



LEGISLATIVE COUNCIL

MINUTES OF THE PROCEEDINGS

Nos. 38, 39 and 40

No. 38 — Tuesday, 29 October 2019

- 1 The President took the Chair, read the Prayer and made an Acknowledgement of Country.
- 2 **ASSENT TO ACTS** — The President read a Message from the Governor informing the Council that she had, on 22 October 2019, given the Royal Assent to the following Acts presented to her by the Clerk of the Parliaments:

Health Legislation Amendment and Repeal Act 2019
Marine and Fisheries Legislation Amendment Act 2019
Superannuation Legislation Amendment Act 2019.

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

NORTH RICHMOND COMMUNITY HEALTH CENTRE REVIEW — Ms Mikakos having given answers to a question without notice and supplementary question relating to the North Richmond Community Health Centre review —

On the motion of Ms Crozier, the Minister's answers were ordered to be taken into consideration on the next day of meeting.

QUESTIONS — Questions without notice and Ministers' Statements continued.

RAIL COSTS OF GRAIN TRANSPORTATION — Ms Symes having given answers to a question without notice and supplementary question relating to rail costs of grain transportation —

On the motion of Mr Davis, the Minister's answers were ordered to be taken into consideration on the next day of meeting.

QUESTIONS — Questions without notice and Ministers' Statements continued 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:

- **North Richmond Community Health Centre review** — substantive question asked by Ms Crozier — response from Ms Mikakos due Wednesday, 30 October 2019.
- **Racing Industry Royal Commission** — substantive question asked by Mr Meddick — response from Mr Somyurek due Thursday, 31 October 2019.
- **Access to medical terminations** — substantive and supplementary questions asked by Ms Patten — response from Ms Mikakos due Wednesday, 30 October 2019.

- 4 **CONSTITUENCY QUESTIONS** — Constituency questions were taken pursuant to Standing Order 8.08.

5 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. 13 of 2019 (including Appendices) from the Scrutiny of Acts and Regulations Committee.

Ordered to be published.

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PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE — 2019-20 BUDGET ESTIMATES —

Pursuant to section 35 of the *Parliamentary Committees Act 2003*, Ms Stitt presented a Report on the 2019-20 Budget Estimates (including Appendices) from the Public Accounts and Estimates Committee, and further presented Transcripts of Evidence.

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

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OMBUDSMAN — ANNUAL REPORT 2018-19 — Pursuant to section 25AA(4)(c) of the *Ombudsman Act 1973*, the Clerk laid on the Table a copy of the Ombudsman's Annual Report 2018-19.

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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:

Health Complaints Commissioner — Report, 2018-19.

Independent Broad-based Anti-corruption Commission — Report, 2018-19 (*Ordered to be published*).

LanguageLoop — Report, 2018-19.

Occupational Health and Safety Act 2004 — Report, 2018-19 of requests for the approval of persons or bodies by the Governor in Council under section 11 of the Act.

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

Boroondara Planning Scheme — Amendment C303.

Frankston Planning Scheme — Amendment C127.

Greater Dandenong Planning Scheme — Amendment C207.

Greater Geelong Planning Scheme — Amendment C388.

Greater Shepparton Planning Scheme — Amendment C220.

Mitchell Planning Scheme — Amendments C130 and C138.

Moorabool Planning Scheme — Amendment C94.

Mornington Peninsula Planning Scheme — Amendment C214.

Nillumbik Planning Scheme — Amendment C123.

Queenscliffe Planning Scheme — Amendment C32.

Wangaratta Planning Scheme — Amendment C71.

Wellington Planning Scheme — Amendment C103.

Yarra Planning Scheme — Amendment C267.

Renewable Energy (Jobs and Investment) Act 2017 — Victorian Renewable Energy Target — Progress Report, 2018-19, under section 8 of the Act.

Statutory Rules under the following Acts of Parliament —

Coroners Act 2008 — No. 97.

Estate Agents Act 1980 — No. 98.

Health Services Act 1988 — No. 99.

Road Safety Act 1986 — No. 100.

Subordinate Legislation Act 1994 —

Documents under section 15 in respect of Statutory Rule Nos. 87, 91, 93, 95 to 97 and 100.

Legislative instrument and related documents under section 16B in respect of Minister's approval 31 July 2019 of the Victorian Commercial Passenger Vehicle Code of Practice Part 1: Risk Culture and Safety Management under the Commercial Passenger Vehicle Industry Act 2017.

Victorian Electoral Commission —
Report, 2018-19.

Report to Parliament on the 2018 Victorian State Election.

Workplace Injury Rehabilitation and Compensation Act 2013 — Report, 2018-19 of requests for the approval of persons or bodies by the Governor in Council under item 16 of Schedule 8 of the Act, pursuant to section 595(4).

