



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

Nos. 7, 8 and 9

No. 7 — Tuesday, 5 March 2019

- 1 The President took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **ASSENT TO ACTS** — The President read Messages from the Governor informing the Council that she had, on the following dates, given the Royal Assent to the following Acts presented to her by the Clerk of the Parliaments:
 - On 26 February 2019 —
Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Act 2019
 - On 5 March 2019 —
Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Act 2019.
- 3 **MESSAGE FROM ASSEMBLY — JOINT SITTING — SENATE VACANCY** — The President read a Message from the Assembly informing the Council that they had agreed to meet the Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Jacinta Collins, and proposes that the time and place of such meeting be the Legislative Assembly Chamber on Wednesday 6 March 2019 at 6.15 pm.

Mr Jennings moved, by leave, That this House meets the Legislative Assembly for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Honourable Jacinta Collins and, as proposed by the Assembly, the time and place of such meeting be the Legislative Assembly Chamber on Wednesday, 6 March 2019 at 6.15 p.m.

Question — put and agreed to.

Message sent to the Assembly informing them accordingly.
- 4 **QUESTIONS** — Questions without notice were taken pursuant to Standing Order 8.04 and answers to certain questions on notice were circulated pursuant to Standing Order 8.12.

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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:

 - **Security incident registry management** — substantive and supplementary questions asked by Mr Limbrick — response from Mr Jennings due Wednesday, 6 March 2019.
 - **Western metropolitan sports facilities** — substantive question asked by Dr Cumming — response from Mr Somyurek due Thursday, 7 March 2019.
- 5 **CONSTITUENCY QUESTIONS** — Constituency questions were taken pursuant to Standing Order 8.08.

6 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. 3 of 2019 (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:

Crown Land (Reserves) Act 1978 —

Minister's Order of 23 August 2018 giving approval to the granting of a lease at Mornington Park Reserve.

Minister's Order of 23 August 2018 giving approval to the granting of a lease at Point Leo Foreshore Reserve.

Minister's Order of 7 October 2018 giving approval to the granting of a lease at Cross Keys Reserve.

Minister's Order of 7 October 2018 giving approval to the granting of a lease at Tasma Terrace Reserve.

Minister's Order of 28 January 2019 giving approval to the granting of a lease at Flinders Foreshore Reserve.

Minister's Order of 28 January 2019 giving approval to the granting of a lease at St Kilda Botanical Gardens Reserve.

Minister's Order of 28 January 2019 giving approval to the granting of a licence at Kings Domain Reserve and Alexandra Park Reserve.

Minister's Order of 28 January 2019 giving approval to the granting of a licence at Moonee Ponds Court House Reserve.

Dhelkunya Dja Land Management Board — Minister's report of receipt of the 2017-18 report, together with an explanation for the delay.

Land Acquisition and Compensation Act 1986 — Minister's certificate of 21 February 2019, pursuant to section 7(1)(c) of the Act.

Parliamentary Committees Act 2003 — Government response to the Public Accounts and Estimates Committee's Report on the 2018-19 Budget Estimates.

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

Boroondara Planning Scheme — Amendment C310.

Buloke, Campaspe, Central Goldfields, Gannawarra, Greater Bendigo, Loddon, Macedon Ranges, Mildura, Mount Alexander and Swan Hill Planning Schemes — Amendment GC117.

Cardinia Planning Scheme — Amendment C253.

Colac Otway Planning Scheme — Amendment C85.

Corangamite Planning Scheme — Amendment C44.

Melbourne Planning Scheme — Amendment C349.

South Gippsland Planning Scheme — Amendment C109.

Statutory Rules under the following Acts of Parliament —

Adoption Act 1984 — No. 8.

Coroners Act 2008 — No. 9.

Fisheries Act 1995 — No. 11.

Health Complaints Act 2016 — No. 12.

Major Crime (Investigative Powers) Act 2004 — No. 10.

Subordinate Legislation Act 1994 — No. 13.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule Nos. 4, 5, 9 and 10.

Victorian Inspectorate —

Report, 2018-19, No.1, pursuant to section 30Q of the Surveillance Devices Act 1999 in relation to agencies authorised to use surveillance devices.

Report, 2017-18, pursuant to section 39 of the Crimes (Controlled Operations) Act 2004 in relation to the Independent Broad-based Anti-corruption Commission.

Report, 2017-18, pursuant to section 39 of the Crimes (Controlled Operations) Act 2004 in relation to Victoria Police.

Report, 2017-18, pursuant to section 74P of the Wildlife Act 1975 in relation to the Department of Environment, Land, Water and Planning.

Report, 2017-18, pursuant to section 74P of the Wildlife Act 1975 in relation to the Game Management Authority.

Report, 2017-18, pursuant to section 131T of the Fisheries Act 1995 in relation to the Victorian Fisheries Authority.

Wildlife Act 1975 — Wildlife (Prohibition of Game Hunting) Notice, Gazetted 20 February 2019.

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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:

Labour Hire Licensing Act 2018 — Parts 2, 3, 5 and 6, and Divisions 1, 3 and 6 of Part 7 and Part 8 — 29 April 2019 (*Gazette No. G9, 28 February 2019*).

7 PRODUCTION OF DOCUMENTS — WEST GATE TUNNEL PROJECT — The Clerk laid on the Table a letter from the Attorney-General, dated 5 March 2019, in response to the Resolution of the Council of 20 February 2019, relating to the West Gate Tunnel Project, advising that there was insufficient time to respond and that a final response to the Order would be provided as soon as possible.

8 PRODUCTION OF DOCUMENTS — GOVERNMENT BRIEFING BOOKS — The Clerk laid on the Table a letter from the Attorney-General, dated 5 March 2019, and a schedule of documents subject to a claim of Executive Privilege, in response to the Resolution of the Council of 6 February 2019 relating to the Government Briefing Books, making a claim of Executive Privilege in full in relation to each of the documents outlined in the schedule.

9 BUSINESS OF THE COUNCIL — Mr Davis moved, by leave, That precedence be given to the following General Business on Wednesday, 6 March 2019 —

- (1) the notice of motion given this day by Mr Davis in relation to Sessional Orders;
- (2) the notice of motion given this day by Mr Rich-Phillips in relation to the revocation of multiple Amending Deeds under the *Melbourne City Link Act 1995*;
- (3) the notice of motion given this day by Dr Ratnam referring a matter to the Environment and Planning Committee relating to Victoria's recycling and waste management system;
- (4) Notice of Motion No. 37, standing in the name of Dr Ratnam referring a matter to the Environment and Planning Committee in relation to dangerous cladding used on buildings; and
- (5) Order of the Day No. 4 standing in the name of Mr Davis, providing references to certain joint committees.

Question — put and agreed to.

10 MEMBERS' STATEMENTS — Statements were made by Members pursuant to Standing Order 5.13.

11 BUSINESS POSTPONED — Ordered — That the consideration of the Order of the Day, No. 1, for the resumption of debate on the motion for the Address in Reply to the speech of the Governor, be postponed until later this day.

12 BUSINESS POSTPONED — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 10 to 31, be postponed until later this day.

13 PARLIAMENTARY COMMITTEES AMENDMENT BILL 2019 — Debate resumed on the question, That the Bill be now read a second time.

Question — put.

The Council divided — The President in the Chair.

AYES, 24

Mr Barton; Mr Bourman; Dr Cumming; Mr Dalidakis; Mr Elasmarr; Ms Garrett; Mr Gepp; Mr Grimley; Mr Jennings; Dr Kieu; Mr Leane; Ms Maxwell; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Pulford; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

(Tellers: Mr Bourman and Ms Garrett)

NOES, 16

Mr Atkinson; Ms Bath; Ms Crozier; Mr Davis; Mr Finn; Mr Hayes; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Ms Patten; Mr Quilty; Dr Ratnam; Mr Rich-Phillips; Ms Wooldridge.

(Tellers: Mr Limbrick and Mr Quilty)

Question agreed to.

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

House in Committee.

Bill reported with an amendment, the Report was adopted.

Mr Jennings 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, 24

Mr Barton; Mr Bourman; Dr Cumming; Mr Dalidakis; Mr Elasmarr; Ms Garrett; Mr Gepp; Mr Grimley; Mr Jennings; Dr Kieu; Mr Leane; Ms Maxwell; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Pulford; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

(Tellers: Mr Elasmarr and Ms Terpstra)

NOES, 16

Mr Atkinson; Ms Bath; Ms Crozier; Mr Davis; Mr Finn; Mr Hayes; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Ms Patten; Mr Quilty; Dr Ratnam; Mr Rich-Phillips; Ms Wooldridge.

(Tellers: Ms Bath and Dr Ratnam)

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 with an amendment.

