



2020

Parliament of Tasmania

PARLIAMENTARY STANDING COMMITTEE

SUBORDINATE LEGISLATION

SCRUTINY OF NOTICES ISSUED UNDER THE COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020 – REPORT 1

Members of the Committee

**Ms Ruth Forrest MLC
Ms Tania Rattray MLC (Chair)
Ms Meg Webb MLC**

**Ms Alison Standen MP
Mr Nic Street MP
Mr John Tucker MP**

The Committee was appointed under the provisions of Section 3 of the *Subordinate Legislation Committee Act 1969* (No. 44 of 1969). Section 8 of the Act outlines the functions of the Committee, as follows –

- (a) to examine the provisions of every regulation, with special reference to the question whether or not –
 - (i) the regulation appears to be within the regulation-making power conferred by, or in accord with the general objects of, the Act pursuant to which it is made;
 - (ii) the form or purport of the regulation calls for elucidation;
 - (iii) the regulation unduly trespasses on personal rights and liberties;
 - (iv) the regulation unduly makes rights dependent on administrative decisions and not on judicial decisions; or
 - (v) the regulation contains matters that, in the opinion of the Committee, should properly be dealt with by an Act and not by regulation; and
- (b) to make such reports and recommendations to the Legislative Council and the House of Assembly as it thinks desirable as the result of any such examination.

COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020 – SCRUTINY OF NOTICES

The Parliament of Tasmania passed the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 (the Act) on 26 March 2020. The Act prescribes a role for the Joint Standing Committee on Subordinate Legislation in the scrutiny of certain notices under the Act.

In response to this new scrutiny role, the Committee has given extensive consideration to an appropriate mechanism for it to report upon its deliberations on all notices gazetted under the Act in the interest of public transparency. The Committee will:

- Meet twice weekly on Tuesdays and Fridays until further notice;
- Publish a list of the notices to be discussed by the Committee, and documentation relating to notices to be examined by the Committee, to be published on the Committee website prior to each meeting; and
- Present regular reports to Parliament, which will contain further information in relation to the completed examinations of notice.

Notice Under Section 22 (Residential Tenancies)

The Committee examined the Notice at its meeting on Friday 24 April and **Resolved** the Notice be examined, noting that it was consistent with the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 and the intent of the Parliament.

Notice Under Section 17 (Local Government)

The Committee examined the Notice at its meeting on Friday 24 April and **Resolved** the Notice be examined, noting that it was consistent with the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020 and the intent of the Parliament.

A copy of supporting information received and minutes covering these notices is attached to the report for completeness.



Tania Rattray MLC
CHAIR

28 April 2020

Attorney-General
Minister for Justice
Minister for Corrections
Minister for Building and Construction
Minister for the Arts
Minister for Heritage



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15 APR 2020

Mr Stuart Wright
Secretary
Parliamentary Standing Committee on Subordinate Legislation
Parliament House
HOBART TAS 7000

Dear Mr Wright

The *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* (the COVID-19 Act) requires that any Notice, other than a Notice given under section 27(1), be provided to the Subordinate Legislation Committee within 14 days of being issued.

This is to enable the Subordinate Legislation Committee to perform its functions regarding the scrutiny of subordinate instruments as required by the *Subordinate Legislation Committee Act 1969*. This includes examining compliance with the requirements of the *Subordinate Legislation Act 1992*.

To this end, I am writing to provide you with the Notice issued by the Premier under section 22 of the COVID-19 Act (the Notice) relating to residential tenancies (see Attachment 1). The Notice was signed by the Premier on 2 April 2020 and published in the Government Gazette on 3 April 2020 (No. 21961).

The Notice delivers on the commitments made by the Leader of the Government in the Legislative Council on 26 March 2020:

The Government will commit to issuing a notice under section 22 to expand the termination processes for leases covered by the Residential Tenancy Act 1997 (the RT Act). The notice would cover all terminations covered by section 42 of the RT Act, with the exception of wilful damage, violence or by mutual agreement by the tenant and the landlord. The notice will be for an initial period of 90 days, which will be extended if necessary.