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

Transport Legislation Amendment (Road Safety, Rail and Other Matters) Act 2017 — Parts 2.5 and 2.6, Division 2 of Part 2.7 and sections 71 and 73 — 29 October 2019 — Remaining Provisions — 1 December 2019 (*Gazette No. S424, 22 October 2019*).

6 BUSINESS OF THE COUNCIL — Mr Barton moved, by leave, That precedence be given to the following General Business on Wednesday, 30 October 2019 —

- (1) Order of the Day No. 4, second reading of the Commercial Passenger Vehicle Industry Amendment Bill 2019;
- (2) Order of the Day No. 1, second reading of the Planning and Environment Amendment (Local Democracy) Bill 2019;
- (3) Notice of Motion No. 93 standing in the name of Dr Ratnam referring a matter to the Environment and Planning Committee relating to Victoria's ecosystems;
- (4) Notice of Motion No. 179 standing in the name of Dr Ratnam in relation to the private sales of surplus Crown land and State Government owned freehold land;
- (5) the notice of motion given this day by Ms Crozier in relation to the North Richmond Medically Supervised Injecting Room;
- (6) the notice of motion given this day by Mr Davis in relation to the production of documents relating to Infrastructure Victoria;
- (7) the notice of motion given this day by Mr O'Donohue in relation to Fines Victoria;
- (8) Order of the Day No. 14, relating to the Shepparton Education Plan;
- (9) Order of the Day No. 17, relating to the Murray Basin Rail Project; and
- (10) the notice of motion given this day by Ms Maxwell in relation to the production of documents relating to the Youth Crime Prevention Grants program.

Question — put and agreed to.

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

8 BUSINESS POSTPONED — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 127 to 140, be postponed until later this day.

9 LAND (REVOCATION OF RESERVATIONS) BILL 2019 — Ms Mikakos 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 Mikakos, the second reading speech was incorporated into Hansard.

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

On the motion of Mr O'Donohue, the debate was adjourned for one week.

10 PRIMARY INDUSTRIES LEGISLATION AMENDMENT 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 O'Donohue, Mr Meddick, Mr Bourman, 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, 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 RAIL SAFETY LEGISLATION AMENDMENT (NATIONAL SERVICES DELIVERY AND RELATED REFORMS) 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 Davis were circulated.

Question — put and agreed to.

Bill read a second time.

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

Mr Davis moved, That it be an instruction to the Committee that they have the power to consider amendments and New Clauses to amend the *Rail Management Act 1996* to provide for parliament oversight of the sale and lease of railway track, tramway track and rolling stock by the Crown or statutory bodies.

Question — put and agreed to.

Bill 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 LAND (REVOCAION OF RESERVATIONS) BILL 2019 — STATEMENT OF COMPATIBILITY TABLED IN LIEU — Ms Symes moved, by leave, That in relation to the Land (Revocation of Reservations) Bill 2019, the statement of compatibility with the *Charter of Human Rights and Responsibilities Act 2006* be tabled in lieu of that tabled earlier this day.

Question — put and agreed to.

13 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 6.04 p.m., adjourned until tomorrow.

ANDREW YOUNG
Clerk of the Legislative Council

No. 39 — Wednesday, 30 October 2019

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

2 **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 — Legislative instrument and related documents under section 16B in respect of the Victorian Protective Data Security Standards of 28 October 2019 under the Privacy and Data Protection Act 2014.

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

4 **COMMERCIAL PASSENGER VEHICLE INDUSTRY AMENDMENT BILL 2019** — Mr Barton laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Mr Barton moved, That the Bill be now read a second time.

On the motion of Ms Stitt, the debate was adjourned for two weeks.

5 **PLANNING AND ENVIRONMENT AMENDMENT (LOCAL DEMOCRACY) BILL 2019** — Mr Hayes laid on the Table the statement of compatibility as required by the *Charter of Human Rights and Responsibilities Act 2006*.

Mr Hayes moved, That the Bill be now read a second time.

On the motion of Ms Stitt, the debate was adjourned for two weeks.

6 ENVIRONMENT AND PLANNING COMMITTEE REFERENCE — VICTORIA'S ECOSYSTEMS — Dr Ratnam moved, That this House —

- (1) notes that the recent UN Global Assessment Report on Biodiversity and Ecosystem Services found that more animals and plants are threatened with extinction than ever before in human history, and that the decline of ecosystems threatens the resilience of agriculture and human wellbeing;
- (2) further notes that the Victorian State of the Environment Report demonstrates significant decline in Victoria's natural environment as well as increasing rates of native species extinction;
- (3) requires the Environment and Planning Committee to inquire into, consider and report, within 12 months, on the decline of Victoria's ecosystems and measures to restore habitats and populations of threatened and endangered species, including but not limited to —
 - (a) the extent of the decline of Victoria's biodiversity and the likely impact on people, particularly First Peoples, and ecosystems, if more is not done to address this, including consideration of climate change impacts;
 - (b) the adequacy of the legislative framework protecting Victoria's environment, including grasslands, forests and the marine and coastal environment, and native species;
 - (c) the adequacy and effectiveness of government programs and funding protecting and restoring Victoria's ecosystems;
 - (d) legislative, policy, program, governance and funding solutions to facilitate ecosystem and species protection, restoration and recovery in Victoria, in the context of climate change impacts;
 - (e) opportunities to restore Victoria's environment while upholding First Peoples' connection to country, and increasing and diversifying employment opportunities in Victoria; and
 - (f) any other related matters.

