



HOUSE OF ASSEMBLY

SESSION OF 2022

(THIRD SESSION OF THE FIFTIETH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 21

THURSDAY, 10 NOVEMBER 2022

- 1 The House met at Ten o'clock a.m.
- 2 ACKNOWLEDGEMENT OF TRADITIONAL PEOPLE. - The Speaker made a statement acknowledging the traditional people of the land.
- 3 PRAYERS AND REFLECTION. – The Speaker read Prayers.
- 4 QUESTIONS SEEKING INFORMATION. – In accordance with Standing Order No. 43, Questions without notice commenced.
- 5 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Braddon, Dr *Broad*, to withdraw from the House for the remainder of Question Time owing to repeated interjections.
- 6 QUESTIONS SEEKING INFORMATION. – Questions without notice continued.
- 7 MEMBER SUSPENDED. – In accordance with Standing Order 149, the Speaker directed the Honourable Member for Lyons, Ms *White*, to withdraw from the House for the remainder of Question Time owing to repeated interjections.
- 8 QUESTIONS SEEKING INFORMATION. – Questions without notice continued and concluded.
- 9 PAPERS. – The Premier laid upon the Table of the House the following Papers:-
 - (1) Poisons Act 1971: Poisons Amendment Regulations (No. 2) 2022 (Statutory Rules 2022, No. 78).
 - (2) Response to Petition No. 11 of 2022.
 - (3) Food Act 2003: Food Regulations 2022 (Statutory Rules 2022, No. 77).
 - (4) End-of-Life Choices (Voluntary Assisted Dying) Act 2021: End-of-Life Choices (Voluntary Assisted Dying) Regulations 2022 (Statutory Rules 2022, No. 75).
- 10 PAPERS. – The Minister for Infrastructure and Transport laid upon the Table of the House the following Papers:-
 - (1) Land Acquisition Act 1993: Notice of Acquisition under Section 18:
 - (i) Dated 25 August 2022, land situate in the City of Hobart, Municipal Area of Hobart, being Lot 2 on Plan of Survey 183464 registered in the name of David Andrew Minchin for road purposes; and

(ii) Dated 25 August 2022, land situate in the City of Hobart, Municipal Area of Hobart, being Lot 1 on Plan of Survey 183464 registered in the name of Yousph Ali for road purposes.

(2) Vehicle and Traffic Act 1999: Vehicle and Traffic (Offence Detection Devices) Regulations 2022 (Statutory Rules 2022, No. 76).

11 PAPERS. – The Attorney-General laid upon the Table of the House the following Papers:-

(1) Equal Opportunity Tasmania: Annual Report 2021-22.

(2) Director of Public Prosecutions: Annual Report 2021-22.

(3) Solicitor General: Report for 2021-22.

(4) Office of Public Guardian Tasmania: Annual Report 2021-2022.

(5) Parole Board of Tasmania: Annual Report 2021 to 2022.

12 PAPERS. – The Minister for Police, Fire and Emergency Management laid upon the Table of the House the following Paper:-

Review of the use of Surveillance Devices in Prisons, Terms of Reference.

13 PAPERS. – The Minister for Heritage laid upon the Table of the House the following Paper:-

Tasmanian Heritage Council: Annual Report 2021-22.

14 PAPERS. – The Clerk of the House laid upon the Table of the House the following Papers:-

(1) Health Complaints Commissioner Tasmania: Annual Report 2021-2022.

(2) Ombudsman Tasmania: Annual Report 2021-2022.

15 BILL NO. 63 of 2021. - A Message from the Legislative Council. -

MR SPEAKER

The Legislative Council having this day agreed, with Amendments, to a Bill, intituled -

“A Bill for an Act to amend the Climate Change (State Action) Act 2008”,

now returns the same to the House of Assembly, and requests its concurrence therein.

Legislative Council, 9 November 2022.

C.M. FARRELL, President.

Ordered, That the said Message be taken into consideration at a later hour. (The Minister for Climate Change)

16 BILL NO. 52. – The Minister for Local Government presented -

“A Bill for an Act to amend the Local Government Act 1993”.

And Mr *Street* having presented the said Bill, the same was read the First time and made an Order of the Day for tomorrow.

17 BILL NO. 53. - Mr *Winter* presented -

“A Bill for an Act to amend the Electricity Supply Industry Act 1995”.

And Mr *Winter* having presented the said Bill, the same was read the First time and made an Order of the Day for tomorrow.

