

2004–2005

**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

MINUTES OF PROCEEDINGS

No. 38

TUESDAY, 18 OCTOBER 2005

1 The Assembly met at 10.30 a.m., pursuant to adjournment. The Speaker (Mr Berry) took the Chair and made a formal recognition that the Assembly was meeting on the lands of the traditional owners. The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

2 CHIEF MINISTER—PROPOSED MOTION OF CENSURE

Mr Smyth (Leader of the Opposition), by leave, moved—That this Assembly censures the Chief Minister for his recklessness in publishing the draft-in-confidence Anti-Terrorism Bill, an action that has jeopardised the faith and goodwill of other State and Territory leaders, as well as the Commonwealth, and embarrassed the ACT and exposed it to ridicule.

Debate ensued.

Question—put.

The Assembly voted—

AYES, 7	NOES, 10
Mrs Burke	Mr Berry
Mrs Dunne	Mr Corbell
Mr Mulcahy	Dr Foskey
Mr Pratt	Ms Gallagher
Mr Seselja	Mr Gentleman
Mr Smyth	Mr Hargreaves
Mr Stefaniak	Ms MacDonald
	Ms Porter
	Mr Quinlan
	Mr Stanhope

And so it was negatived.

3 ADMINISTRATION AND PROCEDURE—STANDING COMMITTEE—MEMBERSHIP

Mr Smyth (Leader of the Opposition), pursuant to standing order 223, moved—That Mrs Dunne be discharged from the Standing Committee on Administration and Procedure and that Mr Seselja be appointed in Mrs Dunne's place.

Debate ensued.

Mr Corbell (Minister for Planning) addressing the Assembly—

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour this day.

4 QUESTIONS

Questions without notice were asked.

5 QUESTION ON NOTICE NO. 567—ANSWER—EXPLANATION

Mrs Burke, pursuant to standing order 118A, asked Mr Hargreaves (Minister for Disability, Housing and Community Services) for an explanation concerning the answer to question on notice No. 567.

Mr Hargreaves gave an explanation.

6 QUESTION ON NOTICE NO. 534—ANSWER—EXPLANATION

Mr Pratt, pursuant to standing order 118A, asked Mr Hargreaves (Minister for Police and Emergency Services) for an explanation concerning the answer to question on notice No. 534.

Mr Hargreaves gave an explanation.

7 PRESENTATION OF PAPERS

The Speaker presented the following papers:

ACT Legislative Assembly Secretariat—Annual Report, dated September 2005.

Annual Reports (Government Agencies) Act, pursuant to section 15—Annual Report—2004-2005—ACT Auditor-General's Office, dated 30 September 2005.

Study trip—Report by Dr Foskey—Barhah State Forest, 30 September to 3 October 2005.

8 PUBLIC SECTOR MANAGEMENT ACT—EXECUTIVE CONTRACTS—PAPERS AND STATEMENT BY MINISTER

Mr Stanhope (Chief Minister) presented the following papers:

Public Sector Management Act, pursuant to sections 31A and 79—Copies of executive contracts or instruments—

Contract variations:

Beverley Helen Forner, dated 13 September 2005.

Daniel Stewart, dated 7 September 2005.

David Butt, dated 9 September 2005.

Gordon Davidson, dated 13 September 2005.

Greg Williams, dated 8 September 2005.

Ian Hubbard, dated 1 and 5 September 2005.

Julie McKinnon, dated 22 September 2005.

Margaret Cotton, dated 19 September 2005.

Martin D'Este, dated 9 and 17 September 2005.

Michael Ockwell, dated 21 September 2005.

Robyn Hardy, dated 7 September 2005.

William James Stone, dated 21 September 2005.

Long-term contract:

Phillip Tardif, dated 19 September 2005.

Short-term contracts:

Geoff Keogh, dated 11 August and 21 September 2005.

Gerard John Ryan, dated 5 September 2005.

John Paget (2), dated 21 September 2005.

June Bronwyn Leslie, dated 19 September 2005.

Kate Nesor, dated 25 August 2005.

Michael Vanderheide, dated 7 September 2005.

Michael William Kegel, dated 1 September 2005.

Pam Davoren, dated 1 September 2005.

Roger Broughton, dated 9 and 19 September 2005.

Sue Dever, dated 22 September 2005—

and, by leave, made a statement in relation to the papers.

