



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

Nos. 83, 84 and 85

No. 83 — Tuesday, 24 November 2020

- 1 The President took the Chair at 11.06 a.m., read the Prayer and made an Acknowledgement of Country.
- 2 **TEMPORARY ORDERS — BUSINESS OF THE HOUSE** — Ms Symes moved, by leave, That Standing, Sessional and Temporary Orders be suspended to the extent necessary to allow the following to occur —
 1. **Order of Business today**
The Order of Business today will be —
 - Messages
 - Questions
 - Answers to Questions on Notice
 - Constituency Questions (up to 15 Members)
 - Formal Business
 - Members' Statements (up to 15 Members)
 - Government Business
 - At 10.00 p.m.** Adjournment (up to 20 Members).
 2. **Sitting of the House on Thursday**
The sitting of the Council, on Thursday, 26 November 2020, to commence at 10.00 a.m.
Question — put and agreed to.
- 3 **ASSENT TO ACTS** — The President read a Message from the Governor informing the Council that she had, on 17 November 2020, given the Royal Assent to the following Acts presented to her by the Clerk of the Parliaments:
 - Justice Legislation Amendment (Supporting Victims and Other Matters) Act 2020*
 - Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Act 2020.*
- 4 **QUESTIONS AND MINISTERS' STATEMENTS** — Questions without notice were taken and Ministers' Statements were made pursuant to Sessional Order 13.
SEASONAL AGRICULTURAL WORKER SHORTAGES — Ms Symes having given answers to a question without notice and supplementary question relating to seasonal agricultural worker shortages —
On the motion of Ms Bath, the Minister's answers were ordered to be taken into consideration on the next day of meeting.
QUESTIONS — Questions without notice continued and answers to certain questions on notice were circulated pursuant to Standing Order 8.12.

QUESTIONS DIRECTED FOR WRITTEN RESPONSE — The President directed written responses be provided to questions without notice pursuant to Standing Order 8.07 as follows:

- **National redress scheme – Jehovah’s Witnesses** — substantive and supplementary questions asked by Ms Patten — response from Ms Tierney due Thursday, 26 November 2020.
- **Food delivery companies – worker safety** — substantive and supplementary questions asked by Mr Barton — response from Ms Pulford due Thursday, 26 November 2020.
- **Pakenham Livestock Exchange closure** — substantive question asked by Mr O’Donohue — response from Ms Symes due Wednesday, 25 November 2020.
- **QR code data privacy** — substantive and supplementary questions asked by Mr Limbrick — response from Ms Symes due Thursday, 26 November 2020.
- **Volunteer firefighter numbers** — substantive and supplementary questions asked by Mr Bourman — response from Ms Tierney due Thursday, 26 November 2020.

5 CONSTITUENCY QUESTIONS — Constituency questions were taken pursuant to Standing Order 8.08 and further questions were received from Members for incorporation in Hansard pursuant to an Order of the Council of 15 September 2020.

6 PETITIONS —

ROADMAP AND COVID-SAFE PLAN FOR THE WEDDING INDUSTRY — Mr Finn presented a Petition bearing 571 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to urgently outline a roadmap for re-opening the wedding industry, including the implementation of a COVID-safe plan to allow small family run businesses to return to operation and generate revenue.

Ordered to lie on the Table.

On the motion of Mr Finn, the petition was ordered to be taken into consideration on the next day of meeting.

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DEACTIVATION OF RADIOFREQUENCY COMMUNICATIONS ON SMART METERS —

Mr Hayes presented a Petition bearing 377 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Minister for Energy, Environment and Climate Change, the Honourable Lily D’Ambrosio, and the Department of Environment, Land, Water and Planning to give Victorians the right to have radiofrequency communications deactivated on an installed smart meter, particularly people with health issues who have obtained a medical certificate requesting this accommodation.

Ordered to lie on the Table.

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SAVE THE HOPKINS RIVER — Mr Meddick presented a Petition bearing 664 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Minister for Resources, the Honourable Jaclyn Symes, and the Minister for Planning, the Honourable Richard Wynne, to recognise the threats and dangers posed should the bluestone quarry at Panmure proceed, and request that the Ministers intervene and use their ministerial powers to ensure that the Earth Resources Regulation does not issue a work authority for the quarry, irrespective of the outcome of a planning permit application lodged with Moyne Shire Council.

Ordered to lie on the Table.

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ACCOMMODATION FOR THE ELDERLY, DISABLED AND TERMINALLY ILL — Ms Patten presented a Petition bearing 129 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to work with the Victorian Planning Authority and Australian architects to procure older and cheaper properties in Victoria that are in close proximity to hospitals and medical care facilities to convert into high rise flats for the elderly, terminally ill and disabled as a prototype for the future.

Ordered to lie on the Table.

7 PAPERS —

SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — ALERT DIGEST — Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Mr Gepp presented Alert Digest No. 12 of 2020 (including Appendices) from the Scrutiny of Acts and Regulations Committee.

Ordered to be published.

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PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid on the Table by the Clerk:

Australian Criminal Intelligence Commission — Board of the Australian Criminal Intelligence Commission — Report, 2018-19.

