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LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

2016–2017

MINUTES OF PROCEEDINGS

No 17

[**Tuesday, 6 June 2017**](http://www.hansard.act.gov.au/hansard/2017/pdfs/20170606.pdf)

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 **1** The Assembly met at 10 am, pursuant to adjournment. The Speaker (Ms 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—MINISTERIAL RESPONSE

The Clerk announced that the following response to a petition had been lodged:

Mr Gentleman (Minister for Planning and Land Management), dated 16 May 2017—Response to petition No 1-17, lodged by Ms Le Couteur on 14 February 2017, concerning the Curtin Group Centre Draft Master Plan.

 3 Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—SCRUTINY REPORT 6—STATEMENT BY CHAIR

Mrs Jones (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 6*,* dated 30 May 2017, together with the relevant minutes of proceedings—

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

 4 Justice and Community Safety—Standing Committee—Petition—Non‑consensual disclosure of a sexual image—Criminalisation—STATEMENT BY CHAIR

Mrs Jones (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Justice and Community Safety is currently considering petition No 5-17, relating to the criminalisation of the non-consensual disclosure of a sexual image (revenge porn), and would consider its response to the petition following presentation of the Minister’s response to the Assembly.

 5 Public Accounts—Standing Committee—Auditor-General’s Reports Nos 10/2016, 11/2016 and 3/2017—INQUIRY—Auditor-General’s Report No 3/2017—STATEMENT BY CHAIR

Mrs Dunne (Chair), pursuant to standing order 246A, informed the Assembly that the Standing Committee on Public Accounts had considered the following Auditor-General’s Reports:

No 10/2016—2015-16 Financial Audits—Audit Reports.

No 11/2016—2015-16 Financial Audits—Financial Results and Audit Findings.

No 3/2017—2015-16 Financial Audits—Computer Information Systems—

and had resolved to inquire further into Report No 3/2017.

 6 Independent Integrity Commission—Select Committee—Establishment—Amendment to resolution

Mr Rattenbury (Chair), by leave, moved—That the resolution of the Assembly of 15 December 2016, relating to the establishment of the Select Committee on an Independent Integrity Commission, be amended at paragraph (4) by omitting “August” and substituting “October”.

Question—put and passed.

 **7** **SUSPENSION OF STANDING ORDERS—APPROPRIATION BILL 2017-2018 and APPROPRIATION (OFFICE OF THE LEGISLATIVE ASSEMBLY) BILL 2017-2018**

Mr Gentleman (Manager of Government Business) moved—That so much of the standing orders be suspended as would prevent:

(1) any business before the Assembly at 3 pm this day being interrupted to allow the Treasurer to be called on forthwith to present the Appropriation Bill 2017‑2018 and the Appropriation (Office of the Legislative Assembly) Bill 2017-2018;

(2) (a) questions without notice concluding at the time of interruption; or

* 1. debate on any motion before the Assembly at the time of interruption being adjourned until the adjournment questions in relation to the Appropriation Bill 2017-2018 and the Appropriation (Office of the Legislative Assembly) Bill 2017-2018 are determined; and
	2. notwithstanding the provisions of standing order 74, presentation of papers may be made prior to the suspension for lunch;

(3) at 3 pm on Thursday, 8 June 2017, the order of the day for resumption of debate on the question that the Appropriation Bill 2017-2018 be agreed to in principle, being called on notwithstanding any business before the Assembly and that the time limits on the speeches of the Leader of the Opposition and the Leader of the ACT Greens be equivalent to the time taken by the Treasurer in moving the motion “That this Bill be agreed to in principle”; and

(4) (a) questions without notice concluding at the time of interruption; or

* 1. debate on any motion before the Assembly at that time being adjourned until a later hour that day.

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

 8 A.C.T. Health System Wide Data Review Quarterly Update—MINISTERIAL STATEMENT—PAPER NOTED

Ms Fitzharris (Minister for Health) made a ministerial statement concerning the ACT Health system wide data review quarterly update and presented the following paper:

ACT Health System Wide Data Review Quarterly Update—June 2017—Ministerial statement, 6 June 2017.

Ms Fitzharris moved—That the Assembly take note of the paper.

Question—put and passed.

 9 A.C.T. deaths due to suicide and information about available front line suicide prevention and postvention services and support—Report—MINISTERIAL STATEMENT—PAPER NOTED

Mr Rattenbury (Minister for Mental Health) made a ministerial statement concerning ACT deaths due to suicide and presented the following paper:

ACT deaths due to suicide and information about available front line suicide prevention and postvention services and support—Report—Ministerial statement, 6 June 2017.

