



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

2016–2017–2018–2019–2020

MINUTES OF PROCEEDINGS

No 129

THURSDAY, 2 APRIL 2020

- 1 The Assembly met at 10 am, in accordance with the notice fixed by the Speaker (Ms J. Burch) on request from an absolute majority of Members, pursuant to the resolution of the Assembly of 22 August 2019.

A quorum of Members not being present, the Speaker ordered the bells to be rung. A quorum having been formed, the Speaker took the Chair and made a formal recognition that the Assembly was meeting on the lands of the traditional custodians. The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Papers: The Speaker presented the following papers:

Notice amending the 2020 sitting pattern of the Legislative Assembly for the Australian Capital Territory—Gazettal notice, dated 26 March 2020.

Copies of email requests to the Speaker, requesting an amendment to the 2020 sitting pattern, from the following Members:

Mr Barr	Mr Gupta	Ms Orr
Ms Berry	Mr Hanson	Mr Parton
Miss C. Burch	Mrs Jones	Mr Pettersson
Ms Cheyne	Mrs Kikkert	Mr Rattenbury
Ms Cody	Ms Lawder	Mr Steel
Mr Coe	Ms Le Couteur	Ms Stephen-Smith
Mrs Dunne	Ms Lee	Mr Wall
Mr Gentleman	Mr Milligan	



2 PETITIONS AND MINISTERIAL RESPONSES—PETITIONS AND RESPONSES NOTED

Petitions

The Clerk announced that the following Members had lodged petitions for presentation:

Ms Cody, from 631 residents, requesting that the Assembly call on the Government to improve access and safety across the Chifley Place precinct by establishing an overflow carpark and a raised pedestrian crossing (Pet 2-20).

Ms Lee, from 614 residents, requesting that the Assembly call on the Government to undertake improvements to the number of parking spaces and street lighting in the vicinity of the Narrabundah shops (Pet 3-20).

Pursuant to standing order 99A, these petitions stand referred to the Standing Committee on Environment and Transport and City Services.

Ministerial responses

The Clerk announced that the following responses to petitions had been lodged:

Mr Steel (Minister for City Services), dated 20 February 2020—Response to petition No 28-19, lodged by Ms Cody on 26 November 2019, concerning parking and pedestrian safety at Chifley Place.

Ms Stephen-Smith (Minister for Health), dated 24 February 2020—Response to petition No 32-19 and e-petition No 29-19, lodged by Mrs Dunne on 28 November 2019, concerning safety, traffic, parking and noise in The Canberra Hospital precinct.

Mr Steel (Minister for Transport), dated 26 February 2020—Response to e-petition No 23-19 and petition No 30-19, lodged by Ms Le Couteur on 26 November 2019, concerning active travel.

The Speaker proposed—That the petitions and responses so lodged be noted.

Question—put and passed.

3 SUSPENSION OF STANDING ORDERS—MATTER OF PUBLIC IMPORTANCE AND SEATING OF MEMBERS IN THE CHAMBER

Mr Gentleman (Manager of Government Business) moved—That so much of the standing orders be suspended as would prevent matters of public importance being discussed this day, and to allow Members to observe physical distancing during proceedings in the Chamber.

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

4 SUSPENSION OF STANDING ORDERS—PRESENTATION OF COMMITTEE REPORTS BY SPEAKER

Mr Gentleman (Manager of Government Business) moved—That so much of the standing orders be suspended as would prevent the Speaker tabling all committee reports that have been circulated to Members pursuant to standing order 254C, together with the extracts of the relevant minutes of proceedings, and proposing the question that the reports be noted.

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

5 PRESENTATION OF COMMITTEE REPORTS—REPORTS NOTED

The Speaker presented the following Committee reports:

Economic Development and Tourism—Standing Committee—Report 8—*Report into Annual and financial Reports 2018-2019* (pursuant to order), dated 25 March 2020, together with a copy of the extracts of the relevant minutes of proceedings.

Education, Employment and Youth Affairs—Standing Committee—Report 8 (Copy)—*Report on Annual and Financial Reports 2018-2019* (pursuant to order), dated March 2020, together with a copy of the extracts of the relevant minutes of proceedings.

Environment and Transport and City Services—Standing Committee—Report 11—*Inquiry into the supply of water to the Tharwa community* (pursuant to order), dated 11 March 2020, together with a copy of the extracts of the relevant minutes of proceedings.

