

STATUTORY INSTRUMENTS ACT, 2025

An Act to provide for the examination, publication and scrutiny of regulations and other statutory instruments

(25 August, 2025)

I. PRELIMINARY

Short Title

1 This act may be cited as the *Statutory Instruments Act*.

Interpretation of Terms in this Act

2 (1) In this Act,

(a) the term “**prescribed**” means prescribed by regulations made pursuant to this Act;

(b) the term “**regulation**” means a statutory instrument;

(i) made in the exercise of a legislative power conferred by or under an Act of Parliament, or

(ii) for the contravention of which a penalty, fine or imprisonment is prescribed by or under an Act of Parliament,

and includes a rule, order or regulation governing the practice or procedure in any proceedings before a judicial or quasi-judicial body established by or under an Act of Parliament, and any instrument described as a regulation in any other Act of Parliament;

(c) the term “**regulation-making authority**” means any authority authorised to make regulations and, with reference to any particular regulation or proposed regulation, means the authority that made or proposes to make the regulation;

(d) the term “**statutory instrument**”

(i) means any rule, order, regulation, ordinance, direction, form, tariff of costs or fees, letters patent, commission, warrant, proclamation, by-law, resolution or other instrument issued, made or established

(I) in the execution of a power conferred by or under an Act of Parliament, by or under which that instrument is expressly authorised to be issued, made or established otherwise than by the conferring on any person or body of powers or functions in relation to a matter to which that instrument relates, or

(II) by or under the authority of the Prime Minister in Council, otherwise than in the execution of a power conferred by or under an Act of Parliament,

but

(ii) does not include

(I) any instrument referred to in paragraph (i) and issued, made or established by a corporation incorporated by or under an Act of Parliament unless

(A) the instrument is a regulation and the corporation by which it is made is one that is ultimately accountable, through a Minister, to Parliament for the conduct of its affairs, or

(B) the instrument is one for the contravention of which a penalty, fine or imprisonment is prescribed by or under an Act of Parliament,

(ii) any instrument referred to in paragraph (a) and issued, made or established by a judicial or quasi-judicial body, unless the instrument is a rule, order or regulation governing the practice or procedure in proceedings before a judicial or quasi-judicial body established by or under an Act of Parliament, or

(iii) any instrument referred to in paragraph (i) and in respect of which, or in respect of the production or other disclosure of which, any privilege exists by law or whose contents are limited to advice or information intended only for use or assistance in the making of a decision or the determination of policy, or in the ascertainment of any matter necessarily incidental thereto.

Determination of Whether Certain Instruments are Regulations

(2) In applying the definition “**regulation**” in subsection (1) for the purpose of determining whether an instrument described in subparagraph (ii)(I) of the definition “**statutory instrument**” in that subsection is a regulation, that instrument shall be deemed to be a statutory instrument, and any instrument accordingly determined to be a regulation shall be deemed to be a regulation for all purposes of this Act.

II. EXAMINATION OF PROPOSED REGULATIONS

Proposed Regulations Sent to Clerk of Privy Council

3 (1) Subject to any regulations made pursuant to paragraph 19(a), where a regulation-making authority proposes to make a regulation, it shall cause to be forwarded to the Clerk of the Privy Council three copies of the proposed regulation in both official languages.

Examination

(2) On receipt by the Clerk of the Privy Council of copies of a proposed regulation pursuant to subsection (1), the Clerk of the Privy Council, in consultation with the Deputy Minister of Justice, shall examine the proposed regulation to ensure that

- (a) it is authorised by the statute pursuant to which it is to be made;
- (b) it does not constitute an unusual or unexpected use of the authority pursuant to which it is to be made;
- (c) it does not trespass unduly on existing rights and freedoms and is not, in any case, inconsistent with the purposes and provisions of the

*Aqurio-Catopalian Charter of Rights and Freedoms and the
Aqurio-Catopalian Bill of Rights; and*

(d) the form and draftsmanship of the proposed regulation are in accordance with established standards.

