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LEGISLATIVE ASSEMBLY FOR THE

AUSTRALIAN CAPITAL TERRITORY

2016–2017–2018–2019

MINUTES OF PROCEEDINGS

No 92

[**Tuesday, 2 April 2019**](http://www.hansard.act.gov.au/hansard/2019/pdfs/20190402)

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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.

DEATH OF Mr John Turner AM

Mr Barr (Chief Minister) moved—That this Assembly expresses its deep regret at the death of Mr John Turner AM, former Chief Executive of the ACT Department of Urban Services from 1989 to 1997 and tenders its profound sympathy to his family, friends and colleagues in their bereavement.

Mr Coe (Leader of the Opposition) and Mr Rattenbury (Leader of the ACT Greens) addressed the Assembly in support of the motion and all Members present having stood, in silence—

Question—passed.

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*Suspension of sitting:* The Speaker, at 10.20 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 10.23 am.

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Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—SCRUTINY REPORT 29—STATEMENT BY CHAIR

Mrs Jones (Chair) presented the following report:

Justice and Community Safety—Standing Committee (Legislative Scrutiny Role)—Scrutiny Report 29*,* dated 1 April 2019, together with a copy of the extracts of the relevant minutes of proceedings—

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

Education, Employment and Youth Affairs—Standing Committee—REPORT 5—Standardised Testing in A.C.T. Schools—report noted

Mr Pettersson (Chair) presented the following report:

Education, Employment and Youth Affairs—Standing Committee—Report 5—*Standardised Testing in ACT Schools,* dated 26 March 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.

Economic Development and Tourism—Standing Committee—Consideration of statutory appointments—STATEMENT BY CHAIR—Paper

Mr Hanson (Chair), pursuant to standing order 246A and Continuing Resolution 5A, made a statement concerning consideration of two statutory appointments by the Standing Committee on Economic Development and Tourism during the period 1 July to 31 December 2018.

*Paper:* Mr Hanson, pursuant to Continuing Resolution 5A, presented the following paper:

Economic Development and Tourism—Standing Committee—Schedule of Statutory Appointments—9th Assembly—Period 1 July to 31 December 2018.

Economic Development and Tourism—Standing Committee—Petition 19‑18—International students—Fair treatment—STATEMENT BY CHAIR

Mr Hanson (Chair), pursuant to standing order 246A, informed the Assembly that, following consideration of petition 19-18 concerning fair treatment for international students, the Standing Committee on Economic Development and Tourism notes the response of the ACT Government dated 14 December 2018 and intends to take no further action.

Economic Development and Tourism—Standing Committee—Inquiry—Drone delivery systems—Report—Possible delay—STATEMENT BY CHAIR

Mr Hanson (Chair), pursuant to standing order 246A, made a statement relating to the Committee’s inquiry into drone delivery systems. The Committee is required to report no later than the last sitting week in 2019. A specific issue has been brought to the Committee’s attention, requiring communication with the responsible Federal Minister. The Committee intends to wait until it has received a response from the Federal Minister before tabling its report in the Assembly.

Recreational Vehicle Tourism—MINISTERIAL STATEMENT—PAPER NOTED

Mr Barr (Minister for Tourism and Special Events) made a ministerial statement concerning recreational vehicle tourism, pursuant to the resolution of the Assembly of 31 October 2018, and presented the following paper:

Recreational vehicle tourism in the ACT—Ministerial statement, 2 April 2019.

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

Question—put and passed.

A Step Up for Our Kids—Out of Home Care Strategy April 2019—MINISTERIAL STATEMENT and paperS—PAPERS NOTED

Ms Stephen-Smith (Minister for Children, Youth and Families) made a ministerial statement concerning *A Step Up for Our Kids—Out of Home Care Strategy April 2019* and presented the following papers:

A Step Up for Our Kids—Out of Home Care Strategy Update—April 2019—Ministerial Statement.

A Step Up for Our Kids—Snapshot Report, 28 February 2019.

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

Debate ensued.

Question—put and passed.

Statement of Priorities—MINISTERIAL STATEMENT—PAPER NOTED

Mr Steel (Minister for City Services, Minister for Roads, Minister for Community Services and Facilities and Minister for Multicultural Affairs) made a ministerial statement concerning a Statement of Priorities and presented the following paper:

Statement of Priorities—Ministerial statement, 2 April 2019.

