



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2016–2017–2018–2019–2020

MINUTES OF PROCEEDINGS

No 131

THURSDAY, 21 MAY 2020

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-
- 1** The Assembly met at 10 am, pursuant to adjournment. A quorum of Members not being present, the Speaker (Ms J. Burch) ordered the bells to be rung. A quorum having been formed, the Speaker took the Chair and made a formal recognition that the Assembly was meeting on the lands of the traditional custodians. The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 PETITIONS—MINISTERIAL RESPONSE—RESPONSE NOTED

The Clerk announced that the following response to petitions had been lodged:

Ms Stephen-Smith (Minister for Health), dated 12 May 2020—Response to e-petition No 21-19 and petition No 1-20, lodged by Ms Le Couteur on 11 February 2020, concerning newborn screening for Severe Combined Immune Deficiency.

The Speaker proposed—That the response so lodged be noted.

Question—put and passed.

3 COVID-19—UPDATE ON GOVERNMENT RESPONSE—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Ms Stephen-Smith (Minister for Health) made a ministerial statement concerning the Government response to the COVID-19 emergency and presented the following papers:

Status of the public health emergency due to COVID-19—Chief Health Officer Report—19 May 2020, dated 21 May 2020.

COVID-19—Update on Government response—Ministerial statement, 21 May 2020.



Ms Stephen-Smith moved—That the Assembly take note of the ministerial statement.
Question—put and passed.

4 BUILDING AND CONSTRUCTION LEGISLATION AMENDMENT BILL 2020

Mr Ramsay (Minister for Building Quality Improvement), pursuant to notice, presented a Bill for an Act to amend legislation about building and construction.

Paper: Mr Ramsay presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Title read by Clerk.

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

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

5 WORKING WITH VULNERABLE PEOPLE (BACKGROUND CHECKING) AMENDMENT BILL 2020

Ms Orr (Minister for Community Services and Facilities), pursuant to notice, presented a Bill for an Act to amend the *Working with Vulnerable People (Background Checking) Act 2011*, and for other purposes.

Paper: Ms Orr presented the following paper:

Explanatory statement to the Bill, incorporating a compatibility statement, pursuant to section 37 of the *Human Rights Act 2004*.

Title read by Clerk.

Ms Orr moved—That this Bill be agreed to in principle.

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

6 STANDING ORDER 229B—AMENDMENT

Ms Cheyne, by leave, moved—That standing order 229B be amended by omitting the words “When a public meeting or deliberative meeting is being conducted,”.

Question—put and passed.

7 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE (LEGISLATIVE SCRUTINY ROLE)—SCRUTINY REPORT 42—STATEMENT BY CHAIR

Mrs Jones (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 42, dated 19 May 2020, together with a copy of the extracts of the relevant minutes of proceedings—

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

8 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE (LEGISLATIVE SCRUTINY ROLE)—CONSIDERATION OF AMENDMENTS TO BILLS—STATEMENT BY CHAIR

Mrs Jones (Chair), pursuant to standing order 246A, informed the Assembly that, while current restrictions arising from the COVID-19 emergency are in place, proposed amendments to bills would need to be received by the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) at least seven days prior to the Tuesday of the sitting week in which the amendments are proposed to be moved. Once restrictions are removed, the 14-day requirement would return.

9 COVID-19 PANDEMIC RESPONSE—SELECT COMMITTEE—INTERIM REPORT 1—REPORT NOTED

Mr Coe (Chair) presented the following report:

COVID-19 Pandemic Response—Select Committee—*Interim Report 1*, dated 14 May 2020, together with a copy of the extracts of the relevant minutes of proceedings—
and moved—That the report be noted.

Debate ensued.

Question—put and passed.

10 PUBLIC ACCOUNTS—STANDING COMMITTEE—STANDING COMMITTEE ON ADMINISTRATION AND PROCEDURE—REPORT 16—INQUIRY INTO THE REVIEW OF THE PERFORMANCE OF THE THREE BRANCHES OF GOVERNMENT IN THE AUSTRALIAN CAPITAL TERRITORY AGAINST LATIMER HOUSE PRINCIPLES—RESPONSE TO RECOMMENDATION 2—STATEMENT BY CHAIR

Mrs Dunne (Chair), pursuant to standing order 246A, made a statement concerning the Standing Committee on Public Accounts' response to Recommendation 2 of the Standing Committee on Administration and Procedure's Report 16, entitled *Inquiry into the Review of the Performance of the Three Branches of Government in the Australian Capital Territory against Latimer House Principles*.