14 ADJOURNMENT — Mr Jennings 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 7.04 p.m., adjourned until tomorrow.

ANDREW YOUNG
Clerk of the Legislative Council

No. 8 — Wednesday, 6 March 2019

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

2 PETITION — CALDER PARK DRIVE OVERPASS — Mr Finn presented a Petition bearing 259 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to urgently reconsider its refusal to approve funding for the Calder Park Drive Overpass Project so that construction can be undertaken at the earliest possible date.

Ordered to lie on the Table.

3 PAPERS —**VICTORIAN GOVERNMENT ANNUAL REPORT 2018 RESPONDING TO THE ROYAL COMMISSION INTO INSTITUTIONAL RESPONSES TO CHILD SEXUAL ABUSE —**

Ms Tierney moved, by leave, That there be laid before this House a copy of the Victorian Government Report 2018 responding to the Royal Commission into Institutional Responses to Child Sexual Abuse.

Question — put and agreed to.

The Report was presented by Ms Tierney and ordered to lie on the Table.

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SCRUTINY OF ACTS AND REGULATIONS COMMITTEE — REPORT ON STATUTE LAW REVISION BILL 2018 —

Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Mr Gepp presented a Report on the Statute Law Revision Bill 2018 (including an Appendix) 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 direction of an Act of Parliament, were laid on the Table by the Clerk:

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule Nos. 11 and 13.

4 MEMBERS' STATEMENTS — Statements were made by Members pursuant to Standing Order 5.13.**5 ADDRESS IN REPLY —** The Order of the Day for the resumption of debate having been read, on the motion of Ms Shing, debate was adjourned until later this day.**6 BUSINESS POSTPONED —** Mr Davis moved, That the consideration of Notice of Motion, General Business, No. 49, be postponed until the next day of meeting.

Question — put and agreed to.

7 REVOCATION OF AMENDING DEEDS — MELBOURNE CITY LINK — Mr Rich-Phillips moved, That, in accordance with the *Melbourne City Link Act 1995*, this House revokes the —

- (1) Fourth Deed Amending Master Security Deed, pursuant to section 15(3) of the Act;
- (2) Melbourne City Link Thirty-seventh Amending Deed, pursuant to section 15(3) of the Act;
- (3) City Link and Extensions Projects Integration and Facilitation Agreement Twenty-fifth Amending Deed, pursuant to section 15B(6) of the Act; and
- (4) Exhibition Street Extension Eighteenth Amending Deed, pursuant to section 15D(7) of the Act.

Debate ensued.

Business having been interrupted at 12 noon pursuant to Standing Orders —

8 QUESTIONS — Questions without notice were taken pursuant to Standing Order 8.04.

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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:

- **Homelessness – public and affordable housing** — substantive question asked by Mr Grimley — response from Ms Symes due Friday, 8 March 2019.
- **Central banking arrangements – impact on regional Victoria** — substantive and supplementary questions asked by Mr Davis — response from Ms Symes due Thursday, 7 March 2019.
- **Residential zone reform guidelines** — substantive and supplementary questions asked by Mr Hayes — response from Ms Symes due Friday, 8 March 2019.
- **Wheelchair access vehicle subsidy scheme** — substantive and supplementary questions asked by Mr Barton — response from Ms Pulford due Friday, 8 March 2019.
- **Farmers access to drought assistance support initiative** — supplementary question asked by Ms Bath — response from Ms Symes due Thursday, 7 March 2019.

9 CONSTITUENCY QUESTIONS — Constituency questions were taken pursuant to Standing Order 8.08.

10 REVOCATION OF AMENDING DEEDS — MELBOURNE CITY LINK — Debate continued on the question, That, in accordance with the *Melbourne City Link Act 1995*, this House revokes the —

- (1) Fourth Deed Amending Master Security Deed, pursuant to section 15(3) of the Act;
- (2) Melbourne City Link Thirty-seventh Amending Deed, pursuant to section 15(3) of the Act;
- (3) City Link and Extensions Projects Integration and Facilitation Agreement Twenty-fifth Amending Deed, pursuant to section 15B(6) of the Act; and
- (4) Exhibition Street Extension Eighteenth Amending Deed, pursuant to section 15D(7) of the Act.

Mr Finn moved, That the debate be adjourned until later this day.

Question — put.

The Council divided — The President in the Chair.

AYES, 18

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

(Tellers: Ms Bath and Dr Ratnam)

NOES, 22

Dr Cumming; Mr Dalidakis; Mr Elasmarr; Ms Garrett; Mr Gepp; Mr Grimley; Mr Jennings; Dr Kieu; Mr Leane; Ms Maxwell; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Pulford; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

(Tellers: Ms Shing and Ms Stitt)

Question negatived.

Debate continued on the question, That, in accordance with the *Melbourne City Link Act 1995*, this House revokes the —

- (1) Fourth Deed Amending Master Security Deed, pursuant to section 15(3) of the Act;
- (2) Melbourne City Link Thirty-seventh Amending Deed, pursuant to section 15(3) of the Act;
- (3) City Link and Extensions Projects Integration and Facilitation Agreement Twenty-fifth Amending Deed, pursuant to section 15B(6) of the Act; and
- (4) Exhibition Street Extension Eighteenth Amending Deed, pursuant to section 15D(7) of the Act.

Question — put.

The Council divided — The President in the Chair.

AYES, 18

Mr Atkinson; Mr Barton; Ms Bath; Ms Crozier; Mr Davis; Mr Finn; Mr Grimley; Mr Hayes; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Mr Quilty; Dr Ratnam; Mr Rich-Phillips; Ms Wooldridge.

(Tellers: Mr Finn and Mr Limbrick)

NOES, 22

Mr Bourman; Dr Cumming; Mr Dalidakis; Mr Elasmarr; Ms Garrett; Mr Gepp; Mr Jennings; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

(Tellers: Dr Kieu and Mr Melhem)

Question negatived.

11 ENVIRONMENT AND PLANNING COMMITTEE REFERENCE — RECYCLING AND WASTE

MANAGEMENT — Dr Ratnam moved, by leave, in an amended form, That this House requires the Environment and Planning Committee to inquire into, consider and report, by Tuesday, 13 August 2019, on the crisis in Victoria’s recycling and waste management system, partly resulting from the China waste importation ban, including, but not limited to —

- (1) the responsibility of the Victorian Government to establish and maintain a coherent, efficient and environmentally responsible approach to solid waste management across the state, including assistance to local councils;
- (2) whether the China National Sword Policy was anticipated and responded to properly;
- (3) identifying short and long-term solutions to the recycling and waste management system crisis, taking into account —
 - (a) the need to avoid dangerous stockpiling and ensure recyclable waste is actually being recycled;
 - (b) the cleaning and sorting capabilities and the processing capabilities in Victoria and the potential to expand the local recycling industry;
 - (c) how to better enable the use of recycled materials in local manufacturing;
 - (d) the existing business model and economic challenges facing the existing industry;
 - (e) the quantifiable benefits, including job creation and greenhouse gas emissions reduction, of pursuing elements of a circular economy in Victoria;
 - (f) the existing Sustainability Fund and how it can be used to fund solutions to the waste crisis;
- (4) strategies to reduce waste generation and better manage all waste such as soft plastics, compostable paper and pulp, and commercial waste, including, but not limited to —
 - (a) product stewardship;
 - (b) container deposit schemes;
 - (c) banning single use plastics;
 - (d) government procurement policies;
- (5) relevant reviews, inquiries and reports into the waste and recycling industry in other Australian jurisdictions and internationally;
- (6) any other related matters.

Debate ensued.

Mr Finn moved, as an amendment, That after the words “inquire into, consider and” **insert** “provide an urgent interim report, as the Committee deems necessary, on the current circumstances in municipal and industrial recycling and waste management, and provide a final”.

Debate ensued.

Question — That the amendment moved by Mr Finn be agreed to — put and agreed to.

Question — That the motion, moved by Dr Ratnam in an amended form, amended as follows, be agreed to — That this House requires the Environment and Planning Committee to inquire into, consider and provide an urgent interim report, as the Committee deems necessary, on the current circumstances in municipal and industrial recycling and waste management, and provide a final report, by Tuesday, 13 August 2019, on the crisis in Victoria’s recycling and waste management system, partly resulting from the China waste importation ban, including, but not limited to —

- (1) the responsibility of the Victorian Government to establish and maintain a coherent, efficient and environmentally responsible approach to solid waste management across the state, including assistance to local councils;
- (2) whether the China National Sword Policy was anticipated and responded to properly;
- (3) identifying short and long-term solutions to the recycling and waste management system crisis, taking into account —
 - (a) the need to avoid dangerous stockpiling and ensure recyclable waste is actually being recycled;

- (b) the cleaning and sorting capabilities and the processing capabilities in Victoria and the potential to expand the local recycling industry;
 - (c) how to better enable the use of recycled materials in local manufacturing;
 - (d) the existing business model and economic challenges facing the existing industry;
 - (e) the quantifiable benefits, including job creation and greenhouse gas emissions reduction, of pursuing elements of a circular economy in Victoria;
 - (f) the existing Sustainability Fund and how it can be used to fund solutions to the waste crisis;
- (4) strategies to reduce waste generation and better manage all waste such as soft plastics, compostable paper and pulp, and commercial waste, including, but not limited to —
- (a) product stewardship;
 - (b) container deposit schemes;
 - (c) banning single use plastics;
 - (d) government procurement policies;
- (5) relevant reviews, inquiries and reports into the waste and recycling industry in other Australian jurisdictions and internationally;
- (6) any other related matters — put and agreed to.

