



Legislative Assembly for the Australian Capital Territory

2020

Notice Paper

No 1

Wednesday, 2 December 2020

The Assembly meets this day at 10 am

EXECUTIVE BUSINESS

Notices

- *1 **MR BARR:** To present a Bill for an Act to amend legislation to provide for emergency measures in response to the COVID-19 emergency, and for other purposes. *(Notice given 30 November 2020).*
- *2 **MR GENTLEMAN:** To present a Bill for an Act to amend legislation about planning and unit titles. *(Notice given 30 November 2020).*
- *3 **MR STEEL:** To present a Bill for an Act to reduce the use of plastic, and for other purposes. *(Notice given 30 November 2020).*

ASSEMBLY BUSINESS

Notices

- *1 **MR GENTLEMAN:** To move—That the Assembly shall meet as follows for 2021 unless an absolute majority of Members request, in writing, that the Speaker or in the absence of the Speaker the Deputy Speaker, or in the absence of both the Speaker and the Deputy Speaker, the Clerk fixes an alternative day or hour of meeting or the Assembly otherwise orders:

February	9	10	11	
March	30	31		
April	20	21	22	23
May	11	12	13	
June		2	3	
	22	23	24	
August	3	4	5	
	31			
September		1	2	
October			7	8
	19	20	21	22
November	9	10	11	
December		1	2	

(Notice given 30 November 2020. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).

*2

MR GENTLEMAN: To move—That:

- (1) the following general-purpose standing committees be established as set out in the table below. The purpose of such committees is to enhance the scrutiny of the Executive, to examine and suggest improvements to any bills referred to it, to enable the citizens of the Territory to engage and to participate in law-making and policy review, to enable financial scrutiny of the Executive's budget proposals and to review annual reports of taxpayer funded agencies;
- (2) the committees so established may inquire and report on matters referred to it by the Assembly or matters that are considered by the committee to be of concern to the community and within the nominated areas of responsibility;
- (3) calendar and financial year annual and financial reports stand referred to the relevant standing committee for inquiry and report by 31 March of the year after the presentation of the report to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004*;

- (4) notwithstanding standing order 229, only one standing committee may meet for the consideration of the inquiry into the calendar and financial year annual and financial reports at any given time;
- (5) all bills presented to the Assembly stand referred to the relevant standing committee for inquiry and report within two months from the presentation of the bill. Should the standing committee resolve not to undertake an inquiry, the chair shall advise the Assembly and the responsible minister within 14 days of the presentation of the bill in the Assembly;
- (6) all reports of the ACT Auditor-General tabled in the Assembly stand referred to the Standing Committee on Public Accounts for inquiry and report;
- (7) the committees so established are required to examine the expenditure proposals contained in the main appropriation bills for the Territory and any revenue estimates proposed by the Government in the annual budget and prepare a report to the Assembly within 60 days of the presentation of the budget bills;
- (8) funds be provided by the Assembly to permit the engagement of external expertise to work with the Standing Committee on Public Accounts to facilitate the analysis of the budget;
- (9) the Standing Committee on Justice and Community Safety shall:
 - (a) examine matters related to corruption and integrity in public administration;
 - (b) inquire into and report on matters referred to it by the Assembly or matters that are considered by the Committee to be of concern to the community;
 - (c) perform all functions required of it pursuant to the *Integrity Commission Act 2018*; and
 - (d) monitor, review and report on the performance of the Integrity Commission and the Inspector of the Integrity Commission or the exercise of the powers and functions of the Integrity Commission and the Inspector of the Integrity Commission, including examining the annual reports of the Integrity Commission and the Inspector of the Integrity Commission and any other reports made by the Commission;

nothing in this resolution authorises the Committee to investigate a matter relating to particular conduct or to reconsider a decision to investigate, not to investigate or to discontinue an investigation of a particular complaint made to the Commission, or to reconsider the findings, recommendations, determinations or other decisions of the Commission or the Inspector in relation to a particular investigation or complaint;

