

1998-1999-2000

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

MINUTES OF PROCEEDINGS

No. 101

THURSDAY, 7 SEPTEMBER 2000

- 1** The Assembly met at 10.30 a.m., pursuant to adjournment. A quorum of Members not being present, the Speaker (Mr Cornwell) ordered the bells to be rung. A quorum having been formed the Speaker 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 PETITION

The Clerk announced that the following Member had lodged a petition for presentation:

Mr Corbell, from 97 residents, requesting the Assembly to introduce a 40 km/hour speed zone from 8 a.m. to 6 p.m. weekdays outside the Peter Pan Kindergarten Childcare Centre in Curtin.

3 ABSENCE OF SPEAKER

The Clerk, pursuant to standing order 6, informed the Assembly that the Speaker would be absent for the period 9 September to 8 October 2000 and in that period the Deputy Speaker, Mr Wood would, as Acting Speaker, perform the duties of the Speaker.

4 PLANNING AND URBAN SERVICES – STANDING COMMITTEE – REFERENCE – ALLEGATIONS OF POSSIBLE IMPROPER INFLUENCE OF A WITNESS – ALTERATION TO REPORTING DATE

Mr Hird (Chair), by leave, moved – That the resolution of the Assembly of 25 May 2000, as amended on 29 June 2000, referring the allegations of the possible improper influence of a witness to the Standing Committee on Planning and Urban Services for inquiry and report, be amended by omitting “by the last sitting day of September 2000” and substituting “by the last sitting day of October 2000”.

Question – put and passed.

5 DOMESTIC ANIMALS BILL 2000

Mr Smyth (Minister for Urban Services), pursuant to notice, presented a Bill for an Act to provide for the identification and registration of certain animals and the duties of owners, carers and keepers, and for other purposes.

Paper: Mr Smyth presented an explanatory memorandum to the Bill.

Title read by Clerk.

Mr Smyth moved - That this Bill be agreed to in principle.

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

6 ANIMAL WELFARE AMENDMENT BILL 2000

Mr Smyth (Minister for Urban Services), pursuant to notice, presented a Bill for an Act to amend the *Animal Welfare Act 1992*.

Papers: Mr Smyth presented an explanatory memorandum to the Bill and the following associated papers:

Draft Domestic Animals Regulations and explanatory statement;

Strategic Companion Animals Management Package comprising:

ACT Urban Cat Management Strategy;

Charter for Responsible Dog Ownership;

Charter for Responsible Cat Ownership; and

Code of Practice for the Sale of Animals in the ACT.

Title read by Clerk.

Mr Smyth moved - That this Bill be agreed to in principle.

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

7 ROAD TRANSPORT (PUBLIC PASSENGER SERVICES) BILL 2000

Mr Smyth (Minister for Urban Services), pursuant to notice, presented a Bill for an Act to regulate public transport services, and for other purposes.

Paper: Mr Smyth presented an explanatory memorandum to the Bill.

Title read by Clerk.

Mr Smyth moved - That this Bill be agreed to in principle.

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

8 ROAD TRANSPORT LEGISLATION AMENDMENT BILL 2000 (NO 2)

Mr Smyth (Minister for Urban Services), pursuant to notice, presented a Bill for an Act to amend various Acts and repeal certain Acts because of the enactment of the *Road Transport (Public Passenger Services) Act 2000*, and for other purposes.

Paper: Mr Smyth presented an explanatory memorandum to the Bill.

Title read by Clerk.

Mr Smyth moved - That this Bill be agreed to in principle.

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

9 **STANDING COMMITTEES – REFERENCE – ANNUAL AND FINANCIAL REPORTS 1999-2000**

Ms Carnell (Chief Minister), pursuant to notice, moved – That notwithstanding the resolution of the Assembly of 28 April 1998 establishing standing committees:

- (1) the annual and financial reports for the financial year 1999-2000 presented to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 1995* stand referred, on presentation, to the relevant standing committee for inquiry and report by the first sitting day in February 2001;
- (2) if the Assembly is not sitting when a committee completes its inquiry, that committee may send the relevant 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;
- (3) that, notwithstanding standing order 229, only one standing committee may meet for the consideration of the inquiry into the 1999-2000 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.

Question – put and passed.

10 **ELECTORAL AMENDMENT BILL 2000**

Executive business – Precedence: Ordered - That Executive business be called on.

