

# **No. 6 of 2007**

**Tuesday, 22 May 2007**

## **On the**

Accident Towing Services Bill 2007

Appropriation (2007/2008) Bill 2007

Appropriation (Parliament 2007/2008)  
Bill 2007

Crimes Amendment (DNA Database)  
Bill 2007

Fair Trading and Consumer Acts  
Amendment Bill 2007

Health Professions Registration  
Amendment Bill 2007

State Taxation and Gambling  
Legislation Amendment (Budget  
Measures) Bill 2007

Water Acts Amendment (Enforcement  
and Other Matters) Bill 2007



# Table of Contents

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	<b>Page Nos.</b>
<b>Alert Digest No. 6 of 2007</b>	
Appropriation (2007/2008) Bill 2007	5
Appropriation (Parliament 2007/2008) Bill 2007	6
Crimes Amendment (DNA Database) Bill 2007	7
Health Professions Registration Amendment Bill 2007	9
State Taxation and Gambling Legislation Amendment (Budget Measures) Bill 2007	10
Water Acts Amendment (Enforcement and Other Matters) Bill 2007	11
<b>Ministerial Correspondence</b>	
Accident Towing Services Bill 2007	13
Fair Trading and Consumer Acts Amendment Bill 2007	15
<b>Appendices</b>	
1 – Index of Bills in 2007	17
2 – Committee Comments classified by Terms of Reference	19
3 – Ministerial Correspondence	21

## Glossary



- ‘**Article**’ refers to an Article of the International Covenant on Civil and Political Rights;
- ‘**Assembly**’ refers to the Legislative Assembly of the Victorian Parliament;
- ‘**Charter**’ refers to the Victorian *Charter of Human Rights and Responsibilities Act 2006*;
- ‘**child**’ means a person under 18 years of age;
- ‘**Committee**’ refers to the Scrutiny of Acts and Regulations Committee of the Victorian Parliament;
- ‘**Council**’ refers to the Legislative Council of the Victorian Parliament;
- ‘**court**’ refers to the Supreme Court, the County Court, the Magistrates’ Court or the Children’s Court as the circumstances require;
- ‘**Covenant**’ refers to the International Covenant on Civil and Political Rights;
- ‘**human rights**’ refers to the rights set out in Part 2 of the Charter;
- ‘**penalty units**’ refers to the penalty unit fixed from time to time in accordance with the *Monetary Units Act 2004* and published in the government gazette (*currently one penalty unit equals \$107.43*).
- ‘**Statement of Compatibility**’ refers to a statement made by a member introducing a Bill in either the Council or the Assembly as to whether the provisions in a Bill are compatible with Charter rights.
- ‘**VCAT**’ refers to the Victorian Civil and Administrative Tribunal;



### Role of the Committee

The Scrutiny of Acts and Regulations Committee is an all-party Joint House Committee, which examines all Bills and subordinate legislation (regulations) presented to the Parliament. The Committee does not make any comments on the policy aspects of the legislation. The Committee’s terms of reference contain principles of scrutiny that enable it to operate in the best traditions of non-partisan legislative scrutiny. These traditions have been developed since the first Australian scrutiny of bills committee of the Australian Senate commenced scrutiny of bills in 1982. They are precedents and traditions followed by all Australian scrutiny committees. Non-policy scrutiny within its terms of reference allows the Committee to alert the Parliament to the use of certain legislative practices and allows the Parliament to consider whether these practices are necessary, appropriate or desirable in all the circumstances.

Commencing 1 January 2007 section 30 of the *Charter of Human Rights and Responsibilities Act 2006* provides that the Committee must consider any Bill introduced into Parliament and must report to the Parliament whether the Bill is incompatible with human rights.



