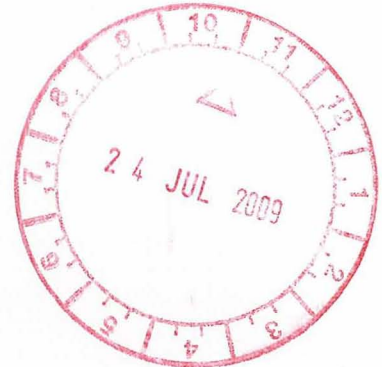




## Minister for Education; Tourism

Our Ref: 28-11464/TW/GR0017-07/2009/9420

Mr Joe Francis  
Chairman  
Legislative Council – Western Australia  
Parliament House  
PERTH WA 6000



Dear Mr Francis

**Joint Standing Committee on Delegated Legislation Report No 25 *University Statutes: Curtin University of Technology – Statute No. 7 – The Council; and Murdoch University – Amending Statutes – No. 5 and No. 17***

Thank you for your recent correspondence regarding this matter.

I confirm my support for the two recommendations in Report No 25 (the Report) of the Joint Standing Committee on Delegated Legislation (the Committee). Furthermore, I advise that the Department of Education Services (the Department) has convened a working group of representatives from each of the five universities to consider their requests for amendments to their Acts of establishment. The working group is also considering the Committee's two recommendations in the Report.

As part of this process, the public universities are assessing the Department's proposal to establish a common scheme in their Acts to standardise the requirements relating to the publication and disallowance of subordinate legislation.

Under this proposed scheme, section 34(3) of the *Curtin University Act 1996* would be deleted and the matters in sections 34(1)(e), (ea) and (eb) would be dealt with in a manner consistent with the intent of Recommendation 1 of the Report.

With regard to Recommendation 2 of the Report, it must be noted that the practice of Murdoch University and the Department with regard to subordinate legislation is, and always has been, to treat the repealed *Interpretation Act 1918* as though it still speaks, and therefore, as effective for the purposes of ensuring Parliamentary scrutiny. Nevertheless, the proposed new scheme would update the provisions and practices related to section 27 of the *Murdoch University Act 1973* consistent with Recommendation 2.

Yours sincerely

Dr Elizabeth Constable MLA  
**MINISTER FOR EDUCATION; TOURISM**

22 JUL 2009