The Notice will prevent the termination of residential tenancy agreements from a notice to vacate issued by an owner. The Notice applies to any termination which would occur for this purpose for a period of 90 days, including where a notice to vacate has been given but is yet to take effect. The Notice includes two exceptions, namely:

- to allow for a termination from a notice to vacate for a lease of no fixed term for sale of property where the notice to vacate is given before the Notice takes effect; and
- to enable terminations where a property has been used for an illegal purpose.

The Notice is for a period of 90 days. At that time it can be extended, amended or revoked. Any notice to vacate that is validly given during the period will take effect on the date the Notice is no longer in effect.

The Notice was prepared by the Office of Parliamentary Counsel. I attach the advice of the Chief Parliamentary Counsel as required under section 7(2) of the *Subordinate Legislation Act 1992* (see Attachment 2).

I further enclose a fact sheet to provide further information on the Notice and its effects (see Attachment 3). Should you have any queries or require further information regarding this matter, please do not hesitate to contact me on (03) 6165 4757 or peter.j.graham@justice.tas.gov.au.

Yours sincerely



Hon Elise Archer MP
Minister for Building and Construction

ADVICE OF CHIEF PARLIAMENTARY COUNSEL

Notice under s 22 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020

I advise that this statutory rule –

- (a) appears to be within the powers conferred by the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*; and
- (b) does not appear, without clear and express authority being provided by any Act, to –
 - (i) have any retrospective effect; or
 - (ii) impose any tax, fee, fine, imprisonment or other penalty; or
 - (iii) sub-delegate powers delegated by the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*; and
- (c) appears to be within the general objectives of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*; and
- (d) is expressed in as clear and unambiguous language as is reasonably possible.

Dated 2 April 2020.



Robyn Webb
Chief Parliamentary Counsel

Notice under section 22 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* relating to residential tenancies

Background:

- The *Residential Tenancy Act 1997* (the RT Act) regulates the lease of premises for a residential purpose in Tasmania.
- The *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* (the COVID-19 Act) included amendments to the RT Act to provide greater protections for tenants and to support social distancing for an 'emergency period'. This included a protection for tenants from being evicted for rent arrears.
- The 'emergency period' is for an initial 120 days and may be extended by 90 days, as necessary.
- Section 22 of the COVID-19 Act also provided for the Minister, by Notice, to provide further protections to prevent terminations or rent increases, for a lease or class of leases.
- On 2 April 2020, the Premier approved a Notice (the Notice) under section 22 of the COVID-19 Act to further restrict terminations for a period of 90 days.

Scope of Notice:

- The Notice applies to all leases that are a residential tenancy agreements for the purposes of the RT Act.
- The Notice is for a period of 90 days. At this time, it can be revoked, amended or extended.
- The Notice prevents termination by notice to vacate issued by the owner under section 42 of the RT Act, with the following exceptions:
 - a notice to vacate, relating to a lease of no fixed period, issued by the owner prior to the date of the Notice, relating to sale of property. This exception is designed to ensure that property transactions, which took place prior to the Notice being issued, are not frustrated by the inability to deliver vacant possession.
 - a notice to vacate issued by the owner relating to use of the property for an unlawful purpose (as outlined in section 52 of the RT Act). This exception is to ensure that protections are not provided to tenants who break the law.
- Subject to these exceptions, a notice to vacate given by an owner to a tenant is of no effect during the period of the Notice, but will take effect after that time.
- The Notice does not restrict the termination of an agreement by the tenant, by mutual agreement or by Order of the Residential Tenancy Commissioner as a result of severe hardship (as outlined in section 38A of the RT Act).
- The Notice does not prevent termination by Order of the Court relating to violence or wilful damage (as outlined in section 41 of the RT Act).