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

Debate ensued.

Question—put and passed.

Financial Management 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.

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

The Assembly voted—

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| --- | --- | --- | --- | --- |
| AYES, 13 | |  | NOES, 10 | |
| Mr Barr | Ms Orr |  | Miss C. Burch | Ms Lee |
| Ms J. Burch | Mr Pettersson |  | Mr Coe | Mr Milligan |
| Ms Cheyne | Mr Ramsay |  | Mrs Dunne | Mr Wall |
| Ms Cody | Mr Rattenbury |  | Mr Hanson |  |
| Ms Fitzharris | Mr Steel |  | Mrs Jones |  |
| Mr Gentleman | Ms Stephen-Smith |  | Mrs Kikkert |  |
| Ms Le Couteur |  |  | Ms Lawder |  |

And so it was resolved in the affirmative.

*Detail Stage*

Clause 1 agreed to.

Clause 2—

Mr Coe (Leader of the Opposition), pursuant to standing order 182A(a) and (b), was granted leave to move amendments that are urgent and minor and technical in nature.

Mr Coe moved his amendment No 1 circulated in his name (*see* [Schedule 1](file:///G:\Chamber\LA%20Secretariat%20%231\MINUTES\9TH%20ASSEMBLY\Minutes%202019\MoP092.docx#Schedule1)).

Debate continued.

Amendment negatived.

Clause 2 agreed to.

Clauses 3 to 5, by leave, taken together and agreed to.

*Proposed new clause*–

Mr Coe moved his amendment No 2 (*see* [Schedule 1](file:///G:\Chamber\LA%20Secretariat%20%231\MINUTES\9TH%20ASSEMBLY\Minutes%202019\MoP092.docx#Schedule1)), which would insert a new clause 5A in the Bill.

Debate continued.

Amendment negatived.

Clause 6—

Mr Coe moved his amendment No 4 (*see* [Schedule 1](file:///G:\Chamber\LA%20Secretariat%20%231\MINUTES\9TH%20ASSEMBLY\Minutes%202019\MoP092.docx#Schedule1)).

Debate continued.

Amendment negatived.

Clause 6 agreed to.

Remainder of Bill, by leave, taken as a whole, and agreed to.

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

QUESTIONS

Questions without notice were asked.

Questions without Notice—STATEMENT BY MEMBER

Mrs Dunne, by leave, made a statement in relation to questions regarding the unauthorised examination of a patient.

PRESENTATION OF PAPER

The Speaker, pursuant to standing order 191, presented the following paper:

Standing order 191—Amendments to the Royal Commission Criminal Justice Legislation Amendment Bill, dated 26 March 2019.

Presentation of papers

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

*Road Transport (Third-Party Insurance) Act 2008*—Section 275 Review, dated 20 March 2019.

Health, Ageing and Community Services—Standing Committee—Report 5—*Inquiry into the Future Sustainability of Health Funding in the ACT*—Government response, dated 2 April 2019.

*Health Practitioner Regulation National Law and Other Legislation Amendment Act 2019* (Queensland), together with an explanatory statement, dated 2 April 2019.

Planning and Development Act, pursuant to subsection 79(1)—Approval—Variation to the Territory Plan No 345—Mawson Group Centre: Zone Changes and amendments to the Mawson precinct map and code, dated 28 March 2019, including associated documents.

Coroners Act, pursuant to subsection 57(5)—Report of Coroner—Inquest into the death of Tania Klemke—

Report, dated 29 November 2018.

Government response, dated April 2019.

Road Transport (Third-Party Insurance) Act 2008—Section 275 Review—PAPER NOTED

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

*Road Transport (Third-Party Insurance) Act 2008*—Section 275 Review.

Debate ensued.

Question—put and passed.

Planning and Development Act—Approval—Variation to the Territory Plan No 345—Mawson Group Centre—Zone Changes and amendments to the Mawson Precinct map and code—Paper noted

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

Planning and Development Act, pursuant to subsection 79(1)—Approval—Variation to the Territory Plan No 345—Mawson Group Centre: Zone changes and amendments to the Mawson Precinct Map and Code.

Question—put and passed.