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 Berry, by leave, was granted an extension of time.

Debate continued.

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

Detail stage

Clause 1 –

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

11 **QUESTIONS**

Questions without notice were asked.

12 **PRESENTATION OF PAPERS**

The Speaker presented the following papers:

Legislative Assembly (Broadcasting of Proceedings) Act, pursuant to section 8 – Authority to broadcast proceedings concerning public hearings of:

Standing Committee on Planning and Urban Services on 8 September 2000 in relation to its inquiry into the implementation of Variation No. 64 to the Territory Plan (Latham shops), dated 6 September 2000.

Standing Committee on Planning and Urban Services on 15 September 2000 in relation to its inquiry into the Lake Tuggeranong Master Plan, dated 6 September 2000.

Study trip - Report by Mr Paul Osborne, MLA, Sydney, 13-16 June 2000.

13 PRESENTATION OF PAPER

Mr Humphries (Manager of Government Business) presented the following paper:

Petition – out of order

Burnie Court Redevelopment Project – Mr Corbell (980 citizens).

14 PLANNING AND URBAN SERVICES – STANDING COMMITTEE – REPORT NO. 51 – UTILITIES BILL 2000 AND UTILITIES (CONSEQUENTIAL PROVISIONS) BILL 2000 – GOVERNMENT RESPONSE – MOTION TO TAKE NOTE OF PAPER

Mr Humphries (Treasurer) presented the following paper:

Planning and Urban Services – Standing Committee - Report No. 51 – Utilities Bill 2000, Utilities (Consequential Provisions) Bill 2000 (*presented 29 August 2000*) – Government response –

and moved – That the Assembly takes note of the paper.

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

15 HOUSING AGREEMENTS – PAPERS – STATEMENT BY MINISTER – MOTION TO TAKE NOTE OF PAPERS

Mr Smyth (Minister for Urban Services) presented the following papers:

Housing agreements –

Commonwealth State Housing Agreement as entered into between the Commonwealth of Australia and the Australian Capital Territory and operative from 1 July 1999.

Bilateral Agreement between the Commonwealth of Australia and the Australian Capital Territory – 1999-2003.

National Housing Data Agreement between the Commonwealth, States and Territories –

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

Mr Smyth moved – That the Assembly takes note of the papers.

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

16 LAND (PLANNING AND ENVIRONMENT) ACT – VARIATION (NO. 139) TO THE TERRITORY PLAN – AREA SPECIFIC POLICY B11 NORTH CANBERRA – PAPER – STATEMENT BY MINISTER

Mr Smyth (Minister for Urban Services) presented the following paper:

Land (Planning and Environment) Act, pursuant to section 29 – Variation (No. 139) to the Territory Plan relating to the Area Specific Policy B11 North Canberra – Proposed additional uses, including a copy of the summaries and reports –

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

17 COMMISSIONER FOR THE ENVIRONMENT ACT – REPORT – TOTALCARE INCINERATOR – REVIEW OF PROPOSED STANDARDS – PAPERS AND GOVERNMENT RESPONSE – MOTION TO TAKE NOTE OF PAPERS

Mr Smyth (Minister for Urban Services) presented the following papers:

Commissioner for the Environment Act, pursuant to section 22 – Review of proposed standards for air emissions and other waste products and monitoring requirements for the Totalcare incinerator, dated June 2000, together with the government response.

Treatment of clinical, hospital and other wastes – Assessment of technologies as alternatives to incineration, prepared for Environment ACT by Wayne A Davies, Consulting Engineers, dated May 2000 –

and moved – That the Assembly takes note of the papers.

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

18 INDIGENOUS EDUCATION – PERFORMANCE REPORT – PAPER – STATEMENT BY MINISTER – MOTION TO TAKE NOTE OF PAPER

Mr Stefaniak (Minister for Education) presented the following paper:

Indigenous education – Six monthly performance report, September 2000, pursuant to resolution of the Assembly of 24 May 2000 –

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

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

Debate ensued.

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

19 PRESENTATION OF PAPERS

Mr Moore (Minister for Health and Community Care) presented the following papers:

Information Bulletins –

Calvary Public Hospital – Patient Activity Data – May, June and July 2000.

The Canberra Hospital – Patient Activity Data – May, June and July 2000.

