****

**LEGISLATIVE ASSEMBLY FOR THE**

**AUSTRALIAN CAPITAL TERRITORY**

**2016–2017–2018–2019**

**MINUTES OF PROCEEDINGS**

**No 122**

[**Thursday, 28 November 2019**](http://www.hansard.act.gov.au/hansard/2019/links/download.htm)

|  |
| --- |
|  |
|  |
|  |

**1** The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms J. Burch) took the Chair and made a formal recognition that the Assembly was meeting on the lands of the traditional custodians. The Speaker asked Members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

**2 PETITION AND E-PETITION—PETITIONS NOTED**

The Clerk announced that the following Member had lodged petitions for presentation:

Mrs Dunne, from 534 residents and 203 residents, respectively, requesting that the Assembly call on the Government to address safety, traffic, parking and noise in The Canberra Hospital precinct (Pet 32-19 and e-Pet 29-19).

Pursuant to standing order 99A, these petitions stand referred to the Standing Committee on Planning and Urban Renewal.

The Speaker proposed—That the petitions so lodged be noted.

Debate ensued.

Question—put and passed.

3 Development Application DA201935811—Block 4, Section 239, Kambah—PETITION OUT-OF-ORDER—PAPER—Statement by Member

Ms Lawder, by leave, presented the following paper:

Petition which does not conform with the standing orders—Development Application DA201935811—Block 4, Section 239, Kambah—Ms Lawder (167 signatures)—

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

**4 SUSPENSION OF STANDING ORDERS—Consideration of Assembly business**

Mr Gentleman (Manager of Government Business) moved—That so much of standing orders be suspended as would prevent notice No 1, Assembly business, relating to indigenous language in the Assembly, being called on and debated forthwith.

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

**5 Indigenous language in the Assembly**

Mr Rattenbury, Mr Milligan and Ms Stephen-Smith (Minister for Aboriginal and Torres Strait Islander Affairs), pursuant to notice, moved—That this Assembly:

1. notes the:
   1. International Year of Indigenous Languages is a United Nations observance in 2019 that aims to raise awareness of the consequences of the endangerment of Indigenous languages across the world, with an aim to establish a link between language, development, peace, and reconciliation;
   2. ACT Government is a signatory to the Aboriginal and Torres Strait Islander Agreement 2019-2028, in which all directorates have a role to play;
   3. Agreement acknowledges the Ngunnawal people as traditional custodians of the Canberra region; and
   4. interest from the community in establishing a Ngunnawal language centre and supporting ongoing revitalisation of local Ngunnawal language;
2. further notes that the:
   1. voice of the Ngunnawal people is reflected in the United Ngunnawal Elders Council (UNEC);
   2. ACT has an Aboriginal and Torres Strait Islander Elected Body, to enable the community to have a strong democratically elected voice;
   3. Speaker makes a formal recognition that the Assembly is meeting on the lands of the Ngunnawal people as traditional custodians each sitting day; and
   4. ACT is the only jurisdiction to hold a public holiday for Reconciliation Day;
3. further notes the:
   1. ACT Greens MLAs also have a Reconciliation Action Plan (RAP), which commits them to lodging this motion in the Assembly;
   2. Australian Labor Party has a national RAP, launched in December 2018; and
   3. Canberra Liberals have developed a policy document titled *Improving the lives of Aboriginal and Torres Strait Islander peoples of the ACT*; and
4. calls on the ACT Legislative Assembly to:
   1. use a Ngunnawal language introduction at the beginning of each Assembly sitting day;
   2. consult with members of the UNEC and other Ngunnawal Elders in order to agree on the appropriate use of words;
   3. make cultural awareness training available to all Members of the Assembly, including in the correct pronunciation of the agreed words;
   4. use these Ngunnawal words to formally recognise that the Assembly is meeting on the lands of the Ngunnawal traditional custodians each sitting day, by the end of the Ninth Assembly; and
   5. amend the standing orders accordingly and ensure that the words are accurately reflected in the daily Minutes of Proceedings and Hansard.

Debate ensued.

Question—put and passed.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Suspension of sitting:* The Speaker, at 10.58 am, suspended the sitting and announced that the Chair would be resumed at the ringing of the bells.

*Resumption of sitting:* The bells having been rung, the Speaker resumed the Chair at 11.04 am.