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No. 21 961

COVID-19 Disease Emergency

TASMANIA

COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020

NOTICE UNDER SECTION 22

I, PETER CARL GUTWEIN, the Premier, in pursuance of section 22 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, declare that, despite any provision of a lease, in relation to premises, that is a residential tenancy agreement to which the *Residential Tenancy Act 1997* ("the Act") applies –

- (a) the lease may not be terminated within the emergency period if there is, in relation to the premises, a notice to vacate that is served within that period on the tenant in relation to the premises, except –
 - (i) if the lease is terminated by an order under section 38A of the Act; or
 - (ii) with the agreement of the tenant; and
- (b) the lease may not be terminated within the emergency period if there is, in relation to the premises, a notice to vacate that is served, before the day on which this notice takes effect, on the tenant in relation to the lease and the tenant has not, before that day, delivered vacant possession of the premises to the landlord, except if –
 - (i) the lease is not a fixed term lease, within the meaning of the Act; and
 - (ii) the notice to vacate is served on the tenant because the premises are to be sold; and
- (c) the lease may not be terminated within the emergency period if there is, in relation to the premises, a notice to vacate, for the reasons referred to in section 42(1)(a) of the Act, that is served on the tenant in relation to a failure of the tenant to comply with section 52 of the Act –

and specify that this notice remains in effect for the period of 90 days after it takes effect.

Dated this 2nd day of April 2020.

PETER GUTWEIN
Premier

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PREMIER OF TASMANIA

9 APR 2020

Mr Stuart Wright
Secretary
Joint Standing Committee on Subordinate Legislation
Parliament House
HOBART TAS 7000

Dear Mr Wright

Notice Under Section 17 and Notice Under Sections 18 and 19 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* for the consideration of the Joint Standing Committee on Subordinate Legislation

On 3 April 2020, a Notice Under Section 17 and a Notice Under Sections 18 and 19 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* (the COVID-19 Act) were published in the *Tasmanian Government Gazette*. The Notices support business and service continuity for local councils during the COVID-19 pandemic emergency.

Section 7(3) of the Act specifies that, if a Minister issues a notice under the Act, he or she, within 14 days, is to send to the Joint Standing Committee on Subordinate Legislation (the Committee) a copy of the notice.

Section 7(4) of the Act specifies that, sections 7(4), 8 and 9 of the *Subordinate Legislation Committee Act 1969* apply to a copy of a notice sent to the Committee under section 7(3) of the COVID-19 Act as if the notice were regulations.

Please find attached copies of the following documents:

- Notice Under Section 17 of the COVID-19 Act (refer to Attachment 1);
- Notice Under Sections 18 and 19 COVID-19 Act (refer to Attachment 2);
- Ministerial Notice Statement outlining the rationale for, and effect of, the Notices (refer to Attachment 3); and
- the advice given by the Chief Parliamentary Counsel in respect of the Notices (refer to Attachments 4 and 5).

Yours sincerely

Peter Gutwein MP
Premier

ADVICE OF CHIEF PARLIAMENTARY COUNSEL

Notice under section 17 of the COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020

I advise that this statutory rule –

- (a) appears to be within the powers conferred by the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*; and
- (b) does not appear, without clear and express authority being provided by any Act, to –
 - (i) have any retrospective effect; or
 - (ii) impose any tax, fee, fine, imprisonment or other penalty; or
 - (iii) sub-delegate powers delegated by the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*; and
- (c) appears to be within the general objectives of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*; and
- (d) is expressed in as clear and unambiguous language as is reasonably possible.

Dated 3 April, 2020.