# Terms of Reference

## *Parliamentary Committees Act 2003*

### **17. Scrutiny of Acts and Regulations Committee**

The functions of the Scrutiny of Acts and Regulations Committee are –

- (a) to consider any Bill introduced into the Council or the Assembly and to report to the Parliament as to whether the Bill directly or indirectly –
  - (i) trespasses unduly upon rights or freedoms;
  - (ii) makes rights, freedoms or obligations dependent upon insufficiently defined administrative powers;
  - (iii) makes rights, freedoms or obligations dependent upon non-reviewable administrative decisions;
  - (iv) unduly requires or authorises acts or practices that may have an adverse effect on personal privacy within the meaning of the *Information Privacy Act 2000*;
  - (v) unduly requires or authorises acts or practices that may have an adverse effect on privacy of health information within the meaning of the *Health Records Act 2001*;
  - (vi) inappropriately delegates legislative power;
  - (vii) insufficiently subjects the exercise of legislative power to parliamentary scrutiny;
  - (viii) is incompatible with the human rights set out in the Charter of Human Rights and Responsibilities;\*
- (b) to consider any Bill introduced into the Council or the Assembly and to report to the Parliament –
  - (i) as to whether the Bill directly or indirectly repeals, alters or varies section 85 of the *Constitution Act 1975*, or raises an issue as to the jurisdiction of the Supreme Court;
  - (ii) if a Bill repeals, alters or varies section 85 of the *Constitution Act 1975*, whether this is in all the circumstances appropriate and desirable;
  - (iii) if a Bill does not repeal, alter or vary section 85 of the *Constitution Act 1975*, but an issue is raised as to the jurisdiction of the Supreme Court, as to the full implications of that issue;
- (c) to consider any Act that was not considered under paragraph (a) or (b) when it was a Bill –
  - (i) within 30 days immediately after the first appointment of members of the Committee after the commencement of each Parliament; or
  - (ii) within 10 sitting days after the Act receives Royal Assent —  
whichever is the later, and to report to the Parliament with respect to that Act or any matter referred to in those paragraphs;
- (d) the functions conferred on the Committee by the *Subordinate Legislation Act 1994*;
- (e) the functions conferred on the Committee by the *Environment Protection Act 1970*;
- (f) the functions conferred on the Committee by the *Co-operative Schemes (Administrative Actions) Act 2001*;
- (fa) the functions conferred on the Committee by the Charter of Human Rights and Responsibilities;\*
- (g) to review any Act in accordance with the terms of reference under which the Act is referred to the Committee under this Act.

\* *The Charter of Human Rights and Responsibilities Act 2006 came into force on 1 January 2007.*

## **The Committee has considered the following Bills—**

Appropriation (2007/2008) Bill 2007  
Appropriation (Parliament 2007/2008) Bill 2007  
Crimes Amendment (DNA Database) Bill 2007  
Health Professions Registration Amendment Bill 2007  
State Taxation and Gambling Legislation Amendment (Budget Measures) Bill 2007  
Water Acts Amendment (Enforcement and Other Matters) Bill 2007

## **The Committee notes the following correspondence—**

Accident Towing Services Bill 2007  
Fair Trading and Consumer Acts Amendment Bill 2007

### ***Useful provisions***

Section 7(2) of the *Charter* provides –

#### ***When may human rights be limited –***

*(2) A human right may be subject under law only to such reasonable limits as can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom, and taking into account all relevant factors including—*

- (a) the nature of the right; and*
- (b) the importance of the purpose of the limitation; and*
- (c) the nature and extent of the imitation; and*
- (d) the relationship between the limitation and its purpose; and*
- (e) any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve.*

Section 35 (b)(iv) of the *Interpretation of Legislation Act 1984* provides –

*In the interpretation of a provision of an Act or subordinate instrument consideration may be given to any matter or document that is relevant including, but not limited to, reports of Parliamentary Committees.*

# Alert Digest No. 6 of 2007

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## **Appropriation (2007/2008) Bill 2007**

<b>Introduced</b>	1 May 2007
<b>Second Reading Speech</b>	1 May 2007
<b>House</b>	Legislative Assembly
<b>Minister responsible</b>	Hon. John Brumby MLA
<b>Portfolio responsibility</b>	Treasurer

### **Purpose**

This Bill provides appropriation authority for payments from the Consolidated Fund for the ordinary annual services of the Government for the 2007/2008 financial year. The amounts contained in Schedule 1 to the Bill provide for the ongoing operations of departments, new output initiatives and new asset investment in so far as these are funded by way of annual appropriation.