Environment and Transport and City Services—Standing Committee—Report 12—*Report on Annual and Financial Reports 2018-2019* (pursuant to order), dated 25 March 2020, together with a copy of the extracts of the relevant minutes of proceedings.

Health, Ageing and Community Services—Standing Committee—Report 8—*Report on Annual and Financial Reports 2018-2019* (pursuant to order), dated 25 March 2020, together with a copy of the extracts of the relevant minutes of proceedings.

Health, Ageing and Community Services—Standing Committee—Report 9—*Interim Report on Child and Youth Protection Services (Part 1)* (pursuant to order), dated 30 March 2020, together with a copy of the extracts of the relevant minutes of proceedings.

Justice and Community Safety—Standing Committee—Report 7—*Report on Inquiry into Human Rights (Workers Rights) Amendment Bill 2019* (pursuant to order), dated 13 March 2020, together with a copy of the extracts of the relevant minutes of proceedings.

Justice and Community Safety—Standing Committee—Report 8—*Report on Annual and Financial Reports 2018-2019* (pursuant to order), dated 27 March 2020, together with a copy of the extracts of the relevant minutes of proceedings.

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 40, dated 24 March 2020, together with a copy of the extracts of the relevant minutes of proceedings.

Planning and Urban Renewal—Standing Committee—Report 11—*Report on Annual and Financial Reports 2018-2019* (pursuant to order), dated 25 March 2020, together with a copy of the extracts of the relevant minutes of proceedings.

Public Accounts—Standing Committee—Report 9 (Copy)—*Inquiry into Annual and Financial Reports 2018-19* (pursuant to order), dated March 2020, together with a copy of the extracts of the relevant minutes of proceedings.

Public Accounts—Standing Committee—Report 10 (Copy)—*Inquiry into the Appropriation Bill 2019-2020 (No 2)*, adopted by Committee on 26 March 2020, together with a copy of the extracts of the relevant minutes of proceedings.

The Speaker proposed—That the reports so presented be noted.

Question—put and passed.

6 ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—INQUIRY—COMMITTEE STRUCTURE FOR THE TENTH ASSEMBLY—STATEMENT BY CHAIR

Ms J. Burch (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Administration and Procedure had resolved to undertake a review of the current committee structure, taking into account the comments and observations of the review of the implementation of the Latimer House Principles.

7 ENVIRONMENT AND TRANSPORT AND CITY SERVICES—STANDING COMMITTEE—CONSIDERATION OF STATUTORY APPOINTMENTS—STATEMENT BY CHAIR—PAPER

Ms Cheyne (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of statutory appointments by the Standing Committee on Environment and Transport and City Services during the period 1 July to 31 December 2019.

Paper: Ms Cheyne, pursuant to Continuing Resolution 5A, presented the following paper:

Environment and Transport and City Services—Standing Committee—Schedule of Statutory Appointments—9th Assembly—Period 1 July to 31 December 2019.

8 PLANNING AND URBAN RENEWAL—STANDING COMMITTEE—INQUIRY—PLANNING FOR THE SURGICAL PROCEDURES, INTERVENTIONAL RADIOLOGY AND EMERGENCY CENTRE (SPIRE) AND THE CANBERRA HOSPITAL CAMPUS AND IMMEDIATE SURROUNDS—AMENDMENT TO REPORTING DATE—STATEMENT BY CHAIR

Ms Le Couteur (Chair), pursuant to standing order 246A, informed the Assembly that, in light of developments in relation to COVID-19 and altered operations of the Assembly, the Standing Committee on Planning and Urban Renewal had resolved to change the reporting date for its inquiry into planning for the SPIRE project and longer-term planning for The Canberra Hospital campus and immediate surrounds.

9 PUBLIC HEALTH (EMERGENCIES) AMENDMENT BILL 2020

Ms Stephen-Smith (Minister for Health), by leave, presented a Bill for an Act to amend the *Public Health Act 1997*.

Paper: Ms Stephen-Smith 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 Stephen-Smith moved—That this Bill be agreed to in principle.

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

10 COVID-19 EMERGENCY RESPONSE BILL 2020

Mr Barr (Chief Minister), by leave, presented a Bill for an Act to provide for emergency measures in response to the COVID-19 emergency, and for other purposes.