**6 Deaf and deafblind community—Mental health services—MINISTERIAL STATEMENT—PAPER NOTED**

Mr Rattenbury (Minister for Mental Health) made a ministerial statement concerning mental health services for the deaf and deafblind community, pursuant to the resolution of the Assembly of 25 September 2019, and presented the following paper:

Deaf and deafblind community—Mental health services—Response to the resolution of the Assembly of 25 September 2019—Ministerial statement, 28 November 2019.

Mr Rattenbury moved—That the Assembly take note of the paper.

Debate ensued.

Question—put and passed.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*Presence of Auslan Interpreter on floor of the chamber*: Pursuant to standing order 210, an Auslan interpreter was present on the floor of the Chamber during the above ministerial statement and debate.

**7 Access to Hydrotherapy in the A.C.T.—Further progress in implementing the recommendations in the Nous Report—MINISTERIAL STATEMENT—PAPER NOTED**

Ms Stephen-Smith (Minister for Health) made a ministerial statement concerning implementation of the recommendations of the Nous report—*Access to Hydrotherapy in the ACT*, pursuant to the resolution of the Assembly of 14 August 2019, and presented the following paper:

Access to Hydrotherapy in the ACT—Further progress in implementing the recommendations in the Nous Report—Response to the resolution of the Assembly of 14 August 2019—Ministerial statement, 28 November 2019.

Ms Stephen-Smith moved—That the Assembly take note of the paper.

Debate ensued.

Question—put and passed.

**8 Access Canberra—Five years of quality service to the Canberra community—MINISTERIAL STATEMENT—PAPER NOTED**

Mr Ramsay (Minister for Business and Regulatory Services) made a ministerial statement concerning Access Canberra and presented the following paper:

Access Canberra—Five years of quality service to the Canberra community—Ministerial statement, 28 November 2019.

Mr Ramsay moved—That the Assembly take note of the paper.

Question—put and passed.

**9 Economic Development and Tourism—Standing Committee—REPORT 7—Inquiry into the Building and Construction Legislation Amendment Bill 2019—GOVERNMENT RESPONSE**

Mr Ramsay (Minister for Building Quality Improvement) presented the following paper:

Economic Development and Tourism—Standing Committee—Report 7—*Inquiry into the Building and Construction Legislation Amendment Bill 2019*—Government response.

**10 Residential Tenancies Amendment Bill 2019 (No 2)—Exposure draft—PAPERs AND STATEMENT BY MINISTER**

Mr Ramsay (Attorney-General) presented the following papers:

Residential Tenancies Amendment Bill 2019 (No 2)—

Exposure draft.

Explanatory statement to the exposure draft—

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

**11 MINISTERIAL ARRANGEMENTS**

Mr Barr (Chief Minister) informed the Assembly of the absence of Mr Ramsay (Attorney-General) and advised the Assembly that questions without notice normally directed to Mr Ramsay could be directed to Mr Barr.

**12 QUESTIONS**

Questions without notice were asked.

**13 PRESENTATION OF PAPER**

The Speaker presented the following paper:

ACT Legislative Assembly Speaker’s Delegation to Kiribati and Fiji—1 to 8 September 2019, dated 26 November 2019.

**14 PRESENTATION OF PAPERS**

Mr Gentleman (Manager of Government Business) presented the following papers:

Alexander Maconochie Centre—Accommodation and facilities for women—Response to the resolution of the Assembly of 25 September 2019.

Alexander Maconochie Centre and the Hume Health Centre—Progress on the new reintegration centre—Statement.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual report 2018-2019—Chief Minister, Treasury and Economic Development Directorate (3 volumes)—Corrigendum.

Blueprint for Youth Justice in the ACT 2012-22—Final report—Government response.

Climate Change and Greenhouse Gas Reduction Act, pursuant to subsection 15(3)—Minister’s annual report 2018-19.

Economic Development and Tourism—Standing Committee—Report 6—*Inquiry into drone delivery systems in the ACT*—Government response.

Electoral Act, pursuant to subsection 10A(3)—*A limited electronic voting option for electors who are overseas*—ACT Electoral Commission report to the Legislative Assembly—Government response.

Estimates 2019-2020—Select Committee—Report—Appropriation Bill 2019-2020 and Appropriation (Office of the Legislative Assembly) Bill 2019-2020—

Recommendations 21 and 23—Development of wellbeing indicators for the ACT—Government response, dated 28 November 2019.