11 PUBLIC ACCOUNTS—STANDING COMMITTEE—REPORT 11—TENDER FOR THE SALE OF BLOCK 30 DICKSON—REPORT NOTED

Mrs Dunne (Chair) presented the following report:

Public Accounts—Standing Committee—Report 11—*Tender for the sale of Block 30 Dickson*, dated 21 May 2020, including dissenting comments (*Ms Cheyne* and *Ms Cody*), together with a copy of the extracts of the relevant minutes of proceedings for Report 11 and Report 12—

and moved—That the report be noted.

Debate ensued.

Ms Lawder having been asked to withdraw offensive words—

Member named and suspended: The Assistant Speaker named Ms Lawder for refusing to withdraw offensive words.

The Assistant Speaker, pursuant to standing order 203, proposed—That Ms Lawder be suspended from the service of the Assembly.

Question—put.

The Assembly voted—

AYES, 7		NOES, 6	
Ms Berry	Ms Orr	Mrs Dunne	Mr Milligan
Ms Cheyne	Mr Pettersson	Mrs Jones	Mr Wall
Ms Cody	Mr Rattenbury	Mrs Kikkert	
Mr Gentleman		Ms Lawder	

And so it was resolved in the affirmative.

Ms Lawder was therefore suspended at 11.33 am for three sitting hours in accordance with standing order 204, and she accordingly withdrew from the Chamber.

Debate continued.

Question—put and passed.

12 PUBLIC ACCOUNTS—STANDING COMMITTEE—REPORT 12—COMPLAINT REGARDING AUDITOR-GENERAL REPORT NO 3 OF 2018—REPORT NOTED

Mrs Dunne (Chair) presented the following report:

Public Accounts—Standing Committee—Report 12—*Complaint regarding Auditor-General Report No 3 of 2018*, dated 21 May 2020—

and moved—That the report be noted.

Debate ensued.

Question—put and passed.

13 QUESTIONS

Questions without notice were asked.

14 PRESENTATION OF PAPERS

The Speaker presented the following papers:

Inspector of Correctional Services Act, pursuant to subsection 30(2)—Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services—Assault of a detainee at the Alexander Maconochie Centre on—

5 December 2019 (CIR 03/19), dated 15 April 2020.

13 January 2020 (CIR 01/20), dated 15 April 2020.

Standing order 191—Amendments to:

COVID-19 Emergency Response Legislation Amendment Bill 2020, dated 11 May 2020.

Human Rights (Workers Rights) Amendment Bill 2019, dated 11 May 2020.

15 PRESENTATION OF PAPERS

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

Electoral Act, pursuant to subsection 10A(3)—Effect of Commonwealth Electoral Act amendments on the ACT funding and disclosure scheme—A special report by the ACT Electoral Commission—Government response.

Financial Management Act, pursuant to section 26—Consolidated Financial Report—Financial quarter ending 31 March 2020.

Freedom of Information Act—Freedom of Information (Accessibility of Government Information) Statement 2020 (No 1)—Notifiable Instrument NI2020-262, dated 6 May 2020.

Inspector of Correctional Services Act—Report of a Review of a Correctional Centre by the ACT Inspector of Correctional Services—Healthy Prison Review of the Alexander Maconochie Centre 2019—Government response, together with a statement, dated May 2020.

Planning and Development Act, pursuant to subsection 79(1)—Approval of Variation No 366 to the Territory Plan—Franklin Grasslands Environmental Offset Site, dated 18 May 2020, including associated documents.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Commissioner for Sustainability and the Environment Act—

Commissioner for Sustainability and the Environment (State of the Environment Report—Reporting Period and Reporting Date) Determination 2020—Disallowable Instrument DI2020-90 (LR, 11 May 2020).

Commissioner for Sustainability and the Environment Appointment 2020 (No 2)—Disallowable Instrument DI2020-83 (LR, 30 April 2020).

Government Agencies (Land Acquisition Reporting) Act—Government Agencies (Land Acquisition Reporting) Amendment Regulation 2020 (No 1)—Subordinate Law SL2020-16 (LR, 30 April 2020).

Leases (Commercial and Retail) Act—Leases (Commercial and Retail) COVID-19 Emergency Response Declaration 2020—Disallowable Instrument DI2020-92 (LR, 11 May 2020).

