

2001-2002-2003

LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY

MINUTES OF PROCEEDINGS

No. 74

THURSDAY, 25 SEPTEMBER 2003

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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 **APPOINTMENT OF CLERK OF THE LEGISLATIVE ASSEMBLY**

The Speaker informed the Assembly that Mr Thomas Duncan had been appointed to the position of Clerk of the Legislative Assembly.

3 **ESTIMATES 2003-2004 (NO. 2) – SELECT COMMITTEE – REPORT – APPROPRIATION BILL 2003-2004 (NO. 2) – GOVERNMENT RESPONSE – STATEMENT BY MINISTER – MOTION TO TAKE NOTE OF THE PAPER**

Mr Quinlan (Treasurer) presented the following paper:

Estimates 2003-2004 (No. 2) – Select Committee – *Inquiry into the Appropriation Bill 2003-2004 (No. 2)* – Government Response, dated September 2003 –

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

Mr Quinlan moved – That the Assembly takes note of the paper.

Debate adjourned (Mr Smyth – Leader of the Opposition) and the resumption of the debate made an order of the day for a later hour this day.

4 **ANNUAL LEAVE AMENDMENT BILL 2003**

Ms Gallagher (Minister for Industrial Relations), pursuant to notice, presented a Bill for an Act to amend the *Annual Leave Act 1973*.

*Paper:* Ms Gallagher presented an Explanatory Statement to the Bill.

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Title read by Clerk.

Ms Gallagher moved - That this Bill be agreed to in principle.

Debate adjourned (Mr Pratt) and the resumption of the debate made an order of the day for the next sitting.

## **5 WORKERS COMPENSATION AMENDMENT BILL 2003 (NO 2)**

Ms Gallagher (Minister for Industrial Relations), pursuant to notice, presented a Bill for an Act to amend the *Workers Compensation Act 1951*, and for other purposes.

*Paper:* Ms Gallagher presented an Explanatory Statement to the Bill.

Title read by Clerk.

Ms Gallagher moved - That this Bill be agreed to in principle.

Debate adjourned (Mr Pratt) and the resumption of the debate made an order of the day for the next sitting.

## **6 DISCHARGE OF ORDER OF THE DAY – ASSEMBLY BUSINESS**

The order of the day having been called on –

Mr Corbell (Minister for Planning) moved – That order of the day No 1, Assembly business, relating to the Government response to the Standing Committee on Planning and Environment's Report No. 15 – Variation No. 200 to the Territory Plan – Residential Land Use Policies, Modifications to Residential Codes and Master Plan Procedures – Garden City Variation, be discharged from the *Notice Paper*.

Question – put and passed.

## **7 DISCHARGE OF ORDER OF THE DAY – ASSEMBLY BUSINESS**

The order of the day having been called on –

Mr Quinlan (Treasurer) moved – That order of the day No 2, Assembly business, relating to the Government response to the Select Committee on Estimates 2003-2004 report on Appropriation Bill 2003-2004, be discharged from the *Notice Paper*.

Question – put and passed.

## **8 PUBLIC ACCOUNTS – STANDING COMMITTEE – REPORT NO 6 – REVIEW OF AUDITOR-GENERAL'S REPORT NO 7 OF 2002 – FINANCIAL AUDITS WITH YEARS ENDING TO 30 JUNE 2002 – PUBLICATION OF REPORT – MOTION THAT REPORT BE NOTED**

Mr Smyth (Chair) presented the following report:

Public Accounts – Standing Committee – Report No 6 – *Review of Auditor-General's Report No 7 of 2002 – Financial Audits with Years Ending to 30 June 2002*, dated 25 September 2003, 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.

Mr Smyth moved – That the report be noted.

Debate ensued.

Debate adjourned (Mr Quinlan – Treasurer) and the resumption of the debate made an order of the day for the next sitting.

