

2004–2005

LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY

MINUTES OF PROCEEDINGS

No. 8

TUESDAY, 8 MARCH 2005

1 The Assembly met at 10.30 a.m., pursuant to adjournment. The Speaker (Mr Berry) took the Chair and made a formal recognition that the Assembly was meeting on the lands of the traditional owners. The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 **LEGAL AFFAIRS—STANDING COMMITTEE (PERFORMING THE DUTIES OF A SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE)—SCRUTINY REPORT 4—STATEMENT BY CHAIR**

Mr Stefaniak (Chair) presented the following report:

Legal Affairs—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 4, dated 7 March 2005, together with the relevant minutes of proceedings—

and, by leave, made a statement in relation to the report.

3 **CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) (ENFORCEMENT) AMENDMENT BILL 2004**

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.

4 **INQUIRIES ACT—BOARD OF INQUIRY INTO DISABILITY SERVICES—IMPLEMENTATION OF THE GOVERNMENT RESPONSE—FOURTH AND FINAL SIX MONTHLY REPORT—PAPER—PAPER NOTED**

The order of the day having been read for the resumption of the debate on the motion of Mr Hargreaves (Minister for Disability, Housing and Community Services)—That the Assembly takes note of the paper (*presented 15 February 2005*)—

Inquiries Act—Board of Inquiry into Disability Services—Implementation of the Government response to the recommendation of the Report of the Board of Inquiry into Disability Services—Fourth and final six monthly report—

Debate resumed.

Question—put and passed.

5 LEAVE OF ABSENCE

Ms MacDonald moved—That leave of absence be given to Mr Quinlan (Treasurer) from 8 March to 10 March 2005 inclusive.

Question—put and passed.

6 OPTOMETRISTS LEGISLATION AMENDMENT BILL 2004

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.

Detail Stage

Bill, by leave, taken as a whole—

On the motion of Mr Corbell (Minister for Health), by leave, his amendments Nos. 1 and 2 (*see* [Schedule 1](#)) were made together.

Paper: Mr Corbell presented an explanatory statement to the Government amendments.

Bill, as a whole, as amended, agreed to.

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

7 RURAL LEASES—MOLONGLO VALLEY—STATEMENT BY MINISTER

Mr Corbell (Minister for Planning), by leave, made a statement in relation to comments made during debate on the motion (9 December 2004) regarding rural leases in the Molonglo Valley.

8 MINISTERIAL ARRANGEMENTS

Mr Stanhope (Chief Minister) informed the Assembly of the absence of Mr Quinlan (Treasurer) and advised the Assembly that questions without notice normally directed to Mr Quinlan could be directed to Mr Stanhope.

9 QUESTIONS

Questions without notice were asked.

10 PUBLIC SECTOR MANAGEMENT ACT—EXECUTIVE CONTRACTS—PAPERS AND STATEMENT BY MINISTER

Mr Stanhope (Chief Minister) presented the following papers:

Public Sector Management Act, pursuant to sections 31A and 79—Copies of executive contracts or instruments—

Long-term contracts:

Michael Ross, dated 9 February 2005

Short-term contracts:

Ademola Bojuwoye, dated 2 February 2005.

Bronwen Overton-Clarke, dated 15 February 2004.

Malcolm Prentice.

Megan Douglas, dated 16 February 2005.

Megan Smithies, dated 14 February 2005.

Susan Killion, dated 1 February 2005.

Schedule D variations:

Khalid Ahmed, dated 4 February 2005.

Stephen Ryan, dated 27 January and 1 February 2005.

Sue Ross, dated 27 January 2005.

Tony Bartlett, dated 28 January and 3 February 2005—

and, by leave, made a statement in relation to the papers.

11 ADMINISTRATIVE ARRANGEMENTS—NOTIFIABLE INSTRUMENTS NOS NI2005-103 AND NI2005-102—PAPERS AND STATEMENT BY MINISTER

Mr Stanhope (Chief Minister) presented the following papers:

Administrative arrangements—

Australian Capital Territory (Self-Government) Ministerial Appointments Notice 2005 (No. 1)—Notifiable Instrument NI2005-103 (No. S1, Thursday, 3 March 2005).

Administrative Arrangements 2005 (No 1)—Notifiable Instrument NI2005-102, dated 2 March 2005—

and, by leave, made a statement in relation to the papers.