Hepatitis C – Lookback program and financial assistance scheme report as at 30 June 2000.

20 CANBERRA CONNECT – MINISTERIAL STATEMENT

Ms Carnell (Chief Minister), by leave, made a ministerial statement concerning Canberra Connect.

21 PLANNING AND URBAN SERVICES – STANDING COMMITTEE – REPORT NO. 56 – MOTOR TRAFFIC (AMENDMENT) BILL (NO. 3) 1998 – REPORT NOTED

Mr Hird (Chair) presented the following report:

Planning and Urban Services – Standing Committee - Report No. 56 – Motor Traffic (Amendment) Bill (No. 3) 1998, dated 6 September 2000, together with a copy of the extracts of the minutes of proceedings –

and moved – That the report be noted.

Debate ensued.

Question – put and passed.

22 VOCATIONAL EDUCATION AND TRAINING AMENDMENT BILL 2000

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 –

Mr Berry moved the following amendment:

Clause 4, page 2, line 15, paragraph (c), proposed definition of *university*, paragraph (b), after “opinion,”, insert “formed after consultation with the council,”.

Debate ensued.

Amendment negated.

On the motion of Mr Stefaniak (Minister for Education) the following amendment was made:

Clause 4, page 2, line 15, paragraph (c), proposed definition of *university*, paragraph (b), after “opinion,”, insert “based on reasonable grounds,”.

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

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

23 SUSPENSION OF STANDING AND TEMPORARY ORDERS - CONSIDERATION OF PRIVATE MEMBERS' BUSINESS

Ms Carnell (Chief Minister) moved - That so much of the standing and temporary orders be suspended as would prevent notice No. 1, private Members' business, relating to sister city relationships with Chinese cities being called on immediately after the resolution of any question relating to the conclusion of consideration of notice No. 5, Executive business, relating to the sister city relationship with Beijing.

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

24 BEIJING – SISTER CITY RELATIONSHIP

Ms Carnell (Chief Minister), pursuant to notice, moved – That this Assembly agree to the ACT Government signing a sister city proclamation with the Beijing Municipal People's Government for Canberra and Beijing to enter into a sister city relationship.

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

Ms Carnell (Chief Minister) requiring the question to be put forthwith without debate –

Question – put and negated.

Papers: Ms Carnell presented the following papers:

Chinese cities – Sister City relationships (Beijing and Hangzhou) – Facsimile copies of letters from –
ACT Chinese Australian Association Inc to Ms Kate Carnell, Chief Minister, dated 13 July 2000.

Federation of Chinese Community Canberra Inc and Australia Canberra Beijing Association Ltd to Ms Kate Carnell MLA, Chief Minister, dated 11 July 2000.

Dickson Business Group to Mrs Kate Carnell, Chief Minister, dated 7 July 2000.

ACT Multicultural Council Inc to Chief Minister, dated 11 July 2000.

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

Debate continued.

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

Paper: Ms Tucker, by leave, presented the following paper:

Chinese cities – Sister City relationships – Copy of letter from ACT Branch, Amnesty International Australia to ACT Chief Minister, dated 17 August 2000, including an attachment.

Debate continued.

Mr Stefaniak (Minister for Education), by leave, was granted an extension of time.

Debate continued.

Mr Stanhope (Leader of the Opposition), by leave, was granted an extension of time.

Mr Stanhope, by leave, was granted a further extension of time.

Debate continued.

Papers: Mr Osborne, by leave, presented the following papers:

China – Extracts (download from internet), dated 7 September 2000, from 1999 Country Reports on Human Rights Practices, released by the Bureau of Democracy, Human Rights, and Labor, US Department of State, 25 February 2000. (Pages 1, 5, 7, 9 to 18 (inclusive), 20 to 24 (inclusive), 26 to 28 (inclusive), 33 to 35 (inclusive), 38, 40 to 43 (inclusive), 45, 47 to 54 (inclusive), 57 to 63 (inclusive), 65 and 66, 69 to 73 (inclusive) of 73).

China and Tibet (download from internet) – Human Rights Watch, dated 7 September 2000.

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

Paper: Mr Osborne, by leave, presented the following paper:

China – Extracts (download from internet), dated 7 September 2000, from 1999 Country Reports on Human Rights Practices, released by the Bureau of Democracy, Human Rights, and Labor, US Department of State, 25 February 2000. (Pages 2 to 4 (inclusive), 6, 8, 19, 25, 29 to 32 (inclusive), 36 and 37, 39, 44, 46, 55 and 56, 64, 67 and 68 of 73).