### **Content and Committee comment**

#### **[Clauses]**

[2]. The Act comes into operation on the day it receives Royal Assent.

[3]. Provides that the Treasurer may issue the stated amount out of the Consolidated Fund in respect of the financial year 2007/2008 for the purposes set out in Schedule 1 to the Bill. Subclauses (2) and (3) provide authority for additional appropriation if necessary for increases in salaries and related costs that may be the result of determinations or legislation during the year.

[4]. Provides that the Consolidated Fund is appropriated to the extent necessary for the purposes included in clause 3.

*The Committee makes no further comment.*

## Appropriation (Parliament 2007/2008) Bill 2007

<b>Introduced</b>	1 May 2007
<b>Second Reading Speech</b>	1 May 2007
<b>House</b>	Legislative Assembly
<b>Minister responsible</b>	Hon. Steve Bracks MLA
<b>Portfolio responsibility</b>	Premier

### Purpose

This Bill provides appropriation authority for payments from the Consolidated Fund to the Parliament in respect of the 2007/2008 financial year. The amounts contained in Schedule 1 to the Bill provide for the ongoing operations of the Parliament, new output initiatives and new asset investment in so far as these are funded by way of annual appropriation.

### Content and Committee comment

#### [Clauses]

[2]. The Act comes into operation on the day it receives Royal Assent.

[3]. Provides that the Treasurer may issue the stated amount out of the Consolidated Fund in respect of the financial year 2007/2008 for the purposes set out in Schedule 1 to the Bill. Subclauses (2) and (3) provide authority for additional appropriation if necessary for increases in salaries and related costs that may be the result of determinations or legislation during the year.

[4]. Provides that the Consolidated Fund is appropriated to the extent necessary for the purposes included in section 3.

*The Committee makes no further comment.*

## Crimes Amendment (DNA Database) Bill 2007

<b>Introduced</b>	1 May 2007
<b>Second Reading Speech</b>	2 May 2007
<b>House</b>	Legislative Assembly
<b>Minister responsible</b>	Hon. Rob Hulls MLA
<b>Portfolio responsibility</b>	Attorney-General

### Purpose

The Bill amends the *Crimes Act 1958* (the ‘Act’) to enable national automatic matching of data on a national DNA database through the National Criminal Investigation DNA Database (NCIDD).

*Note: The changes to the Act contained in the Bill have arisen out of national processes through both the Standing Committee of Attorneys-General and the Australasian Police Ministers’ Council.*

The Bill –

- provides for the legal recognition of NCIDD as a separate legal entity and distinguishes it from the Victorian (and other States) DNA databases;
- changes the matching table which governs which types of sample may be compared to other samples, to remove anomalies and broaden the range of permissible matches;
- broadens the Attorney-General’s powers to enter into agreements with other jurisdictions in relation to the sharing of DNA information, ensuring such agreements are broad enough to allow NCIDD to operate to its full capacity and to match samples automatically;
- updates the oversight and enforcement powers.