Recommendation 80—Update on the 2019 ACT influenza season, and response to the resolution of the Assembly of 18 September 2019, dated November 2019.

Recommendation 93—Update on the establishment of the Winnunga Aboriginal Health and Community Services at the Alexander Maconochie Centre, dated November 2019.

Gaming Machine Act—

Pursuant to section 168—Community contributions made by gaming machine licensees—Report by the ACT Gambling and Racing Commission—2018-19, dated 28 October 2019.

Pursuant to subsection 179A(2)—Gaming machine tax rebate statutory review—Report, dated November 2019.

Gene Technology Act, pursuant to subsection 136(2)—Operations of the Gene Technology Regulator—Annual reports—

2015-2016, dated 30 September 2016.

2016-2017, dated 6 October 2017.

2017-18, dated 2 October 2018.

2018-19, dated 27 September 2019.

Judicial Commissions Act, pursuant to subsection 61A(5)—ACT Judicial Council—Annual report 2018-19.

Light Rail Stage 1—Scope and methodology of benefits review—Response to the resolution of the Assembly of 31 July 2019.

Milk bank—Feasibility of establishing—Report—Response to the resolution of the Assembly of 31 October 2018, dated November 2019.

Official Visitor Act, pursuant to subsection 17(4)—Annual report 2018-2019—Mental Health Official Visitor.

Physical activity in schools—Response to the resolution of the Assembly of 3 April 2019, dated November 2019.

Planning and Urban Renewal—Standing Committee—Report 10—Draft variation No 355—Calwell Group Centre: Zone Changes and amendments to the Calwell Precinct Map and Code—Government response.

Public Accounts—Standing Committee—Report 7—*Inquiry into Auditor-General’s Report No 1 of 2017*—Government response, in relation to WorkSafe ACT’s management of its regulatory responsibilities for the demolition of loose-fill asbestos contaminated houses.

*Public Interest Disclosure Act 2012*—Review—Response to the resolution of the Assembly of 3 April 2019, concerning a review of whistleblower protection—Statement, dated 28 November 2019.

Teacher and student safety—Response to the resolution of the Assembly of 24 October 2018, dated November 2019.

Therapeutic Responses to Children and Young People with Complex High-Level Needs, including Substance Use Disorders—Response to the resolution of the Assembly of 31 July 2019.

Tuggeranong—Anketell Street—Re-routing of buses—Response to the resolution of the Assembly of 14 August 2019—Statement.

Wanniassa Park and Ride access—Response to the resolution of the Assembly of 18 September 2019—Statement.

**15 Milk bank—Feasibility of establishing—PAPER NOTED**

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

Milk bank—Feasibility of establishing—Report—Response to the resolution of the Assembly of 31 October 2018.

Debate ensued.

Question—put and passed.

**16 OFFICIAL VISITOR ACT—ANNUAL REPORT 2018-19—MENTAL HEALTH OFFICIAL VISITOR—PAPER NOTED**

Mr Gentleman (Manager of Government Business), pursuant to standing order 211, moved—That the Assembly take note of the following paper:

Official Visitor Act, pursuant to subsection 17(4)—Annual report 2018-19—Mental Health Official Visitor.

Debate ensued.

Question—put and passed.

**17 Unit Titles Legislation Amendment Bill 2019**

Mr Gentleman (Minister for Planning and Land Management), pursuant to notice, presented a Bill for an Act to amend the *Unit Titles (Management) Act 2011*, and for other purposes.

*Papers:* Mr Gentleman presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 27 November 2019.

Title read by Clerk.

Mr Gentleman moved—That this Bill be agreed to in principle.

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

**18 Cemeteries and Crematoria Bill 2019**

Mr Steel (Minister for City Services), pursuant to notice, presented a Bill for an Act about cemeteries and crematoria, and for other purposes.

*Papers:* Mr Steel presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 27 November 2019.

Title read by Clerk.

Mr Steel moved—That this Bill be agreed to in principle.

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

**19 Public Accounts—Standing Committee—REPORT 8—Inquiry into auditor-General’s Report No 7 of 2016: Certain Land Development Agency acquisitions—report noted**

Mrs Dunne (Chair) presented the following report:

Public Accounts—Standing Committee—Report 8—*Inquiry into Auditor-General’s Report No 7 of 2016: Certain Land Development Agency acquisitions,* dated 28 November 2019, together with a copy of the extracts of the relevant minutes of proceedings—

and moved—That the report be noted.

