



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2020–2021–2022–2023–2024

MINUTES OF PROCEEDINGS

No 115

THURSDAY, 21 MARCH 2024

- 1 The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms Burch) took the Chair and made the following acknowledgement of country in the Ngunnawal language:

Dhawura nguna, dhawura Ngunnawal.

Yanggu ngalawiri, dhunimanyin Ngunnawalwari dhawurawari.

Nginggada Dindi dhawura Ngunnaawalbun yindjumaralidjinyin.

This is Ngunnawal Country.

Today we are gathering on Ngunnawal country.

We always pay respect to Elders, female and male, and Ngunnawal country.

The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

- 2 **INSPECTOR OF CORRECTIONAL SERVICES ACT—THEMATIC REVIEW OF A CORRECTIONAL SERVICE AND NATIONAL PREVENTATIVE MECHANISM PILOT VISIT BY THE A.C.T. INSPECTOR OF CORRECTIONAL SERVICES—ISOLATION OF CHILDREN AND YOUNG PEOPLE AT BIMBERI YOUTH JUSTICE CENTRE—GOVERNMENT RESPONSE— MINISTERIAL STATEMENT AND PAPER—PAPER NOTED**

Ms Stephen-Smith (Minister for Children, Youth and Family Services) made a ministerial statement concerning the Government response to a review by the ACT Inspector of Correctional Services relating to isolation of children and young people at Bimberi Youth Justice Centre and presented the following papers:

Inspector of Correctional Services Act—Thematic Review of a Correctional Service and National Preventative Mechanism Pilot Visit by the ACT Inspector of Correctional Services—Isolation of children and young people at Bimberi Youth Justice Centre—Government response, dated March 2024.

Office of the ACT Inspector of Correctional Services (OICS) Thematic Review of Bimberi Youth Justice Centre—Government response—Ministerial statement, 21 March 2024.

Ms Stephen-Smith moved—That the Assembly take note of the ministerial statement.

Question—put and passed.

3 COMMISSIONER FOR SUSTAINABILITY AND THE ENVIRONMENT ACT—COMMISSIONER FOR SUSTAINABILITY AND THE ENVIRONMENT—A.C.T. STATE OF THE ENVIRONMENT REPORT—2023—MINISTERIAL STATEMENT AND PAPER—PAPER NOTED

Ms Vassarotti (Minister for the Environment, Parks and Land Management) made a ministerial statement concerning the *ACT State of the Environment Report 2023* and presented the following papers:

Commissioner for Sustainability and the Environment Act, pursuant to section 22—Commissioner for Sustainability and the Environment—ACT State of the Environment Report 2023.

ACT State of the Environment Report 2023—Ministerial statement, 21 March 2024.

Ms Vassarotti moved—That the Assembly take note of the ministerial statement.

Question—put and passed.

4 CONTINUING RESOLUTION 3—BROADCASTING GUIDELINES—AMENDMENT

Ms Burch (Speaker), pursuant to notice, moved—That Continuing Resolution 3 relating to Broadcasting Guidelines be amended by omitting paragraph (3), and substituting the following:

“(3) pursuant to subsection 6(4) of the *Legislative Assembly (Broadcasting) Act 2001*, the Speaker or a committee chair may withdraw from a person or organisation the right to broadcast, or record for broadcast, public proceedings of the Assembly or the relevant committee if that person or organisation does not abide by any guidelines issued by the Speaker to give effect to this resolution or to relevant provisions of the *Legislative Assembly (Broadcasting) Act 2001*.”.

Question—put and passed.

5 EDUCATION AND COMMUNITY INCLUSION—STANDING COMMITTEE—REPORT 9—INQUIRY INTO THE FUTURE OF SCHOOL INFRASTRUCTURE IN THE A.C.T.—REPORT NOTED

Mr Pettersson (Chair) presented the following report:

Education and Community Inclusion—Standing Committee—Report 9—*Inquiry into the Future of School Infrastructure in the ACT*, dated 12 March 2024, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

6 JUSTICE AND COMMUNITY SAFETY—STANDING COMMITTEE—REPORT 26—INQUIRY INTO THE INTEGRITY COMMISSION AMENDMENT BILL 2022 (NO 2)—REPORT NOTED

Dr Paterson (Deputy Chair) presented the following report:

Justice and Community Safety—Standing Committee—Report 26—*Inquiry into the Integrity Commission Amendment Bill 2022 (No 2)*, dated 13 March 2024, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Question—put and passed.

