The Assembly met at 10.30 a.m., pursuant to adjournment. The Speaker (Mr Cornwell) took the Chair and asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

SUSPENSION OF STANDING AND TEMPORARY ORDERS - ROUTINE OF BUSINESS

Mr Humphries (Manager of Government Business) moved - That so much of the standing and temporary orders be suspended as would prevent the following business having precedence over all other business in the routine of business for the remainder of this sitting:

1. Assembly business, order of the day No. 1, relating to the presentation of the report of the Select Committee on the Territory’s Superannuation Commitments;
2. Executive business, notice No. 1, relating to the disposal of ACTEW Corporation Limited;
3. Executive business, order of the day No. 1, relating to the ACTEW (Transfer Scheme) Bill 1998;
4. Presentation of papers;
5. Presentation of Milk Authority (Amendment) Bill 1999, by leave;
6. Presentation of Scrutiny Report No. 15 of 1998 of the Standing Committee on Justice and Community Safety; and
7. Select Committee on Gambling, motion, by leave, to amend the resolution appointing the Committee.

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

TERRITORY’S SUPERANNUATION COMMITMENTS - SELECT COMMITTEE - REPORT - REPORT NOTED

Mr Quinlan, pursuant to order of the Assembly of 26 November 1998, presented the following report:

Territory’s Superannuation Commitments - Select Committee - Report, dated 30 January 1999, including a dissenting report, together with the minutes of proceedings - and moved - That the report be noted.
Mr Quinlan, by leave, was granted an extension of time.
Debate ensued.

Mr Hird, by leave, was granted an extension of time.
Debate continued.

Ms Carnell (Treasurer), by leave, was granted an extension of time.
Debate continued.

Mr Moore (Minister for Health and Community Care), by leave, was granted an extension of time.
Debate continued.

Mr Humphries (Attorney-General), by leave, was granted an extension of time.
Debate continued.

Question - put and passed.

4 ACTEW CORPORATION LIMITED - PROPOSED DISPOSAL

Ms Carnell (Treasurer), pursuant to notice, moved - That this Assembly approves:

(1) the disposal of ACTEW Corporation Limited, its subsidiaries and major undertakings with the exception of the water, dams and water and sewerage treatment plants which are to remain in public ownership; and

(2) that the Government may enter into long term contracts for the operation, maintenance and management of the dams and water and sewerage treatment plants.

Ms Carnell, by leave, was granted an extension of time.

Ms Carnell, by leave, was granted a further extension of time.
Debate ensued.

Mr Stanhope (Leader of the Opposition), by leave, was granted an extension of time.
Debate continued.

Mr Kaine, by leave, was granted an extension of time.
Mr Kaine, by leave, was granted a further extension of time.
Debate continued.

Mr Smyth (Minister for Urban Services), by leave, was granted an extension of time.
Mr Smyth, by leave, was granted a further extension of time.
Debate continued.

Mr Corbell, by leave, was granted an extension of time.
Debate continued.

Ms Tucker, by leave, was granted an extension of time.
Ms Tucker, by leave, was granted a further extension of time.
Debate continued.

Mr Moore (Minister for Health and Community Care), by leave, was granted an extension of time.
Mr Moore addressing the Assembly -
Adjournment negatived: It being 5 p.m. - The question was proposed - That the Assembly do now adjourn.

Mr Moore (Minister for Health and Community Care) requiring the question to be put forthwith without debate -

Question - put and negatived.

Debate continued.

Mr Quinlan, by leave, was granted an extension of time.

Debate continued.

Mr Rugendyke, by leave, was granted an extension of time.

Debate continued.

Question - That the motion be agreed to - put.

The Assembly voted -

Ayes, 7  Noes, 10

Ms Carnell  Mr Smyth  Mr Berry  Mr Quinlan
Mr Cornwell  Mr Stefaniak  Mr Corbell  Mr Rugendyke
Mr Hird  Mr Hargreaves  Mr Stanhope
Mr Humphries  Mr Kaine  Ms Tucker
Mr Moore  Mr Osborne  Mr Wood

And so it was negatived.