18 LEAVE OF ABSENCE TO MEMBER

Mr Wall moved—That leave of absence be granted to Mr Parton for this sitting day due to illness.

Question—put and passed.

19 MATTER OF PUBLIC IMPORTANCE—DISCUSSION—preparing the A.C.T. for more extreme weather events

The Assembly was informed that Miss C. Burch, Ms Cheyne, Ms Cody, Mr Coe (Leader of the Opposition), Ms Le Couteur, Ms Lee, Mr Milligan, Ms Orr, Mr Parton, Mr Pettersson, and Mr Wall had proposed that matters of public importance be submitted to the Assembly for discussion. In accordance with the provisions of standing order 79, the Speaker had determined that the matter proposed by Ms Le Couteur be submitted to the Assembly, namely, “The importance of preparing the ACT for more extreme weather events because of climate change”.

Discussion ensued.

Discussion concluded.

20 Controlled Sports Bill 2018

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 Sport and Recreation) a revised explanatory statement to the Bill.

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

*Detail Stage*

Clauses 1 to 8, by leave, taken together and agreed to.

Clause 9—

On the motion of Ms Berry, her amendment No 1 (*see* [Schedule 2](file:///G:\Chamber\LA%20Secretariat%20%231\MINUTES\9TH%20ASSEMBLY\Minutes%202019\MoP092.docx#Schedule2)) was made.

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

Clause 9, as amended, agreed to.

Clause 10—

Mr Milligan moved his amendment No 2 (*see* [Schedule 3](file:///G:\Chamber\LA%20Secretariat%20%231\MINUTES\9TH%20ASSEMBLY\Minutes%202019\MoP092.docx#Schedule3)).

Debate continued.

Question—put.

The Assembly voted—

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| --- | --- | --- | --- | --- |
| AYES, 9 | |  | NOES, 12 | |
| Miss C. Burch | Ms Lawder |  | Ms Berry | Ms Orr |
| Mr Coe | Mr Milligan |  | Ms J. Burch | Mr Pettersson |
| Mrs Dunne | Mr Wall |  | Ms Cheyne | Mr Ramsay |
| Mr Hanson |  |  | Ms Cody | Mr Rattenbury |
| Mrs Jones |  |  | Mr Gentleman | Mr Steel |
| Mrs Kikkert |  |  | Ms Le Couteur | Ms Stephen-Smith |

And so it was negatived.

Clause 10 agreed to.

Clauses 11 to 17, by leave, taken together and agreed to.

Clause 18—

On the motion of Ms Berry, her amendment No 2 (*see* [Schedule 2](file:///G:\Chamber\LA%20Secretariat%20%231\MINUTES\9TH%20ASSEMBLY\Minutes%202019\MoP092.docx#Schedule2)) was made, after debate.

Clause 18, as amended, agreed to.

Clauses 19 to 21, by leave, taken together and agreed to.

Clause 22—

On the motion of Ms Berry, her amendment No 3 (*see* [Schedule 2](file:///G:\Chamber\LA%20Secretariat%20%231\MINUTES\9TH%20ASSEMBLY\Minutes%202019\MoP092.docx#Schedule2)) was made, after debate.

Clause 22, as amended, agreed to.

Clause 23—

On the motion of Mr Milligan, his amendment No 7 (*see* [Schedule 3](file:///G:\Chamber\LA%20Secretariat%20%231\MINUTES\9TH%20ASSEMBLY\Minutes%202019\MoP092.docx#Schedule3)) was made.

Clause 23, as amended, agreed to.

Clauses 24 to 26, by leave, taken together and agreed to.

Clause 27—

On the motion of Ms Berry, her amendment No 4 (*see* [Schedule 2](file:///G:\Chamber\LA%20Secretariat%20%231\MINUTES\9TH%20ASSEMBLY\Minutes%202019\MoP092.docx#Schedule2)) was made, after debate.

Clause 27, as amended, agreed to.

Clauses 28 to 30, by leave, taken together and agreed to.

Clause 31—

On the motion of Ms Berry, her amendment No 5 (*see* [Schedule 2](file:///G:\Chamber\LA%20Secretariat%20%231\MINUTES\9TH%20ASSEMBLY\Minutes%202019\MoP092.docx#Schedule2)) was made.

