

20 March 2026

Chair
Legal and Constitutional Affairs Committee

Via email: LA.Committees@nt.gov.au

Dear Sir/Madam

**Re: Department of Mining and Energy – Submission to the Legal and Constitutional Affairs Committee
Inquiry into Historical Regulations**

Thank you for your email dated 4 February 2026, providing an opportunity for the Department of Mining and Energy (DME) to provide a submission to the Legal and Constitutional Affairs Committee's (LCAC) Inquiry into the Review of Historical Regulations in the Northern Territory.

DME acknowledges that LCAC also sought separate advice in relation to the *Petroleum (Submerged Lands) Regulations 1987*, as part of this Inquiry. A response to this specific matter was provided, via the Minister for Mining and Energy, the Hon Gerard Maley MLA, on 4 March 2026.

In relation to the adequacy of existing frameworks for reviewing historical subordinate legislation, work groups within DME that are responsible for administering legislation have registers in place that detail issues or concerns with legislation, including regulations that may require consideration for future amendment. This register identifies matters that can relate to policy, impractical application of regulations, areas for review due to technology and technical advancements and age of regulations that may need reform.

DME has undertaken reform of regulations in recent years, including the Petroleum Regulations, Pipelines Regulations and Mineral Titles Regulations.

There are also mechanisms that enable (informal) ongoing review of the DME's legislative and regulatory frameworks. These include:

- In the case of the electricity sector, which is currently undergoing a period of significant transition, engagement with market participants operating within this environment provides a practical mechanism for identifying provisions that may require amendment or modernisation.
- monitoring policy and regulatory developments across other Australian jurisdictions to assess their suitability for local adoption, to ensure our frameworks remain contemporary and fit-for-purpose.

DME has no specific comments on, or suggested improvements to, the NT's existing framework for reviewing historical subordinate legislation. However, notes that experience in other Australasian jurisdictions indicates that mechanisms such as sunset provisions, statutory review clauses, targeted and sector-specific reviews and/or periodic whole-of-government legislative review programs, can be effective in promoting regulatory currency.

In terms of encouraging more proactive management of historical regulations, without additional resourcing, practical approaches may include:

- embedding regulatory review triggers within existing policy development, Cabinet, or legislative amendment processes.
- leveraging routine stakeholder engagement to identify outdated or redundant provisions.
- promoting cross-jurisdictional information sharing to reduce duplication of effort.

These approaches support continuous improvement while minimising administrative burden and avoiding the need for dedicated additional resources.

Thank you again for the opportunity to provide a submission on this matter.

I look forward to the outcomes of your Inquiry in August 2026.

Yours sincerely



Alister Trier
Chief Executive