Robyn Webb
Chief Parliamentary Counsel

ADVICE OF CHIEF PARLIAMENTARY COUNSEL

***Notice under sections 18 and 19 of the COVID-19 Disease Emergency
(Miscellaneous Provisions) Act 2020***

I advise that this statutory rule –

- (a) appears to be within the powers conferred by the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*; and
- (b) does not appear, without clear and express authority being provided by any Act, to –
 - (i) have any retrospective effect; or
 - (ii) impose any tax, fee, fine, imprisonment or other penalty; or
 - (iii) sub-delegate powers delegated by the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*; and
- (c) appears to be within the general objectives of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*; and
- (d) is expressed in as clear and unambiguous language as is reasonably possible.

Dated 3 April, 2020.



Robyn Webb
Chief Parliamentary Counsel

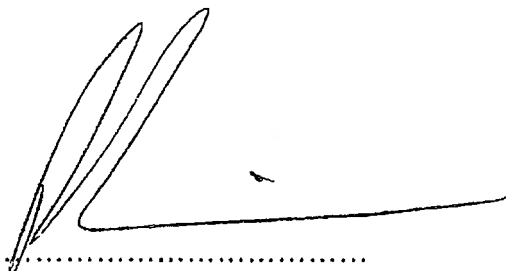
TASMANIA

COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020

NOTICE UNDER SECTION 17

I, PETER GUTWEIN, the Premier, in pursuance of section 17(1) of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, being of the opinion that the relevant emergency circumstances exist in relation to this notice and with the approval of the emergency manager, declare that, despite any of the provisions specified in the Schedule to this notice, any action required to be taken by means of a physical action such as a signature or personal service, or evidenced in a document that is not an electronic document, under those provisions, may be taken or evidenced by means of an electronic signature or signatures, or an electronic document, respectively.

Dated:.....3.4.20.....

Signed:..........

Premier

SCHEDULE

1. Section 237 of the *Local Government Act 1993*.
 2. Section 238(1) of the *Local Government Act 1993*.
 3. Regulation 4(7) of the *Local Government (Meeting Procedures) Regulations 2015*.
 4. Regulation 34(6) of the *Local Government (Meeting Procedures) Regulations 2015*.
 5. Regulation 35(1)(b) of the *Local Government (Meeting Procedures) Regulations 2015*.
-
-

TASMANIA

COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020

NOTICE UNDER SECTIONS 18 AND 19

I, PETER CARL GUTWEIN, the Premier, being of the opinion that the relevant emergency circumstances exist in relation to this notice, and with the approval of the emergency manager –

(a) in pursuance of section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, declare that, despite regulations 11(1), 14 and 37(2) of the *Local Government (Meeting Procedures) Regulations 2015* –

(i) a meeting, of a council or a planning authority, within the meaning of the *Land Use Planning and Approvals Act 1993*, may be held in the approved manner, within the meaning of section 18(2) of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, on the condition that the quorum for the meeting is constituted by the number of those members of the council, or planning authority, respectively, who are present in accordance with that approved manner during the conduct of the meeting; and

(ii) despite the requirements of regulations 11(1), 14 and 37(2) of the *Local Government (Meeting Procedures) Regulations 2015*, a meeting, of a council or a planning authority, that is required by any of those provisions to be open to the public may only be held in accordance with the approved manner referred to in sub-paragraph (i), on the condition that –

(A) an electronic recording of the meeting is available, for viewing by members of the public, at a website of the relevant local council; and

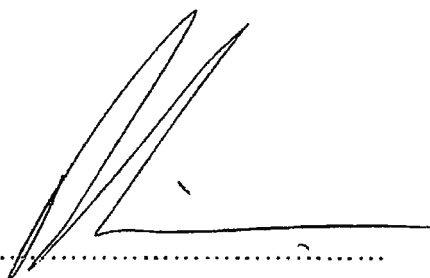
(B) the electronic recording so available is, as far as reasonably practicable, made so available for viewing contemporaneously with the meeting; and

(b) in pursuance of section 19 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, declare that, despite any provision specified in the Schedule to this notice, a requirement specified in the provision for public exhibition of documents, or information, at a place or in a manner specified in the provision, is taken to be satisfied if the document, or the information contained in the document, is –

(i) available, for viewing by members of the public, at a website of the relevant local council; and

(ii) available in hard copy, on request by telephone and for a fee representing the cost of reproducing the document, for collection from a place nominated by an officer of the relevant council.

