



Matters of public importance—your Assembly @ work

Non sitting and sitting weeks—5 to 30 November 2018

Issue 13/2018

Government Business

Includes business items presented to the Assembly by the Executive including bills, motions, and papers

Bills introduced

[Births, Deaths and Marriages Registration Amendment Bill 2018](#) (presented 29 November)

This bill will amend the *Births, Deaths and Marriages Registration Act 1997* and the *Births, Deaths and Marriages Registration Regulation 1998* to provide birth parents the right to choose whether to register a fetus as a stillborn child where it showed no sign of heartbeat before reaching 20 weeks' gestation but was born during or after 20 weeks' gestation.

[Canberra Institute of Technology Amendment Bill 2018](#) (presented 29 November)

This bill will amend the *Canberra Institute of Technology Act 1987* by substituting references to “institute” with CIT and to align language in the Act to better reflect CIT’s established policies. The amendments will also reduce the minimum number of board members, discontinue ACT Government board member appointments and revise board membership eligibility criteria.

[Consumer Protection Legislation Amendment Bill 2018](#) (presented 29 November)

This bill will amend the *Eggs (Labelling and Sale) Act 2001*, the *Fair Trading (Fuel Prices) Act 1993* and the *Animal Welfare Act 1992* by improving consumer protection to ensure consumers are provided clear and accurate information when purchasing free-range eggs and fuel. The bill will also update the Territory’s regulation of free-range eggs and create the new *Eggs (Labelling and Sale) Regulation 2018*. Changes to the Territory’s regulation of the display of fuel price boards are also included in the bill.

[Controlled Sports Bill 2018](#) (presented 29 November)

This bill will establish a legislative framework to update regulations on combat sports events operating in the ACT. The bill will improve safety for contestants and promote integrity and replace the *Boxing Control Act 1993*.

[Education \(Child Safety in Schools\) Legislation Amendment Bill 2018](#) (presented 29 November)

This bill will amend the *ACT Teacher Quality Institute Act 2010*, the *Education Act 2004* and the *Education Regulation 2005* to clarify the roles and responsibilities of people responsible for children and young people in ACT schools. The bill will strengthen the reporting requirements in the *Teacher Quality Institute Act 2010* and ensure that teachers maintain a working with vulnerable people registration in order to teach. Provisions included in the bill will begin the implementation of the Government's commitments as a consequence of the Royal Commission into Institutional Responses to Child Sexual Abuse.

[Electoral Amendment Bill 2018](#) (presented 29 November)

This bill will amend the *Electoral Act 1992* to prohibit property developers and close associates giving gifts to political entities and will place a prohibition on political entities accepting such gifts. The bill also amends the definition of gift and amends the timeframe for reporting of gifts received over the \$1 000 threshold.

[Fuels Rationing Bill 2018](#) (presented 29 November)

This bill will establish a framework for approving, implementing and enforcing fuel rationing measures in the unlikely event of a fuel shortage.

[Integrity Commission Bill 2018](#) (presented 27 November)

Summary: This bill will establish an Integrity Commission that will identify, investigate and expose serious corrupt conduct in public administration in the Territory.

[Retirement Villages Legislation Amendment Bill 2018](#) (presented 29 November)

This bill will amend a number of ACT statutes to support the ACT's retirement villages to meet the needs of current and future residents and operators. The bill implements a second set of recommendations which resulted from the 2015-16 review of the *Retirement Villages Act 2012*.

Bills debated

[City Renewal Authority and Suburban Land Agency Amendment Bill 2018](#)

Summary: This bill will amend the *City Renewal Authority and Suburban Land Agency Act 2017* to ensure that former Land Development Agency assets, contracts and liabilities are correctly transferred to either the City Renewal Authority or the Suburban Land Agency.

Proceedings: Debate resumed on this bill on 29 November with all parties indicating their supporting for the passage of the bill through the Assembly. The bill was agreed to in principle

The bill was passed by the Assembly without amendment.