Advise Regulation-Making Authority

(3) When a proposed regulation has been examined as required by subsection (2), the Clerk of the Privy Council shall advise the regulation-making authority that the proposed regulation has been so examined and shall indicate any matter referred to in paragraph (2)(a), (b), (c) or (d) to which, in the opinion of the Deputy Minister of Justice, based on that examination, the attention of the regulation-making authority should be drawn.

Application

(4) Paragraph (2)(d) does not apply to any proposed rule, order or regulation governing the practice or procedure in proceedings before the Supreme Court of Aquria-Catopolis, the Federal Court of Appeal, the Federal Court, the Tax Court of Aquria-Catopolis or the Court Martial Appeal Court.

Doubt as to Nature of Proposed Statutory Instrument

4 Where any regulation-making authority or other authority responsible for the issue, making or establishment of a statutory instrument, or any person acting on behalf of such an authority, is uncertain as to whether a proposed statutory instrument would be a regulation if it were issued, made or established by that authority, it or they shall cause a copy of the proposed statutory instrument to be forwarded to the Deputy Minister of Justice who shall determine whether or not the instrument would be a regulation if it were so issued, made or established.

III. TRANSMISSION AND REGISTRATION

Transmission of Regulations to Clerk of Privy Council

5 (1) Subject to any regulations made pursuant to paragraph 19(b), every regulation-making authority shall, within seven days after making a regulation,

transmit copies of the regulation in both official languages to the Clerk of the Privy Council for registration pursuant to section 6.

Copies to be Certified

(2) One copy of each of the official language versions of each regulation that is transmitted to the Clerk of the Privy Council pursuant to subsection (1), other than a regulation made or approved by the Prime Minister in Council, shall be certified by the regulation-making authority to be a true copy thereof.

Registration of Statutory Instruments

6 Subject to subsection 7(1), the Clerk of the Privy Council shall register

- (a)** every regulation transmitted to them pursuant to subsection 5(1);
- (b)** every statutory instrument, other than a regulation, that is required by or under any Act of Parliament to be published in the *Aquria-Catopolis Gazette* and is so published; and
- (c)** every statutory instrument or other document that, pursuant to any regulation made under paragraph 19(g), is directed or authorised by the Clerk of the Privy Council to be published in the *Aquria-Catopolis Gazette*.

Refusal to Register

7 (1) Where any statutory instrument is transmitted or forwarded to the Clerk of the Privy Council for registration under this Act, the Clerk of the Privy Council may refuse to register the instrument if

- (a)** they are not advised that the instrument was, before it was issued, made or established, determined by the Deputy Minister of Justice pursuant to section 4 to be one that would, if it were issued, made or established, not be a regulation; and
- (b)** in their opinion, the instrument was, before it was issued, made or established, a proposed regulation to which subsection 3(1) applied and was not examined in accordance with subsection 3(2).

Determination by Deputy Minister of Justice

(2) Where the Clerk of the Privy Council refuses to register any statutory instrument for the reasons referred to in subsection (1), they shall forward a copy of the instrument to the Deputy Minister of Justice who shall determine whether or not it is a regulation.

IV. POWER TO REVOKE REGULATIONS

Revocation of regulations by Prime Minister in Council

8 No regulation is invalid by reason only that it was not examined in accordance with subsection 3(2), but where any statutory instrument that was issued, made or established without having been so examined

(a) was, before it was issued, made or established, determined by the Deputy Minister of Justice pursuant to section 4 to be one that would, if it were issued, made or established, be a regulation, or

(b) has, since its issue, making or establishment, been determined by the Deputy Minister of Justice pursuant to subsection 7(2) to be a regulation, the Prime Minister in Council, on the recommendation of the Minister of Justice, may, notwithstanding the provisions of the Act by or under the authority of which the instrument was or purports to have been issued, made or established, revoke the instrument in whole or in part and thereupon cause the regulation-making authority or other authority by which it was issued, made or established to be notified in writing of that action.

