

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY  
(LEGISLATIVE SCRUTINY ROLE)

SCRUTINY REPORT 7

18 JULY 2017



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## ROLE OF COMMITTEE

The Committee examines all Bills and subordinate legislation presented to the Assembly. It does not make any comments on the policy aspects of the legislation. The Committee's terms of reference contain principles of scrutiny that enable it to operate in the best traditions of totally non-partisan, non-political technical scrutiny of legislation. These traditions have been adopted, without exception, by all scrutiny committees in Australia. Non-partisan, non-policy scrutiny allows the Committee to help the Assembly pass into law Acts and subordinate legislation which comply with the ideals set out in its terms of reference.

## RESOLUTION OF APPOINTMENT

The Standing Committee on Justice and Community Safety when performing its legislative scrutiny role shall:

- (1) consider whether any instrument of a legislative nature made under an Act which is subject to disallowance and/or disapproval by the Assembly (including a regulation, rule or by-law):
  - (a) is in accord with the general objects of the Act under which it is made;
  - (b) unduly trespasses on rights previously established by law;
  - (c) makes rights, liberties and/or obligations unduly dependent upon non-reviewable decisions; or
  - (d) contains matter which in the opinion of the Committee should properly be dealt with in an Act of the Legislative Assembly;
- (2) consider whether any explanatory statement or explanatory memorandum associated with legislation and any regulatory impact statement meets the technical or stylistic standards expected by the Committee;
- (3) consider whether the clauses of bills (and amendments proposed by the Government to its own bills) introduced into the Assembly:
  - (a) unduly trespass on personal rights and liberties;
  - (b) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
  - (c) make rights, liberties and/or obligations unduly dependent upon non-reviewable decisions;
  - (d) inappropriately delegate legislative powers; or
  - (e) insufficiently subject the exercise of legislative power to parliamentary scrutiny;
- (4) report to the Legislative Assembly about human rights issues raised by bills presented to the Assembly pursuant to section 38 of the *Human Rights Act 2004*; and
- (5) report to the Assembly on these or any related matter and if the Assembly is not sitting when the Committee is ready to report on bills and subordinate legislation, the Committee may send its report to the Speaker, or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publication and circulation.

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## BILLS

### BILLS—NO COMMENT

The Committee has examined the following bills and offers no comments on them:

APPROPRIATION BILL 2017-2018
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This is a Bill for an Act to appropriate money for the purposes of the Territory for the financial year beginning on 1 July 2017, and for other purposes.

APPROPRIATION (OFFICE OF THE LEGISLATIVE ASSEMBLY) BILL 2017-2018
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This is a Bill for an Act to appropriate money for expenditure in relation to the Office of the Legislative Assembly and officers of the Assembly for the financial year beginning on 1 July 2016, and for other purposes.

### BILLS—COMMENT

CRIMES (INTIMATE IMAGE ABUSE) AMENDMENT BILL 2017
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This Bill seeks to amend the *Crimes Act 1900* to introduce two new offences relating to the non-consensual capture and distribution of intimate images.

An intimate image for the purposes of these new offences is defined as an image of, or an image altered to appear to show, a person's private parts or a person engaged in a private act in circumstances in which a reasonable person would reasonably expect the person to be given privacy. The Bill defines private parts, engaged in a private act, distribute and consent for the purposes of the new offences. The nature of consent is expanded to involve the free and voluntary agreement to the distribution of the image in the way communicated or expressed, and is not to be implied from consent to distribute another image, to another person, or in another way. Consent of a person is negated if they are under 16 years old (unless the person is at least 14 and the defendant is no more than two years older), do not have capacity, didn't have the opportunity to consent, were coerced or were unlawfully detained. Proceedings against a person under 16 requires consent of the Director of Public Prosecutions. There are also exceptions for reasonable distribution relating to law enforcement, for a scientific, medical or educational purpose, or where a reasonable person would consider the conduct of the defendant acceptable when various factors are taken into account.

The Bill will also allow the Court to order a person found guilty of non-consensual distribution of intimate images to take reasonable steps to remove, retract, delete or destroy an intimate image involved in the offence within a stated period.

