

**Extracts of Minutes of Proceedings**

**Scrutiny Meeting No 40
Tuesday, 10 September 2019**

Present: Mrs Giulia Jones MLA (Chair)

 Mr Deepak-Raj Gupta MLA

Apology: Ms Bec Cody MLA (Deputy Chair)

In Attendance: Mr Hamish Finlay (Acting 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:

* Courts (Fair Work and Work Safety) Legislation Amendment Bill 2019.
* Energy Efficiency (Cost of Living) Improvement Amendment Bill 2019
* Freedom of Information Amendment Bill 2019.
* Health Amendment Bill 2019.
* Official Visitor Amendment Bill 2019.
* Planning and Development (Community Concessional Leases) Amendment Bill 2019.
* Planning and Development (Controlled Activities) Amendment Bill 2019.
* Public Sector Management Amendment Bill 2019.
* Work Health and Safety Amendment Bill 2019.

The Committee deliberated.

1. **Regulatory impact statement**

The Committee was briefed on a regulatory impact statement accompanying the Energy Efficiency (Cost of Living) Improvement Amendment Bill 2019.

The Committee deliberated.

1. **Proposed Government amendments**

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

* Planning and Development (Community Concessional Leases) Amendment Bill 2019.
* Drugs of Dependence (Personal Cannabis Use) Amendment Bill 2019.
* Sentencing (Drug and Alcohol Treatment Orders) Legislation Amendment Bill 2019.

The Committee deliberated.

1. **Subordinate legislation**

The Committee was briefed on the following subordinate legislation:

* Disallowable Instrument DI2019-181 being the Construction Occupations (Licensing) (Qualifications—Builder and Building Surveyor Licences) Declaration 2019 (No 2).
* Disallowable Instrument DI2019-182 being the Road Transport (General) (Pay Parking Area Fees) Determination 2019.
* Disallowable Instrument DI2019-183 being the Veterinary Practice (Fees) Determination 2019 (No 2).
* Disallowable Instrument DI2019-184 being the Waste Management and Resource Recovery (Fees) Determination 2019 (No 2).
* Disallowable Instrument DI2019-185 being the Juries (Payment) Determination 2019.
* Disallowable Instrument DI2019-186 being the Road Transport (General) Application of Road Transport Legislation Declaration 2019 (No 7).
* Disallowable Instrument DI2019-187 being the Public Place Names (Coombs) Determination 2019.
* Disallowable Instrument DI2019-188 being the City Renewal Authority and Suburban Land Agency (Suburban Land Agency Deputy Chair) Appointment 2019.
* Disallowable Instrument DI2019-189 being the City Renewal Authority and Suburban Land Agency (Suburban Land Agency Member) Appointment 2019 (No 2).
* Disallowable Instrument DI2019-190 being the Water Resources Environmental Flow Guidelines 2019 (No 2).
* Disallowable Instrument DI2019-191 being the Water Resources (Water Available from Areas) Determination 2019 (No 2).
* Disallowable Instrument DI2019-193 being the Road Transport (Public Passenger Service) Taxi Licence Exemption 2019.
* Disallowable Instrument DI2019-194 being the Energy Efficiency (Cost of Living) Improvement (Eligible Activities) Code of Practice 2019, including a regulatory impact statement.
* Disallowable Instrument DI2019-195 being the Energy Efficiency (Cost of Living) Improvement (Record Keeping and Reporting) Code of Practice 2019, including a regulatory impact statement.
* Disallowable Instrument DI2019-197 being the Race and Sports Bookmaking (Sports Bookmaking Venues) Determination 2019 (No 4).
* Subordinate Law SL2019-19 being the Government Agencies (Land Acquisition Reporting) Regulation 2019.

The Committee deliberated.

1. **Regulatory impact statements**

The Committee was briefed on regulatory impact statements to the following instruments:

* Disallowable Instrument DI2019-194 being the Energy Efficiency (Cost of Living) Improvement (Eligible Activities) Code of Practice 2019.
* Disallowable Instrument DI2019-195 being the Energy Efficiency (Cost of Living) Improvement (Record Keeping and Reporting) Code of Practice 2019.

The Committee deliberated.

1. **Responses**

The Committee was briefed on the following responses:

* The Minister for Planning and Land Management, dated 8 August 2019, in relation to comments made in Scrutiny Report 32 concerning the Planning and Development (Design Review Panel) Amendment Bill 2019.
* The Minister for Health, dated 19 August 2019, in relation to comments made in Scrutiny Report 33 concerning Disallowable Instrument DI2019-102—Gene Technology (GM Crop Moratorium) Advisory Council Appointment 2019 (No 2).
* The Minister for Community Services and Facilities, dated 19 August 2019, in relation to comments made in Scrutiny Report 33 concerning Disallowable Instrument DI2019-176—Working with Vulnerable People Background Checking (Fees) Determination 2019 (No 1).
* The Minister for Climate Change and Sustainability, dated 20 August 2019, in relation to comments made in Scrutiny Report 33 concerning the regulatory impact statement accompanying Disallowable Instrument DI2019-75—Energy Efficiency (Cost of Living) Improvement (Priority Household Target) Determination 2019.
* The Minister for Recycling and Waste Reduction and Minister for City Services, dated 29 August 2019, concerning comments made in Scrutiny Report 32 concerning the Litter Legislation Amendment Bill 2019, and Disallowable Instrument DI2019-48—Veterinary Practice (Fees) Determination 2019 (No 1).
* The Attorney-General, dated 6 September 2019, concerning comments made in Scrutiny Report 33 concerning Subordinate Law SL2019-11—Court Procedures Amendment Rules 2019 (No 1).
* The Minister for Justice, Consumer Affairs and Road Safety, dated 9 September 2019, concerning Disallowable Instruments:
* DI2019-89 Road Transport (General) Vehicle Registration and Related Fees Determination 2019 (No 1).
* DI2019-92 Road Transport (General) Numberplate Fees Determination 2019 (No 1).
* DI2019-93 Road Transport (General) Refund and Dishonoured Payments Fees Determination 2019 (No 1).
* DI2019-94 Road Transport (General) Fees for Publications Determination 2019 (No 1).
* DI2019-95 Road Transport (General) Driver Licence and Related Fees Determination 2019 (No 1).

The Committee deliberated.

1. **Report 34**

Resolved (Mrs Jones)—That the Committee’s comments on the bills, proposed amendments, subordinate legislation, regulatory impact statements and Government responses be adopted as Report 34 and that the report be circulated out-of-session.

Certified correct.

Hamish Finlay

Acting Secretary

 September 2019