

**Extracts of Minutes of Proceedings**

**Scrutiny Meeting No 43
Tuesday, 19 November 2019**

Present: Mrs Giulia Jones MLA (Chair)

 Ms Bec Cody MLA (Deputy Chair)

Apology: Mr Deepak-Raj Gupta MLA

In Attendance: Mr Andrew Snedden (Secretary, Legislative Scrutiny)

 Mr Stephen Argument (Legal Adviser—Subordinate Legislation)

 Mr Daniel Stewart (Legal Adviser—Bills)

 Ms Anne Shannon (Assistant Secretary, Legislative Scrutiny)

1. The Committee met at 11.03 am.
2. **Bills**

The Committee was briefed on the following bills:

* Building and Construction Legislation Amendment Bill 2019.
* Crimes (Disrupting Criminal Gangs) Legislation Bill 2019.
* Crimes (Offences Against Frontline Community Service Providers) Amendment Bill 2019.
* Crimes (Protection of Police, Firefighters and Paramedics) Amendment Bill 2019.
* Domestic Animals (Disqualified Keepers Register) Amendment Bill 2019.
* Heritage Amendment Bill 2019.
* Legislative Assembly (Office of the Legislative Assembly) Amendment Bill 2019.
* Long Service Leave (Portable Schemes) Amendment Bill 2019.
* Revenue Legislation Amendment Bill 2019 (No 2).

The Committee deliberated.

1. **Proposed amendments to bills**

The Committee was briefed on proposed amendments to the following bills:

* Crimes (Disrupting Criminal Gangs) Legislation Amendment Bill 2019.
* Crimes (Protection of Police, Firefighters and Paramedics) Amendment Bill 2019.
* Education Amendment Bill 2017.
* Planning and Development (Controlled Activities) Amendment Bill 2019.
* Residential Tenancies Amendment Bill 2019.

The Committee deliberated.

1. **Subordinate Legislation**

The Committee was briefed on the following subordinate legislation:

* Disallowable Instrument DI2019-204 being the Utilities (Technical Regulation) Operating Certificate Fees Determination 2019, including a regulatory impact statement.
* Disallowable Instrument DI2019-210 being the Civil Law (Wrongs) Chartered Accountants Australia and New Zealand Professional Standards Scheme 2019 (No 1).
* Disallowable Instrument DI2019-211 being the Road Transport (General) Withdrawal of Infringement Notices Guidelines 2019 (No 1).
* Disallowable Instrument DI2019-212 being the Road Transport (General) Waiver of Infringement Notice Penalties Guidelines 2019 (No 1).
* Disallowable Instrument DI2019-213 being the Road Transport (General) Extension of Time Guidelines 2019 (No 1).
* Disallowable Instrument DI2019-214 being the Controlled Sports Code of Practice 2019 (No 1).
* Disallowable Instrument DI2019-215 being the Public Place Names (Taylor) Determination 2019 (No 1).
* Disallowable Instrument DI2019-216 being the Animal Welfare (Advisory Committee Member) Appointment 2019 (No 1).
* Disallowable Instrument DI2019-217 being the Territory Records (Advisory Council) Appointment 2019 (No 1).
* Disallowable Instrument DI2019-218 being the Territory Records (Advisory Council) Appointment 2019 (No 2).
* Disallowable Instrument DI2019-219 being the Race and Sports Bookmaking (Tax Rates) Revocation 2019.
* Disallowable Instrument DI2019-220 being the Public Sector Management Amendment Standards 2019 (No 1).
* Disallowable Instrument DI2019-221 being the Health (Interest Charge) Determination 2019 (No 1).
* Disallowable Instrument DI2019-222 being the Road Transport (Public Passenger Services) Maximum Fares for Taxi Services Determination 2019.
* Disallowable Instrument DI2019-223 being the Blood Donation (Transmittable Diseases) Blood Donor Form 2019 (No 1).
* Disallowable Instrument DI2019-224 being the Racing (Appeals Tribunal) Rules 2019 (No 1).
* Disallowable Instrument DI2019-225 being the Controlled Sports Public Interest Guidelines 2019 (No 1).
* Subordinate Law SL2019-25 being the Court Procedures Amendment Rules 2019 (No 2).
* Subordinate Law SL2019-26 being the Controlled Sports Regulations 2019.
* Subordinate Law SL2019-27 being the Road Transport (Offences) Amendment Regulation 2019 (No 2).

The Committee deliberated.

1. **Regulatory impact statement**

The Committee was briefed on the regulatory impact statement accompanying the following instrument:

* Disallowable Instrument DI2019-204 being the Utilities (Technical Regulation) Operating Certificate Fees Determination 2019.

The Committee deliberated.

1. **National regulations**

The Committee was briefed on the following national regulations:

* Rail Safety National Law National Regulations (Fees) Variation Regulations 2019 (No 155 of 2019) made under the *Rail Safety National Law (South Australia) Act 2012* and the *Rail Safety National Law (ACT) Act 2014*.
* Rail Safety National Law National Regulations Variation Regulations 2019 (No 61 of 2019) made under the *Rail Safety National Law (South Australia) Act 2012* and the *Rail Safety National Law (ACT) Act 2014*.

The Committee deliberated.

1. **Responses**

The Committee was briefed on the following responses:

* The Minister for Police and Emergency Services, dated 24 October 2019, in relation to comments made in Scrutiny Report 36 concerning Disallowable Instrument DI2019-206—Emergencies (Strategic Bushfire Management) Plan 2019.
* The Minister for Corrections and Justice Health, dated 11 November 2019, in relation to comments made in Scrutiny Report 36 concerning the Sentencing (Parole Time Credit) Legislation Amendment Bill 2019.
* The Minister for Education and Early Childhood Development, dated 12 November 2019, in relation to comments made in Scrutiny Report 35 concerning proposed Government amendments to the Education Amendment Bill 2017.
* Mr Coe, dated 12 November 2019, in relation to comments made in Scrutiny Reports 34 and 35 concerning the Planning and Development (Controlled Activities) Amendment Bill 2019, and proposed amendments to the Bill.
* The Minister for Planning and Land Management, dated 13 November 2019, in relation to comments made in Scrutiny Report 36 on the Government response to Disallowable Instrument DI2019-182—Road Transport (General) (Pay Parking Area Fees) Determination 2019.

The Committee deliberated.

1. **Report 37**

Resolved (Mrs Jones)—That the Committee’s comments on the bills, proposed amendments to bills, subordinate legislation, regulatory impact statement, national regulations and responses be adopted as Report 37 and that the report be circulated out-of-session.

Certified correct.

Andrew Snedden

Secretary

19 November 2019