The Committee notes this extract from the Second Reading Speech –

*Currently Victoria is able to engage in DNA matching with other jurisdictions on a bilateral basis. For example, Victoria can approach another jurisdiction requesting that a check be made to determine if there is a match between, say, a Victorian crime scene sample and another jurisdiction’s offender samples. If such a match is made, Victoria can then ask for identifying information to be provided, if available, in relation to the other jurisdiction’s sample.*

*What NCIDD offers is a streamlined and automated system that allows checks to be made across all participating jurisdictions simultaneously. The NCIDD system offers significant efficiencies that will assist in the early identification not only of suspects in criminal matters, but also missing persons and disaster victims.*

*While NCIDD contains DNA information, it does not contain any other identifying information, such as a person’s name. Once a match has been made through NCIDD, it is incumbent on the jurisdictions involved to provide identifying information in relation to that match to each other in accordance with each jurisdiction’s legislative framework.*



### **Charter of Human Rights and Responsibilities**

*The Committee notes this extract from the Statement of Compatibility –*

*While the Bill will facilitate a greater degree of matching between jurisdictions, it does not alter arrangements for what occurs once a match has taken place. Jurisdictions will still be required to exchange any identifying information in accordance with the existing legislative regime.*

*All of the existing safeguards in relation to the taking, storage, use and disposal of DNA samples remain unaffected by this Bill.*

*The offence provisions in the Legislation have been broadened by this Bill so that they can apply to any misuse of information obtained from Victorian samples in other jurisdictions, as well as in Victoria.*

*Any “interference” with privacy under this Bill is therefore permitted by the law.*

## **Content and Committee comment**

### **[Clauses]**

[2]. The provisions in the Bill come into operation on the day after Royal Assent.

[9]. Amends section 464ZGJ to constrain the offences under the section to the recording, retention or failure to remove Victorian DNA information from a DNA database.

[10]. Amends section 464ZGK to make clear that the disclosure offence and the permitted purposes for disclosure only relate to Victorian DNA-related information.

[11]. Substitutes a new section 464ZGN to set out the arrangements that the Victorian Minister may enter into in relation to the exchange of information from DNA databases.

[13]. Provides for the automatic repeal of this amending Act 12 months after the commencement date.

*The Committee makes no further comment.*

## Health Professions Registration Amendment Bill 2007

<b>Introduced</b>	1 May 2007
<b>Second Reading Speech</b>	2 May 2007
<b>House</b>	Legislative Assembly
<b>Minister responsible</b>	Hon. Bronwyn Pike MLA
<b>Portfolio responsibility</b>	Minister for Health

### Purpose

This Bill amends the *Health Professions Registration Act 2005* (the 'Act').

### Content and Committee comment

#### [Clauses]

[2]. Other than clause 33 the provisions in the Bill come into operation on the day after Royal Assent. Clause 33 is to commence operation on 1 July 2007.

[14]. Amends section 30 requiring boards to keep a register of all health practitioners to whom the responsible board has granted registration. The amendment replaces sections 30(2)(d) and (h) and thereby makes it discretionary, rather than it being mandatory, that a responsible board include in the register details regarding the health practitioner's principal academic qualifications, training completed and the address from which the health practitioner provides regulated health services.

The Committee notes this extract from the Statement of Compatibility –

*Proposed clause 14 of the Bill engages the right to privacy by amending a public register. However, the proposed amendment does not limit the right to privacy, as it serves to reduce the amount of personal information that a responsible board must publish on a register.*

***The Committee notes that the Statement of Compatibility erroneously refers to clause 12 of the Bill in several places. The correct reference in each instance is to clause 14.***

[16]. Amends section 40(1) of the Act to require a board to form a view that a practitioner's ability to practice is actually affected or, professional performance is actually unsatisfactory, before it can immediately suspend the practitioner.

*Note: Explanatory memorandum – It is not always possible for the board to be sure that the criteria for suspension have been met until their investigation is complete. Accordingly, the amendment allows a board to suspend a practitioner's registration where it has a belief on reasonable grounds that the practitioner's ability to practice may be affected or their professional performance may be unsatisfactory or they may have engaged in unprofessional behaviour.*

[17]. Amends section 49(a) to enable an investigator to give written notice to a person requiring them to do certain things during the course of an investigation. As currently drafted, section 49(a) allows an investigator to require a person to provide information or require them to attend before an investigator to answer questions. The amendment will enable an investigator to require either or both of these things rather than they being alternatives.