Debate ensued.

Mr Hayes moved, as an amendment, That in paragraphs (e) and (f) all the words after "Victoria;" be **omitted** and the following be **inserted** in their place —

- "(f) the role of human population growth both at present and considering future projections; and
(g) any other related matters."

Debate ensued.

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

Question — That the motion be agreed to — put and agreed to.

7 RENEWABLE ENERGY (JOBS AND INVESTMENT) 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.

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.

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:

- **Taxi licence holder compensation** — substantive and supplementary questions asked by Mr Barton — response from Mr Jennings due Friday, 1 November 2019.
- **Police management of protesters** — substantive question asked by Dr Ratnam — response from Ms Tierney due Friday, 1 November 2019.

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

10 BUSINESS POSTPONED — Ordered — That the consideration of Notice of Motion, General Business, No. 179, be postponed until later this day.

11 NORTH RICHMOND MEDICALLY SUPERVISED INJECTING FACILITY — Ms Crozier moved, That this House expresses concern at the maladministration of the Andrews Labor Government's publicly funded and controlled medically supervised injecting facility in North Richmond.

Debate ensued.

Question — put.

The Council divided — The President in the Chair.

AYES, 16

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

(Tellers: Mr Grimley and Mrs McArthur)

NOES, 23

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

(Tellers: Dr Kieu and Ms Stitt)

Question negatived.

12 BUSINESS POSTPONED — Ordered — That the consideration of Notices of Motion, General Business, Nos. 195 and 184, and Order of the Day, General Business, No. 3, be postponed until later this day.

13 MURRAY BASIN RAIL PROJECT — Debate resumed on the question, That this House requests that the Minister for Transport Infrastructure, the Hon Jacinta Allan MP, attend a public meeting, to provide information and answer questions about the Murray Basin Rail Project, at a time of day and at a place in Northern Victoria of her choosing, on or before 15 November 2019.

Question — put and agreed to.

14 PRODUCTION OF DOCUMENTS — YOUTH JUSTICE CENTRES — Ms Maxwell moved, That this House —

- (1) notes the difficulties in Victoria's Youth Justice Centres at Malmsbury and Parkville;
- (2) expresses its concern and condemns any attacks on custodial and frontline officers in those Centres;
- (3) calls on the Government to provide a detailed explanation of the measures that will be implemented, between now and the scheduled 2021 completion of the Cherry Creek facility, in order to strengthen safety and security, and better support youth justice workers, at the Malmsbury and Parkville sites; and
- (4) requires the Leader of the Government, in accordance with Standing Order 11.01, to table in the Council by 2.00 p.m. on Wednesday, 20 November 2019, a copy of the 2018 interim evaluation report of the Youth Crime Prevention Grants program, subject to any legal, privacy or security concerns.

Debate ensued.

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

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

16 ADJOURNMENT — Mr Somyurek 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 5.58 p.m., adjourned until tomorrow.

ANDREW YOUNG
Clerk of the Legislative Council

No. 40 — Thursday, 31 October 2019

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

2 PETITION — RESTORATION OF HISTORIC PARK IN CAMBERWELL JUNCTION — Ms Taylor presented a Petition bearing 179 signatures from certain citizens of Victoria requesting that the Legislative Council call on the Government to work with Boroondara City Council to restore the historic park in Camberwell Junction with playgrounds and community facilities and permanently reserve the original crown land allotment 113C for 'public gardens', as it was from 1882 to 1969.

Ordered to lie on the Table.

3 DRUGS, POISONS AND CONTROLLED SUBSTANCES AMENDMENT (PILL TESTING PILOT FOR DRUG HARM REDUCTION) BILL 2019 — Dr Ratnam, and also on behalf of Ms Patten, introduced *A Bill for an Act to amend the Drugs, Poisons and Controlled Substances Act 1981 to provide for a pilot of pill-testing services for the purposes of drug harm reduction and to make consequential amendments and for other purposes.*

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

4 ORDER OF THE DAY DISCHARGED — Dr Ratnam moved, by leave, That Order of the Day, General Business, No. 5, Drugs, Poisons and Controlled Substances Amendment (Pill Testing Pilot for Drug Harm Reduction) Bill 2019 be read and discharged and the Bill be withdrawn.

Question — put and agreed to.