9 FINANCIAL MANAGEMENT ACT—INSTRUMENT—PAPER AND STATEMENT BY MINISTER

Mr Quinlan (Treasurer) presented the following paper:

Financial Management Act, pursuant to section 14—Instrument directing a transfer of funds from the Department of Disability, Housing and Community Services to the Chief Minister's Department, including a statement of reasons, dated 6 October 2005—

and, by leave, made a statement in relation to the paper.

10 INDIGENOUS EDUCATION—TENTH SIX MONTHLY REPORT—PAPER AND STATEMENT BY MINISTER—PAPER NOTED

Ms Gallagher (Minister for Education and Training), pursuant to the resolution of the Assembly of 24 May 2000, presented the following paper:

Indigenous Education—Tenth Six Monthly report—1 September 2004 to 28 February 2005—

and, by leave, made a statement in relation to the paper.

Ms Gallagher moved—That the Assembly takes note of the paper.

Question—put and passed.

11 PRESENTATION OF PAPERS

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

Annual reports 2004-2005

Annual Reports (Government Agencies) Act, pursuant to section 13—

ACT Building and Construction Industry Training Fund Board, dated 12 August 2005.

ACT Cleaning Industry Long Service Leave Board, dated 31 August 2005.

ACT Construction Industry Long Service Leave Board, dated 31 August 2005.

ACT Electoral Commission, dated 15 September 2005.

ACT Emergency Services Authority, dated 8 September 2005.

ACT Gambling and Racing Commission, dated 2 September 2005, including corrigendum to financial statements.

ACT Government Procurement Board, dated September 2005.

ACT Health Promotion Board (Healthpact).

ACT Health, dated 23 September 2005.

ACT Human Rights Office, dated 23 September 2005.

ACT Insurance Authority, dated 20 September 2005.

ACT Ombudsman, dated 5 September 2005.

ACT Planning and Land Authority, dated 23 September 2005.

ACT Policing (Revised), dated 23 September 2005.

ACT Public Cemeteries Board, dated September 2005.

ACTEW Corporation Limited.

ACTION Authority, dated 7 September 2005.

ACTTAB, dated 16 August 2005.

Australian Capital Tourism Corporation, dated 25 August 2005.

Australian International Hotel School, dated 23 September 2005.

Chief Minister's Department (2 volumes), dated 15 and 20 September 2005.

Commissioner for Public Administration, dated 23 September 2005.

Commissioner for the Environment, dated 31 August 2005.

Community and Health Services Complaints Commissioner, dated 23 September 2005.

Cultural Facilities Corporation, dated 13 September 2005.

Department of Disability, Housing and Community Services (3 volumes), dated 8 September 2005, including corrigendum dated October 2005.

Department of Economic Development, dated 8 September 2005.

Department of Education and Training, dated 13 September 2005.

Department of Justice and Community Safety (2 volumes), dated 23 September 2005.

Department of Treasury (2 volumes), dated 14 and 19 September 2005.

Department of Urban Services (2 volumes), dated 20 September 2005.

Exhibition Park in Canberra, dated 31 August 2005.

Independent Competition and Regulatory Commission, dated September 2005.

Land Development Agency, dated 14 September 2005.

Legal Aid Commission (ACT), dated 29 August 2005.

Office of the Community Advocate, dated 1 September 2005.

Office of the Director of Public Prosecutions, dated 22 September 2005.

Office of the Occupational Health and Safety Commissioner and ACT Workcover, dated 14 September 2005.

Office of the Small Business Commissioner, dated 30 August 2005.

Public Trustee for the ACT.

Rhodium Asset Solutions.

Stadiums Authority.

Victims of Crime Support Program (incorporating Victims of Crime Co-ordinator, Victims Services Scheme, ACT Policing Victim Liaison Program and the *Victims of Crime (Financial Assistance) Act 1983—2004-2005* annual reports), dated 16 September 2005.

Petition—Out of order

Petition which does not conform with the standing orders—

Ainslie—Redevelopment of Goodwin Village—Mr Corbell (590 signatures).

12 STANDING COMMITTEES—REFERENCE—2004-2005 ANNUAL REPORTS

Mr Corbell (Manager of Government Business), by leave, moved—That:

- (1) the annual and financial reports for the calendar years 2004 and 2005 and the financial year 2004-2005 presented to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004* stand referred to the standing committees, on presentation, in accordance with the schedule below;
- (2) notwithstanding standing order 229, only one standing committee may meet for the consideration of the inquiry into the calendar years 2004 and 2005 and 2004-2005 annual and financial reports at any given time; and
- (3) the foregoing provisions of this resolution have effect notwithstanding anything contained in the standing orders.

