

Judging size and complexity of Bills

The purpose of this document is to assist agencies in judging the anticipated size and complexity of a Bill when preparing drafting instructions. It can also be used to judge the anticipated size and complexity of each discrete measure to be included in a Bill that will include multiple measures.

Size

The following table sets out what the size categories cover.

Size	Anticipated number of pages
Small	up to 10
Medium	from 11 to 100
Large	more than 100

Some factors that may affect size are:

- the number of provisions to be drafted or amended;
- the number of consequential amendments required;
- the number of transitional, application or saving provisions required.

Complexity

The following table sets out the elements that determine which complexity category applies to a Bill (or to a discrete measure to be included in a Bill).

If the Bill (or the measure to be included in the Bill) has elements from more than one complexity category, the highest of those categories will apply to the Bill (or to the measure).

Example: If a Bill requires a small number of provisions to be drafted (low complexity) but raises significant legal issues (high complexity), the high complexity category will apply to the Bill

Low	Moderate	High
requires a small number of provisions to be drafted/amended	requires a reasonable number of provisions to be drafted/amended or a smaller number of complex provisions to be drafted/amended	requires a large number of provisions to be drafted/amended or a smaller number of highly complex provisions to be drafted/amended or is replacing, or requires amendment of, an Act that is long, detailed or complex
easy to identify what provisions/amendments are needed (some analysis or research may be required)	requires a reasonable amount of analysis or research to identify what provisions/amendments are needed	requires a significant amount of analysis or research to identify appropriate legislative solution
involves applying well-established or often used drafting precedents or practices	involves a degree of original or novel drafting or the careful application of drafting precedents and practices	involves a high degree of original or novel drafting or the careful application of drafting precedents and practices
raises no constitutional or legal issues and no political or other sensitivities	raises some constitutional or legal issues and/or some political or other sensitivities	raises significant constitutional or legal issues and/or significant political or other sensitivities
requires no, or only a small number of simple, consequential amendments	requires no, or only a reasonable number of, consequential amendments	requires a substantial number of consequential amendments
requires no, or only a small number of simple, transitional, application and saving provisions	requires no, or only a reasonable number of, transitional, application and saving provisions	requires a substantial number of transitional, application and saving provisions

Examples

The following table sets out some examples of Acts that fall within the different size and complexity categories.

Act	Size	Complexity
<i>Administrative Review Tribunal Act 2024</i>	Large	High
<i>Anti-Money Laundering and Counter-Terrorism Financing Amendment Act 2024</i>	Large	High
<i>Australian Human Rights Commission Amendment (Costs Protection) Act 2024</i>	Small	Moderate
<i>Commonwealth Entities (Payment Surcharges) (Consequential Provisions and Other Matters) Act 2024</i>	Medium	High
<i>Crown References Amendment Act 2024</i>	Small	Low
<i>Fair Work Legislation Amendment (Secure Jobs, Better Pay) Act 2022</i>	Large	High
<i>Jobs and Skills Australia Amendment Act 2023</i>	Medium	Moderate
<i>Migration Amendment (Australia's Engagement in the Pacific and Other Measures) Act 2023</i>	Small	High
<i>Modern Slavery Amendment (Australian Anti-Slavery Commissioner) Act 2024</i>	Medium	Moderate
<i>Security of Critical Infrastructure and Other Legislation Amendment (Enhanced Response and Prevention) Act 2024</i>	Medium	High