Paper: Mr Barr 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 Barr moved—That this Bill be agreed to in principle.

Debate adjourned (Mr Coe—Leader of the Opposition) and the resumption of the debate made an order of the day for the next sitting.

11 SUSPENSION OF STANDING ORDERS—CONSIDERATION OF EXECUTIVE BUSINESS

Mr Gentleman (Manager of Government Business) moved—That so much of the standing orders be suspended as would prevent orders of the day Nos 1, 2 and 3, Executive business, being called on and debated forthwith.

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

12 APPROPRIATION BILL 2019-2020 (NO 2)

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 adjourned (Mr Coe—Leader of the Opposition) and the resumption of the debate made an order of the day for a later hour this day.

13 RATES AMENDMENT BILL 2020

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.

14 GAMING MACHINE AMENDMENT BILL 2020

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.

15 SUSPENSION OF STANDING ORDERS—CONSIDERATION OF THE PUBLIC HEALTH (EMERGENCIES) AMENDMENT BILL 2020 AND THE COVID-19 EMERGENCY RESPONSE BILL 2020

Mr Gentleman (Manager of Government Business) moved—That so much of the standing orders be suspended as would prevent the Public Health (Emergencies) Amendment Bill 2020 and the COVID-19 Emergency Response Bill 2020 being called on and debated forthwith.

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

16 PUBLIC HEALTH (EMERGENCIES) AMENDMENT BILL 2020

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.

17 COVID-19 EMERGENCY RESPONSE BILL 2020

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

18 SITTING PATTERN 2020—AMENDMENT TO RESOLUTION

Mr Gentleman (Manager of Government Business), pursuant to notice, moved—That the resolution of the Assembly of 22 August 2019, relating to the sitting pattern for 2020, be amended by omitting the following dates:

Tuesday, 5 May 2020

Wednesday, 6 May 2020

Tuesday, 16 June 2020

Wednesday, 17 June 2020

Tuesday, 11 August 2020

Wednesday, 12 August 2020

Tuesday, 25 August 2020

Wednesday, 26 August 2020

Friday, 28 August 2020.

Question—put and passed.

19 COVID-19 PANDEMIC RESPONSE—SELECT COMMITTEE—ESTABLISHMENT

Mr Wall, pursuant to notice, moved—That:

- (1) a select committee be appointed to consider and report to the Assembly on any matter relating to the ACT Government's health and financial response and any other matter relating to the COVID-19 pandemic as it relates to the ACT;
- (2) the Committee be composed of:
 - (a) two Members to be nominated by the Government;
 - (b) two Members to be nominated by the Opposition; and
 - (c) one Member to be nominated by the Greens;to be notified in writing to the Speaker within two hours of this motion passing;
- (3) an Opposition Member shall be elected chair of the Committee by the Committee;
- (4) in conducting public hearings, the Committee shall be mindful of the Public Health Emergency declaration, including that:
 - (a) all efforts are made to minimise the time witnesses are required to be present by scheduling designated hearing times, advising in advance which witnesses the Committee wishes to call or topics that will be discussed, and other measures that minimise impact on essential government, business or organisational resources;
 - (b) where a public hearing is scheduled requiring Government ministers and/or officials:
 - (i) these are to be held no more than once per fortnight for a maximum of two hours, with no directorate to appear for more than an hour;
 - (ii) the Committee must advise of the directorates and officers required and the Committee's intended lines of inquiry no less than one week prior; and
 - (iii) hearings are not held at the same time as National Cabinet or a meeting of the ACT Government Cabinet;
 - (c) hearings are held virtually or via teleconference only; and
 - (d) the above provisions only apply during the Public Health Emergency declaration; and
- (5) for the purposes of this Committee's operation, standing order 254D does not apply.

Debate ensued.

Question—put and passed.

20 ESTIMATES 2020-2021—SELECT COMMITTEE—ESTABLISHMENT—RESCISSION OF RESOLUTION

Mr Wall, pursuant to notice, moved—That the resolution of the Assembly of 20 February 2020 that established the Select Committee on Estimates 2020-2021, and the resolution appointing Members to that Committee, be rescinded.

Question—put and passed.

21 STANDING ORDER 229B—USE OF AUDIO VISUAL OR AUDIO LINKS—AMENDMENT

Ms Cheyne, pursuant to notice, moved—That standing order 229B relating to the use of audio visual or audio links be amended by omitting all words after “location”.