18 LEAVE TO MAKE MOTIONS WITHOUT NOTICE. - *Ordered*, That the Minister for Hospitality and Events have leave to make certain Motions without Notice. (The Minister for Hospitality and Events)

19 ADJOURNMENT. - *Ordered*, That the House, at its rising, adjourn till Tuesday, 22 November next. (The Minister for Hospitality and Events)

20 SITTING TIMES. - *Ordered*, That for this day's sitting the House not stand adjourned at Six o'clock and that the House continue to sit past Six o'clock. (The Minister for Hospitality and Events)

21 GOVERNMENT BUSINESSES SCRUTINY COMMITTEE. – *Ordered*, That the House of Assembly appoint a Government Businesses Scrutiny Committee, with leave to sit on 1 and 2 December 2022 to inquire into Government Businesses (GBs) in accordance with the following schedule and rules.

For 2022 the following Government Businesses are allocated to the Committee as detailed below:—

| | |
|---------------------------|---|
| Thursday, 1 December 2022 | Sustainable Timber Tasmania: 0900-1200 (3 hours) TT-Line Company Pty Ltd: 1200-1300, 1400-1500 (2 hours) Tasmanian Ports Corporation Pty Ltd: 1500-1700 (2 hours) |
| Friday, 2 December 2022 | Public Trustee: 0900-1000 (1 hour) Hydro Tasmania: 1000-1300 (3 hours) Tasmanian Networks Pty Ltd: 1400-1700 (3 hours) |

MEMBERSHIP OF THE COMMITTEE—

- (1) The Committee shall consist of six Members appointed by the House as follows:—
The Chair of Committees (Chair);
Mrs *Alexander* (Deputy Chair);
Mr *Wood*
Two Members nominated by the Leader of the Opposition; and
One Member nominated by the Leader of the Greens.
- (2) During sittings, substitute Members may be allowed.
- (3) If a vacancy occurs in the membership of a Committee, the Speaker may nominate a Member in substitution, but in so doing has regard to the composition of the Committee appointed by the House.
- (4) A Committee may proceed with business despite a vacancy in its membership.
- (5) The Chair of a Committee has a deliberative and a casting vote.
- (6) The quorum of a Committee is four of whom one is the Chair of the Committee or Deputy Chair.
- (7) If at any time a quorum is not present, the Chair will suspend proceedings of the Committee until a quorum is present or adjourn the Committee.
- (8) Any time lost for lack of a quorum shall be added to the time allocated to that session.
- (9) Members of the House who have not been appointed as Members of the Committee, may participate in proceedings by asking questions, but not more than two in succession; and may not vote, move any motion or be counted for the purposes of a quorum.
- (10) The responsible Minister and Chairperson of the Board of a GB shall be examined before a Committee for a maximum period of four hours.

SITTING TIMES

- (1) The Committee meets only in accordance with the time-table adopted by the House or as varied by the Chair.
- (2) A one hour period shall be provided each day at the discretion of the Chair for the purpose of a luncheon break.
- (3) The Committee may sit only when the House is not sitting.

HEARINGS

All hearings of the Committee are open to the public except that any evidence stated by a witness to be of a commercially sensitive or confidential nature shall, if requested by at least one Member of the Committee, be heard in camera. Any such evidence shall not be published or in any way divulged by any Member of a Committee or any other person unless the Committee recommends it to the House and the House resolves that the information be made public.

PROCEEDINGS OF A GOVERNMENT BUSINESS SCRUTINY COMMITTEE

- (1) When the activities of a GB are to be examined at a Committee hearing it shall be represented by the responsible Minister and the Chairperson of the Board.
- (2) Questions may be put directly to the responsible Minister and the Chairperson of the Board.
- (3) A Committee may ask for explanations relating to the activities, performance, practices and economic management of the GB.
- (4) The witnesses who are asked for explanations may be assisted where necessary by other officers of the GB in the provision of factual information.
- (5) Officers may answer questions at the request of the responsible Minister but shall not be required to comment on policy matters.
- (6) Time limits of one minute for a question and three minutes for an answer shall apply in a Committee.
- (7) Questions may be asked on a ratio of two Opposition, one Green, and one Government or in such form as the Committee determines.
- (8) A witness may advise a Committee that an answer to a question, or part of a question, will be given later to that Committee, and where possible that Committee sitting day.
- (9) Additional information may be provided to a Committee about an answer given.
- (10) Additional information—
 - (a) is to be written;
 - (b) given by a time decided by a Committee; and
 - (c) may be included in a volume of additional information laid on the Table of the House by the Committee.
- (11) If any Member persistently disrupts the business of a Committee, the Chair
 - (a) names the Member;
 - (b) if the Member named is a Member of the Committee, suspends the sittings of the Committee until he or she has reported the offence to the Speaker; and
 - (c) if the Member named is not a Member of the Committee, orders that Member's withdrawal from the sittings of the Committee until he or she has reported the offence to the Speaker;as soon as practicable, the Chair advises the Speaker who then gives notice that the Member of the Committee be replaced.
- (12) If any objection is taken to a ruling or decision of the Chair,
 - (a) the objection must be taken at once and stated in writing;