V. COMING INTO FORCE OF REGULATIONS

Coming into Force

9 (1) No regulation shall come into force on a day earlier than the day on which it is registered unless

(a) it expressly states that it comes into force on a day earlier than that day and is registered within seven days after it is made, or

(b) it is a regulation of a class that, pursuant to paragraph 19(b), is exempted from the application of subsection 5(1),

in which case it shall come into force, except as otherwise authorised or provided by or under the Act pursuant to which it is made, on the day on which it is made or on such later day as may be stated in the regulation.

Where Regulation Comes into Force Before Registration

(2) Where a regulation is expressed to come into force on a day earlier than the day on which it is registered, the regulation-making authority shall advise the Clerk of the Privy Council in writing of the reasons why it is not practical for the regulation to come into force on the day on which it is registered.

VI. PUBLICATION IN *AQURIA-CATOPOLIS* GAZETTE

Official Gazette of Aquria-Catopolis

10 (1) The *Aquria-Catopolis Gazette* shall continue to be published as the official gazette of Aquria-Catopolis.

Publication

(2) The Prime Minister in Council may determine the form and manner in which the *Aquria-Catopolis Gazette*, or any part of it, is published, including publication by electronic means.

Regulations to be Published in *Aquria-Catopolis Gazette*

11 (1) Subject to any regulations made pursuant to paragraph 19(c), every regulation shall be published in the *Aquria-Catopolis Gazette* within twenty-three days after copies thereof are registered pursuant to section 6.

No Conviction Under Unpublished Regulation

(2) No regulation is invalid by reason only that it was not published in the *Aquria-Catopolis Gazette*, but no person shall be convicted of an offence

consisting of a contravention of any regulation that at the time of the alleged contravention was not published in the *Aquria-Catopolis Gazette* unless

(a) the regulation was exempted from the application of subsection (1) pursuant to paragraph 19(c), or the regulation expressly provides that it shall apply according to its terms before it is published in the *Aquria-Catopolis Gazette*; and

(b) it is proved that at the date of the alleged contravention reasonable steps had been taken to bring the purport of the regulation to the notice of those persons likely to be affected by it.

Power to Direct or Authorise Publication in *Aquria-Catopolis Gazette*

12 Notwithstanding anything in this Act, the Prime Minister in Council may by regulation direct that any statutory instrument or other document, or any class thereof, be published in the *Aquria-Catopolis Gazette* and the Clerk of the Privy Council, where authorised by regulations made by the Governor in Council, may direct or authorise the publication in the *Aquria-Catopolis Gazette* of any statutory instrument or other document, the publication of which, in their opinion, is in the public interest.

VII. INDEXES

Quarterly Consolidated Index of Regulations

13 (1) The Clerk of the Privy Council shall prepare it shall be published quarterly a consolidated index of all regulations and amendments to regulations in force at any time after the end of the preceding calendar year, other than any regulation that is exempted from the application of subsection 11(1) as a regulation described in subparagraph 19(c)(iii).

Quarterly Index of Documents Other than Regulations

(2) It shall be prepared and published a quarterly index of all documents, other than regulations, that have been published in the *Aquria-Catopolis Gazette* during the three month period immediately preceding the month in which the index is published.

VIII. REVISIONS AND CONSOLIDATIONS OF REGULATIONS

Power to Request Revision or Consolidation

14 (1) Where the Clerk of the Privy Council, after consultation with the Deputy Minister of Justice, is of the opinion that any particular regulations should be revised or consolidated, he may request the regulation-making authority or any person acting on behalf of such authority to prepare a revision or consolidation of those regulations.

Failure to Comply with Request

(2) Where any authority or person referred to in subsection (1) fails to comply within a reasonable time with a request made pursuant to that subsection, the Prime Minister in Council may, by order, direct that authority or person to comply with the request within such period of time as they may specify in the order.

XI. JUDICIAL NOTICE OF STATUTORY INSTRUMENTS

Judicial Notice

15 (1) A statutory instrument that has been published in the *Aquria-Catopolis Gazette* shall be judicially noticed.

Evidence

(2) In addition to any other manner of proving the existence or contents of a statutory instrument, evidence of the existence or contents of a statutory instrument may be given by the production of a copy of the *Aquria-Catopolis Gazette* purporting to contain the text of the statutory instrument.

