

House of Representatives

Supplementary Order Paper

Wednesday, 5 April 2023

Severe Weather Emergency Recovery Legislation Bill

Proposed amendment

Hon Eugenie Sage, in Committee, to move the following amendment:

Clause 8

In *clause 8(1)(a)(i)* (page 8, line 11), delete “or desirable”.

Explanatory note

This Supplementary Order Paper amends the Severe Weather Emergency Recovery Legislation Bill to remove the words “or desirable” from clause 8(1)(a)(i).

The purpose of the Bill in clause 3 to assist communities and local authorities recover from the severe weather events is very broad with a number of sub-clauses setting out different aspects of the purpose. As submitters noted clause 3(1)(v), for example to provide for the planning, rebuilding and recovery of affected communities and persons including by , “facilitating the restoration and improvement of the economic, social and cultural wellbeing and enhancing the resilience, of affected communities” covers much of the work of Government. The broad purpose combined with a low threshold in clause 8(1)(a)(i) for the relevant Minister to recommend an Order in Council provides scope for over-use of these powers. The Minister has to be satisfied that “the order is necessary or desirable” for one or more of the Bill’s purposes. Deleting the words “or desirable” from the threshold for would ensure that Orders in Council are “necessary ” to fulfil the purposes of the Act.