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

Alpine Resorts Co-ordinating Council — Minister's report of receipt of the 2018-19 report.

Caulfield Racecourse Reserve Trust — Minister's report of receipt of the 2018-19 report.

Commercial Passenger Vehicle Commission — Report, 2018-19.

Commissioner for Children and Young People — Report, 2018-19 (*Ordered to be published*).

Dhelkunya Dja Land Management Board — Minister's report of receipt of the 2018-19 report.

Emerald Tourist Railway Board — Report, 2018-19.

Gippsland Waste and Resource Recovery Group — Minister's report of receipt of the 2018-19 report.

Goulburn Valley Waste and Resource Recovery Group — Minister's report of receipt of the 2018-19 report.

Loddon Mallee Waste and Resource Recovery Group — Minister's report of receipt of the 2018-19 report.

Metropolitan Waste and Resource Recovery Group — Report, 2018-19.

Statutory Rules under the following Acts of Parliament —

Guardianship and Administration Act 1986 — No. 101.

Road Safety Act 1986 — No. 104.

Subordinate Legislation Act 1994 — Nos. 102, 103 and 105.

Subordinate Legislation Act 1994 — Documents under section 15 in respect of Statutory Rule Nos. 92, 98 and 101.

Surveillance Devices Act 1999 — Report, 2018-19 pursuant to section 30L, for —
Australian Criminal Intelligence Commission.

Independent Broad-based Anti-corruption Commission.

Victoria Police.

Victorian Fisheries Authority.

Sustainability Victoria — Report, 2018-19.

Trust for Nature (Victoria) — Report, 2018-19.

Victorian Inspectorate — Report, 2018-19.

Yorta Yorta Traditional Owner Land Management Board — Minister's report of failure to submit the 2018-19 report, together with an explanation for the delay.

6 SITTING OF THE COUNCIL — Mr Jennings moved, That the Council, at its rising, adjourn until Tuesday, 12 November 2019.

Question — put and agreed to.

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

8 BUSINESS POSTPONED — Ordered — That the consideration of Notices of Motion, Government Business, Nos. 127 to 199, be postponed until later this day.

9 DANGEROUS GOODS AMENDMENT (PENALTY REFORM) 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 Rich-Phillips and Mr Quilty were circulated.

Question — put and agreed to.

Bill read a second time.

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

Mr Quilty moved, That it be an instruction to the Committee that they have the power to consider amendments and New Clauses to amend the *Dangerous Goods Act 1985* to require any inspection of a place used for a residential purpose, or a vehicle that is not a commercial vehicle, to be under the authority conferred by a warrant.

Question — put and agreed to.

Bill committed to a Committee of the whole.

House in Committee.

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

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

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:

- **Training and skills budget** — supplementary question asked by Ms Wooldridge — response from Ms Tierney due Monday, 4 November 2019.
- **Housing projections for Southern Metropolitan Region** — substantive and supplementary questions asked by Mr Hayes — response from Ms Symes due Monday, 4 November 2019.
- **Draining of Reedy Lake 3, Kerang** — substantive and supplementary questions asked by Mr Bourman — response from Ms Tierney due Monday, 4 November 2019.
- **Drug driving penalties** — substantive and supplementary questions asked by Mr Grimley — response from Ms Tierney due Monday, 4 November 2019.

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

12 DANGEROUS GOODS AMENDMENT (PENALTY REFORM) BILL 2019 — Bill further considered in Committee of the whole.

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.

13 CHILDREN'S SERVICES AMENDMENT BILL 2019 — 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, by leave, 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.

14 POLICE LEGISLATION AMENDMENT (ROAD SAFETY CAMERA COMMISSIONER 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 O'Donohue 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 Mr O'Donohue were outside the scope of the Bill —

Mr O'Donohue moved, by leave, That it be an instruction to the Committee that they have power to consider amendments and a New Clause to amend the *Crimes Act 1958* to create an offence of harming a police horse.

Question — put and agreed to.

Bill 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.

15 JUSTICE LEGISLATION AMENDMENT (SERIOUS OFFENDERS AND OTHER MATTERS) BILL 2019 — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Serious Offenders Act 2018, the Corrections Act 1986 and certain other Acts and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Pulford (for Ms Symes), 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 O'Donohue, the debate was adjourned for one week.

16 BUILDING AMENDMENT (CLADDING RECTIFICATION) BILL 2019 — The President read a Message from the Assembly presenting *A Bill for an Act to amend the Building Act 1993 in relation to cladding rectification and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Pulford (for Ms Symes), 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 O'Donohue (for Mr Davis), the debate was adjourned for one week.

17 MELBOURNE STRATEGIC ASSESSMENT (ENVIRONMENT MITIGATION LEVY)

BILL 2019 — The President read a Message from the Assembly presenting *A Bill for an Act to impose a levy to fund measures to mitigate impacts on the environment caused by the development of land in Melbourne's growth corridors and to consequentially amend other Acts 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 O'Donohue (for Ms Wooldridge), the debate was adjourned for one week.