7 LEAVE OF ABSENCE TO MEMBER

Ms Lawder moved—That leave of absence be granted to Ms Lee (Leader of the Opposition) and Mr Milligan for this sitting due to personal reasons.

Question—put and passed.

8 GAMING MACHINE (COMPULSORY SURRENDER) AMENDMENT BILL 2024

Mr Rattenbury (Minister for Gaming), pursuant to notice, presented a Bill for an Act to amend the *Gaming Machine Act 2004*, and for other purposes.

Paper: Mr Rattenbury 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 Rattenbury 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.

9 LIQUOR (NIGHT-TIME ECONOMY) AMENDMENT BILL 2024

Ms Cheyne (Minister for Government Services and Regulatory Reform), pursuant to notice, presented a Bill for an Act to amend the *Liquor Act 2010*.

Paper: Ms Cheyne 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 Cheyne moved—That this Bill be agreed to in principle.

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

10 ASSISTED REPRODUCTIVE TECHNOLOGY BILL 2023

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.

11 CLIMATE CHANGE AND GREENHOUSE GAS REDUCTION (MEMBERSHIP) AMENDMENT BILL 2024

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.

12 BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2023

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

Detail Stage

Ms Cheyne (Minister for Human Rights) drew the attention of the Speaker to the fact that a quorum of Members was not present.

The bells having been rung, and a quorum formed—

Clause 1—agreed to.

Clause 2—

Miss Nuttall moved her amendment No 1 (see [Schedule 1](#)).

Paper: Miss Nuttall presented a supplementary explanatory statement to her amendments.

Debate continued.

Question—put.

The Assembly voted—

AYES, 12

NOES, 5

Andrew Braddock

Marisa Paterson

Leanne Castley

Joy Burch

Michael Pettersson

Jeremy Hanson

Tara Cheyne

Shane Rattenbury

Elizabeth Kikkert

Jo Clay

Rachel Stephen-Smith

Nicole Lawder

Emma Davidson

Rebecca Vassarotti

Mark Parton

Laura Nuttall

Suzanne Orr

And so it was resolved in the affirmative.

Question—That Clause 2, as amended, be agreed to—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

Clauses 3 to 9, by leave, taken together and agreed to.

Clause 10—debated.

Question—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

Clause 11—debated.

Question—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

New clause—

Miss Nuttall moved her amendment No 2 (see [Schedule 1](#)) which would insert new clause 11A in the Bill.

Debate continued.

Question—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

Clause 12—debated.

Question—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

New clauses—

Miss Nuttall moved her amendment No 3 (see [Schedule 1](#)) which would insert new clauses 12A and 12B in the Bill.

Debate continued.

Question—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

Clauses 13 and 14, by leave, taken together and agreed to.

New clause—

Miss Nuttall moved her amendment No 4 (see [Schedule 1](#)) which would insert new clause 14A in the Bill.

Question—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

Clause 15—

Miss Nuttall moved her amendment No 5 (see [Schedule 1](#)).

Debate continued.

Question—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

Question—That Clause 15, as amended, be agreed to—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

Clause 16—debated and negatived.

Clause 17—debated and negatived.

Clause 18—debated.

Question—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

New clauses—

Miss Nuttall moved her amendment No 8 (see [Schedule 1](#)) which would insert new clauses 18A to 18D in the Bill.

Debate continued.

Question—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

Clause 19—debated.

Question—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

New clause—

Miss Nuttall moved her amendment No 9 (see [Schedule 1](#)) which would insert new clause 19A in the Bill.

Debate continued.

Question—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

Clause 20—agreed to.

Clause 21—

Miss Nuttall moved her amendment No 10 (see [Schedule 1](#)).

Debate continued.

Question—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

Question—That Clause 21, as amended, be agreed to—put.

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

Title—debated and agreed to.