Referral of Annual Reports to Standing Committees

Calendar years 2004 and 2005 and Financial year 2004-2005

Standing Committee	Annual Report	Minister/s responsible
Public Accounts	ACT Auditor-General	Chief Minister
	ACT Legislative Assembly Secretariat	Speaker
	ACT Government Procurement Board	Treasurer
	ACT Insurance Authority	Treasurer
	Australian International Hotel School	Treasurer

Standing Committee	Annual Report	Minister/s responsible
Public Accounts (cont'd)	Chief Minister's Department	Chief Minister Minister for the Environment Minister for Arts, Heritage and Indigenous Affairs Minister for Women Minister for Industrial Relations
	Australian Capital Tourism Corporation	Minister for Economic Development and Business
	Commissioner for Public Administration	Chief Minister
	Department of Treasury	Treasurer
	Exhibition Park in Canberra	Treasurer
	Gambling and Racing Commission	Minister for Economic Development and Business
	Small Business Commissioner	Minister for Economic Development and Business
	Independent Competition and Regulatory Commission	Treasurer
	Stadiums Authority	Minister for Economic Development and Business
	ACTEW Corporation	Chief Minister
	ACTTAB Ltd	Minister for Economic Development and Business
	Rhodium Asset Solutions	Treasurer
	ACT Construction Industry Long Service Leave Board	Minister for Industrial Relations
	ACT Cleaning Industry Long Service Leave Board	Minister for Industrial Relations
	Commissioner for Occupational Health and Safety	Minister for Industrial Relations
	Department of Economic Development	Minister for Economic Development and Business
	Legal Affairs	ACT Electoral Commission
ACT Ombudsman		Attorney-General
ACT Policing		Minister for Police and Emergency Services
ACT Community Advocate		Attorney-General
Department of Justice and Community Safety		Attorney-General

Standing Committee	Annual Report	Minister/s responsible
Legal Affairs (cont'd)	Director of Public Prosecutions	Attorney-General
	Human Rights and Discrimination Commissioner	Attorney-General
	Legal Aid Commission	Attorney-General
	Public Trustee for the ACT	Attorney-General
	<i>Victims of Crime (Financial Assistance) Act 1983</i>	Attorney-General
	Nominal Defendant	Minister for Urban Services
	Emergency Services Authority	Minister for Police and Emergency Services
Health and Disability	ACT Health	Minister for Health
	Community and Health Services Complaints Commissioner	Minister for Health
	ACT Health Promotion Board (HealthPact)	Minister for Health
	Department of Disability, Housing and Community Services	Minister for Disability, Housing and Community Services
Education, Training and Youth Affairs	Canberra Institute of Technology	Minister for Education and Training
	Department of Education and Training	Minister for Education and Training
	Building and Construction Industry Training Fund Board	Minister for Education and Training
	Cultural Facilities Corporation	Minister for Arts, Heritage and Indigenous Affairs
	Office of Children, Youth and Family Support	Minister for Children, Youth and Family Support
	University of Canberra	Minister for Education and Training
Planning and Environment	ACT Planning and Land Authority	Minister for Planning
	ACT Land Development Agency	Minister for Planning
	Commissioner for the Environment	Minister for the Environment
	ACT Public Cemeteries Board	Minister for Urban Services
	Department of Urban Services	Minister for Urban Services
	ACTION Authority	Minister for Urban Services

Question—put and passed.

13 PRESENTATION OF PAPERS

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

Subordinate legislation (including explanatory statements unless otherwise stated)

Legislation Act, pursuant to section 64—

Australian Capital Tourism Corporation Act—

Australian Capital Tourism Corporation Appointment 2005 (No. 1)—Disallowable Instrument DI2005-215 (LR, 29 September 2005).

Australian Capital Tourism Corporation Appointment 2005 (No. 2)—Disallowable Instrument DI2005-216 (LR, 29 September 2005).

Building Act—Building (Fees) Determination 2005 (No. 2)—Disallowable Instrument DI2005-223 (without explanatory statement) (LR, 6 October 2005).

Children and Young People Act—Children and Young People Official Visitor Appointment 2005 (No. 3)—Disallowable Instrument DI2005-219 (LR, 30 September 2005).

