Administrative Services Legislation Amendment Bill 1990

Date Introduced: 16 May 1990
House: House of Representatives
Portfolio: Administrative Services

Purpose
This is an omnibus Bill that will amend or repeal a number of Acts falling within the Administrative Services portfolio.

Background
As there is no central theme to the Bill, the background to each amendment etc., will be explained below.

Main Provisions
Archives Act 1983

The Australian Archives is responsible for the administration of all existing Commonwealth records created since Federation. The Australian Archives was transformed into a statutory body by this Act which also details its functions. The main functions are to ensure that the need of governments in relation to the safeguarding of national interests and the operation of government are met, and also to ensure that the needs of the public, with respect to such matters as occupational need and personal pursuits, are met. In 1988-89, the Australian Archives handled 17,230 public enquiries and, as an example of the size of the collection, held 315,100 shelf metres of files.

There has been an increasing trend in recent years to place Commonwealth bodies on a more business-like footing, such as through program management and the removal of most controls on the day-to-day operation of government business authorities. This has also led to the introduction of greater user pays arrangements, even where the other user is another Commonwealth body. In 1988-89, the Archives raised a total of $139,000 in revenue, compared to total expenditure of $17,870,000. Revenue was raised through charges to Commonwealth bodies for the storage of records that are not of permanent value and the provision of copies to the public. These arrangements are authorised under Regulation 8 of the Archives regulations. In that year, funds were also raised through the sale of a Bicentennial publication.

The current basis for the charges comes through section 71 of this Act which provides for regulations to be made prescribing charges for a number of services:

- searches of records to comply with requests for access;
- copies or transcripts made under an application;
- keeping records that are not necessary for archival purposes (e.g., those that are not of permanent value); and
- making records available to Commonwealth institutions that are not necessary for archival purposes.
The amendment contained in clause 5 will insert a new section 69 into this Act to allow the Director - General to determine the fee to be charged when the Archives performs a discretionary task for a Commonwealth institution where the Act does not otherwise provide for such a charge. Similarly, clause 6 will amend section 71 to allow regulations to be made to allow charges in relation to prescribed services provided to people other than the Commonwealth.

Discretionary service is defined in proposed section 3A to be a service provided at a persons request, other than acts that Archives is required to do or are necessary for the performance of the Archives functions.

Naval Properties Transfer Act 1925

This Act is now redundant. It provided for the transfer of certain naval installations (e.g. Cockatoo Island) for the N.S.W. government to the Commonwealth. The areas subject to the Act are now held by the Commonwealth through an easement which gives the Commonwealth rights to occupy and utilise the areas.


This Act is also redundant. It deals with preference for Australian goods in government procurement. The Act provided for a 20% discount of Australian tenders to give preference to Australian producers. It was announced in late 1989 that this scheme would be phased out and a non-discriminatory policy introduced. This policy has applied since 1 November 1989.

Parliamentary Allowances Act 1952

When an election is called, this Act provides for the continued payment of the additional allowances provided to the Speaker, President and the Chairs of Committees for both Houses from the date of dissolution until the poll is declared. The amendments to the Act propose to allow all additional allowances for Parliamentary office holders to be paid during this period.

Sales Tax Assessment Act (No. 1) 1930 and the Social Security Act 1947

The amendments to these Acts will remove references to the Commonwealth Accommodation and Catering Services Ltd., a former Commonwealth body. The proposed sale of this body was announced in the 1987 – 88 Budget and, following its sale, references to the body are now redundant.

For further information, if required, contact the Law and Government Group on 06 2772430.

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Bills Digest Service
Legislative Research Service

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

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