***Do any provisions of the Bill amount to an undue trespass on personal rights and liberties?—  
Committee terms of reference paragraph (3)(a)***

#### **Report under section 38 of the *Human Rights Act 2004* (HRA)**

##### *FREEDOM OF EXPRESSION (S 16 HRA)*

The Bill as presented to the Assembly is modelled on the *Crimes Amendment (Intimate Images) Act 2017* (NSW) which was assented to on 27 June 2017. A draft version of the Bill, titled the *Crimes (Revenge Porn) Amendment Bill 2017*, was based on Victorian legislation including s 41DA and

s 41DB of the *Crimes Act 1958* (Vic)<sup>1</sup>. This draft Bill was the subject of various submissions as part of a public consultation process, including a submission from the ACT Human Rights Commission. That submission was critical of several aspects of the draft Bill, and recommended that the NSW Bill, as it then was, was “more aligned with the [suggestions made in the submissions] and the *Human Rights Act 2004*.”.

The explanatory statement accompanying the Bill refers to these submissions made in relation to the draft Bill relating to potential human rights issues. Changes were made to the draft Bill in an attempt to accommodate those concerns. The Bill therefore incorporates various elements which may be seen to be relevant to whether any human rights under the HRA are engaged, and the extent to which any limitation is subject only to reasonable limits.

However, the explanatory statement does not include an adequate analysis of the human rights issues that arise from the Bill as presented to the Assembly.

The primary aim of the Bill is to restrict the distribution of intimate images and the use of threats to capture or distribute intimate images without consent. The Bill therefore engages the right to freedom of expression in s 16 of the HRA. The framework set out in s 28 of the HRA needs to be considered to demonstrate that the various elements and exceptions to the offences set out in the Bill act as reasonable limits on freedom of expression; that is that they are aimed at a legitimate objective and are rationally and proportionately connected to that objective.

For example, the Bill attempts to define the elements of the restriction on capture and distribution of images in a way which might be considered sufficiently accessible and precise to be considered a limit on freedom of expression set by law. There are specific exemptions included to limit any interference of freedom of expression to balance that interference with the achievement of the Bill’s legitimate objectives. The restriction on the ability of persons under 18 to consent to the capture and distribution of their intimate image, which might disproportionately interfere with their freedom of expression and protection needed because of being a child (as protected by s 11(2) of the HRA), is limited on the basis of the age differential of the children involved and any prosecution requiring the consent of the Director of Public Prosecutions. The burden of proof remains on the prosecution to establish that the defendant knew or was reckless about the lack of consent. Each of these elements, therefore, should be addressed through the framework set out in s 28 of the HRA to establish that any interference with human rights by the Bill is reasonably limited and demonstrably justified.

The Bill also provides for the court to order rectification where a person is found guilty of an offence of distributing intimate images without consent. The power to compel removal, retraction or destruction of an image interferes with the property rights of the defendant. While property rights are not in themselves directly protected through the HRA, the Committee has consistently recognised that any interference with property rights can potentially amount to an undue interference with personal rights and liberties. The Committee notes, however, that powers akin to rectification may be available in relevant contexts, such as where a breach of confidentiality is established. The explanatory statement should therefore include consideration of the extent the court’s power of rectification conferred by the Bill goes beyond the remedies otherwise available and can reasonably be justified.

**The Committee draws these matters to the attention of the Assembly, and asks the Member to respond.**

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<sup>1</sup> Introduced in the *Crimes Amendment (Sexual Offences and Other Matters) Act 2014* (Vic).



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LANDS ACQUISITION AMENDMENT BILL 2017

This Bill seeks to amend the *Lands Acquisition Act 1994* to allow the ACT Government to make an offer of compensation after three years from the compulsory acquisition of land without a claim for compensation having been lodged by the landowner or other interest holder. The other elements of determining compensation payments will not be affected by the amendments, including the unlimited time period for an interest holder to respond to the offer, the availability of internal review of that response by the Executive and review by the ACT Civil and Administrative Appeals Tribunal (ACAT), and rights to review and revision of any offer of compensation by the High Court or ACT Supreme Court.

***Do any provisions of the Bill amount to an undue trespass on personal rights and liberties?—  
Committee terms of reference paragraph (3)(a)***

**Report under section 38 of the *Human Rights Act 2004* (HRA)**

*RIGHT TO PROTECTION OF THE FAMILY AND CHILDREN (S 11 HRA)*

*RIGHT TO PRIVACY AND REPUTATION (S 12 HRA)*

The compulsory acquisition of interest in land can give rise to the loss of a family home or business premises. To the extent that the Bill seeks to extend the scope of the power of acquisition the rights to protection of family and children under s 11 of the HRA and right to privacy under s 12 of the HRA are engaged. The explanatory statement accompanying the Bill recognises the potential engagement of these rights and, using the framework under s 28 of the HRA, concludes that any limits to these rights are reasonable and demonstrably justified. The Committee refers the Assembly to that analysis. In particular, the Committee notes that the amendments in the Bill do not seek to extend the power of acquisition of property or the circumstances in which it might be exercised, but merely provide for the Executive to make an offer of compensation after three years from the acquisition in question.