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

The Assembly voted—

AYES, 12		NOES, 5
Andrew Braddock	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

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

13 MINISTERIAL ARRANGEMENTS

Mr Barr (Chief Minister) informed the Assembly of the absence of Minister Gentleman and Minister Steel, and advised the Assembly that questions without notice normally directed to the Minister for Police and Crime Prevention and the Minister for Fire and Emergency Services could be directed to Mr Barr, and those normally directed to the Minister for Skills and Training could be directed to Ms Berry (Deputy Chief Minister).

He further advised that questions without notice normally directed to the Special Minister of State, the Minister for Multicultural Affairs and the Minister for Planning could be directed to Ms Stephen-Smith (Minister for Health), and those normally directed to the Minister for Industrial Relations and Workplace Safety, the Minister for Business and the Minister for Transport could be directed to Ms Cheyne (Minister for City Services).

14 QUESTIONS

Questions without notice were asked.

15 PRESENTATION OF PAPER

The Speaker presented the following paper:

Continuing Resolution 3—Broadcasting Guidelines—Speaker’s guidelines for broadcasting, filming and photography in the Assembly precincts, dated 13 March 2024.

16 PRESENTATION OF PAPERS

Ms Cheyne (Acting Manager of Government Business), pursuant to standing order 211, presented the following papers:

ACT Aboriginal and Torres Strait Islander Elected Body Act, pursuant to subsection 10B(3)—ACT Aboriginal and Torres Strait Islander Elected Body—Report from hearings 14-16 August 2023—Eleventh Report to the ACT Government.

Financial Management Act, pursuant to subsection 30F(3)—Capital Works Program—Progress report—2023-24—Year-to-date performance as at 31 December 2023.

Lighting in public places—Assembly resolution of 27 June 2023—Government response, dated March 2024.

Planning and Development Act, pursuant to subsection 161(2)—Statement by Minister—Exercise of call-in powers—Development Application No DA202341900—Blocks 11 and 12 Section 1 Denman Prospect and Block 8 Section 2 Denman Prospect, dated 27 February 2024, including Notice of Decision, together with a statement.

Sexuality and Gender Identity Conversion Practices Act, pursuant to section 10—Statutory Review Report—*Sexuality and Gender Identity Conversion Practices Act 2020*, dated February 2024.

17 COMMERCIAL AGENT LICENSING SCHEME—PROPOSED ESTABLISHMENT

Mr Pettersson, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) commercial agents conduct activities such as debt collection, the process of serving legal papers, and the repossession of goods on the behalf of a second person or entity; and
 - (b) the definition of “commercial agent” varies between Australian states and territories;
- (2) further notes:
 - (a) although commercial agents hold a position of significant power within the community, they are currently allowed to operate unlicensed in the Australian Capital Territory (ACT);
 - (b) all other states and territories regulate commercial agents in some way, either with positive or negative licensing schemes:
 - (i) in Victoria, a negative debt collector licensing scheme operates. Debt collectors do not need a licence unless they are deemed to be a prohibited person or corporation;
 - (ii) in New South Wales (NSW), commercial agents only need to hold a licence if they conduct face-to-face activities. Some commercial agents operating in the ACT maintain a licence under the NSW scheme to demonstrate their commitment to the proper regulation of their activities;
 - (iii) in Queensland, collection agents, process servers, and repossession agents are regulated by legislative eligibility criteria. They are not required to hold a formal licence;
 - (iv) in South Australia, any person or entity who carries on business or is employed as a security and/or investigation agent, must be licensed;
 - (v) in the Northern Territory, commercial agents, inquiry agents, private bailiffs, and process servers must be licensed;
 - (vi) in Tasmania, collectors, investigators, process servers, and repossession agents must be licensed; and

- (vii) in Western Australia, anyone who carries on the business of, exercises the functions of, or in any way performs any of the functions of a debt collector, is required to be licensed. Conducting business as a debt collector without the appropriate licence is an offence; and
- (3) calls on the ACT Government to investigate and assess the merits of establishing a commercial agent licensing regime in the ACT, with consideration of existing regulations in other states and territories.

Debate ensued.

Mr Cain moved the following amendment: Omit paragraph (3), substitute:

“(3) calls on the ACT Government to investigate and assess the merits of establishing a commercial agent licensing regime in the ACT, with consideration of existing regulations in other states and territories and to report back to this Assembly during the last sitting week of the year.”.

Debate continued.