[Disability Services Amendment Bill 2018](#)

Summary: This bill will amend the *Disability Services Act 1991* to provide the Official Visitors for Disability Services with improved access to monitor and investigate the welfare of potentially vulnerable persons in disability accommodation.

Proceedings: Support for this proposed legislation was given by all parties when debate resumed on 27 November with the bill being agreed to in principle.

The bill was passed by the Assembly without amendment.

[Discrimination Amendment Bill 2018](#)

Summary: This bill will amend the *Discrimination Act 1991* to strengthen protections against discrimination for students and employees/contractors in educational institutions conducted for religious purposes. The bill also provides a limited exception for educational institutions conducted for religious purposes to discriminate against employees, contractors and students on admission, but only on the grounds of religious conviction and not other protected attributes such as sexuality.

Proceedings: Debate resumed on this bill on 27 November with the proposed legislation being agreed to in principle. During the detail stage amendments were moved by the Opposition that proposed to amend a clause in the bill relating to religious education at educational institutions conducted for religious purposes. The amendments also sought to insert a commencement date in the bill. The Opposition amendments were negatived following a vote of the Assembly.

The bill was passed without amendment.

[Emergencies Amendment Bill 2018](#)

Summary: This bill will amend the *Emergencies Act 2004* to enhance clarity and operation of the Act, particularly in relation to the functions of the Security and Emergency Management Senior Officials Group, emergency sub-plans and the application of the Act during an emergency situation.

Proceedings: The bill received tri-partisan support when debate resumed on 27 November and it was agreed to in principle.

The bill was passed by the Assembly.

[Gaming Legislation Amendment Bill 2018](#)

Summary: This bill will amend a number of Territory statutes to reduce the number of gaming machine authorisations, establish stronger gambling harm protections, and to develop a stronger clubs sector.

Proceedings: Debate resumed on this bill on 27 November with the Opposition indicating they would not be supporting the passage of the bill through the Assembly and outlining its reasons for not doing so. During debate the ACT Greens stated that they would be supporting the proposed legislation. Following a vote of the Assembly, the bill was agreed to in principle. A number of amendments moved by the Government during the detail stage were passed.

The amended bill was passed by the Assembly.

[Integrity Commission Bill 2018](#) (presented 27 November)

Summary: This bill will establish an Integrity Commission that will identify, investigate and expose serious corrupt conduct in publication administration in the Territory.

Proceedings: Debate resumed on this bill on 29 November and was agreed to in principle by all parties in the Assembly. During the detail stage amendments were moved by the Opposition, the Government and the ACT Greens a number of which were agreed to by the Assembly.

The amended bill was passed.

[Public Sector Workers Compensation Fund Bill 2018](#)

Summary: This bill will establish infrastructure and supporting arrangements for appropriations and moneys held for the management of the ACT's Public Sector workers' compensation liabilities. This bill will also establish a Public Sector Workers Compensation fund and appoint a commissioner to manage and administer the fund.

Proceedings: Both the Opposition and the ACT Greens indicated support for the bill when debate resumed on 27 November. The bill was agreed to in principle

The bill was passed by the Assembly without amendment.

[Royal Commission Criminal Justice Legislation Amendment Bill 2018](#)

Summary: This bill will amend the *Crimes Act 1900*, the *Crimes (Sentencing) Act 2005*, the *Evidence (Miscellaneous Provisions) Act 1991*, and the *Evidence (Miscellaneous Provisions) Regulation 2009* to enhance the protection of children of child sexual abuse and improve the justice system's response to child sexual abuse.

Proceedings: Debate resumed on this bill on 27 November with all parties in the Assembly supporting the passage of the proposed legislation.

The bill was agreed to by the Assembly without amendment.

