



PARLIAMENT OF VICTORIA
Scrutiny of Acts and Regulations Committee

Legislative Instruments
Exemptions Checklist

Section 12F(1)(a) – Would not impose a significant economic or social burden

- Legislative instrument
- Explanatory Memorandum
- Section 12C Consultation Certificate
- Section 12D Human Rights Certificate
- Section 12F Exemption Certificate

Section 12F(1)(b) – Is of a fundamentally declaratory or machinery nature

- Legislative instrument
- Explanatory Memorandum
- Section 12D Human Rights Certificate
- Section 12F Exemption Certificate

Section 12F(1)(c) – Only increases fees in respect of a financial year by an amount not exceeding the annual rate approved by the Treasurer

- Legislative instrument
- Explanatory Memorandum
- Section 12D Human Rights Certificate
- Section 12F Exemption Certificate

Section 12F(1)(d) – Only imposes a burden on a public sector body

- Legislative instrument
- Explanatory Memorandum
- Section 12C Consultation Certificate
- Section 12D Human Rights Certificate
- Section 12F Exemption Certificate

Section 12F(1)(e) – An order made under the *Administrative Arrangements Act 1983*

- Legislative instrument
- Explanatory Memorandum
- Section 12D Human Rights Certificate
- Section 12F Exemption Certificate

Please forward all relevant documents to:
Scrutiny of Acts and Regulations Committee
Parliament House, Spring Street
East Melbourne VIC 3002

By email: sarc@parliament.vic.gov.au



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Section 12F(1)(f) – Is required under a national uniform legislation scheme and an assessment of costs and benefits has been undertaken under that scheme

- Legislative instrument
- Explanatory Memorandum
- Section 12C Consultation Certificate
- Section 12D Human Rights Certificate
- Section 12F Exemption Certificate

Section 12F(1)(g) – Is required to undergo, or has undergone, an analytical and consultation process which, in the opinion of the responsible Minister, is equivalent to the process for a regulatory impact statement required until section 12E

- Legislative instrument
- Explanatory Memorandum
- Section 12C Consultation Certificate
- Section 12D Human Rights Certificate
- Section 12F Exemption Certificate

Section 12F(1)(h) – Is not of more than 12 months duration and is necessary to respond to: (i) a public emergency; (ii) an urgent public health issue or an urgent public safety issue; or (iii) likely or actual significant damage to the environment, resource sustainability or the economy

- Legislative instrument
- Explanatory Memorandum
- Section 12C Consultation Certificate (*Optional*)
- Section 12D(3) Human Rights Exemption Certificate
- Section 12F Exemption Certificate

Section 12F(1)(i) – Deals with administration or procedures within or a between Departments or declared authorities within the meaning of the *Public Administration Act 2004* or Departments within the meaning of the *Parliamentary Administration Act 2005*

- Legislative instrument
- Explanatory Memorandum
- Section 12C Consultation Certificate (*Optional*)
- Section 12D Human Rights Certificate
- Section 12F Exemption Certificate

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Section 12F(1)(j) – Notice of the proposed legislative instrument would render the proposed legislative instrument ineffective or would unfairly advantage or disadvantage any person likely to be affected by the proposed legislative instrument

- Legislative instrument
- Explanatory Memorandum
- Section 12C Consultation Certificate (*Optional*)
- Section 12D Human Rights Certificate
- Section 12F Exemption Certificate

Section 12F(1)(k) – Is made under a statutory rule and the regulatory impact statement for that statutory rule has adequately considered the impact of the proposed legislative instrument

- Legislative instrument
- Explanatory Memorandum
- Section 12C Consultation Certificate (*Optional*)
- Section 12D Human Rights Certificate
- Section 12F Exemption Certificate

Section 12G – The Premier may issue a certificate in writing that, in the Premier's opinion, in the special circumstances of the case the public interest requires that the proposed statutory rule be made without complying with Section 7(1)

- Legislative instrument
- Explanatory Memorandum
- Reasons given by the responsible Minister to the Premier as to why the public interest requires that the legislative instrument be made without preparing a RIS
- Section 12C Consultation Certificate (*Optional*)
- Section 12D Human Rights Certificate
- Section 12G Exemption Certificate

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