## 9 EXECUTIVE BUSINESS – PRECEDENCE

Mr Corbell (Minister for Planning) moved, pursuant to standing order 77(d) – That Executive business be called on forthwith.

Question – put and passed.

## 10 STANDING COMMITTEES – 2002-2003 ANNUAL REPORTS – REFERRAL

Mr Corbell (Minister for Planning), on behalf of Mr Wood (Manager of Government Business), pursuant to notice, moved – That notwithstanding the resolution of the Assembly of 11 December 2001 establishing standing committees:

- (1) the annual and financial reports for the calendar year 2002 and the financial year 2002-2003 presented to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 1995* stand referred to the standing committees, on presentation, in accordance with the schedule below;
- (2) that committees are to inquire and report on the annual reports by the first sitting day in 2004;
- (3) that, notwithstanding Standing Order 229, only one standing committee may meet for the consideration of the inquiry into the calendar year 2002 and 2002-2003 annual and financial reports at any given period of time; and
- (4) the foregoing provisions of this resolution have effect notwithstanding anything contained in the standing orders.

### SCHEDULE

#### Referral of Annual Reports to Standing Committees

#### Calendar year 2002 and the Financial year 2002-2003

Standing Committee	Annual Reports	Minister/s responsible
Public Accounts	Chief Minister's Department	Chief Minister
		Minister for Economic Development, Business and Tourism
		Minister for Sport, Racing and Gaming
		Minister for Industrial Relations
		Minister for Women
		Minister for Community Affairs
	Commissioner for Public Administration	Chief Minister
Public Accounts	Commissioner for Occupational Health and Safety	Minister for Industrial Relations
	ACT Cleaning Industry Long Service Leave Board	Minister for Industrial Relations

	ACT Construction Industry Long Service Board	Minister for Industrial Relations
	Department of Treasury	Treasurer
	ACTEW Corporation	Treasurer
	ACTTAB	Minister for Sport, Racing and Gaming
	Totalcare	Treasurer
	Australian International Hotel School	Treasurer
	Independent Competition and Regulatory Commission	Treasurer
	ACT Government Procurement Board	Treasurer
	ACT Insurance Authority	Treasurer
	Stadiums Authority	Minister for Sport, Racing and Gaming
	Canberra Tourism and Events Corporation	Minister for Economic Development, Business and Tourism
	Exhibition Park in Canberra	Treasurer
	ACT Gambling and Racing Commission	Minister for Sport, Racing and Gaming
	Legislative Assembly Secretariat	Speaker
Legal Affairs	Department of Justice and Community Safety	Attorney-General
		Minister for Police and Emergency Services
	Legal Aid Commission	Attorney General
	Public Trustee	Attorney General
	ACT Ombudsman	Attorney General
	ACT Electoral Commission	Attorney General
	Director of Public Prosecutions	Attorney General
	<i>Victims of Crime (Financial Assistance) Act 1983</i>	Attorney General
	Nominal Defendant	Minister for Urban Services
	Australian Federal Police (ACT Region)	Minister for Police and Emergency Services
Education	Department of Education, Youth and Family Services	Minister for Education, Youth and Family Services
	Canberra Institute of Technology (report of 2001- tabled 9 May 2002)	
	Building and Construction Industry Training Fund Board	
Health	ACT Health	Minister for Health
	Health and Community Care Service	
	Healthpact	
	Community and Health Services Complaints Commissioner	

Planning and Environment	Department of Urban Services	Minister for Urban Services
		Minister for Planning
		Minister for the Environment
	Kingston Foreshore Development Authority	Minister for Planning
	ACTION Authority	Minister for Planning
	Cultural Facilities Corporation	Minister for the Arts and Heritage
	Canberra Public Cemeteries Trust	Minister for Urban Services
Community Services and Social Equity	Commissioner for the Environment	Minister for the Environment
	Gungahlin Development Authority	Minister for Planning
	Department of Disability, Housing and Community Services	Minister for Disability, Housing and Community Services
	Discrimination Commissioner	Attorney General
	Community Advocate	Attorney General

Question – That the motion be agreed to – put and passed.