Motion debated

A motion was moved by the Chief Minister on 29 November proposing that the Assembly adopt the **Southern Brush-tailed Rock-wallaby** as the mammal emblem for the ACT. During debate all parties indicated their support for the motion.

The motion was passed by the Assembly.

A full record of the debates can be accessed at [Hansard](#).

Ministerial statements

A recent **delegation to Japan** was the subject of a ministerial statement made by the Chief Minister on 27 November. During the statement the Chief Minister stated that the delegation was aimed at growing Canberra's visibility in key markets and promoting the city as a trade and investment destination.

A review on patterns of **ambulance demand and crewing** for the ACT Ambulance Services (ACTAS) was the subject of a ministerial statement made by the Minister for Police and Emergency Services on 27 November. The Minister stated that the Government had given a commitment to report to the Assembly by the end of the year on the outcomes of an ACTAS review of minimum crewing levels, so that they more accurately reflect the minimum crews required during periods of known demand. Ms Jones MLA also made a statement on the matter.

Further ministerial statements made on 27 November related to—

Final update on progress on the **ACT Active Ageing Framework 2015-2018** made by the Minister for Seniors and Veterans.

Update on the implementation and outcomes of the first action plan of the **ACT Multicultural Framework 2015-2020** made by the Minister for Multicultural Affairs.

Better access and safety on Mount Taylor made by the Minister for Roads.

The following ministerial statements were made on 29 November—

Update on ACT Graduated Licensing Scheme Reforms made by the Minister for Justice, Consumer Affairs and Road Safety.

Mental Health Inpatient Services—Response to resolution of the Assembly of 31 October 2018 made by the Minister for Mental Health.

Aboriginal and Torres Strait Islander Agreement 2015-2018—Annual Report 2018 made by the Minister for Aboriginal and Torres Strait Islander Affairs.

Plastic Waste Reduction—Response to resolution of the Assembly of 22 August 2018 made by the Minister for City Services

The full text of the statements made by Ministers and Members can be accessed from the [Assembly Hansard](#) site.

Private Members' Business

Includes items presented to the Assembly by all non-Executive Members, including bills and motions

Bills introduced

[Drugs of Dependence \(Personal Cannabis Use\) Amendment Bill 2018](#) (presented 28 November)

Summary: This bill will amend the *Drugs of Dependence Act 1989* to allow for the personal use and carry of cannabis up to a limit of 50 grams. The bill will also allow individuals to grow up to four cannabis plants, excluding artificial crop growing.

Following adjournment of debate on the bill a motion was moved by the Opposition proposing that the bill be referred to the Standing Committee on Health, Ageing and Community Services. The motion was negated after a vote of the Assembly.

[Domestic Animals \(Dangerous Dogs\) Amendment Bill 2018](#) (presented 28 November)

Summary: This bill will amend the *Domestic Animals Act 2000* by providing a greater obligation on dog owners to manage dogs in a safe and responsible manner.

Motions debated

On 28 November leave was granted to the Opposition to move a **motion of censure in the Minister for Health and Wellbeing** for failures in the administration of the Health portfolio. The motion was not supported by the Government or ACT Greens and was negated following a vote of the Assembly.

Support for lower-income Canberrans was the subject of a motion moved by Ms Le Couteur MLA on 28 November. The motion included noting that the ACT taxation system had existing policies and programs that can help those on lower incomes, such as rates deferrals and concessions for pensioners. It also included calling on the Government to expand and improve its support for low income Canberrans and highlighted those areas where this support could be provided. During debate the Government indicated its support for the motion with the Opposition also supporting the motion while also highlighting its concerns about the rising cost of living in Canberra.

The motion was passed by the Assembly without amendment.