18 STATE TAXATION ACTS FURTHER AMENDMENT BILL 2019 — The President read a

Message from the Assembly presenting *A Bill for an Act to amend the Duties Act 2000, the Gambling Regulation Act 2003, the Land Tax Act 2005 and the Valuation of Land Act 1960 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 O'Donohue (for Mr Rich-Phillips), the debate was adjourned for one week.

19 JUSTICE LEGISLATION AMENDMENT (CRIMINAL APPEALS) BILL 2019 — The President

read a Message from the Assembly presenting *A Bill for an Act to amend the Children, Youth and Families Act 2005 and the Criminal Procedure Act 2009 in relation to certain appeals and the powers of the Court of Appeal and to make consequential amendments to the Supreme Court Act 1986 and for other purposes* and requesting the agreement of the Council.

On the motion of Ms Pulford (for Ms Tierney), 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 O'Donohue, the debate was adjourned for one week.

20 ADJOURNMENT — Ms Pulford moved, That the House do now adjourn.

Debate ensued.

And then the Council, at 6.33 p.m., adjourned until Tuesday, 12 November 2019.

ANDREW YOUNG
Clerk of the Legislative Council

COMMITTEE OF THE WHOLE COUNCIL

Supplement to Minutes Nos. 38, 39 and 40

PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2019

Committed Tuesday, 29 October 2019

Amendments circulated: Mr O'Donohue (see pp. 284-5) and Mr Meddick (see pp. 285-6).

Clause 1 — Mr O'Donohue moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 16

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

(Tellers: Mr Bourman and Mr Quilty)

NOES, 24

Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Grimley; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Ms Maxwell; 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: Ms Patten and Ms Taylor)

Question negatived.

Mr Meddick moved Amendment No. 1.

Question — That the amendment be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 5

Dr Cumming; Mr Hayes; Mr Meddick; Ms Patten; Dr Ratnam.

(Tellers: Mr Meddick and Ms Patten)

NOES, 35

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Mr Davis; Mr Elasmarr; Mr Erdogan; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Jennings; Dr Kieu; Mr Leane; Mr Limbrick; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Melhem; Ms Mikakos; Mr O'Donohue; Mr Ondarchie; 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 Limbrick and Ms Vaghela)

Question negatived.

Clause 1 — put and agreed to.

Clauses 2 to 6 — put and agreed to.

Clause 7 — Ms Patten moved Amendment Nos. 1 to 4 — put and negatived.

Clause 7 — put and agreed to.

Clauses 8 to 104 — put and agreed to.

Bill reported without amendment.

RAIL SAFETY LEGISLATION AMENDMENT (NATIONAL SERVICES DELIVERY AND RELATED REFORMS) BILL 2019

Committed Tuesday, 29 October 2019

Amendments circulated: Mr Davis (see pp. 286-7).

Clause 1 — Mr Davis moved Amendment Nos. 1 and 2.

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 17

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; Mr Quilty; Dr Ratnam; Mr Rich-Phillips; Ms Wooldridge.

(Tellers: Mr Hayes and Dr Ratnam)

NOES, 23

Dr Cumming; Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Grimley; Mr Jennings; Dr Kieu; Mr Leane; Ms Maxwell; 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 Cumming and Mr Meddick)

Question negatived.

Clause 1 — put and agreed to.

Clauses 2 to 119 — put and agreed to.

Schedule 1 — put and agreed to.

Bill reported without amendment.

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DANGEROUS GOODS AMENDMENT (PENALTY REFORM) BILL 2019

Committed Thursday, 31 October 2019

Amendments circulated: Mr Rich-Phillips (see pp. 287-8) and Mr Quilty (see pp. 288-9).

Clause 1 — Mr Rich-Phillips moved Amendment Nos. 1 and 2.

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 17

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; Mr Quilty; Dr Ratnam; Mr Rich-Phillips; Ms Wooldridge.

(Tellers: Mr Barton and Mr Bourman)

NOES, 22

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

(Tellers: Mr Gepp and Mr Meddick)

Question negatived.

Mr Quilty moved Amendment Nos. 1 and 2.

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 3

Mr Hayes; Mr Limbrick; Mr Quilty.
(*Tellers: Mr Limbrick and Mr Quilty*)

NOES, 36

Mr Atkinson; Mr Barton; Ms Bath; Mr Bourman; Ms Crozier; Dr Cumming; Mr Davis; Mr Elasmarr; Mr Erdogan; Mr Finn; Ms Garrett; Mr Gepp; Mr Grimley; Mr Jennings; Dr Kieu; Mr Leane; Ms Lovell; Ms Maxwell; Mrs McArthur; Mr Meddick; Mr Melhem; 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 Bourman and Ms Patten*)

Question negatived.

