



Matters of public importance—your Assembly @ work

Sitting of 2 July 2020

Issue 8/2020

Condolence Motions

A condolence motion was moved by the Chief Minister expressing the Assembly's deep regret at the death of Michael A Somes, a former Magistrate of the Magistrates Court of the ACT. The Leader of the Opposition, the Leader of the ACT Greens and the Attorney-General also addressed the Assembly supporting the motion.

A further condolence motion was moved by the Chief Minister expressing the Assembly's deep regret at the death of the Honourable Linda Ashford, an Acting Justice of the Supreme Court of the ACT. The Leader of the Opposition, the Leader of the ACT Greens and the Attorney-General also addressed the Assembly supporting the motion.

At the conclusion of each motion all Members present stood in silence in support of the motions.

Government Business

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

Bills introduced

[Royal Commission Criminal Justice Legislation Amendment Bill 2020](#)

Summary: This bill will make amendments to Territory laws to implement a number of recommendations made by the *Royal Commission into Institutional Response to Child Sexual Abuse*. The amendments relate to provisions in the *Crimes Act 1900* concerning a sexual relationship with a child or young person under special care, the tendency and coincidence evidence provisions in the *Evidence Act 2011* and clarify the status of disclosures in the setting of a religious confessional. The bill also proposes further amendments to the *Evidence Act 2011* in relation to reporting laws.

[Victims Rights Legislation Amendment Bill 2020](#)

Summary: This bill will amend the *Victims of Crime Act 1994* by replacing the 'government principles for the treatment of victims of crime in the administration of justice' with a Charter of Rights for Victims of Crime. The bill also amends the *Victims of Crime Act 1994* and the *Human Rights Commission Act 2005* by introducing an accountability framework in the Acts that will provide victims with access to processes for making justice agency complaints and raising victims' rights concerns where a victim right in the Victims of Crime Charter has not been upheld by an obligated agency.

Bills debated

[COVID-19 Emergency Response Legislation Amendment Bill 2020 \(No 2\)](#)

Summary: This bill will amend the *Electoral Act 1992* to support the conduct of a safe, fair and inclusive 2020 ACT election. The bill will expand the eligibility criteria for pre-poll voters, support the Electoral Commission's deployment of an overseas electronic voting solution and support the Commission's deployment of a telephone voting system for eligible ACT electors who are blind and vision impaired or have a physical disability. The bill will also repeal a section of the *Supreme Court Act 1933* relating to the conduct of jury trials which was inserted into the Act during the COVID-19 pandemic.

Proceedings: Debate resumed on the proposed legislation on 2 July with all parties in the Assembly indicating support for the bill. The bill was agreed to in principle.

The unamended bill was then passed by the Assembly.

[Electoral Legislation Amendment Bill 2019](#)

Summary: This bill will amend the *Electoral Act 1992* and the *Public Unleased Land Act 2013*. The amendments include allowing voters to enrol to vote in an election up to and including on election day, require the full given name and surname of a person and the name of an entity (where electoral matter is published on behalf of an entity) to be shown in an authorisation statement, and allows an authorised person to immediately remove electoral advertising signs from public unleased land, where the signs are not compliant with statutory requirements, without providing prior notice to the owner of the sign.

Proceedings: The ACT Greens indicated support for the proposed legislation when debate resumed on 2 July and informed the Assembly they would be moving an amendment during the detail stage. The Opposition stated that they were mostly supportive of the bill, however, would also be moving a number of amendments during the detail stage. The Government also flagged that they would be moving amendments to the proposed legislation. The bill was agreed to in principle. Amendments moved by all parties during the detail stage were agreed to.

The amended bill was passed by the Assembly.

[Employment and Workplace Safety Legislation Amendment Bill 2020](#)

Summary: This bill will amend the *Workers Compensation Act 1951* by modernising provisions of the Act that deal with insurer and self-insurer approval to ensure workers can expect a consistent standard of service, regardless of whether their employer has a workers' compensation insurance policy or is self-insured. The bill will also amend the *Work Health and Safety Act 2011* by inserting a new power on exercising a right of entry at a workplace. The *Public Sector Management Act 1994* will also be amended by this bill to align it with ACT Public Sector Enterprise Agreements in relation to merit and selection principles. Structure and technical amendments will also be made to the *Dangerous Goods (Road Transport) Act 2009*.

Proceedings: When debate resumed on 2 July the Opposition outlined concerns it had in relation to a number of proposed amendments to the *Work Health and Safety Act 2011* and the *Dangerous Good (Road Transport) Act 2009* contained in the bill. The ACT Greens stated it would support the proposed legislation. The bill was agreed to in principle.

During the detail stage a number of amendments proposed by the Government were agreed to with the Opposition opposing a number of clauses contained in the bill, however, the clauses were passed following votes of the Assembly.

The amended bill was agreed to by the Assembly.