Amendment agreed to.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) commercial agents conduct activities such as debt collection, the process of serving legal papers, and the repossession of goods on the behalf of a second person or entity; and
 - (b) the definition of “commercial agent” varies between Australian states and territories;
- (2) further notes:
 - (a) although commercial agents hold a position of significant power within the community, they are currently allowed to operate unlicensed in the Australian Capital Territory (ACT);
 - (b) all other states and territories regulate commercial agents in some way, either with positive or negative licensing schemes:
 - (i) in Victoria, a negative debt collector licensing scheme operates. Debt collectors do not need a licence unless they are deemed to be a prohibited person or corporation;
 - (ii) in New South Wales (NSW), commercial agents only need to hold a licence if they conduct face-to-face activities. Some commercial agents operating in the ACT maintain a licence under the NSW scheme to demonstrate their commitment to the proper regulation of their activities;
 - (iii) in Queensland, collection agents, process servers, and repossession agents are regulated by legislative eligibility criteria. They are not required to hold a formal licence;

- (iv) in South Australia, any person or entity who carries on business or is employed as a security and/or investigation agent, must be licensed;
 - (v) in the Northern Territory, commercial agents, inquiry agents, private bailiffs, and process servers must be licensed;
 - (vi) in Tasmania, collectors, investigators, process servers, and repossession agents must be licensed; and
 - (vii) in Western Australia, anyone who carries on the business of, exercises the functions of, or in any way performs any of the functions of a debt collector, is required to be licensed. Conducting business as a debt collector without the appropriate licence is an offence; and
- (3) calls on the ACT Government to investigate and assess the merits of establishing a commercial agent licensing regime in the ACT, with consideration of existing regulations in other states and territories and to report back to this Assembly during the last sitting week of the year.”—

be agreed to—put and passed.

18 PACER PROGRAM AND INNOVATIVE MENTAL HEALTH SERVICES—INVESTMENT

Notice No 2, Private Members’ Business having been called on—

Ms Castley, by leave, in the absence of the proposer, having amended the proposer’s notice, by leave, pursuant to notice, moved—That this Assembly:

- (1) notes:
 - (a) that the ACT Labor-Greens Government has refused to commit to fund the expanded Police, Ambulance and Clinician Early Response (PACER) program past 30 June 2024;
 - (b) the PACER program, which has a dedicated paramedic, police officer, and mental health clinician in an unmarked car to respond to mental health incidents, is a critically important component of mental health care in the ACT; and
 - (c) comments by police that demand for the service has outstripped the two-car program and as a result, police are having to attend mental health related call outs without the support of clinicians;
- (2) further notes:
 - (a) that the PACER program has attended 6,510 incidents since it was first established in December 2019;
 - (b) that mental health in the ACT is a growing problem with more than 44 percent of Australians between the ages of 16 and 85 having a mental health disorder at some point in their life;
 - (c) the Productivity Commission’s *Report on Government Services 2023* shows that the ACT was 19 percent worse than the national average for mental health-related emergency department wait times, the worst in the country; and
 - (d) more than 70 percent of people seen by a PACER team do not need to be admitted to hospital as they receive the appropriate support; and

- (3) calls on the ACT Labor-Greens Government to make PACER a permanent part of the Government’s mental health response, and to expand the program to keep up with increasing demand.

Ms Davidson (Minister for Mental Health) moved the following amendment: Omit all text after “That this Assembly”, substitute:

- (1) notes:
- (a) that by introducing the Police, Ambulance and Clinician Early Response (PACER) program the ACT Government implemented an innovative service, which has had a significant impact on the delivery of urgent mental health services;
 - (b) the PACER program has a dedicated paramedic, police officer and mental health clinician in an unmarked car to provide care and support to people experiencing a mental health crisis and is a critically important component of mental health care in the ACT; and
 - (c) the integrated, tri-service model of the PACER service, with police, paramedic and mental health clinicians represented and the respective skills that they bring, is of critical importance to the effectiveness of the PACER model;
- (2) further notes:
- (a) that the PACER program has attended more than 6,500 events since it was first established in 2019 until 31 December 2023;
 - (b) that the PACER model in the ACT has attracted interest from other jurisdictions as an example of good practice; and
 - (c) that PACER fulfils a crucial role in the ACT’s health system in providing care and support closer to home and contributes to reducing the stigma for people who need care and support; and
- (3) calls on the ACT Government to:
- (a) reaffirm its commitment to the tri-service PACER model and trialling new ways of providing health care; and
 - (b) continue to consider innovative investments in effective mental health services.”.