Inquiries Act 2014 — Interim Report of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, pursuant to section 37(1)(a) of the Act.

Planning and Environment Act 1987 — Notices of Approval of the following amendments to planning schemes —

Ballarat Planning Scheme — Amendment C226.

Boroondara Planning Scheme — Amendment C347.

Cardinia Planning Scheme — Amendment C250.

Colac Otway Planning Scheme — Amendment C101.

Darebin Planning Scheme — Amendment C167.

Frankston Planning Scheme — Amendment C130.

Glenelg Planning Scheme — Amendment C97.

Greater Bendigo Planning Scheme — Amendment C262.

Greater Dandenong Planning Scheme — Amendments C217 and C222.

Hepburn Planning Scheme — Amendment C83.

Knox Planning Scheme — Amendment C187.

Maribyrnong Planning Scheme — Amendment C170.

Maroondah Planning Scheme — Amendment C116.

Melton Planning Scheme — Amendments C222 and C223.

Mitchell and Whittlesea Planning Schemes — Amendments GC102 and GC156.

Monash Planning Scheme — Amendment C162.

Moorabool Planning Scheme — Amendment C95.

Moreland Planning Scheme — Amendment C213.

Stonnington Planning Scheme — Amendments C285 and C308.

Victoria Planning Provisions — Amendment VC192.

Whittlesea Planning Scheme — Amendment C236.

Wyndham Planning Scheme — Amendment C228.

Yarra Planning Scheme — Amendment C279.

Yarra Ranges Planning Scheme — Amendment C159.

Yarriambiack Planning Scheme — Amendment C27.

Statutory Rules under the following Acts of Parliament —

Alpine Resorts (Management) Act 1997 — No. 128.

Children, Youth and Families Act 2005 — Criminal Procedure Act 2009 — Family Violence Protection Act 2008 — Personal Safety Intervention Orders Act 2010 — No. 127.

Children, Youth and Families Act 2005 — Family Violence Protection Act 2008 — Personal Safety Interventions Orders Act 2010 — No. 126.

Magistrates' Court Act 1989 — No. 124.

Tobacco Act 1987 — No. 129.

Victorian Civil and Administrative Tribunal Act 1998 — No. 125.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule Nos. 122 to 129.

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PROCLAMATION — A Proclamation of the Governor in Council fixing an operative date in respect of the following Act was laid on the Table by the Clerk:

Professional Engineers Registration Act 2019 — Part 1, Part 3, Sections 103, 104 and 105, and Division 2 of Part 8 — 10 November 2020 (*Gazette No. S575, 10 November 2020*).

- 8 BUSINESS OF THE COUNCIL** — Mr Davis moved, by leave, That precedence be given to the following General Business on Wednesday, 25 November 2020 —
- (1) the notice of motion given this day by Mr Rich-Phillips in relation to COVID-19 impacts;
 - (2) the notice of motion given this day by Mr Davis in relation to the Government's new employment levy;
 - (3) the notice of motion given this day by Mr Davis in relation to the Suburban Rail Loop;
 - (4) the notice of motion given this day by Mr Barton in relation to taxi compensation; and
 - (5) Notice of Motion No. 424 standing in the name of Dr Bach relating to the impact of school closures.

Question — put and agreed to.

- 9 MEMBERS' STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13 and further statements were received from Members for incorporation in Hansard pursuant to an Order of the Council of 15 September 2020.

- 10 BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 403 to 409 and Orders of the Day, Government Business, Nos. 1 and 2, be postponed until later this day.

- 11 FOOD AMENDMENT BILL 2020** — Debate resumed on the question, That the Bill be now read a second time.

Question — put and agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

Bill reported without amendment, the Report was adopted, and the Bill was read a third time and passed.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill without amendment.

- 12 BUDGET PAPERS, 2020-21** — Pursuant to section 27E of the *Financial Management Act 1994*, Ms Symes laid on the Table a copy of the 2020-21 —
- (1) Budget Paper No. 2 – Strategy and Outlook;
 - (2) Budget Paper No. 3 – Service Delivery; and
 - (3) Budget Paper No. 4 – Statement of Finances (incorporating Quarterly Financial Report No. 1).

Ms Symes moved, by leave, That there be laid before this House a copy of the 2020-21 —

- (1) Budget Paper No. 1 – Treasurer's Speech;
- (2) Budget Overview;
- (3) Jobs Plan;
- (4) Budget Information Paper – Rural and Regional;
- (5) Budget Information Paper – Suburban; and
- (6) Budget Information Paper – Gender Equality Budget Statement.

Question — put and agreed to.

The papers were presented by Ms Symes and ordered to lie on the Table.

On the motion of Ms Symes, the Budget Papers, 2020-21 were ordered to be taken into consideration on the next day of meeting.

- 13 ENERGY LEGISLATION AMENDMENT (LICENSE CONDITIONS) BILL 2020** — Debate resumed on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Mr Rich-Phillips (*GRP18C and GRP20C*) were circulated.

Question — put.

The Council divided — The President in the Chair.