Clause 31, as amended, agreed to.

Clause 32—

On the motion of Mr Milligan, his amendment No 13 (*see* [Schedule 3](file:///G:\Chamber\LA%20Secretariat%20%231\MINUTES\9TH%20ASSEMBLY\Minutes%202019\MoP092.docx#Schedule3)) was made, after debate.

Clause 32, as amended, agreed to.

Clauses 33 to 60, by leave, taken together and agreed to.

Clause 61—

Mr Milligan, by leave, moved his amendments Nos 17 and 18 together (*see* [Schedule 3](file:///G:\Chamber\LA%20Secretariat%20%231\MINUTES\9TH%20ASSEMBLY\Minutes%202019\MoP092.docx#Schedule3)).

Debate continued.

The Assembly voted—

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| AYES, 9 | |  | NOES, 12 | |
| Miss C. Burch | Ms Lawder |  | Ms Berry | Ms Orr |
| Mr Coe | Mr Milligan |  | Ms J. Burch | Mr Pettersson |
| Mrs Dunne | Mr Wall |  | Ms Cheyne | Mr Ramsay |
| Mr Hanson |  |  | Ms Cody | Mr Rattenbury |
| Mrs Jones |  |  | Mr Gentleman | Mr Steel |
| Mrs Kikkert |  |  | Ms Le Couteur | Ms Stephen-Smith |

And so it was negatived.

Clause 61 agreed to.

Remainder of the bill, by leave, taken as a whole and agreed to.

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

21 Retirement Villages Legislation Amendment Bill 2018

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.

22 ADJOURNMENT

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

Debate ensued.

Question—put and passed.

And then the Assembly, at 5:30 pm, adjourned until tomorrow at 10 am.

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

\*on leave

Tom Duncan

Clerk of the Legislative Assembly

**SCHEDULES OF AMENDMENTS**

**Schedule 1**

**FINANCIAL MANAGEMENT AMENDMENT BILL 2019**

Amendments circulated by Mr Coe

1. Clause 2  
   Page 2, line 3—

omit clause 2, substitute

2 Commencement

This Act commences on 1 July 2019.

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

1. Proposed new clause 5A  
   Page 2, line 16—

insert

5A Assembly to be told about Treasurer’s advance  
New section 18C (2) (aa)

insert

(aa) for a Treasurer’s advance—a statement explaining why—

(i) the Treasurer’s advance was required; and

(ii) the amount required for the Treasurer’s advance was not provided for by the appropriation for the financial year; and

1. Clause 6  
   Proposed new section 18G (1)  
   Page 4, line 22—

omit proposed new section 18G (1), substitute

(1) This section applies if the Treasurer authorises—

(a) a capital works advance under section 18E; or

(b) a reduction of the amount of a capital works advance under section 18F.

1. Clause 6  
   Proposed new section 18G (2) (aa) and (ab)  
   Page 4, line 26—

insert

(aa) for a capital works advance—a statement explaining why—

(i) the capital works advance was required; and

(ii) the amount required for the capital works advance was not provided for by the appropriation for the financial year; and

(ab) for a reduction of the amount of a capital works advance—a statement explaining why—

(i) the capital works advance was not fully disbursed to the entity; and

(ii) the undisbursed amount is no longer required by the entity; and

**Schedule 2**

**CONTROLLED SPORTS BILL 2018**

Amendments circulated by the Minister for Sport and Recreation

1  
Clause 9  
Page 6, line 1—

omit clause 9, substitute

9 Meaning of *controlled sports event*

(1) In this Act:

***controlled sports event***—

(a) means an event involving a contest or exhibition of a controlled sport; but

(b) does not include training.

(2) In this section:

***training***—

(a) means an activity undertaken by a person to—

(i) develop the person’s fitness or a skill; or

(ii) prepare for a contest; and

(b) includes sparring, other than at a contest.

2  
Clause 18 (4)  
Page 17, line 25—

omit clause 18 (4), substitute

(4) The registrar must, in writing—

(a) tell the applicant the registrar’s decision under subsection (3); and

(b) for a decision under subsection (3) (b)—

(i) set out the reasons for the decision; and

(ii) state that the applicant may, within 20 working days after the day the registrar tells the applicant the decision, give additional information or documents to support the application.