A motion was moved on 28 November by Mrs Jones MLA in relation to **bushfire prevention** in the ACT. The motion noted that the bushfire season commenced on 1 September 2018, one month earlier than usual and called on the Government to investigate methods of increasing the burning capacity during periods of suitable weather conditions. During debate an amendment was moved by the Government that included noting that hazard reduction burns are one of many important activities undertaken in the preparation of a bushfire season and called on the Government to continue working with the community to help prepare Canberra for this year's bushfire season. An amendment to the Government's amendment was moved by the ACT Greens that included noting that climate change had increased the risk and severity of fires in the Territory. The proposed amendment by the ACT Greens was agreed to. A further amendment was then moved by the Opposition calling on the Government to report back to the Assembly by the end of the 2018-19 bushfire season on an investigation into methods of increasing the burning capacity. The Opposition's proposed amendment was negatived following a vote of the Assembly.

The amended motion was then agreed to.

Public Place Names was the subject of a motion moved by Ms Cody MLA on 28 November. The motion included calling on the Government to review the terms of reference and expansion of membership for the ACT Place Names Committee (the Committee) and to review the Public Place Names Guidelines. The motion also called on the Government to ensure that the Committee considers community proposals relating to place names that no longer meet community standards. Both the Opposition and ACT Greens spoke to the motion.

The motion was passed by the Assembly without amendment.

A further motion debated on 28 November related to language education (Ms Lee MLA).

The full debate on the above motions can be accessed from the Assembly [Hansard](#) site.

Assembly Business

Includes any business relating to the establishment or membership of a committee or the proposed referral of a matter to a committee. It also includes business which proposes to amend, disallow, disapprove or declare void any instruments which are made under specific Acts agreed to by the Assembly. Assembly business also includes any notice or order of the day which deals with the administration of the Assembly or how the Assembly conducts its proceedings

Motions debated

A motion was moved on 29 November proposing changes to the Assembly's continuing resolution relating to the **Commissioner for Standards**. The changes are a consequence of the passing of the Integrity Commission Bill 2018 earlier in the sitting.

The motion was agreed to by the Assembly.

On 29 November a motion was moved establishing a **Standing Committee on the Integrity Commission**. The motion stated that the Committee would be established to:

- (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.

The motion was passed by the Assembly.

A further motion proposing that a continuing resolution be adopted by the Assembly in relation to **dealing with claims of parliamentary privilege that arise during the exercise of the ACT Integrity Commission's powers and functions**. The motion received the support of all parties in the Assembly.

The motion was agreed to.

The full terms of the above motions can be found in the [Minutes of Proceedings](#).

Papers Presented

The following are papers of interest that were presented during the sitting week:

- 50th Anniversary of the Apollo 11 Mission—Response to resolution of the Assembly of 11 April 2018 (*presented by Minister assisting the Chief Minister on Advanced Technology and Space Industries on 27 November*)
- Annual reports 2017-18—
 - ACT Climate Change Council Annual Report (*presented by the Minister for Climate Change and Sustainability on 29 November*)
 - Australian Criminal Intelligence Commission—
 - Controlled Operations
 - Surveillance Devices (*presented by Attorney-General on 27 November*)
 - Australian Health Practitioner Regulation Agency and the National Boards, reporting on the National Registration and Accreditation Scheme (*presented by Minister for Health and Wellbeing on 27 November*)
 - National Health Practitioner Ombudsman and Privacy Commissioner (*presented by Minister for Health and Wellbeing on 27 November*)
 - Performance in Aboriginal and Torres Strait Islander Education (*presented by Minister for Education and Early Childhood Development on 29 November*)
- Auditor-General's Report 9 of 2018—*ACT Health's management of allegations of misconduct and complaints about inappropriate workplace behaviour*—Ministerial response (*presented by Minister for Health and Wellbeing on 29 November*)
- Climate Change and Greenhouse Gas Reduction Act—Minister's Annual Report (*presented by the Minister for Climate Change and Sustainability on 29 November*)