Legal Profession Act—Legal Profession (Bar Council Fees) Determination 2020 (No 1)—Disallowable Instrument DI2020-85 (LR, 30 April 2020).

Long Service Leave (Portable Schemes) Act—Long Service Leave (Portable Schemes) COVID-19 Emergency Leave Determination 2020 (No 1)—Disallowable Instrument DI2020-116 (LR, 20 May 2020).

Medicines, Poisons and Therapeutic Goods Regulation—Medicines, Poisons and Therapeutic Goods (Vaccinations by Pharmacists) Direction 2020 (No 2)—Disallowable Instrument DI2020-88 (LR, 4 May 2020).

Motor Accident Injuries Act—Motor Accident Injuries (COVID-19) Guidelines 2020—Disallowable Instrument DI2020-94 (LR, 12 May 2020).

Public Place Names Act—Public Place Names (Whitlam) Determination 2020 (No 1)—Disallowable Instrument DI2020-89 (LR, 7 May 2020).

Road Transport (Safety and Traffic Management) Regulation—

Road Transport (Safety and Traffic Management) Guidelines 2020—Disallowable Instrument DI2020-82 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 1)—Disallowable Instrument DI2020-57 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 2)—Disallowable Instrument DI2020-58 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 3)—Disallowable Instrument DI2020-59 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 4)—Disallowable Instrument DI2020-60 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 5)—Disallowable Instrument DI2020-61 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 6)—Disallowable Instrument DI2020-62 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 7)—Disallowable Instrument DI2020-63 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 8)—Disallowable Instrument DI2020-64 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 9)—DI2020-65 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 10)—Disallowable Instrument DI2020-66 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 11)—Disallowable Instrument DI2020-67 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 12)—Disallowable Instrument DI2020-68 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 13)—Disallowable Instrument DI2020-69 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 14)—Disallowable Instrument DI2020-70 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 15)—Disallowable Instrument DI2020-71 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 16)—Disallowable Instrument DI2020-72 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 17)—Disallowable Instrument DI2020-73 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 18)—Disallowable Instrument DI2020-74 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 19)—Disallowable Instrument DI2020-75 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 20)—Disallowable Instrument DI2020-76 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 21)—Disallowable Instrument DI2020-77 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 22)—Disallowable Instrument DI2020-78 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 23)—Disallowable Instrument DI2020-79 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 24)—Disallowable Instrument DI2020-80 (LR, 30 April 2020).

Road Transport (Safety and Traffic Management) Parking Authority Declaration 2020 (No 25)—Disallowable Instrument DI2020-81 (LR, 30 April 2020).

Unit Titles (Management) Act—Unit Titles (Management) Amendment Regulation 2020 (No 1)—Subordinate Law SL2020-17 (LR, 30 April 2020).

Utilities Act—Utilities (NERL retailers—Application of Industry Codes) Determination 2020—Disallowable Instrument DI2020-87 (LR, 4 May 2020).

Utilities Act and Legislation Act—Utilities (Electricity Feed-in Code) Determination 2020—Disallowable Instrument DI2020-86 (LR, 4 May 2020).

Veterinary Practice Act—Veterinary Practice (Fees) Determination 2020 (No 1)—Disallowable Instrument DI2020-84 (LR, 30 April 2020).

Working with Vulnerable People (Background Checking) Act—Working with Vulnerable People (Background Checking) Amendment Regulation 2020 (No 1)—Subordinate Law SL2020-18 (LR, 5 May 2020).

16 BIRTHS, DEATHS AND MARRIAGES REGISTRATION (TISSUE DONOR ACKNOWLEDGMENT) AMENDMENT BILL 2020

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 Rattenbury (Minister for Justice, Consumer Affairs and Road Safety), by leave, his amendments Nos 1 to 3 (see [Schedule 1](#)) were made together.

Paper: Mr Rattenbury presented a supplementary 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.

17 RESIDENTIAL RATES—REBATE

Mr Coe (Leader of the Opposition), pursuant to notice, moved—That this Assembly calls on the ACT Government to apply the \$150 rebate (or credit) to residential rates for the fourth quarter of 2019-20 rather than in 2020-21.

