



Minutes of Proceedings of the Legislation Review Committee (No. 15)

12:00 pm Monday 9 November 2009

Room 1136 Parliament House

Members Present

Mr A Shearan, MP

Ms S Hale, MLC

Mr PR Pearce, MP

The Hon A Fazio MLC

Mr RA Furolo, MP

The Hon RM Parker, MLC

Mr RW Turner, MP

Apologies

Mrs J Hopwood, MP

General Business

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

That the Committee approve the Minutes of Proceedings of the Legislation Review Committee dated 27 October 2009.

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

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 out of session.

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

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

Food Amendment (Food Safety Supervisors) Bill 2009

Health Practitioner Regulation Bill 2009

Road Transport (Vehicle Registration) Amendment (Special Number-Plates) Bill 2009

State Revenue Legislation Further Amendment Bill (No 2) 2009

Wine Grapes Marketing Board (Reconstitution) Amendment (Extension) Bill 2009

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

That the Committee approve the draft report on the Commission for Children and Young People Amendment Bill 2009

5. Resolved, on the motion of Mr Pearce, seconded by Ms Hale:

That the Committee amend the draft report on the Criminal Procedure Amendment (Case Management) Bill 2009 by deleting the words “do not undermine” and replacing them with the words “potentially undermine”; as well as replacing “as” by inserting the words “notwithstanding that” before the words “clause 148”; and deleting the word “importantly” after “clause 148” from the following paragraph, in order to read:

29. The Committee, therefore, is of the view that clauses 143, 145 and 146 *potentially undermine* the right to silence, onus of proof or the presumption of innocence *notwithstanding that* clause 148, enables discretion for the courts to waive any requirements of the pre-trial disclosure requirements under Division 3.

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

That the Committee approve the draft report on the Passenger Transport Amendment (Taxi Licensing) Bill 2009

7. Resolved, on the motion of Ms Fazio, seconded by Mr Turner:

That the Committee approve the regulations without papers.

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

That the Legislation Review Digest No.15 of 2009 be tabled today.

7. The Committee is to reconvene on Monday 23 November 2009 at 12:00pm at Room 1136, Parliament House.

8. The Committee adjourned at 12:20 pm

Chair

Committee Manager