[35]. Provides for the automatic repeal of this amending Act one year after all of its provisions have commenced operation.

***The Committee makes no further comment.***

## State Taxation and Gambling Legislation Amendment (Budget Measures) Bill 2007

Introduced	1 May 2007
Second Reading Speech	2 May 2007
House	Legislative Assembly
Minister responsible	Hon. John Brumby MLA
Portfolio responsibility	Treasurer

### Purpose

The Bill gives effect to a number of initiatives in the State Budget for 2007/2008. The Bill makes amendments to the –

- *Congestion Levy Act 2005* to provide a temporary levy reduction for a discrete part of the existing levy area.
- *Duties Act 2000* to reduce the rate of duty on certain new and “near new” passenger cars.
- *Land Tax Act 2005* to include further reductions in the rates of land tax, an increase in the threshold and reform of the special land tax provisions.
- *Gambling Regulation Act 2003* to change the way the maximum amount of commission on wagering event totalisators is determined and amends that Act.
- *Casino Control Act 1991* to increase the health benefit levy.

### Content and Committee comment

#### [Clauses]

[2]. Provides that the provisions in the Bill come into operation on the following days—

- *Congestion Levy Act 2005* – come into operation on the day after Royal Assent;
- *Duties Act 2000* – on 1 May 2007 (the date they were publicly announced in the 2007–08 Budget;
- The changes that affect special land tax are deemed to come into operation from 1 May 2007, the date they were publicly announced in the 2007–08 Budget;
- The remaining measures which amend the *Land Tax Act 2005* come into operation on the day after Royal Assent;
- The amendments to the *Gambling Regulation Act 2003* and the *Casino Control Act 1991* come into operation on 1 July 2007.

[15]. Provides for the automatic repeal of this amending Act on the first anniversary of the day on which all its provisions are in operation.

***The Committee makes no further comment.***

# Water Acts Amendment (Enforcement and Other Matters) Bill 2007

<b>Introduced</b>	1 May 2007
<b>Second Reading Speech</b>	2 May 2007
<b>House</b>	Legislative Assembly
<b>Minister responsible</b>	Hon. John Thwaites MLA
<b>Portfolio responsibility</b>	Minister for Water, Environment and Climate Change

## Purpose

The Bill amends the –

- *Water Industry Act 1994* to make further provision for enforcement in relation to drought response plans, emergency management plans, and permanent water saving plans;
- *Water Act 1989* to make further provision for enforcement in relation to permanent water saving plans and water restrictions set out in by laws, to make further provision for licences to take water;
- *Infringements Act 2006* to extend the operation of that Act to infringement notices served under by-laws.

## Content and Committee comment

### [Clauses]

[2]. The provisions in the Act will come into operation on the day after Royal Assent.

### *Water Industry Act 1994*

[6]. Amends sections 78H by removing the requirement for a person to be issued with a warning notice before being liable for committing an offence for contravening a drought response plan or an emergency management plan. An authorised water officer will thus have discretion whether to give a warning notice or take enforcement action.

[7]. Amends section 78HA to provide that an infringement notice may be served by an authorised water officer appointed by a licensee where the officer reasonably believes that a person has committed an offence against section 78H by contravening a restriction or prohibition on the use of water contained in a drought response plan or an emergency management plan.

[10]. Inserts new section 78OA to provide that an authorised water officer appointed by a licensee may serve an infringement notice on any person he or she reasonably believes has committed an offence against section 78O by contravening a restriction or prohibition on the use of water contained in a permanent water saving plan.

[12]. Inserts new Part 6A (new sections 185A to 185D) entitled ‘Appointment of and Powers of Authorised Water Officers’. New section 185A provides for the appointment of a person as an authorised water officer by a licensee.

New section 185D(1) requires a person to state his or her name and address to an authorised water officer if that officer has reasonable grounds for believing that the person has contravened, or is contravening, a restriction or prohibition on the use of water contained in a drought response plan, an emergency management plan or a permanent water saving plan.

