

# Bill Tilley MP

## Member for Benambra



### THE WEEK IN PARLIAMENT – 8-10 NOVEMBER 2011

*The Parliament of Victoria consists of three parts, the **Legislative Assembly** (Lower House), the **Legislative Council** (Upper House) and the **Crown** (represented by the Governor). All three parts must agree to any new law.*

#### NEW BILLS THAT WERE INTRODUCED INTO THE LEGISLATIVE ASSEMBLY:

##### **City of Melbourne Amendment Bill**

This Bill will allow recommendations from an electoral representation review of the Melbourne City Council to be implemented by orders in council, if necessary, in the same way as for other councils. Orders in council will be able to specify the number of councillors to be elected, whether the councillors will be elected at large or to represent wards and the location of ward boundaries, if required.

##### **Criminal Procedure Amendment (Double Jeopardy and Other Matters) Bill**

This Bill provides that, in specific circumstances, a person may be tried again in spite of a previous acquittal. Such new trials will be permitted only in three situations: (a) Where there is 'fresh and compelling' evidence against the person (for example, where new DNA evidence links a person to a murder or a person confesses to having committed a murder); (b) Where the original acquittal was 'tainted' (for example, by the commission by the accused person or another person of an 'administration-of-justice offence' such as bribery of a witness or perjury). The acquittal will be tainted if it is more likely than not that, but for the commission of the administration of justice offence, the accused person would have been convicted in the original trial; and (c) Where there is fresh evidence that the accused person has committed an administration-of-justice offence in respect of an acquittal and the prosecution seeks to bring charges for that offence notwithstanding the acquittal.

##### **Education and Training Reform Amendment (Skills) Bill**

This Bill will clarify that TAFE institutes and adult education institutions may deliver programs and services outside Victoria, whether interstate or overseas.

##### **Wills Amendment (International Wills) Bill**

This Bill allows Victorian law to be brought into line with the International Wills Convention signed at Washington in 1973 to which Australia is a signatory, by adopting the convention's uniform law in relation to wills. This will help when cross-country or cross-border issues affect a will.

#### OTHER BILLS BEING DEBATED IN THE LEGISLATIVE ASSEMBLY:

##### **Children's Services Amendment Bill**

This Bill responds to changes to Federal legislation to ensure that children's services are not required to operate under two regulatory regimes (State and national). It continues in the tradition of a robust and high quality framework for Victorian children's services, which were used as the model for the national law.

### **Domestic Animals Amendment (Puppy Farm Enforcement and Other Matters Bill**

This Bill outlaws puppy farms and similar establishments for the intensive breeding of cats. It regulates breeding and rearing establishments and provides for penalties for people engaged in such illegal activities which are cruel to animals.

### **Parks and Crown Land Legislation Amendment Bill**

This bill will add additional land to a number of Victoria's parks. It will increase the lease arrangements to accommodate the future of the Arthur's Seat chairlift, streamline the administrative processes around fire prevention and suppression work in parks, and will change the status of the Frankston Natural Features Reserve and the St Arnaud Range National Park.

### **Planning and Environment Amendment (Schools) Bill**

This Bill implements an election commitment to amend the Planning and Environment Act 1987 to remove the requirement for non-government schools to pay a growth areas infrastructure contribution, commonly referred to as GAIC, on land they currently own in growth areas. This bill implements the government's commitment to ensure a non-discriminatory approach between government and non-government school providers, and to ensure that any person or body establishing or expanding a school in a growth area will not be required to pay GAIC.

### **Public Prosecutions Amendment Bill**

This bill refines the existing arrangements in the Public Prosecutions Act 1994 to clarify the role relationships between the Director of Public Prosecutions, the Chief Crown prosecutor and the Solicitor for Public Prosecutions. The bill also revises the role of associate Crown prosecutor. The bill will also remove the minimum term of reappointment for senior Crown prosecutors in certain circumstances.

### **Serious Sex Offenders (Detention and Supervision) Amendment Bill**

The main purpose of the bill is to enhance community safety by amending the Serious Sex Offenders (Detention and Supervision) Act 2009, and to make consequential and related amendments to other acts.

### **Transport Legislation Amendment (Marine Safety and Other Amendments) Bill**

This Bill makes amendments to the Marine Safety Act 2010 and other legislation to improve safety on the water and to increase the effectiveness of marine and port regulation generally. Among other measures, it clarifies marine pollution responsibilities and gives the Secretary of the Department of Transport the power to recover costs in marine operations where pollution is prevented. It lifts the three year sunset for regulation of towage at the Port of Melbourne and imposes new duties of care on operators of recreational vessels.

## **BILL THAT PASSED THE LEGISLATIVE COUNCIL AND WILL NOW BE DEBATED IN THE LEGISLATIVE ASSEMBLY**

### **Business Names (Commonwealth Powers) Bill**

This Bill adopts national laws for the registration of business names, consistent with an agreement between the Commonwealth and the States and Territories. It gives the Commonwealth a referral power to make future changes to those laws and repeals Victoria's business names registration system.

