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STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2015 Second Reading

The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism) [6.42 p.m.]: I move:

That this bill be now read a second time.

The Statute Law (Miscellaneous Provisions) Bill 2015 continues the statute law revision program that has been in place for more than 30 years. Bills of this kind have featured in most sessions of Parliament since 1984 and are an effective method for making minor policy changes, repealing redundant legislation and maintaining the quality of the New South Wales statute book. I indicate at this time that, as a matter of protocol, the Government notes the Shooters and Fishers Party has raised an objection in relation to item [3] of schedule 1.2 to the bill, which contains an amendment to the Prevention of Cruelty to Animals Act 1979. I will move an amendment in Committee to remove this provision from the bill, which I will then commend to the House. I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.

Leave granted.

Schedule 1 to the bill contains policy changes of a minor and non-controversial nature that are too inconsequential to warrant the introduction of a separate amending bill. It contains amendments to 26 Acts and related amendments to two Regulations. I will describe some of the amendments to give honourable members an indication of the kind of amendments that are included in this Schedule.

Schedule 1 makes amendments to the Aboriginal Land Rights Act 1983 that change the nature of the resolution required to be passed by voting members of Aboriginal Land Councils for certain decisions of those Land Councils.

First, those amendments will ensure that a Local Aboriginal Land Council's Community, Land and Business plan can only be adopted by a special resolution of 80 percent of voting members of the Land Council present at a Land Council meeting, rather than by an ordinary resolution. A Local Aboriginal Land Council's Community, Land and Business plan includes the Land Council's strategies and objectives for land and business dealings. This amendment is consistent with the requirement under the Act for land dealings by a Local Aboriginal Land Council to be approved by a special resolution.

Secondly, the amendments to the Aboriginal Land Rights Act 1983 will ensure that the passing of an ordinary resolution by voting members of the New South Wales Aboriginal Land Council is sufficient to approve the transfer or disposal of an asset, or the termination of certain arrangements, by that Land Council (instead of a special resolution being required, as at present). This amendment is consistent with the requirements for other decisions of the NSW

Aboriginal Land Council, which need only be approved by the passing of an ordinary resolution.

The amendments to the Conveyancers Licensing Act 2003 will remove an unnecessary duplication in the roles of the Commissioner for Fair Trading and ASIC. In particular, they will remove the responsibility for approving business names of licensed conveyancers from the Commissioner for Fair Trading, and a related offence. The Commonwealth's Business Names Registration Act 2011 deals comprehensively with both the registration of business names by ASIC and related offences.

Schedule 1 contains an amendment that directly incorporates into the Gambling (Two-up) Act 1998 a provision of the Gambling (Two-up) Regulation 2010 allowing two-up to be played on 15 August (which is Victory in the Pacific Day) and after noon on 11 November (which is Remembrance Day). The regulations have allowed two-up to be played on these days for a successful trial period of almost 10 years.

Schedule 1 amends several Acts in the portfolio of the Minister for Health, including the Public Health Act 2010. The amendments to that Act will enable the Secretary of the Ministry of Health to provide personal information (whether or not it is also health information) to a health records linkage organisation (such as the Centre for Health Records Linkage) so that the organisation can provide unique identifier numbers for public health or disease registers. The unique identifier numbers are used on the registers in place of personal identifying particulars, such as names and addresses.

Currently, only personal information that is not health information can be provided to a health records linkage organisation and, therefore, public health and disease registers established under the Act (apart from the Pap Test Register) cannot contain any information collected in providing a health service.

The Ministry of Health has advised that the Privacy Commissioner has no objections to the proposed amendments to the Public Health Act 2010.

Schedule 1 amends the Passenger Transport Act 2014 to ensure that police officers are able to issue penalty notices for prescribed offences under the Act without having to be specifically authorised by Transport for NSW or Roads and Maritime Services. The amendment corrects a drafting oversight and recreates the existing situation that applies to the issue of penalty notices by police officers under the Passenger Transport Act 1990, which the Passenger Transport Act 2014 will replace.

The last schedule 1 matter I will mention is an amendment to the Veterinary Practice Act 2003. The amendment will reduce, from five academic years to four academic years, the minimum length of the course in veterinary science that a person must complete to be eligible for full registration as a veterinary practitioner. This reflects changes made to the courses offered by the University of Sydney and the University of Melbourne, which have changed from five-year undergraduate degrees to four-year graduate degrees, entitled "Doctor of Veterinary Medicine". The proposed amendment has been requested by the Veterinary Practitioners Board of NSW.

Schedule 2 deals with matters of pure statute law revision consisting of minor technical changes to legislation that the Parliamentary Counsel considers are appropriate for inclusion in the bill. Examples of amendments in schedule 2 are corrections of cross-references, typographical errors and terminology, and amendments arising out of the enactment of other legislation.

Schedule 3 contains amendments that update terminology and references relating to Public Service agencies, heads of agencies and Public Service employees as a consequence of the Government Sector Employment Act 2013. The schedule also includes other miscellaneous amendments that are consequential on the enactment of that Act.

Schedule 4 makes amendments consequent on an amendment made by schedule 1.

Schedules 5 and 6 continue the program of repealing Acts and instruments that are redundant or of no practical utility and consolidating provisions that may have ongoing operation into relevant Acts.

Schedule 5 enables the repeal by schedule 6 of regulations that were made as a consequence of the dissolution of Australian Inland Energy Water Infrastructure in 2005. The amendments transfer savings and transitional provisions of possible ongoing effect into the Electricity Supply Act 1995 and the Energy Services Corporations Act 1995, which are the Acts under which the regulations were made.

Schedule 6 repeals 7 Acts and 3 regulations in their entirety, including the Gambling (Two-up) Regulation 2010 (which is made redundant by the amendments to the Gambling (Two-up) Act I mentioned earlier). The schedule also repeals a number of provisions from other Acts and regulations.

Schedule 7 contains general savings, transitional and other provisions. These include provisions dealing with the effect of amendments on amending provisions, and savings clauses for the repealed Acts and provisions.

The various amendments are explained in detail in explanatory notes set out beneath the amendments to each of the Acts and statutory instruments concerned or at the beginning of the schedule concerned.

I am sure that honourable members will appreciate the straightforward and non-controversial nature of the provisions contained in the bill. However, if any amendment causes concern or requires clarification, it should be brought to my attention. If necessary, I will arrange for Government staff to provide additional information on the matters raised. If any particular matter of concern cannot be resolved and is likely to delay the passage of the bill, the Government is prepared to consider withdrawing the matter from the bill. Withdrawn proposals can also be dealt with in a second bill (using the procedure for splitting bills in the Legislative Council), which can be dealt with in each of the Houses in the same way as an ordinary bill.

I commend the bill to the House.