12 ANNUAL REPORTS (GOVERNMENT AGENCIES) ACT—ANNUAL REPORTS—2003-2004—CHIEF MINISTER'S DEPARTMENT—CORRIGENDUM—PAPER AND STATEMENT BY MINISTER

Mr Stanhope (Chief Minister) presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Reports—2003-2004—Chief Minister's Department—Corrigendum—

and, by leave, made a statement in relation to the paper.

13 PRESENTATION OF PAPER

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

Legal Aid Amendment Bill 2005—Revised explanatory statement.

14 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—

Community and Health Services Complaints Act—Community and Health Services Complaints Appointment 2005 (No. 1)—Disallowable Instrument DI2005-8 (LR, 10 February 2005).

Construction Occupations (Licensing) Act—Construction Occupations Licensing (Fees) Determination 2005—Disallowable Instrument DI2005-9 (LR, 3 February 2005).

Dangerous Substances Act—Dangerous Substances (Fees) Determination 2005 (No. 1)—Disallowable Instrument DI2005-5 (LR, 28 January 2005).

Education Act—Education Regulation 2005—Subordinate Law SL2005-1 (LR, 10 February 2005).

Emergencies Act—Emergencies (Fees) Determination 2005—Disallowable Instrument DI2005-18 (without explanatory statement) (LR, 24 February 2005).

Health Professions Boards (Procedures) Act—Health Professions Boards (Procedures) Pharmacy Board Appointment 2005 (No. 1)—Disallowable Instrument DI2005-12 (LR, 3 February 2005).

Occupational Health and Safety Act—Occupational Health and Safety Council Appointment 2005 (No. 1)—Disallowable Instrument DI2005-15 (LR, 22 February 2005).

Public Places Names Act—

Public Place Names (Belconnen) Determination 2005 (No. 1)—Disallowable Instrument DI2005-17 (LR, 24 February 2005).

Public Place Names (Harrison) Determination 2004 (No. 2)—Disallowable Instrument DI2004-264 (LR, 17 December 2004).

Race and Sports Bookmaking Act—

Race and Sports Bookmaking (Operation of Sports Bookmaking Venues) Direction 2005 (No. 1)—Disallowable Instrument DI2005-11 (LR, 3 February 2005).

Race and Sports Bookmaking (Rules for Sports Bookmaking) Determination 2005 (No. 1)—Disallowable Instrument DI2005-10 (LR, 3 February 2005).

Road Transport (General) Act—

Road Transport (General) (Application of Road Transport Legislation) Declaration 2005 (No. 2)—Disallowable Instrument DI2005-19 (LR, 24 February 2005).

Road Transport (General) (Numberplate Fees) Determination 2005 (No. 1)—Disallowable Instrument DI2005-13 (LR, 15 February 2005).

15 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—BULLYING IN A.C.T. SCHOOLS

The Assembly was informed that Mrs Burke, Mrs Dunne, Dr Foskey and Ms Porter 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 Mrs Dunne be submitted to the Assembly, namely, “The impact and significance of bullying in ACT schools.”.

Discussion ensued.

The time for discussion having expired—

Discussion concluded.

16 ADJOURNMENT

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

Debate ensued.

The time allotted for the debate having expired—The Speaker, at 5.05 p.m., adjourned the Assembly until tomorrow at 10.30 a.m.

MEMBERS’ ATTENDANCE: All Members were present at some time during the sitting, except Mr Quinlan*.

*On leave

Tom Duncan
Clerk of the Legislative Assembly

SCHEDULE OF AMENDMENTS

Schedule 1

OPTOMETRISTS LEGISLATION AMENDMENT BILL 2004

Amendments circulated by the Minister for Health

1

Schedule 1

Amendment 1.5

Proposed new section 11 (1), proposed new note

Page 10, line 7—

insert

Note The definition of *authorised optometrist* restricts the sale by optometrists of poisons or poisonous substances to optometrists who are acting—

- in the practice of optometry, and
 - under an optometrist drug authority.
-

2

Schedule 1

Amendment 1.7

Proposed new section 16 (1), proposed new notes

Page 11, line 11—

insert

Note 1 The definition of *authorised optometrist* restricts the sale or supply by optometrists of biological preparations or restricted substances to optometrists who are acting—

- in the practice of optometry, and
- under an optometrist drug authority.

Note 2 The definition of *authorised nurse practitioner* restricts the sale or supply by nurse practitioners of biological preparations or restricted substances to nurse practitioners acting within their scope of practice, if the scope of practice includes prescribing those substances.