- (b) the Chair, as soon as practicable, advises the Speaker who makes a ruling on the matter; and
 - (c) the Committee may continue to meet but may not further examine the matter then under consideration.
- (13) Television coverage will be allowed, subject:—
- (a) to the foregoing provisions contained under “Hearings”; and
 - (b) to the same guidelines that apply to televising of the House of Assembly itself.

TRANSCRIPT

An unedited transcript of Committee proceedings is to be circulated, in a manner similar to that used for other Committee transcripts, as soon as practicable after the Committee's proceedings.

Evidence taken *in camera* shall be printed on coloured paper and shall only be circulated to the Committee Members and shall not be divulged in any way to any other person.

REPORTS OF COMMITTEES

A Report of the Committee is to be brought up by the Chair or the Deputy Chair to the House and shall be the transcript of the public hearings and the minutes of the meetings of the Committee.

LEAVE FOR MINISTERS TO ATTEND L.C. COMMITTEE

And that the House of Assembly give leave to Ministers of the Crown who have relevant portfolio responsibilities to attend any similar Committee established by the Legislative Council if requested by that Committee as follows:—

| | |
|-----------------------------|--|
| Tuesday, 29 November 2022 | Hon Michael Ferguson MP |
| Wednesday, 30 November 2022 | Hon Madeleine Ogilvie MP Hon Guy Barnett MP |

(The Minister for Hospitality and Events)

22 MATTER OF PUBLIC IMPORTANCE: STRONG ECONOMIC AND BUDGET MANAGEMENT. – Mr *Young* in accordance with Standing Orders, moved - That the House take note of the following matter:

Strong Economic and Budget Management.

And the Question being proposed;

A Debate arose thereupon.

And the Question being put;

It was resolved in the Affirmative.

23 BILL NO. 49. - The Appropriation (Supplementary Appropriation for 2022-23) Bill 2022 was, according to Order, read the Second time, and in accordance with Standing Orders, there being no Member wishing to speak to the Clauses in the Committee of the whole House;

Ordered, That the Bill be now read the Third time.

And the Bill was, accordingly, read the Third time.

24 BILL NO. 49. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act for the appropriation of \$163,408,000 out of the Public Account for the services of the Government for the financial year ending on 30 June 2023”,

to which the House desires the concurrence of the Legislative Council.

House of Assembly, 10 November 2022.

MARK SHELTON, *Speaker*.

25 BILL NO. 63 of 2021. - The House, according to Order, proceeded to take into consideration the Amendments made by the Legislative Council to the Climate Change (State Action) Amendment Bill 2021.

(In the Committee)

Amendments

Clause 5

Page 8, proposed new section 4, paragraph (e), after “government”.

Insert “, relevant unions, the peak body representing trade unions”.

Clause 6

First amendment

Page 11, proposed new section 5A, subsection (6), paragraph (e), after “government”.

Insert “, relevant unions, the peak body representing trade unions”.

Second amendment

Page 12, proposed new section 5B, subsection (2) after paragraph (a).

Insert the following paragraph:

(ab) consideration of the risks associated with energy transition, including social and economic impacts.

Clause 8

Page 17, proposed new subsection (3), after “government”.

Insert “, relevant unions, the peak body representing trade unions”.

Clause 11

Page 19, proposed new regulation 5, sub-regulation (2).

Leave out “he or she”.

Insert instead “the Minister”.

Amendments agreed to.

Resolution to be reported.

The House being resumed, Mr *Wood* reported that the Committee had considered the Amendments to it referred, and had come to a certain Resolution which was read as follows:-

To agree to the Amendments of the Legislative Council.

Resolved, That the said Resolution be agreed to. (The Minister for Climate Change)

26 BILL NO. 63 of 2021. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly doth agree to the Amendments made by the Legislative Council to the Bill intituled-

“A Bill for an Act to amend the Climate Change (State Action) Act 2008”.