Mr Osborne, by leave, was granted a further extension of time.

Papers: Mr Osborne, by leave, presented the following papers:

China, including Hong Kong and Macao – Amnesty International Annual Country Report 2000 (download from internet), dated 7 September 2000.

Beijing Conference – “Empowering Women – Critical views” – Copy of pages 115 to 132 (inclusive) on China’s population control violence.

Debate continued.

The debate having been closed by the reply of Ms Carnell –
Ms Tucker, by leave, addressed the Assembly.

Question – put.

The Assembly voted -

Ayes, 8

Noes, 3

Ms Carnell	Mr Rugendyke	Mr Kaine
Mr Cornwell	Mr Smyth	Mr Osborne
Mr Hird	Mr Stefaniak	Ms Tucker
Mr Humphries		
Mr Moore		

And so it was resolved in the affirmative – Motion agreed to.

25 CHINESE CITIES – SISTER CITY RELATIONSHIPS

Ms Tucker, pursuant to notice, as amended by leave, moved – That this Assembly –

- (1) noting the Secretary-General of Amnesty International has written to the President of the People's Republic of China expressing strong concerns about a recent increase in human rights abuses in that country, and calling on the government of China to “take steps without delay to stop arbitrary detention, torture and executions and to take radical action to reform the law enforcement and justice system to China, showing the international community a real commitment to implement meaningful human rights reforms in China”;
- (2) calls on the ACT Government to in future present all plans for sister-city or friendship-city-relationships to the Assembly before taking steps towards such arrangements.

Question – put and passed.

26 LAND (PLANNING AND ENVIRONMENT) AMENDMENT BILL 2000 (NO 4)

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.

The Assembly voted -

Ayes, 9

Noes, 8

Ms Carnell	Mr Osborne	Mr Berry	Mr Stanhope
Mr Cornwell	Mr Rugendyke	Mr Corbell	Ms Tucker
Mr Hird	Mr Smyth	Mr Hargreaves	Mr Wood
Mr Humphries	Mr Stefaniak	Mr Moore	
Mr Kaine		Mr Quinlan	

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

Detail stage

Bill, by leave, taken as a whole -

Mr Corbell, by leave, moved the following amendments together:

No. 1 –

Clause 4, page 2, line 3, omit the clause, substitute the following clause:

“4 New change of use charge formula

Section 184B is amended by omitting from subsections (1) and (2) ‘30 September 2000’, and substituting ‘31 January 2001’.”.

No. 2 –

Clause 6, page 2, line 9, omit the clause, substitute the following clause:

“6 New change of use charge formula

Section 187B is amended by omitting from subsections (1) and (2) ‘30 September 2000’, and substituting ‘31 January 2001’.”.

Debate ensued.

Question – That Mr Corbell’s amendments Nos 1 and 2 be agreed to – put.

The Assembly voted -

Ayes, 9

Noes, 8

Mr Berry

Mr Quinlan

Ms Carnell

Mr Rugendyke

Mr Corbell

Mr Stanhope

Mr Cornwell

Mr Smyth

Mr Hargreaves

Ms Tucker

Mr Hird

Mr Stefaniak

Mr Moore

Mr Wood

Mr Humphries

Mr Osborne

Mr Kaine

And so it was resolved in the affirmative.

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

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

27 CRIMES (FORENSIC PROCEDURES) BILL 2000

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 Stanhope (Leader of the Opposition), by leave, was granted an extension of time.

Debate continued.

Suspension of standing order 76: Mr Humphries (Manager of Government Business) moved – That standing order 76 be suspended for the remainder of the sitting.

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

Debate continued.

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

Detail stage

Clauses 1 to 5, by leave, taken together and agreed to.

Clauses 6 and 7, by leave, taken together –

Mr Stanhope, by leave, moved the following amendments together:

No. 1 –

Clause 6, page 4, line 4, after paragraph (e), insert the following new paragraph:

“(ea) the taking of a sample of saliva or a sample by buccal swab;”.

No. 2 –

Clause 7, page 4, line 19, paragraph (d), omit the paragraph.

Debate ensued.