#### 11 APPROPRIATION BILL 2003-2004 (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.

Mr Pratt, by leave, was granted an extension of time.

Debate continued.

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.

#### 12 ESTIMATES 2003-2004 (NO. 2) – SELECT COMMITTEE – REPORT – APPROPRIATION BILL 2003-2004 (NO. 2) – GOVERNMENT RESPONSE – STATEMENT BY MINISTER – PAPER NOTED

The order of the day having been read for the resumption of the debate on the question – That the Assembly takes note of the paper (*presented earlier today*) –

Estimates 2003-2004 (No. 2) – Select Committee – *Inquiry into the Appropriation Bill 2003-2004 (No. 2)* – Government Response, dated September 2003 –

Question – put and passed.

#### 13 QUESTIONS

Questions without notice being asked –

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*Ministerial Arrangements:*

Mr Stanhope (Chief Minister) informed the Assembly of the absence of Mr Wood (Minister for Urban Services) and advised the Assembly that questions without notice normally directed to Mr Wood could be directed to the Chief Minister.

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Questions continued.

**14 QUESTION ON NOTICE NOS 878 – ANSWER – EXPLANATION**

Mr Cornwell, pursuant to standing order 118A, asked Mr Stanhope (Chief Minister) for an explanation concerning the answer to question on notice No. 878.

Mr Stanhope, on behalf of the Minister for Police and Emergency Services, gave an explanation.

**15 QUESTION ON NOTICE NOS 885 – ANSWER – EXPLANATION**

Mr Cornwell, pursuant to standing order 118A, asked Mr Stanhope (Chief Minister) for an explanation concerning the answer to question on notice No. 885.

Mr Stanhope, on behalf of the Minister for Urban Services, gave an explanation.

**16 QUESTION ON NOTICE NOS 875 – ANSWER – EXPLANATION**

Mrs Dunne, pursuant to standing order 118A, asked Mr Stanhope (Minister for Environment) for an explanation concerning the answer to question on notice No. 875.

Mr Stanhope gave an explanation.

**17 LEAVE OF ABSENCE TO MEMBER**

Mr Hargreaves moved – That leave of absence for today be given to Mr Wood.

Question – put and passed.

**18 LEAVE OF ABSENCE TO MEMBER**

Mrs Dunne moved – That leave of absence from 4 to 31 October 2003 be given to Mr Smyth.

Question – put and passed.

**19 LEAVE OF ABSENCE TO MEMBER**

Ms Tucker moved – That Ms Tucker be granted leave of absence from 2 to 13 October 2003.

Question – put and passed.

**20 TERRITORY OWNED CORPORATIONS ACT – ACTEW CORPORATION LTD – STATEMENT OF CORPORATE INTENT – 2003/04 TO 2006/07 – PAPER AND STATEMENT BY MINISTER**

Mr Quinlan (Treasurer) presented the following paper:

Territory Owned Corporations Act, pursuant to section 19 (3) – ACTEW Corporation Ltd – Statement of Corporate Intent – 2003/04 to 2006/07 –  
and, by leave made a statement in relation to the paper.

**21 PRESENTATION OF PAPER**

Mr Quinlan (Minister for Economic Development, Business and Tourism) presented the following paper:

Australian Capital Tourism Corporation Act, pursuant to subsection 23 (8) – Australian Capital Tourism – 2003-2007 Business Plan, dated 28 April 2003 and 1 May 2003.