Mr Barr (Treasurer) moved the following amendment: Omit all words after “That”, substitute:

“this Assembly notes that:

- (1) the ACT Government determined that providing the general rates rebate of \$150 for households in Q1 2020-21 best aligned with support payments provided by the Commonwealth, as well as other family and household assistance initiatives announced as part of the ACT Government Economic Survival Package, including:
 - (a) a \$200 increase in the Utilities concession in Q4 2019-20;
 - (b) contributing up to \$250 000 with utility providers to assist households severely impacted by COVID-19;
 - (c) delaying the provision of Q4 2019-20 rates notices by four weeks;
 - (d) freezing the Fire Emergency and Safety Levy at 2019-20 levels in 2020-21 for all ratepayers; and
 - (e) freezing car registration, parking fees and MyWay fares until the end of 2020-21;
- (2) rates notices for Q4 2019-20 have already been provided to a number of households;
- (3) a proportion of residential ratepayers pay general rates annually as opposed to quarterly or via direct debit arrangements; and
- (4) any commercial or residential ratepayer in the Territory can currently access an interest-free deferral of their rates bill if they have experienced a reduction in their income due to COVID-19 by contacting the ACT Revenue Office.”.

Debate continued.

Question—put.

The Assembly voted—

AYES, 7		NOES, 6	
Mr Barr	Ms Le Couteur	Mr Coe	Mr Milligan
Ms Cheyne	Ms Orr	Mr Hanson	Mr Wall
Ms Cody	Ms Stephen-Smith	Mrs Jones	
Mr Gentleman		Mrs Kikkert	

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly notes that:

- (1) the ACT Government determined that providing the general rates rebate of \$150 for households in Q1 2020-21 best aligned with support payments provided by the Commonwealth, as well as other family and household assistance initiatives announced as part of the ACT Government Economic Survival Package, including:
 - (a) a \$200 increase in the Utilities concession in Q4 2019-20;
 - (b) contributing up to \$250 000 with utility providers to assist households severely impacted by COVID-19;
 - (c) delaying the provision of Q4 2019-20 rates notices by four weeks;
 - (d) freezing the Fire Emergency and Safety Levy at 2019-20 levels in 2020-21 for all ratepayers; and
 - (e) freezing car registration, parking fees and MyWay fares until the end of 2020-21;
- (2) rates notices for Q4 2019-20 have already been provided to a number of households;
- (3) a proportion of residential ratepayers pay general rates annually as opposed to quarterly or via direct debit arrangements; and
- (4) any commercial or residential ratepayer in the Territory can currently access an interest-free deferral of their rates bill if they have experienced a reduction in their income due to COVID-19 by contacting the ACT Revenue Office.”—

be agreed to—put and passed.

18 CRIMES (PROTECTION OF POLICE, FIREFIGHTERS AND PARAMEDICS) AMENDMENT BILL 2019

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

Ordered—That consideration of Clause 1 be postponed until immediately before consideration of the Title.

Clause 2—

Mr Gentleman (Minister for Police and Emergency Services) was granted leave to move amendments that had not been considered or reported on by the Scrutiny Committee.

On the motion of Mr Gentleman, his amendment No 1 (see [Schedule 3](#)) was made.

Paper: Mr Gentleman presented a supplementary explanatory statement to the Government amendment.

Clause 2, as amended, agreed to.

Clause 3 agreed to.

Clause 4—

Mrs Jones was granted leave to move amendments that had not been considered or reported on by the Scrutiny Committee.

On the motion of Mrs Jones, her amendment No 2 (see [Schedule 2](#)) was made.

Clause 4, as amended, agreed to.

Clause 5—

On the motion of Mrs Jones, by leave, her amendments Nos 3 to 9 (see [Schedule 2](#)) were made together, after debate.

Mrs Jones moved her amendment No 10 (see [Schedule 2](#)).

Debate continued.

Question—put.

The Assembly voted—

AYES, 6		NOES, 7	
Mr Coe	Mr Parton	Ms Berry	Ms Orr
Mr Hanson	Mr Wall	Ms J. Burch	Mr Ramsay
Mrs Jones		Ms Cheyne	Mr Rattenbury
Mr Milligan		Mr Gentleman	

And so it was negatived.

On the motion of Mrs Jones, by leave, her amendments Nos 11 to 20 (see [Schedule 2](#)) were made together, after debate.

Mrs Jones moved her amendment No 21 (see [Schedule 2](#)).

On the motion of Mr Gentleman, his amendment No 1 to Mrs Jones' proposed amendment No 21 (see [Schedule 4](#)) was made, after debate.

Mrs Jones' amendment No 21, as amended, agreed to.

On the motion of Mrs Jones, her amendment No 22 (see [Schedule 2](#)) was made.

Clause 5, as amended, agreed to.

Clause 6 agreed to.