AYES, 23

Mr Barton; Dr Cumming; Mr Elasmarr; Mr Erdogan; Mr Gepp; Mr Grimley; Mr Hayes; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

NOES, 13

Dr Bach; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Mr Rich-Phillips.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

Question agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

Bill reported without amendment, the Report was adopted.

Mr Leane moved, That the Bill be now read a third time.

Question — That the Bill be now read a third time and do pass — put.

The Council divided — The President in the Chair.

AYES, 23

Mr Barton; Dr Cumming; Mr Elasmarr; Mr Erdogan; Mr Gepp; Mr Grimley; Mr Hayes; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

NOES, 13

Dr Bach; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Mr Rich-Phillips.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

Question agreed to.

Bill read a third time.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill without amendment.

14 ADJOURNMENT — Mr Leane moved, That the House do now adjourn.

Debate ensued and responses to certain Adjournment matters were circulated pursuant to Standing Order 4.13.

And then the Council, at 5.47 p.m., adjourned until tomorrow.

ANDREW YOUNG

Clerk of the Legislative Council

No. 84 — Wednesday, 25 November 2020

1 The President took the Chair at 9.34 a.m., read the Prayer and made an Acknowledgement of Country.

2 PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid on the Table by the Clerk:

Auditor-General's Reports on —

Accessing Emergency Funding to Meet Urgent Claims, November 2020 (*Ordered to be published*).

the Annual Financial Report of the State of Victoria: 2019-20, November 2020 (*Ordered to be published*).

Subordinate Legislation Act 1994 — Legislative Instrument and related documents under section 16B in respect of an Order in Council of 10 November 2020 revising animal welfare codes of practice under the Prevention of Cruelty to Animals Act 1986.

Victorian Budget Update — 2020-21.

- 3 MEMBERS' STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13 and further statements were received from Members for incorporation in Hansard pursuant to an Order of the Council of 15 September 2020.
- 4 PARKS AND CROWN LAND LEGISLATION AMENDMENT BILL 2019** — The President read a Message from the Assembly informing the Council that they had agreed to the amendments made by the Council in this Bill.
- 5 ECONOMIC IMPACTS OF COVID-19** — Mr Rich-Phillips moved, That this House —
- (1) notes the impact of the COVID-19 crisis, in particular the harsh lockdown, has unevenly impacted certain groups and industries, specifically —
 - (a) ABS figures show the number of unemployed Victorian women is now the highest on record at 146,500 or 8.8 per cent;
 - (b) the underemployment rate for Victoria is now 13 per cent, the highest in the country, and combined with the unemployment rate, a total of 20.4 per cent, with one in five Victorians either looking for work or more work;
 - (c) over the past 12 months Victoria recorded the largest drop in job advertisements of any state, with Geelong and the Surf Coast down 27.9 per cent, Gippsland down 16.9 per cent, and Ballarat and Central Highlands down 13.3 per cent and that, together with Melbourne, these regions have recorded four of the five largest reductions in Australia;
 - (d) ABS payroll jobs and total wages data shows, since the pandemic began, payroll jobs in small businesses that employ under 20 people have fallen by 9.4 per cent and in businesses that employ between 20 and 199 people by 9.3 per cent;
 - (e) the travel and tourism, hospitality and events, fitness, creative industry and retail sectors have borne the brunt of the burden;
 - (2) accepts that Victoria has not provided commensurate targeted assistance that recognises the more severe impacts;
 - (3) notes that many businesses will be lost in the absence of appropriate additional support; and
 - (4) believes it would be prudent for the Government to take further targeted steps to remedy these inequities.

Debate ensued.

The President advised that the total time allocated for debate, pursuant to Sessional Order 8, had elapsed —

Question — put.

The Council divided — The President in the Chair.

AYES, 17

Mr Atkinson; Dr Bach; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Finn; Mr Grimley; Mr Hayes; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr O'Donohue; Ms Patten; Mr Quilty; Mr Rich-Phillips.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

NOES, 19

Mr Barton; Mr Elasmarr; Mr Erdogan; Mr Gepp; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Pulford; Dr Ratnam; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

Question negatived.

- 6 MARINE SAFETY AMENDMENT (BETTER BOATING FUND) BILL 2020** — The President read a Message from the Assembly informing the Council that they had agreed to the amendments made by the Council in this Bill.

- 7 NEW EMPLOYMENT LEVY** — Mr Finn (for Mr Davis) moved, That this House recognises that Victorian small businesses have done it very tough through the COVID-19 pandemic and that now is the wrong time to foist a new tax onto the small business sector already struggling to recover from the lockdown.

Debate ensued.

Business having been interrupted at 12.00 noon pursuant to Sessional Orders —

- 8 QUESTIONS AND MINISTERS' STATEMENTS** — Questions without notice were taken and Ministers' Statements were made pursuant to Sessional Order 13.

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QUESTIONS DIRECTED FOR WRITTEN RESPONSE — The President directed written responses be provided to questions without notice pursuant to Standing Order 8.07 as follows:

- **Box Hill TAFE aviation courses** — substantive question asked by Mr Rich-Phillips — response from Ms Tierney due Thursday, 26 November 2020.
- **Alcohol and drug related offender recidivism** — substantive and supplementary questions asked by Mr Grimley — response from Ms Tierney due Friday, 27 November 2020.

