Ms Giulia Jones MLA

Chair, Standing Committee on Justice and Community Safety (Scrutiny)

ACT Legislative Assembly

London Circuit

CANBERRA ACT 2601

Dear Ms Jones

I refer to the Standing Committee for Justice and Community Safety’s (the Committee) recent Scrutiny Report 26, in which the Committee examined and provided comment on the Controlled Sports Bill 2018 (the Bill) introduced into the Legislative Assembly on 29 November 2018.

I am writing to thank the Committee for the thorough analysis provided in this report and provide the attached Revised Explanatory Statement which I intend to table for debate. It provides further explanation in response to the questions raised by the Committee. I have made amendments to the following sections of the Explanatory Statement:

* Subordinate legislation (page 4)
* Human rights considerations
  + entry and seizure powers (new addition) (pages 7 - 8)
  + right to fair trial (pages 9 – 11)
  + strict liability offences (page 11)
* Section 153 – Transitional Regulations (page 35)

I trust these revisions address the Committee’s questions and I thank the Committee for the opportunity to comment and further enhance the supplementary material supporting this important piece of legislation.

I will also be tabling a number of Government amendments to the Bill to provide further clarity on intended operation. Amendments have been made to:

* Section 9 – definition of a controlled sports event. This section was updated to specifically exclude training and provide a clear definition of what is considered training for the purposes of the Act.
* Section 18 (4) – decision on registration of controlled sports official – clauses now include an internal review process and a time period for this review.
* Section 22 (6) controlled sports official registration – renewal - clauses now include an internal review process and a time period for this review.
* Section 23 (3) (b) – suspension or cancellation of controlled sports official registration – extension of time period from 10 working days to 20 working days for official to provide reasons why registration should not be cancelled or suspended.
* Section 27 (4) – decision on registration of controlled sports contestant - clauses now include an internal review process and a time period for this review.
* Section 31 (6) – controlled sports contestant registration – renewal - clauses now include an internal review process and a time period for this review.
* Section 32 (4) - suspension or cancellation of controlled sports contestant registration – extension of time period from 10 working days to 20 working days for contestant to provide reasons why registration should not be cancelled or suspended.

I refer these amendments to the Committee for consideration ahead of the debate.

Yours sincerely

Yvette Berry MLA

Deputy Chief Minister