*RIGHT TO A FAIR TRIAL (S 21 HRA)*

The Bill will allow the Executive to make an offer of compensation after three years following the compulsory acquisition of property under the Lands Acquisition Act. If an offer is made, the interest holder will lose the right to make a claim for compensation under s 56 of the Act. As the explanatory statement recognises, this amendment engages the right to a fair trial under s 21 of the HRA as well as potentially unduly trespassing on personal rights and liberties associated with interests in land.

The Committee has also previously noted that a right to property as such is not protected by the HRA. However, protection of rights over property are recognised by s 17 of the Universal Declaration of Human Rights and as a significant personal right as an element of the common law principle of legality.<sup>2</sup>

As the explanatory statement accompanying the Bill recognises, the effect of these amendments will be to remove one stage in the process of determining the amount of compensation payable for the compulsory acquisition of land. Rather than waiting for the land owner to initiate the process by lodging a claim for compensation, the Executive will be able to make an offer under new s 61A. The basis of the offer made by the Executive is generally unchanged—in both responding to a claim of compensation or making an offer under s 61A the Executive must offer what it “considers the

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<sup>2</sup> Legislation is presumed not to take vested property rights away without compensation, see [Traditional Rights and Freedoms—Encroachments by Commonwealth Laws \(2014\)](#), at 53. See, for example, *Scrutiny Report 33, 2015* at p.9.

claimant is entitled to” in accordance with Division 6.2. There is no time limit in which the offer has to be accepted or rejected. The effect of the amendments, therefore, is to reduce the opportunities that an interest holder in land has to put forward their claim for compensation.

The Committee notes that the main justification for the amendments set out in the explanatory statement is that the “potential for significant claims to be made of an uncertain amount plus the uncertainty as to when they will be made can make financial planning and budget decision making difficult” (at p 3). There is not, however, any time limit on accepting or rejecting an offer made under the proposed s 61A, which may reduce any increased certainty brought about by the amendments. In any event, the explanatory statement provides an analysis of why the loss of an opportunity to make a claim for compensation can be considered reasonable and demonstrably justified as consistent with s 28 of the HRA and the Committee refers that analysis to the Assembly. The Committee notes in particular that a person entitled to compensation is still entitled to put to the Executive any basis they have to compensation, and their rights to internal, ACAT and Court review are substantially unaffected by the amendments.

The Committee notes, however, that s 106 of the Lands Acquisition Act is not amended by the Bill. That section provides a general power for the ACT Supreme Court to determine who held interests in land, the nature of such interests and make such orders as are appropriate for declaring or adjusting the rights or liabilities. The power relates to interests in “particular land in relation to which a claim for compensation has been or may be made under this Act”. Given the effect of the making of an offer of compensation under new s 61A is to remove an entitlement to make a claim for compensation, such an offer of compensation may also affect the operation of s 106. If this was the intended result, the impact of removing the general power of the Supreme Court under s 106 should be included in the explanatory statement and discussed as part of the analysis relating to the impact on the right to a fair trial.

**The Committee draws these matters to the attention of the Assembly and asks the Minister to respond**

*NOTIFICATION OF COMPULSORY ACQUISITION DECLARATIONS AND TRANSITION ARRANGEMENTS*

The Bill proposes changes to the information provided in what is termed a s 38 notice. Section 38 of the Lands Acquisition Act provides that where the relevant interest in land is compulsorily acquired under that Act (through a s 33 declaration) all persons whom the Executive, after diligent inquiries, considers to be a person affected by the acquisition must be sent a notice informing them that they appear to be entitled to compensation. The Bill will amend the notice to include reference to the power of the Executive to make an offer of compensation if the person does not make a claim within three years, with the effect of that offer being to remove the entitlement of the person to make a claim. The effect of the amendments is to provide persons affected with notice that their entitlement to make a claim will be removed by a decision of the Executive to make an offer of compensation. Such a notice is consistent with the procedural fairness requirements intrinsic to the right to a fair trial in s 21 of the HRA.