Debate ensued.

Question—put and passed.

22 PRESENTATION OF PAPER

Mr Barr (Chief Minister) presented the following paper:

Australian Capital Territory (Self-Government) Ministerial Appointment 2020 (No 1)—Notifiable Instrument NI2020-166, dated 19 March 2020.

23 QUESTIONS

Questions without notice were asked.

24 QUESTIONS ON NOTICE NOS 2925, 2927, 2931 AND 2935—ANSWERS—EXPLANATION

Ms Le Couteur, pursuant to standing order 118A, asked for an explanation concerning the answers to questions on notice Nos 2925 and 2927 asked of the Minister for Housing and Suburban Development, and Nos 2931 and 2935 asked of the Attorney-General.

Mr Barr (Chief Minister) gave an explanation.

25 PRESENTATION OF PAPERS

The Speaker presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General’s Report No 1/2020—Shared Services delivery of HR and Finance Services, dated 21 February 2020.

Government Agencies (Campaign Advertising) Act, pursuant to subsection 20(2)—Independent Reviewer—Report for the period 1 July to 31 December 2019, dated 24 March 2020, prepared by Professor Dennis Pearce AO.

Independent Legal Arbiter—Report—SPIRE Options Paper—Disputed claim of privilege, dated 16 March 2020, prepared by The Hon Richard Refshauge SC.

Standing order 191—Amendments to:

Cemeteries and Crematoria Bill 2019, dated 27 February 2020.

Crimes (Disrupting Criminal Gangs) Legislation Amendment Bill 2019—Revised, dated 24 February 2020.

Heritage Amendment Bill 2019, dated 24 February 2020.

Magistrates Court (Infringement Notices) Amendment Bill 2019, dated 26 and 27 February 2020.

Residential Tenancies Amendment Bill 2019, dated 24 February 2020.

Unit Titles Legislation Amendment Bill 2019, dated 26 and 27 February 2020.

Workers Compensation Amendment Bill 2019, dated 26 February 2020.

26 PRESENTATION OF PAPERS

Mr Gentleman (Manager of Government Business) presented the following papers:

Aboriginal and Torres Strait Islander Agreement 2019-2028—2019 Annual Report, together with a statement, dated April 2020.

Aboriginal and Torres Strait Islander Elected Body Act, pursuant to subsection 10B(3)—ACT Aboriginal and Torres Strait Islander Elected Body—Report on the outcomes of the ATSIEB Hearings 2019—Ninth Report to the ACT Government—Government response, dated April 2020, together with a statement, dated April 2020.

ACT Women's Plan 2016-2026—Second Action Plan 2020-22: Equity Together.

A Step Up for Our Kids—Snapshot Report—April 2020, together with a statement.

Auditor-General Act, pursuant to subsection 21(1)—Auditor-General's Report No 11/2019—Maintenance of ACT Government School Infrastructure—Government response, dated April 2020.

Bail Act, pursuant to subsection 44A(2)—Section 44 Statutory Review Report, dated March 2020.

Building regulatory reforms—Six monthly update.

Children and young people—Out-of-home care review—Response to the resolution of the Assembly of 18 September 2019—Statement.

Climate Change and Greenhouse Gas Reduction Act, pursuant to subsection 12(4)—Annual report by independent entity—ACT Greenhouse Gas Inventory 2018-19, dated November 2019, together with a statement.

Crimes (Controlled Operations) Act, pursuant to subsection 28(9) and Crimes (Surveillance Devices) Act, pursuant to subsection 38(4)—Annual report 2018-2019—ACT Policing Special Purposes—Minister for Police and Emergency Services—Corrigendum.

Education, Employment and Youth Affairs—Standing Committee—Report 7—*Cessation of the Music for Colleges course*—Government response, dated March 2020, together with a tabling statement, dated March 2020.

Financial Management Act, pursuant to subsection 30F(3)—2019-20 Capital Works Program—Progress report—Year-to-date 31 December 2019.

Freedom of Information Act, pursuant to section 39—Copy of notices provided to the Ombudsman—Freedom of Information requests—Decisions not made in time—

Community Services Directorate—CYF-20/23, dated 5 December 2019.

Request received in the Ombudsman's Office on 23 December 2019, dated 2 March 2020.

Mental health in the ACT—Update on the policy directions—Statement, dated April 2020.