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

Question—put and passed.

 10 PRESENTATION OF PAPERS

The Speaker presented the following papers:

Auditor-General Act, pursuant to subsection 17(5)—Auditor-General’s Report No 4/2017—Performance information in ACT public schools, dated 31 May 2017.

Penalty rates—Letter to the Speaker from the Chief Minister, dated 19 May 2017, concerning the resolution of the Assembly of 22 March 2017.

Standing order 191—Amendments to:

City Renewal Authority and Suburban Land Agency Bill 2017, dated 16 and 17 May 2017.

Justice and Community Safety Legislation Amendment Bill 2017, dated 16 and 17 May 2017.

Revenue Legislation Amendment Bill 2017, dated 15 May 2017.

 11 PRESENTATION OF PAPERS

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

**Subordinate legislation (including explanatory statements unless otherwise stated)**

Legislation Act, pursuant to section 64—

Co-operatives National Law (ACT) Act—Co-operatives National Law (ACT) Regulation 2017—Subordinate Law SL2017-11 (LR, 28 April 2017).

Court Procedures Act—

Court Procedures Amendment Rules 2017 (No 1)—Subordinate Law SL2017-9 (LR, 28 April 2017).

Court Procedures Amendment Rules 2017 (No 2)—Subordinate Law SL2017-10 (LR, 28 April 2017).

Crimes (Assumed Identities) Act—Crimes (Assumed Identities) Regulation 2017—Subordinate Law SL2017-6 (LR, 24 April 2017).

Crimes (Controlled Operations) Act—Crimes (Controlled Operations) Regulation 2017—Subordinate Law SL2017-5 (LR, 24 April 2017).

Crimes (Protection of Witness Identity) Act—Crimes (Protection of Witness Identity) Regulation 2017—Subordinate Law SL2017-7 (LR, 24 April 2017).

Crimes (Sentence Administration) Act—

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 6)—Disallowable Instrument DI2017-44 (LR, 12 May 2017).

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 7)—Disallowable Instrument DI2017-45 (LR, 12 May 2017).

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 8)—Disallowable Instrument DI2017-39 (LR, 12 May 2017).

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 9)—Disallowable Instrument DI2017-40 (LR, 12 May 2017).

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 10)—Disallowable Instrument DI2017-41 (LR, 12 May 2017).

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 11)—Disallowable Instrument DI2017-42 (LR, 12 May 2017).

Crimes (Sentence Administration) (Sentence Administration Board) Appointment 2017 (No 12)—Disallowable Instrument DI2017-43 (LR, 12 May 2017).

Crimes (Surveillance Devices) Act—Crimes (Surveillance Devices) Regulation 2017—Subordinate Law SL2017-8 (LR, 24 April 2017).

Domestic Violence Agencies Act—Domestic Violence Agencies (Council) Appointment 2017 (No 2)—Disallowable Instrument DI2017-35 (LR, 4 May 2017).

Nature Conservation Act—

Nature Conservation (Ginini Flats Wetland Complex Ramsar Site) Management Plan 2017—Disallowable Instrument DI2017-36 (LR, 12 May 2017).

Nature Conservation (Pink-tailed Worm-lizard) Action Plan 2017—Disallowable Instrument DI2017-67 (LR, 1 June 2017).

Public Sector Management Act—Public Sector Management Amendment Standards 2017 (No 1)—Disallowable Instrument DI2017-38 (LR, 8 May 2017).

Taxation Administration Act—Taxation Administration (Amounts Payable—Utilities (Network Facilities Tax)) Determination 2017 (No 1)—Disallowable Instrument DI2017-32 (LR, 20 April 2017).

Victims of Crime Act—Victims of Crime (Victims Advisory Board) Appointment 2017 (No 1)—Disallowable Instrument DI2017-33 (LR, 27 April 2017).

 12 Gene Technology 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 Fitzharris (Minister for Health) presented a revised explanatory statement to the Bill.

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.

 13 Firearms 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.

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.

 14 Red Tape Reduction Legislation 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.

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

*Detail Stage*

Bill, by leave, taken as a whole—

On the motion of Mr Ramsay (Minister for Regulatory Services), his amendment No 1 (*see* [Schedule 1](#Schedule1)) was made.

*Paper:* Mr Ramsay presented a supplementary explanatory statement to the Government amendment.

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

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

 15 Aboriginal and Torres Strait Islander Elected Body 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 Stephen-Smith (Minister for Aboriginal and Torres Strait Islander Affairs) 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—

On the motion Ms Stephen-Smith, by leave, pursuant to standing order 182A(a), her amendments Nos 1 to 3 (*see* [Schedule 2](#Schedule2)) were made together, after debate.