**22 INQUIRIES ACT – BOARD OF INQUIRY INTO DISABILITY SERVICES – IMPLEMENTATION OF THE GOVERNMENT RESPONSE – SECOND SIX MONTHLY REPORT – PAPER AND STATEMENT BY MINISTER**

Mr Stanhope (Chief Minister), on behalf of Mr Wood (Minister for Disability, Housing and Community Services), presented the following paper:

Inquiries Act – Disability Services –

Implementation of the Government Response to the Recommendations of the Report of the Board of Inquiry into Disability Services – Second Six Monthly report, dated September 2003 –

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

**23 PUBLIC HEALTH ACT – A.C.T. CHIEF HEALTH OFFICER’S REPORT – 2000-2002 – PAPER AND STATEMENT BY MINISTER**

Mr Corbell (Minister for Health) presented the following paper:

Public Health Act, pursuant to section 10 (3) – ACT Chief Health Officer’s Report – 2000-2002 –

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

**24 PRESENTATION OF PAPER**

Mr Corbell (Minister for Health) presented the following paper:

ACT Public Hospitals – 3<sup>rd</sup> Quarter 2002-03 – Service Activity Report.

**25 ANNUAL REPORTS (GOVERNMENT AGENCIES) ACT – ANNUAL REPORTS 2002-2003 – PAPERS**

Mr Stanhope (Chief Minister), on behalf of Mr Wood (Manager of Government Business), presented the following papers:

Annual Reports (Government Agencies) Act, pursuant to section 14 –

ACT Building & Construction Industry Training Fund Board.

ACT Cleaning Industry Long Service Leave Board.

ACT Construction Industry Long Service Leave Board.

ACT Electoral Commission.

ACT Gambling & Racing Commission.

ACT Government Procurement Board.  
ACT Health (2 Volumes).  
ACT Insurance Authority.  
ACT Ombudsman.  
ACTEW Corporation Limited – Annual Report and Supplementary Report to Government.  
ACTION Authority.  
ACTTAB.  
Australian International Hotel School.  
Canberra Public Cemeteries Trust.  
Canberra Tourism & Events Corporation.  
Chief Minister's Department (2 volumes).  
Commissioner for Occupational Health and Safety (including ACT WorkCover).  
Commissioner for Public Administration (incorporating the State of the Service Report).  
Commissioner for the Environment.  
Community Advocate.  
Community and Health Services Complaints Commissioner.  
Cultural Facilities Corporation.  
Department of Disability, Housing and Community Services (2 Volumes).  
Department of Education, Youth and Family Services.  
Department of Justice and Community Safety (2 Volumes).  
Department of Treasury (2 Volumes).  
Department of Urban Services (2 Volumes).  
Director of Public Prosecutions.  
Discrimination Commissioner (ACT Human Rights Office).  
Exhibition Park in Canberra.  
Gungahlin Development Authority.  
Healthpact.  
Independent Competition and Regulatory Commission.  
Kingston Foreshore Development Authority.  
Legal Aid Commission.  
Public Trustee.  
Stadiums Authority.  
Totalcare.  
Victims of Crime Support Program.



**26 MATTER OF PUBLIC IMPORTANCE – GENDER IMBALANCE IN THE DELIVERY OF EDUCATIONAL SERVICES**

The Assembly was informed that Mrs Burke had proposed that a matter of public importance be submitted to the Assembly for discussion, namely, "... the gender imbalance in the delivery of educational services to children and young people in the ACT."

Discussion ensued.

Discussion concluded.

**27 HEALTH AMENDMENT BILL 2003**

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

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*Detail stage*

Clause 1 agreed to.

Clauses 2 and 3, by leave, taken together and agreed to.

Clause 4 –

Mr Corbell (Minister for Health), by leave, moved his amendments Nos. 1 to 3 together (*see [Schedule 1](#)*).

Debate continued.

Question – That Mr Corbell's amendments Nos. 1 to 3 be agreed to – put and passed.

Mr Corbell moved his amendment No. 4 (*see [Schedule 1](#)*).

Debate continued.

Mr Corbell addressing the Assembly –

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*Adjournment negated:* It being 5 p.m. – The question was proposed – That the Assembly do now adjourn.

Mr Corbell (Minister for Health) requiring the question to be put forthwith without debate –

Question – put and negated.

