

Law Officers Repeal Regulations 2004 2004 No. 91

EXPLANATORY STATEMENT

Statutory Rules 2004 No. 91

Issued by the authority of the Attorney-General

Subject: *Law Officers Act 1964*

Law Officers Repeal Regulations 2004

Section 19 of the *Law Officers Act 1964* (the Act) provides that the Governor-General may make regulations, not inconsistent with the Act, prescribing matters required or permitted by the Act to be prescribed or necessary or convenient to be prescribed for carrying out or giving effect to the Act.

Section 7 of the Act provides for the remuneration and allowances of the Solicitor-General. Subsection 7(2) of the Act provides that the Solicitor-General should be paid such allowances as are prescribed.

The Law Officers Regulations (the Principal Regulations) were made in 1988 and prescribed the allowances that were payable to the Solicitor-General.

Regulation 2 provided that, for the purposes of subsection 7(2) of the Act, the allowances (other than the annual allowance) payable to a Judge of the Federal Court of Australia were to be prescribed as the allowances for the Solicitor-General.

The Regulations repealed the Principal Regulations. The Principal Regulations were redundant because the Solicitor-General now receives allowances equivalent to those payable to a Federal Court Judge under a determination of the Remuneration Tribunal.

Details of the Regulations are as follows:

Regulation 1 is formal.

Regulation 2 provides for commencement of the Regulations on gazettal.

Regulation 3 repeals the Principal Regulations.

Authority: Section 19 of the *Law Officers Act 1964*