



## MINUTES OF MEETING NO 36

1.00pm, Tuesday 2 May 2017

Room 814 – 815

### Members present

Mr Evans (Acting Chair), Mr Aplin, Ms Gibbons, Mr Mehan, Mr Moselmane, Mr Pearce and Mr Shoebridge.

### Staff present

Catherine Watson, Emma Matthews, Caroline Hopley, Ze Nan Ma and Mohini Mehta.

### Apologies

Mr Johnsen's apology was noted.

### 1. Confirmation of minutes

Resolved, on the motion of Ms Gibbons: That the minutes of the meeting of 4 April 2017 be confirmed and tabled, and that appropriate minute extracts of this meeting be published on the Committee's webpage.

### 2. Correspondence

\*\*\*\*

### 3. Consideration of Bills with comment

- ***Gas and Electricity (Consumer Safety) Bill 2017***

Resolved, on the motion of Mr Aplin: That the Committee adopts the draft report of the *Gas and Electricity (Consumer Safety) Bill 2017*.

- ***Public Health Amendment (Vaccinations of Children Attending Child Care Facilities) Bill 2017***

Resolved, on the motion of Ms Gibbons: That the following new paragraph be inserted before paragraph 2:

'On 12 March 2017, Prime Minister Malcolm Turnbull called on the State Premiers to support a concerted national policy so that children who are not vaccinated cannot attend preschool or childcare centres without a medical exemption.<sup>1</sup> This would have the effect of removing the option for unvaccinated children to be enrolled in preschools or childcare centres in circumstances where their parents or guardians are 'conscientious objectors'. The next meeting of the Council of Australian Governments is scheduled for 9 June 2017.'

The Chair read out a statement:

### **'Confidentiality of Chair's draft reports**

Standing Order 300 provides that: "The Chair shall prepare the draft report for consideration by the Committee and may circulate it on a confidential basis to Committee Members only."

---

<sup>1</sup> Prime Minister Malcolm Turnbull MP, Doorstop with David Coleman MP, 12 March 2017, <https://www.pm.gov.au/media/2017-03-12/doorstop-david-coleman-mp>

In accordance with Standing Order 297, all Committee records, including draft reports are confidential documents and may be made available to others only by order of the Committee, the House, or in limited circumstances by the Speaker. Once reported to the House, Committee reports are in the public domain.

The public release of any material contained in a draft report prior to tabling and any public exposure of records of the Committee without authorisation is a breach of Parliamentary privilege and may be referred to the Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics and dealt with by the House as a contempt of the Parliament.'

Resolved, on the motion of Mr Moselmane: That paragraphs 6 and 7 and the committee conclusion immediately following paragraph 7 be omitted:

*'Right to their beliefs*

The Bill seeks to omit subsection 87(2) of the principal act which relates to the issuing of a certificate to parents who have a conscientious belief that vaccinations for specified vaccine preventable diseases should not take place and the related issuing of a form which certifies that an authorised practitioner has explained to the parent the potential dangers of not immunising their child. The Committee has concerns that the proposed amendments may infringe on an individual's right to express their beliefs, notwithstanding the public policy aims of this Bill.

The Committee appreciates the significant sensitivities that exist when seeking to introduce legislative amendments of this nature.

**The Committee refers to Parliament for its consideration whether to omitting subsection 87(2) of the principal Act would constitute an unreasonable trespass on a parent's right to conscientiously object to the public vaccination program.'**

Resolved, on the motion of Mr Pearce: That the Committee adopts the amended draft report of the *Public Health Amendment (Vaccinations of Children Attending Child Care Facilities) Bill 2017*.

- ***Securing NSW Steel Industry Bill 2017***

Resolved, on the motion of Mr Pearce: That the Committee adopts the draft report of the *Securing NSW Steel Industry Bill 2017*

#### **4. Consideration of Regulation with Comment**

- ***Explosives Amendment (Temporary Amnesty) Regulation 2017***

Resolved on the motion of Ms Gibbons: That the Committee adopts the draft report of the *Explosives Amendment (Temporary Amnesty) Regulation 2017*

- ***Public Health (Tobacco) Amendment (E-Cigarettes) Regulation 2017***

Resolved on the motion of Mr Pearce: That the Committee adopts the draft report of the *Public Health (Tobacco) Amendment (E-Cigarettes) Regulation 2017*

- ***University of Sydney Amendment (Student Discipline) By-Law 2017***

Resolved on the motion of Mr Pearce: That the Committee adopts the draft report of the *University of Sydney Amendment (Student Discipline) By-Law 2017*

**5. Legislation Review Digest**

Resolved on the motion of Ms Gibbons: That the Committee adopts the Legislation Review Digest No. 35 as amended and that it be signed by the Chair and presented to the House.

**6. Regulations without papers**

Resolved, on the motion of Ms Gibbons: That the Committee adopts the Regulations without papers.

**7. Other business**

\*\*\*\*

The meeting adjourned at 1:11 pm until 1.00pm on Tuesday, 9 May 2017 in room 814-15.

---

Chair

---

Committee Manager