12 ENVIRONMENT AND PLANNING COMMITTEE REFERENCE — BUILDING CLADDING RECTIFICATION — Dr Ratnam moved, That this House —

- (1) acknowledges that flammable cladding on the exterior of the buildings was instrumental in the Lacrosse apartment fire and the recent Neo200 tower fire;
- (2) notes that the —
- (a) cladding on these two buildings and hundreds of others across Melbourne is the same material as the cladding on Grenfell Tower, where a fire killed 72 people;
 - (b) Government's loan scheme to remove the dangerous cladding places the financial burden on apartment owners and owners corporations, instead of those responsible for allowing dangerous cladding to be used on buildings;
- (3) requires that the Environment and Planning Committee meet within 14 days of its establishment to inquire into, consider and report within four months after the Committee first meets on the adequacy of the Government's response to the identification of buildings throughout Victoria that are at risk due to flammable cladding, including, but not limited to —
- (a) the Cladding Rectification Agreements;
 - (b) the impact on home-owners being required to fund cladding rectification and the impact of loan arrangements, including the impact on credit ratings and finances;
 - (c) the impact on apartment prices and insurance premiums;
 - (d) the response of local councils to the Government's Cladding Rectification Agreements scheme;
 - (e) alternative policies for ensuring the dangerous flammable cladding on Victorian buildings is replaced in a timely manner, including where the burden of cost should lie;
 - (f) the impact of the Government's response on home-owners facing financial hardship; and
 - (g) any other matters the Committee considers relevant.

Debate ensued.

Business having been interrupted at 4.30 p.m. pursuant to Standing Orders, debate stood adjourned in the name of Ms Garrett.

13 STATEMENTS ON REPORTS AND PAPERS — A statement on a report was made by a Member pursuant to Standing Order 9.10.

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

Debate ensued.

And then the Council, at 5.06 p.m., adjourned until tomorrow.

ANDREW YOUNG
Clerk of the Legislative Council

No. 9 — Thursday, 7 March 2019

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

2 **JOINT SITTING — SENATE VACANCY** — The President reported that the House met with the Legislative Assembly yesterday to choose a person to hold the seat in the Senate rendered vacant by the resignation of Senator the Honourable Jacinta Collins and that Mr Raffaele Ciccone was chosen to hold the vacant place in the Senate.

3 **PARLIAMENTARY COMMITTEES AMENDMENT BILL 2019 — MESSAGE FROM ASSEMBLY** — The President read a Message from the Assembly informing the Council that they had —

- (1) disagreed with the amendment made by the Council; and
- (2) made amendments with which agreement is requested.

Mr Jennings moved, That the message be taken into consideration later this day.

Question — put and agreed to.

4 **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 Children's Education and Care Quality Authority — Report, 2017-18.

Education and Care Services National Law Act 2010 — National Education and Care Services Freedom of Information and Privacy Commissioners and Ombudsman — Report, 2017-18.

Parliamentary Committees Act 2003 —

Government response to the Accountability and Oversight Committee's Report on the Inquiry into methodologies and outcomes from Victorian Ombudsman reports tabled in the Parliament.

Government response to the Electoral Matters Committee's Report on the Inquiry into civics and electoral participation in Victorian state parliamentary elections.

5 **SITTING OF THE COUNCIL** — Mr Jennings moved, That the Council, at its rising, adjourn until Tuesday, 19 March 2019.

Question — put and agreed to.

6 **MEMBERS' STATEMENTS** — Statements were made by Members pursuant to Standing Order 5.13.

7 **BUSINESS POSTPONED** — Ordered — That the consideration of Order of the Day, No. 1, for the resumption of debate on the motion for the Address in Reply to the speech of the Governor, be postponed until later this day.

8 **BUSINESS POSTPONED** — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 10 to 58, be postponed until later this day.

9 **VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2019** — Debate resumed on the question, That the Bill be now read a second time.

Amendments and suggested amendments proposed to be moved in Committee by Mr Jennings and Dr Ratnam (three sets) were circulated.

Question — put and agreed to.

Bill read a second time.

The President having ruled that certain amendments proposed to be moved in Committee by Dr Ratnam were outside the scope of the Bill —

Dr Ratnam moved, That it be an instruction to the Committee that they have power to consider amendments to the *Members of Parliament (Register of Interests) Act 1978* to establish the office of the Independent Parliamentary Standards Commissioner.

Debate ensued.

Question — put and agreed to.

Bill committed to a Committee of the whole.

House in Committee.

Business having been interrupted at 12 noon pursuant to Standing Orders —

10 QUESTIONS — Questions without notice were taken pursuant to Standing Order 8.04.

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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:

- **Free TAFE admissions** — substantive and supplementary questions asked by Ms Wooldridge — response from Ms Tierney due Tuesday, 12 March 2019.
- **Farm crime** — substantive and supplementary questions asked by Ms Maxwell — response from Ms Tierney due Tuesday, 12 March 2019.

11 CONSTITUENCY QUESTIONS — Constituency questions were taken pursuant to Standing Order 8.08.

12 VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2019 — Bill further considered in Committee of the whole.

The Acting President reported progress that the Committee had suggested amendments for the consideration of the Assembly and asked leave to sit again.

Bill returned to the Assembly with a Message requesting they make the amendments suggested by the Council.

Bill to be again considered in Committee of the whole later this day.

13 PARLIAMENTARY COMMITTEES AMENDMENT BILL 2019 — The amendments remaining for consideration by the Council were read and are as follows:

AMENDMENT NO 1 (resolved by the Council on 5 March 2019)

Clause 6, omit this clause.

How dealt with by the Assembly

Disagreed with but the following amendments were made in the Bill:

1. Clause 1, page 2, lines 2 to 5, omit "in relation to additional salaries and expense allowances to which certain members of the Parliament are entitled" and insert "to make further provision in relation to the additional salary to be paid to the chairpersons of certain parliamentary committees".
2. Clause 6, lines 4 to 13, omit all words and expressions on these lines and insert "at the foot of the section, before the item in relation to the".
3. Long title, omit "in relation to additional salaries and expense allowances to which certain members of the Parliament are entitled" and insert "to make further provision in relation to the additional salary to be paid to chairpersons of certain parliamentary committees".

Mr Jennings moved, That —

- (1) the Council does not insist on its amendment to this Bill; and
- (2) the amendments made by the Assembly be agreed to.

Debate ensued.

Question — put and agreed to.

Message sent to the Assembly informing them that the Council have not insisted upon the amendment made by the Council to the Bill and have agreed to the amendments made by the Assembly.

14 JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2019 — Debate resumed on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Mr Grimley and Mr Bourman were circulated.

On the motion of Ms Terpstra, the debate was adjourned until later this day.

- 15 VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2019** — The Acting President read a Message from the Assembly informing the Council that they had made the suggested amendments made by the Council in this Bill.

Mr Jennings moved, That the Message be referred to the Committee of the whole on the Bill forthwith.

Question — put and agreed to.

Bill further considered in Committee of the whole.

Bill reported with amendments, 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, including the amendments made by the Assembly on the suggestion of the Committee of the whole Council, with amendments and requesting their agreement.

- 16 JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2019** — Debate resumed on the question, That the Bill be now read a second time.

Amendments proposed to be moved in Committee by Dr Ratnam, Mr Limbrick (three sets) and Ms Patten 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 Pulford 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, 36

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Dalidakis; Mr Davis; Mr Elasmars; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Pulford; Dr Ratnam; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

(Tellers: Mr O'Donohue and Ms Taylor)

NOES, 4

Mr Hayes; Mr Limbrick; Ms Patten; Mr Quilty.

(Tellers: Ms Patten and Mr Quilty)

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.

- 17 VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2019** — The President read a Message from the Assembly informing the Council that they have agreed to amendments made by the Council in this Bill.

- 18 WEST GATE TUNNEL (TRUCK BANS AND TRAFFIC MANAGEMENT) BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to provide for the operation of the West Gate Tunnel, to consequentially amend the Accident Towing Services Act 2007, the Children, Youth and Families Act 2005, the Criminal Procedure Act 2009, the EastLink Project Act 2004, the Fines Reform Act 2014, the Heavy Vehicle National Law Application Act 2013, the Infringements Act 2006, the Magistrates' Court Act 1989, the Major Transport Projects Facilitation Act 2009, the Melbourne City Link Act 1995, the Road Management Act 2004, the Road Safety Act 1986, and the Transport Integration Act 2010 and for other purposes* and requesting the agreement of the Council.