Commissioner for the Environment Act—Commissioner for the Environment (Reporting Period and Reporting Day) Determination 2005 (No. 1)—Disallowable Instrument DI2005-211 (LR, 29 September 2005).

Construction Occupations (Licensing) Act—Construction Occupations Licensing (Fees) Determination 2005 (No. 3)—Disallowable Instrument DI2005-224 (without explanatory statement) (LR, 6 October 2005).

Domestic Violence Agencies Act—Domestic Violence (Prevention Council) Appointment 2005 (No. 2)—Disallowable Instrument DI2005-217 (LR, 7 October 2005).

Fair Trading (Consumer Affairs) Act—Fair Trading (Consumer Product Standards) Amendment Regulation 2005 (No. 1)—Subordinate Law SL2005-23 (LR, 12 September 2005).

Financial Management Act—Financial Management (Public Liability Insurance) Guidelines 2005—Disallowable Instrument DI2005-205 (LR, 19 September 2005).

Health Act—Health (Fees) Determination 2005 (No. 3)—Disallowable Instrument DI2005-209 (LR, 26 September 2005).

Heritage Act—Heritage Amendment Regulation 2005 (No. 1)—Subordinate Law SL2005-20 (LR, 1 September 2005).

Independent Competition and Regulatory Commission Act—Independent Competition and Regulatory Commission (Reference for Investigation) Determination 2005 (No. 1)—Disallowable Instrument DI2005-218 (LR, 4 October 2005).

Land (Planning and Environment) Act—Land (Planning and Environment) Amendment Regulation 2005 (No. 1)—Subordinate Law SL2005-19 (LR, 1 September 2005).

Magistrates Court Act—Magistrates Court (Dangerous Substances Infringement Notices) Amendment Regulation 2005 (No. 1)—Subordinate Law SL2005-24 (LR, 15 September 2005).

Mental Health (Treatment and Care) Act—Mental Health (Treatment and Care) Official Visitor Appointment 2005 (No. 1)—Disallowable Instrument DI2005-212 (LR, 27 September 2005).

Nature Conservation Act—Nature Conservation (Threatened Ecological Communities and Species) Action Plan 2005 (No. 3)—Disallowable Instrument DI2005-210 (LR, 29 September 2005).

Public Health Act—Public Health Notifiable Conditions Determination 2005, together with Regulatory Impact Statement—Disallowable Instrument DI2005-220 (LR, 30 September 2005).

Public Place Names Act—

Public Place Names (Bruce) Determination 2005 (No. 2)—Disallowable Instrument DI2005-204 (LR, 27 September 2005).

Public Place Names (City) Determination 2005 (No. 1)—Disallowable Instrument DI2005-214 (LR, 29 September 2005).

Public Place Names (Griffith) Determination 2005 (No. 2)—Disallowable Instrument DI2005-213 (LR, 29 September 2005).

Public Sector Management Act—

Public Sector Management Amendment Standard 2005 (No. 8)—Disallowable Instrument DI2005-203 (LR, 8 September 2005).

Public Sector Management Amendment Standard 2005 (No. 9)—Disallowable Instrument DI2005-221 (LR, 30 September 2005).

Radiation Act—

Radiation (Council) Appointment 2005 (No. 2)—Disallowable Instrument DI2005-202 (LR, 8 September 2005).

Radiation (Fees) Determination 2005 (No. 2)—Disallowable Instrument DI2005-208 (LR, 26 September 2005).

Road Transport (General) Act 1999 and the Road Transport (Safety and Traffic Management) Act—Road Transport (Safety and Traffic Management) Amendment Regulation 2005 (No. 2)—Subordinate Law SL2005-22 (LR, 15 September 2005).

Roads and Public Places Act—Roads and Public Places (Removable Signs) Code of Practice 2005—Disallowable Instrument DI2005-207 (LR, 26 September 2005).

Smoking (Prohibition in Enclosed Public Places) Act—Smoking (Prohibition in Enclosed Public Places) Regulation 2005, together with Regulatory Impact Statement—Subordinate Law SL2005-21 (LR, 8 September 2005).

Territory Records Act—Territory Records (Advisory Council) Appointment 2005 (No. 1)—Disallowable Instrument DI2005-206 (LR, 22 September 2005).

Water and Sewerage Act—Water and Sewerage (Fees) Determination 2005 (No. 2)—Disallowable Instrument DI2005-225 (without explanatory statement) (LR, 6 October 2005).