Question – That Mr Stanhope’s amendments Nos 1 and 2 be agreed to – put.

The Assembly voted -

Ayes, 7

Noes, 8

Mr Berry
Mr Corbell
Mr Kaine
Mr Quinlan
Mr Stanhope

Ms Tucker
Mr Wood

Ms Carnell
Mr Cornwell
Mr Humphries
Mr Moore
Mr Osborne

Mr Rugendyke
Mr Smyth
Mr Stefaniak

And so it was negatived.

Clauses 6 and 7 agreed to.

Clauses 8 to 22, by leave, taken together and agreed to.

Clause 23 –

Mr Stanhope moved the following amendment:

No. 3 –

Page 11, line 16, paragraph (1) (b), omit “if the forensic procedure is a procedure other than the taking of a handprint, fingerprint, footprint or toeprint—”.

Debate ensued.

Amendment negatived.

Mr Stanhope moved the following amendment:

No. 4 –

Page 11, line 20, paragraph (1) (b), omit “tending to confirm or disprove that the suspect committed—”, substitute “of, or relating to—”.

Debate ensued.

Amendment negatived.

Clause 23 agreed to.

Clauses 24 to 28, by leave, taken together and agreed to.

Clause 29 agreed to.

Clauses 30 to 33, by leave, taken together and agreed to.

Clause 29 - Recommittal: Clause 29, by leave, was recommitted and Mr Stanhope, by leave, moved the following amendments:

Page 15, line 31, subparagraph (1) (b) (ii), before “offence” insert “serious”.

Page 16, line 1, subparagraph (1) (b) (iii), before “offence” insert “serious”.

Amendments negatived.

Clause 29, as recommitted, agreed to.

Clause 34 agreed to.

Clauses 35 to 48, by leave, taken together and agreed to.

Clause 49 –

Mr Stanhope moved the following amendment:

No. 19 –

Page 27, line 7, paragraph (b), omit the paragraph, substitute the following new paragraph:

“(b) must not be carried out in the presence or view of anyone (other than a doctor, dentist or nurse, or the suspect’s interview friend or lawyer) who is of the opposite sex to the suspect; and”.

Amendment negatived.

Clause 49 agreed to.

Clauses 50 to 53, by leave, taken together and agreed to.

Clause 54 –

Mr Stanhope, by leave, moved the following amendments together:

No. 20 –

Page 31, line 5, subclause (1), omit “If practicable, an”, substitute “An”.

No. 21 –

Page 31, line 8, subclause (2), omit “If practicable, a”, substitute “A”.

Amendments negatived.

Mr Stanhope moved the following amendment:

No. 22 –

Page 31, line 11, after subclause (2), insert the following new subclause:

“(2A) Subsections (1) and (2) do not apply to the carrying out of a forensic procedure by a doctor, dentist or nurse.”.

Amendment negatived.

Clause 54 agreed to.

Clauses 55 to 57, by leave, taken together and agreed to.

Clause 58 agreed to.

Clauses 59 to 63, by leave, taken together and agreed to.

Clause 64 agreed to.

Clauses 65 to 82, by leave, taken together and agreed to.

Clause 83 agreed to.

Clauses 84 to 110, by leave, taken together and agreed to.

Clause 111 –

Mr Stanhope moved the following amendment:

No. 29 –

Page 71, line 7, paragraphs 3 (j) and (k), omit the paragraphs, substitute the following new paragraphs:

- “(j) for the purpose of the suspect’s, serious offender’s or volunteer’s medical treatment if a doctor certifies that medical treatment is necessary because of an imminent risk to the life or wellbeing of the person;
- (k) for the purpose of the medical treatment of a victim of an offence if a doctor certifies that medical treatment is necessary because of an imminent risk to the life or wellbeing of the victim;”.

Debate ensued.

Amendment negatived.

Clause 111 agreed to.

Clauses 112 to 115, by leave, taken together and agreed to.

Clause 116 –

Mr Stanhope moved the following amendment:

No. 30 –

Page 74, line 2, omit the clause, substitute the following new clause:

“116 Application of pt 2.7

A person is authorised by section 65 (Non-intimate forensic procedures authorised to be carried out) to carry out a forensic procedure under Part 2.7 (Carrying out of certain forensic procedures after conviction of serious offenders) on a serious offender only if—

- (a) the serious offender is convicted of the serious offence concerned after the commencement of that section; or
- (b) the serious offender was convicted of the serious offence concerned before the commencement of that section and, at that commencement, was—
 - (i) serving a sentence of imprisonment for the offence; or
 - (ii) subject to a parole order under the *Parole Act 1976* or a similar order; or
 - (iii) subject to an order made by a court to be of good behaviour, whether or not the person has entered into a recognisance.”.

