



Speech by

Hon. Robert Swarten

MEMBER FOR ROCKHAMPTON

Hansard Tuesday, 28 November 2006

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL

Second Reading

Hon. RE SCHWARTEN (Rockhampton—ALP) (Minister for Public Works, Housing and Information and Communication Technology) (2.43 pm.): I move—

That the bill be now read a second time.

The Statute Law (Miscellaneous Provisions) Bill 2006 is essentially an omnibus bill that makes amendments to 50 acts, where the amendments are concise, of a minor nature and noncontroversial. Most of the amendments have arisen through changes to legislative drafting practice, updating cross-references, providing greater clarity, correcting minor errors and other minor amendments. However, amendments 2, 5 and 6 to the Commission for Children and Young People and Child Guardian Act 2000 are slightly different and further detail in this regard is outlined later in my speech.

The rationale for the Statute Law (Miscellaneous Provisions) Bill is to enable legislation to be corrected and updated in circumstances where the preparation of a separate bill is not justified. This allows for the timely and efficient operation of the parliament by amending a large number of acts via one bill. It also provides for quality up-to-date legislation that is consistent across the statute book.

I will now turn to amendments 2, 5 and 6 to the Commission for Children and Young People and Child Guardian Act 2000. Amendment 2 to the act amends section 102B to remove the mandatory requirement for the Commissioner for Children and Young People and Child Guardian, the commissioner, to provide a copy of review/appeal rights to a person who has had his or her application for a blue card refused because of a conviction for an excluding offence—that is, a serious child related sexual offence, and sentenced to imprisonment or a lifetime ban from holding a blue card. It is considered illogical for the commissioner to be required to provide these applicants who are automatically issued with a negative notice for their blue card application with details of any appeal rights as there are no appeal rights that apply.

Amendments 5 and 6 to the act amend section 122B to allow the commissioner to issue a notification under the section to an employer where a blue card applicant may be working with children pending assessment of his or her application and has had a change in his or her police information. This enables the employer to implement appropriate risk management strategies while the application is assessed. The commissioner currently has the power to issue a notification under section 122B to an employer in relation to a blue card holder who has a change in his or her police information, but not in relation to a blue card applicant. I seek leave to have the remainder of my second reading speech incorporated in *Hansard*.

Leave granted.

While these amendments are considered to be slightly beyond technical in nature, which is why I have specifically mentioned them in my second reading speech, they are not considered to be controversial at all.

Honourable Members may also note that the Explanatory Notes to the bill are contained within the bill itself—unlike the usual practice of providing a separate document.

This is for ease of reference as there is a broad range of Acts being amended across a range of portfolios. It also reiterates the minor nature of the proposed amendments in that most amendments can be explained through a sentence.

I commend the bill to the House.