Dated:.....3.4.20.....

Signed:..........

Premier

SCHEDULE

1. Section 22(4) of the *Local Government Act 1993*.
2. Section 28T(6) of the *Local Government Act 1993*.
3. Section 31(1)(b) and (4)(a)(ii) of the *Local Government Act 1993*.
4. Section 56B(3) of the *Local Government Act 1993*.
5. Section 64(2) of the *Local Government Act 1993*.
6. Section 66(4) of the *Local Government Act 1993*.
7. Section 69 of the *Local Government Act 1993*.
8. Section 71(3) of the *Local Government Act 1993*.
9. Section 109C(4) of the *Local Government Act 1993*.
10. Section 109E(3) of the *Local Government Act 1993*.
11. Section 157(2) of the *Local Government Act 1993*.
12. Section 206 of the *Local Government Act 1993*.
13. Section 269(4) of the *Local Government Act 1993*.
14. Section 339F(3) of the *Local Government Act 1993*.
15. Regulation 7(3), (4) and (5) of the *Local Government (Meeting Procedures) Regulations 2015*.
16. Regulation 9(2) and (4) of the *Local Government (Meeting Procedures) Regulations 2015*.
17. Regulation 35(2) of the *Local Government (Meeting Procedures) Regulations 2015*.

Standing Committee on Subordinate Legislation

COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020

Ministerial Notice Statement

The attached Ministerial Notices are issued pursuant to sections 17, 18 and 19 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020* (the Act).

The State Controller has approved the issuing of the two Notices (one Notice under section 17 and the other Notice under sections 18 and 19) as required under section 6 of the Act.

The Notices were Gazetted and commenced on 3 April 2020. The Notices will be in force for a period of 12 months from their commencement date, unless they are earlier revoked.

Officers from the Department of Premier and Cabinet's Local Government Division are available to brief the Committee on the effect of the Notices in more detail, if requested. The Local Government Association of Tasmania (LGAT) has also offered to provide a briefing to the Committee explaining the operational need for the Notices from the local government sector's perspective.

Reasons for the Notices

The Tasmanian Government has been working closely with the local government sector, through LGAT, to identify priority business continuity and regulatory compliance challenges for Tasmanian councils associated with the COVID-19 pandemic emergency, particularly in relation to the current restrictions on the movement of council elected members and staff, and the potential reduction in staff available to carry out particular functions and duties.

Key areas for concern for the sector include compliance with meeting procedures, and requirements for the public availability of documents at council offices.

The Government considers that the issuing of the attached Notices is necessary to effectively manage immediate business continuity and statutory compliance risks for the local government sector.

Consultation with the local government sector regarding business and service continuity during the pandemic emergency is ongoing. It is likely that further notices will need to be issued in relation to other statutory obligations on local councils.

Effect of the Notices

The Ministerial Notices provide for the following:

1. **Matters that would ordinarily require a physical action to either support the conduct of a council meeting or in relation to an approval, may be done electronically (section 17).** Significant aspects of councils' statutory functions require physical signatures of authorised individuals. With a move to working from home or across separate offices achieving this is operationally inefficient, if not impossible.
2. **Councils may meet in the 'approved manner' as provided for under section 18 of the Act. This will allow for councils to meet and transact business by means of video or teleconference, or by another agreed method (section 18).** Councils cannot hold meetings in accordance with their legislative and regulatory requirements (which mandates physical attendance) without breaching orders issued by the Director of Public Health in relation to social distancing. As a condition of this Notice, councils will need, to ensure that persons are able to view an electronic recording of meetings.
3. **Documents that are required to be available for inspection at council premises under the *Local Government Act 1993* or the *Local Government (Meeting Procedures) Regulations 2015* can instead be done in the 'approved manner', which includes that these documents are made accessible on council websites (section 19).** Where council offices are closed to the public, compliance with these legislative requirements to make available various documents for viewing at the council office is impossible.