Network 19—Issues—Response to the resolution of the Assembly of 27 November 2019, dated April 2020.

Occupational Violence Strategy 2020-2022—Canberra Health Services, together with a statement, dated 2 April 2020.

Public Accounts—Standing Committee—Report 8—*Inquiry into Auditor-General's Report No 7 of 2016: Certain Land Development Agency acquisitions*—

Copy of letter from the Director-General, Environment, Planning and Sustainable Development Directorate to the Minister for Planning and Land Management, dated 2 April 2020.

Revised Government response.

Public Sector Management Standards, pursuant to section 56—Engagements of long-term senior executive service members—1 September 2019 to 29 February 2020, dated April 2020.

Royal Commission into Institutional Responses to Child Sexual Abuse—ACT Government Second Annual Progress Report responding to recommendations, dated December 2019, together with a statement, dated April 2020.

Sexual health outreach—Response to the resolution of the Assembly of 15 May 2019, dated April 2020.

Women and girls in the ACT—Annual statement on the status.

Workplace Culture within ACT Public Health Services—Independent Review—Final Report—Biannual update on implementation of the recommendations, and Estimates 2019-2020—Select Committee—Report—*Appropriation Bill 2019-2020 and Appropriation (Office of the Legislative Assembly) Bill 2019-2020*—Response to Recommendation 75—Health Culture Survey—Statement, dated 2 April 2020.

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Court Procedures Act—Court Procedures Amendment Rules 2020 (No 1)—Subordinate Law SL2020-6 (LR, 24 February 2020).

Magistrates Court Act—Magistrates Court (Heritage Infringement Notices) Regulation 2020—Subordinate Law SL2020-5 (LR, 20 February 2020).

Motor Accident Injuries Act—

Motor Accident Injuries (Insurer Communication) Guidelines 2020—Disallowable Instrument DI2020-15 (LR, 13 February 2020).

Motor Accident Injuries (Insurer Information Collection) Regulation 2020—Subordinate Law SL2020-7 (LR, 27 February 2020).

Public Health Act—Public Health ('COVID-19' AKA 'Novel Coronavirus'—Temporary Notifiable Condition) Declaration 2020 (No 1)—Disallowable Instrument DI2020-18 (LR, 13 February 2020).

Race and Sports Bookmaking Act—Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2020 (No 1)—Disallowable Instrument DI2020-23 (LR, 5 March 2020).

Road Transport (General) Act—

Road Transport (General) Application of Road Transport Legislation Declaration 2020 (No 1)—Disallowable Instrument DI2020-19 (LR, 17 February 2020).

Road Transport (General) Application of Road Transport Legislation Declaration 2020 (No 2)—Disallowable Instrument DI2020-21 (LR, 2 March 2020).

Road Transport (General) Application of Road Transport Legislation Declaration 2020 (No 3)—DI2020-22 (LR, 2 March 2020).

Road Transport (General) Deciding Applications for Registration—Written-off Vehicles Declaration 2020 (No 1)—Disallowable Instrument DI2020-24 (LR, 12 March 2020).

Road Transport (General) Hazard Perception Test Exemption Declaration 2020 (No 1)—DI2020-20 (LR, 20 February 2020).

Road Transport (Offences) Amendment Regulation 2020 (No 1)—Subordinate Law SL2020-8 (LR, 27 February 2020).

27 INDEPENDENT LEGAL ARBITER—REPORT—SPIRE OPTIONS PAPER—DISPUTED CLAIM OF PRIVILEGE—PUBLICATION OF PAPER

Mr Gentleman (Manager of Government Business), pursuant to standing order 213A(j) moved—That the Assembly authorise for publication the report of the Independent Legal Arbiter in relation to the SPIRE Options Paper tabled by the Speaker earlier today.

Question—put and passed.

28 CHILDREN AND YOUNG PEOPLE—OUT-OF-HOME CARE REVIEW—RESPONSE TO THE RESOLUTION OF THE ASSEMBLY OF 18 SEPTEMBER 2019—STATEMENT—PAPER NOTED

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

Children and young people—Out-of-home care review—Response to the resolution of the Assembly of 18 September 2019—Statement.

Question—put and passed.

29 LEAVE OF ABSENCE TO MEMBERS

Mr Gentleman (Manager of Government Business) moved—That leave of absence be granted to Ms Cody, Mrs Dunne, Mr Gupta, Ms Lawder, Ms Lee and Mr Steel for today, due to COVID-19 arrangements.