Debate ensued.

Question—put and passed.

**20 Justice and Community Safety—Standing Committee—INQUIRY—Role and performance of A.C.T. Policing—STATEMENT BY CHAIR**

Mrs Jones (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Justice and Community Safety had resolved to conduct an inquiry in the form of an evaluation of the role and performance of ACT Policing, and will invite submissions with a view to conducting hearings in 2020.

**21 EXECUTIVE business—precedence**

Ordered—That Executive business be called on forthwith.

**22 Revenue Legislation Amendment Bill 2019 (No 2)**

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—

Debate resumed.

Question—That this Bill be agreed to in principle—put and passed.

Leave granted to dispense with the detail stage.

Question—That this Bill be agreed to—put and passed.

**23 Education Amendment Bill 2017**

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—

Debate resumed.

*Paper:* Ms Berry (Minister for Education and Early Childhood Development) presented a revised explanatory statement to the Bill.

Question—That this Bill be agreed to in principle—put and passed.

*Detail Stage*

Bill, by leave, taken as a whole—

Ms Berry, pursuant to standing order 182A(b), was granted leave to move her amendment No 11, which was minor or technical in nature.

Ms Berry, by leave, moved her amendments Nos 1 to 15 together (*see* [Schedule 1](#Schedule1)).

*Paper:* Ms Berry presented a supplementary explanatory statement to the Government amendments.

On the motion of Mr Wall, on behalf of Ms Lee, by leave, her amendment No 1 to Ms Berry’s proposed amendment No 9 (*see* [Schedule 2](#Schedule2)) was made, after debate.

Ms Berry’s amendments Nos 1 to 15, as amended, agreed to.

Bill, as a whole, as amended, agreed to.

Question—That this Bill, as amended, be agreed to—put and passed.

**24 Building and Construction Legislation Amendment Bill 2019**

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—

Debate resumed.

Mr Parton moved—That the debate be adjourned.

Question—put.

The Assembly voted—

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| AYES, 7 | | |  | | NOES, 10 | | |
| Miss C. Burch | Mr Wall | |  | | Ms Berry | Ms Orr | |
| Mr Coe |  | |  | | Ms J. Burch | Mr Rattenbury | |
| Mrs Dunne |  | |  | | Ms Cheyne | Mr Steel | |
| Ms Lawder |  | |  | | Mr Gentleman | Ms Stephen-Smith | |
| Mr Milligan |  | |  | | Mr Gupta |  | |
| Mr Parton |  | |  | | Ms Le Couteur |  | |

And so it was negatived.

Debate continued.

*Paper:* Mr Gentleman (Minister for Planning and Land Management), on behalf of Mr Ramsay (Minister for Building Quality Improvement), presented a revised explanatory statement to the Bill.

Question—That this Bill be agreed to in principle—put and passed.

*Detail Stage*

Bill, by leave, taken as a whole—

Mr Parton was granted leave to move amendments that had not been considered or reported on by the Scrutiny Committee, and had not been circulated in accordance with standing order 178A, together.

Mr Parton moved his amendments Nos 1 to 6 together (*see* [Schedule 3](#Schedule3)).

Debate continued.

Amendments negatived.

Bill, as a whole, agreed to.

Question—That this Bill be agreed to—put and passed.

**25 ADJOURNMENT**

Mr Steel (Minister for City Services) moved—That the Assembly do now adjourn.

Debate ensued.

Mrs Dunne, by leave, was granted an extension of time.

Debate continued.

Question—put and passed.

And then the Assembly, at 6.39 pm, adjourned until Tuesday, 11 February 2020 at 10 am.

**MEMBERS’ ATTENDANCE:** All Members were present at some time during the sitting, except Mr Pettersson\*.

\*on leave

**Tom Duncan**

Clerk of the Legislative Assembly

**SCHEDULES OF AMENDMENTS**

**Schedule 1**

**EDUCATION AMENDMENT BILL 2017**

Amendments circulated by the Minister for Education and Early Childhood Development

1. Long title—

omit the long title, substitute

An Act to amend the *Education Act 2004* and the *Education Regulation 2005*

1. Clause 2  
   Page 2, line 3—

omit clause 2, substitute

2 Commencement

This Act commences on a day fixed by the Minister by written notice.

*Note 1* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

*Note 2* A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see Legislation Act, s 77 (1)).