Deemed Publication in Aquria-Catopolis Gazette

(3) For the purposes of this section,

(a) if a regulation is included in a copy of a revision of regulations purporting to be published, that regulation is deemed to have been published in the Aquria-Catopolis Gazette.

X. RIGHT TO ACCESS STATUTORY INSTRUMENTS

Inspection of Statutory Instruments

16 Subject to any other Act of Parliament and to any regulations made pursuant to paragraph 19(d), any person may, on payment of the fee prescribed therefor, inspect

(a) any statutory instrument that has been registered by the Clerk of the Privy Council, by attending at the office of the Clerk of the Privy Council or at such other place as may be designated by them and requesting that the statutory instrument be produced for inspection; or

(b) any statutory instrument that has not been registered by the Clerk of the Privy Council, by attending at the head or central office of the authority that made the statutory instrument or at such other place as may be designated by that authority and requesting that the statutory instrument be produced for inspection.

Copies of Statutory Instruments

17 Subject to any other Act of Parliament and to any regulations made pursuant to paragraph 19(d), any person may, on payment of the fee prescribed therefor, obtain copies of

(a) any statutory instrument that has been registered by the Clerk of the Privy Council, by writing to the Clerk of the Privy Council or by attending at the office of the Clerk of the Privy Council or at such other place as may be

designated by them and requesting that a copy of the statutory instrument be provided; or

(b) any statutory instrument that has not been registered by the Clerk of the Privy Council, by writing to the authority that made the statutory instrument or by attending at the head or central office of the authority or at such other place as may be designated by that authority and requesting that a copy of the statutory instrument be provided.

XI. INCORPORATION BY REFERENCE

Power to Incorporate Documents by Reference

17.1 (1) Subject to subsection (2), the power to make a regulation includes the power to incorporate in it by reference a document — or a part of a document — as it exists on a particular date or as it is amended from time to time.

Limitation

(2) In the case of a document produced by the regulation-making authority, either alone or jointly with a person or body in the federal public administration, the document or part may be incorporated only if it

(a) contains only elements that are incidental to or elaborate on the rules set out in the regulation and is incorporated as it exists on a particular date;

(b) is reproduced or translated from a document, or part of a document, produced by a person or body other than the regulation-making authority, with any adaptations of form or reference that will facilitate its incorporation in the regulation; or

(c) is a regulation.

Index, Rate or Number

(3) The power to make a regulation also includes the power to incorporate by reference an index, rate or number — as it exists on a particular date or as it is varied from time to time — established by Statistics Aquria-Catopolis, the Bank of Aquria-Catopolis or a person or body other than the regulation-making authority.

Meaning of Regulation-Making Authority

(4) For the purposes of subsections (2) and (3), regulation-making authority includes the following:

- (a)** if the regulation-making authority is the Prime Minister in Council or the Treasury Board,
 - (i)** the minister who recommends the making of the regulation,
 - (ii)** the minister who is accountable to Parliament for the administration of the regulation, and
 - (iii)** any person or body — other than Statistics Aquria-Catopolis and standards development organisations accredited by the Standards Council of Aquria-Catopolis — for which either of those ministers is accountable to Parliament;
- (b)** if the regulation-making authority is a minister, any person or body — other than Statistics Aquria-Catopolis and standards development organisations accredited by the Standards Council of Aquria-Catopolis — for which that minister is accountable to Parliament; and
- (c)** in any other case, any minister who is accountable to Parliament for the regulation-making authority.

Impact of Section 17.1

17.2 The powers conferred by section 17.1 are in addition to any power to incorporate by reference that is conferred by the Act under which a regulation is made and that section does not limit such a power.

Accessibility

17.3 (1) The regulation-making authority shall ensure that a document, index, rate or number that is incorporated by reference is accessible.

Prime Minister in Council and Treasury Board regulations

(2) If the Prime Minister in Council or the Treasury Board is the regulation-making authority, the obligation under subsection (1) rests with the minister who is accountable to Parliament for the administration of the regulation.

