



Instructor Guidance Note— Glossary

This *Instructor Guidance Note* explains terms and abbreviations commonly used by OPC, including in our publications.

Act: This is a piece of primary legislation that has been passed by both Houses of the Parliament and that has received the Royal Assent.

Acts Interpretation Act: *Acts Interpretation Act 1901*.

AGD: Attorney-General's Department (www.ag.gov.au).

AGS: Australian Government Solicitor (www.ag.gov.au).

APSC: Australian Public Service Commission (www.apsc.gov.au).

Bill: This is a proposed piece of primary legislation that has not yet become an Act.

Constitution: Constitution of the Commonwealth of Australia.

disallowance: Disallowance is a form of repeal of disallowable instruments initiated by the Parliament. The Parliament, with a majority vote in either House of the Parliament, may disallow a disallowable instrument in part or in full. This may result in an instrument ceasing to have effect and reviving an earlier instrument. If an instrument is disallowed, generally the rule-maker may not make an instrument similar in substance for 6 months.

Electronic Transactions Act: *Electronic Transactions Act 1999*.

EM: explanatory memorandum (for a Bill).

ES: explanatory statement (for a legislative instrument).

ExCo: This is the Federal Executive Council, which advises the Governor-General on the exercise of the Governor-General's powers.

ExCo instrument: This is an instrument made or approved by the Governor-General.

FPC: First Parliamentary Counsel (the head of OPC).

instrument: In OPC, this word is used for anything (other than an Act or a Bill) that is done, in writing, in the exercise of a power. We use the word to cover all legislative instruments and other subordinate legislation, and also to cover things that are not legislative in nature, such as appointments and delegations.

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Instruments Handbook: This is the *Instruments Handbook* which is published by OPC and is available on the OPC website.

LAP: Legislation Approval Process. This is a clearance process that all government Bills must go through before being introduced into the Parliament.

Legislation Act: *Legislation Act 2003*.

Legislation Handbook: This is the *Legislation Handbook* which is published by PM&C and is available on the PM&C website.

legislative instrument: This is defined in section 8 of the Legislation Act. In broad terms, the intention of the definition is to capture instruments that are legislative, rather than administrative, in character.

OLSC: Office of Legal Services Coordination in the Attorney-General's Department.

OPC: Office of Parliamentary Counsel (www.opc.gov.au).

PAMs: Parliamentary amendments of a Bill that is in the Parliament.

PBC: Parliamentary Business Committee of Cabinet.

PM&C: Department of the Prime Minister and Cabinet (www.pmc.gov.au).

primary legislation: This is legislation that is made by the Parliament itself in the exercise of its powers (as distinct from subordinate legislation).

Register: Federal Register of Legislation (www.legislation.gov.au). The Register is maintained by OPC and provides comprehensive and free access to Commonwealth Acts, instruments and related material.

Regulatory Powers Act: *Regulatory Powers (Standard Provisions) Act 2014*.

Scrutiny of Bills Committee: Senate Standing Committee for the Scrutiny of Bills (https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Bills).

Scrutiny of Delegated Legislation Committee: Senate Standing Committee for the Scrutiny of Delegated Legislation (https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Scrutiny_of_Delegated_Legislation).

subordinate legislation: This is an instrument, of a legislative character, made by a person to whom the Parliament has delegated power by primary legislation.

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The purpose of Instructor Guidance Notes is to assist agencies with general legislative drafting issues and preparing drafting instructions for Bills and instruments. The series is intended to be a starting point for instructors' own engagement with the matters covered. Instructor Guidance Notes are not statements of official policy and are not intended to be a comprehensive statement of the law. This Instructor Guidance Note should not be relied on as a substitute for legal advice.