Legislative Assembly for the Australian Capital Territory. Standing Committee on Justice and Community Safety (Legislative Scrutiny Role)

# Amended Extracts of Minutes of Proceedings

## Scrutiny Meeting No 19 Tuesday, 3 April 2018

Present: Ms Elizabeth Lee MLA (Chair)

Ms Bec Cody MLA (Deputy Chair)

Ms Nicole Lawder MLA

Mr Chris Steel MLA

In Attendance: Ms Julia Agostino (Secretary, Legislative Scrutiny)

Ms Anne Shannon (Assistant Secretary, Legislative Scrutiny)

Mr Stephen Argument (Legal Adviser—Subordinate Legislation)

Mr Daniel Stewart (Legal Adviser—Bills)

### 4. Bills

The Committee was briefed on the following bills:

* Domestic Animals Legislation Amendment Bill 2018.
* Health (Improving Abortion Access) Amendment Bill 2018.
* Justice and Community Safety Legislation Amendment Bill 2018.
* Road Transport (Reform (Light Rail) Legislation Amendment Bill 2018.

The Committee deliberated.

### 5. Subordinate legislation

The Committee was briefed on the following subordinate legislation:

* Disallowable Instrument DI2018-11 being the Heritage (Council Member) Appointment 2018 (No 1).
* Disallowable Instrument DI2018-12 being the Heritage (Council Member) Appointment 2018 (No 2).
* Disallowable Instrument DI2018-13 being the Heritage (Council Member) Appointment 2018 (No 3).
* Disallowable Instrument DI2018-14 being the Heritage (Council Member) Appointment 2018 (No 4).
* Disallowable Instrument DI2018-15 being the Heritage (Council Member) Appointment 2018 (No 5).
* Disallowable Instrument DI2018-16 being the Heritage (Council Member) Appointment 2018 (No 6).
* Disallowable Instrument DI2018-17 being the Heritage (Council Chairperson) Appointment 2018 (No 1).
* Disallowable Instrument DI2018-18 being the Heritage (Council Deputy Chairperson) Appointment 2018 (No 1).
* Disallowable Instrument DI2018-19 being the Children and Young People (Death Review Committee) Appointment 2018 (No 1).
* Disallowable Instrument DI2018-20 being the Nature Conservation (Lower Cotter Catchment) Reserve Management Plan 2018 (No 1).
* Disallowable Instrument DI2018-21 being the Public Trustee and Guardian (Investment Board) Appointment 2018 (No 1).
* Disallowable Instrument DI2018-22 being the Long Service Leave (Portable Schemes) Governing Board Appointment 2018 (No 1).
* Disallowable Instrument DI2018-23 being the Long Service Leave (Portable Schemes) Governing Board Appointment 2018 (No 2).
* Disallowable Instrument DI2018-24 being the Long Service Leave (Portable Schemes) Governing Board Appointment 2018 (No 3).
* Disallowable Instrument DI2018-25 being the Road Transport (General) Application of Road Transport Legislation Declaration 2018 (No 3).
* Disallowable Instrument DI2018-26 being the Medicines, Poisons and Therapeutic Goods (Medicines Advisory Committee) Appointment 2018 (No 1).
* Disallowable Instrument DI2018-27 being the Nature Conservation (Listed Migratory Species) Action Plan 2018.
* Disallowable Instrument DI2018-28 being the Blood Donation (Transmittable Diseases) Plasma Donor Form 2018 (No 1).
* Disallowable Instrument DI2018-29 being the Civil Law (Wrongs) Professional Standards Council Appointment 2018 (No 4).
* Disallowable Instrument DI2018-30 being the Public Place Names (Watson) Determination 2018.
* Disallowable Instrument DI2018-31 being the Road Transport (General) Application of Road Transport Legislation Declaration 2018 (No 4).
* Disallowable Instrument DI2018-32 being the Work Health and Safety (Work Safety Council Employer Representative) Appointment 2018 (No 1).
* Disallowable Instrument DI2018-33 being the Animal Diseases (Exotic Diseases) Declaration 2018.
* Disallowable Instrument DI2018-34 being the Animal Diseases (Endemic Diseases) Declaration 2018.
* Disallowable Instrument DI2018-35 being the Board of Senior Secondary Studies Appointment 2018 (No 1).
* Disallowable Instrument DI2018-36 being the Board of Senior Secondary Studies Appointment 2018 (No 2).
* Disallowable Instrument DI2018-37 being the Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2018 (No 1).

The Committee deliberated.

### 6. National regulations

The Committee was briefed on the following national regulations:

* Rail Safety National Law National Regulations (Fees and Returns) Variation Regulations 2017 (2017 No 257), made under the Rail Safety National Law.
* Rail Safety National Law National Regulations (Miscellaneous) Variation Regulations 2017 (2017 No 258), made under the Rail Safety National Law.
* Rail Safety National Law National Regulations (Queensland Fatigue Provisions) Variation Regulations 2017 (2017 No 259), made under the Rail Safety National Law.
* Heavy Vehicle (General) National Amendment Regulation (2016 No 261), made under the Heavy Vehicle National law as applied by the law of States and Territories.
* Heavy Vehicle National Amendment Regulation 2017 (2017 No 329), made under the Heavy Vehicle National law as applied by the law of States and Territories.

The Committee deliberated.

### 7. Government responses

The Committee was briefed on the following Government responses:

* The Minister for Health and Wellbeing, dated 10 March 2018, in relation to comments made in Scrutiny Report 14 concerning Disallowable Instruments:
* DI2017-272—Food (Fees) Determination 2017 (No 1).
* DI2017-273—Medicines, Poisons and Therapeutic Goods (Fees) Determination 2017 (No 1).
* DI2017-274—Public Health (Fees) Determination 2017 (No 1).
* DI2017-275—Radiation Protection (Fees) Determination 2017 (No 1).
* DI2017-286—Health Records (Privacy and Access) (Fees) Determination 2017 (No 1).
* The Minister for Justice, Consumer Affairs and Road Safety, dated 19 March 2018, in relation to comments made in Scrutiny Report 14 concerning Subordinate Law SL2017-43—Road Transport (Road Rules) Regulation 2017.
* The Minister for Transport and City Services, dated 20 March 2018, in relation to comments made in Scrutiny Report 14 concerning Disallowable Instruments:
* DI2017-311—Road Transport (Public Passenger Services) Regular Route Services Maximum Fares Determination 2017.
* DI2017-313—Veterinary Surgeons (Acting Member) Appointment 2017.
* The Minister for Planning and Land Management, dated 20 March 2018, in relation to comments made in Scrutiny Report 14 concerning Disallowable Instrument DI2017-287—Construction Occupations (Licensing) Interval Metering Transitional Code of Practice 2017.

The Committee deliberated.

### 8. Report 16

Resolved (Mr Steel)—That the Committee’s comments on the bills, subordinate legislation, national regulations and Government responses be adopted as Report 16 and that the report be circulated out‑of‑session.

Certified correct

Julia Agostino

Secretary

7 May 2018