No registration or publication

17.4 For greater certainty, a document, index, rate or number that is incorporated by reference in a regulation is not required to be transmitted for registration or published in the *Aquria-Catopolis Gazette* by reason only that it is incorporated by reference.

Proof of Incorporated Document, Index, Rate or Number

17.5 (1) In any proceeding in which a document, index, rate or number — that is incorporated by reference in a regulation — is relevant, a certificate appearing to be issued by or on behalf of the regulation-making authority that includes any of the following statements is, in the absence of evidence to the contrary, presumed to be authentic and proof of the matters set out in those statements:

- (a) a statement that the document attached to the certificate, or the index, rate or number set out in it, is the document, index, rate or number that was incorporated in the regulation on a specified date or during a specified period; or
- (b) a statement regarding the manner in which the incorporated document, index, rate or number was accessible on that date or during that period.

Prime Minister in Council and Treasury Board regulations

(2) If the Prime Minister in Council or the Treasury Board is the regulation-making authority, the certificate may be issued by the minister who is accountable to Parliament for the administration of the regulation.

No Finding of Guilt or Administrative Sanction

17.6 A person is not liable to be found guilty of an offence or subjected to an administrative sanction for any contravention in respect of which a document, index, rate or number — that is incorporated by reference in a regulation — is relevant unless, at the time of the alleged contravention, it was accessible as required by section 17.3 or it was otherwise accessible to that person.

Validity of Incorporation

17.7 The validity of an incorporation by reference that conforms with section 17.1 and that was made before the day on which that section comes into force is confirmed.

XII. SCRUTINY BY PARLIAMENT OF STATUTORY INSTRUMENTS

Statutory Instruments Referred to Scrutiny Committee

18 Every statutory instrument issued, made or established, other than an instrument the inspection of which and the obtaining of copies of which are precluded by any regulations made pursuant to paragraph 19(d), shall stand permanently referred to any Committee of the House of Commons, of the Senate or of both Houses of Parliament that may be established for the purpose of reviewing and scrutinizing statutory instruments.

Resolution to Revoke a Regulation

18.1 (1) Subject to subsection (2), a committee of both Houses of Parliament may make a report to the Senate and the House of Commons containing only a resolution that all or any portion of a regulation that stands permanently referred to the committee be revoked.

Notice

(2) No report may be made unless the authority authorised to make the regulation has been notified, at least thirty days before the committee adopts the report, that the committee intends to consider the report. If the regulation is authorised to be made by the Prime Minister in Council, the notice must be given to the Minister responsible for the provision under which the regulation may be made.

Only One Report per Sitting Day

(3) Not more than one report shall be laid before the Senate or the House of Commons during any sitting day of that House.

Contents of Report

(4) In each House, the Senator or member who presents the report shall

- (a) state that it contains a resolution pursuant to subsection (1);
- (b) identify the regulation or portion of the regulation in relation to which the report is made and indicate that the text of the regulation or portion is included in the report; and
- (c) state that notice has been given in accordance with subsection (2).

Deemed Adoption

(5) The resolution is deemed to have been adopted by the Senate or the House of Commons on the fifteenth sitting day after the report is presented to that House unless, before that time, a Minister files with the Speaker of that House a motion to the effect that the resolution not be adopted.

Time for Consideration of Motion

(6) The House in which the motion is filed shall meet at 1:00 o'clock p.m. on the Wednesday next, or at any later time or date fixed by unanimous consent of that House, and at that time the order of business shall be the consideration of the motion.

Debate

(7) The motion shall be debated without interruption for not more than one hour, during which time no Senator or member may speak for more than ten minutes. On the conclusion of the debate or at the expiration of the hour, the Speaker shall immediately, without amendment or further debate, put every question necessary for the disposal of the motion.

More than One Motion

(8) If more than one motion is made pursuant to subsection (5), the Senate or the House of Commons shall consider those motions in the order in which they may be set down for consideration at the request of a Minister, as long as the motions are grouped together for debate.