**14 MEDICINAL USE OF CANNABIS—MINISTERIAL STATEMENT—
PAPER—PAPER NOTED**

Mr Corbell (Minister for Health), by leave, made a ministerial statement concerning the medicinal use of cannabis and presented the following paper:

Medicinal use of cannabis—Report, dated October 2005.

Mr Corbell moved—That the Assembly takes note of the paper.

Debate ensued.

Paper: Dr Foskey, by leave, presented the following paper:

Drugs of Dependence (Cannabis for Medical Conditions Trial) Amendment Bill 2005—Exposure draft

Question—put and passed.

**15 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—WORKCHOICES
POLICY ANNOUNCEMENTS**

The Assembly was informed that Dr Foskey, Mr Gentleman, Ms MacDonald, Ms Porter, Mr Seselja and Mr Smyth had proposed that matters of public importance be submitted to the Assembly for discussion. In accordance with the provisions of standing order 79, the Speaker had determined that the matter proposed by Mr Gentleman be submitted to the Assembly, namely, “The impact of the Federal Government’s WorkChoices policy announcements on the Canberra community.”.

Discussion ensued.

The time for discussion having expired—

Discussion concluded.

**16 LEGAL AFFAIRS—STANDING COMMITTEE (PERFORMING THE
DUTIES OF A SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION
COMMITTEE)—SCRUTINY REPORT 17—STATEMENT BY CHAIR**

Mr Stefaniak (Chair) presented the following report:

Legal Affairs—Standing Committee (performing the duties of a Scrutiny of Bills and Subordinate Legislation Committee)—Scrutiny Report 17, dated 17 October 2005, together with the relevant minutes of proceedings—

and, by leave, made a statement in relation to the report.

17 FINANCIAL MANAGEMENT LEGISLATION AMENDMENT BILL 2005

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

Detail Stage

Clause 1 agreed to.

Remainder of Bill, by leave, taken as a whole—

On the motion of Mr Mulcahy, by leave, his amendments Nos. 1 to 5 and 7 and 8 were made together, after debate (*see* [Schedule 1](#)).

Mr Mulcahy moved his amendment No. 6 (*see* [Schedule 1](#)).

Debate continued.

Amendment negatived.

Dr Foskey, by leave, moved her amendments Nos. 1 and 2 together (*see* [Schedule 2](#)).

Debate continued.

Amendments negatived.

On the motion of Mr Mulcahy, by leave, his amendments Nos. 9 and 10 were made together (*see* [Schedule 1](#)).

On the motion of Mr Mulcahy, by leave, his amendments Nos. 12 and 13 were made together, after debate (*see* [Schedule 1](#)).

On the motion of Mr Quinlan (Treasurer), his amendment No. 1 was made, after debate (*see* [Schedule 3](#)).

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

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

18 ADJOURNMENT

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

Debate ensued.

The time allotted for the debate having expired—

Question—put and passed.

And then the Assembly, at 6.27 p.m. adjourned until tomorrow at 10.30 a.m.

MEMBERS' ATTENDANCE: All Members were present at some time during the sitting.

Tom Duncan
Clerk of the Legislative Assembly

SCHEDULES OF AMENDMENTS

Schedule 1

FINANCIAL MANAGEMENT LEGISLATION AMENDMENT BILL 2005

Amendments circulated by Mr Mulcahy

1

Clause 2 (1)

Page 2, line 18—

insert

- section 29A
-

2

Clause 2 (1)

Page 2, line 28—

omit

- section 66 (Presentation of annual financial statements of territory authorities)

substitute

- section 66 (Annual financial statements of territory authorities to be included in annual reports etc)
-

3

Clause 2 (1)

Page 3, line 9—

omit

- section 71 (Presentation of territory authority statements of performance)

substitute

- section 71 (Territory authority statements of performance to be included in annual reports etc)
-

4

Proposed new clause 29A

Page 16, line 4—

insert

29A Section 30

substitute

30 Departmental annual financial statements to be included in annual reports etc

A report prepared under the *Annual Reports (Government Agencies) Act 2004* for a department for a financial year must include, or have attached to it—

- (a) the department's annual financial statements for the year; and
- (b) the audit opinion under section 29 (3) about the financial statements.

5

Clause 30

Proposed new section 30D

Page 17, line 16—

omit proposed new section 30D, substitute

30D Departmental statements of performance to be included in annual reports etc

A report prepared under the *Annual Reports (Government Agencies) Act 2004* for a department for a financial year must include, or have attached to it—

- (a) the department's statement of performance for the year; and
- (b) the auditor-general's report under section 30C (3) about the statement of performance.