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

Ms Pulford 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 Pulford, the second reading speech was incorporated into Hansard.

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

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

- 19 ENERGY LEGISLATION AMENDMENT (VICTORIAN DEFAULT OFFER) BILL 2019** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Electricity Industry Act 2000, the Essential Services Commission Act 2001 and the Gas Industry Act 2001 to facilitate reforms to energy retail contract pricing and the introduction of a Victorian default offer providing a fair price for energy for households and small businesses and for other purposes* and requesting the agreement of the Council.

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

Ms Pulford 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 Pulford, the second reading speech was incorporated into Hansard.

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

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

- 20 TRANSPORT LEGISLATION AMENDMENT (BETTER ROADS VICTORIA AND OTHER AMENDMENTS) BILL 2018** — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Business Franchise (Petroleum Products) Act 1979, the Commercial Passenger Vehicle Industry Act 2017, the Heavy Vehicle National Law Application Act 2013, the Major Transport Projects Facilitation Act 2009, the Road Safety Act 1986, the Transport (Compliance and Miscellaneous) Act 1983, the Transport Integration Act 2010, to make consequential amendments to other Acts and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Pulford, the Bill was read a first time and, by leave, ordered to be read a second time forthwith.

Ms Pulford 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 Pulford, the second reading speech was incorporated into Hansard.

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

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

- 21 ADJOURNMENT** — Ms Pulford 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 9.04 p.m., adjourned until Tuesday, 19 March 2019.

ANDREW YOUNG
Clerk of the Legislative Council

COMMITTEE OF THE WHOLE COUNCIL

Supplement to Minutes Nos. 7, 8 and 9

PARLIAMENTARY COMMITTEES AMENDMENT BILL 2019

Committed Tuesday, 5 March 2019

Clauses 1 to 5 — put and agreed to.

Clause 6 — Question — That Clause 6 stands part of the Bill — put.

The Committee divided — The Deputy President in the Chair.

AYES, 20

Dr Cumming; Mr Dalidakis; Mr Elasmarr; Ms Garrett; Mr Gepp; Mr Jennings; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Pulford; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.
(*Tellers: Mr Dalidakis and Mr Gepp*)

NOES, 20

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Finn; Mr Grimley; Mr Hayes; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr O'Donohue; Mr Ondarchie; Ms Patten; Mr Quilty; Dr Ratnam; Mr Rich-Phillips; Ms Wooldridge.
(*Tellers: Ms Bath and Mr Bourman*)

The Ayes and Noes being equal, the question was negatived.

Clauses 7 and 8 — put and agreed to.

Bill reported with an amendment.

* * * * *

VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2019

Committed Thursday, 7 March 2019

Amendments and suggested amendments circulated: Mr Jennings (pp. 60-2); and Dr Ratnam (set A, set B and set C) (see pp. 62-7).

Clause 1 — Dr Ratnam moved Amendment No. 1 (set A).

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 3

Mr Grimley; Ms Maxwell; Dr Ratnam.
(*Tellers: Mr Grimley and Dr Ratnam*)

NOES, 36

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Dalidakis; Mr Davis; Mr Elasmarr; Mr Finn; Ms Garrett; Mr Gepp; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr Ondarchie; Ms Patten; Ms Pulford; Mr Quilty; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.
(*Tellers: Mr Gepp and Mr Rich-Phillips*)

Question negatived.

Clause 1 — put and agreed to.

Clause 2 — Mr Jennings moved Amendment No. 1 — put and agreed to.

Clause 2, as amended — put and agreed to.

Clause 3 — Mr Jennings moved Amendment Nos. 2 to 4 — put and agreed to.

Clause 3, as amended — put and agreed to.

Clauses 4 to 16 — put and agreed to.

Clause 17 — Mr Jennings moved suggested Amendment No. 5 — put and agreed to.

Dr Ratnam moved suggested Amendment Nos. 1 to 5 (set B).

Question — That, the suggested amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 6

Mr Bourman; Mr Grimley; Mr Limbrick; Ms Maxwell; Mr Quilty; Dr Ratnam.

(*Tellers: Ms Maxwell and Dr Ratnam*)

NOES, 31

Mr Barton; Ms Bath; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmarr; Mr Finn; Ms Garrett; Mr Gepp; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr Ondarchie; Ms Patten; Ms Pulford; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

(*Tellers: Mr Gepp and Dr Kieu*)

Question negatived.

Mr Jennings moved suggested Amendment Nos. 6 and 7 — put and agreed to.

Clause 17 — stands postponed.

Clauses 18 to 29 — put and agreed to.

Clause 30 — Mr Jennings moved Amendment No. 8 — put and agreed to.

Clause 30, as amended — put and agreed to.

Clauses 31 to 34 — put and agreed to.

Clause 35 — Mr Jennings moved Amendment No. 9 — put and agreed to.

Clause 35, as amended — put and agreed to.

Clause 36 — Mr Jennings moved Amendment No. 10 — put and agreed to.

Clause 36, as amended — put and agreed to.

Clauses 37 to 44 — put and agreed to.

Clause 45 — Dr Ratnam moved Amendment Nos. 1 and 2 (set C) — put and negatived.

Clause 45 — put and agreed to.

Clauses 46 to 49 — put and agreed to.

Clause 50 — Mr Jennings moved Amendment Nos. 11 to 13 — put and agreed to.

Clause 50, as amended — put and agreed to.

Clauses 51 to 53 — put and agreed to.

Clause 54 — Mr Jennings moved Amendment Nos. 14 to 17 — put and agreed to.
Clause 54, as amended — put and agreed to.

Clause 55 — Mr Jennings moved Amendment Nos. 19 to 21 — put and agreed to.
Mr Jennings moved that Clause 55 stands postponed — put and agreed to.
Clause 55 — stands postponed.

Clauses 56 to 58 — put and agreed to.

Clause 59 — Mr Jennings moved Amendment Nos. 22 to 24 — put and agreed to.
Mr Jennings moved Amendment Nos. 25 and 26 — put and agreed to.
Clause 59, as amended — put and agreed to.

Clause 60 — Mr Jennings moved suggested Amendment No. 27 — put and agreed to.
Mr Jennings moved suggested Amendment No. 28 — put and agreed to.
Clause 60 — stands postponed.

Clause 61 — Mr Jennings moved Amendment No. 29 — put and agreed to.
Clause 61, as amended — put and agreed to.

Clauses 62 to 73 — put and agreed to.

Clause 74 — Mr Jennings moved Amendment Nos. 30 and 31 — put and agreed to.
Clause 74, as amended — put and agreed to.

Clauses 75 and 76 — put and agreed to.

Clause 77 — Mr Jennings moved Amendment No. 32 — put and agreed to.
Dr Ratnam moved Amendment Nos. 5 and 6 (set C).
Question — That the amendments be agreed to — put.
The Committee divided — The Deputy President in the Chair.

AYES, 7

Mr Grimley; Mr Hayes; Mr Limbrick; Ms Maxwell; Ms Patten; Mr Quilty; Dr Ratnam.
(*Tellers: Mr Hayes and Ms Patten*)

NOES, 30

Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmarr;
Mr Finn; Ms Garrett; Mr Gepp; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell;
Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr Ondarchie; Ms Pulford;
Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor;
Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.
(*Tellers: Ms Garrett and Ms Wooldridge*)

Question negatived.

Mr Jennings moved Amendment Nos. 33 and 34 — put and agreed to.
Clause 77, as amended — put and agreed to.

Clause 78 — Mr Jennings moved Amendment Nos. 35 and 36 — put and agreed to.
Clause 78, as amended — put and agreed to.

Clauses 79 to 85 — put and agreed to.

Clause 55 — Mr Jennings circulated a further suggested amendment.

Mr Jennings moved further suggested Amendment No. 1 — put and agreed to.
 Clause 55 — stands postponed.

Progress reported with suggested amendments.

Progress having been reported earlier this day —

Postponed Clause 17 — Question — That Clause 17, as amended by the Assembly on the suggestion of the Committee of the whole Council — put and agreed to.

Postponed Clause 55 — Question — That Clause 55, as amended by the Assembly on the suggestion of the Committee of the whole Council, and as further amended by the Committee of the whole Council — put and agreed to.

Postponed Clause 60 — Question — That Clause 60, as amended by the Assembly on the suggestion of the Committee of the whole Council — put and agreed to.

Bill reported with amendments, including the amendments made by the Assembly on the suggestion of the Committee of the whole Council.

* * * * *

JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2019

Committed Thursday, 7 March 2019.

Amendments circulated: Mr Bourman (see p. 68), Mr Grimley (see p. 68), Mr Limbrick (set A, set B and set C) (see pp. 68-70), Ms Patten (see pp. 70-3) and Dr Ratnam (see p. 73).