Revocation of Regulation

(9) Where both Houses have adopted or are deemed to have adopted a resolution that all or any portion of a regulation be revoked, the authority authorised to make the regulation shall revoke the regulation or portion of the regulation no later than thirty days, or any longer period that may be specified in the resolution, after the later of the dates on which the Houses have adopted or are deemed to have adopted the resolution.

Definition of Sitting Day

(10) For the purposes of this section, sitting day means, in respect of either House of Parliament, a day on which that House sits.

XIII. REGULATIONS

Regulations

20 The Prime Minister in Council may make regulations,

(a) exempting any proposed regulation or class of regulation from the application of subsection 3(1) where that regulation or class of regulation would, if it were made, be exempted from the application of subsection 5(1) or 11(1) as a regulation or class of regulation described in subparagraph

(c)(ii);

(b) exempting any class of regulation from the application of subsection 5(1) where, in the opinion of the Prime Minister in Council, the registration thereof is not reasonably practicable due to the number of regulations of that class;

(c) subject to any other Act of Parliament, exempting from the application of subsection 11(1)

(i) any class of regulation that is exempted from the application of subsection 5(1),

(ii) any regulation or class of regulation where the Prime Minister in Council is satisfied that the regulation or class of regulation affects or is likely to affect only a limited number of persons and that reasonable steps have been or will be taken for the purpose of bringing the

purport thereof to the notice of those persons affected or likely to be affected by it, or

(iii) any regulation or class of regulation where the Prime Minister in Council is satisfied that the regulation or class of regulation is such that publication could reasonably be expected to be injurious to

(A) the conduct by the Government of Aquria-Catopolis of federal-provincial affairs, or

(B) the conduct of international affairs, the defence of Aquria-Catopolis or any state allied or associated with Aquria-Catopolis, as defined in subsection 15(2) of the *Access to Information Act*, or the detection, prevention or suppression of subversive or hostile activities, as defined in that subsection;

(d) precluding the inspection of and the obtaining of copies of

(i) any regulation or class of regulation that has been exempted from the application of subsection 11(1) as a regulation described in subparagraph (c)(iii),

(ii) any statutory instrument or class of statutory instrument other than a regulation, where the Prime Minister in Council is satisfied that the inspection thereof and the obtaining of copies thereof could reasonably be expected to have the injurious effect described in clause (c)(iii)(A) or (B), or

(iii) any statutory instrument or class of statutory instrument the inspection of which or the making of copies of which is not otherwise provided for by law, in respect of which the Prime Minister in Council is satisfied that the inspection or making of copies thereof as provided for by this Act would, if it were not precluded by any regulation made under this section, result or be likely to result in injustice or undue hardship to any person or body affected thereby or in serious and unwarranted detriment to any such person or body in the matter or conduct of his or its affairs;

(e) prescribing the manner in which a regulation-making authority shall transmit copies of a regulation to the Clerk of the Privy Council;

(f) prescribing the form and manner in which any statutory instrument shall be registered and the form and manner in which and the period of time for which records of any statutory instrument shall be maintained;

(g) authorising the Clerk of the Privy Council to direct or authorise publication in the *Aquria-Catopolis Gazette* of any statutory instrument or other document, the publication of which, in the opinion of the Clerk of the Privy Council, is in the public interest;

(h) respecting the form and manner in which the *Aquria-Catopolis Gazette* shall be published and prescribing the classes of documents that may be published therein;

(i) requiring any regulation-making authority to forward to the Clerk of the Privy Council such information relating to any regulations made by it that are exempted from the application of subsection 11(1) as will enable the Clerk of the Privy Council to carry out the obligation imposed on him by subsection 14(1);

(j) respecting the form and manner in which any index of statutory instruments or any consolidation of regulations shall be prepared and published;

(k) prescribing the persons or classes of persons to whom copies of any consolidation of regulations may be delivered without charge and prescribing the charge that shall be paid by any other person for a copy of any such consolidation;

(l) prescribing the fee that shall be paid by any person for any inspection of a statutory instrument or for obtaining a copy thereof or the manner in which any such fee shall be determined; and

(m) prescribing any matter or thing that by this Act is to be prescribed.