- 9 CONSTITUENCY QUESTIONS** — Constituency questions were taken pursuant to Standing Order 8.08 and further questions were received from Members for incorporation in Hansard pursuant to an Order of the Council of 15 September 2020.

- 10 NEW EMPLOYMENT LEVY** — Debate continued on the question, That this House recognises that Victorian small businesses have done it very tough through the COVID-19 pandemic and that now is the wrong time to foist a new tax onto the small business sector already struggling to recover from the lockdown.

The Acting President advised that the total time allocated for debate, pursuant to Sessional Order 8, had elapsed —

Question — put.

The Council divided — The President in the Chair.

AYES, 13

Dr Bach; Ms Bath; Ms Crozier; Dr Cumming; Mr Davis; Mr Finn; Mr Hayes; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Quilty.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

NOES, 22

Mr Barton; Mr Bourman; Mr Elasmarr; Mr Erdogan; Mr Gepp; Mr Grimley; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

Question negatived.

- 11 BUSINESS POSTPONED** — Ordered — That the consideration of Notice of Motion, General Business, No. 435, be postponed until later this day.

- 12 TAXI AND HIRE CAR LICENCES** — Mr Barton moved, That this House —

(1) acknowledges that —

- (a) in 1998, the High Court of Australia determined that a taxi licence was a valuable item of property;
- (b) since the commencement of the *Commercial Passenger Vehicle Industry Act 2017*, the revocation of perpetual Victorian taxi and hire car licences amounted to a compulsory government asset acquisition;
- (c) the revocation of perpetual Victorian taxi and hire car licences for a fraction of their worth constitutes a breach of the *Charter of Human Rights and Responsibilities Act 2006*;
- (d) arbitrary transition assistance payments in lieu of some, but not all, perpetual Victorian taxi and hire car licences was grossly inadequate and unfair;

- (e) the deregulation of the industry in 2017 has —
 - (i) created a glut of commercial passenger vehicles on our roads;
 - (ii) reduced driver income to well below minimum wage;
 - (iii) threatened the economic viability of the industry;
 - (iv) caused worsening traffic congestion;
- (2) calls on the Andrews Government to —
 - (a) accept a financial proposal to properly compensate the industry for the compulsory asset acquisition of all perpetual Victorian taxi and hire car licences;
 - (b) make adjustments to the commercial passenger vehicle industry structure to better balance market components and end driver exploitation; and
 - (c) support a recovery plan to build back and move the commercial passenger vehicle industry forward through COVID-19.

Debate ensued.

Business having been interrupted at 5.15 p.m. pursuant to Sessional Orders, the debate stood adjourned in the name of Mr Quilty.

13 STATEMENTS ON REPORTS, PAPERS AND PETITIONS — Statements on reports, papers and petitions were made by Members pursuant to Sessional Order 16.

14 ADJOURNMENT — Ms Symes moved, That the House do now adjourn.

Debate ensued and responses to certain Adjournment matters were circulated pursuant to Standing Order 4.13.

And then the Council, at 6.02 p.m., adjourned until tomorrow.

ANDREW YOUNG
Clerk of the Legislative Council

No. 85 — Thursday, 26 November 2020

1 The President took the Chair at 10.05 a.m., read the Prayer and made an Acknowledgement of Country.

2 **ELECTORAL ACT AMENDMENT (PREFERENCE HARVESTING) BILL 2020** — Ms Patten introduced *A Bill for an Act to amend the Electoral Act 2002 to provide for offences in relation to voting preference harvesting where there is a payment or benefit and for other purposes.*

On the motion of Ms Patten, the Bill was read a first time and ordered to be read a second time on the next day of meeting.

3 **PAPERS** —

ECONOMY AND INFRASTRUCTURE COMMITTEE — INQUIRY INTO EXPANDING MELBOURNE'S FREE TRAM ZONE — Pursuant to Standing Order 23.29, Mr Erdogan presented a Report from the Economy and Infrastructure Committee on the Inquiry into expanding Melbourne's Free Tram Zone (including an Appendix, Extracts of Proceedings and a Minority Report), and further presented Transcripts of Evidence.

Ordered that the Transcripts of Evidence lie on the Table and the Report be published.

Mr Erdogan moved, That the Council take note of the Report.

Debate ensued.

Question — put and agreed to.

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ENVIRONMENT AND PLANNING COMMITTEE — INQUIRY INTO NUCLEAR PROHIBITION — Pursuant to Standing Order 23.29, Mr Melhem presented a Report from the Environment and Planning Committee on the Inquiry into nuclear prohibition (including an Appendix, Extracts of Proceedings and Minority Reports), and further presented Transcripts of Evidence.

Ordered that the Transcripts of Evidence lie on the Table and the Report be published.

Mr Melhem moved, That the Council take note of the Report.

Debate ensued.

Question — put and agreed to.

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PAPERS PURSUANT TO STATUTE — The following Papers, pursuant to the directions of several Acts of Parliament, were laid on the Table by the Clerk:

Cenitex — Report, 2019-20.

Gambling Regulation Act 2003 — Review of the Point of Consumption Tax on wagering and betting, under section 4.6A.26 of the Act.

