



Extract of Unconfirmed Minutes of Proceedings of the Legislation Review Committee (No. 11)

8.30 am, Tuesday 21 February 2012
Room 1254
Parliament House

Members Present

Mr Bromhead (Chair), Mr Flowers, Dr Lee, Mr Moselmane, Dr Phelps and Mr Shoebridge

1. Apologies

An apology was received from Mr Edwards and Ms Mihailuk.

2. Confirmation of Minutes

Resolved, on the motion of Mr Shoebridge:

'That the minutes of the meeting held on 14 February 2012 be adopted, subject to the following amendment to Item 10:

'That the Committee recommit item 3 and respond to the concerned member of the public that she has a point regarding the lack of oversight by this Committee as it has just reviewed ten bills in two minutes.'

Discussion ensued. Question put.

The Committee divided.

Ayes: three (Mr Moselmane, Dr Phelps and Mr Shoebridge)

Noes: two (Mr Bromhead, Dr Lee)

Abstentions: one (Mr Flowers)

Agreed to.

3. Consideration of Bills without comment

Resolved, on the motion of Mr Flowers, seconded Mr Moselmane:

'That the Committee makes no comment on *Biofuels Amendment Bill 2012*, *Compensation to Relatives Legislation Amendment (Dust Diseases) Bill 2012**, *Education Amendment (Record of School Achievement) Bill 2012*, *Real Property Amendment (Public Lands) Bill 2012*, in respect of the issues set out under section 8A(1) of the Legislation Review Act 1987.'

4. Chair's statement

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5. Consideration of Bills with comments

Resolved, on the motion of Mr Shoebridge, seconded Dr Phelps:

'That the Committee adopt the draft report on the Crimes Amendment (Consorting and Organised Crime) Bill 2012, subject to the following amendment:

That the words *'and this'* be inserted between the words *'lesser offence'* and *'is reasonable in the circumstances'* in the conclusion immediately below paragraph 29.'

Mr Shoebridge moved, seconded by Mr Moselmane, that a final concluding paragraph be inserted in the draft report on the Crimes (Criminal Organisations Control) Bill 2012, that reads as follows:

'That this Bill squarely raises the issues for consideration under section 8A of the Legislation Review Act and the Committee urges the Parliament to seriously and carefully consider the issues raised in this report.'

Discussion ensued. Question put.

The Committee divided.

Ayes: two (Mr Moselmann, Mr Shoebridge)

Noes: four (Mr Bromhead, Mr Flowers, Dr Lee, Dr Phelps)

Negatived.

Resolved, on the motion of Dr Phelps, seconded Mr Shoebridge:

'That the Committee adopt the draft report on the Crimes (Criminal Organisations Control) Bill 2012, unamended.'

Resolved, on the motion of Dr Phelps, seconded Mr Flowers:

'That the Committee adopt the draft report on the Firearms Amendment (Ammunition Control) Bill 2012.'

Mr Shoebridge moved, seconded Mr Moselmann, that the last sentence of the conclusion under paragraph 26 of the draft report on the Mining Legislation Amendment (Uranium Exploration) Bill 2012 be replaced with the following sentence:

'This is a matter on which the Committee has not reached a conclusion and refers this question to Parliament.'

Discussion ensued. Question put.

The Committee divided.

Ayes: two (Mr Moselmann, Mr Shoebridge)

Noes: four (Mr Bromhead, Mr Flowers, Dr Lee, Dr Phelps)

Negatived.

Resolved, on the motion of Dr Phelps, seconded Dr Lee:

'That the Committee adopt the draft report on the Mining Legislation Amendment (Uranium Exploration) Bill 2012, unamended.'

6. Consideration of Regulations

Resolved, on the motion of Dr Phelps, seconded Dr Lee:

'That the Committee adopt the draft report on the proposed postponement of the Repeal of the Apiaries Regulation 2005.'

Resolved, on the motion of Dr Lee, seconded Dr Phelps:

'That the Committee adopt the draft report on the proposed postponement of the Repeal of the Local Government (General) Regulation 2005.'

7. Consideration of Regulations without papers

Resolved, on the motion of Dr Phelps, seconded Dr Lee:

'That the Committee adopt the Regulations without papers.'

8. Legislation Review Digest

Resolved, on the motion of Dr Phelps, seconded Dr Lee:

'That the Committee adopt the draft Legislation Review Digest 10/55 as amended and that it be signed by the Chair and presented to the House.'

9. Other Business

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10. Next meeting

The Committee was adjourned at 8:55am until 8:30am on 6 March 2012.

Chair

Inquiry Manager