- (10) the Standing Committee on Justice and Community Safety is also to perform a legislative scrutiny role of bills and subordinate legislation by:
 - (a) considering whether the clauses of bills (and amendments proposed by the Government to its own bills) introduced into the Assembly:
 - (i) unduly trespass on personal rights and liberties;
 - (ii) make rights, liberties and/or obligations unduly dependent upon insufficiently defined administrative powers;
 - (iii) make rights, liberties and/or obligations unduly dependent upon non-reviewable decisions;
 - (iv) inappropriately delegate legislative powers; or
 - (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny; and
 - (vi) consider whether any explanatory statement associated with legislation meets the technical or stylistic standards expected by the Assembly;
 - (b) reporting to the Legislative Assembly about human rights issues raised by bills presented to the Assembly pursuant to section 38 of the *Human Rights Act 2004*;
 - (c) considering whether any instrument of a legislative nature made under an Act which is subject to disallowance and/or disapproval by the Assembly (including a regulation, rule or by-law):
 - (i) is in accord with the general objects of the Act under which it is made;
 - (ii) unduly trespasses on rights previously established by law;
 - (iii) makes rights, liberties and/or obligations unduly dependent upon non-reviewable decisions; or
 - (iv) contains matter which in the opinion of the Committee should properly be dealt with in an Act of the Legislative Assembly; and
 - (d) consider whether any explanatory statement or explanatory memorandum associated with legislation and any regulatory impact statement meets the technical or stylistic standards expected by the Assembly;
- (11) in addition, the membership of the Standing Committee on Administration and Procedure, established under standing order 16, be composed of the:
 - (a) Speaker, as Chair;
 - (b) Government whip;
 - (c) Opposition whip; and
 - (d) ACT Greens whip;
- (12) each committee shall have power to consider and make use of the evidence and records of the relevant standing committee appointed during the previous Assembly;

- (13) each committee be provided with necessary staff, facilities and resources;
- (14) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders;
- (15) each general-purpose committee shall consist of three members, nominated by each of the three whips, with the chair of each such committee agreed by the members of that committee; and
- (16) nominations for membership of these committees be notified in writing to the Speaker within two hours following conclusion of the debate on the matter.

Committee	Primary Wellbeing Indicator/s	Areas of Responsibility
Administration and Procedure	Governance and institutions	As outlined in standing order 16
1. Planning, Transport and City Services	Access and Connectivity, Housing and Home	<ul style="list-style-type: none"> · City Renewal Authority · Suburban Land Agency · Planning and Land Management · Transport · City Services including waste and recycling · Housing (excluding service provision) · Building and Construction
2. Environment, Climate Change and Biodiversity	Environment and Climate Change	<ul style="list-style-type: none"> · Climate Change · Climate Action · Environment · Heritage · Water and energy policy and programs · Emissions reductions · Environment and ecological sustainability · Commissioner for the Environment · Environment Protection Agency
3. Economy and Gender and Economic Equality	Economy, Living Standards and Time	<ul style="list-style-type: none"> · Chief Minister's responsibilities · Treasury including taxation and revenue · Economic development and diversification · Tourism · Industrial Relations and Workplace Safety · Social impacts and outcomes of economic policies including gender considerations (excluding Office for Women) · Minister of State Responsibilities (excluding Justice and Community Safety Directorate reporting areas) · Business and Better Regulation · Arts

Committee	Primary Wellbeing Indicator/s	Areas of Responsibility
4. Education and Community Inclusion	Education and Life-long Learning and Identity and Belonging	<ul style="list-style-type: none"> · Early Childhood Development · Education · Youth Affairs · Skills · Aboriginal and Torres Strait Islander Affairs · Multicultural Affairs · Disability · Women (including the Office for Women) · Seniors · Veterans · LGBTIQ+ · Sport and Recreation
5. Justice and Community Safety	Safety and Governance and Institutions	<ul style="list-style-type: none"> · ACT Electoral Commission · ACT Integrity Commission · Gaming · Minister of State (Justice and Community Safety reporting areas) · Emergency management and the Emergency Services Agency · Policing and ACT Policing · Corrective Services · Attorney-General · Consumer Affairs · Human Rights · Victims of Crime · Access to justice and restorative practice · Public Trustee and Guardian · Scrutiny of bills and subordinate legislation
6. Public Accounts	Governance and Institutions	<ul style="list-style-type: none"> · ACT Auditor-General · ACT Ombudsman · Office of the Legislative Assembly · Accounts of the receipts and expenditure of the ACT and its authorities · All reports of the Auditor-General which have been presented to the Assembly
7. Health and Community Wellbeing	Health and Social Connection	<ul style="list-style-type: none"> · Health and health system · Justice Health · Mental Health · Homelessness and housing services · Prevention of Domestic and Family Violence · Families · Community Services

(Notice given 30 November 2020. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).