However, the Bill includes transitional provisions which apply to interests in land acquired by “a compulsory process” prior to the commencement of the amendments (see clause 14). The main effect of the amendments will operate prospectively, in that the three year time period will commence only after the commencement of the amendments. However, individuals affected by the amendment will not have received a notice of compulsory acquisition declaration that includes notice of the potential removal of their entitlement to make a claim for compensation.

Any entitlement to procedural fairness would generally only be excluded by clear legislative expression. It is therefore not clear whether the lack of express transition provisions relating to s 38 notices would be sufficiently clear to exclude the obligation to provide notice to the person affected before making an offer of compensation. The Committee notes that the transition provisions relate to any compulsory process and not just acquisitions of interests in land under the Lands Acquisition Act, which would suggest it was not intended that a prior s 38 notice was intended to be a sufficient statement of any notice requirements. However, to the extent that procedural fairness obligations are displaced by the transition provisions, this may amount to an undue interference with personal rights and engages the right to a fair trial under s 21 of the HRA. Consideration of the impact of the transition provisions on procedural fairness should be considered in the explanatory statement.

**The Committee draws this matter to the attention of the Assembly, and asks the Minister to respond.**

ROAD TRANSPORT REFORM (LIGHT RAIL) LEGISLATION AMENDMENT BILL 2017
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This Bill amends a number of Acts and Regulations relating to road transport to make provision for the operation of light rail within the ACT. Among other things, the Bill subjects light rail operators to the Australian Road Rules, provides that injuries arising from collision with a light rail vehicle will come within the scope of compulsory third party insurance (CTP) scheme, and removes the existing indemnity for individuals performing a function under the road transport legislation for the light rail operator or its employees. The Bill will also make it an offence to operate a segway under the influence of alcohol, and makes consequential amendments to other legislation to standardise definitions relating to motor vehicles.

***Do any provisions of the Bill amount to an undue trespass on personal rights and liberties?— Committee terms of reference paragraph (3)(a)***

**Report under section 38 of the *Human Rights Act 2004* (HRA)**

*RIGHT TO FREEDOM OF MOVEMENT (S 13 HRA)*

*RIGHT TO THE PRESUMPTION OF INNOCENCE (S 22 HRA)*

The Bill amends the *Road Transport (Alcohol and Drugs) Act 1977* by including segways in the definition of vehicle for the purposes of s 24A and s 25. The *Road Transport (General) Act 1999* will in turn be amended to define a segway (see clause 37). This will have the effect of including segway riders in the offences relating to consumption of alcohol while in control of, or driving or riding, a vehicle.

These offences impact on a person's freedom of movement as protected by s 13 of the HRA, by limiting use of the vehicles in question while under the influence of alcohol. Section 25 of the *Road Transport (Alcohol and Drugs) Act* is a strict liability offence and includes a presumption in relation to labelling and hence also engages the right to the presumption of innocence in s 22 of the HRA.

The possible engagement with these human rights is recognised in the explanatory statement accompanying the Bill (although the Committee notes that the explanatory statement incorrectly refers to s 33(1) of the HRA in referring to the rights engaged in strict liability offences). This includes a reference to the analysis in the revised explanatory statement which accompanied the

introduction in their current form of s 24A and s 25.<sup>3</sup> The explanatory statement augments that analysis to consider the inclusion of segways and the Committee refers this analysis to the Assembly. The Committee notes in particular the amendments are limited to operation of a segway on a public road and road related areas (which include cycle paths) and the consistency of treatment with bicycle users.

### **The Committee draws this matter to the attention of the Assembly**

#### *RIGHT TO THE EQUAL PROTECTION OF THE LAW WITHOUT DISCRIMINATION (S 8 HRA)*

The Bill excludes employees of a rail transport operator<sup>4</sup> when acting in the course of their employment from the operation of s 230 of the *Road Transport (General) Act 1999*. Section 230 provides that an individual is not “civilly liable for an act or omission done honestly and in good faith in the exercise of a function under the road transport legislation”.

As the explanatory statement accompanying the Bill recognises, this removal of indemnity may engage the right to recognition and equality before the law in s 8 of the HRA by discriminating on the basis of occupation. The explanatory statement sets out an analysis using the framework set out in s 28 of the HRA and the Committee refers the Assembly to that analysis.

