



Legislation (Exemptions and Other Matters) Regulation 2022

I, Daniel James Racovolis, Enactor, make the following instrument.

Dated 26 April 2022

Daniel James Racovolis
Enactor



UP2022L00001

Contents

Part 1—Preliminary	97
1 Name.....	97
2 Commencement	97
3 Authority.....	97
4 Definitions	97
Part 2—Instruments that are not legislative instruments	99
5 Classes of instruments that are not legislative instruments	99
6 Particular instruments that are not legislative instruments.....	103
Part 3—Instruments that are notifiable instruments	104
7 Classes of instruments that are notifiable instruments	104
Part 4—Legislative instruments that are not subject to disallowance	105
8 Classes of legislative instruments that are not subject to disallowance....	105
9 Particular legislative instruments that are not subject to disallowance.....	105
Part 5—Legislative instruments that are not subject to sunseting	106
10 Classes of legislative instruments that are not subject to sunseting	106
11 Particular legislative instruments that are not subject to sunseting	106

Part 1—Preliminary

1 Name

This is the *Legislation (Exemptions and Other Matters) Regulation 2022*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	27 April 2022

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Legislation Act 2022*.

4 Definitions

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) amend;
- (b) enabling legislation;
- (c) instrument;
- (d) legislative instrument;

Part 1 Preliminary

Section 4

- (e) notifiable instrument;
- (f) repeal.

In this instrument:

Act means the Legislation Act 2022.

Part 2—Instruments that are not legislative instruments

5 Classes of instruments that are not legislative instruments

- (1) For paragraph 10(6)(b) of the Act and subject to subsection (2), an instrument in a class of instruments referred to in an item of the following table is not a legislative instrument.

Classes of instruments that are not legislative instruments	
Item	Class of instrument
1	An instrument of delegation, including any directions to the delegate
2	An instrument that is a direction to a delegate
3	An instrument that is a direction given by a Minister to: <ul style="list-style-type: none"> (a) an entity falling in item 2.7 or 2.8 of the table in subsection 61(2) of the Constitution; other than any such direction: <ul style="list-style-type: none"> (b) that is required to be laid before the Houses of the Parliament under the legislation that authorises the giving of the direction; or (c) the full text of which is required to be published in the Gazette or elsewhere under the legislation that authorises the giving of the direction
4	Each of the following: <ul style="list-style-type: none"> (a) an instrument that has the effect of authorising or approving a particular person to take a particular action or act in a particular way; (b) an application for an instrument referred to in paragraph (a)
5	An instrument the effect of which is to approve a manner or method of doing an act
6	An instrument prescribing or approving a form
7	An instrument acknowledging the receipt of a thing
8	Each of the following: <ul style="list-style-type: none"> (a) an instrument of appointment, engagement or employment; (b) an instrument suspending or terminating an appointment, engagement or employment; (c) an instrument authorising a person to hold a particular position or office
9	An instrument of resignation
10	An instrument:

Part 2

Section 5

Classes of instruments that are not legislative instruments

Item	Class of instrument
	(a) relating to terms and conditions of appointment, engagement, employment or service; or (b) granting leave of absence; other than an instrument that is required to be laid before the Parliament that is a legislative instrument under an Act.
11	An instrument constituting recommendations or advice
12	A report or review, including an annual or periodic report or review
13	An evidentiary certificate
14	Each of the following: (a) an instrument granting, renewing, transferring, suspending, cancelling or terminating a licence or permit that authorises a particular person to do an act; (b) an instrument of registration of a particular person; (c) an instrument renewing, transferring, suspending, cancelling or terminating a registration of a particular person; (d) an instrument refusing to grant, renew or transfer a licence or permit referred to in paragraph (a) or a registration referred to in paragraph (b); (e) an instrument imposing conditions on such a licence, permit or registration
15	Each of the following: (a) a warrant; (b) an application for a warrant; (c) an instrument supporting an application for a warrant
16	Each of the following: (a) an instrument authorising: (i) the surveillance of a person or thing; or (ii) the retrieval of a device facilitating such surveillance; or (iii) the interception of a thing; (b) an application for an instrument referred to in paragraph (a); (c) an instrument supporting an application for an instrument referred to in paragraph (a)
17	An instrument requesting or requiring a person to attend premises, give evidence, answer questions, produce documents, give information or provide assistance
18	Each of the following: (a) a notice of a decision or proposed decision;

100 Legislation (Exemptions and Other Matters) Regulation 2022

Authorised by the Company Secretary,
Urabba Parks Proprietary Limited ACN 159 318 859

UP2022L00001
Made: 26 April 2022
Registered: 26 April 2022

Classes of instruments that are not legislative instruments

Item	Class of instrument
	(b) a notice of reasons for a decision or proposed decision; (c) a notice of rights of review
19	An instrument the making or issue of which is: (a) a decision that is reviewable under an Act; or (b) a decision that would be reviewable under that Act except for an exemption under that Act or another Act; other than an instrument that includes a provision of a kind referred to in paragraph 10(4)(b) of the Legislation Act 2022
20	Each of the following: (a) an agreement, contract or undertaking authorised to be made or given under legislation; (b) an instrument made under such an agreement, contract or undertaking
21	A consent to, acceptance of, rejection of, or withdrawal of an undertaking
22	Each of the following: (a) a nomination, request or invitation; (b) a withdrawal of a nomination, request or invitation
23	Each of the following: (a) an application for an order, direction or other instrument (a <i>court or tribunal instrument</i>) to any of the following (a <i>relevant person or body</i>), or a withdrawal of such an application: (i) a court; (ii) a Judge or a Magistrate (including a Judge or Magistrate acting in a personal capacity); (iii) an officer of a court; (iv) a tribunal; (v) the Visitation Commission; (vi) a member or an officer of a tribunal or the Visitation Commission; (b) a court or tribunal instrument made in response to an application to a relevant person or body; (c) a court or tribunal instrument made by a relevant person or body in proceedings or in dealing with a matter
24	A practice direction made by a court or tribunal
25	An assessment of a revenue item (as defined in the Constitution)
26	A garnishee notice
27	Each of the following: (a) an instrument remitting or waiving a sanction in relation to a particular

