

**Extracts of Minutes of Proceedings**

**Scrutiny Meeting No 41  
Tuesday, 23 September 2019**

Present: Mrs Giulia Jones MLA (Chair)

Mr Deepak-Raj Gupta MLA

Apology: Ms Bec Cody MLA (Deputy Chair)

In Attendance: Ms Nicola Kosseck (Secretary)

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 11.02 am.
2. **Subordinate legislation**

The Committee was briefed on the following subordinate legislation:

* Disallowable Instrument DI2019-196 being the Controlled Sports (Fees) Determination 2019 (No 1).
* Disallowable Instrument DI2019-198 being the Rail Safety National Law (Drug and Alcohol Analysts) Appointment 2019 (No 2).
* Disallowable Instrument DI2019-199 being the University of Canberra (University Seal) Statute 2019.
* Disallowable Instrument DI2019-200 being the Children and Young People (Death Review Committee) Chair Appointment 2019 (No 1).
* Disallowable Instrument DI2019-201 being the Cemeteries and Crematoria (ACT Public Cemeteries Authority Governing Board) Appointment 2019 (No 1).
* Disallowable Instrument DI2019-202 being the Official Visitor (Disability Services) Appointment 2019 (No 1).
* Disallowable Instrument DI2019-203 being the Road Transport (General) Application of Road Transport Legislation Declaration 2019 (No 8).
* Subordinate Law SL2019-20 being the Magistrates Court (Lakes Infringement Notice) Amendment Regulation 2019 (No 2).
* Subordinate Law SL2019-22 being the Gaming Machine Amendment Regulation 2019 (No 2).

The Committee deliberated.

1. **Proposed amendments**

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

* Education Amendment Bill 2017.
* Litter Legislation (Amendment) Bill 2019.

The Committee deliberated.

1. **Responses**

The Committee was briefed on the following responses:

* The Minister for Justice, Consumer Affairs and Road Safety, dated 16 September 2019, in relation to comments made in Scrutiny Report 34 concerning the Official Visitor Amendment Bill 2019.
* The Attorney-General, dated 16 September 2019, in relation to comments made in Scrutiny Report 34 concerning the Courts (Fair Work and Work Safety) Legislation Amendment Bill 2019.
* The Minister for Planning and Land Management, dated 17 September 2019, in relation to comments made in Scrutiny Report 34 concerning the Planning and Development (Community Concessional Leases) Amendment Bill 2019.
* The Minister for Justice, Consumer Affairs and Road Safety, dated 9 September 2019, in relation to comments made in Scrutiny Report 33 concerning Disallowable Instrument DI2019-173—Victims of Crime (Fees) Determination 2019 (No 1).
* The Minister for Planning and Land Management, dated 17 September 2019, in relation to comments made in Scrutiny Report 34 concerning Disallowable Instrument DI2019-182—Road Transport (General) (Pay Parking Area Fees) Determination 2019.
* The Minister for Climate Change and Sustainability, dated 20 September 2019, in relation to comments made in Scrutiny Report 34 concerning Disallowable Instruments:
  + DI2019-194—Energy Efficiency (Cost of Living) Improvement (Eligible Activities) Code of Practice 2019; and
  + DI2019-195—Energy Efficiency (Cost of Living) Improvement (Record Keeping and Reporting) Code of Practice 2019.
* The Attorney-General, dated 20 September 2019, in relation to comments made in Scrutiny Report 34 concerning the Freedom of Information Amendment Bill 2019.

The Committee deliberated.

1. **Further comment on Government response**

The Committee was briefed on a further Government response in relation to the Planning and Development (Design Review Panel) Amendment Bill 2019 (*see* Report 34) concerning comments made by the Committee on the previous response (see Report 32).

The Committee deliberated.

1. **Report 35**

Resolved (Mr Gupta)—That the Committee’s comments on the subordinate legislation, proposed amendments and Government responses be adopted as Report 35 and that the report be circulated out-of-session.

Certified correct.

Nicola Kosseck

Secretary

23 September 2019