### **Leo Cussen Institute (Registration as a Company) Bill**

This Bill updates the corporate structure of the Leo Cussen Institute, which provides professional training for newly graduating lawyers and continuing education for members of the legal profession.

## **BILLS THAT PASSED THE LEGISLATIVE ASSEMBLY AND WILL NOW BE DEBATED IN THE LEGISLATIVE COUNCIL:**

### **Independent Broad-based Anti-corruption Commission Bill**

This Bill is part of the Coalition Government's package of integrity reform legislation. It implements an election commitment to establish in Victoria a comprehensive and independent anti-corruption body, which can investigate complaints into public bodies and individuals, including the courts and Members of Parliament, and also provide an educative function about proper conduct in public life.

### **Justice Legislation Further Amendment Bill**

This Bill makes minor technical amendments to three Acts within the Attorney-General's portfolio.

### **Liquor Control Reform Further Amendment Bill**

This bill implements an election commitment to crack down on rogue liquor licensees. It introduces a demerit points system to better regulate entertainment venues serving liquor.

### **Mines (Aluminium Agreement) Amendment Bill**

This bill ratifies the agreement between the State of Victoria and Alcoa in relation to the coal mine at Anglesea and provides for an amended agreement with improved environmental outcomes and which secures 1100 regional jobs.

### **Public Interest Monitor Bill**

This Bill continues the Coalition Government's strong commitment to improving transparency and accountability in the Victorian public sector. It is part of a range of measures which have been introduced or will be introduced in the near future. The Public Interest Monitor will be an independent person who will provide increased oversight of the accountability and integrity of law enforcement bodies and assist judges, magistrates and tribunal members, appearing at hearings, making submissions in court and tribunal matters on the application of the public interest.

### **Sex Work and Other Acts Amendment Bill**

This Bill improves the monitoring and enforcement regime regulating sex workers. It continues the ban on street prostitution, enhances the role of Victoria Police in investigating and prosecuting owners of illegal brothels, tightens restrictions on persons with serious criminal backgrounds entering the industry and broadens the scope of confiscation of assets legislation for those who profit from the industry illegally.

### **State Taxation Acts Further Amendment Bill**

This Bill makes amendments to update and clarify Victoria's revenue laws. It will make it easier for Victorians to comply with their taxation obligations and introduce greater equity and fairness to the tax system.

### **Victorian Inspectorate Bill**

This Bill is part of the Coalition Government's package of integrity reform legislation. It establishes the Victorian Inspectorate to oversee the Independent Broad-based Anti-corruption Commission.

## **BILLS PASSED BOTH HOUSES AND AWAITING ROYAL ASSENT:**

### **Electricity Industry Amendment (Transitional Feed-In-Tariff Scheme) Bill**

This Bill sets up a new Transitional Feed-in Tariff Scheme from 1 January 2012 to replace the current premium solar feed-in tariff scheme, recognising changes in this market and renewing the Coalition Government's commitment to supporting alternative energy use.

### **Energy Legislation Amendment (Bushfire Mitigation and Other Matters) Bill**

This Bill implements an election commitment to adopt a recommendation of the Bushfire Royal Commission to improve the obligations of energy companies to mitigate bushfire risk.

### **Sentencing Amendment (Community Corrections Reform) Bill**

This Bill continues the Government's major sentencing reforms and replaces a range of community-based sentences with a single, flexible, Community Corrections Order.

### **Transport Legislation Amendment (Public Transport Development Authority) Bill**

This Bill establishes a new Public Transport Development Authority as a single coordinating authority for all metropolitan and regional train, tram and bus services – focussed on putting the customer first.

### **Victorian Responsible Gambling Foundation Bill**

The Bill implements an election commitment to establish the Victorian Responsible Gambling Foundation, a new organisation with a mandate to reduce the prevalence and severity of problem gambling and to encourage responsible gambling in Victoria. It recognises the tension between the Government being both the regulator of gambling and the provider of assistance for problem gamblers by setting up a new independent entity to better tackle problem gambling and consider innovative approaches to help people and their families..

### **Water Legislation Amendment (Water Infrastructure Charges) Bill**

This Bill takes account of changes to Federal legislation relating to water management, and will permit the Essential Services Commission to regulate basin water charges in the future, in an attempt to reduce the regulatory burden on water users and allow the local knowledge and expertise of water management to be better used to the benefit of water users, especially farmers.

## **OTHER BUSINESS**

The Minister for Education, with the Minister for Multicultural Affairs and Citizenship, tabled the Victorian Government's Vision for Languages Education Report.

The Premier moved a motion of condolence to the governments and people of Turkey and Thailand relating to recent natural disasters which have occurred in those countries. The motion was passed unanimously.

A similar condolence motion was passed unanimously in the Legislative Council.