*Note 3* If a provision has not commenced within 6 months beginning on the notification day, it automatically commences on the first day after that period (see Legislation Act, s 79).

1. Clause 3  
   Proposed new note  
   Page 2, line 18—

insert

*Note* This Act also amends the *Education Regulation 2005* (see sch 1).

1. Proposed new clause 3A  
   Page 2, line 18—

insert

3A Guidelines—certain director-general functions  
Section 9D (1), new dot point

insert

* chapter 5 (Home education).

1. Proposed new clause 3B  
   Page 2, line 18—

insert

3B New section 127C

in part 5.1, insert

127C Definitions—ch 5

In this chapter:

***home education report***, in relation to a child registered for home education, means a report that complies with section 138 about the educational progress of the child.

***new registration*** means registration of a child for home education under section 131 (3) if the child either—

(a) has not previously been registered for home education under that section; or

(b) has previously been registered for home education under that section but the previous registration has ended 12 months or more before the new registration begins.

1. Proposed new clause 3C  
   Page 2, line 18—

insert

3C Registration—home education  
Part 5.2 heading, new note

insert

*Note* Chapter 6 and schedule 1 set out decisions under this Act that are reviewable.

1. Proposed new clause 3D  
   Page 2, line 18—

insert

3D Meaning of *home education*  
Section 129

omit

1. Proposed new clause 5A  
   Page 3, line 13—

insert

5A Section 131 (3)

omit

may

substitute

must

1. Proposed new clause 5B  
   Page 3, line 13—

insert

5B Section 131 (4)

substitute

(4) To decide whether the conditions for registration will be complied with, an authorised person (government) may inspect any programs, materials and other records for use in the child’s home education.

(5) However, subsection (4) does not apply in relation to new registration.

(6) The director-general must notify the parents of the child of the decision, either to register or refuse to register the child for home education, not later than 28 days after a complete application has been received by the director-general.

1. Clause 6  
   Page 3, line 14—

omit clause 6, substitute

6 Section 132

substitute

132 Conditions of registration for home education

(1) The registration of a child for home education is subject to the following conditions:

(a) the parents of the child are to provide high-quality education for the child;

(b) the parents of the child must document the educational opportunities offered by the parents to their child and the strategies they use to encourage their child to learn;

(c) the parents of the child must make available for inspection on request by the director‑general any education programs, materials or other records used for the home education;

(d) the child must live, or usually live, in the ACT;

(e) the parents of the child must, within 28 days of either of the following occurring, tell the director-general, in writing, about the thing occurring:

(i) information on the register under section 139 changes;

(ii) the child stops living, or usually living, in the ACT;

(f) the parents of the child must submit a home education report;

(g) the home base for the child’s home education is suitable for the education of the child;

(h) any condition prescribed by regulation.

Examples—par (d)

1 the child lives in the ACT, but receives medical treatment in Sydney

2 the child’s parents have a shared parenting agreement for the child and only 1 parent lives in the ACT

3 the child’s family leaves the ACT for an extended holiday and intends to return to the ACT

Example—par (g)

the home base poses no unreasonable health and safety risks to the child

(2) However, subsection (1) (a) to (c) does not apply in relation to new registration within 3 months after the day of registration.

1. Proposed new clause 8A  
   Page 4, line 22—

insert

8A Section 137 (3)

omit

may

substitute

must

1. Clause 10  
   Page 5, line 3—

omit clause 10, substitute

10 Section 138

substitute

138 Home education reports

(1) The parents of a child registered for home education must give the director-general a home education report once every year, before a date in the year approved by the director‑general.

(2) The report must comply with any requirement prescribed by regulation.

1. Proposed new clause 12  
   Page 5, line 11—

insert

12 Dictionary, definition of *home education*

substitute

***home education***, in relation to a child, means education conducted by 1 or both of the child’s parents from a home base.

1. Proposed new clause 13  
   Page 5, line 11—

insert

13 Dictionary, new definitions

insert

***home education report***, for chapter 5 (Home education)—see section 127C.

***new registration***, for chapter 5 (Home education)—see section 127C.

1. Proposed new schedule 1  
   Page 5, line 11—

insert

Schedule 1 Education Regulation 2005—Consequential amendments

(see s 3)

[1.1] New section 2A

in part 1, insert

2A Dictionary

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (***signpost definitions***) to other terms defined elsewhere in this regulation.