Debate continued.

Question—That the amendment be agreed to—put.

The Assembly voted—

AYES, 12		NOES, 5
Yvette Berry	Marisa Paterson	Leanne Castley
Joy Burch	Michael Pettersson	Jeremy Hanson
Tara Cheyne	Shane Rattenbury	Elizabeth Kikkert
Jo Clay	Rachel Stephen-Smith	Nicole Lawder
Emma Davidson	Rebecca Vassarotti	Mark Parton
Laura Nuttall		
Suzanne Orr		

And so it was resolved in the affirmative.

Question—That the motion, as amended, viz:

“That this Assembly:

- (1) notes:
 - (a) that by introducing the Police, Ambulance and Clinician Early Response (PACER) program the ACT Government implemented an innovative service, which has had a significant impact on the delivery of urgent mental health services;
 - (b) the PACER program has a dedicated paramedic, police officer and mental health clinician in an unmarked car to provide care and support to people experiencing a mental health crisis and is a critically important component of mental health care in the ACT; and
 - (c) the integrated, tri-service model of the PACER service, with police, paramedic and mental health clinicians represented and the respective skills that they bring, is of critical importance to the effectiveness of the PACER model;
- (2) further notes:
 - (a) that the PACER program has attended more than 6,500 events since it was first established in 2019 until 31 December 2023;
 - (b) that the PACER model in the ACT has attracted interest from other jurisdictions as an example of good practice; and
 - (c) that PACER fulfils a crucial role in the ACT’s health system in providing care and support closer to home and contributes to reducing the stigma for people who need care and support; and
- (3) calls on the ACT Government to:
 - (a) reaffirm its commitment to the tri-service PACER model and trialling new ways of providing health care; and
 - (b) continue to consider innovative investments in effective mental health services.”—

be agreed to—put and passed.

19 PAPERS PRESENTED ON 21 MARCH 2024—PAPERS NOTED

The Speaker, pursuant to standing order 211A, proposed—That the papers presented under standing order 211 during the presentation of papers in the routine of business today be noted.

Debate ensued.

Question—put and passed.

20 MEMBERS’ STATEMENTS

Members’ statements were made.

21 ADJOURNMENT

Ms Cheyne (Minister for City Services) moved—That the Assembly do now adjourn.

Debate ensued.

Question—put and passed.

And then the Assembly, at 4.34 pm, adjourned until Tuesday, 9 April 2024 at 10 am.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Mr Cocks*, Mr Gentleman*, Ms Lee*, Mr Milligan* and Mr Steel*.

*on leave.

Tom Duncan
Clerk of the Legislative Assembly

SCHEDULE OF AMENDMENTS

Schedule 1

BIRTHS, DEATHS AND MARRIAGES REGISTRATION AMENDMENT BILL 2023

Amendments circulated by Miss Nuttall

1

Clause 2

Page 2, lines 6, 10, 15 and 19—

omit

4 to 7 and 20

substitute

4 to 7, 11A, 18D and 20

2

Proposed new clause 11A

Page 5, line 20—

insert

**11A Change of name entries in register
New section 21 (4)**

insert

- (4) Also, a birth certificate issued by the registrar-general for the person must not show the person's former name if—
- (a) the person's name was changed under subsection (2) (a) (i) (A); and
 - (b) any of the following people requests, in writing, that the person's former name not be shown:
 - (i) the person;
 - (ii) if the person is a child—a parent of, or a person with parental responsibility for, the person;
 - (iii) a person prescribed by regulation; and
 - (c) the registrar-general is satisfied that the request is made to protect a person's privacy; and
 - (d) for a request that relates to a child who is at least 14 years old—the registrar-general is satisfied that the child either consents to the request or cannot understand the meaning or implications of the request.

Note Section 27 deals with showing a person's sex on a birth certificate.

 3
Proposed new clauses 12A and 12B

Page 5, line 26—

*insert***12A Section 24 (1) (c), except notes***substitute*

- (c) the person believes their sex to be the sex nominated in the application.