Clause 1 — Ms Patten moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 6

Dr Cumming; Mr Hayes; Mr Limbrick; Ms Patten; Mr Quilty; Dr Ratnam.
(Tellers: Mr Hayes and Mr Limbrick)

NOES, 34

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Dalidakis; Mr Davis; Mr Elasmarr; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Pulford; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

(Tellers: Mr Atkinson and Ms Stitt)

Question negated.

Mr Limbrick moved Amendment Nos. 1 and 2 (set A).

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 6

Dr Cumming; Mr Hayes; Mr Limbrick; Ms Patten; Mr Quilty; Dr Ratnam.
(Tellers: Ms Patten and Dr Ratnam)

NOES, 34

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Dalidakis; Mr Davis; Mr Elasmarr; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Pulford; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

(Tellers: Mr Rich-Phillips and Ms Shing)

Question negatived.

Mr Bourman moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 4

Mr Bourman; Dr Cumming; Mr Limbrick; Mr Quilty.

(Tellers: Dr Cumming and Mr Quilty)

NOES, 36

Mr Atkinson; Mr Barton; Ms Bath; Ms Crozier; Mr Dalidakis; Mr Davis; Mr Elasmarr; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Patten; Ms Pulford; Dr Ratnam; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

(Tellers: Mr Dalidakis and Mr Grimley)

Question negatived.

Mr Limbrick moved Amendment Nos. 1 and 2 (set B) — put and negatived.

Clause 1 — put and agreed to.

Clauses 2 to 37 — put and agreed to.

Clause 38 — Dr Ratnam moved Amendment Nos. 1 to 3.

Mr Rich-Phillips moved, That Clause 38 be postponed — withdrawn, by leave.

Question — That Amendment Nos. 1 to 3 moved by Dr Ratnam be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 1

Dr Ratnam.

(Tellers: Dr Ratnam and the Clerk)

[There being one member on the side of the Ayes, the Deputy President directed that the Clerk act as a second teller for the Ayes, pursuant to Standing Order 16.04(2)]

NOES, 39

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Dalidakis; Mr Davis; Mr Elasmarr; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Patten; Ms Pulford; Mr Quilty; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

(Tellers: Mr Bourman and Ms Patten)

Question negatived.

Clause 38 — put and agreed to.

Clauses 39 to 43 — put and agreed to.

Clause 44 — Dr Ratnam moved Amendment Nos. 4 to 9.

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 2

Mr Meddick; Dr Ratnam.

(Tellers: Mr Meddick and Dr Ratnam)

NOES, 38

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Dalidakis; Mr Davis; Mr Elasmarr; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Patten; Ms Pulford; Mr Quilty; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

(Tellers: Dr Kieu and Mr Quilty)

Question negated.

Clause 44 — put and agreed to.

Clauses 45 to 48 — put and agreed to.

Clause 49 — Ms Patten moved Amendment Nos. 11 and 12 — put and negated.

Mr Grimley moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 17

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

(Tellers: Mr Bourman and Ms Wooldridge)

NOES, 23

Mr Barton; Mr Dalidakis; Mr Elasmarr; Ms Garrett; Mr Gepp; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Mr Meddick; Mr Melhem; Ms Mikakos; Ms Patten; Ms Pulford; Dr Ratnam; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.

(Tellers: Mr Somyurek and Ms Vaghela)

Question negated.

Clause 49 — put and agreed to.

Clauses 50 and 51 — put and agreed to.

Clause 52 — Ms Patten moved Amendment No. 13.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 8

Mr Barton; Dr Cumming; Mr Hayes; Mr Limbrick; Mr Meddick; Ms Patten; Mr Quilty; Dr Ratnam.

(Tellers: Dr Cumming and Mr Limbrick)

NOES, 32

Mr Atkinson; Ms Bath; Mr Bourman; Ms Crozier; Mr Dalidakis; Mr Davis; Mr Elasmarr; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Pulford; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

(Tellers: Mr Bourman and Ms Symes)

Question negated.

Mr Limbrick moved Amendment Nos. 1 to 6 (set C).

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 6

Dr Cumming; Mr Hayes; Mr Limbrick; Ms Patten; Mr Quilty; Dr Ratnam.

(Tellers: Dr Cumming and Ms Patten)

NOES, 34

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Dalidakis; Mr Davis; Mr Elasmarr; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; Ms Pulford; Mr Rich-Phillips; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela; Ms Wooldridge.

(Tellers: Dr Kieu and Mr Meddick)

Question negatived.

Clause 52 — put and agreed to.

Clauses 53 to 93 — put and agreed to.

Bill reported without amendment.

AMENDMENTS CIRCULATED IN RELATION TO —**1. VICTORIAN INDEPENDENT REMUNERATION TRIBUNAL AND IMPROVING PARLIAMENTARY STANDARDS BILL 2019***Amendments and suggested amendments circulated by Mr Jennings*

1. Clause 2, line 33, omit "23 November" and insert "29 October".
2. Clause 3, page 5, line 24, after this line insert—
 "(la) Parliamentary Secretary to the Premier;".
3. Clause 3, page 6, line 8, after this line insert—
 "(pa) Deputy Government Whip in the Assembly;".
4. Clause 3, page 6, line 11, after "Secretary" insert "(other than the Parliamentary Secretary to the Premier)".
5. **Suggested amendment to the Legislative Assembly -**
 Clause 17, page 19, line 5, after this line insert—
 "Note
 These costs include the additional costs incurred by a Member when providing services to their constituents in electorates with larger geographic areas.".
6. **Suggested amendment to the Legislative Assembly -**
 Clause 17, page 19, line 11, for "The" substitute "In addition to complying with subsection (3), the".
7. **Suggested amendment to the Legislative Assembly -**
 Clause 17, page 19, line 24, after "**portion**") insert "at a value that is greater than \$158 560".
8. Clause 30, page 28, lines 19 and 20, omit "Accountability and Oversight Committee" and insert "Integrity and Oversight Committee".
9. Clause 35, line 4, after "site" insert "after transmitting it under section 7E(20A) or 9H(9A) of the **Parliamentary Salaries and Superannuation Act 1968**".
10. Clause 36, line 14, omit "(if any)." and insert—
 "(if any); or
 (c) the use of the motor vehicle allowance or any terms or conditions relating to the use of the motor vehicle allowance.".
11. Clause 50, page 44, line 5, after this line insert—
 "(la) Parliamentary Secretary to the Premier;".
12. Clause 50, page 44, line 21, after this line insert—
 "(pa) Deputy Government Whip in the Assembly;".
13. Clause 50, page 44, line 24, after "Secretary" insert "(other than the Parliamentary Secretary to the Premier)".
14. Clause 54, page 47, line 20, omit "office." and insert—
 "office; and
 (c) if the Member does not elect to be provided with a motor vehicle under section 6(6), the motor vehicle allowance.".

15. Clause 54, lines 29 and 30, omit all words and expressions on these lines.
16. Clause 54, line 31, omit "(d)" and insert "(c)".
17. Clause 54, page 48, line 23, omit "(2)" and insert "(1)(c)".
18. **Suggested amendment to the Legislative Assembly -**
Clause 55, page 50, line 13, after "during" insert "the current Parliament or".
19. Clause 55, page 53, lines 14 to 24, omit all words and expressions on these lines and insert—
"(17) If the Compliance Officer determines to uphold the appeal, the Compliance Officer must notify the former Member and the Clerk of the relevant House of the Parliament."
20. Clause 55, page 53, lines 30 to 32 and page 54, lines 1 to 8, omit all words and expressions on these lines and insert—
"(19) If the Compliance Officer determines to reject the appeal, the Compliance Officer must notify the former Member and the Clerk of the relevant House of the Parliament."
21. Clause 55, page 54, after line 15 insert—
"(20A) If the Compliance Officer considers that a statement of findings and any required actions should be published in a particular case, the Compliance Officer may at any time cause the statement to be transmitted to each House of the Parliament.

(20B) The Clerk of each House of the Parliament must cause a statement of findings and any required actions transmitted under subsection (20A) to be laid before the House on the day on which it is received or on the next sitting day of that House of the Parliament.

(20C) If the Compliance Officer proposes to transmit a statement of findings and any required actions under subsection (20A), the Compliance Officer must publish the statement on the Tribunal's Internet site as soon as practicable after giving it to the Clerks."
22. Clause 59, page 64, lines 29 to 33 and page 65, lines 1 to 5, omit all words and expressions on these lines and insert—
"(7) If the Compliance Officer determines to uphold the appeal, the Compliance Officer must notify the Member and the relevant Officer."
23. Clause 59, page 65, lines 13 to 23, omit all words and expressions on these lines and insert—
"(9) If the Compliance Officer determines to reject the appeal, the Compliance Officer must notify the Member and relevant Officer."
24. Clause 59, page 65, after line 23 insert—
"(9A) If the Compliance Officer considers that a statement of findings and any required actions should be published in a particular case, the Compliance Officer may at any time cause the statement to be transmitted to each House of the Parliament.