Part 2

Section 5

Classes of instruments that are not legislative instruments

Item	Class of instrument
	person; (b) an instrument discharging or extinguishing a liability in relation to a particular person
28	An infringement notice
29	Each of the following: (a) an instrument varying, in a particular case, the time for a particular act to be done or a particular event to occur; (b) an instrument extending or shortening, in a particular case, a time period in which a particular act is to be done or a particular event is to occur
30	An instrument that renews, transfers, suspends, cancels or terminates a right created or an obligation imposed by an instrument that is not a legislative instrument
31	An instrument that amends or repeals an instrument that is not a legislative instrument
32	A corporate plan or corporate policy (however described), including a corporate plan or corporate policy made under section 133 of the Constitution
33	A law of a self-governing territory
34	Each of the following: (a) a law of a region or self-governing territory that applies in a non-self-governing territory; (b) an instrument made under such a law
35	An instrument that is a notifiable instrument referred to in the table in section 7
36	A writ of dissolution of a House of the Parliament, or for the election of a representative place (category B)

- (2) An instrument is not included in a class of instruments referred to in an item of the table in subsection (1) if:
- (a) the instrument is of a kind that is declared to be a legislative instrument by section 12 of the Act; or
 - (b) the instrument has effect other than as provided in the item or any other item of the table (disregarding any application, saving or transitional provisions in the instrument).

6 Particular instruments that are not legislative instruments

For paragraph 10(6)(b) of the Act, each instrument referred to in an item of the following table is not a legislative instrument.

Particular instruments that are not legislative instruments	
Item	Instrument
1	An instrument made under: (a) an instrument made under section 98 of the Constitution; or (b) section 133 of the Constitution.
	Note 1: An instrument made under section 98 of the Constitution adopts an annual information statement under subsection 60-5(1) of the <i>Australian Charities and Not-for-profits Commission Act 2012</i> of the Commonwealth.
	Note 2: Section 133 of the Constitution provides for the adoption of corporate plans and corporate policies.

Part 3—Instruments that are notifiable instruments

7 Classes of instruments that are notifiable instruments

For paragraph 13(2)(b) of the Act, an instrument in a class of instruments referred to in an item of the following table is a notifiable instrument.

Classes of instruments that are notifiable instruments	
Item	Class of instrument
1	An instrument that announces the day an agreement among non-state jurisdictions enters into force for Urabba Parks
2	A lodgement confirmation that is lodged for registration under subsection 74(3) of the Act

Part 4—Legislative instruments that are not subject to disallowance

8 Classes of legislative instruments that are not subject to disallowance

For paragraph 64(2)(b) of the Act, section 63 of the Act (disallowance of legislative instruments) does not apply to a legislative instrument in a class of legislative instruments referred to in an item of the following table.

Note: The inclusion of a kind of instrument in the table does not imply that every instrument of that kind is a legislative instrument (see subsection 64(3) of the Act).

Classes of legislative instruments that are not subject to disallowance

Item	Legislative instrument
1	An instrument that, in accordance with the provisions of the enabling legislation, does not commence unless it is approved by either or both of the Houses of the Parliament
2	An instrument that is a direction by a Minister to any person or body
3	An instrument made under an annual Appropriation Act

9 Particular legislative instruments that are not subject to disallowance

For paragraph 64(2)(b) of the Act, section 63 of the Act (disallowance of legislative instruments) does not apply to a legislative instrument referred to in an item of the following table.

Note: The inclusion of a kind of instrument in the table does not imply that every instrument of that kind is a legislative instrument (see subsection 64(3) of the Act).

Particular legislative instruments that are not subject to disallowance

Item	Legislative instrument
1	A substituted reference order made under section 46 of the <i>Interpretation Act 2022</i>

Part 5—Legislative instruments that are not subject to sunseting

10 Classes of legislative instruments that are not subject to sunseting

For paragraph 83(2)(b) of the Act, Part 4 of Chapter 3 of the Act (sunseting of legislative instruments) does not apply to a legislative instrument in a class of legislative instruments referred to in an item of the following table.

Note: The inclusion of a kind of instrument in the table does not imply that every instrument of that kind is a legislative instrument (see subsection 83(3) of the Act).

Classes of legislative instruments that are not subject to sunseting

Item	Legislative instrument
1	An instrument the sole purpose of which, or a primary purpose of which, is to give effect to an interjurisdictional obligation of Urabba Parks
2	An instrument that establishes a body having power to enter into contracts for the purposes of the body's functions
3	An instrument that is a direction by a Minister to any person or body
4	An instrument the sole purpose of which, or a primary purpose of which, is to confer power on a self-governing territory
5	An Ordinance made under a power delegated by the Parliament in an Act providing for the government of a non-self-governing territory
6	An instrument made under an annual Appropriation Act

11 Particular legislative instruments that are not subject to sunseting

For paragraph 83(2)(b) of the Act, Part 4 of Chapter 3 of the Act (sunseting of legislative instruments) does not apply to a legislative instrument referred to in the following table.

Note: The inclusion of a kind of instrument in the table does not imply that every instrument of that kind is a legislative instrument (see subsection 83(3) of the Act).

Particular legislative instruments that are not subject to sunseting

Item	Legislative instrument
1	A substituted reference order made under section 46 of the <i>Interpretation Act 2022</i>

(UP2022L00001)