House of Assembly, 11 November 2022.

MARK SHELTON, *Speaker*.

27 BILL NO. 47. - The Order of the Day being read for the Second reading of the Expansion of House of Assembly Bill 2022.

And a Motion being made, and the Question being proposed - That the Bill be now read the Second time. (The Premier)

A Debate arose thereupon.

28 SUSPENSION OF SITTING. - At One o'clock the Speaker left the Chair. At half-past Two o'clock the Speaker resumed the Chair.

29 BILL NO. 47. - And the Question being again proposed;

The House resumed the Debate.

And the Question being put;

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time, and in accordance with Standing Orders, there being no Member wishing to speak to the Clauses in the Committee of the whole House;

Ordered, That the Bill be now read the Third time.

And the Bill was, accordingly, read the Third time.

30 BILL NO. 47. - A Message to the Legislative Council. -

MR PRESIDENT

The House of Assembly hath passed a Bill, intituled “A Bill for an Act amend the Constitution Act 1934 and the Electoral Act 2004”,

to which the House desires the concurrence of the Legislative Council.

House of Assembly, 10 November 2022.

MARK SHELTON, *Speaker*.

31 BILL NO. 25. - The Order of the Day being read for resuming the adjourned Debate on the Question proposed on Thursday, 27 October 2022 - That the Electoral Disclosure and Funding Bill 2022 be now read the Second time;

And the Question being again proposed;
The House resumed the said adjourned Debate.

And the Question being put;
Ordered, That the Bill be now read the Second time.

And the Bill was, accordingly, read the Second time, and committed to a Committee of the whole House.
And the Speaker having left the Chair, the House resolved itself into the said Committee.

(In the Committee)

Mrs *Alexander* took the Chair.

Clauses 1 to 4 agreed to.

Clause 5 read.

Amendments made (The Minister for Justice)

First Amendment

Page 31, definition of “party subscription”, paragraph (a), after \$5 000”,

Insert “per annum”.

Second Amendment

Page 31, definition of “party subscription”, paragraph (b), after \$5 000”,

Insert “per annum”.

Clause 5, as amended, further considered.

Amendments proposed (Ms *Haddad*)

First amendment

Page 31, subclause (1), definition of “party subscription”, paragraph (a).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Second amendment

Page 31, subclause (1), definition of “party subscription”, paragraph (b).

Leave out “\$5 000”.

Insert instead “\$1 000”.

And the Question being put – That the Amendments be agreed to;

It passed in the Negative.

Clause 5, as amended, agreed to.

Clauses 6 to 12 agreed to.

Clause 13 read.

Amendments proposed (Ms *Haddad*)

First amendment

Page 48, subclause (1).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Second amendment

Page 49, subclause (2), paragraph (a).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Third amendment

Page 49, subclause (2), paragraph (b).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Fourth amendment

Page 49, subclause (2), paragraph (c).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Fifth amendment

Page 49, subclause (2).

Leave out “other donations is \$5 000”.

Insert instead “other donations is \$1 000”.

Sixth amendment

Page 50, subclause (3), paragraph (a).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Seventh amendment

Page 50, subclause (3), paragraph (b).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Eighth amendment

Page 50, subclause (3), paragraph (c).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Ninth amendment

Page 50, subclause (3).

Leave out “other donations is \$5 000”.

Insert instead “other donations is \$1 000”.

Tenth amendment

Page 51, subclause (4), paragraph (a).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Eleventh amendment

Page 51, subclause (4), paragraph (b).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Twelfth amendment

Page 52, subclause (4), paragraph (c).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Thirteenth amendment

Page 52, subclause (4).

Leave out “other donations is \$5 000”.

Insert instead “other donations is \$1 000”.

Fourteenth amendment

Page 52, subclause (5), paragraph (a).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Fifteenth amendment

Page 52, subclause (5), paragraph (b).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Sixteenth amendment

Page 53, subclause (5), paragraph (c).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Seventeenth amendment

Page 53, subclause (5).

Leave out “other donations is \$5 000”.

Insert instead “other donations is \$1 000”.

Eighteenth amendment

Page 53, subclause (6), paragraph (a).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Nineteenth amendment

Page 52, subclause (6), paragraph (c).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Twentieth amendment

Page 53, subclause (6), paragraph (d).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Twenty-first amendment

Page 54, subclause (6), paragraph (e).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Twenty-second amendment

Page 54, subclause (7), paragraph (a).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Twenty-third amendment

Page 54, subclause (7), paragraph (c).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Twenty-fourth amendment

Page 55, subclause (7), paragraph (d).