Local Jobs First — Report, 2019-20.

Public Health and Wellbeing Act 2008 — No Jab No Play 2020 Review, October 2020, under section 149A of the Act.

- 4 SITTING OF THE COUNCIL** — Mr Leane moved, That the Council, at its rising, adjourn until Tuesday, 8 December 2020, at a time to be determined by the President, or an earlier or later day and hour to be fixed by the President in the week commencing Monday, 7 December 2020, and the President will notify Members of any changes to the next sitting date.

Question — put and agreed to.

- 5 MEMBERS' STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13 and further statements were received from Members for incorporation in Hansard pursuant to an Order of the Council of 15 September 2020.

- 6 BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 403 to 447, be postponed until later this day.

- 7 TRANSPORT LEGISLATION AMENDMENT BILL 2020** — Debate resumed on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Mr Davis (*DD52C*) were circulated.

Business having been interrupted at 12.00 noon pursuant to Sessional Orders —

- 8 QUESTIONS AND MINISTERS' STATEMENTS** — Questions without notice were taken and Ministers' Statements were made pursuant to Sessional Order 13.

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QUESTIONS DIRECTED FOR WRITTEN RESPONSE — The President directed written responses be provided to questions without notice pursuant to Standing Order 8.07 as follows:

- **Public housing waiting list** — substantive and supplementary questions asked by Mr Hayes — response from Ms Stitt due Monday, 30 November 2020.
- **Animal cruelty** — substantive and supplementary questions asked by Mr Grimley — response from Ms Tierney due Monday, 30 November 2020.
- **Public housing evictions** — substantive and supplementary questions asked by Mr Limbrick — response from Ms Stitt due Monday, 30 November 2020.

- 9 CONSTITUENCY QUESTIONS** — Constituency questions were taken pursuant to Standing Order 8.08 and further questions were received from Members for incorporation in Hansard pursuant to an Order of the Council of 15 September 2020.

- 10 TRANSPORT LEGISLATION AMENDMENT BILL 2020** — Debate continued on the question, That the Bill be now read a second time.

Question — put and agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

Bill reported without amendment, the Report was adopted, and the Bill was read a third time and passed.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill without amendment.

11 HUMAN TISSUE AMENDMENT BILL 2020 — Debate resumed on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Mr Limbrick (*DL25C*) were circulated.

Question — put and agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

Bill reported without amendment, the Report was adopted.

Ms Symes moved, That the Bill be now read a third time.

Question — That the Bill be now read a third time and do pass — put.

The Council divided — The President in the Chair.

AYES, 34

Dr Bach; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmarr; Mr Erdogan; Mr Finn; Mr Gepp; Mr Grimley; Mr Hayes; Dr Kieu; Mr Leane; Ms Lovell; Mrs McArthur; Mr Meddick; Mr Melhem; Mr O'Donohue; Mr Ondarchie; Ms Patten; Ms Pulford; Dr Ratnam; Mr Rich-Phillips; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

NOES, 2

Mr Limbrick; Mr Quilty.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

Question agreed to.

Bill read a third time.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill without amendment.

12 JUSTICE LEGISLATION AMENDMENT (DRUG COURT AND OTHER MATTERS) BILL 2020 — Debate resumed on the question, That the Bill be now read a second time.

Question — put and agreed to.

Bill read a second time and committed to a Committee of the whole.

House in Committee.

Bill reported without amendment.

Business having been interrupted at 6.30 p.m. pursuant to Sessional Order 1 —

On the motion of Ms Symes, the meal break scheduled for this day, pursuant to Sessional Order 1, was suspended.

The Report was adopted, and the Bill was read a third time and passed.

Bill returned to the Assembly with a Message informing them that the Council have agreed to the Bill without amendment.

13 APPROPRIATION (2020-2021) BILL 2020 — The President read a Message from the Assembly presenting *A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the ordinary annual services of the Government for the financial year 2020/2021 and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Tierney (for Ms Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Ms Tierney laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Ms Tierney, the second reading speech was incorporated into Hansard.

Ms Tierney moved, That the Bill be now read a second time.

On the motion of Mr Ondarchie (for Mr Rich-Phillips), the debate was adjourned for one week.

14 APPROPRIATION (PARLIAMENT 2020-2021) BILL 2020 — The President read a Message from the Assembly presenting *A Bill for an Act for the appropriation of certain sums out of the Consolidated Fund for the Parliament in respect of the financial year 2020/2021 and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Tierney (for Ms Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Ms Tierney laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Ms Tierney, the second reading speech was incorporated into Hansard.

Ms Tierney moved, That the Bill be now read a second time.

On the motion of Mr Ondarchie (for Mr Rich-Phillips), the debate was adjourned for one week.

15 PUBLIC HEALTH AND WELLBEING AMENDMENT BILL 2020 — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Public Health and Wellbeing Act 2008 and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Tierney (for Ms Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Ms Tierney laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Ms Tierney, the second reading speech was incorporated into Hansard.

Ms Tierney moved, That the Bill be now read a second time.

On the motion of Mr Ondarchie (for Ms Crozier), the debate was adjourned for one week.

