



Minutes of Proceedings of the Legislation Review Committee (no. 5)

12.30 pm Tuesday 23 October 2007

Room 1136 Parliament House

Members Present

The Hon Amanda Fazio, MLC

Ms McMahon, MP

Mr Pearce, MP

The Hon Roy Smith, MLC

Ms Hopwood, MP

The Hon Robyn Parker, MLC

Mr Shearan, MP

Mr R.W. Turner, MP

General Business

1. Resolved, on the motion (in globo) of Mr Pearce, seconded by Mr Turner:

That the Committee approve the Minutes of Proceedings of the Legislation Review Committee dated 12 October 2007.

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

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

3. Resolved, on the motion (in globo) of Mr Pearce, seconded by Ms McMahon:

a. That the Committee approve the reports on the following Bills:

- Animals (Regulation of Sale) Bill 2007
- Courts Legislation Amendment Bill 2007
- Crown Law Officers Legislation Amendment (Abolition of Life Tenure) Bill 2007
- Roads Amendment (Lane Cove Tunnel Filtration) Bill 2007

b. That the Committee take no further action on the following Regulations:

- Biofuel (Ethanol Content) Regulation 2007

- Criminal Procedure Amendment (Traffic Offender Intervention Program) Regulation 2007
- Criminal Procedure Amendment (Vulnerable Persons) Regulation 2007

c. That the Committee note the regulations without a paper.

4. Resolved, on the motion of Ms Parker, seconded by Ms McMahon:

That only reports recommending action to be taken by the Committee be marked for detailed consideration at future meetings of the Committee.

5. Ms Fazio moved:

That the Committee amend the report on the Bail Amendment Bill 2007 by deleting 'such as the presumption of innocence' from paragraph 9.

Motion lost.

6. Ms Fazio moved:

That the Committee amend the report on the Bail Amendment Bill 2007 by deleting 'such as the right to be treated as though innocent' from paragraph 11.

Motion lost.

7. Ms Fazio moved:

That the Committee amend the report on the Bail Amendment Bill 2007 by deleting paragraph 14.

Motion lost.

8. Ms Fazio moved:

That the Committee amend the report on the Bail Amendment Bill 2007 by deleting paragraph 17.

Motion lost.

9. Resolved, on the motion of Ms Fazio, seconded by Ms McMahon:

That the Committee amend the report on the Bail Amendment Bill 2007 by adding the following after paragraph 19, 'The Committee notes that the Bill is to commence on proclamation and understands that this is so the courts and the legal profession can be advised of changes before they take effect'.

10. Ms Fazio moved:

That the Committee amend the report on the Crimes (Sentencing Procedure) Amendment Bill 2007 by adding 'The Committee notes that the legislation may apply to matters before the court' to paragraph 13.

Motion lost.

11. Ms Fazio moved:

That the Committee delete paragraph 14 from report on the Crimes (Sentencing Procedure) Amendment Bill 2007.

Motion lost.

12. Ms Fazio moved:

That the Committee amend paragraph 15 of the report on the Crimes (Sentencing Procedure) Amendment Bill 2007 to read 'The Committee notes that the Government committed to introducing these reforms prior to the 2007 State election'.

Motion lost.

13. Resolved, on the motion of Ms Fazio, seconded by Ms McMahon:

That the Committee add the following to paragraph 17 of the report on the Crimes (Sentencing Procedure) Amendment Bill 2007, 'The Committee notes that the Bill is to commence on proclamation and understands that this is so the courts and the legal profession can be advised of changes before they take effect'.

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

That the Committee approve the report on the Criminal Legislation Amendment Bill 2007.

15. Resolved, on the motion of Mr Peace, seconded by Ms McMahon:

That the Committee approve the report on the Evidence Amendment Bill 2007.

16. Resolved, on the motion of Mr Pearce, seconded by Ms McMahon:

That the Committee approve the report on the Food Amendment Bill 2007.

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

That the Committee approve the report on the Law Enforcement (Powers and Responsibilities) Amendment Bill 2007.

18. Resolved, on the motion of Mr Pearce, seconded by Ms McMahon:

That the Committee approve the report on the Road Transport (General) Amendment (Written-off Vehicles) Bill 2007.

19. Resolved, on the motion of Ms McMahon, seconded by Mr Pearce:

That the Committee approve the report on the Summary Offences Amendment (Spray Paint Cans) Bill 2007.

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

That the Committee approve the report on the Tow Truck Industry Amendment Bill 2007.

21. Resolved, on the motion of Ms Parker, seconded by Ms McMahon:

That the Legislation Review Digest No 4 of 2007 be tabled today.

22. The Committee is to reconvene on Friday 2 November 2007 at 12 pm.

23. The Committee adjourned at 1 pm.

Chair

Committee Manager