- Community contributions made by gaming machine licensees—Report by the ACT Gambling and Racing Commission *(presented by Minister for Business and Regulatory Services on 27 November)*
- Exercise of call-in powers—Development Applications Nos DA201732485 and DI201732500—ACT Second Electricity Supply Project *(presented by Minister for Planning and Land Management on 27 November)*
- Health Practitioner Regulation National Law Regulation 2018 *(presented by Minister for Health and Wellbeing on 27 November)*
- Heavy Vehicle National Law as applied by the law of States and Territories—
 - Heavy Vehicle (Registration) National Regulation
 - Heavy Vehicle National Legislation Amendment Regulation 2018 *(presented by the Minister for Justice, Consumer Affairs and Road Safety)*
- Integrity Commission (ACT Policing) Amendment Bill 2018—Exposure Draft and Explanatory Statement *(presented by Chief Minister on 27 November)*
- Icon Water Contracts with ActewAGL—
 - Corporate Services Agreement (redacted), dated 27 June 2012
 - Community Services and Community Support Agreement (redacted), dated 27 June 2012 *(presented by Clerk on 27 November)*
- Ombudsman complaint statistics—Quarterly report for the period 1 July to 30 September 2018 *(presented by Speaker on 27 November)*
- Progress report on 2018-19 Capital Works Program—Year to date 30 September 2018 *(presented by Treasurer on 27 November)*
- Proposed Review of Energy Efficiency Rating Scheme—Response to resolution of the Assembly of 1 August 2018 *(presented by Minister for Building Quality Improvement on 27 November)*
- Radiation Protection Act 2006—Review *(presented by the Minister for Health and Wellbeing on 29 November)*
- 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 23 May 2018 *(presented by Speaker on 27 November)*
- Report of the Independent Legal Arbiter—Icon Water Contracts with ActewAGL—Disputed claim of privilege—
 - Report prepared by the Hon Richard Refshauge SC
 - Supplementary report prepared by the Hon Richard Refshauge SC *(presented by Speaker on 27 November)*
- Trans-Tasman Mutual Recognition (Permanent Exemption for Emissions-controlled Products) Endorsement 2018 (No 1) *(presented by Chief Minister on 27 November)*

Petitions and petition response

The following petitions were lodged on 29 November—

- Ceasing of commercial drone delivery trials in Bonython—lodged by Ms J Burch MLA.
This petition was referred to the Standing Committee on Economic Development and Tourism.
- Restoration of funding to the ANU School of Music H-course for years 11 and 12 students—lodged by Ms Le Couteur MLA.

This petition was referred to the Standing Committee on Education, Employment and Youth Affairs.

The following ministerial response to a petition was lodged on 27 November—

- Support for the Government Procurement (Secure Local Jobs) Amendment Bill 2018.

A copy of this response can be found on the Assembly [Hansard](#) site.

Committee Activities

Committee reports presented

Environment and Transport and City Services—Standing Committee

Report 7—[Inquiry into ACT Libraries](#) (presented 27 November)

Health, Ageing and Community Services—Standing Committee

Report 4—[Inquiry into the Implementation, Performance and Governance of the National Disability Insurance Scheme in the ACT](#) (presented 27 November)

Scrutiny Committee

[Scrutiny Report 24](#) (presented 27 November)

This report contained the committee's comments on nine bills and one piece of subordinate legislation.

[Scrutiny Report 25](#) (presented 27 November)

This report contained the committee's comments on the draft Integrity Commission Bill 2018.

Committee inquiries

Administration and Procedure—Standing Committee

A motion was passed by the Assembly on 27 November extending the reporting date for the committee's inquiry into the ACT Register of Lobbyists to the last sitting day in February 2019.

End of Life Choices—Select Committee

A motion was passed by the Assembly on 27 November extending the reporting date for the committee's inquiry to the last sitting day in March 2019.

Health, Ageing and Community Services—Standing Committee

A motion was passed by the Assembly on 29 November 2018 allowing the committee to present its report on future sustainability of health funding in the ACT out of session.