***Water Act 1989***

[16]. Amends section 170F(1) to remove the requirement for a person to be issued with a warning notice before being liable for committing an offence for contravening a permanent water saving plan. An authorised water officer has discretion as to whether to give a warning notice or take enforcement action.

[19]. Inserts new Divisions 2 and 3 into Part 14 entitled 'Division 2—Enforcement of water restrictions' (new sections 291A to 291C) and 'Division 3—Powers of authorised water officers' (new section 291D). New section 291A provides for the appointment of a person as an authorised water officer by an Authority with a water district. New section 291D(1) requires a person to state his or her name and address to an authorised water officer if that officer has reasonable grounds for believing that the person has contravened, or is contravening, an offence set out in section 170F in relation to a permanent water saving plan or an offence set out in a relevant by law.

[21]. Substitutes section 295A(1) to provide that an infringement notice may be served by an authorised water officer appointed by an Authority where the officer reasonably believes that a person has committed an offence against section 170F by contravening a restriction or prohibition on the use of water contained in a permanent water saving plan.

[26]. Provides for the automatic repeal of this amending Act on the anniversary of its Royal Assent.



***Charter of Human Rights and Responsibilities***

*The Statement of Compatibility notes that provisions in the Bill may engage the following Charter rights.*

- *Privacy (Charter section 13(a)) – clauses 12 and 19 which require persons who are believed on reasonable grounds to have contravened water usage laws to disclose to authorised persons their name and address. The Committee notes that the laws will only allow an authorised person to ask for a persons name and address only after the authorised officer has identified themselves and only after having formed a view, based on reasonable grounds, that the person has contravened or is contravening a relevant water usage law.*
- *Rights in criminal proceedings (Charter section 25(2)(a)) – clauses 7, 10 and 22 of the Bill augment existing provisions allowing infringement notices to be issued. The Committee notes that the issue of infringement notices will be in accordance with the forms and procedures of the Infringements Act 2006 which includes the requirement that a person be informed in sufficient detail for them to understand the alleged offence and that the person is informed that they may, as an option, have the alleged offence heard before a court.*

***The Committee makes no further comment.***

# Ministerial Correspondence

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## Accident Towing Services Bill 2007

The Bill was introduced into the Legislative Assembly on 17 April 2007, by the Hon. Tim Pallas MLA. The Committee considered the Bill on 30 April 2007 and made the following comments in Alert Digest No. 5 of 2007 tabled in the Parliament on 1 May 2007.

### Committee's Comment

[2]

*The Committee reports to Parliament pursuant to a term of reference provided in section 17(a)(vi) of the Parliamentary Committees Act 2003, – ‘inappropriately delegates legislative power’.*

*The Committee notes that the overwhelming majority of provisions in the Bill have a delayed commencement provision up to 1 January 2009.*

*The Committee refers to its Practice Note No. 1 of October 2005 in respect to delayed commencement provisions greater than one year from Royal Assent and notes that it will routinely request explanatory material where a provision infringes the one year rule.*

*The Committee will write to the Minister seeking further advice concerning the necessity or desirability for such a delayed commencement provision.*

*Pending the Minister's response the Committee draws attention to the commencement provision.*

### Minister's Response

*Thank you for your letter of 1 May 2007 concerning the delayed commencement provision in this Bill.*

*Delayed commencements are common and necessary for major Bills so that agencies have the time to do all the things necessary to implement new policy and legislation.*

*The types of things required to be done to implement the Accident Towing Services Bill include –*

- developing and making supporting regulations, including a regulatory impact statement and a mandatory public comment process;*
- developing and making new accreditation standards including a mandatory public comment process;*
- database and other IT changes;*
- new delegations and authorisations;*
- training and guidance activity and materials; and*
- communications with industry and other enforcement agencies, eg Victoria Police.*