For example, the signpost definition ‘***parental responsibility***—see the *Children and Young People Act 2008*, section 15.’ means that the term ‘parental responsibility’ is defined in that section and the definition applies to this regulation.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

[1.2] Part 4

substitute

Part 4 Home education

7 Information for registration application—Act, s 131 (2) (b)

The following information is prescribed:

(a) the full names of the child’s parents;

(b) the parents’ contact details;

Examples

* email address
* phone number
* postal address

(c) a certified copy of a document that shows the parents have parental responsibility for the child;

Examples

* child’s birth certificate
* adoption order under the *Adoption Act 1993*, pt 3
* parentage declaration under the *Parentage Act 2004*, s 19

(d) a certified copy of a document that proves the parents’ home address;

Note The parents must tell the director-general within 28 days if the child stops living, or usually living, in the ACT (see Act, s 132 (1) (e) (ii)).

(e) a certified copy of the child’s—

(i) birth certificate; or

(ii) if the birth certificate is not available—passport or another document that the director‑general is satisfied identifies the child;

(f) the full name by which the child is known, if different from the name on the document provided under paragraph (e);

(g) the address of the home base from which the home education will be carried out;

(h) information about any medical or special needs of the child that may affect the child’s educational needs or progress.

8 Conditions of registration for home education—Act, s 132 (1) (h)

(1) The following conditions are prescribed:

(a) if registration of a child for home education is new registration—the parents must—

(i) within 3 months after the day of the current registration, provide a written statement of intent to the director-general that states—

(A) how the parents will provide a high-quality education for the child; and

(B) the educational opportunities that will be offered by the parents to their child and the strategies they will use to encourage their child to learn; and

(C) how the plan or approach for the child’s home education will deliver an education consistent with the principles mentioned in the Act, section 128 (d); and

(ii) within 3 months after the day of the current registration, or at another time approved by the director‑general, meet with an authorised person (government) to discuss the home education of the child and, at the meeting, show any home education documents to the authorised person;

(b) if registration of a child for home education is registration under the Act, section 131 (3), and the child has been previously registered for home education under that section, but the registration has ended less than 12 months before the current registration begins—within 10 school days from the day of registration, the parents must—

(i) provide a written statement of intent that states the matters mentioned in paragraph (a) (i) (A) to (C) to the director‑general; and

(ii) meet with an authorised person (government) to discuss the home education of the child and, at the meeting, show any home education documents to the authorised person;

(c) if registration of a child for home education is renewed under the Act, section 137, and the director-general requests that the parents meet with an authorised person (government)—within 10 school days after the request, or at another time approved by the director‑general, the parents must—

(i) meet with an authorised person (government) to discuss the home education of the child; and

(ii) at the meeting, show any home education documents to the authorised person.

(2) In this section:

current registration means registration of a child for home education under the Act, section 131 (3), that is in force.

***home education documents***, in relation to a child’s home education, means the following:

(a) programs, materials, and other records for use in the child’s home education;

(b) a statement or documents that show the home base for the child’s home education meets the requirements under the Act, section 132 (1) (g).

Examples—documents

* photographs
* video recordings

9 Information for renewal of registration application—Act, s 137 (2) (b)

(1) The following information is prescribed:

(a) the full names of the child’s parents;

(b) the parents’ contact details;

Examples

* email address
* phone number
* postal address

(c) a certified copy of a document that shows the parents have parental responsibility for the child;

Examples

* child’s birth certificate
* adoption order under the *Adoption Act 1993*, pt 3
* parentage declaration under the *Parentage Act 2004*, s 19

(d) the child’s name as shown on the certificate of registration;

(e) the child’s date of birth;

(f) the address of the home base from which the home education will be carried out;

(g) the most recent home education report for the child;

(h) a written statement in accordance with subsection (2).

(2) A written statement under subsection (1) (h) must be completed by the parents of the child who is the subject of the application, and state how—

(a) for the most recent period of registration—

(i) the parents have provided a high-quality education and educational opportunities for the child; and

(ii) the parents have used strategies to encourage their child to learn; and

(iii) the plan or approach for the child’s home education has delivered an education consistent with the principles mentioned in the Act, section 128 (d); and

(b) the matters mentioned in paragraph (a) will continue to be provided, or delivered, during the period of renewed registration.

Note 1 The application for renewal of registration, with the information outlined in this section, must be made not later than 3 months before the end of the registration (see Act, s 137 (2) (c)).