Question—put and passed.

30 COVID-19 PANDEMIC RESPONSE—SELECT COMMITTEE—MEMBERSHIP

The Assistant Speaker announced that the Speaker had received the nominations of Ms Cheyne, Mr Coe (Leader of the Opposition), Mrs Dunne, Ms Le Couteur and Mr Pettersson to be members of the Select Committee on the COVID-19 Pandemic Response.

Mr Gentleman (Manager of Government business) moved—That the Members so nominated be appointed as members of the Select Committee on the COVID-19 Pandemic Response.

Question—put and passed.

31 COVID-19 EMERGENCY RESPONSE BILL 2020

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.

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

Judge Alone Reforms—Fundamental Rights at Stake—Copy of letter to the Attorney-General from the Chief Executive Officer, ACT Law Society, dated 1 April 2020.

Debate continued.

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

Detail Stage

Bill, by leave, taken as a whole—

Mr Coe (Leader of the Opposition) was granted leave to move an amendment that had not been considered or reported on by the Scrutiny Committee, and had not been circulated in accordance with standing order 178A.

Mr Coe moved his amendment No 1 (*see* [Schedule 1](#)).

Mr Barr (Chief Minister) moved the following amendment to Mr Coe's proposed amendment: Omit 2A(1)(b).

Mr Barr's amendment to Mr Coe's proposed amendment agreed to.

Mr Coe's amendment, as amended, agreed to.

Mr Hanson was granted leave to move an amendment that had not been considered or reported on by the Scrutiny Committee, and had not been circulated in accordance with standing order 178A.

Mr Hanson moved his amendment No 1 (*see* [Schedule 2](#)).

Debate continued.

Question—put.

The Assembly voted—

AYES, 6		NOES, 7	
Miss C. Burch	Mr Parton	Mr Barr	Ms Orr
Mr Coe	Mr Wall	Ms J. Burch	Mr Ramsay
Mr Hanson		Ms Cheyne	Mr Rattenbury
Mr Milligan		Mr Gentleman	

And so it was negatived.

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

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

32 APPROPRIATION BILL 2019-2020 (NO 2)

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.

Paper: Mr Barr (Treasurer) presented the following paper:

Public Accounts—Standing Committee—Report 10—*Inquiry into the Appropriation Bill 2019-2020 (No 2)*—Interim Government response, dated April 2020.

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

Detail Stage

Bill, by leave, taken as a whole—

Mr Barr was granted leave to move amendments that had not been considered or reported on by the Scrutiny Committee, together.

On the motion of Mr Barr, his amendments Nos 1 to 5 (see [Schedule 3](#)) were made together.

Papers: Mr Barr presented the following papers:

Supplementary explanatory statement to the Government amendments.

Budget 2019-20—Financial Management Act, pursuant to section 13—Amended Supplementary Budget Papers.

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

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

33 ADJOURNMENT

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Question—put and passed.

And then the Assembly, at 5.28 pm, adjourned until Thursday, 7 May 2020 at 10 am, in accordance with the resolution agreed to earlier today.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting, except Ms Cody*, Mrs Dunne*, Mr Gupta*, Ms Lawder*, Ms Lee* and Mr Steel*.

*on leave

Tom Duncan
Clerk of the Legislative Assembly

SCHEDULES OF AMENDMENTS

Schedule 1

COVID-19 EMERGENCY RESPONSE BILL 2020

Amendment circulated by Mr Coe (Leader of the Opposition)

1

Proposed new clause 2A

Page 2, line 11—

insert

2A Reports for Legislative Assembly

- (1) For each month that a COVID-19 declaration is in force, the responsible Minister for a COVID-19 measure must prepare a report for the Legislative Assembly on—
 - (a) the application of the measure; and
 - (b) the impact of the measure.
- (2) The Minister must present the report to the Legislative Assembly—
 - (a) 1 month after the end of the month to which the report applies; or
 - (b) if the 1-month period coincides with part of the pre-election period for a general election of members of the Assembly—on the second sitting day after the election is held.
- (3) If a report to which subsection (2) (a) applies has not been presented to the Legislative Assembly before the last 7 days of the 1-month period, and there are no sitting days of the Legislative Assembly during those 7 days—
 - (a) the responsible Minister must give the report, and a copy for each member of the Legislative Assembly, to the Speaker before the end of the 1-month period; and
 - (b) the Speaker must arrange for a copy of the report to be given to each member of the Legislative Assembly on the day the responsible Minister gives it to the Speaker; and
 - (c) the responsible Minister must present the report to the Legislative Assembly—
 - (i) on the next sitting day after the end of the 1-month period; or

- (ii) if the next sitting day is the first meeting of the Legislative Assembly after a general election of members of the Assembly—on the second sitting day after the election.