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Debate continued.

Question – That Mr Corbell's amendment No. 4 be agreed to – put.

The Assembly voted—

Ayes, 8		Noes, 5	
Mr Berry	Mr Hargreaves	Ms Dundas	Mr Stefaniak
Mr Corbell	Mr Quinlan	Mrs Dunne	
Mrs Cross	Mr Stanhope	Mr Pratt	
Ms Gallagher	Ms Tucker	Mr Smyth	

And so it was resolved in the affirmative.

Mr Corbell, by leave, moved his amendments Nos. 5 to 22 together (*see* [Schedule 1](#)).

Debate continued.

Question – That Mr Corbell’s amendments Nos. 5 to 22 be agreed to – put and passed.

Mr Smyth moved his amendment No. 2 (*see* [Schedule 2](#)).

Debate continued.

Question – That Mr Smyth’s amendment No. 2 be agreed to – put and negatived.

Ms Dundas moved her amendment No. 1 (*see* [Schedule 3](#)).

Debate continued.

Mr Corbell moved his amendment No. 1 to Ms Dundas’ amendment No. 1 (*see* [Schedule 4](#)).

Debate continued.

Question – That Mr Corbell’s amendment No. 1 to Ms Dundas’ amendment No. 1 be agreed to – put and passed.

Question – That Ms Dundas’ amendment No. 1, as amended, be agreed to – put.

The Assembly voted—

Ayes, 9		Noes, 4
Mr Berry	Mr Hargreaves	Mrs Dunne
Mr Corbell	Mr Quinlan	Mr Pratt
Mrs Cross	Mr Stanhope	Mr Smyth
Ms Dundas	Ms Tucker	Mr Stefaniak
Ms Gallagher		

And so it was resolved in the affirmative.

Mr Corbell moved his amendment No. 24 (*see* [Schedule 1](#)).

Debate continued.

Question – That Mr Corbell’s amendment No. 24 be agreed to – put and passed.

Clause 4, as amended, agreed to.

Remainder of Bill, by leave, taken as a whole, and agreed to.

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

## 28 POSTPONEMENT OF ORDERS OF THE DAY

Mr Hargreaves, pursuant to standing order 150, moved that – Order of the Day No. 3, Executive business, relating to the Financial Management Amendment Bill 2003 (No. 2) be postponed until the next day of sitting.

Question – put and passed.

**29 ANIMAL AND PLANT DISEASES AMENDMENT BILL 2003**

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

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*Detail stage*

Clause 1 agreed to.

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

Mr Stanhope (Minister for Environment), by leave, moved his amendments Nos. 1 to 12 together (see [Schedule 5](#)).

Debate continued.

Amendments agreed to.

Remainder of Bill, as amended, agreed to.

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

**30 LONG SERVICE LEAVE LEGISLATION AMENDMENT BILL 2003**

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.

**31 ADJOURNMENT**

Mr Quinlan (Treasurer) moved – That the Assembly do now adjourn.

Debate ensued.

Question – put and passed.

And then the Assembly, at 6.15 p.m., adjourned until Tuesday, 21 October 2003 at 10.30 a.m.

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**MEMBERS' ATTENDANCE:** All Members were present at some time during the sitting, except Ms MacDonald and Mr Wood (on leave).

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**T DUNCAN**  
Clerk of the Legislative Assembly

## SCHEDULES OF AMENDMENTS

### Schedule 1

#### HEALTH AMENDMENT BILL 2003

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##### Amendments circulated by Minister for Health

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1

#### Clause 4

Proposed new section 33A, definition of *authorised representative*  
Page 2, line 14—

*omit*

a corporation

*substitute*

an entity

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2

#### Clause 4

Proposed new section 33A, definition of *entity*  
Page 2, line 16—

*insert*

*entity* means a corporation or an unincorporated association.