*Note* The registrar must also give the applicant a reviewable decision notice in relation to the decision to refuse to register the applicant (see s 82).

(4A) If the applicant gives the registrar additional information or documents under subsection (4) (b) (ii), the registrar must, within 20 working days after receiving the information or documents—

(a) reconsider the decision; and

(b) either—

(i) register the applicant; or

(ii) refuse to register the applicant; and

(c) tell the applicant, in writing, the registrar’s decision; and

(d) if the registrar refuses to register the applicant—set out the reasons for the decision.

*Note* The registrar’s decision to refuse to register an applicant is a reviewable decision (see s 81).

3  
Clause 22 (6)  
Page 20, line 6—

omit clause 22 (6), substitute

(6) The registrar must, in writing—

(a) tell the applicant the registrar’s decision under subsection (5); and

(b) for a decision under subsection (5) (b)—

(i) set out the reasons for the decision; and

(ii) state that the applicant may, within 20 working days after the day the registrar tells the applicant the decision, give additional information or documents to support the application.

*Note* The registrar must also give the applicant a reviewable decision notice in relation to the decision to refuse to renew the applicant’s registration (see s 82).

(7) If the applicant gives the registrar additional information or documents under subsection (6) (b) (ii), the registrar must, within 20 working days after receiving the information or documents—

(a) reconsider the decision; and

(b) either—

(i) register the applicant; or

(ii) refuse to register the applicant; and

(c) tell the applicant, in writing, the registrar’s decision; and

(d) if the registrar refuses to register the applicant—set out the reasons for the decision.

*Note* The registrar’s decision to refuse to renew an official’s registration is a reviewable decision (see s 81).

(8) The registrar is not required under this Act or any other territory law to give reasons for the registrar’s decision to the extent that giving those reasons would disclose security sensitive information.

*Note 1* ***Security sensitive information***—see the dictionary.

*Note 2* If the registrar does not give reasons for the registrar’s decision under s (8), and a person applies to the ACAT or the court for review of the registrar’s decision, the registrar must apply to the ACAT or the court for a decision about whether the reasons disclose security sensitive information (see s 84).

4  
Clause 27 (4)  
Page 26, line 14—

omit clause 27 (4), substitute

(4) The registrar must, in writing—

(a) tell the applicant the registrar’s decision under subsection (3); and

(b) for a decision under subsection (3) (b)—

(i) set out the reasons for the decision; and

(ii) state that the applicant may, within 20 working days after the day the registrar tells the applicant the decision, give additional information or documents to support the application.

*Note* The registrar must also give the applicant a reviewable decision notice in relation to the decision to refuse to register the applicant (see s 82).

(4A) If the applicant gives the registrar additional information or documents under subsection (4) (b) (ii), the registrar must, within 20 working days after receiving the information or documents—

(a) reconsider the decision; and

(b) either—

(i) register the applicant; or

(ii) refuse to register the applicant; and

(c) tell the applicant, in writing, the registrar’s decision; and

(d) if the registrar refuses to register the applicant—set out the reasons for the decision.

*Note* The registrar’s decision to refuse to register an applicant is a reviewable decision (see s 81).

5  
Clause 31 (6)  
Page 30, line 1—

omit clause 31 (6), substitute

(6) The registrar must, in writing—

(a) tell the applicant the registrar’s decision under subsection (5); and

(b) for a decision under subsection (5) (b)—

(i) set out the reasons for the decision; and

(ii) state that the applicant may, within 20 working days after the day the registrar tells the applicant the decision, give additional information or documents to support the application.

*Note* The registrar must also give the applicant a reviewable decision notice in relation to the decision to refuse to renew the applicant’s registration (see s 82).

(7) If the applicant gives the registrar additional information or documents under subsection (6) (b) (ii), the registrar must, within 20 working days after receiving the information or documents—

(a) reconsider the decision; and

(b) either—

(i) register the applicant; or

(ii) refuse to register the applicant; and

(c) tell the applicant, in writing, the registrar’s decision; and

(d) if the registrar refuses to register the applicant—set out the reasons for the decision.

*Note* The registrar’s decision to refuse to renew a contestant’s registration is a reviewable decision (see s 81).

