



LEGISLATIVE COUNCIL

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 24

THURSDAY, 8 AUGUST 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) Report of the Integrity Commission - No. 3 of 2019: An Investigation into alleged conflicts of interest within the Board of Tourism Tasmania.
- (2) University of Tasmania: Annual Report 2018
- (3) Royal Tasmanian Botanical Gardens: Order made pursuant to section 6(2) of the Financial Management Act 2016.
- (4) Inland Fisheries: Order made pursuant to section 6(2) of the Financial Management Act 2016.
- (5) Marine and Safety Authority: Order made pursuant to section 6(2) of the Financial Management Act 2016.
- (6) TasTAFE: Order made pursuant to section 6(2) of the Financial Management Act 2016.
- (7) State Fire Commission: Order made pursuant to section 6(2) of the Financial Management Act 2016.
- (8) Tasmanian Public Finance Corporation: Notice of Special Dividend pursuant to section 86 of the Government Business Enterprises Act 1995.
- (9) Motor Accidents Insurance Board: Notice of Special Dividend pursuant to section 86 of the Government Business Enterprises Act 1995.

3 BILL NO. 15. — The Biosecurity Bill 2019 was read the Third time and passed.

4 BILL NO. 15.— 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 A Bill for an Act to provide for the protection and enhancement of Tasmania's biosecurity status for the benefit of Tasmania's industries, environment and public wellbeing by providing for the prevention, detection and control of animal and plant disease, pests and other biosecurity matter'.

Legislative Council, 8 August 2019

C.M FARRELL, President

5 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 11.03 o'clock a.m. and resumed at 11.35 o'clock a.m.

6 BILL NO. 14.— The Order of the Day was read for the Second reading of the Right to Information Amendment (Applications for Review) 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.

New Clause A [Section 36 amended] brought up (Mrs *Hiscutt*) and read the First time as follows:—

A. Section 36 amended (Personal information of person)

Section 36(5) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (d) “provided.” and substituting “provided; or”;
- (b) by inserting after paragraph (d) the following paragraphs:
 - (e) if the information is information to which a decision referred to in section 45(1A) relates –
 - (i) during 20 working days after the notification of the decision; or
 - (ii) where the person applies for a review of the decision under section 45(1A) – until that review determines the information should be provided.

Read the Second time and made part of the Bill (to follow Clause 5).

New Clause B [Section 37 amended] brought up (Mrs *Hiscutt*) and read the First time as follows:—

B. Section 37 amended (Information relating to business affairs of third party)

Section 37(5) of the Principal Act is amended as follows:

- (a) by omitting from paragraph (d) “provided.” and substituting “provided; or”;
- (b) by inserting after paragraph (d) the following paragraphs:

- (e) if the information is information to which a decision referred to in section 45(1A) relates –
 - (i) during 20 working days after the notification of the decision; or
 - (ii) where the third party applies for a review of the decision under section 45(1A) – until that review determines the information should be provided.

Read the Second time and made part of the Bill (to follow Clause 5).

Title agreed to.

Bill to be reported with Amendments.

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 with Amendments.

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

7 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 12.00 o'clock noon and resumed at 2.30 o'clock p.m.

8 QUESTION TIME.— The President called for Questions without Notice. There were eleven Questions asked.

9 BILL NO. 20.— The Order of the Day was read for the Second reading of the Workers Rehabilitation and Compensation 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 6 agreed to.

New Clause A [Section 69C inserted] brought up (Ms *Lovell*) and read the First time as follows:—

A. Section 69C inserted

After section 69B of the Principal Act, the following section is inserted:

69C. Review to be conducted of cost and effect of removing step-down payments

- (1) The Minister is to cause to be carried out by independent persons a review of the cost and effect of amending section 69B(2DA) so that it applies to every worker to whom section 69 applies.
- (2) The Minister is to ensure that –
 - (a) the review is commenced before 60 days after this section commences; and
 - (b) as soon as practicable after that date, but in any case before 30 September 2020, the review is completed and a report of the review is provided to the Minister by the persons who have carried out the review.
- (3) The Minister is to cause a copy of the report to be tabled in each House of Parliament within 5 sitting-days of that House after it is given to the Minister.
- (4) In this section –

"independent review" means a review carried out by persons who –

 - (a) in the Minister's opinion, are appropriately qualified for that task; and
 - (b) include one or more persons who are not employees of the State or Commonwealth or of any agency of the State or Commonwealth.

And the Question being put, That New Clause A be read the Second time.

It passed in the Negative.

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*)

10 BILL NO. 64 of 2018.— The Order of the Day was read for the Second reading of the Electricity Supply Industry Restructuring (Savings and Transitional Provisions) Amendment Bill 2018.

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 8 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*)

11 BILL NO. 30.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act to amend the *Civil Liability Act 2002*,

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

House of Assembly, 8 August 2019

S. HICKEY, *Speaker*

The Bill was read the First time.

Ordered, That the Second reading of the Bill be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

12 BILL NO. 6.— A Message from the House of Assembly:—

MR PRESIDENT,

The House of Assembly hath passed a Bill, intituled — ‘A Bill for an Act An Act to wind up the Fruit and Nut Research, Development and Extension Trust Fund and to repeal the *Fruit and Nut Industry (Research, Development and Extension Trust Fund) Act 2012*’,

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

House of Assembly, 8 August 2019

S. HICKEY, *Speaker*

The Bill was read the First time.

Ordered, That the Second reading of the Bill be made an Order of the Day for Tuesday next. (Mrs *Hiscutt*)

13 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 Tuesday, 13 August 2019.

It was resolved in the Affirmative.

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

The Council adjourned at 5.00 o’clock p.m.

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

Briefings

- *Tasmanian Training System – TasTafe and Skills Tas*
- *Huntingfield Estate – Planning and Residential Development*
- *Workers Rehabilitation and Compensation Amendment Bill 2019*