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3

#### Clause 4

Proposed new section 33A, definition of *negotiating agent*  
Page 2, line 17—

*omit*

a corporation

*substitute*

an entity

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4

#### Clause 4

Proposed new section 33D (2A)  
Page 4, line 5—

*insert*

- (2A) A negotiating period determined after 31 December 2003 must not be shorter than 3 months unless the parties to the negotiations agree to a shorter negotiating period.
-

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5

Clause 4

Proposed new section 33E (1)

Page 4, line 9—

*omit*

a corporation

*substitute*

an entity

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6

Clause 4

Proposed new section 33E (2)

Page 4, line 11—

*omit*

a corporation

*substitute*

an entity

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7

Clause 4

Proposed new section 33E (2) (a)

Page 4, line 13—

*omit*

corporation

*substitute*

entity

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8

Clause 4

Proposed new section 33E (2) (b)

Page 4, line 21—

*omit*

corporation

*substitute*

entity

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**9****Clause 4****Proposed new section 33E (2) (c)****Page 4, line 22—***omit*

corporation

*substitute*

entity

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**10****Clause 4****Proposed new section 33E (2) (c) (i)****Page 4, line 26—***omit*

corporation or an executive officer of the corporation

*substitute*

entity or an executive officer of the entity

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**11****Clause 4****Proposed new section 33E (2) (c) (ii)****Page 5, line 1—***omit*

corporation or an executive officer of the corporation

*substitute*

entity or an executive officer of the entity

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**12****Clause 4****Proposed new section 33E (2) (c) (iii)****Page 5, line 3—***omit*

corporation

*substitute*

entity

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13

Clause 4

Proposed new section 33E (2) (c) (iii)

Page 5, line 5—

*omit*

a corporation

*substitute*

an entity

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14

Clause 4

Proposed new section 33E (2) (c) (iv)

Page 5, line 8—

*omit*

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15

Clause 4

Proposed new section 33E (3)

Page 5, line 10—

*omit*

a corporation

*substitute*

an entity

---

16

Clause 4

Proposed new section 33E (3) (a)

Page 5, line 11—

*omit*

corporation, or an executive officer of the corporation,

*substitute*

entity or an executive officer of the entity

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17

Clause 4

Proposed new section 33E (3) (b)

Page 5, line 17—

*omit*

corporation

*substitute*

entity

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**18****Clause 4****Proposed new section 33E (3) (c)****Page 5, line 20—***omit*

corporation

*substitute*

entity

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**19****Clause 4****Proposed new section 33E (3) (d)****Page 5, line 25—***omit*

corporation

*substitute*

entity

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**20****Clause 4****Proposed new section 33E (4), definition of *executive officer*****Page 6, line 10—***omit the definition, substitute*

*executive officer*, of an entity, means a person, by whatever name called, and whether or not the person is a director of the entity, who is concerned with or takes part in the management of the entity.

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**21****Clause 4****Proposed new section 33F (1)****Page 6, line 15—***omit*

corporation

*substitute*

entity



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**22**

**Clause 4**

**Proposed new section 33G (2)**

**Page 6, line 26—**

*omit new section 33G (2), substitute*

- (2) Unless resolved by mediation beforehand, the matter must be decided by arbitration.

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**23**

**Clause 4**

**Proposed new section 33G (5) (b)**

**Page 7, line 9—**

*omit*

experience.

*substitute*

experience; and

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**24**

**Clause 4**

**Proposed new section 33G (5) (c)**

**Page 7, line 9—**

*insert*

- (c) must be fair and reasonable.
-

## Schedule 2

### HEALTH AMENDMENT BILL 2003

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#### Amendments circulated by Mr Smyth

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1

**Clause 4**

**Proposed new section 33D (2A)**

**Page 4, line 5—**

*insert*

- (2A) The negotiating period must not be shorter than 3 months unless the parties to the negotiation agree to a shorter negotiating period.
- 

2

**Clause 4**

**Proposed new section 33G (2A)**

**Page 6, line 26—**

*insert*

- (2A) The arbitrator must have appropriate experience in determining conditions of employment.
- 