5  ACTEW (TRANSFER SCHEME) BILL 1998

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 -

Question - That this Bill be agreed to in principle - put.

The Assembly voted -

Ayes, 7  Noes, 10

Ms Carnell  Mr Smyth  Mr Berry  Mr Quinlan
Mr Cornwell  Mr Stefaniak  Mr Corbell  Mr Rugendyke
Mr Hird  Mr Hargreaves  Mr Stanhope
Mr Humphries  Mr Kaine  Ms Tucker
Mr Moore  Mr Osborne  Mr Wood

And so it was negatived.

6  PRESENTATION OF PAPERS

The Speaker presented the following papers:

Study trip - Report by Mr Rugendyke, MLA - Sydney, NSW, 2 and 3 December 1998.

Legislative Assembly (Broadcasting of Proceedings) Act, pursuant to subsection 8 (4) - Authority to broadcast proceedings in relation to:
The public hearing of the Standing Committee on Education on 11 December 1998 (vision only), dated 11 December 1998;

The public hearing of the Select Committee on the Territory’s Superannuation Commitments on 19 January 1999 (vision only), dated 18 January 1999;

Proceedings of the Assembly for today, 2 February 1999 concerning:

The presentation, and subsequent debate, of the report of the Select Committee on the Territory’s Superannuation Commitments; and

Any debates relating to the proposed sale of ACTEW, dated 1 February 1999.

Pinochet regime - Condemnation - Copy of a letter, concerning the Assembly’s resolution condemning the atrocities committed against the Chilean people by the Pinochet regime, from the Minister for Foreign Affairs, The Hon Alexander Downer MP to Ms Kate Carnell, MLA, undated.
Universal Declaration of Human Rights -

Australia’s commitment - Copy of letter, conveying the Assembly’s resolution of 9 December 1998 concerning Australia’s commitment to the Universal Declaration of Human Rights from Kate Carnell MLA, Chief Minister to the Hon John Howard MP, Prime Minister, dated 22 December 1998.

50th Anniversary - Copy of letter, conveying the Assembly’s resolution of 10 December 1998 concerning the 50th Anniversary of the proclamation of the Universal Declaration of Human Rights from Kate Carnell MLA, Chief Minister to The Hon Darryl Williams MP, Commonwealth Attorney-General, dated 22 December 1998.

7 SUBORDINATE LEGISLATION AND COMMENCEMENT PROVISIONS - PAPERS

Mr Humphries (Manager of Government Business) presented the following papers (including explanatory statements), commencement provisions, notice to the public and corrigenda to Gazette notices previously presented to the Assembly:

Births, Deaths and Marriages Registration Act -

Notice to the public - Births, Deaths and Marriages Registration Regulations - Regulation Number 19 of 1998, the Births, Deaths and Marriages Registration Regulations published in Gazette Number S149 on 4 June 1998 was not laid before the Legislative Assembly within 15 sitting days after notification. As a result under subsection 6 (6) of the Subordinate Laws Act 1989 the Regulations ceased to have effect on 30 October 1998.

Building (Amendment) Act (No. 2) 1998 - Notice of commencement (4 January 1999) of remaining sections (S1, dated 4 January 1999).

Building Act -

Building Regulations (Amendment) - Subordinate Law No. 40 of 1998 (S2, dated 4 January 1999).


Construction Practitioners Registration Act -

Construction Practitioners Registration Regulations - Subordinate Law No. 38 of 1998 (S214, dated 18 December 1998).


Dental Technicians and Dental Prosthetists Registration Act. See “Health Professions Boards (Procedures) Act”.


Health Act - Instruments of appointment as members to the ACT Health and Community Care Ethics Committee - Nos 1 and 2 of 1999 (No. 1, dated 6 January 1999).