Clause 1 — put and agreed to.

Clause 2 — put and agreed to.

New Clause — Mr Quilty moved Amendment No. 3.

Question — That the New Clause stands part of the Bill — put and negatived.

Clauses 3 to 14 — put and agreed to.

Bill reported without amendment.

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POLICE LEGISLATION AMENDMENT (ROAD SAFETY CAMERA COMMISSIONER AND OTHER MATTERS) BILL 2019

Committed Thursday, 31 October 2019

Amendments circulated: Mr O'Donohue (see p. 289).

Clause 1 — Mr O'Donohue moved Amendment Nos. 1 and 2.

Question — That the amendments be agreed to — put.

The Committee divided — The Deputy President in the Chair.

AYES, 17

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

NOES, 22

Mr Elasmarr; Mr Erdogan; Ms Garrett; Mr Gepp; Mr Hayes; Mr Jennings; Dr Kieu; Mr Leane; Mr Limbrick; Mr Melhem; Ms Patten; Ms Pulford; Mr Quilty; Dr Ratnam; Ms Shing; Mr Somyurek; Ms Stitt; Ms Symes; Ms Taylor; Ms Terpstra; Ms Tierney; Ms Vaghela.
(*Tellers: Ms Garrett and Ms Pulford*)

Question negatived.

Clause 1 — put and agreed to.

Clauses 2 to 16 — put and agreed to.

Bill reported without amendment.

AMENDMENTS CIRCULATED IN RELATION TO —**1. PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL 2019**Amendments circulated by Mr O'Donohue

1. Clause 1, page 2, lines 30 to 35, omit all words and expressions on these lines and insert—

"(e) to amend the **Game Management Authority Act 2014**—

- (i) to make amendments to the objectives and functions of the Authority in relation to game hunting; and
- (ii) to make minor amendments to improve the governance arrangements in that Act; and
- (iii) to allow authorised officers to enforce related offences under other Acts; and
- (iv) to make other miscellaneous amendments to that Act; and".

NEW CLAUSES

2. Insert the following New Clauses to follow clause 40—

'40A Objectives of the Authority

For section 5(b) of the **Game Management Authority Act 2014** substitute—

- "(b) to optimise the social, cultural and economic benefits of game hunting; and
- (c) to support the development of recreational game hunting; and
- (d) to support the development of commercial game hunting; and
- (e) to work cooperatively with game hunting bodies in other States, Territories and the Commonwealth; and
- (f) to perform its functions and exercise its powers in any manner it considers best achieves its objectives."

40B Functions

(1) For section 6(a) of the **Game Management Authority Act 2014** substitute—

"(a) to inform and educate game hunters and the public about rights and obligations in relation to game hunting; and".

(2) For section 6(c) of the **Game Management Authority Act 2014** substitute—

"(c) to monitor, investigate, enforce and promote compliance with this Act and other Acts and the regulations made under those Acts in so far as they relate to game hunting; and".

(3) In section 6(g) of the **Game Management Authority Act 2014**, after "in" insert "relation to recreational and commercial".

(4) In section 6(i)(iv) of the **Game Management Authority Act 2014**, for "habitat." substitute "habitat; and".

(5) After section 6(i) of the **Game Management Authority Act 2014** insert—

- "(j) to provide advice to the Minister or Secretary to assist in the development of strategic policy or legislation in relation to the development or management of game hunting and game management in Victoria; and
- (k) to administer grants approved by the Minister in relation to game and game hunting."

40C Exercise of powers

For section 8(2) of the **Game Management Authority Act 2014** substitute—

- "(2) If the Authority is given a written direction under subsection (1), the Authority must publish the direction—
- (a) in the Government Gazette within 14 days of receiving the direction; and
 - (b) in its annual report; and
 - (c) on its Internet site.".'.

Amendments circulated by Mr Meddick

1. Clause 1, page 3, lines 6 to 9, omit all words and expressions on these lines and insert—

- "(g) to amend the **Meat Industry Act 1993**—
- (i) to allow vehicles to be used as meat processing facilities; and
 - (ii) to provide that certain animals are not consumable animals; and
 - (iii) to make other minor and consequential amendments to that Act; and".

NEW CLAUSES

2. Insert the following New Clause to follow clause 60—

'60A Definitions

In section 3(1) of the **Meat Industry Act 1993**, in the definition of **consumable animal**, paragraph (c)(v) is **repealed**."

3. Insert the following New Clause to follow clause 60—

'60B Definitions

In section 3(1) of the **Meat Industry Act 1993**, in the definition of **consumable animal**, in paragraph (d), after "animal" (where first occurring) **insert** "(other than a rabbit)".

