



**Australian Government**  
**Department of Agriculture**  
**and Water Resources**

**SECRETARY**

Ref: EC17-000237

[REDACTED]  
The Sunsetting Review Secretariat  
c/- Attorney-General's Department  
4 National Circuit  
BARTON ACT 2600

Dear [REDACTED]

Thank you for the opportunity to provide a response to the issues raised in the Consultation Paper for the 2017 Review of the Sunsetting Framework under the Legislation Act 2003.

My department is supportive of the Sunsetting Framework and its role in ensuring that legislative instruments are kept up to date and only remain in force for as long as they are needed.

While the framework continues to meet its purpose, a number of additional improvements could be considered. For instance, the introduction of a Commonwealth-wide annual bulk repeal process would ensure a more timely repeal of redundant or spent legislative instruments.

Additional guidance on the deferral and exemption processes, as set out under the framework, would also assist agencies develop applications to the Attorney-General more efficiently. In line with the exemption processes, further guidance on the scope of sunsetting exemptions for legislative instruments provided by the Legislation Act 2003 and the Legislation (Exemption and other Matters) Regulations 2015 would also be beneficial.

Allowing the Attorney-General to delegate the making of certificates of deferral to rule makers would also help make the deferral process more efficient.

As noted by the committee, notifiable instruments are not currently subject to sunsetting or disallowance. Extending sunsetting provisions to notifiable instruments would be a useful improvement to the framework to ensure they remain current and accurate.

A number of officers from my department recently attended the sunsetting framework information sessions provided by the Attorney-General's Department. My officers found the information sessions highly informative and the department would be supportive of more regular information sessions on updates or suggested improvements to the framework.

If you have any further questions, the departmental contact is [REDACTED] A/g  
Director, Legislation Section, who can be contacted on [REDACTED] or  
[REDACTED]

Yours sincerely

[REDACTED]  
[REDACTED]

14 July 2017