### **The Committee draws this matter to the attention of the Assembly**

## SUBORDINATE LEGISLATION

### DISALLOWABLE INSTRUMENTS—NO COMMENT

The Committee has examined the following disallowable instruments and offers no comment on them:

**Disallowable Instrument DI2017-32 being the Taxation Administration (Amounts Payable—Utilities (Network Facilities Tax)) Determination 2017 (No 1) made under section 139 of the *Taxation Administration Act 1999* revokes DI2016-17 and determines a new rate for the calculation of Utilities (Network Facilities Tax) payable under the *Utilities (Network Facilities Tax) Act 2006*.**

**Disallowable Instrument DI2017-35 being the Domestic Violence Agencies (Council) Appointment 2017 (No 2) made under section 6 of the *Domestic Violence Agencies Act 1986* appoints specified persons as chair and community members of the Domestic Violence Prevention Council.**

**Disallowable Instrument DI2017-36 being the Nature Conservation (Ginini Flats Wetland Complex Ramsar Site) Management Plan 2017 made under section 198 of the *Nature Conservation Act 2014* sets out the Ginini Flats Wetland Complex Ramsar Site Management Plan, January 2017.**

**Disallowable Instrument DI2017-38 being the Public Sector Management Amendment Standards 2017 (No 1) made under section 251 of the *Public Sector Management Act 1994* amends the Standards.**

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<sup>3</sup> which the Committee notes was revised to reflect comments made in *Scrutiny Report 33*, 26 May 2015, at pp 7-9.

<sup>4</sup> which as defined in the *Rail Safety National Law (South Australia) Act 2012* (SA) includes persons who have “effective control and management of the rail infrastructure” or who operate the rolling stock.

**Disallowable Instrument DI2017-39 being the Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 8) made under section 174 of the *Crimes (Sentence Administration) Act 2005* appoints a specified person as a non-judicial member of the Sentence Administration Board.**

**Disallowable Instrument DI2017-40 being the Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 9) made under section 174 of the *Crimes (Sentence Administration) Act 2005* appoints a specified person as a non-judicial member of the Sentence Administration Board.**

**Disallowable Instrument DI2017-41 being the Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 10) made under section 174 of the *Crimes (Sentence Administration) Act 2005* appoints a specified person as a non-judicial member of the Sentence Administration Board.**

**Disallowable Instrument DI2017-42 being the Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 11) made under section 174 of the *Crimes (Sentence Administration) Act 2005* appoints a specified person as a non-judicial member of the Sentence Administration Board.**

**Disallowable Instrument DI2017-43 being the Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 12) made under section 174 of the *Crimes (Sentence Administration) Act 2005* appoints a specified person as a non-judicial member of the Sentence Administration Board.**

**Disallowable Instrument DI2017-44 being the Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 6) made under section 174 of the *Crimes (Sentence Administration) Act 2005* appoints a specified, judicially qualified person as chair of the Sentence Administration Board.**

**Disallowable Instrument DI2017-45 being the Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 7) made under section 174 of the *Crimes (Sentence Administration) Act 2005* appoints a specified person in a judicial position as deputy chair of the Sentence Administration Board.**

**Disallowable Instrument DI2017-67 being the Nature Conservation (Pink-tailed Worm-lizard) Action Plan 2017 made under sections 104 and 105 of the *Nature Conservation Act 2014* makes the Pink-tailed Worm-lizard-*Aprasia parapulchella*—Threatened species—Action plan.**

## DISALLOWABLE INSTRUMENTS—COMMENT

**Disallowable Instrument DI2017-33 being the Victims of Crime (Victims Advisory Board) Appointment 2017 (No 1) made under section 22D of the *Victims of Crime Act 1994* appoints a specified person as the part-time lawyer member of the Victims Advisory Board.**

### MINOR DRAFTING ISSUE

This instrument appoints a specified person to the Victims Advisory Board. The appointment is made under section 22D of the *Victims of Crime Act 1994*, which provides:

**22D Appointed members of board**

- (1) The Minister must appoint the following members of the board:
  - (a) a representative of each of the following entities:
    - (i) the DPP;
    - (ii) the Australian Federal Police;
    - (iii) ACT courts;
    - (iv) the administrative unit allocated responsibility for the administration of corrective services;
    - (v) the administrative unit allocated responsibility for the administration of youth justice;
    - (vi) the administrative unit allocated responsibility for restorative justice;
  - (b) 3 people who, in the Minister's opinion, represent the interests of victims services groups;
  - (c) 1 person who, in the Minister's opinion, represents the interests of indigenous communities;
  - (d) 1 person who is a lawyer.
- (2) A member must be employed, practise, or live, in the ACT.
- (3) The Minister must not appoint a public servant as a member mentioned in subsection (1) (b) to (d).
- (4) The Legislation Act, division 19.3.3 does not apply to the appointment of a member mentioned in subsection (1) (a).