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

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

 16 QUESTIONS

Questions without notice being asked—

It being 3 pm, questions were interrupted pursuant to the order of the Assembly.

 **17 Appropriation Bill 2017-2018**

Mr Barr (Treasurer) presented a Bill for an Act to appropriate money for the purposes of the Territory for the financial year beginning on 1 July 2017, and for other purposes.

*Papers:* Mr Barr presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, dated 5 June 2017.

Budget 2017-18—

Financial Management Act, pursuant to section 10—

Budget Speech (Budget Paper 1).

Budget in Brief (Budget Paper 2).

Budget Outlook (Budget Paper 3).

Budget Statements—

A—ACT Executive, Auditor-General, Electoral Commissioner, Office of the Legislative Assembly.

B—Chief Minister, Treasury and Economic Development Directorate, together with associated agencies.

C—Health Directorate, ACT Hospital Network.

D—Justice and Community Safety Directorate, Legal Aid Commission (ACT), Public Trustee and Guardian.

E—Environment, Planning and Sustainable Development Directorate.

F—Education Directorate.

G—Community Services Directorate, ACT Housing.

H—Transport Canberra and City Services Directorate, ACT Public Cemeteries Authority, ACTION.

Financial Management Act, pursuant to subsection 62(1)—Statements of Intent 2017-18—

ACT Building and Construction Industry Training Fund Authority, dated 26, 29 and 30 May 2017.

ACT Long Service Leave Authority.

Title read by Clerk.

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

Debate adjourned (Mr Coe—Leader of the Opposition) and the resumption of the debate made an order of the day for the next sitting.

 **18 Appropriation (Office of the Legislative Assembly) Bill 2017-2018**

Mr Barr (Treasurer) presented a Bill for an Act to appropriate money for expenditure in relation to the Office of the Legislative Assembly and officers of the Assembly for the financial year beginning on 1 July 2017, and for other purposes.

*Papers:* Mr Barr presented the following papers:

Explanatory statement to the Bill.

Human Rights Act, pursuant to section 37—Compatibility statement, 5 June 2017.

Title read by Clerk.

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

Debate adjourned (Mr Coe—Leader of the Opposition) and the resumption of the debate made an order of the day for the next sitting.

 19 PRESENTATION OF PAPER

Mr Barr (Treasurer) presented the following paper:

Financial Management Act, pursuant to subsection 30F(3)—2016-17 Capital Works Program—Progress report—March quarter 2017.

 20 PRESENTATION OF PAPERS

The Speaker presented the following papers:

Budget 2017-18—Financial Management Act, pursuant to section 20AB—Recommended appropriation—

ACT Audit Office—Copy of letter to the Treasurer from the Speaker, dated 6 June 2017.

Electoral Commissioner—Copy of letter to the Treasurer from the Speaker, dated 29 May 2017.

 21 ADJOURNMENT

Mr Gentleman (Manager of Government Business) moved—That the Assembly do now adjourn.

Question—put and passed.

And then the Assembly, at 3.30 pm, adjourned until tomorrow at 10 am.

**MEMBERS’ ATTENDANCE:** All Members were present at some time during the sitting.

Tom Duncan

Clerk of the Legislative Assembly

**SCHEDULES OF AMENDMENTS**

**Schedule 1**

**Red Tape Reduction Legislation Amendment Bill 2017**

Amendment circulated by the Minister for Regulatory Services

1. Clause 18
Proposed new section 14 (2)
Page 8, line 5—

omit proposed new section 14 (2), substitute

 (2) This section does not apply if the person is—

 (a) an ACNC registered entity; or

 (b) a person authorised to conduct the collection by—

 (i) the licensee for the licence authorising the conduct of the collection; or

 (ii) an ACNC registered entity.

**Schedule 2**

**Aboriginal and Torres Strait Islander Elected Body Amendment Bill 2017**

Amendments circulated by the Minister for Aboriginal and Torres Strait Islander Affairs

1. Clause 17
Proposed new section 11 (1)
Page 7, line 7—

omit

, other than the function under section 8 (j),

1. Clause 17
Proposed new section 11 (1), note
Page 7, line 10—

omit

1. Clause 17
Proposed new section 12 (2) (aa)
Page 7, line 21—

insert

 (aa) include a description of the grounds relevant to a determination by ATSIEB that a person has a traditional connection to the ACT region for section 9 (1) (a) (iii); and