4. Insert the following New Clause to follow clause 60—

'60C Ban on sale or slaughter

After section 35(2) of the **Meat Industry Act 1993 insert**—

"(2A) Despite subsection (2), the Minister must not recommend to the Governor in Council that meat from a horse be exempted from subsection (1)".

5. Insert the following New Clause to follow clause 60—

'60D Ban on sale or slaughter

Before section 35(3) of the **Meat Industry Act 1993 insert**—

"(2B) Despite subsection (2), the Minister must not recommend to the Governor in Council that meat from a rabbit not living in a wild state be exempted from subsection (1)".

NEW CLAUSE

6. Insert the following New Clause to follow clause 63—

'63A New section 95 inserted

After section 94 of the **Meat Industry Act 1993 insert**—

"95 Transitional and savings provisions relating to the Primary Industries Legislation Amendment Act 2019

- (1) This section applies to and in respect of a meat processing facility that held a licence authorising the processing of meat from rabbits not living in the wild immediately before the commencement of section 60B of the amending Act.
- (2) Despite the amendments to this Act made by section 60B of the amending Act, this Act and any instruments made under this Act, as in force

immediately before the commencement of section 60B of the amending Act, continue to apply for the period of the licence in respect of the processing of meat from rabbits not living in the wild and related activities carried out by the meat processing facility on and after the commencement of section 60B as if those amendments had not been made.

(3) In this section—

amending Act means **Primary Industries Legislation Amendment Act 2019**.'. .

2. RAIL SAFETY LEGISLATION AMENDMENT (NATIONAL SERVICES DELIVERY AND RELATED REFORMS) BILL 2019

Amendments circulated by Mr Davis

1. Clause 1, page 2, line 16, omit "**2013.**" and insert "**2013; and**".
2. Clause 1, page 2, after line 16 insert—
 - "(c) to amend the **Rail Management Act 1996** to provide for parliament oversight of the sale and lease of railway track, tramway track and rolling stock by the Crown or statutory bodies."
3. Clause 19, line 7, omit "**Related**" and insert "**Other**".
4. Clause 19, line 14, omit "**Related**" and insert "**Other**".
5. Clause 19, line 25, omit "**Related**" and insert "**Other**".
6. Clause 19, page 100, line 31, omit "**Related**" and insert "**Other**".
7. Clause 19, page 102, line 17, omit "**Related**" and insert "**Other**".
8. Clause 19, page 102, line 26, omit "**Related**" and insert "**Other**".
9. Page 136, after line 12 insert the following heading—

"Division 1A—Amendment of the Rail Management Act 1996".

NEW CLAUSES

10. Insert the following New Clauses to follow clause 106 and the heading proposed by amendment number 9—

"106A Definitions

In section 3(1) of the **Rail Management Act 1996** insert the following definitions—

"critical infrastructure means a railway track, tramway track or rolling stock;

foreign government has the same meaning as in section 4 of the Foreign Acquisitions and Takeovers Act 1975 of the Commonwealth;

foreign person has the same meaning as in section 4 of the Foreign Acquisitions and Takeovers Act 1975 of the Commonwealth;

public entity has the same meaning as in section 3 of the **Public Administration Act 2004**;

relevant agreement means—

- (a) an agreement for the sale or lease of critical infrastructure and any related infrastructure by an entity on behalf of the Crown or a public entity to—
 - (i) a natural person; or
 - (ii) a body corporate that is not a public entity; or

(iii) the Commonwealth, another State or a Territory or an entity that represents the Crown in right of the Commonwealth, another State or a Territory; or

(iv) a foreign government or foreign person; or

(b) an agreement that amends an agreement referred to in paragraph (a);".

106B New Part 1A inserted

After Part 1 of the **Rail Management Act 1996** insert—

"Part 1A—Parliament oversight of sale or lease of critical infrastructure

4 Tabling in Parliament

The Minister must cause a copy of a relevant agreement to be laid before each House of the Parliament within 6 sitting days of that House following the making of the agreement.

5 Revocation

- (1) A relevant agreement may be revoked wholly or in part by resolution of each House of the Parliament passed within 6 sitting days of that House after a copy of the relevant agreement is laid before that House.
- (2) If a relevant agreement is not laid before a House of the Parliament within the period required by section 4, the relevant agreement is taken to be revoked on the day immediately following the end of that period.
- (3) The Minister must cause to be published in the Government Gazette a notice of the revocation of the relevant agreement or part of the relevant agreement.

6 Effect of revocation of relevant amending agreement

- (1) If a relevant amending agreement is revoked under section 5—
 - (a) a provision of the relevant agreement that had been cancelled or revoked by the relevant amending agreement, or by the part of the relevant amending agreement that is revoked, is revived as from the beginning of the day on which the relevant amending agreement or part, was revoked; and
 - (b) a provision of the relevant agreement that had been amended (otherwise than by cancellation or revocation) by the relevant amending agreement, or by the part of the relevant amending agreement that is revoked, takes effect without that amendment as from the beginning of the day on which the relevant amending agreement, or part, was revoked as if the amendment had not been made
- (2) In this section—

relevant amending agreement means an agreement referred to in paragraph (b) of the definition of relevant agreement.". "

11. Clause 110, line 22, omit "**Related**" and insert "**Other**".
12. Long title, after "**Act 2010**" insert ", the **Rail Management Act 1996**".
13. Short title, omit "**Related**" and insert "**Other**".

