to achieve the policy objectives.

Estimated Cost for Government Implementation

It is not anticipated that there will be any additional funding required as a result of the legislation.

Consistency with Fundamental Legislative Principle

The proposed amendments are consistent with the application of fundamental legislative principles.

Consultation

During departmental consultation of the Bill support was provided by the relevant departments for the application of the Bill to government owned corporations such as QR Limited.

Notes On Provisions

Amendment of clause 6

Section 45 'Delegation by Minister' is amended to clearly indicate that in addition to the chief executive of a department, the Minister may delegate the Minister's functions to the chief executive officer of a government owned corporation.

Furthermore, the chief executive officer may further delegate those powers to an appropriately qualified employee in the government owned corporation or a subsidiary of the government owned corporation.