- *3 **MR GENTLEMAN:** To move—That the Standing Committee on Justice and Community Safety inquire into the operation of the 2020 ACT election and the Electoral Act and other relevant legislation and policies concerning election-related matters, with particular reference to:
- (1) the impact of COVID-19 on the ACT election and mitigation measures taken by the ACT Electoral Commission;
 - (2) the report of the ACT Electoral Commissioner into the 2020 ACT election;
 - (3) the timeframe and accessibility of early voting;
 - (4) the number and location of ordinary polling places;
 - (5) the implementation, security and transparency of electronic voting;
 - (6) the efficacy of the six-week campaign period, including restrictions on roadside signage;
 - (7) improving donation rules and donation reporting timeframes;
 - (8) increasing voter turnout and participation in elections and encouraging political activity;
 - (9) restrictions on campaigning activities outside polling places;
 - (10) lowering the voting age; and
 - (11) any other relevant matter. *(Notice given 30 November 2020. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks – standing order 125A).*

PRIVATE MEMBERS' BUSINESS

Notices

- *1 **MRS JONES:** To move—That this Assembly:
- (1) notes:
 - (a) the Australian Salaried Medical Officers' Federation (ASMOF) states that, 'hospital management has a duty of care in preventing fatigue-related incidents, and a vicarious liability for actions by employees. The hospital also has a legal obligation to provide a safe working environment for its staff.';
 - (b) ASMOF also states that, 'the impact upon a doctor's professional and private life of receiving a complaint must not be underestimated. The enormity of an error, whether fatigue-related or not, can even lead to doctor suicide.';
 - (c) the *ACT Public Sector Medical Practitioners Enterprise Agreement 2017-2021* (the Enterprise Agreement) at section 19, governs how

rostering, shifts and days free from duty is managed to avoid burnout and exhaustion;

- (d) the 2020 report prepared for *ACT Health, BPT Training Program Review*, revealed that:
 - (i) 79 percent of junior doctors are suffering burnout and 68 percent are experiencing emotional exhaustion; and
 - (ii) as a result, just 37 percent of junior doctors passed their clinical exams, compared to a national average of 70 percent; and
- (e) the prevalence of burnout and exhaustion experienced by junior doctors is unacceptable, and risks being in breach of the Enterprise Agreement; and
- (2) calls on the ACT Government to:
 - (a) adhere to the Enterprise Agreement and reduce burnout and exhaustion by implementing better systems to support and manage junior doctors; and
 - (b) report to the Assembly each year on the progress of reducing junior doctor burnout and exhaustion. (*Notice given 30 November 2020. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A*).

*2 **MR PARTON:** To move—That this Assembly:

- (1) notes the important contribution made by community clubs in the ACT including:
 - (a) a social contribution of \$39 million through community donations, subsidised access to facilities and volunteering;
 - (b) an investment of over \$150 million in local sporting teams and sporting infrastructure since 2000;
 - (c) jobs for 1,700 people;
 - (d) that clubs maintain and operate the vast majority of the ACT's sport and recreational infrastructure; and
 - (e) the support clubs provide to more than 1,000 community and sporting groups;
- (2) further notes that the ACT's community clubs have been heavily impacted by a combination of legislative change, government rates and charges and more recently by the COVID pandemic as evidenced by:
 - (a) the closure of seven clubs in the last five years; and
 - (b) a reduction of gross gaming revenue in the last financial year of \$40 million with the likelihood of further reductions in the current financial year;
- (3) further notes that in his response to the Neville Stephens Report in 2018, the then Minister committed to a moratorium on machine reductions for five years; and

- (4) calls on the Government to:
- (a) protect the jobs of those 1,700 plus club staff by not legislating or taking any other action that would deter or impair clubs' ability to hold onto these;
 - (b) implement the Minister's stated commitment to a moratorium on machine reductions and regulatory change until 2024;
 - (c) establish a rigorous, Territory wide self-exclusion mechanism across the ACT for people experiencing gambling harm;
 - (d) make the necessary adjustments to allow clubs to diversify to other revenue sources;
 - (e) conduct an urgent review into water costs for those clubs maintaining sporting infrastructure; and
 - (f) report back to the Assembly on progress on each of these commitments no later than 24 June 2021. (*Notice given 30 November 2020. Notice will be removed from the Notice Paper unless called on within 4 sitting weeks—standing order 125A*).
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CROSSBENCH EXECUTIVE MEMBERS' BUSINESS

There are no notices or orders of the day.

QUESTIONS ON NOTICE

On the first sitting day of a period of sittings a complete Notice Paper is published containing all unanswered questions. On subsequent days, only redirected questions are included on the Notice Paper together with a list of all unanswered questions.

A Questions on Notice Paper will be issued on the Friday of a sitting week, containing the text of all questions on notice lodged that week and can be accessed at www.parliament.act.gov.au/in-the-assembly/questions-paper.

There are no questions on notice.

T Duncan
Clerk of the Legislative Assembly

COMMITTEES

Unless otherwise shown, appointed for the life of the Tenth Assembly. The dates of the amendments to the committees' resolution of appointment are reflected, but not changes in the membership.

Standing

Pursuant to standing order

ADMINISTRATION AND PROCEDURE: (*Formed 3 November 2020*): The Speaker (Chair), Mr Braddock MLA, Mr Hanson MLA, Ms Orr MLA.
