



LEGISLATIVE COUNCIL

SESSION OF 2019 - 2020

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 51

WEDNESDAY, 18 MARCH 2020

- 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, present and emerging. We recognise them as the traditional and original owners and the continuing custodians of this land.”
- 3 PRAYERS.**— The President read Prayers.
- 4 STATEMENT BY THE PRESIDENT – COVID 19 PRECAUTIONS.**— The President said —

“Honourable members, before we launch into our sitting session I remind you of the health precautions we all need to take.

We will recognise the whole Chamber as the Floor. If members wish to sit in the President's Reserve or at the back of the Chamber rather than in their own seats, I will still give them the call to come to the lectern. Of course, members can speak from their seats where the microphone is provided. Obviously for other areas members will have to choose one of the lecterns.

The Chair of Committees will use this Chair when we go into the Committee stage rather than sitting between the Clerk and Deputy Clerk, to allow space for social distancing.

It is all about space and time. I encourage members that, if they do get a break from the Chamber, to make the most of that break.

Ideally if we can run with three members down each side that will create the amount of space we need and maintain our quorum.

I also remind members that we have put extra tissues, bins and bottles of hand sanitiser around the place. Please ensure used tissues go in the bins provided; we don't want them missing the bin.”

- 5 PAPERS.**— The Clerk of the Council laid upon the Table the Local Government Act 1993: Statutory Rules 2020, No. 16 containing Local Government (General) Amendment Regulations 2020.
- 6 COMMITTEE APPOINTMENTS.**— A Message from the House of Assembly:—

MR PRESIDENT,

In accordance with the provisions of section 4 of the *Subordinate Legislation Committee Act 1969* (No. 44), the House of Assembly has appointed the Honourable Member for Franklin Mr *Street* to serve on the Parliamentary Standing Committee on Subordinate Legislation.

Further, the House of Assembly has appointed the Honourable Member for Franklin, Mr *Street* to serve on the Joint Committee of both Houses to manage the Library in place of the Honourable Member for Braddon, Mrs *Rylah*.

House of Assembly, 17 March 2020

S. HICKEY, *Speaker*

7 STATEMENT BY THE PRESIDENT – HON MEMBER FOR PROSSER COMMITTEE RESIGNATION.— The President said —

“Honourable Members, for completeness of our official House records I want to advise that on 19 February 2020 the Honourable Member for Prosser tendered her resignation to me in writing from Government Administration Committee ‘B’ as required by the Council’s Sessional Orders”.

8 BILL NO. 38 of 2019.— The Place Names Bill 2019 was read the Third time and passed.

9 BILL NO. 38 of 2019.— 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 establish the Place Names Advisory Panel, to make provision for the naming and registration of certain place names in Tasmania, to wind up the Nomenclature Board and to consequentially amend other Acts’.

Legislative Council, 18 March 2020

C.M. FARRELL, President

10 BILL NO. 16 OF 2019.— The Disposal of Uncollected Goods Bill 2019 was read the Third time and passed.

11 BILL NO. 16 of 2019.— 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 enable the disposal of certain uncollected goods, to repeal the *Disposal of Uncollected Goods Act 1968*, and for related purposes’.

Legislative Council, 18 March 2020

C.M. FARRELL, President

12 ATTENDANCE OF MEMBERS OF LEGISLATIVE COUNCIL WHO ARE MINISTERS OF THE CROWN AT HOUSE OF ASSEMBLY QUESTION TIME.

— Consideration of the following Message from the House of Assembly—:

MR PRESIDENT,

The House of Assembly having agreed to the following Resolution begs now to transmit the same and requests its concurrence therein: -

Resolved, That whereas Standing Order 50 of the House of Assembly provides as follows:-

“When Members of the Legislative Council are commissioned as Ministers of the Crown:-

- (1) The House may seek the attendance of Members of the Legislative Council who are Ministers of the Crown by separate message requesting that leave be given to those Ministers to attend the Assembly so as to respond specifically to Questions without Notice seeking information of the kind covered by the Standing Orders of the House of Assembly.
- (2) The Standing Orders and practices of the House of Assembly have application, with qualification in relation to the requirement for any punishment for offences which constitute a contempt of the Assembly, committed by a Member of the Legislative Council, be not enforced until concurred with by the Legislative Council.
- (3) The Speaker shall have sufficient authority over a Member of the Legislative Council participating in Question Time so as to retain control of proceedings and maintain the decorum of the House.
- (4) A Member of the Legislative Council attending in the Assembly be not eligible to vote, be counted for the purpose of a quorum, attempt to make any motion or act in a way to initiate any business whatsoever.

- (5) A Member of the Legislative Council attending the Assembly be not subject to Questions beyond the time of 10.50 a.m. on any sitting day on which sittings of the Legislative Council are to commence.”,

the House of Assembly accordingly, requests that the Legislative Council give leave for any Member of the Legislative Council who is a Minister of the Crown to attend the Assembly so as to respond specifically to Questions without Notice seeking information of the kind covered by the Standing Orders of the House of Assembly.

House of Assembly, 3 March 2020

S. HICKEY, *Speaker*

Ordered, That leave be granted to Members of the Legislative Council who are Ministers of the Crown to attend the House of Assembly, if they think fit, so as to respond specifically to Questions without Notice seeking information of the kind covered by the Standing Orders of the House of Assembly. (Mrs *Hiscutt*)

13 ATTENDANCE OF MEMBERS OF LEGISLATIVE COUNCIL WHO ARE MINISTERS OF THE CROWN AT HOUSE OF ASSEMBLY QUESTION TIME.

— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed to the follow Resolution and acquaints the House of Assembly accordingly —

Resolved, That leave be granted to Members of the Legislative Council who are Ministers of the Crown to attend the House of Assembly if they think fit so as to respond specifically to Questions without Notice seeking information of the kind covered by the Standing Orders of the House of Assembly in accordance with the resolution passed by the House of Assembly on 3 March 2020.

Legislative Council, 18 March 2020

C.M. FARRELL, *President*

14 BILL NO. 56 OF 2019.— The Order of the Day was read for the Second reading of the Duties 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 10 agreed to.

Clause 11 Amendment made (Mrs *Hiscutt*)

Page 11, proposed new section 30HB, subsection (1), paragraph (d), subparagraph (i).

Leave out “within”.

Insert instead “no later than”.

Clause as amended, agreed to.

Clauses 12 agreed to.

Title agreed to.

Bill to be reported with 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 with Amendment.

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

15 MOTION WITHOUT NOTICE.— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice.

16 PREMIER'S ADDRESS.— *Ordered*, That Standing Order No. 10 (2) (a) be suspended to provide for the Premier's Address to be Tabled without the requirement for the Address to be read again in the Council. (Mrs *Hiscutt*)

Ordered, That Mrs *Hiscutt*, have leave to Table a copy of the Premier's Address and have the Premier's Address incorporated into the Hansard record. (Mrs *Hiscutt*)

A Motion was made (Mrs *Hiscutt*) and the Question was proposed – That the Premier's Address be noted.

A Debate arose thereupon.

17 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.

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

19 PREMIER'S ADDRESS.— The Council resumed the Debate on the Question, That the Premier's Address be noted.

Ordered, That the Debate be adjourned. (Ms *Rattray*)

20 BILL NO. 4.— 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 *Evidence Act 2001*, to which the House desires the concurrence of the Legislative Council'.

House of Assembly, 18 March 2020

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*)

21 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, 19 March 2020.

It was resolved in the Affirmative.

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

The Council adjourned at 4.14 o'clock p.m.

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

Briefing:

- *Duties Amendment Bill 2019*