(9B) The Clerk of each House of the Parliament must cause a statement of findings and any required actions transmitted under subsection (9A) to be laid before the House on the day on which it is received or on the next sitting day of that House of the Parliament.

(9C) If the Compliance Officer proposes to transmit a statement of findings and any required actions under subsection (9A), the Compliance Officer must publish the statement on the Tribunal's Internet site as soon as practicable after giving it to the Clerks."
25. Clause 59, page 66, line 18, after "allowances" insert "and the motor vehicle allowance (if claimed)".
26. Clause 59, page 66, line 32, after "allowances" insert "and the motor vehicle allowance (if claimed)".
27. **Suggested amendment to the Legislative Assembly -**
Clause 60, line 14, after "annually" insert "in respect of each relevant financial year".

28. **Suggested amendment to the Legislative Assembly -**
 Clause 60, line 23, omit "Melbourne—" and insert—
 "Melbourne; or
 (c) by the annual increase in full-time adult average weekly ordinary time earnings of employees in Victoria in original terms as published by the Australian Bureau of Statistics—".
29. Clause 61, lines 20 to 25, omit all words and expressions on these lines and insert—
 '(5) For section 31(4) of the Principal Act **substitute**—
 "(4) Despite anything to the contrary in this section, the member may request in writing that the State limit, to the amount specified in the request, employer contributions to the person's basic contributions fund to the extent that the basic contributions fund cannot receive those contributions without causing the member to exceed the concessional contributions cap published by the Australian Taxation Office in relation to superannuation contributions.".'
30. Clause 74, page 85, line 20, omit all words and expressions on this line.
31. Clause 74, page 85, line 21, omit "(d)" and insert "(c)".
32. Clause 77, page 88, line 31, after "(if any)" insert ", the motor vehicle allowance (if claimed)".
33. Clause 77, page 91, line 14, after "duties" insert "for financial or commercial advantage or benefit to themselves or another person".
34. Clause 77, page 91, line 18, after this line insert—
 "(3) A former Member is not to be taken to have breached confidentiality obligations regarding information obtained in the course of their public duties if the former Member was—
 (a) required by law to disclose that information; or
 (b) otherwise acting lawfully in disclosing that information."
35. Clause 78, page 93, line 13, omit "; and" and insert—
 "—
 but if it is not reasonably practicable for the Member to make the calculations for the purpose of providing that indication, then the Member may instead provide the number of shares that constitutes that interest; and".
36. Clause 78, page 95, lines 22 to 31, omit all words and expressions on these lines and insert—
 "(2) If a Member holds a beneficial interest in a blind trust, the Member is not required to comply with subsections (1)(g) and (1)(h) in respect of the blind trust, but in the primary return the Member must provide—
 (a) a description of the blind trust: and
 (b) the name and address of the person who manages the blind trust."

Amendments circulated by Dr Ratnam (set A)

1. Clause 1, page 3, after line 13 insert—
 "(iia) establishing the office of the Independent Parliamentary Standards Commissioner; and".
2. Clause 74, after line 27 insert—
 "**Commissioner** means the Independent Parliamentary Standards Commissioner appointed under section 3B;".

3. Clause 75, line 6, omit all words and expression on that line and insert—

"75 New section 3 and new Part 1A inserted".

4. Clause 75, line 12, omit "standards." and insert "standards.".

5. Clause 75, after line 12 insert—

"Part 1A Office of the Independent Parliamentary Standards Commissioner

3A Office of the Independent Parliamentary Standards Commissioner established

There is established the office of the Independent Parliamentary Standards Commission.

3B Appointment of the Commissioner

(1) The Governor in Council, on the recommendation of the Minister, may by instrument appoint an eligible person to be the Commissioner.

(2) Subject to subsection (3), a person is eligible to be appointed as the Commissioner if the person—

(a) is or has been, or is qualified for appointment as, a judge of—

(i) the High Court; or

(ii) the Federal Court; or

(iii) the Supreme Court of Victoria or another State or a Territory; or

(b) has extensive or specialist knowledge, expertise or experience in—

(i) Government, law, public administration or public ethics; or

(ii) any other field the Minister considers relevant.

(3) A person is not eligible to be appointed as the Commissioner if the person—

(a) is a Member; or

(b) nominates for election as a Member.

3C Independence of the Commissioner

(1) The Commissioner must act independently and impartially in performing their functions and exercising their powers.

(2) The Commissioner is not subject to the direction or control of any person, including but not limited to the Minister, in respect of the performance of their functions or exercise of their powers.

3D Conflict of interest

The Commissioner must avoid any actual or potential conflict of interest with their function as the Commissioner.

3E Functions and powers of the Commissioner

(1) The Commissioner has the following functions—

(a) overseeing the maintenance of the Register;

(b) overseeing Members' observance of the Code of Conduct;

(c) providing confidential advice to Members regarding compliance with Part 4 and observance of the Code of Conduct;

(d) providing advice to Presiding Officers on the interpretation of the Code of Conduct;

(e) providing training and advice to Members regarding conduct, propriety and ethics;

- (f) recommending to the Presiding Officers appropriate changes to the Code of Conduct;
 - (g) investigating any alleged contravention of a requirement under Part 3 or 4 by a Member or former Member.
- (2) The Commissioner has power to do all things that are necessary or convenient to be done for or in connection with the performance of the Commissioner's functions.

3F Investigation by Commissioner of alleged contraventions

- (1) The Commissioner may investigate an alleged contravention of a requirement under Part 3 or 4 by a Member or former Member—
- (a) on the Commissioner's own initiative; or
 - (b) on the referral of an allegation to the Commissioner by a Member.
- (2) If the Commissioner investigates an alleged contravention under subsection (1), the Commissioner must—
- (a) prepare a report of the Commissioner's findings in relation to the alleged contravention; and
 - (b) submit that report to the Privileges Committee of the House of which the Member or former Member who is alleged to have contravened the requirement is or was a Member; and
 - (c) if the Commissioner determines that the alleged contravention may involve conduct that may constitute a criminal offence, refer the alleged contravention to the appropriate law enforcement agency.

3G Terms and conditions of the Commissioner's appointment

- (1) The Commissioner holds office for the period not exceeding 5 years as is specified in the instrument of appointment.
- (2) The Commissioner—
- (a) is appointed on a sessional basis; and
 - (b) is not eligible for re-appointment; and
 - (c) is entitled to be paid the prescribed remuneration; and
 - (d) subject to this Act, is appointed on the terms and conditions that are specified in the instrument of appointment.
- (3) The remuneration of the Commissioner cannot be reduced during their term of office unless they consent to the reduction.
- (4) The **Public Administration Act 2004** does not apply to the Commissioner in respect of the office of Commissioner.

3H Vacancy, resignation and removal from office of Commissioner

- (1) The Commissioner ceases to hold office if the Commissioner—
- (a) resigns by writing delivered to the Governor in Council; or
 - (b) becomes an insolvent under administration; or
 - (c) is convicted, or found guilty, of an indictable offence or an offence that, if committed in Victoria, would be an indictable offence; or
 - (d) nominates for election as a Member or otherwise becomes a Member; or

- (e) becomes a represented person within the meaning of the **Guardianship and Administration Act 1986**; or
- (f) is removed from office in accordance with subsection (2); or
- (g) dies.

(2) The Governor in Council may remove the Commissioner from office on any of the following grounds—

- (a) misconduct;
- (b) neglect of duty;
- (c) inability to perform the duties of the office;
- (d) any other ground on which the Governor in Council is satisfied that the Commissioner is unfit to hold office.

3I Annual report of Commissioner

(1) As soon as practicable after the end of the financial year but not later than the following 31 October, the Commissioner must submit to the Presiding Officers an annual report containing the following in relation to the period of 12 months ending on the preceding 30 June—

- (a) the number of requests for confidential advice made by Members to the Commissioner;
- (b) details of any advice the Commissioner provided to Presiding Officers relating to the interpretation of the Code of Conduct;
- (c) details of any changes to the Code of Conduct recommended by the Commissioner to the Presiding Officers;
- (d) the number of requests for training or advice regarding conduct, propriety and ethics made by Members to the Commissioner;
- (e) the subject matter of any training or advice described in paragraph (d);
- (f) the number of investigations conducted by the Commissioner into alleged contraventions of requirements under Part 3 or 4;
- (g) any other prescribed matter.

(2) The Commissioner must cause an annual report under subsection (1) to be laid before each House of Parliament within 5 sitting days after submitting the report to the Presiding Officers.

3J Confidentiality

A person who is or was the Commissioner must not knowingly disclose any information acquired by the person by reason of being the Commissioner or in the course of the performance of functions under this Act, except—

- (a) for the performance of the functions of the Commissioner under this Act; or
- (b) if the information is in the public domain at the time of the disclosure, otherwise than as a result of a disclosure that the person knows or ought to have known was unlawful; or
- (c) as is otherwise authorised or required under this Act or any other Act."

