

RULES PUBLICATION.

No. 18 of 1903.

An Act for the Publication of Statutory Rules.

[Assented to 22nd October, 1903.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

1. This Act may be cited as the *Rules Publication Act 1903*, and shall commence on the first day of January, One thousand nine hundred and four. Short title and commencement.

2. In this Act—

“Statutory rules” means rules, regulations, or by-laws, made under any Act, which—

(a) relate to any Court within the Commonwealth, or to the procedure, practice, or costs therein, or to any fees or matters applying generally throughout the Commonwealth or any part of the Commonwealth; or

(b) are made by the Governor-General, or any Minister, or the Inter-State Commission, or any Government department.

“Rule-making authority” includes every authority authorized to make any statutory rules.

“Prescribed” means prescribed by Regulations under this Act.

3.—(1.) At least sixty days before making any statutory rules to which this section applies, notice of the proposal to make the rules and of the place where copies of the draft rules may be obtained shall be published in the *Gazette*.

(2.) During those sixty days any person may obtain copies of the draft rules on payment of the prescribed sum, and any representations or suggestions made in writing by a person interested to the authority proposing to make the rules shall be taken into consideration by that authority before finally settling the rules; and on the expiration of those sixty days the rules may be made by the rule-making authority; either as originally drawn or as amended by that authority, and shall come into operation forthwith or at such later time as is prescribed in the rules.

Definitions.
Sec 56 and 57
Vic. c. 66, s. 4.

Notice and representation concerning certain draft rules.
56 & 57 Vic.
c. 66, s. 1.

(3.) The statutory rules to which this section applies are those made in pursuance of any Act which directs the statutory rules to be laid before the Houses of the Parliament, but do not include any statutory rules if they or a draft thereof are required to be laid before the Houses of the Parliament for any period before the rules come into operation.

Provisional rules
in certain cases.
56 & 57 Vic.
c. 66 s. 2.

4. Where a rule-making authority certifies that on account of urgency or any special reason any rules should come into immediate operation, that authority may make the rules to come into operation forthwith as provisional rules, but provisional rules shall only continue in force until rules are made in accordance with the foregoing provisions of this Act.

Printing
numbering, and
sale of statutory
rules.
Ib. s. 3.

5.—(1.) All statutory rules made after the commencement of this Act shall forthwith after they are made be sent to the Government Printer, and shall, in manner prescribed, be numbered, and (save as prescribed) printed and sold by him.

(2.) Any statutory rules may, without prejudice to any other mode of citation, be cited by the number so given and the calendar year.

(3.) Where any statutory rules are required by any Act to be published or notified in the *Gazette*, a notice in the *Gazette* of the rules having been made, and of the place where copies of them can be purchased, shall be sufficient compliance with that requirement.

(4.) Regulations under this Act may prescribe the classes of cases in which the exercise of a statutory power by any rule-making authority constitutes or does not constitute the making of a statutory rule within the meaning of this section.

Proof of
statutory rules.

6. Any printed paper, purporting to be a copy of statutory rules made by a rule-making authority, and to be printed by the Government Printer, shall in all Courts within the Commonwealth be evidence that such statutory rules have been duly made by the rule-making authority and are in force.

Regulations.

7.—(1.) The Governor-General may make Regulations for carrying this Act into effect.

(2.) All such Regulations shall be notified in the *Gazette*, and shall thereupon have the force of law.

(3.) All such Regulations shall be laid before both Houses of the Parliament within thirty days after the making thereof, if the Parliament is then sitting, and if not, then within thirty days of the next meeting of the Parliament.