Clause 7—

On the motion of Mrs Jones, her amendments Nos 23 to 25 (see [Schedule 2](#)) were made together.

Clause 7, as amended, agreed to.

Clause 8—

On the motion of Mrs Jones, her amendment No 26 (see [Schedule 2](#)) was made.

Clause 8, as amended, agreed to.

Clause 1—

On the motion of Mrs Jones, her amendment No 1 (see [Schedule 2](#)) was made.

Clause 1, as amended, agreed to.

Title agreed to.

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

19 FIREARMS LEGISLATION AMENDMENT BILL 2020

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.

20 LOOSE-FILL ASBESTOS LEGISLATION AMENDMENT BILL 2020

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.

21 LABOUR HIRE LICENSING BILL 2020

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.

Paper: Ms Orr (Minister for Employment and Workplace Safety) presented a revised explanatory statement to the Bill.

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.

The Assembly voted—

AYES, 7

Ms Berry Mr Gentleman
Ms J. Burch Ms Orr
Ms Cheyne Mr Rattenbury
Ms Cody

NOES, 6

Miss C. Burch Mr Parton
Mr Coe Mr Wall
Mr Hanson
Mr Milligan

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

22 SUSPENSION OF STANDING ORDERS—EXTENSION OF ADJOURNMENT DEBATE

Mr Gentleman (Manager of Government Business) moved—That so much of the standing orders be suspended as would prevent the adjournment debate for today's sitting continuing past 30 minutes.

Question—put and passed, with the concurrence of an absolute majority.

23 ADJOURNMENT

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

Debate ensued.

Ms Cheyne, by leave, was granted an extension of time.

Debate continued.

Question—put and passed.

And then the Assembly, at 6.18 pm, adjourned until Thursday, 4 June 2020 at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting.

Tom Duncan
Clerk of the Legislative Assembly

SCHEDULES OF AMENDMENTS

Schedule 1

BIRTHS, DEATHS AND MARRIAGES REGISTRATION (TISSUE DONOR ACKNOWLEDGMENT) AMENDMENT BILL 2020

Amendments circulated by the Minister for Justice, Consumer Affairs and Road Safety

1

Clause 2

Page 2, line 4—

omit clause 2, substitute

2

Commencement

- (1) This Act commences on a day fixed by the Minister by written notice.

Note 1 The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

Note 2 A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see Legislation Act, s 77 (1)).

- (2) If this Act has not commenced within 12 months beginning on its notification day, it automatically commences on the first day after that period.
- (3) The Legislation Act, section 79 (Automatic commencement of postponed law) does not apply to this Act.

2

Clause 4

Proposed new section 38A (4)

Page 2, line 21—

omit

3

Clause 4

Proposed new section 38A (5), definition of *tissue donor*

Page 3, line 4—

omit the definition, substitute

tissue donor—a deceased person was a *tissue donor* if tissue was removed from the person's body under a consent given in accordance with the *Transplantation and Anatomy Act 1978*, part 3 (Donations of tissue after death).

Schedule 2**CRIMES (PROTECTION OF POLICE, FIREFIGHTERS AND PARAMEDICS)
AMENDMENT BILL 2019**

Amendments circulated by Mrs Jones

1

Clause 1

Page 2, line 1—

omit clause 1, substitute

1

Name of Act

This Act is the *Crimes (Protection of Frontline Community Service Providers) Amendment Act 2019*.

2

Clause 4

Section 7A, note 1, proposed new dot point

Page 2, line 13—

omit the dot point, substitute

- s 26A (Assault of frontline community service provider)
-

3

Clause 5

Proposed new section 26A heading

Page 2, line 18—

omit the heading, substitute

26A

Assault of frontline community service provider

4

Clause 5

Proposed new section 26A (1) (b)

Page 2, line 21—

omit

an emergency worker

substitute

a frontline community service provider

5**Clause 5****Proposed new section 26A (1) (c)****Page 2, line 23—***omit*

an emergency worker

*substitute*a frontline community service provider

6**Clause 5****Proposed new section 26A (1) (d) (i)****Page 3, line 2—***omit*

the emergency worker

*substitute*the frontline community service provider

7**Clause 5****Proposed new section 26A (1) (d) (i)****Page 3, line 3—***omit*

an emergency worker

*substitute*a frontline community service provider

8**Clause 5****Proposed new section 26A (1) (d) (ii)****Page 3, line 5—***omit*

an emergency worker

*substitute*a frontline community service provider

9**Clause 5****Proposed new section 26A (1) (d) (iii)****Page 3, line 7—***omit*

an emergency worker

*substitute*a frontline community service provider

10**Clause 5****Proposed new section 26A (1), penalty****Page 3, line 8—***omit the penalty, substitute*

Maximum penalty: imprisonment for 5 years.