16 STATE TAXATION ACTS AMENDMENT BILL 2020 — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Duties Act 2000, the Environment Protection Act 1970, the Environment Protection Amendment Act 2018, the First Home Owner Grant Act 2000, the Gambling Regulation Act 2003, the Land Tax Act 2005, the Taxation Administration Act 1997 and the Valuation of Land Act 1960 and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Tierney (for Ms Symes), the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Ms Tierney laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

On the motion of Ms Tierney, the second reading speech was incorporated into Hansard.

Ms Tierney moved, That the Bill be now read a second time.

On the motion of Mr Ondarchie (for Mr Rich-Phillips), the debate was adjourned for one week.

17 ADJOURNMENT — Ms Tierney moved, That the House do now adjourn.

Debate ensued and a response to an Adjournment matter was circulated pursuant to Standing Order 4.13.

And then the Council, at 7.15 p.m., adjourned until Tuesday, 8 December 2020.

ANDREW YOUNG
Clerk of the Legislative Council

COMMITTEE OF THE WHOLE COUNCIL

Supplement to Minutes Nos. 83, 84 and 85

FOOD AMENDMENT BILL 2020

Committed Tuesday, 24 November 2020

Clauses 1 to 55 — put and agreed to.

Bill reported without amendment.

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ENERGY LEGISLATION AMENDMENT (LICENSE CONDITIONS) BILL 2020

Committed Tuesday, 24 November 2020

Amendments circulated: Mr Rich-Phillips (GRP18C and GRP20C) (pp. 629-31)

Clause 1 — Mr Rich-Phillips moved Amendment No. 1 (*GRP18C*).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 14

Dr Bach; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Mr Rich-Phillips.
(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

NOES, 22

Dr Cumming; Mr Elasmarr; Mr Erdogan; Mr Gepp; Mr Grimley; Mr Hayes; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

Question negated.

Clause 1 — put and agreed to.

Clauses 2 to 6 — put and agreed to.

Clause 7 — Mr Rich-Phillips moved Amendment No. 1 (*GRP20C*).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 16

Dr Bach; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Finn; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Ms Patten; Mr Quilty; Mr Rich-Phillips.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

NOES, 20

Mr Elasmarr; Mr Erdogan; Mr Gepp; Mr Grimley; Mr Hayes; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Pulford; Dr Ratnam; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

Question negated.

Clause 7 — put and agreed to.

Clauses 8 to 21 — put and agreed to.

Bill reported without amendment.

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TRANSPORT LEGISLATION AMENDMENT BILL 2020

Committed Thursday, 26 November 2020

Amendments circulated: Mr Davis (DD52C) (pp. 631-2)

Clause 1 — Mr Davis moved Amendment No. 1 (DD52C).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 16

Dr Bach; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Finn; Mr Hayes; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Dr Ratnam; Mr Rich-Phillips.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

NOES, 20

Mr Barton; Mr Elasmarr; Mr Erdogan; Mr Gepp; Mr Grimley; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Patten; Ms Pulford; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

Question negatived.

Clause 1 — put and agreed to.

Clauses 2 to 6 — put and agreed to.

Clause 7 — Mr Davis moved Amendment Nos. 2 and 3 (DD52C).

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 17

Dr Bach; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Finn; Mr Hayes; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Ms Patten; Mr Quilty; Mr Rich-Phillips.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

NOES, 19

Mr Elasmarr; Mr Erdogan; Mr Gepp; Mr Grimley; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Pulford; Dr Ratnam; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

Question negatived.

Clause 7 — put and agreed to.

Clauses 8 to 58 — put and agreed to.

Bill reported without amendment.

HUMAN TISSUE AMENDMENT BILL 2020

Committed Thursday, 26 November 2020

Amendments circulated: Mr Limbrick (DL25C) (p. 632)

Clauses 1 to 4 — put and agreed to.

Clause 5 — Mr Limbrick moved Amendment Nos. 1 to 3 (DL25C).

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 14

Dr Bach; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Finn; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Mr Rich-Phillips.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

NOES, 22

Mr Barton; Mr Elasmarr; Mr Erdogan; Mr Gepp; Mr Grimley; Mr Hayes; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

Question negatived.

Clause 5 — put and agreed to.

Clause 6 — put and agreed to.

Bill reported without amendment.

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JUSTICE LEGISLATION AMENDMENT (DRUG COURT AND OTHER MATTERS) BILL 2020

Committed Thursday, 26 November 2020

Amendments circulated: Mr O'Donohue (EOD29C) (pp. 632-3)

Clauses 1 to 11 — put and agreed to.

Clause 12 — Mr O'Donohue moved Amendment Nos. 1 and 2 (EOD29C).

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 11

Dr Bach; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Rich-Phillips.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

NOES, 25

Mr Barton; Dr Cumming; Mr Elasmarr; Mr Erdogan; Mr Gepp; Mr Grimley; Mr Hayes; Dr Kieu; Mr Leane; Mr Limbrick; Mr Meddick; Mr Melhem; Ms Patten; Ms Pulford; Mr Quilty; Dr Ratnam; Ms Shing; Ms Stitt; Ms Symes; Mr Tarlamis; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Watt.

