



Extract of the Minutes of Proceedings of the Legislation Review Committee

Thursday, 17 February 2005

Room 1108, Parliament House

Members Present

The Hon Peter Primrose MLC (Chairman)

Ms Virginia Judge MP (Vice-chairman)

The Hon Don Harwin MLC

Mr Russell Turner MP

Staff Present

Mr Russell Keith, Committee Manager

Ms Indira Rosenthal, Senior Committee Officer

Mr Mel Keenan, Senior Committee Officer

Ms Rachel White, Committee Officer

Ms Cathy Brown, Assistant Committee Officer

Apologies

Ms Linda Burney MP

Ms Shelley Hancock MP

Ms Noreen Hay MP

The Hon Dr Peter Wong MLC

2. Correspondence

(b) Incoming

- (i) Letter dated 9 December 2004 from the Minister for Commerce regarding the Licensing and Registration (Uniform Procedures) Amendment (Photo ID) Bill 2004 (*Committee Paper 4089a*)
- (ii) Letter dated 1 December 2004 from the then Minister for Roads regarding the Road Transport (General) Amendment (Licence Suspension) Bill 2004 (*Committee Paper 4060a*)
- (iii) Letter dated 30 November 2004 from the Minister for Commerce regarding the Architects Regulation 2004 (*Committee Paper 4096a*)
- (iv) Letter dated 18 January 2005 from the Minister for Primary Industries regarding the Forestry Regulation 2004 (*Committee Paper 4128a*)

- (v) Letter dated 16 December 2004 from the Minister for Primary Industries regarding the Stock Diseases (General) Regulation 2004 (*Committee Paper 4089a*)
- (vii) Letter dated 1 February 2005 from the Minister for Infrastructure and Planning regarding the Environmental Planning and Assessment Amendment (ARTC Rail Infrastructure) Regulation 2004 (*Committee Paper 4114a*)
- (ix) Letter dated from 3 December 2005 the Minister for Tourism and Sport and Recreation regarding the Sydney Olympic Park Regulation 2004 (*Committee Paper 4145a*)

ITEMS 2(b)(i) - 2 (b)(x) RESOLVED IN GLOBO on the motion of Ms Judge, seconded by Mr Turner, that the Committee publish all the correspondence with respect to bills or regulations in the *Legislation Review Digest*.

CONSIDERATION OF BILLS UNDER THE LEGISLATION REVIEW ACT 1987

4. Civil Liability Amendment (Food Donations) Bill 2004
Committee Paper 4195

RESOLVED on the motion of Mr Turner, seconded by Ms Judge, that the Committee adopt the report on this Bill.

5. Environmental Planning and Assessment Amendment (Development Contributions) Bill 2004
Committee Paper 4198

RESOLVED on the motion of Ms Judge, seconded by Mr Turner, that the Committee adopt the report on this Bill.

6. Law Enforcement (Powers and Responsibilities) Amendment (In-car Video Systems) Bill 2004
Committee Paper 4197

RESOLVED on the motion of Mr Turner, seconded by Ms Judge, that the Committee adopt the report on this Bill.

7. Legal Profession Bill 2004
Committee Paper 4203

RESOLVED on the motion of Ms Judge, seconded by Mr Turner, that the Committee:

- write to the Attorney General to seek his advice as to:
- the need to remove the privilege against self-incrimination under sections 639 and 724 in relation to offences under the Act and other offences regarding trust accounts and monies; and
- the reason that there is no requirement that a person be informed of his or her right to object to compulsory self-incrimination in order to engage sections 639(4) and 724(3) of the Act; and
- adopt the report on this Bill.

8. Marine Safety Amendment (Random Breath Testing) Bill 2004
Committee Paper 4204

RESOLVED on the motion of Ms Judge, seconded by Mr Turner, that the Committee:

- write to the Minister for Ports to seek his advice as to the reasons the Bill is to commence on proclamation and for a likely commencement date for the Act; and
- adopt the report on this Bill.

9. Photo Card Bill 2004
Committee Paper 4205

RESOLVED on the motion of Mr Turner, seconded by Ms Judge, that the Committee:

- write to the Minister for Roads to seek his advice as to the reasons the Bill is to commence on proclamation and for a likely commencement date for the Act; and
- adopt the report on this Bill.

10. Road Transport (General) Bill 2004
Committee Paper 4202

RESOLVED on the motion of Ms Judge, seconded by Mr Turner, that the Committee:

- write to the Minister for Roads to seek:
- his advice as to why an authorised officer need not be a member of staff of a public authority and there are no other requirements regarding the qualifications or attributes of persons who may be appointed as authorised officers under the Bill; and
- an explanation of the need for a power to impose fees that may also comprise a tax; and
- adopt the report on this Bill.

11. Road Transport Legislation (Speed Limiters) Amendment Bill 2004
Committee Paper 4204

RESOLVED that the Committee:

- write to the Minister for Roads to seek his advice as to the reasons the Bill is to commence on proclamation and for a likely commencement date for the Act; and
- adopt the report on this Bill.

12. Special Commission of Inquiry (James Hardie Records) Amendment Bill 2004
Committee Paper 4199

RESOLVED on the motion of Mr Turner, seconded by Ms Judge, that the Committee adopt the report on this Bill.

21. LEGISLATION REVIEW DIGEST 1 of 2005

RESOLVED on the motion of Ms Judge, seconded by Mr Turner, that, subject to any minor corrections, *Legislation Review Digest 1 of 2005* be adopted and tabled.