(8) The registrar is not required under this Act or any other territory law to give reasons for the registrar’s decision to the extent that giving those reasons would disclose security sensitive information.

*Note 1* ***Security sensitive information***—see the dictionary.

*Note 2* If the registrar does not give reasons for the registrar’s decision under s (8), and a person applies to the ACAT or the court for review of the registrar’s decision, the registrar must apply to the ACAT or the court for a decision about whether the reasons disclose security sensitive information (see s 84).

**Schedule 3**

**CONTROLLED SPORTS BILL 2018**

Amendments circulated by James Milligan

1. Clause 9, definition of *controlled sports event*  
   Page 6, line 3—

omit the definition, substitute

***controlled sports event***—

(a) means an event involving a contest or exhibition of a controlled sport; but

(b) does not include training.

Examples—training

* self-defence or fitness class at a gymnasium
* training program at holiday camp

1. Clause 10 (5), definition of *commercial purpose*Page 7, line 1—

omit the definition, substitute

***commercial purpose***, in relation to an event, means holding the event as part of a business or otherwise with the intention of directly or indirectly making a profit that will not be reinvested in the entity.

1. Proposed new clause 18 (3A) and (3B)  
   Page 17, line 24—

insert

(3A) The registrar must make a decision under subsection (3) within 10 working days after—

(a) receiving the application; or

(b) if the registrar has requested additional information or documents under section 17—receiving the information or documents.

(3B) If the registrar fails to make a decision within the time required under subsection (3A), the registrar is taken to have refused to register the applicant.

1. Clause 18 (4)  
   Page 17, line 25—

omit clause 18 (4), substitute

(4) The registrar must, in writing—

(a) tell the applicant the registrar’s decision under subsection (3); and

(b) for a decision under subsection (3) (b)—

(i) set out the reasons for the decision; and

(ii) state that the applicant may, within 20 working days after the registrar tells the applicant the decision, give additional information or documents to support the application.

*Note* The registrar must also give the applicant a reviewable decision notice in relation to the decision to refuse to register the applicant (see s 82).

(4A) If the applicant gives the registrar additional information or documents under subsection (4) (b) (ii), the registrar must, within 10 working days after receiving the information or documents—

(a) reconsider the decision; and

(b) either—

(i) register the applicant; or

(ii) refuse to register the applicant; and

(c) tell the applicant, in writing, the registrar’s decision; and

(d) if the registrar refuses to register the applicant—set out the reasons for the decision.

*Note* The registrar’s decision to refuse to register an applicant is a reviewable decision (see s 81).

1. Proposed new clause 22 (5A) and (5B)  
   Page 20, line 5—

insert

(5A) The registrar must make a decision under subsection (5) within 10 working days after—

(a) receiving the renewal application; or

(b) if the registrar has requested additional information or documents under subsection (3)—receiving the information or documents.

(5B) If the registrar fails to make a decision within the time required under subsection (5A), the registrar is taken to have refused to register the applicant.

1. Clause 22 (6)  
   Page 20, line 6—

omit clause 22 (6), substitute

(6) The registrar must, in writing—

(a) tell the applicant the registrar’s decision under subsection (5); and

(b) for a decision under subsection (5) (b)—

(i) set out the reasons for the decision; and

(ii) state that the applicant may, within 20 working days after the registrar tells the applicant the decision, give additional information or documents to support the application.

*Note* The registrar must also give the applicant a reviewable decision notice in relation to the decision to refuse to renew the applicant’s registration (see s 82).

(6A) If the applicant gives the registrar additional information or documents under subsection (6) (b) (ii), the registrar must, within 10 working days after receiving the information or documents—

(a) reconsider the decision; and

(b) either—

(i) register the applicant; or

(ii) refuse to register the applicant; and

(c) tell the applicant, in writing, the registrar’s decision; and

(d) if the registrar refuses to register the applicant—set out the reasons for the decision.

*Note* The registrar’s decision to refuse to renew an official’s registration is a reviewable decision (see s 81).

1. Clause 23 (3) (b)  
   Page 21, line 13—

omit

10 working days

substitute

20 working days (the ***20-day period***)

1. Proposed new clause 23 (4A)  
   Page 22, line 4—

insert

(4A) The registrar must not suspend or cancel the controlled sports official’s registration under subsection (4) earlier than—

(a) if the official gives reasons in accordance with the notice—10 working days after the official gives the registrar the reasons; or

(b) in any other case—the end of the 20-day period.