(Recorded by Clerks-at-the-Table, pursuant to an Order of the Council of 23 April 2020)

Question negatived.

Clause 12 — put and agreed to.

Clauses 13 to 54 — put and agreed to.

Bill reported without amendment.

AMENDMENTS CIRCULATED IN RELATION TO —**1. ENERGY LEGISLATION AMENDMENT (LICENSE CONDITIONS) BILL 2020**Amendments circulated by Mr Rich-Phillips (GRP18C)

1. Clause 1, line 4, after "to" insert "temporarily".
2. Clause 2, lines 2 and 3, omit all words and expressions on these lines and insert—
 - "(1) This Act (except Part 4A) comes into operation on the day after the day on which it receives the Royal Assent.
 - (2) Part 4A comes into operation on the second anniversary of the day on which Part 1 comes into operation."
3. Page 25, after line 25, insert the following heading—

"Part 4A—Sunsetting of amendments made by this Act".

NEW CLAUSES

4. Insert the following New Clauses and Division headings to follow clause 20 and the heading proposed by amendment number 3—

'Division 1—Amendment of Electricity Act 2000**20A Definitions**

In section 3 of the **Electricity Industry Act 2000**, the definitions of ***affected licensee***, ***deemed Ministerial licence condition***, ***Ministerial licence condition*** and ***negotiated connection contract*** are **repealed**.

20B Provisions relating to licences

In section 20(2) of the **Electricity Industry Act 2000**, the note at the foot of that subsection is **repealed**.

20C Specific licence conditions

Sections 21(v) and (w) of the **Electricity Industry Act 2000** are **repealed**.

20D Variation or revocation of licence

- (1) In section 29(1) of the **Electricity Industry Act 2000** omit "Commission" (where first and secondly occurring).
- (2) In section 29(1A) of the **Electricity Industry Act 2000** omit "Commission licence".
- (3) In section 29(2) of the **Electricity Industry Act 2000** omit "Commission".
- (4) Sections 29(2A) and (2B) of the **Electricity Industry Act 2000** are **repealed**.
- (5) In section 29(3) of the **Electricity Industry Act 2000**, for "Commission licence conditions" **substitute** "the licence conditions".
- (6) Section 29(6) of the **Electricity Industry Act 2000** is **repealed**.

20E Sections 33AB to 33AJ repealed

Sections 33AB to 33AJ of the **Electricity Industry Act 2000** are **repealed**.

20F Terms and conditions of contracts for sale of electricity to certain customers

- (1) In section 36(1) of the **Electricity Industry Act 2000**, for "Subject to subsection (1B), a" **substitute** "A".

- (2) Section 36(1B) of the **Electricity Industry Act 2000** is repealed.

20G Deemed distribution contracts

- (1) For section 40A(3) and (3AA) of the **Electricity Industry Act 2000** substitute—

"(3) Unless the Commission approves otherwise in a particular case, the terms and conditions must not be inconsistent with the Electricity Distribution Code published by the Commission in April 2020, as amended or remade from time to time."

- (2) For section 40A(11) of the **Electricity Industry Act 2000** substitute—

"(11) In this section—

retail customer, in relation to a distribution company, means a customer of a retailer to which the distribution company distributes or supplies electricity."

20H Content of financial hardship policies

In section 43C of the **Electricity Industry Act 2000**—

- (a) in paragraph (d), for "difficulties; and" **substitute** "difficulties.";
- (b) paragraph (e) is **repealed**.

20I Commission approval

- (1) In section 45(1) of the **Electricity Industry Act 2000**, for "Subject to this section, the" **substitute** "The".
- (2) Section 45(4) of the **Electricity Industry Act 2000** is **repealed**.

Division 2—Amendment of Gas Industry Act 2001

20J Definitions

In section 3 of the **Gas Industry Act 2001**, the definitions of **affected licensee**, **deemed Ministerial licence condition** and **Ministerial licence condition** are **repealed**.

20K Provisions relating to licences

In section 28(2) of the **Gas Industry Act 2001**, the note at the foot of that subsection is **repealed**.

20L Variation or revocation of licence

- (1) In section 38(1) of the **Gas Industry Act 2001** omit "Commission" (where first and secondly occurring).
- (2) In section 38(2) of the **Gas Industry Act 2001** omit "Commission".
- (3) Sections 38(2A) and (2B) of the **Gas Industry Act 2001** are **repealed**.
- (4) In section 38(3) of the **Gas Industry Act 2001**, for "Commission licence conditions" **substitute** "the licence conditions".
- (5) Section 38(6) of the **Gas Industry Act 2001** is **repealed**.

20M Sections 40A to 40I repealed

Sections 40A to 40I of the **Gas Industry Act 2001** are **repealed**.

20N Terms and conditions of contracts for sale of electricity to certain customers

- (1) In section 43(1) of the **Gas Industry Act 2001**, for "Subject to subsection (1B), a" **substitute** "A".
- (2) Section 43(1B) of the **Gas Industry Act 2001** is **repealed**.