(4) In this section:

COVID-19 measure means an amendment mentioned in schedule 1 as passed.

Note In the Act as passed, schedule 1 (COVID-19 emergency response—Amendments) contained amendments of the following legislation:

- *Children and Young People Act 2008*
- *Corrections Management Act 2007*
- *Crimes (Sentence Administration) Act 2005*
- *Crimes (Sentencing) Act 2005*
- *Evidence (Miscellaneous Provisions) Act 1991*
- *Family Violence Act 2016*
- *Financial Management Act 1996*
- *Firearms Act 1996*
- *Gaming Machine Act 2004*
- *Gaming Machine Regulation 2004*
- *Leases (Commercial and Retail) Act 2001*
- *Long Service Leave Act 1976*
- *Long Service Leave (Portable Schemes) Act 2009*
- *Medicines, Poisons and Therapeutic Goods Regulation 2008*
- *Official Visitor Act 2012*
- *Personal Violence Act 2016*
- *Prohibited Weapons Act 1996*
- *Residential Tenancies Act 1997*
- *Supreme Court Act 1933*
- *Working with Vulnerable People (Background Checking) Act 2011.*

pre-election period—see the *Electoral Act 1992*, dictionary.

responsible Minister, for a COVID-19 measure, means the Minister allocated responsibility for the Act in which the measure is made under the administrative arrangements under the *Public Sector Management Act 1994*.

Speaker includes—

- (a) if the Speaker is unavailable—the Deputy Speaker; and
- (b) if both the Speaker and Deputy Speaker are unavailable—the clerk of the Legislative Assembly.

unavailable—the Speaker or Deputy Speaker is **unavailable** if—

- (a) he or she is absent from duty; or
- (b) there is a vacancy in the office of Speaker or Deputy Speaker.
-

Schedule 2

COVID-19 EMERGENCY RESPONSE BILL 2020

Amendment circulated by Mr Hanson

1

Schedule 1, part 1.19

Amendment 1.68

Proposed new section 68BA (3) and (4)

Page 46, line 21—

omit proposed new section 68BA (3) and (4), substitute

- (3) The court may order that the proceeding will be tried by judge alone only if—
- (a) the accused person consents to be tried by judge alone or, for a joint trial, all the accused people consent to be tried by judge alone; and
 - (b) if the prosecutor does not agree to the accused person being tried by judge alone—the court considers it is in the interests of justice for the accused person to be tried by judge alone; and
 - (c) the court is satisfied the accused person has sought and received advice from a legal practitioner in relation to the effect of the order.
-

Schedule 3

APPROPRIATION BILL 2019-2020 (NO 2)

Amendments circulated by the Treasurer

1
Clause 6 heading
Page 2, line 17—

omit the heading, substitute

6 Additional appropriations of \$430 124 000

2
Proposed new clause 6 (2)
Page 3, line 3—

insert

(2) The amount mentioned in schedule 1, part 1.11 (Treasurer’s Advance), column 5 is appropriated to the Treasurer’s Advance for the *Financial Management Act 1996*, section 18.

3
Schedule 1, part 1.1
Page 4—

omit part 1.1, substitute

Part 1.1			
ACT Local	120 746 000		120 746 000
Hospital Network			

4
Schedule 1, part 1.5
Page 4—

omit part 1.5, substitute

Part 1.5			
ACT Health	4 385 000	7 700 000	12 085 000
Directorate			

5
Schedule 1
Page 5—

omit

<i>Total appropriations</i>	81 001 000	57 679 000	8 444 000	147 124 000
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substitute

<i>Total appropriated to territory entities</i>	144 001 000	57 679 000	8 444 000	210 124 000
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Part 1.11 Treasurer's Advance				220 000 000
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<i>Total appropriations</i>	144 001 000	57 679 000	8 444 000	430 124 000
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