



**LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**2004–2005–2006–2007**

**MINUTES OF PROCEEDINGS**

**No. 93**

**THURSDAY, 8 MARCH 2007**

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**1** The Assembly met at 10.30 a.m., pursuant to adjournment. The Speaker (Mr Berry) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

**2 MINISTERIAL ARRANGEMENTS**

Mr Stanhope (Chief Minister) informed the Assembly of the absence of Mr Hargreaves (Minister for the Territory and Municipal Services) and advised the Assembly that Mr Barr (Minister for Education and Training) would introduce legislation on behalf of Mr Hargreaves and that questions without notice normally directed to Mr Hargreaves could be directed to Mr Corbell (Attorney-General).

**3 TERRITORY RECORDS AMENDMENT BILL 2007**

Mr Barr (Minister for Education and Training), on behalf of Mr Hargreaves (Minister for the Territory and Municipal Services), pursuant to notice, presented a Bill for an Act to amend the *Territory Records Act 2002*.

*Papers:* Mr Barr presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 7 March 2007.

Title read by Clerk.

Mr Barr moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Stefaniak—Leader of the Opposition) and the resumption of the debate made an order of the day for the next sitting.

#### **4 TRAINING AND TERTIARY EDUCATION LEGISLATION AMENDMENT BILL 2007**

Mr Barr (Minister for Education and Training), pursuant to notice, presented a Bill for an Act to amend the *Tertiary Accreditation and Registration Act 2003*, and for other purposes.

*Papers:* Mr Barr presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 7 March 2007.

Title read by Clerk.

Mr Barr moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Stefaniak—Leader of the Opposition) and the resumption of the debate made an order of the day for the next sitting.

#### **5 HOLIDAYS (CANBERRA DAY) AMENDMENT BILL 2007**

Mr Barr (Minister for Industrial Relations), pursuant to notice, presented a Bill for an Act to amend the *Holidays Act 1958*, and for other purposes.

*Papers:* Mr Barr presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 7 March 2007.

Title read by Clerk.

Mr Barr moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Stefaniak—Leader of the Opposition) and the resumption of the debate made an order of the day for the next sitting.

#### **6 EDUCATION, TRAINING AND YOUNG PEOPLE—STANDING COMMITTEE—REPORT 4—REPORT ON ANNUAL AND FINANCIAL REPORTS 2005-2006—PUBLICATION OF REPORT—REPORT NOTED**

Ms Porter (Chair) presented the following report:

Education, Training and Young People—Standing Committee—Report 4—*Report on Annual and Financial Reports 2005-2006*, dated 22 February 2007, together with a copy of the extracts of the relevant minutes of proceedings—

and, by leave, moved—That the report be authorised for publication.

Question—put and passed.

Ms Porter moved—That the report be noted.

Question—put and passed.

#### **7 EXECUTIVE BUSINESS—PRECEDENCE**

Ordered—That Executive business be called on forthwith.

**8 FREEDOM OF INFORMATION AMENDMENT BILL 2006**

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Question—That this Bill be agreed to in principle—put and passed.

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*Detail Stage*

Clauses 1 to 6, by leave, taken together—

Debate adjourned (Mr Corbell—Attorney-General) and the resumption of the debate made an order of the day for a later hour this day.

**9 CHILDREN AND YOUNG PEOPLE AMENDMENT BILL 2006 (NO. 2)**

The order of the day having been read for the resumption of the debate on the question—That this Bill be agreed to in principle—

Debate resumed.

Question—That this Bill be agreed to in principle—put and passed.

Leave granted to dispense with the detail stage.

Question—That this Bill be agreed to—put and passed.

**10 QUESTIONS**

Questions without notice were asked.

**11 PRESENTATION OF PAPER**

Mr Corbell (Attorney-General) presented the following paper:

Administration of Justice—ACT Criminal Justice—Statistical Profile—December quarter 2006.

**12 PRESENTATION OF PAPERS**

Mr Corbell (Manager of Government Business) presented the following papers:

**Subordinate legislation (including explanatory statements unless otherwise stated)**

Legislation Act, pursuant to section 64—

Domestic Violence Agencies Act—Domestic Violence Agencies (Council) Appointment 2007—Disallowable Instrument DI2007-63 (LR, 5 March 2007).

Duties Act—Duties (Stock Exchanges) Declaration 2007 (No. 1)—Disallowable Instrument DI2007-61 (LR, 28 February 2007).