11**Clause 5****Proposed new section 26A (2)****Page 3, line 10—***omit*

an emergency worker

substitute

a frontline community service provider

12**Clause 5****Proposed new section 26A (2) (a)****Page 3, line 12—***omit*

an emergency worker

substitute

a frontline community service provider

13**Clause 5****Proposed new section 26A (2) (b)****Page 3, line 13—***omit*

an emergency worker

substitute

a frontline community service provider

14**Clause 5****Proposed new section 26A (2) (b)****Page 3, line 15—***omit*

the emergency worker

substitute

the frontline community service provider

15**Clause 5****Proposed new section 26A (2) (b), example 1****Page 3, line 17—***omit*

emergency worker

substitute

frontline community service provider

16**Clause 5****Proposed new section 26A (2) (b), example 2****Page 3, line 18—***omit*

emergency worker

substitute

frontline community service provider

17**Clause 5****Proposed new section 26A (4) (a)****Page 3, line 22—***omit*

the emergency worker

substitute

the frontline community service provider

18**Clause 5****Proposed new section 26A (4) (a)****Page 3, line 23—***omit*

an emergency worker

substitute

a frontline community service provider

19**Clause 5****Proposed new section 26A (4) (b)****Page 3, line 24—***omit*

the emergency worker

*substitute*the frontline community service provider

20

Clause 5

Proposed new section 26A (4) (b)

Page 3, line 25—

omit

an emergency worker

*substitute*a frontline community service provider

21

Clause 5

Proposed new section 26A (5)

Page 4, line 1—

omit proposed new section 26A (5), substitute

(5) In this section:

corrections worker means a corrections officer, or an interstate escort officer, exercising a function under the *Corrections Management Act 2007*.

frontline community service provider means—

- (a) a police officer; or
- (b) a protective service officer; or
- (c) a corrections worker; or
- (d) a member of an emergency service.

interstate escort officer means a person mentioned in the *Corrections Management Act 2007*, section 213.

member, of an emergency service—

- (a) see the *Emergencies Act 2004*, dictionary; and
- (b) includes a person operating in the ACT in accordance with a cooperative arrangement under the *Emergencies Act 2004*, section 176.

protective service officer means a person in relation to whom a declaration under the *Australian Federal Police Act 1979* (Cwlth), section 40EA is in force.

22

Clause 5

Proposed new section 26B heading

Page 4, line 7—

omit the heading, substitute

26B

**Assault of frontline community service provider—
alternative verdict**

23

Clause 7

Proposed new section 442B heading

Page 7, line 3—

omit the heading, substitute

442B

**Review of operation of offences against frontline
community service providers**

24

Clause 7

Proposed new section 442B (1) (a)

Page 7, line 7—

omit

emergency worker

substitute

frontline community service provider

25

Clause 7

Proposed new section 442B (1) (b)

Page 7, line 8—

omit

emergency worker

substitute

frontline community service provider

26

Clause 8

Page 7, line 15—

omit clause 8, substitute

8

Dictionary, note 2

insert

- corrections officer
 - function
-

Schedule 3**CRIMES (PROTECTION OF POLICE, FIREFIGHTERS AND PARAMEDICS)
AMENDMENT BILL 2019**

Amendment circulated by the Minister for Police and Emergency Services

1

Clause 2

Page 2, line 4—

omit clause 2, substitute

2 Commencement

This Act commences on the 14th day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see [Legislation Act](#), s 75 (1)).

Schedule 4**CRIMES (PROTECTION OF POLICE, FIREFIGHTERS AND PARAMEDICS)
AMENDMENT BILL 2019**

Amendment circulated by the Minister for Police and Emergency Services to
the amendments circulated by Mrs Jones

1**Amendment 21****Proposed new section 26A (5), definition of *member*, paragraph (b)**

omit paragraph (b), substitute

(b) includes—

- (i) a person operating in the ACT in accordance with a cooperative arrangement under the *Emergencies Act 2004*, section 176; and
 - (ii) a person employed by the ACT Emergency Services Agency; and
 - (iii) a volunteer assisting the ACT Emergency Services Agency.
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