20O Deemed distribution contracts

- (1) For section 48(3) and (3A) of the **Gas Industry Act 2001** substitute—

"(3) Unless the Commission approves otherwise in a particular case, the terms and conditions must not be inconsistent with the Gas Distribution System Code published by the Commission effective 2 January 2020, as amended or remade from time to time."

- (2) For section 48(12) of the **Gas Industry Act 2001** substitute—

"(12) In this section—

retail customer, in relation to a gas distribution company, means a customer of a retailer to which the gas distribution company distributes or supplies gas."

20P Content of financial hardship policies

In section 48GC of the **Gas Industry Act 2001**—

- (a) in paragraph (d), for "difficulties; and" substitute "difficulties.";
- (b) paragraph (e) is **repealed**.

20Q Commission approval

- (1) In section 48I(1) of the **Gas Industry Act 2001**, for "Subject to this section, the" substitute "The".
- (2) Section 48I(4) of the **Gas Industry Act 2001** is **repealed**.

Division 3—Amendment of National Electricity (Victoria) Act 2005

20R Section 16SA repealed

Section 16SA of the **National Electricity (Victoria) Act 2005** is **repealed**.'

5. Clause 21, lines 3 and 4, omit "its commencement" and insert "the first day on which all of its provisions are in operation".

AMENDMENT OF LONG TITLE

6. Long title, after "to" (where first occurring) insert "temporarily".

Amendments circulated by Mr Rich-Phillips (GRP20C)

1. Clause 7, page 9, line 27, omit "14" and insert "28".
2. Clause 15, page 19, line 32, omit "14" and insert "28".

2. TRANSPORT LEGISLATION AMENDMENT BILL 2020

Amendments circulated by Mr Davis (DD52C)

1. Clause 1, page 2, lines 17 to 20, omit all words and expressions on these lines.
2. Clause 7, page 12, after line 21 insert—

"670A Provision of adequate alternative access

- (1) After serving a notice of intention to close, the Secretary must enter into negotiations for the purposes of section 67V(3)(b) if there is no adequate existing alternative access to the private crossing adjoining land.
- (2) The adequate alternative access must be—

- (a) accessible from the location of the private crossing; and
- (b) within a distance from the private crossing that is agreed by the person on whom the notice has been served."

3. Clause 7, page 15, line 23, after "adjoining land" insert "in accordance with section 67OA".
4. Division heading preceding clause 14, omit this heading.
5. Clause 14, omit this clause.
6. Clause 15, omit this clause.
7. Clause 16, omit this clause.
8. Clause 17, omit this clause.
9. Clause 18, omit this clause.
10. Clause 19, omit this clause.
11. Clause 20, omit this clause.
12. Clause 21, omit this clause.
13. Clause 22, omit this clause.
14. Clause 23, omit this clause.

3. HUMAN TISSUE AMENDMENT BILL 2020

Amendments circulated by Mr Limbrick (DL25C)

1. Clause 5, page 3, lines 14 and 15, omit ", unless the circumstances set out in section 24E apply".
2. Clause 5, page 4, lines 16 to 36, omit all words and expressions on these lines.
3. Clause 5, page 5, lines 4 and 5, omit ", or in the circumstances set out in section 24E,".

4. JUSTICE LEGISLATION AMENDMENT (DRUG COURT AND OTHER MATTERS) BILL 2020

Amendments circulated by Mr O'Donohue (EOD29C)

1. Clause 12, page 8, line 14, omit 'applies.'" and insert "applies."
2. Clause 12, page 8, after line 14 insert—
 - '(2C) The Drug Court Division of the County Court must not make a drug and alcohol treatment order in respect of an offender who is convicted of an offence against—
 - (a) any of the following provisions of Part V of the **Drugs, Poisons and Controlled Substances Act 1981**—
 - (i) section 71(1) (trafficking in a drug or drugs of dependence—large commercial quantity);
 - (ii) section 71AA(1) or (2) (trafficking in a drug or drugs of dependence—commercial quantity);

- (iii) section 71AB(1) or (2) (trafficking in a drug of dependence to a child);
 - (iv) section 71AC(1) or (2) (trafficking in a drug of dependence);
 - (v) section 71AD(1) (use of violence or threats to cause trafficking in drug of dependence);
 - (vi) section 71A(1) (possession of substance, material, documents or equipment for trafficking in a drug of dependence);
 - (vii) section 71B(1) or (2) (supply of drug of dependence to a child);
 - (viii) section 71C (possession of a tablet press);
 - (ix) section 71D (possession of precursor chemicals);
 - (x) section 71E (possession of document containing information about trafficking or cultivating a drug of dependence);
 - (xi) section 71F (publication of document containing instructions);
 - (xii) section 72 (cultivation of narcotic plants—large commercial quantity);
 - (xiii) section 72A (cultivation of narcotic plants—commercial quantity);
 - (xiv) section 72B (cultivation of narcotic plants);
 - (xv) section 72D(1) or (2) (permitting use of premises for trafficking or cultivation of drug of dependence); or
- (b) an offence against section 79(1) of that Act (conspiring) in respect of an offence against a provision referred to in paragraph (a); or
- (c) an offence against section 80(1), (2), (3) or (4) of that Act (inciting etc.) in respect of an offence against a provision referred to in paragraph (a).".'