[Planning and Development Amendment Bill 2020](#)

Summary: This bill will amend the *Planning and Development Act 2007*, the *Planning and Development Regulation 2008* and the *Land Titles Act 1925* to facilitate the establishment of a University of New South Wales campus in the Territory.

Proceedings: This bill received tri-partisan support when debate resumed on 2 July and was agreed to in principle.

The bill was passed by the Assembly without amendment.

[Residential Tenancies Amendment Bill 2020](#)

Summary: This bill will amend the *Residential Tenancies Act 1997*, the *Human Rights Commission Act 2005*, the *Uncollected Goods Act 1996* and the *Residential Tenancies Regulation 1998* to improve protections for occupants by introducing new occupancy principles and by making those principles a mandatory part of every occupancy agreement. The bill will also clarify the difference between an occupancy agreement and a residential tenancy agreement and clarify the application of the occupancy framework to people who reside in residential parks.

Proceedings: Debate resumed on 2 July with the Opposition stating it would not be opposing the bill. The ACT Greens indicated support for the proposed legislation and flagged that it would be moving several amendments when the bill was debated in detail. The bill was agreed to in principle.

Debate on the detail stage of this bill was adjourned until a future sitting of the Assembly

[Working with Vulnerable People \(Background Checking\) Amendment Bill 2020](#)

Summary: This bill will amend the *Working with Vulnerable People (Background Checking) Act 2011* to strengthen safeguards for vulnerable people in the community, particularly children and people with disability. The bill extends the application of disqualifying offences for the National Disability Insurance Scheme (NDIS) workers, refines the classification of offences to align with the NDIS worker screening framework and establishes a process for assessing kinship carers. The bill also gives effect to the National Standards for Working with Children Checks (National Standards) and implements recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse relating to working with children.

Proceedings: The proposed legislation received the support of all parties when debate resumed on 2 July and was agreed to in principle.

The bill was passed by the Assembly without amendment.

Ministerial statement

On 2 July the Minister for Health updated the Assembly on the **ACT Government's response to the COVID-19 emergency**.

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

Private Members' Business

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

Motions debated

A proposed **four-year rates freeze** was the subject of a motion moved by Mr Coe MLA on 2 July. While speaking to the motion Mr Coe stated the Opposition's commitment to lower rates in the Territory. During debate an amendment was moved by the Government that included noting a number of financial initiatives undertaken by the Government during the COVID-19 pandemic. The ACT Greens outlined its reasons for supporting the Government's amendment which was agreed to following a vote of the Assembly.

The amended motion was passed by the Assembly.

A motion was moved by Mr Gupta MLA on 2 July in relation to **flexible working arrangements** for public servants. The motion included acknowledging those frontline and essential workers who were unable to work from home during the COVID-19 pandemic and also included noting the efforts of the ACT Public Service in supporting its workforce to work from home and engage in flexible work arrangements during the pandemic. During debate both the Opposition and ACT Greens stated reasons for supporting the motion.

The motion was passed by the Assembly.

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

Papers Presented

The following papers of interest were presented on 2 July 2020:

- Approval of Variation No 361 to the Territory Plan—Kippax Group Centre: Zone Change and Amendments to the Holt Precinct Map and Code
- Auditor-General's Reports—
 - Report 3/2020 entitled *Data Security*
 - Report 4/2020 entitled *Residential Land Supply and Release*
 - Report 5/2020 entitled *Management of household waste services*
 - Report 6/2020 entitled *Transfer of workers' compensation arrangements from Comcare*
- Ethics and Integrity Adviser for Members of the Legislative Assembly for the Australian Capital Territory—Report for the period 1 July 2019 to 30 June 2020
- Report on COVID-19 Measures for the period 1-31 May 2020 (Report No 2)—Presented pursuant to section 3 of the *COVID-19 Emergency Response Act 2020*
- State of the Environment Report 2019—Government response

A copy of the above papers can be found on the [Assembly](#) website.

Petition Response

The following ministerial response to a petition was lodged—

- Street lighting and parking at Narrabundah Shops (*Minister for City Services*)

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

Committee Activities

Committee reports presented

COVID-19 Pandemic Response—Select Committee

[Interim Report 3](#)

Scrutiny Committee

[Scrutiny Report 45](#)

This report contained the committee's comments on three bills, 12 pieces of subordinate legislation, proposed amendments to the Public Interest Disclosure Amendment Bill 2020, one regulatory impact statement and six government responses.

Response to committee report

COVID-19 Pandemic Response—Select Committee

Interim Report 2—Government response

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)
Mr Deepak Gupta (Australian Labor Party)
Mr James Milligan (Canberra Liberals)
Ms Suzanne Orr (Australian Labor Party)
Mr Michael Pettersson (Australian Labor Party)

Next Sitting

Thursday, 23 July 2020.

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