



MINUTES OF MEETING NO 25

1.02pm, Tuesday 13 September 2016
Room 1254

Members present

Mr Johnsen, Mr Evans, Mr Pearce, Mr Henskens, Mr Mehan, Ms Gibbons and Mr Shoebridge

Staff present

Jason Ardit, Emma Matthews and Jennifer Gallagher

1. Apologies

Mr Moselmane

2. Confirmation of minutes

Resolved, on the motion of Mr Henskens, seconded Mr Pearce: That the minutes of the meeting of 23 August 2016 be confirmed and tabled, and that appropriate minute extracts of this meeting be published on the Committee's webpage.

3. Correspondence

4. Consideration of Bills with comment

- ***Criminal Procedure Amendment (Summary Proceedings for Indictable Offences) Bill 2016***

Resolved, on the motion of Mr Henskens, seconded by Mr Evans: That the Committee adopts the draft report of the *Criminal Procedure Amendment (Summary Proceedings for Indictable Offences) Bill 2016*

- ***Scrap Metal Industry Bill 2016***

Mr Shoebridge moved: That the following words be omitted from paragraph 7:

“Given the aims of this legislation, and that this is a pre-existing practice in many aspects of policing, the Committee makes no further comment in relation to this issue.”

and insert instead the following words:

“The Committee notes the recent criticisms by the NSW Ombudsman in relation to parallel powers that exist under the *Firearms Act 1996* and refers this matter to the House.”

Discussion ensued. Question put.

The Committee divided.

Ayes: 2 (Mr Shoebridge and Mr Mehan)

Noes: 5 (Mr Johnsen, Mr Evans, Ms Gibbons, Mr Henskens and Mr Pearce)

Motion negatived.

Mr Shoebridge moved: That the following words be omitted from paragraph 7:

“and that this is a pre-existing practice in many aspects of policing.”

Question put and agreed.

Mr Shoebridge moved: That the following words be omitted from paragraph 8:

“Notwithstanding that” ... “the Committee notes the pre-existing practice of police officers issuing penalty notices and makes no further comment in relation to this issue.”

and insert instead the following words at the end of paragraph 8:

“The Committee refers this matter to the House.”

Discussion ensued. Question put.

The Committee divided.

Ayes: 2 (Mr Shoebridge and Mr Mehan)

Noes: 5 (Mr Johnsen, Mr Evans, Ms Gibbons, Mr Henskens and Mr Pearce)

Motion negatived.

Mr Shoebridge moved: That the following words be omitted from paragraph 10:

“However, given the aims of the Bill the Committee makes no further comment in relation to this issue.”

And insert instead the following words:

“The Committee refers this matter to the House.”

Discussion ensued. Question put.

The Committee divided.

Ayes: 2 (Mr Shoebridge and Mr Mehan)

Noes: 5 (Mr Johnsen, Mr Evans, Ms Gibbons, Mr Henskens and Mr Pearce)

Motion negatived.

Mr Shoebridge moved: That the following words be omitted from paragraph 11:

“However, based on the information outlined in the second reading speech the Committee considers the fee to be reasonable and makes no further comment on this issue.”

and insert instead the following words:

“The Committee refers this matter to the House.”

Discussion ensued. Question put.

The Committee divided.

Ayes: 2 (Mr Shoebridge and Mr Mehan)

Noes: 5 (Mr Johnsen, Mr Evans, Ms Gibbons, Mr Henskens and Mr Pearce)

Motion negatived.

Resolved, on the motion of Mr Pearce, seconded by Mr Evans: That the Committee adopts the draft report of the Scrap Metal Industry Bill 2016 as amended.

5. Consideration of Regulations with comment

- ***Fire Brigades Amendment (False Alarm Charge) Regulation 2016***

Resolved, on the motion of Mr Henskens, seconded by Ms Gibbons: That the Committee adopts the draft report of the *Fire Brigades Amendment (False Alarm Charge) Regulation 2016*

- ***Health Practitioner Regulation (New South Wales) Regulation 2016***

Resolved, on the motion of Mr Evans, seconded by Ms Gibbons: That the Committee adopts the draft report of the *Health Practitioner Regulation (New South Wales) Regulation 2016*

- ***Mining Regulation 2016***

Resolved, on the motion of Mr Pearce, seconded by Mr Evans: That the Committee adopts the draft report of the *Mining Regulation 2016*

- **Public Lotteries Regulation 2016**

Resolved, on the motion of Mr Henskens, seconded by Ms Gibbons: That the Committee adopts the draft report of the *Public Lotteries Regulation 2016*

- **Sporting Venues (Invasions) Regulation 2016**

Resolved, on the motion of Mr Henskens, seconded by Mr Evans: That the Committee adopts the draft report of the *Sporting Venues (Invasions) Regulation 2016*

- **Terrorism (Police Powers) Regulation 2016**

Resolved, on the motion of Mr Evans, seconded by Mr Henskens: That the Committee adopts the draft report of the *Terrorism (Police Powers) Regulation 2016*

- **Workers Compensation Regulation 2016**

Resolved, on the motion of Mr Pearce, seconded by Ms Gibbons: That the Committee adopts the draft report of the *Workers Compensation Regulation 2016*

Mr Mehan moved: That the following words be omitted from paragraph 5:

“However, the Committee recognises that the exclusions strike a fair balance between workers and employers by ensuring workers gather appropriate evidence for their claim and carry out training and education from registered providers which is relevant to their future” “The Committee makes no further comments.”

And insert instead the following words at the end of paragraph 5:

“The Committee draws special attention of this issue to Parliament given the Committee has previously commented on this issue.”

Discussion ensued. Question put.

The Committee divided.

Ayes: 2 (Mr Mehan and Mr Shoebridge)

Noes: 5 (Mr Johnsen, Mr Evans, Ms Gibbons, Mr Henskens and Mr Pearce)

Motion negatived.

Resolved, on the motion of Mr Pearce, seconded by Mr Henskens: That the Committee adopts the draft report of the *Workers Compensation Regulation 2016*

6. Legislation Review Digest

Resolved, on the motion of Mr Henskens, seconded Mr Evans: That the Committee adopt the Legislation Review Digest No 24 as amended and that it be signed by the Chair and presented to the House.

7. Regulations without papers

Resolved, on the motion of Ms Gibbons, seconded Mr Pearce: That the Committee adopt the Regulations without papers.

8. Other business