3

**Clause 4**

**Proposed new section 33G (3) to (6)**

**Page 6, line 27—**

*omit proposed new section 33G (3) to (6), substitute*

- (3) The arbitration must be conducted under the *Commercial Arbitration Act 1986*.
- (4) The arbitrator must conduct the arbitration proceeding having regard to the objective of improving the quality, efficiency and effectiveness of health services, and other public interest considerations.
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### **Schedule 3**

#### **HEALTH AMENDMENT BILL 2003**

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Amendment circulated by Ms Dundas

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**1**

#### **Clause 4**

**Proposed new section 33G (5) (b)**

**Page 7, line 8**

*omit proposed new section 33G (5) (b), substitute*

- (b) must include a requirement that the arbitrator has appropriate experience in determining conditions of employment.
-

## Schedule 4

### **HEALTH AMENDMENT BILL 2003**

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Amendment circulated by the Minister for Health to Ms Dundas’  
amendment

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**1**

**Amendment 1**

**Clause 4**

**Proposed new section 33G (5) (b)**

*omit*

in determining conditions of employment.

*substitute*

, including in determining industrial awards.

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## Schedule 5

### ANIMAL AND PLANT DISEASES AMENDMENT BILL 2003

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Amendment circulated by Minister for Environment

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**1**  
**Proposed new clause 3A**  
**Page 3, line 3—**

*insert*

**3A** **Definitions for Act**  
**Section 4, new definition of *required media***

*insert*

*required media* means—

- (a) a daily newspaper circulating generally in the ACT; and
- (b) all national or commercial broadcasting services within the meaning of the *Broadcasting Services Act 1992* (Cwlth) broadcasting in the ACT.

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**2**  
**Clause 4**  
**Proposed new section 12 (5)**  
**Page 3, line 21—**

*omit proposed new section 12 (5), substitute*

- (5) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.

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**3**  
**Clause 5**  
**Proposed new section 14 (7)**  
**Page 4, line 18—**

*omit proposed new section 14 (7), substitute*

- (7) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.
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**4****Clause 6****Proposed new section 15 (7)****Page 5, line 10—**

*omit proposed new section 15 (7), substitute*

- (7) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.

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**5****Clause 7****Proposed new section 21 (5)****Page 6, line 1—**

*omit proposed new section 21 (5), substitute*

- (5) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.

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**6****Clause 8****Proposed new section 23 (7)****Page 6, line 22—**

*omit proposed new section 23 (7), substitute*

- (7) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.

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**7****Clause 11****Proposed new section 5 (6)****Page 8, line 10—**

*omit proposed new section 5 (6), substitute*

- (6) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.
-

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**8****Clause 12****Proposed new section 7 (6)****Page 9, line 1—**

*omit proposed new section 7 (6), substitute*

- (6) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.

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**9****Clause 13****Proposed new section 8 (7)****Page 9, line 23—**

*omit proposed new section 8 (7), substitute*

- (7) If a prohibition commences before it is notified under the Legislation Act, the Minister must give notice of the prohibition to the required media as soon as possible after the prohibition is made.

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**10****Clause 14****Proposed new section 10 (7)****Page 10, line 22—**

*omit proposed new section 10 (7), substitute*

- (7) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.

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**11****Clause 16****Proposed new section 12 (7)****Page 12, line 1—**

*omit proposed new section 12 (7), substitute*

- (7) If a declaration commences before it is notified under the Legislation Act, the Minister must give notice of the declaration to the required media as soon as possible after the declaration is made.
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**12****Proposed new clause 24****Page 17, line 28—***insert***24 Dictionary, new definition of *required media****insert****required media*** means—

- (a) a daily newspaper circulating generally in the ACT; and
  - (b) all national or commercial broadcasting services within the meaning of the *Broadcasting Services Act 1992* (Cwlth) broadcasting in the ACT.
-