



LEGISLATIVE COUNCIL

SESSION OF 2021

(FIRST SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 13

THURSDAY, 2 SEPTEMBER 2021

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

2 ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE.— The President said: “We meet today on Tasmanian Aboriginal land. We acknowledge and pay respect to the Tasmanian Aboriginal people and elders, past and present. We recognise them as the traditional and original owners and the continuing custodians of this land.”

3 PRAYERS.— The President read Prayers.

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

- (1) University of Tasmania: Annual Report 2020.
- (2) Water and Sewerage Industry Act 2008: Statutory Rules 2020, No. 79, containing Water and Sewerage Industry (General) Amendment Regulations 2020.
- (3) Vehicle and Traffic Act 1999: Statutory Rules 2021, No. 53, containing Vehicle and Traffic (Review of Decisions) Regulations 2021.
- (4) Vehicle and Traffic Act 1999: Statutory Rules 2021, No. 54, containing Vehicle and Traffic (Driver Licensing and Vehicle Registration) Amendment Regulations (No. 2) 2021.
- (5) Vehicle and Traffic Act 1999: Statutory Rules 2021, No. 63, containing Vehicle and Traffic (Driver Licensing and Vehicle Registration) Amendment Regulations (No. 3) 2021.

5 SELECT COMMITTEE ON ROAD SAFETY.— A Motion was made (*Ms Armitage*) and the Question was put, That the Honourable Member for Elwick, Mr *Willie*, be appointed to serve on the Select Committee on Road Safety in Tasmania.

It was resolved in the Affirmative.

6 BUDGET PAPERS 2021-22 AND APPROPRIATION BILLS (NO.1 AND NO.2) 2021: TAKE NOTE.— The Order of the Day was read for resuming the Debate on the Question, That the Budget Papers and the Appropriation Bills (No. 1 and No. 2) 2021 be noted.

The Question was again proposed, and the Council resumed the Debate.

Ordered, That Dr *Seidel*, have leave to Table a document titled ‘The Cost of Elective Surgery Waiting Lists in Tasmania 2019-20 Wells Economic Analysis August 2021’.

And the Question being put,

It was resolved in the Affirmative.

Ordered, That the Budget Papers and the Appropriation Bills (No. 1 and No. 2) 2021 be referred to Estimates Committees ‘A’ and ‘B’ of this Council. (*Mrs Hiscutt*)

7 BILL NO. 14.— The Order of the Day was read for the further consideration in Committee of the Guardianship and Administration Amendment (Advance Care Directives) Bill 2021.

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

(In the Committee)

Ms *Rattray* in the Chair.

Clause 15 as read further considered.

Amendments made. (Ms *Forrest*)

First amendment

Page 38, proposed new section 35I, subsection (5), paragraph (e) after “has a”.

Insert “known”.

Second amendment

Same page, same proposed new section, same subsection, paragraph (f).

Leave out that paragraph.

Insert instead the following paragraph:

- (f) if the person, as a result of his or her position in a hospital, hospice, nursing home or other facility, has a direct or indirect ability to control or influence the care and management of the person giving the advance care directive who is resident at that facility; or

Clause as amended agreed to.

Clauses 16 to 28 agreed.

Title agreed to.

Bill to be reported with Amendments.

The Council being resumed, Ms *Rattray* reported that the Committee had gone through the Bill, and directed her to report the same to the Council with Amendments.

Ordered, That the consideration of the Bill as amended in Committee be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

8 BILL NO. 27.— The Order of the Day was read for the Second reading of the Food Amendment Bill 2021.

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

A Debate arose thereupon.

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 eight Questions asked.

Ordered, That Mrs *Hiscutt* have leave to Table answer to Question from the Honourable Member for Murchison (Ms *Forrest*) about the occupancy of intensive care units in Tasmania's three major hospitals and have the answer incorporated into the Hansard record.

11 BILL NO. 27.— The Council resumed the Debate on the Question, That the Food Amendment Bill 2021 be now read the Second time.

Ordered, That the Debate be adjourned. (Mrs *Hiscutt*)

12 SITTING SUSPENDED.— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells. (Mrs *Hiscutt*)

The Sitting was suspended at 2.51 o'clock p.m. and resumed at 2.57 o'clock p.m.

13 BILL NO. 27.— The Council, according to Order, resumed the Debate on the Question, That the Food Amendment Bill 2021 be now read the Second time.

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*)

14 LEAVE TO TABLE REPORT.— *Ordered*, That Ms *Ratray* have leave to Table a Report of the Joint Parliamentary Standing Committee on Subordinate Legislation.

15 REPORT OF THE JOINT PARLIAMENTARY STANDING COMMITTEE ON SUBORDINATE LEGISLATION.— Ms *Ratray* presented a Report of the Joint Parliamentary Standing Committee on Subordinate Legislation in relation to the scrutiny of Notice issues under section 20 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (Supreme Court of Tasmania) – Report 16.

Ordered, That the Report be received. (Ms *Ratray*)

Ordered, That the Report be printed. (Ms *Ratray*)

16 ADJOURNMENT.— A Motion was made (Mrs *Hiscutt*) and the Question was put, That the Council will at its rising adjourn until 9.30 o'clock a.m. in the forenoon on Friday 17 September 2021. (Mrs *Hiscutt*).

It was resolved in the Affirmative.

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

The Council adjourned at 3.19 o'clock p.m.

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