Gambling and Racing Control Act and Financial Management Act—Gambling and Racing Control (Governing Board) Appointment 2007 (No. 1)—Disallowable Instrument DI2007-57 (LR, 26 February 2007).

Government Procurement Act—Government Procurement Appointment 2007 (No. 1)—Disallowable Instrument DI2007-53 (LR, 21 February 2007).

Health Act—Health (Fees) Determination 2007 (No. 1)—Disallowable Instrument DI2007-52 (LR, 22 February 2007).

Health Records (Privacy and Access) Act—Health Records (Privacy and Access) (Fees) Determination 2007 (No. 1)—Disallowable Instrument DI2007-59 (LR, 26 February 2007).

Long Service Leave (Contract Cleaning Industry) Act—Long Service Leave (Contract Cleaning Industry) Levy Determination 2007—Disallowable Instrument DI2007-58 (LR, 26 February 2007).

Occupational Health and Safety Act—Occupational Health and Safety Council Appointment 2007 (No. 1)—Disallowable Instrument DI2007-60 (LR, 1 March 2007).

Public Health Act—Public Health (Drinking Water) Code of Practice 2007 (No. 1)—Disallowable Instrument DI2007-62 (LR, 1 March 2007).

Tertiary Accreditation and Registration Act—

Tertiary Accreditation and Registration Council Appointment 2007 (No. 1)—Disallowable Instrument DI2007-54 (LR, 22 February 2007).

Tertiary Accreditation and Registration Council Appointment 2007 (No. 2)—Disallowable Instrument DI2007-55 (LR, 22 February 2007).

Tertiary Accreditation and Registration Council Appointment 2007 (No. 3)—Disallowable Instrument DI2007-56 (LR, 22 February 2007).

### **13 LEAVE OF ABSENCE TO MEMBER**

Mr Corbell (Manager of Government Business) moved—That leave of absence be given to Mr Hargreaves for this sitting.

Question—put and passed.

### **14 TRADE MISSION TO INDIA—MINISTERIAL STATEMENT—MOTION TO TAKE NOTE OF PAPER**

Mr Stanhope (Chief Minister), by leave, made a ministerial statement concerning the recent trade mission to India and presented the following paper:

Trade Mission to India—Ministerial statement, 8 March 2007.

Mr Stanhope moved—That the Assembly takes note of the paper.

Debate ensued.

Debate adjourned (Mr Stefaniak—Leader of the Opposition ) and the resumption of the debate made an order of the day for the next sitting.

### **15 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—GENDER EQUITY FOR WOMEN**

The Assembly was informed that Mr Gentleman, Ms MacDonald, Ms Porter, Mr Pratt and Mr Seselja had proposed that matters of public importance be submitted to the Assembly for discussion. In accordance with the provisions of standing order 79, the Speaker had determined that the matter proposed by Mr Gentleman be submitted to the Assembly, namely, “The importance of gender equity for women of the ACT.”.

Discussion ensued.

Discussion concluded.

**16 FREEDOM OF INFORMATION AMENDMENT BILL 2006**

The Assembly, according to order, resumed consideration at the detail stage.

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*Detail Stage*

Clauses 1 to 6 agreed to.

Clause 7—

Debate continued.

Question—put.

The Assembly voted—

AYES, 7		NOES, 6	
Mr Barr	Ms MacDonald	Mrs Dunne	Mr Smyth
Mr Berry	Ms Porter	Dr Foskey	Mr Stefaniak
Mr Corbell	Mr Stanhope	Mr Mulcahy	
Mr Gentleman		Mr Seselja	

And so it was resolved in the affirmative—Clause 7 agreed to.

Remainder of Bill, by leave, taken as a whole—

Debate continued.

Debate adjourned (Mr Barr—Minister for Education and Training) and the resumption of the debate made an order of the day for the next sitting.

**17 ADJOURNMENT**

Mr Corbell (Manager of Government Business) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 5.28 p.m., adjourned until Tuesday, 13 March 2007 at 10.30 a.m.

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**MEMBERS' ATTENDANCE:** All Members were present at some time during the sitting, except Mr Hargreaves\*.

\*on leave

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**Tom Duncan**  
Clerk of the Legislative Assembly

## SCHEDULE OF AMENDMENTS

### Schedule 1

#### FREEDOM OF INFORMATION AMENDMENT BILL 2006

Amendment circulated by Mr Stefaniak

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**1**  
**Clause 7**  
**Page 3, line 8—**

*[oppose the clause]*

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