*The Accident Towing Services Bill is a major proposal. It is an elaborate Bill which introduces significant changes to the regulation of the towing industry in Victoria such as introducing a new role based accreditation scheme of the accident towing industry, deregulation of the trade towing sector and introducing new compliance measures.*

## **Scrutiny of Acts and Regulations Committee**

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*It will take a considerable amount of time to implement the changes and the default commencement date of the Bill was structured accordingly. While it is highly probable that the Bill will commence well before 1 January 2009, sufficient time has been provided to allow for completion of all implementation tasks including potential contingencies, so there will be no need to return to Parliament.*

*Tim Pallas MP  
Minister for Roads and Ports*

*18 May 2007*

***The Committee thanks the Minister for this response.***

## Fair Trading and Consumer Acts Amendment Bill 2007

The Bill was introduced into the Legislative Assembly on 17 April 2007, by Mr Daniel Andrews MLA. The Committee considered the Bill on 30 April 2007 and made the following comments in Alert Digest No. 5 of 2007 tabled in the Parliament on 1 May 2007.

### Committee's Comment

[11 and 157]

#### *Charter of Human Rights and Responsibilities*

*The Committee observes that the Statement of Compatibility noted that a number of provisions in the Bill may reasonably engage Charter rights.*

*The Committee notes that clause 11 amending section 157 will allow certain facts determined at an ex parte injunctive stage of proceedings to be used in later proceedings for final orders. The Committee is concerned to ensure that a party not present at earlier proceedings is not in any way disadvantaged by not being able to challenge at a final hearing or determination, a finding of fact made at the earlier proceeding.*

*The Committee will seek further advice from the Minister.*

*Pending the Minister's response the Committee draws attention to the provision.*

### Minister's Response

*Thank you for your letter of 1 May in which you seek my advice concerning clause 11 of the above Bill.*

*I am advised by my Department that, while clause 11 of the Bill will extend section 157 to apply to sections 149A, 151A and 151B, section 149A is the only one of these three sections that allows for ex parte applications. Prior to making a determination under section 149A the Act states that the court must be satisfied that a person is engaging in or has been engaging in certain types of conduct set out in the section, which is a substantial evidentiary threshold to pass in the first instance. I am further advised that if a party was not present at the earlier proceedings, the court has the power under the Court Rules (the Supreme and the County Court) to set aside an order made under section 149A in the interests of natural justice. Furthermore, I am advised that the effect of section 157 is that a finding of fact from previous proceedings is evidence of the fact and such evidence may be rebutted.*

*I hope this advice will allay the Committee's concerns.*

**HON DANIEL ANDREWS MP**  
**MINISTER FOR CONSUMER AFFAIRS**

3 May 2007

**Committee Room**  
**21 May 2007**



# Appendix 1

## Index of Bills in 2007

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	<b>Alert Digest Nos.</b>
Accident Towing Services Bill 2007	5, 6
Appropriation (2007/2008) Bill 2007	6
Appropriation (Parliament 2007/2008) Bill 2007	6
Building Amendment (Plumbing) Bill 2007	5
Control of Weapons Amendment (Penalties) Bill 2006	1
Crimes Amendment (DNA Database) Bill 2007	6
Drugs, Poisons and Controlled Substances Amendment (Repeal of Part X) Bill 2007	3
Equal Opportunity Amendment Bill 2007	5
Fair Trading and Consumer Acts Amendment Bill 2007	5, 6
Gambling and Racing Legislation Amendment (Sports Betting) Bill 2007	4
Gambling Regulation Amendment (Review Panel) Bill 2007	3
Health Professions Registration Amendment Bill 2007	6
Howard Florey Institute of Experimental Physiology and Medicine (Repeal) Bill 2007	4
Infertility Treatment Amendment Bill 2007	4
Interpretation of Legislation Amendment Bill	1
Justice Legislation (Further Miscellaneous Amendments) Bill	1
Legal Profession Amendment Bill 2007	3
Livestock Disease Control Amendment Bill 2007	3
Major Events (Aerial Advertising) Bill 2007	3
Murray-Darling Basin Amendment Bill 2006	1
Nuclear Activities (Prohibitions) Amendment (Plebiscite) Bill 2007	3
Parliamentary Legislation Amendment Bill 2007	2
Pay-roll Tax Amendment (Bushfire and Emergency Service) Bill 2007	2
Prahran Mechanics' Institute Amendment Bill 2007	2
Public Prosecutions Amendment Bill 2006	1, 3
Road Legislation Amendment Bill 2007	4
Road Legislation (Projects and Road Safety) Bill	1
Senate Elections Amendment Bill 2006	1
State Taxation and Gambling Legislation Amendment (Budget Measures) Bill 2007	6
Statute Law Repeals Bill 2006	4
Statute Law Revision Bill 2006	5
Victims of Crime Assistance Amendment Bill 2007	2
Water Acts Amendment (Enforcement and Other Matters) Bill 2007	6
Water Amendment (Critical Water Infrastructure Projects) Bill 2006	1, 4
Water (Governance) Bill	1