Suggested amendments circulated by Dr Ratnam (set B)

1. **Suggested amendment to the Legislative Assembly -**
 Clause 17, page 18, lines 12 to 14, omit all words and expressions on those lines and insert—
 - "(a) not set the basic salary at a rate that is higher than the basic salary in place immediately before the making of the Determination increased by the higher of—
 - (i) any rate provided for annual indexation by any statement or policy issued by the Government of Victoria which is in force with respect to its wages policy (or equivalent); or
 - (ii) 2.5 per cent; and".

2. **Suggested amendment to the Legislative Assembly -**
 Clause 17, page 18, lines 25 to 33, omit all words and expressions on those lines.

3. **Suggested amendment to the Legislative Assembly -**
 Clause 17, page 19, after line 18 insert—
 - "(b) not set the basic salary at a rate that is higher than the amount of the basic salary and any expense allowances in place immediately before the making of the first Determination increased by the higher of—
 - (i) any rate provided for annual indexation by any statement or policy issued by the Government of Victoria which is in force with respect to its wages policy (or equivalent); or
 - (ii) 2.5 per cent; and".

4. **Suggested amendment to the Legislative Assembly -**
 Clause 17, page 19, line 26, omit "portion;" and insert "portion at a rate that is not more than any rate provided for annual indexation by any statement or policy issued by the Government of Victoria which is in force with respect to its wages policy (or equivalent);".

5. **Suggested amendment to the Legislative Assembly -**
 Clause 17, page 19, lines 27 to 28, omit all words and expressions on those lines.

6. **Suggested amendment to the Legislative Assembly -**
 Clause 18, after line 18 insert—
 - "(2) The annual adjustment provided for in a Determination made under subsection (1) must not be more than any rate provided for annual indexation by any statement or policy issued by the Government of Victoria which is in force with respect to its wages policy (or equivalent)".

Amendments circulated by Dr Ratnam (set C)

1. Clause 45, line 4, omit "10" and insert "5".

2. Clause 45, lines 7 to 11, omit all words and expressions on those lines and insert—
 - "(b) cause a copy of a report of the review to be laid before each House of Parliament on or before the later of the following—
 - (i) the end of the period of 1 month after the day on which the review is completed; or
 - (ii) the next sitting day of the House."

3. Clause 59, page 71, line 22, omit "10" and insert "5".

4. Clause 59, page 71, lines 29 to 33, omit all words and expressions on those lines and insert—
 - "(b) cause a copy of a report of the review to be laid before each House of Parliament on or before the later of the following—

- (i) the end of the period of 1 month after the day on which the review is completed;
or
- (ii) the next sitting day of the House."."

5. Clause 77, page 91, line 1, after "**activities**" insert "**of Members**".

6. Clause 77, page 91, after line 18 insert—

"15A Post-retirement activities of Ministers and Parliamentary Secretaries

- (1) A former Member who has held office as a Minister or Parliamentary Secretary must not, after they cease to be a Member, act for or on behalf of any person or organisation in connection with any specific proceeding, transaction, negotiation or case to which the Crown is a party and in relation to which they have had any direct and significant official dealings as a Minister or Parliamentary Secretary.
- (2) A former Member who has held office as a Minister or Parliamentary Secretary must not, after they cease to be a Member, give advice to a client, business associate or employer using information gained in the performance of their public duties that is not available to the public.
- (3) Subject to subsection (6), a former Member who has held office as a Minister or Parliamentary Secretary must not, after they cease to be a Member, enter into a contract of service with, accept an appointment to a board of directors of, or accept an offer of employment with an entity with which the former Member had direct and significant official dealings during the period of one year immediately before they ceased to be a Minister or Parliamentary Secretary.
- (4) Subject to subsection (6), a former Member who has held office as a Minister or Parliamentary Secretary must not, after they cease to be a Member, make representations, whether for remuneration or not, for or on behalf of any other person or entity to any department, organisation, board, commission or tribunal with which the former Member had direct and significant official dealings during the period of one year immediately before they ceased to be a Minister or Parliamentary Secretary.
- (5) Subject to subsection (6), a former Member who has held office as a Minister or Parliamentary Secretary must not, after they cease to be a Member, make representations to a current Minister or Parliamentary Secretary who was a Minister or Parliamentary Secretary at the same time as the former Member was a Minister or Parliamentary Secretary during the period of 2 years immediately before the former Member ceased to be a Member.
- (6) Subsections (3), (4) and (5) apply to a former Member during the period of 2 years after the day on which they ceased to be a Member."

7. Clause 79, lines 29 to 33 and page 103, lines 1 to 13, omit all words and expressions on those lines.

8. Clause 79, page 105, line 7, omit "10" and insert "5".

9. Clause 79, page 105, lines 14 to 18, omit all words and expressions on those lines and insert—

- "(b) cause a copy of a report of the review to be laid before each House of Parliament on or before the later of the following—
 - (i) the end of the period of 1 month after the day on which the review is completed;
or
 - (ii) the next sitting day of the House."."

2. JUSTICE LEGISLATION AMENDMENT (POLICE AND OTHER MATTERS) BILL 2019

Amendments circulated by Mr Bourman

1. Clause 1, page 3, lines 21 to 22, omit all words and expressions on these lines.
2. Clause 38, omit this clause.
3. Heading to clause 44, omit "**sections 221 and 222**" and insert "**section 221**".
4. Clause 44, lines 24 to 33, page 42, lines 1 to 35 and page 43, lines 1 to 17, omit all words and expressions on these lines.
5. Clause 44, page 43, line 18, omit "**222**" and insert "**221**".
6. Clause 45, omit this clause.

Amendments circulated by Mr Grimley

Clause 49, after line 25 insert—

"() After section 64(2) of the **Sex Offenders Registration Act 2004** insert—

"(2A) Despite subsection (1), the Chief Commissioner of Police or a person authorised to have access to the Register or any part of the Register may disclose personal information in the Register relating to a registrable offender to any of the following persons—

- (a) a person who is the spouse or domestic partner of the registrable offender;
- (b) a person who is a parent, child or sibling of the registrable offender;
- (c) a person who resides in the same premises as the registrable offender."

Amendments circulated by Mr Limbrick (set A)

- 1 Clause 1, page 2, line 1, omit "new offences " and insert "a new offence".
- 2 Clause 1, page 2, lines 2 to 4, omit "and intimidation of law enforcement officers and family members".
- 3 Part heading preceding clause 3, omit "**and intimidation offences**".
- 4 Clause 3, line 6, omit "**sections 31C and 31D**" and insert "**section 31C**".
- 5 Clause 3, page 8, line 36, omit "**2011.**" and insert "**2011.**".
- 6 Clause 3, page 9, lines 1 to 34, page 10, lines 1 to 35, page 11, lines 1 to 33, and page 12, lines 1 to 9, omit all words and expressions on these lines.

Amendments circulated by Mr Limbrick (set B)

- 1 Clause 1, page 4, lines 3 to 19, omit all words and expressions on these lines.
- 2 Clause 1, page 4, lines 20 to 31, omit all words and expressions on these lines.
- 3 Part heading preceding clause 52, omit this heading.
- 4 Division heading preceding clause 52, omit this heading.
- 5 Clause 52, omit this clause.

- 6 Clause 53, omit this clause.
- 7 Clause 54, omit this clause.
- 8 Clause 55, omit this clause.
- 9 Clause 56, omit this clause.
- 10 Clause 57, omit this clause.
- 11 Clause 58, omit this clause.
- 12 Clause 59, omit this clause.
- 13 Clause 60, omit this clause.
- 14 Clause 61, omit this clause.
- 15 Clause 62, omit this clause.
- 16 Clause 63, omit this clause.
- 17 Clause 64, omit this clause.
- 18 Clause 65, omit this clause.
- 19 Clause 66, omit this clause.
- 20 Clause 67, omit this clause.
- 21 Clause 68, omit this clause.
- 22 Clause 69, omit this clause.
- 23 Clause 70, omit this clause.
- 24 Clause 71, omit this clause.
- 25 Clause 72, omit this clause.
- 26 Clause 73, omit this clause.
- 27 Clause 74, omit this clause.
- 28 Clause 75, omit this clause.
- 29 Clause 76, omit this clause.
- 30 Clause 77, omit this clause.
- 31 Clause 78, omit this clause.
- 32 Division heading preceding clause 79, omit this heading.
- 33 Clause 79, omit this clause.
- 34 Division heading preceding clause 80, omit this heading.
- 35 Clause 80, omit this clause.

AMENDMENT OF LONG TITLE

- 36 Long title, omit "the **Corrections Act 1986**".