1. Proposed new clause 27 (3A) and (3B)  
   Page 26, line 13—

insert

(3A) The registrar must make a decision under subsection (3) within 10 working days after—

(a) receiving the application; or

(b) if the registrar has requested additional information or documents under section 26—receiving the information or documents.

(3B) If the registrar fails to make a decision within the time required under subsection (3A), the registrar is taken to have refused to register the applicant.

1. Clause 27 (4)  
   Page 26, line 14—

omit clause 27 (4), substitute

(4) The registrar must, in writing—

(a) tell the applicant the registrar’s decision under subsection (3); and

(b) for a decision under subsection (3) (b)—

(i) set out the reasons for the decision; and

(ii) state that the applicant may, within 20 working days after the registrar tells the applicant the decision, give additional information or documents to support the application.

*Note* The registrar must also give the applicant a reviewable decision notice in relation to the decision to refuse to register the applicant (see s 82).

(4A) If the applicant gives the registrar additional information or documents under subsection (4) (b) (ii), the registrar must, within 10 working days after receiving the information or documents—

(a) reconsider the decision; and

(b) either—

(i) register the applicant; or

(ii) refuse to register the applicant; and

(c) tell the applicant, in writing, the registrar’s decision; and

(d) if the registrar refuses to register the applicant—set out the reasons for the decision.

*Note* The registrar’s decision to refuse to register an applicant is a reviewable decision (see s 81).

1. Proposed new clause 31 (5A) and (5B)  
   Page 29, line 25—

insert

(5A) The registrar must make a decision under subsection (5) within 10 working days after—

(a) receiving the renewal application; or

(b) if the registrar has requested additional information or documents under subsection (3)—receiving the information or documents.

(5B) If the registrar fails to make a decision within the time required under subsection (5A), the registrar is taken to have refused to register the applicant.

1. Clause 31 (6)  
   Page 30, line 1—

omit clause 31 (6), substitute

(6) The registrar must, in writing—

(a) tell the applicant the registrar’s decision under subsection (5); and

(b) for a decision under subsection (5) (b)—

(i) set out the reasons for the decision; and

(ii) state that the applicant may, within 20 working days after the registrar tells the applicant the decision, give additional information or documents to support the application.

*Note* The registrar must also give the applicant a reviewable decision notice in relation to the decision to refuse to renew the applicant’s registration (see s 82).

(6A) If the applicant gives the registrar additional information or documents under subsection (6) (b) (ii), the registrar must, within 10 working days after receiving the information or documents—

(a) reconsider the decision; and

(b) either—

(i) register the applicant; or

(ii) refuse to register the applicant; and

(c) tell the applicant, in writing, the registrar’s decision; and

(d) if the registrar refuses to register the applicant—set out the reasons for the decision.

*Note* The registrar’s decision to refuse to renew a contestant’s registration is a reviewable decision (see s 81).

1. Clause 32 (4) (b)  
   Page 31, line 10—

omit

10 working days

substitute

20 working days (the ***20-day period***)

1. Proposed new clause 32 (5A)  
   Page 31, line 28—

insert

(5A) The registrar must not suspend or cancel the controlled sports contestant’s registration under subsection (5) earlier than—

(a) if the contestant gives reasons in accordance with the notice—10 working days after the contestant gives the registrar the reasons; or

(b) in any other case—the end of the 20-day period.

1. Proposed new clause 35 (3) to (7)  
   Page 33, line 26—

insert

(3) The registrar must make a decision under subsection (2) within 10 working days after—

(a) receiving the application; or

(b) if the registrar has requested additional information or documents under section 34 (3)—receiving the information or documents.

(4) If the registrar fails to make a decision within the time required under subsection (3), the registrar is taken to have refused to register the applicant.

(5) The registrar must, in writing—

(a) tell the applicant the registrar’s decision under subsection (2); and

(b) for a decision under subsection (2) (b)—

(i) set out the reasons for the decision; and

(ii) state that the applicant may, within 20 working days after the registrar tells the applicant the decision, give additional information or documents to support the application.