# Appendix 2

## Committee Comments classified by Terms of Reference

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### Alert Digest Nos.

#### Section 17(a)

*(i) trespasses unduly upon rights and freedoms.*

Public Prosecutions Amendment Bill 2006	1
Senate Elections Amendment Bill 2006	1

*(vi) inappropriately delegates legislative power.*

Gambling and Racing Legislation Amendment (Sports Betting) Bill 2007	4
Road Legislation Amendment Bill 2007	4

*(viii) is incompatible with the human rights set out in the Charter of Human Rights and Responsibilities.*

Fair Trading and Consumer Acts Amendment Bill 2007	5
Infertility Treatment Amendment Bill 2007	4
Senate Elections Amendment Bill 2006	1



## Appendix 3

### Ministerial Correspondence

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**Table of correspondence between the Committee and Ministers during 2006-07**

<b>Bill Title</b>	<b>Minister/ Member</b>	<b>Date of Committee Letter</b>	<b>Date of Minister's Response</b>	<b>Issue Raised in Alert Digest No.</b>	<b>Response Published in Alert Digest No.</b>
Justice Legislation (Further Miscellaneous Amendments) Bill	Attorney-General	31.5.06	13.10.06	5 of 2006	1 of 2007
Water (Governance) Bill	Water	22.8.06	1.11.06	9 of 2006	1 of 2007
Funerals Bill	Attorney-General	22.8.06		9 of 2006	
Public Sector Acts (Further Workplace Protection and Other Matters) Bill	Industrial Relations	13.9.06		10 of 2006	
Road Legislation (Projects and Road Safety) Bill	Transport	13.9.06	18.10.06	10 of 2006	1 of 2007
Serious Sex Offenders Monitoring (Amendment) Bill	Corrections	16.10.06		12 of 2006	
Public Prosecutions Amendment Bill 2006	Attorney-General	13.2.07	26.2.07	1 of 2007	3 of 2007
Senate Elections Amendment Bill 2006	Attorney-General	13.2.07		1 of 2007	
Water Amendment (Critical Water Infrastructure Projects) Bill 2006	Water	13.2.07	20.3.07	1 of 2007	4 of 2007
Gambling and Racing Legislation Amendment (Sports Betting) Bill 2007	Gaming	17.4.07	27.4.07	4 of 2007	5 of 2007
Roads Legislation Amendment Bill 2007	Roads and Ports	17.4.07		4 of 2007	
Infertility Treatment Amendment Bill 2007	Health	28.3.07		4 of 2007	
Accident Towing Services Bill 2007	Roads and Ports	1.5.07	18.5.07	5 of 2007	6 of 2007
Fair Trading and Consumer Acts Amendment Bill 2007	Consumer Affairs	1.5.07	3.5.07	5 of 2007	6 of 2007