



LEGISLATIVE COUNCIL

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 47

WEDNESDAY, 27 NOVEMBER 2019

1 COUNCIL MEETS.— The Council met at 11.00 o'clock in the forenoon and the President read Prayers.

2 PAPERS.— The Clerk of the Council laid upon the Table the following Papers:—

- (1) Health Complaints Commissioner: Annual Report 2018-2019.
- (2) Tasmanian Electoral Commission: Annual Report 2018-2019.
- (3) Parole Board of Tasmania: Annual Report 2018-2019.
- (4) Tasmanian Museum and Art Gallery: Annual Report 2018-2019.
- (5) Legal Aid Commission of Tasmania: Annual Report 2018-2019.
- (6) Tasmanian Heritage Council: Annual Report 2018-2019.
- (7) Natural Resource Management – North: Annual Report 2018-2019.
- (8) Natural Resource Management – South: Annual Report 2019-2019.
- (9) Cradle Coast Authority: Annual Report 2018-2019.
- (10) Police Offences Act 1935: Statutory Rules 2019, No. 68, containing Police Offences Amendment (Prohibited Insignia) Regulations 2019.
- (11) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 944m² situate in the town of Sorell in the Municipal area of Sorell.
- (12) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising area of land containing 544m² situate in the Parish of Kingborough, Land District of Buckingham in the Municipal area of Kingborough.
- (13) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 4241m² and 249m² situate in the Parish of Apslawn, Land District of Glamorgan in the Municipal area of Glamorgan-Spring Bay.
- (14) Land Acquisition Act 1993: Notice of Acquisition of land under Section 18, comprising areas of land containing 352m², 508m², 265m², 352m², 508m² and 265m² situate in the Tasman Highway Great Eastern Drive – Passing lane at Cherry Tree Hill, Cranbrook and Glen Gala Road, Cranbrook in the Municipal area of Glamorgan-Spring Bay.

3 SPECIAL REPORT OF GOVERNMENT ADMINISTRATION COMMITTEE 'A'.— Ms *Forrest* presented a Special Report of Government Administration Committee 'A' in relation to an inquiry initiated by the Committee on its own motion.

Ordered, That the Report be received. (Mr *Forrest*)

4 BILL NO. 36. — The Justice Legislation Amendment (Organisational Liability for Child Abuse) Bill 2019 was read the Third time and passed.

5 BILL NO. 36.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, without Amendment, to the Bill intituled, 'A Bill for an Act to amend the *Civil Liability Act 2002* in relation to the liability of organisations for child abuse and to amend the *Limitation Act 1974* in relation to settlements of certain actions in respect of child abuse, and for related purposes'.

Legislative Council, 27 November 2019

C.M.FARRELL, *President*

6 BILL NO. 47. — The Long Service Leave (State Employees) Amendment Bill 2019 was read the Third time and passed.

7 BILL NO. 47.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, without Amendment, to the Bill intituled, 'A Bill for an Act to amend the *Long Service Leave (State Employees) Act 1994*'.

Legislative Council, 27 November 2019

C.M.FARRELL, *President*

8 BILL NO. 42.— The Order of the Day was read for the further consideration in Committee of the Burial and Cremation Bill 2019.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Armitage* in the Chair.

Postponed Clause 32 as read further considered.

Ordered, That Mrs *Hiscutt*, have leave to Table a document titled "Burial and Cremation Bill 2019 (No. 42) – Proposed amendment to section 32(4)(c)".

Amendment proposed. (Ms *Forrest*)

Page 48, subsection (4), paragraph (c), subparagraph (ii).

Leave out "from the State, or a council."

9 SITTING SUSPENDED.— It being 1.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 2.30 o'clock p.m.

10 QUESTION TIME.— The President called for Questions without Notice. There were five Questions asked.

11 BILL NO. 42.— The Council again resolved itself into a Committee on the Burial and Cremation Bill 2019.

(In the Committee)

Ms *Armitage* in the Chair.

Postponed Clause 32.

Proposed Amendment further considered,

And the Question being put, That the Amendment be agreed to.

Committee divided.

AYES 5

NOES 7

Ms *Forrest*

Ms *Armitage*

Mr *Gaffney*

Mr *Armstrong*

Ms *Lovell* (Teller)

Mr *Dean*

Mr *Valentine*

Mr *Finch*

Mr *Willie*

Mrs *Hiscutt*

Ms *Howlett* (Teller)

Ms *Webb*

Pair:

Pair:

Ms *Siejka*

Ms *Ratray*

So it passed in the Negative.

Clause 32 as read agreed to.

Schedules 1 and 2 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The Council being resumed, Ms *Armitage* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

Ordered, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

12 BILL NO. 45.— The Order of the Day was read for the Second reading of the Poisons Amendment Bill 2019.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 to 7 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

Ordered, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

13 BILL NO. 41.— The Order of the Day was read for the Second reading of the Public Sector Superannuation Reform Amendment Bill 2019.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Forrest* in the Chair.

Clauses 1 to 21 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The Council being resumed, Ms *Forrest* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

Ordered, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

14 ADJOURNMENT.— A Motion was made (Mrs *Hiscutt*) and the Question was put, That the Council will at its rising adjourn until 11.00 o'clock am on Thursday, 28 November 2019.

It was resolved in the Affirmative.

Resolved, That the Council do now adjourn. (Mrs *Hiscutt*)

The Council adjourned at 4.57 o'clock p.m.

D.T. PEARCE, *Clerk of the Council*.

Briefings:

- *Burial and Cremation Bill 2019*
- *Public Sector Superannuation Reform Amendment Bill 2019*
- *Dog Control Bill 2019*