3. DANGEROUS GOODS AMENDMENT (PENALTY REFORM) BILL 2019

Amendments circulated by Mr Rich-Phillips

1. Clause 1, line 9, omit "persons." and insert "persons; and".
2. Clause 1, after line 9 insert—

"(c) to require an annual report to be submitted to the Minister by the Authority in respect of the storage, transportation and disposal of dangerous goods.".

NEW CLAUSE

3. Insert the following New Clause to follow clause 10—

'10A New section 60D inserted

After section 60C of the **Dangerous Goods Act 1985** insert—

"60D Report on storage, transfer and disposal of dangerous goods

- (1) As soon as practicable after the end of each financial year, the Authority must submit a written report to the Minister containing—
- (a) any information determined by the Minister; and
 - (b) the following information that is known to the Authority—
 - (i) the number of persons who have stored or transferred dangerous goods without authorisation by or under this Act, the regulations or other law;
 - (ii) the suburb of premises where dangerous goods have been stored without authorisation by or under this Act, the regulations or other law;
 - (iii) the quantity of dangerous goods and the technical names, chemical names and trade names (if any) of those goods that have been stored or transferred without authorisation by or under this Act, the regulations or other law;
 - (iv) the number of inspections carried out by the Authority under Division 3 of Part II;
 - (v) the location of premises or places where dangerous goods have been disposed.
- (2) The Minister must cause a report received under subsection (1) to be laid before each House of the Parliament on or before 31 October in each year or, if a House is not sitting on that day, on the first sitting day after 31 October in each year.
- (3) The Authority must publish the report submitted to the Minister under subsection (1) on the Authority's website as soon as practicable after the report has been laid in each House of the Parliament.".'.

AMENDMENT OF LONG TITLE

4. Long title, after "persons" insert "and to require an annual report to be submitted to the Minister by the Authority in respect of dangerous goods".

Amendments circulated by Mr Quilty

1. Clause 1, line 9, omit "persons." and insert "persons; and".
2. Clause 1, after line 9 insert—
 - "(c) to require any inspection of a place used for a residential purpose, or a vehicle that is not a commercial vehicle, to be under the authority conferred by a warrant."

NEW CLAUSES

3. Insert the following New Clause to follow clause 2—

"2A Relationship of this Act to other statutory provisions

Section 8(2) of the **Dangerous Goods Act 1985** is repealed."

4. Insert the following New Clauses before clause 3—

'2B Power to enter places

In section 13(1) of the **Dangerous Goods Act 1985**, after "place" insert "(other than a place used for residential purposes)".

2C Power to inspect vehicles

- (1) In section 13A(1) of the **Dangerous Goods Act 1985**, after "any" **insert** "commercial".
- (2) In section 13A(2) of the **Dangerous Goods Act 1985**, before "vehicle" (wherever occurring) **insert** "commercial".
- (3) In section 13A(3)(b) of the **Dangerous Goods Act 1985**, before "vehicle" (where twice occurring) **insert** "commercial".

2D Places used for residential purposes

- (1) In section 16(1) of the **Dangerous Goods Act 1985** **omit** "only".
- (2) Section 16(2) of the **Dangerous Goods Act 1985** is **repealed**.
- (3) The examples at the foot of section 16(2) are **repealed**.

AMENDMENT OF LONG TITLE

5. Long title, after "persons" insert "and to require any inspection of a place used for a residential purpose, or a vehicle that is not a commercial vehicle, to be under the authority conferred by a warrant".

4. POLICE LEGISLATION AMENDMENT (ROAD SAFETY CAMERA COMMISSION AND OTHER MATTERS) BILL 2019

Amendments circulated by Mr O'Donohue

1. Clause 1, page 2, line 15 for "officers." substitute "officers; and".
2. Clause 1, page 2 after line 15 insert—
 - "(d) to amend the **Crimes Act 1958** to create an offence relating to harming a police horse."
3. Page 10 after line 10 insert the following heading—

"Part 4A—Amendment of the Crimes Act 1958"

4. Insert the following New Clause to follow clause 15 and the heading proposed by amendment number 3—

"15A New section 31E inserted

After section 31D of the **Crimes Act 1958** insert—

'31E Harming or threatening a police horse

A person commits an offence if the person intentionally or recklessly harms or threatens to harm a police horse when the police horse is on duty.

Penalty: 250 penalty units or 12 months imprisonment.!