6

Clause 30

Proposed new section 30E

Page 18, line 1—

omit proposed new section 30E, substitute

30E Quarterly departmental performance reports

- (1) Each Minister must prepare a quarterly performance report for each department for which the Minister is responsible within 30 days after the end of each of the first 3 quarters of a financial year.
- (2) The report must include—
 - (a) a progress report on delivery of outputs; and
 - (b) an explanation of any significant variations from performance criteria.
- (3) The Minister must present the report to the Legislative Assembly on the first sitting day after the report is prepared.

- (4) If the report for a quarter is not presented to the Legislative Assembly under subsection (3) within 30 days after the end of the quarter, the Minister must make a copy of the report available to members of the Legislative Assembly within the 30 days.
- (5) This section does not apply to the Legislative Assembly secretariat.

7

Clause 37

Proposed new section 66

Page 32, line 12—

omit proposed new section 66, substitute

66

Annual financial statements of territory authorities to be included in annual reports etc

A report prepared under the *Annual Reports (Government Agencies) Act 2004* for a territory authority for a financial year must include, or have attached to it—

- (a) the authority's annual financial statements for the year; and
- (b) the audit opinion under section 65 (3) about the financial statements.

8

Clause 37

Proposed new section 71

Page 35, line 19—

omit proposed new section 71, substitute

71

Territory authority statements of performance to be included in annual reports etc

A report prepared under the *Annual Reports (Government Agencies) Act 2004* for a territory authority for a financial year must include, or have attached to it—

- (a) the authority's statement of performance for the year; and
- (b) the auditor-general's report under section 70 (3) about the statement of performance.

9

Clause 41

Proposed new section 109 (3)

Definition of 1 July 2005 sections

Page 60, line 3—

insert

- section 30 (Departmental annual financial statements to be included in annual reports etc)
-

10**Clause 41****Proposed new section 109 (3)****Definition of 1 July 2005 sections****Page 60, line 9—***omit*

- section 30D (Presentation of departmental statements of performance)

substitute

- section 30D (Departmental statements of performance to be included in annual reports etc)

11**Clause 41****Proposed new section 109 (3)****Definition of 1 July 2005 sections****Page 60, line 11—***omit*

- section 30E (Half-yearly departmental performance reports)

substitute

- section 30E (Quarterly departmental performance reports)

12**Clause 41****Proposed new section 109 (3)****Definition of 1 July 2005 sections****Page 60, line 18—***omit*

- section 66 (Presentation of annual financial statements of territory authorities)

substitute

- section 66 (Annual financial statements of territory authorities to be included in annual reports etc)

13**Clause 41****Proposed new section 109 (3)****Definition of 1 July 2005 sections****Page 60, line 25—***omit*

- section 71 (Presentation of territory authority statements of performance).

substitute

- section 71 (Territory authority statements of performance to be included in annual reports etc).
-

Schedule 2**FINANCIAL MANAGEMENT LEGISLATION
AMENDMENT BILL 2005**

Amendments circulated by Dr Foskey

1

Clause 40**Proposed new clause 78 (2A)****Page 41, line 27—**

insert

- (2A) The responsible Minister must try to ensure that the members appointed have, between them, the experience and expertise to allow the governing board to consider the social and environmental impact of the territory authority's policies, strategies and actions.
-

2

Clause 40**Proposed new section 78 (3)****Page 42, line 1—**

omit

only criteria

substitute

only other criteria

Schedule 3**FINANCIAL MANAGEMENT LEGISLATION
AMENDMENT BILL 2005**

Amendment circulated by the Treasurer

1
Schedule 1
Amendment 1.270
Proposed new modification 1.7A
Page 205, line 13—

insert

[1.7A] Section 66

substitute

**66 Presentation of annual financial statements of
territory authorities**

- (1) This section applies if, under section 65 (3), the chief executive officer of a territory authority receives an audit opinion about annual financial statements of the authority.
 - (2) Within 7 days after the day the chief executive officer receives the audit opinion, the chief executive officer must give the responsible Minister of the territory authority the following documents:
 - (a) a copy of the annual financial statements;
 - (b) a copy of the opinion;
 - (c) the authority's response (if any) to the opinion.
 - (3) The responsible Minister must present the documents to the Legislative Assembly within 6 sitting days after the day the Minister receives them.
-