Attachments

- 1 Notice Under Section 17
- 2 Notice Under Sections 18 and 19
- 3 Ministerial Statement Notice
- 4 Advice of Chief Parliamentary Counsel regarding the Notice Under Section 17
- 5 Advice of Chief Parliamentary Counsel regarding the Notice Under Sections 18 and 19

JOINT STANDING COMMITTEE

SUBORDINATE LEGISLATION

FRIDAY 24 APRIL 2020

COMMENCEMENT

The Committee met at 11.07 am via Webex.

MEMBERS PRESENT

Legislative Council

Ms Forrest (Deputy Chair)

Ms Rattray (Chair)

Ms Webb

House of Assembly

Ms Standen

Mr Street

Mr Tucker

STAFF PRESENT

Stuart Wright, Secretary

Julie Thompson, Executive Assistant

**CONFIRMATION OF
MINUTES**

The amended Minutes of the Meeting held on Tuesday 21 April 2020 were accepted as an accurate record.

**OUTWARDS
CORRESPONDENCE**

Resolved, that the following correspondence be endorsed:

1. Letter dated 30 March 2020 to the Hon Michael Ferguson MP, Minister for State Growth regarding GREATER HOBART REGULATIONS 2019 (S.R. 2019, No. 83)
2. Letter dated 30 March 2020 to the Hon Mark Shelton MP, Minister for Local Government regarding WINNALEAH IRRIGATION DISTRICT BY-LAWS 2019
3. Letter dated 31 March 2020 to the Hon Guy Barnett MP, Minister for Primary Industries and Water regarding FISHERIES (ABALONE) AMENDMENT RULES 2019 (S.R. 2019, NO. 63)
4. Letter dated 31 March 2020 to the Co-Chairs, Tasmanian Regional Aboriginal Communities Alliance regarding FISHERIES (ABALONE) AMENDMENT RULES 2019 (S.R. 2019, NO. 63)
5. Letter dated 31 March 2020 to Mr Peter McGlone, Director, Tasmanian Conservation Trust regarding FISHERIES (ABALONE) AMENDMENT RULES 2019 (S.R. 2019, NO. 63)
6. Letter dated 31 March 2020 to Ms Health Sculthorpe, Chief Executive Officer, Tasmanian Aboriginal Centre regarding FISHERIES (ABALONE) AMENDMENT RULES 2019 (S.R. 2019, NO. 63)
7. Letter dated 31 March 2020 to Mr Dean Lisson, Chief Executive Officer, Tasmanian Abalone Council regarding FISHERIES (ABALONE) AMENDMENT RULES 2019 (S.R. 2019, NO. 63)
8. Letter dated 31 March 2020 to Mr Tim Rogers, President, Tasmanian Amateur Sea Fisherman's Association

- regarding FISHERIES (ABALONE) AMENDMENT RULES 2019 (S.R. 2019, NO. 63)
9. Letter dated 16 April 2020 to Michael Holmes regarding FISHERIES (ABALONE) AMENDMENT RULES 2019 (S.R. 2019, NO. 63)
 10. Letter dated 21 April 2020 to David Pearce, Clerk, Legislative Council regarding procedural advice.
 11. Letter dated 22 April 2020 to the Hon Peter Gutwein MP, Premier regarding amendments to the COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020.

**GENERAL
CORRESPONDENCE**

Resolved, that the following correspondence be received:

1. Letter dated 16 April 2020 to the Hon Roger Jaensch MP Minister for Environment and Parks regarding NATIONAL PARKS AND RESERVES, MANAGEMENT REGULATIONS 2019 (S.R. 2019, No. 76)
2. Letter dated 23 April 2020 from David Pearce, Clerk of the Legislative Council providing procedural advice.