*Note* The registrar must also give the applicant a reviewable decision notice in relation to the decision to refuse to register the event (see s 82).

(6) If the applicant gives the registrar additional information or documents under subsection (5) (b) (ii), the registrar must, within 10 working days after receiving the information or documents—

(a) reconsider the decision; and

(b) either—

(i) register the event; or

(ii) refuse to register the event; and

(c) tell the applicant, in writing, the registrar’s decision; and

(d) if the registrar refuses to register the event—set out the reasons for the decision.

*Note* The registrar’s decision to refuse to register an event is a reviewable decision (see s 81).

(7) The registrar is not required under this Act or any other territory law to give reasons for the registrar’s decision to the extent that giving those reasons would disclose security sensitive information.

*Note 1* ***Security sensitive information***—see the dictionary.

*Note 2* If the registrar does not give reasons for the registrar’s decision under s (7), and a person applies to the ACAT or the court for review of the registrar’s decision, the registrar must apply to the ACAT or the court for a decision about whether the reasons disclose security sensitive information (see s 84).

1. Clause 38 (2)  
   Page 35, line 10—

omit clause 38 (2), substitute

(2) If the registrar intends to suspend or cancel the registration of a registered event for a reason mentioned in subsection (1), the registrar must give the registered promoter for the event a written notice—

(a) setting out the reason for suspension or cancellation; and

(b) stating that the registered promoter may, within 20 working days (the ***20‑day period***) after the day the registrar gives the promoter the notice, give reasons why the promoter considers the registration should not be suspended or cancelled; and

(c) stating that the registered promoter must not conduct the registered event after the day the registrar gives the promoter the notice until a decision is made under subsection (3).

(3) The registrar must suspend or cancel the registration of the registered event for a reason mentioned in subsection (1) if the registrar—

(a) has given written notice to the registered promoter of an intention to suspend or cancel the registration; and

(b) has considered any reasons given by the registered promoter in accordance with the notice; and

(c) is satisfied on reasonable grounds of a matter mentioned in subsection (1).

Note The registrar’s decision to suspend or cancel the registration of a registered event is a reviewable decision (see s 81).

(4) The registrar must not suspend or cancel the registration of the registered event under subsection (3) earlier than—

(a) if the registered promoter gives reasons in accordance with the notice—10 working days after the promoter gives the registrar the reasons; or

(b) in any other case—the end of the 20-day period.

(5) If the registrar suspends or cancels the registration of the registered event, the registrar must tell the registered promoter, in writing—

(a) the registration is suspended or cancelled; and

(b) the reason for suspension or cancellation; and

(c) the date on which the suspension or cancellation takes effect; and

(d) for a suspension—any conditions that apply.

Note The registrar must also give the registered promoter a reviewable decision notice in relation to the decision to suspend or cancel the registration (see s 82).

1. Clause 61 (2)  
   Page 49, line 12—

omit clause 61 (2), substitute

(2) However, this division does not apply to an event—

(a) conducted by a local club; or

(b) that is a low risk activity; or

(c) declared by the Minister not to be a registrable event under section 10 (2).

*Note* ***Registrable event***—see s 10.

1. Clause 61 (3), proposed new definitions of *local club* and *low risk activity*  
   Page 49, line 25—

insert

***local club*** means an organisation—

(a) that—

(i) is established for the sole purpose of conducting sports training and skills-based competitions; or

(ii) operates under the rules of, and is sanctioned by, an authorised controlled sports body; and

(b) that holds insurance to cover its liability to participants and visitors.

***low risk activity*** means—

(a) a combat sport that involves only light contact and conducted solely to determine a person’s proficiency in the sport; or

(b) a combat sport for which the rules state that a participant is penalised if the person strikes, kicks, hits, grapples with, throws or punches in a way that does not involve light contact with another person; or

(c) a combat sport for which the rules—

(i) do not allow contact to be made to the head of a participant; and

(ii) require all strike zones on a participant’s body to be fully protected using protective material; or

(d) a combat sport that—

(i) involves only limited physical contact between participants; and

(ii) is conducted only to demonstrate moves of strikes, kicks, hits, grapples, throws or punches in a predominantly artistic context, with or without a weapon; or

(e) wrestling conducted solely for theatrical or humorous entertainment.