Amendments circulated by Mr Limbrick (set C)

- 1 Clause 52, lines 10 to 12, omit all words and expressions on these lines.
- 2 Clause 52, line 13, omit "(ii)" and insert "(i)".
- 3 Clause 52, line 15, omit "(iii)" and insert "(ii)".
- 4 Clause 52, lines 20 to 22, omit all words and expressions on these lines.
- 5 Clause 52, line 23, omit "(ii)" and insert "(i)".
- 6 Clause 52, line 25, omit "(iii)" and insert "(ii)".
- 7 Clause 55, lines 31 to 33, omit all words and expressions on these lines.
- 8 Clause 55, page 52, line 1, omit "(b)" and insert "(a)".
- 9 Clause 55, page 52, line 3, omit "(c)" and insert "(b)".
- 10 Clause 55, page 52, lines 10 to 12, omit all words and expressions on these lines.
- 11 Clause 55, page 52, line 13, omit "(b)" and insert "(a)".
- 12 Clause 55, page 52, line 15, omit "(c)" and insert "(b)".
- 13 Clause 55, page 53, lines 21 and 22, omit "which the person is suspected of having committed or".
- 14 Clause 55, page 53, lines 27 to 29, omit "which the child is believed on reasonable grounds of having committed or".
- 15 Clause 55, page 54, lines 16 to 27, omit all words and expressions on these lines and insert—

"person and the charge for the indictable offence or the DNA sample offence (as the case requires) is not proceeded with or the DNA person is not found guilty of the offence whether on appeal or otherwise before the end of the period of 12 months after the taking of the sample,".
- 16 Clause 55, page 57, line 13, before "there are" insert "the person has been charged with an indictable offence or has been summonsed to answer to a charge for an indictable offence and".
- 17 Clause 55, page 57, line 18, before "the person" insert "the person has been charged with a DNA sample offence or has been summonsed to answer to a charge for a DNA sample offence and".

Amendments circulated by Ms Patten

- 1 Clause 1, last line on page 1 and page 2, lines 1 to 18, omit all words and expressions on these lines.
- 2 Part heading preceding clause 3, omit this heading.
- 3 Division heading preceding clause 3, omit this heading.
- 4 Clause 3, omit this clause.
- 5 Clause 4, omit this clause.
- 6 Division heading preceding clause 6, omit this heading.
- 7 Clause 6, omit this clause.
- 8 Division heading preceding clause 7, omit this heading.

- 9 Clause 7, omit this clause.
- 10 Clause 8, omit this clause.
- 11 Clause 49, lines 19 to 25, omit all words and expressions on these lines and insert "**Registration Act 2004**—
- (a) before "purpose" **insert** "sole"; and
 - (b) before "activities" **insert** "judicial".
- 12 Clause 49, page 46, lines 5 to 9, omit all words and expressions on these lines.
- 13 Clause 52, lines 7 and 8, omit "means—(a)" and insert "means".
- 14 Clause 52, line 10, omit "(i)" and insert "(a)".
- 15 Clause 52, line 13, omit "(ii)" and insert "(b)".
- 16 Clause 52, line 15, omit "(iii)" and insert "(c)".
- 17 Clause 52, line 17, omit "or".
- 18 Clause 52, lines 18 to 27, omit all words and expressions on these lines.
- 19 Clause 55, page 52, lines 5 to 16, omit all words and expressions on these lines.
- 20 Clause 55, page 52, line 17, omit "(3)" and insert "(2)".
- 21 Clause 55, page 52, lines 17 and 18, omit "from—(a)" and insert "from".
- 22 Clause 55, page 52, line 19, omit "(i)" and insert "(a)".
- 23 Clause 55, page 52, line 21, omit "(ii)" and insert "(b)".
- 24 Clause 55, page 52, line 23, omit "464SE; or" and insert "464SE".
- 25 Clause 55, page 52, lines 24 to 30, omit all words and expressions on these lines.
- 26 Clause 55, page 53, lines 1 and 2, omit "**and their parent or guardian**".
- 27 Clause 55, page 53, lines 3 to 6, omit all words and expressions on these lines.
- 28 Clause 55, page 53, line 7, omit "(2)" and insert "(1)".
- 29 Clause 55, page 53, line 7, omit "or a parent or guardian".
- 30 Clause 55, page 53, line 10, omit "or the parent or guardian".
- 31 Clause 55, page 53, lines 12 and 13, omit "or the parent or guardian".
- 32 Clause 55, page 53, lines 14 and 15, omit "or the parent or guardian".
- 33 Clause 55, page 53, line 20, omit "for a DNA person who is an adult,".
- 34 Clause 55, page 53, lines 26 to 35, and page 54, lines 1 and 2, omit all words and expressions on these lines.
- 35 Clause 55, page 54, line 3, omit "(f)" and insert "(d)".
- 36 Clause 55, page 54, line 6, omit "(g)" and insert "(e)".
- 37 Clause 55, page 54, line 15, omit "(h)" and insert "(f)".

- 38 Clause 55, page 54, line 29, omit "(i)" and insert "(g)".
- 39 Clause 55, page 54, lines 29 and 30, omit "or the parent or guardian".
- 40 Clause 55, page 54, line 32, omit "(j)" and insert "(h)".
- 41 Clause 55, page 54, lines 32 and 33, omit "or the parent or guardian".
- 42 Clause 55, page 55, line 1, omit "(3)" and insert "(2)".
- 43 Clause 55, page 55, line 2, omit "or a parent or guardian".
- 44 Clause 55, page 55, line 3, omit "(2)" and insert "(1)".
- 45 Clause 55, page 55, lines 11 to 13, omit "or the parent or guardian of the child if the child's legal practitioner is not known".
- 46 Clause 55, page 55, line 29, omit "(4)" and insert "(3)".
- 47 Clause 55, page 56, lines 10 to 13, omit all words and expressions on these lines.
- 48 Clause 55, page 56, lines 31 to 33, omit "or the Children's Court (as the case requires)".
- 49 Clause 55, page 57, line 4, omit "for a DNA person who is an adult,".
- 50 Clause 55, page 57, lines 7 to 11, omit all words and expressions on these lines.
- 51 Clause 55, page 57, line 12, omit "(e) for a DNA person who is an adult," and insert "(d)".
- 52 Clause 55, page 57, lines 17 to 21, omit all words and expressions on these lines.
- 53 Clause 55, page 57, line 22, omit "(g)" and insert "(e)".
- 54 Clause 55, page 57, line 29, omit ", 464U".
- 55 Clause 55, page 58, lines 6 and 7, omit ", 464U".
- 56 Clause 55, page 58, lines 22 and 23, omit all words and expressions on these lines.
- 57 Clause 55, page 58, line 24, omit "(c)" and insert "(b)".
- 58 Clause 55, page 59, line 35, and page 60, line 1, omit "—(i)".
- 59 Clause 55, page 60, line 2, omit "practitioner; or" and insert "practitioner.".
- 60 Clause 55, page 60, lines 3 to 5, omit all words and expressions on these lines.
- 61 Clause 55, page 60, lines 16 and 17, omit "and to the parent or guardian of a DNA person who is a child".
- 62 Clause 56, page 61, lines 1 to 4, omit all words and expressions on these lines.
- 63 Clause 57, lines 30 and 31, omit "Subdivision—(a)" and insert "Subdivision,".
- 64 Clause 57, page 62, lines 1 and 2, omit "taken; and" and insert "taken.".
- 65 Clause 57, page 62, lines 3 to 9, omit all words and expressions on these lines.
- 66 Clause 58, page 64, line 26, omit "practitioner." and insert "practitioner.".
- 67 Clause 58, page 64, lines 27 to 34, omit all words and expressions on these lines.

- 68 Clause 59, lines 8 and 9, omit "(a)".
- 69 Clause 59, line 10, omit "practitioner; and" and insert "practitioner."
- 70 Clause 59, lines 11 and 12, omit all words and expressions on these lines.
- 71 Clause 63, page 76, lines 4 to 23, omit all words and expressions on these lines.
- 72 Clause 67, omit this clause.

Amendments circulated by Dr Ratnam

1. Clause 38, line 7, omit "**B**" and insert "**C**".
2. Clause 38, line 8, omit "(d)" and insert "(b)".
3. Clause 38, line 9, omit "(e)" and insert "(ba)".
4. Clause 44, after line 30 insert—

"(a) a person who holds a lever action shotgun under a Category A longarm licence or a Category B longarm licence may possess, carry and use a lever action shotgun for a period of 6 months after the commencement of section 38 of that Act unless the licence is sooner revoked or cancelled; and".
5. Clause 44, lines 31 to 33 and page 42, lines 1 to 25, omit all words and expressions on these lines.
6. Clause 44, page 42, line 26, omit "(c)" and insert "(b)".
7. Clause 44, page 42, line 34, omit "B" and insert "C".
8. Clause 44, page 43, line 6, omit "(d)" and insert "(c)".
9. Clause 44, page 43, line 14, omit "(c)" and insert "(b)".

