



Minutes of Proceedings of the Legislation Review Committee (No. 10)

12:07 pm Monday 30 August 2010

Room 1136 Parliament House

Members Present

Mr Shearan, MP (Chair)

The Hon Kayee Griffin, MLC

Mrs Hopwood, MP

Mr Pearce, MP

Mr Furolo, MP

Ms Hale, MLC

The Hon Trevor Khan, MLC

Mr Turner, MP

General Business

1. Resolved, on the motion of Mr Furolo, seconded by Mr Pearce:

That the Committee approve the Minutes of Proceedings of the Legislation Review Committee dated 21 June 2010

2. Resolved, on the motion of Mr Furolo, seconded by Mr Turner:

That the Committee authorise the publication of the Minutes and their inclusion on website of minute extracts and their tabling with the next Digest tabled in session.

3. Resolved, on the motion of Mr Furolo, seconded by Mr Khan:

That the Committee approve the report on the following Bills (in globo):

Adoption Amendment (Same Sex Couples) Bill 2010

Duties Amendment (NSW Home Builders Bonus) Bill 2010

Electronic Transactions Amendment Bill 2010

Law Enforcement and National Security (Assumed Identities) Bill 2010

Personal Property Securities Legislation Amendment Bill 2010

Plant Diseases Amendment Bill 2010

Privacy and Government Information Legislation Amendment Bill 2010

Terrorism (Police Powers) Amendment Bill 2010

Workers Compensation Legislation Amendment Bill 2010

4. Resolved, on the motion of Mr Pearce, seconded by Mr Furolo:

That the Committee approve the draft report on the Children and Young Persons (Care and Protection) Amendment (Children's Services) Bill 2010

5. Resolved, on the motion of Mr Pearce, seconded by Mrs Hopwood:

That the Committee approve the draft report on the Criminal Assets Recovery Amendment (Unexplained Wealth) Bill 2010

6. Resolved, on the motion of Mr Pearce, seconded by Mr Turner:

That the Committee approve the draft report on the Game and Feral Animal Control Repeal Bill 2010

7. Resolved, on the motion of Mr Furolo, seconded by Mr Khan:

That the Committee approve the draft report on the Home Building Amendment (Warranties and Insurance) Bill 2010

8. Resolved, on the motion of Mr Pearce, seconded by Mr Khan:

That the Committee approve the draft report on the Ombudsman Amendment (Removal of Legal Professional Privilege) Bill 2010

9. Resolved, on the motion of Mr Pearce, seconded by Ms Griffin:

That the Committee approve the draft report on the Parliamentary Contributory Superannuation Amendment Bill 2010

10. Resolved, on the motion of Mr Pearce, seconded by Mr Khan:

That the Committee amend the draft report on the Summary Offences Amendment (Full-face Coverings Prohibition) Bill 2010 as follows:

Insert the paragraph, "The Committee also notes the *Convention on All Forms of Discrimination Against Women*, in particular, Article 2 (e) and (f) and Article 5 (a). Article 2 (e) aims to take action to eliminate all forms of discrimination against women while Article 2 (f) aims to take appropriate measures to modify or abolish existing laws, regulation, customs and practices which constitute discrimination against women. Article 5 (a) aims to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea

of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women." as Paragraph 26;

Insert the words, "Further, Section 56 (d) of the Act creates an exemption for "any other act or practice of a body established to propagate religion that conforms to the doctrines of that religion or is necessary to avoid injury to the religious susceptibilities of the adherents of that religion." at the end of Paragraph 34;

Insert the words, "Further, the Committee notes the exemption for religious practices created by Section 56 (d) of the *NSW Anti-Discrimination Act 1977*." at the end of Paragraph 38; and

Insert the words, "The Committee also notes Article 2 (e) and (f) and Article 5 (e) of the *Convention on All Forms of Discrimination Against Women*." at the end of Paragraph 39.

11. Resolved, on the motion of Mr Khan, seconded by Mr Furolo:

That the Committee approve the draft report on the proposed postponements of the repeal of regulations and related reply to the Minister for Energy concerning:

Electricity Supply (General) Regulation 2001, Gas Supply (Natural Gas Retail Competition) Regulation 2001. Dangerous Goods (Gas Installations) Regulation 1998, and Pipelines Regulation 2006

12. Resolved, on the motion of Mr Khan, seconded by Mr Furolo:

That the Committee approve the draft report on the proposed postponements of the repeal of regulation and related reply to the Minister for Planning concerning:

Environmental Planning and Assessment Regulation 2000

13. Resolved, on the motion of Mr Khan, seconded by Mr Furolo:

That the Committee approve the draft report on the proposed postponements of the repeal of regulations and related reply to the Minister for Industrial Relations concerning:

Industrial Relations (General) Regulation 2001 and Employment Protection Regulation 2001

14. Resolved, on the motion of Mr Khan, seconded by Mr Furolo:

That the Committee approve the draft report on the proposed postponements of the repeal of regulation and related reply to the Minister for Local Government concerning:

Local Government (Manufactured Home States, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005

15. Resolved, on the motion of Mr Khan, seconded by Mr Furolo:

That the Committee approve the draft report on the proposed postponements of the repeal of regulation and related reply to the Minister for Mineral and Forest Resources concerning:
Mining Regulation 2003

16. Resolved, on the motion of Mr Khan, seconded by Mr Furolo:

That the Committee approve the draft report on the proposed postponements of the repeal of regulation and related reply to the Minister for Finance concerning:
Workers Compensation Regulation 2003

17. Resolved, on the motion of Mr Khan, seconded by Mr Turner:

That the Committee approve the Regulations without papers.

18. Resolved, on the motion of Mr Furolo, seconded by Ms Hale:

That the Legislation Review Digest No. 10 of 2010 be tabled today.

19. The Committee is to reconvene on Tuesday 7 September 2010 at 12.30 pm at Room 1136, Parliament House.

20. The Committee adjourned at 12:24 pm

Chair

Committee Manager