*Note 1* For the making of appointments (including acting appointments), see the Legislation Act, pt 19.3.

*Note 2* In particular, an appointment may be made by naming a person or nominating the occupant of a position (see Legislation Act, s 207).

*Note 3* Certain Ministerial appointments require consultation with an Assembly committee and are disallowable (see Legislation Act, div 19.3.3).

*Note 4* A person may be reappointed to a position if the person is eligible to be appointed to the position (see Legislation Act, s 208 and dict, pt 1, def appoint).

Section 3 of the instrument appoints the specified person as “the part-time lawyer member of the Victims Advisory Board”. The explanatory statement for the instrument also states that the specified person is appointed as “the part-time lawyer member”. However, the Committee notes that the power in paragraph 22D(1)(d) is a power simply to appoint a lawyer, not a “part-time lawyer

member”. The Committee notes that the part-time nature of the appointment arises only as a result of subsection 22F(1) of the Victims of Crime Act, which provides that all appointed members hold their positions on a part-time basis.

**This comment does not require a response from the Minister.**

## SUBORDINATE LAWS—NO COMMENT

**Subordinate Law SL2017-5 being the Crimes (Controlled Operations) Regulation 2017 made under the *Crimes (Controlled Operations) Act 2008* declares that specified laws are a “corresponding law” for the Act.**

**Subordinate Law SL2017-6 being the Crimes (Assumed Identities) Regulation 2017 made under the *Crimes (Assumed Identities) Act 2009* declares that specified laws are a “corresponding law” for the Act.**

**Subordinate Law SL2017-7 being the Crimes (Protection of Witness Identity) Regulation 2017 made under the *Crimes (Protection of Witness Identity) Act 2011* declares that specified laws are a “corresponding law” for the Act.**

**Subordinate Law SL2017-8 being the Crimes (Surveillance Devices) Regulation 2017 made under the *Crimes (Surveillance Devices) Act 2010* declares that specified laws are a “corresponding law” for the Act.**

**Subordinate Law SL2017-9 being the Court Procedures Amendment Rules 2017 (No 1) made under section 7 of the *Court Procedures Act 2004* amends the *Court Procedures Rules 2006* to introduce a new rule 4724—Prosecution application for review of bail decision.**

**Subordinate Law SL2017-10 being the Court Procedures Amendment Rules 2017 (No 2) made under section 7 of the *Court Procedures Act 2004* amends the *Court Procedures Rules 2006* to extend the application of the rules of proceedings under the *Family Violence Act 2016* and the *Personal Violence Act 2016*.**

**Subordinate Law SL2017-11 being the Co-operatives National Law (ACT) Regulation 2017 made under the *Co-operatives National Law (ACT) Act 2017* prescribes matters relating to the local application of the Co-operatives National Law (ACT) Act and the Co-operatives National Law.**

## GOVERNMENT RESPONSES

The Committee has received responses from:

- The Attorney-General, dated 5 May 2017, in relation to comments made in Scrutiny Report 5 concerning the Justice and Community Safety Legislation Amendment Bill 2017.
- The Treasurer, dated 5 June 2017, in relation to comments made in Scrutiny Report 6 concerning the Utilities (Streetlight Network) Legislation Amendment Bill 2017.
- The Attorney-General, dated 9 June 2017, in relation to comments made in Scrutiny Report 5 concerning the Liquor Amendment Bill 2017.

A copy of these responses can be viewed online at <http://www.parliament.act.gov.au/in-committees/standing-committees-current-assembly/standing-committee-on-justice-and-community-safety-legislative-scrutiny-role/responses-to-comments-on-bills>.

The Committee would like to thank the Attorney-General and the Treasurer for their responses.

Giulia Jones MLA  
Chair

18 July 2016



## OUTSTANDING RESPONSES

### *BILLS/SUBORDINATE LEGISLATION*

**Report 5, dated 27 April 2017**

Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2017

**Report 6, dated 30 May 2017**

*Education and Care Services National Law Amendment Act 2017 (Victoria)*