12B Section 24 (2) (c)*omit*

 4
Proposed new clause 14A

Page 6, line 14—

*insert***14A Section 25***substitute***25 Evidence in support of application**

An application under section 24 must be accompanied by—

- (a) documents confirming that the person was born in the ACT or has had their birth registered in the ACT; and
- (b) for an application under section 24 (2)—a statement that the applicant believes that altering the record of the child's sex is in the best interests of the child; and
- (c) any other documents and information prescribed by regulation.

Note It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see Criminal Code, pt 3.4).

 5
Clause 15

Page 6, line 15—

*omit clause 15, substitute***15 Section 27***substitute***27 Showing information about sex on birth certificate**

- (1) The registrar-general may issue a birth certificate for a person that includes information about the person's sex.

- (2) However, information about a person's sex must not be included on a birth certificate if—
- (a) any of the following people requests, in writing, that the information not be included on the certificate:
 - (i) the person;
 - (ii) a parent of, or a person with parental responsibility for, the person; and
 - (b) for a request that relates to a child who is at least 14 years old—the registrar-general is satisfied that the child either consents to the request or cannot understand the meaning or implications of the request.
- (3) If the registrar-general issues a birth certificate that includes information about the sex of a person whose record of sex has been altered, the birth certificate—
- (a) must show the person's record of sex as altered; and
 - (b) must not show any word or statement to the effect that the person's record of sex has been altered.
- (4) However, the registrar-general may issue a birth certificate that includes information about a person's sex before, or both before and after, the alteration of the person's record of sex if any of the following people requests, in writing, that the information be included:
- (a) the person;
 - (b) a child of the person;
 - (c) a person prescribed by regulation.

Note Section 21 deals with showing a person's former name on a birth certificate after registering a change of name.

7

Clause 17

Page 7, line 1—

[oppose the clause]

8

Proposed new clauses 18A to 18D

Page 7, line 11—

*insert***18A Section 29A (1) (d)***substitute*

- (d) the person believes their sex to be the sex nominated in the application.

18B Section 29A (2) (d)*omit***18C Section 29B***substitute***29B Evidence in support of application for recognised details certificate**

An application under section 29A must be accompanied by—

- (a) documents confirming that—
- (i) the person to whom the application relates is domiciled or resident in the ACT; and
 - (ii) the person's birth is registered in a place other than the ACT; and
- (b) for an application under section 29A (2)—a statement signed by the parents of, or a person with parental responsibility for, the child stating that a recognised details certificate for the child is in the best interests of the child; and
- (c) any other documents and information prescribed by regulation.

Note It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see Criminal Code, pt 3.4).

18D New division 4.3*insert***Division 4.3 Nominating sex in applications under this part****29DA Nominating sex in applications under this part**

- (1) A person making an application under this part (an *applicant*) may nominate the sex of a person in the application by stating the nominated sex using any term other than a prohibited sex descriptor.
- (2) The registrar-general must ensure an application allows an applicant to state the nominated sex of a person using any term other than a prohibited sex descriptor.

Examples

- 1 an electronic interactive form used for altering the record of a person's sex shows a blank space in which the person may state their nominated sex
 - 2 a paper form used to apply for a recognised details certificate includes an open-text field in which the applicant may state their nominated sex
- (3) In this section:

prohibited sex descriptor means a term describing a person's sex that—

- (a) is obscene or offensive; or
- (b) could not practically be established by repute or usage—
 - (i) because it is too long; or
 - (ii) because it consists of or includes symbols without phonetic significance in the English language; or
 - (iii) for any other reason.

9**Proposed new clause 19A****Page 7, line 18—***insert***19A Dictionary, definition of *birth certificate****omit*

section 27 (2)

substitute

section 27

10
Clause 21
Page 8, line 9—

omit clause 21, substitute

21 **Section 7**

substitute

7 **Showing information about sex on birth certificate—Act,
s 27 (4) (c)**

The following people are prescribed:

- (a) a parent of, or person with parental responsibility for, the person;
 - (b) an executor or administrator of the estate of the person;
 - (c) a lawyer authorised by a person mentioned in—
 - (i) paragraph (a) or (b); or
 - (ii) the Act, section 27 (4) (a) or (b).
-