The Assembly continuing to sit past 12 midnight –

FRIDAY, 8 SEPTEMBER 2000

Debate ensued.

Question – That Mr Stanhope’s amendment be agreed to - put.

The Assembly voted -

Ayes, 7

Mr Berry	Ms Tucker
Mr Corbell	Mr Wood
Mr Kaine	
Mr Quinlan	
Mr Stanhope	

Noes, 8

Ms Carnell	Mr Rugendyke
Mr Cornwell	Mr Smyth
Mr Humphries	Mr Stefaniak
Mr Moore	
Mr Osborne	

And so it was negatived.

Clause 116 agreed to.

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

Mr Stanhope moved the following amendment:

No. 31 –

Dictionary, page 75, line 33, definition of *destroy*, omit the definition.

Amendment negatived.

Remainder of Bill, as a whole, agreed to.

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

28 ELECTORAL AMENDMENT BILL 2000

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

Detail stage

Clause 1 debated and agreed to.

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

Proposed new clauses –

No. 1 –

Mr Stanhope (Leader of the Opposition) moved - That the following new clauses be inserted in the Bill: Page 2, line 2:

“3A Interpretation

Section 198 is amended—

- (a) by omitting from paragraphs (a) and (b) of the definition of *associated entity* in subsection (1) ‘independent’; and
- (b) by omitting paragraph (a) of the definition of *register* in subsection (1) and substituting the following paragraph:
 - ‘(a) in relation to a reporting agent appointed by a party or an MLA—the register of party and MLA reporting agents kept under subsection 205 (1); or’; and
- (c) by omitting from the definition of *reporting agent* in subsection (1) ‘independent’.

3B Appointed agents

Section 203 is amended by omitting from subsection (1) ‘independent’.

3C Non-appointed agents

Section 204 is amended by omitting from subsection (3) ‘independent’.

3D Registers of reporting agents

Section 205 is amended by omitting from subsection (1) ‘Independent’ and substituting ‘MLA’.

3E Annual returns of donations

Section 221A is amended by omitting ‘independent’.

3F Advice of obligation to lodge return

Section 221B is amended by omitting from subsection (1) ‘independent’.

3G Anonymous gifts

Section 222 is amended by omitting from subsections (1), (2), (5) and (6) ‘independent’.”.

Debate ensued.

Question – That Mr Stanhope’s amendment No. 1 be agreed to – put.

The Assembly voted -

Ayes, 5

Noes, 10

Mr Berry
Mr Corbell
Mr Quinlan
Mr Stanhope
Mr Wood

Ms Carnell
Mr Cornwell
Mr Humphries
Mr Kaine
Mr Moore

Mr Osborne
Mr Rugendyke
Mr Smyth
Mr Stefaniak
Ms Tucker

And so it was negatived.

Proposed new clause –

No. 1 –

Ms Tucker moved - That the following new clause be inserted in the Bill: Page 2, line 2:

“3A Annual returns of donations

Section 221A is amended by omitting from subsection (5) all the words after ‘personal use’.”.

Debate ensued.

Amendment negatived.

On the motion of Ms Tucker the following amendment was made:

No. 2 –

Clause 4 –

Page 2, line 8, proposed new subsections 230 (3), omit “for use solely or substantially for a purpose related to the MLA’s position”.

Clause 4, as amended, agreed to.

Title agreed to.

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

29 ADJOURNMENT

Mr Smyth (Minister for Urban Services) moved - That the Assembly do now adjourn.

Paper: Mr Smyth presented the following paper:

Greenhouse gas emissions – Copy of letter from Cities for Climate Protection (CCP) Program Manager, The International Council for Local Environmental Initiatives to Ms Kate Carnell, Chief Minister, dated 25 August 2000.

Question - put and passed.

And then the Assembly, at 12.51 a.m., adjourned until Tuesday, 10 October 2000 at 10.30 a.m.

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

M.J. McRAE

Clerk of the Legislative Assembly