Note 2 The parents must tell the director-general within 28 days if information on the register changes or the child stops living, or usually living, in the ACT (see Act, s 132 (1) (e) (ii)).

10 Home education reports about educational progress of child—Act, s 138 (2)

(1) A home education report must include examples of the child’s educational progress.

(2) Despite subsection (1), if a child only receives part of the child’s education through home education, the report only needs to include examples of the child’s educational progress that are relevant to the home education.

(3) In this section:

***educational progress***, of a child,means the child’s—

(a) spiritual, emotional, social and physical development; and

(b) intellectual development, including development in literacy and numeracy.

11 Home education register—Act, s 139 (2)

The following particulars are prescribed:

(a) the child’s full name as shown on the document provided under section 7 (e);

(b) the full name by which the child is known, if different from the name on the document mentioned in paragraph (a);

(c) the child’s date of birth;

(d) the child’s gender;

(e) a unique identifying number for the child;

(f) the full names of the child’s parents;

(g) the total period for which the child is registered for home education, including the dates on which the period begins and ends;

(h) the address of the home base from which the home education will be carried out.

Note The parents must tell the director-general within 28 days if the information on the register changes (see Act, s 132 (1) (e) (i)).

[1.3] New dictionary

insert

Dictionary

(see s 2A)

Note 1 The Legislation Act contains definitions and other provisions relevant to this regulation.

Note 2 For example, the Legislation Act, dict, pt 1, defines the following terms:

* child
* director-general (see s 163)
* external territory
* foreign country
* home address
* may (see s 146)
* must (see s 146)
* State.

Note 3 Terms used in this regulation have the same meaning that they have in the *Education Act 2004* (see Legislation Act, s 148). For example, the following terms are defined in the *Education Act 2004*, dict:

* authorised person (government)
* home education
* home education report (see s 127C)
* new registration (see s 127C)
* parent (see s 6)
* registrar
* school board
* staff
* staff member
* student.

birth certificate, for a child, means the child’s birth certificate, or a certified extract about the child’s birth from the register, under the *Births, Deaths and Marriages Registration Act 1997* or a corresponding law of a State, external territory or foreign country.

***parental responsibility***—see the *Children and Young People Act 2008*, section 15.

**Schedule 2**

**EDUCATION AMENDMENT BILL 2017**

Amendment circulated by Ms Lee to the amendments circulated by the Minister for Education and Early Childhood Development

1  
Amendment 9  
Proposed new section 131 (6)—

omit proposed new section 131 (6), substitute

(6) It is a reasonable excuse for failing to comply with a requirement under part 2.2 (Compulsory education requirements) if—

(a) an application has been made under this section for registration for home education; and

(b) the director-general has not yet decided the application and given the notice mentioned in subsection (7).

(7) The director-general must notify the parents of the child of the decision, either to register or refuse to register the child for home education, not later than 28 days after a complete application has been received by the director-general.

**Schedule 3**

**BUILDING AND CONSTRUCTION LEGISLATION AMENDMENT BILL 2019**

Amendments circulated by Mr Parton

1. Clause 26  
   Proposed new section 26C (3A)  
   Page 17, line 1—

insert

(3A) This section applies to an offence committed by a corporation against section 26B after the commencement of this section.

1. Clause 41  
   Proposed new section 39A (1A)  
   Page 23, line 4—

insert

(1A) This section only applies if the entity provided the construction service after the commencement of this section.

1. Clause 41  
   Proposed new section 39B (1A)  
   Page 24, line 20—

insert

(1A) This section applies to a rectification order made in relation to a construction service provided by an entity after the commencement of this section.

1. Clause 56  
   Proposed new section 126B (2)  
   Page 37, line 14—

omit

Liability to pay the amount

substitute

If the court is satisfied on reasonable grounds that all avenues for enforcing payment of the amount of the penalty by the corporation have been exhausted, liability to pay the amount

1. Clause 56  
   Proposed new section 126B (4)  
   Page 38, line 1—

omit

Liability to pay the amount

substitute

If the ACAT is satisfied on reasonable grounds that all avenues for enforcing payment of the amount by the corporation have been exhausted, liability to pay the amount

1. Clause 56  
   Proposed new section 126B (6)  
   Page 38, line 11—

omit

Liability to pay the amount

substitute

If the Territory is satisfied on reasonable grounds that all avenues for enforcing payment of the debt by the corporation have been exhausted, liability to pay the amount