**SUPPORTING
CORRESPONDENCE**

Resolved, that the following supporting correspondence be received:

1. Letter received 3 April 2020 from Ross Smith, Deputy Secretary, Policy Purchasing, Performance and Reform, Department of Health regarding POISONS AMENDMENT (MISCELLANEOUS) REGULATIONS (S.R. 2020, No. 22)
2. Letter received 3 April 2020 from Ross Smith, Deputy Secretary, Policy Purchasing, Performance and Reform, Department of Health regarding PUBLIC HEALTH (INFRINGEMENT NOTICES) AMENDMENT REGULATIONS (S.R. 2020, No. 23)
3. Letter received 15 April 2020 from Anne Beach, Director, Projects & Policy, Department of State Growth regarding GREATER HOBART REGULATIONS 2019 (S.R. 2019, No. 83)
4. Letter received 17 April 2020 from the Hon Peter Gutwein MP, Premier regarding STATE SERVICE AMENDMENT REGULATIONS 2020 (S.R. 2020, No. 24)
5. Letter dated 17 April 2020 from N D Heath, General Manager, Hobart City Council regarding HOBART CITY COUNCIL SINGLE-USE PLASTICS BY-LAWS 2020 (No. 1 OF 2020)

**CLERK'S PROCEDURAL
ADVICE DELIBERATIONS
OF COMMITTEE**

The Committee discussed the advice provided by the Clerk regarding committee deliberations being broadcast.

The Committee **AGREED** that deliberations of the Committee remain private as per the Clerk's advice.

**REPORTING PROCESS
OF NOTICES**

The Committee discussed the reporting process provided for under the legislative framework for the Committee.

The Committee **AGREED** to prepare a draft report at the end of each meeting. If Parliament will be sitting shortly, the report will be tabled during the sitting of the Parliament. Otherwise, the report will be presented to the President or Speaker out of session.

Further, the Committee **AGREED** that draft minutes be circulated in word format with the meeting papers for the next meeting and meeting papers be emailed.

The Committee discussed the publication of approved minutes and agreed not to publish these on the Committee website.

**NOTICES UNDER
COVID-19 DISEASE
EMERGENCY
(MISCELLANEOUS
PROVISIONS)
ACT 2020
(examined)**

That the following Notices be examined —

1. Notice under section 22 (residential tenancies)

The Committee **AGREED** the draft report include the following wording: The Notice is consistent with the COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020 and the intent of the Parliament.

2. Notice under section 17 (local government)

The Committee **AGREED** the draft report include the following: The Notice is consistent with the COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020 and the intent of the Parliament.

**NOTICES UNDER
COVID-19 DISEASE
EMERGENCY
(MISCELLEANEOUS
PROVISIONS)
ACT 2020
(held-over)**

That the following Notices be held-over —

1. Notice under sections 18 & 19 (local government)

RESOLVED, that the Committee write to LGAT regarding digital device issues. Committee Members to provide the Secretary with written questions by close of business today.

2. Notice under section 23 (liquor and gaming licence fees)

RESOLVED, that the Committee request a briefing be provided at the next meeting.

OTHER BUSINESS

RESOLVED, that all draft correspondence other and questions on notice be drafted and considered at the next meeting of the committee before being sent under the Chair's signature.

The Committee **AGREED** to this.

Ms *Standen* questioned whether Regulations that are not tabled will be up for examination by the Committee.

The *Deputy Chair* advised they can be examined without being tabled, however, practice followed by the Committee is to await tabling before examination.

The Committee **AGREED** that future meetings on Tuesdays and Fridays be schedule for two hours.

NEXT MEETING

Tuesday 28 April 2020 at 11.00 am.

ADJOURNMENT

The Committee adjourned at 1.25 pm.

CONFIRMED



CHAIR

Date 28/4/2020