Committee referrals

Environment and Transport and City Services—Standing Committee

A motion was passed on 29 November proposing that the committee consider a possible new Coat of Arms for the Territory.

Public Accounts—Standing Committee

On 29 November a motion was passed by the Assembly that referred all issues relating to commercial rates in Canberra to the committee with a reporting date of the last sitting day in April 2019.

Committee statements

Administration and Procedure—Standing Committee

The Speaker, as chair of the committee, made a statement on 27 November informing the Assembly that the committee had agreed to suggestions from the Commissioner for Standards in relation to his role in investigating complaints against a Member of the Assembly. The Speaker stated that she would be lodging a notice of motion to amend the relevant continuing resolution of the Assembly.

Economic Development and Tourism—Standing Committee

The chair of the committee made a statement on 27 November informing the Assembly that the committee had resolved to call for submissions for its inquiry into drone delivery systems in the ACT with submissions due by 22 February 2019.

Health, Ageing and Community Services—Standing Committee

The chair of the committee made a statement on 27 November informing the Assembly that the committee had extended the deadline for submissions for its inquiry into maternity services in the ACT to 31 January 2019.

Responses to committee reports

Environment and Transport and City Services—Standing Committee

Report 6—Inquiry into a Proposal for a Mammal Emblem for the ACT—Government response (*presented by the Chief Minister on 29 November*)

Independent Integrity Commission 2018—Select Committee

Government response (*presented by Chief Minister on 27 November*)

Standing Committee on Administration and Procedure response (*presented by Speaker on 27 November*)

Committee membership

Integrity Commission—Standing Committee

Ms Cheyne MLA, Ms Le Couteur MLA, Ms Lee MLA (*appointed on 29 November*)

Education Activities

Education programs were conducted recently for students from both Weetangera and Hughes Primary schools who visited the Assembly to participate in sessions that included a mock MPI discussion, voting in mock elections and meeting the Members. The last public sector seminar of the year will be conducted on 10 December 2018, the program for the seminar is available on the website.

Education staff are now preparing programs for 2019 including the community seminar—Get to know your Assembly, Interschool Parliamentary Debates, ACT School Constitutional Convention and Public Sector Seminars. Information on our various program offerings are available on the Assembly's website.

Members of the Legislative Assembly for the ACT

Electorate of Brindabella

Ms Joy Burch (Australian Labor Party)
Mr Mick Gentleman (Australian Labor Party)
Ms Nicole Lawder (Canberra Liberals)
Mr Mark Parton (Canberra Liberals)
Mr Andrew Wall (Canberra Liberals)

Electorate of Ginninderra

Ms Yvette Berry (Australian Labor Party)
Ms Tara Cheyne (Australian Labor Party)
Mrs Vicki Dunne (Canberra Liberals)
Mrs Elizabeth Kikkert (Canberra Liberals)
Mr Gordon Ramsay (Australian Labor Party)

Electorate of Kurrajong

Mr Andrew Barr (Australian Labor Party)
Miss Candice Burch (Canberra Liberals)
Ms Elizabeth Lee (Canberra Liberals)
Mr Shane Rattenbury (ACT Greens)
Ms Rachel Stephen-Smith (Australian Labor Party)

Electorate of Murrumbidgee

Ms Bec Cody (Australian Labor Party)
Mr Jeremy Hanson CSC (Canberra Liberals)
Mrs Giulia Jones (Canberra Liberals)
Ms Caroline Le Couteur (ACT Greens)
Mr Chris Steel (Australian Labor Party)

Electorate of Yerrabi

Mr Alistair Coe (Canberra Liberals)
Ms Meegan Fitzharris (Australian Labor Party)
Mr James Milligan (Canberra Liberals)
Ms Suzanne Orr (Australian Labor Party)
Mr Michael Pettersson (Australian Labor Party)

Next Sitting

Tuesday, 12 February 2019.

This document is produced by the Office of the Legislative Assembly for information.