Leave out “\$5 000”.

Insert instead “\$1 000”.

Twenty-fifth amendment

Page 55, subclause (7), paragraph (e).

Leave out “\$5 000”.

Insert instead “\$1 000”.

And the Question being put – That the Amendments be agreed to;

The Committee divided.

AYES 11

NOES 12

Dr Broad
Ms Butler
Ms Dow
Ms Finlay
Ms Johnston
Ms O'Byrne
Ms O'Connor
Ms White
Mr Winter
Dr Woodruff
Ms Haddad (Teller)

Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Street
Mr Tucker
Mr Young
Mr Wood (Teller)

So it passed in the Negative.

Question put – That Clause 13, as read, stand part of the Bill.

The Committee divided.

AYES 12

NOES 11

Ms Archer
Mr Barnett
Mr Ellis
Mr Ferguson
Mr Jaensch
Ms Ogilvie
Mr Rockliff
Mr Shelton
Mr Street
Mr Tucker
Mr Young
Mr Wood (Teller)

Dr Broad
Ms Butler
Ms Dow
Ms Finlay
Ms Johnston
Ms O'Byrne
Ms O'Connor
Ms White
Mr Winter
Dr Woodruff
Ms Haddad (Teller)

It was resolved in the Affirmative.

Clauses 14 to 29 agreed to.

New Clauses A, B and C were brought up by *Ms O'Connor* and read a First Time as follows:-

Division A – Corporate political donations

“A. Object of Division A

- (1) The object of this Division is to secure and promote the actual and perceived integrity of elections by reducing the risk of corporate or

organisational interests exerting (or being perceived to exert) undue or improper influence on the outcomes of elections.

- (2) This Division aims to achieve this object by restricting the receipt and use of political donations made by anyone other than a natural person.

B. Limitations on eligibility to make donations

- (1) No person or entity other than a natural person who is a citizen or permanent resident of Australia may make a political donation.

Penalty: Fine not exceeding 200 penalty units or imprisonment for a term not exceeding 12 months, or both.

- (2) A person must not make a political donation on behalf of another person or entity.

Penalty: Fine not exceeding 200 penalty units or imprisonment for a term not exceeding 12 months, or both.

- (3) A person or entity must not provide a gift or loan to a person with the intent of facilitating a political donation.

Penalty: Fine not exceeding 200 penalty units or imprisonment for a term not exceeding 12 months, or both.

Division B – General cap on political donations

C. General cap

- (1) A political donation must not exceed the general cap.
- (2) A person must not accept a political donation if the political donation would exceed the general cap.
- (3) A person may accept a political donation in contravention of subsection (2) if the political donation, or so much of the political donation that exceeds the general cap, is made for Commonwealth electoral purposes and is paid into a federal campaign account.
- (4) A contribution by a candidate to their own campaign account is not included in the general cap in respect of that candidate.
- (5) A contribution made by –
 - (a) an endorsed candidate of a party; or
 - (b) a councillor within the meaning of the *Local Government Act 1993*; or
 - (c) a Member of the Australian House of Representatives or Senate; or
 - (d) a Member of the Council or the Assembly –to a party of which they are a registered member, is not included in the general cap in respect of that party.
- (6) In this section **general cap** means –
 - (a) a political donation of \$3 000 or more; and
 - (b) any number of political donations from the same donor within a 4 year period that cumulatively amount to \$3 000 or more, made to the same recipient;”

To report progress and ask leave to sit again.

The House being resumed, Mrs *Alexander* reported that the Committee had made progress in the Bill, and had directed her to ask leave to sit again.

Resolved, That this House will, on tomorrow, again resolve itself into the said Committee.

32 ADJOURNMENT. – A Motion being made - That the House do now adjourn (The Minister for Hospitality and Events)

The Speaker proposed – That the House do now adjourn and called for issues to be raised;

33 PAPERS. – Ms *Haddad*, *by leave*, laid upon the Table of the House a paper relating to raising the age of criminal responsibility to 14.

34 PAPERS. – Ms *O'Byrne*, *by leave*, laid upon the Table of the House a paper relating to the closure of Studentworks.

The House adjourned at thirty-six minutes past Six o'clock.

SHANE DONNELLY, *Clerk of the House*.

MEMBERS. - All present during the day except Mr *O'Byrne*.

The Minister for Primary Industries and Water, Minister for Disability Services, Minister for Women and Minister for the Prevention of Family Violence attended Question Time.