Legislative Assembly (Members’ Staff) Act - Arrangements for the employment of staff of Members pursuant to section 10 (2) - Amendment to provide for an increase in staff salary allocation to Mr Kaine MLA to provide the same allocation as that made to other cross bench members in the Assembly from 7 January 1998 until the end of the last pay period in the 1998-99 financial year - Instrument No. 257 of 1998 (S209, dated 11 December 1998).


Motor Traffic Act -

   Determination of parking charges - Instrument No. 7 of 1999 (No. 4, dated 27 January 1999).

Motor Traffic Regulations -


Periodic Detention Act. See “Remand Centres Act”.

Public Health Act - Public Health (Medical and Dental Inspection of School Children) Regulations (Repeal) - Subordinate Law No. 42 of 1998 (No. 4, dated 27 January 1999).

Public Place Names Act - Amendment to the notice published in the Commonwealth Gazette No. 29 of 1972 by omitting three street names in the Division of Garran - Instrument No. 8 of 1999 (No. 4, dated 27 January 1999).
Public Sector Management Act - Management Standards -
No. 5 of 1998 (No. 49, dated 9 December 1998).


Supreme Court Act - Supreme Court Rules (Amendment) - Subordinate Law No. 35 of 1998 (No. 49, dated 9 December 1998).


Vocational Education and Training Act - Instruments of appointment as -
Chairperson to the Vocational Education and Training Authority - No. 266 of 1998 (No. 51, dated 23 December 1998).

Members to the Vocational Education and Training Authority - Nos 267 to 274 (inclusive) of 1998 (No. 51, dated 23 December 1998).


8 MILK AUTHORITY (AMENDMENT) BILL 1999

Mr Smyth (Minister for Urban Services), by leave, presented a Bill for an Act to amend the Milk Authority Act 1971.

Paper: Mr Smyth presented an explanatory memorandum to the Bill.

Title read by Clerk.

Mr Smyth moved - That this Bill be agreed to in principle.

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

9 JUSTICE AND COMMUNITY SAFETY - STANDING COMMITTEE (INCORPORATING THE DUTIES OF A SCRUTINY OF BILLS AND SUBORDINATE LEGISLATION COMMITTEE) - SCRUTINY REPORT NO. 15 OF 1998 - STATEMENT BY DEPUTY CHAIR
Mr Hargreaves (Deputy Chair), by leave, presented the following report:
Justice and Community Safety - Standing Committee (incorporating the duties of a Scrutiny of Bills and Subordinate Legislation Committee) - Scrutiny Report No. 15 of 1998, dated 23 December 1998 -

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

10 GAMBLING - SELECT COMMITTEE - ALTERATION TO RESOLUTION OF APPOINTMENT

Mr Kaine (Chairman), by leave, moved - That the resolution of the Assembly of 20 May 1998, as amended on 23 June and 10 December 1998, appointing a Select Committee on Gambling be amended by:

(1) adding to paragraph (1) (a) “and the report entitled *Gambling and Related Legislation in the ACT; a National Competition Policy Review* prepared by the Allen Consulting Group”;

(2) inserting the following new paragraph before paragraph (aa):

“(aaa) the Gaming and Racing Control Bill 1998 be referred to the Committee and on the Committee presenting its report to the Assembly resumption of debate on the question ‘That this Bill be agreed to in principle’ be set down as an order of the day for the next sitting’; and

(3) omitting from paragraph (1) (aa) “16 February 1999” and substituting “25 March 1999”.

Question - put and passed.

11 ADJOURNMENT

Mr Humphries (Manager of Government Business) moved - That the Assembly do now adjourn.

Question - put and passed.

And then the Assembly, at 6.15 p.m., adjourned until Tuesday, 16 February 1999 at 10.30 a.m.

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

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M.J. McRAE
Clerk of the Legislative Assembly