

**COVID-19 Disease Emergency (Miscellaneous Provisions) Bill (No. 2)
2020**

(Bill No. 17 of 2020)

First Amendment *(Ms O'Connor)*

Section 3 amended

Section 3 is amended as follows –

by deleting the definition of *emergency cessation day* and replacing it with the following definition –

emergency cessation day has the same meaning as in the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*;

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Second Amendment (Ms O'Connor)

New Part A.

The following new Part be inserted after Part 2 –

**PART A – EXPANSION OF SUBORDINATE LEGISLATION
COMMITTEE**

B. Interpretation and application of Part A

(1) In this Part –

Committee has the same meaning as in the *Subordinate Legislation Committee Act 1969*;

the Act means the *Subordinate Legislation Committee Act 1969*.

(2) The provisions of this Part apply despite any provision of the Act, or any other Act.

(3) In the event of an inconsistency between a provision of this Part and a provision of the Act, or any other Act, the provision of this Part prevails, and the provision of the Act, or any other Act, does not apply, to the extent of the inconsistency.

C. Committee to consist of eight members during emergency

(1) During the emergency period there are to be two additional members of the Committee.

(2) Of the additional members referred to in subsection (1) –

(a) One is to be a member of the House of Assembly nominated by the Parliamentary leader of the Tasmanian Greens party; and

(b) One is to be a member of the Legislative Council.

(3) During the emergency period six members of the Committee constitute a quorum.

- (4) The appointment of additional members under this part does not affect the appointment or ongoing role of the Chairman and Vice-Chairman of the Committee.
- (5) The two members of the Committee appointed under this section cease being members of the Committee on the emergency cessation day.

D. Committee to review and report on emergency subordinate legislation

- (1) During the emergency period the Committee may examine any subordinate legislation made under a regulation-making power relating to the emergency, and exercise any powers under the Act in respect of that subordinate legislation, including –
 - (a) Declarations or Directions under Division 2 of the *Public Health Act 1997*; or
 - (b) Authorisations or Directions under Division 3 of the *Emergency Management Act 2006*.
- (2) During the emergency period the Committee will publish its minutes, removing any material which may be subject to a public interest immunity, legal privilege, privacy or confidentiality.

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Third Amendment (Ms O'Connor)

Section 10 amended

Section 10 is amended as follows –

by inserting in subsection (1) before the definition of *the Act* the following definition –

Committee has the same meaning as in the *Public Accounts Committee Act 1970*;

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(Bill No. 17 of 2020)

Fourth Amendment (Ms O'Connor)

Section 11 amended

Section 11 is amended as follows –

by inserting the following subsection after subsection (2) –

(E) The Committee shall consider and report upon every contract proposed to be entered into under this section that where the duration or estimated cost of the contract exceeds one year or \$20 million respectively.

(F) No contract to which subsection **(E)** applies shall be entered into unless it has first been referred to and reported upon by the Committee in accordance with this section.

(G) The Committee shall, with all convenient dispatch, deal with the matter and shall as soon as conveniently practicable, regard being had to the nature and importance of the proposed work, report to the House of Assembly and Legislative Council, if the House of Assembly or Legislative Council is then in session, and, if not, to the Governor, the result of their inquiries.

(H) If in a report under subsection **(G)** of this section, the Committee does not recommend entering into a contract to which the report relates, that contract shall not be entered into unless and until it has been authorized by an Act.

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Fifth Amendment (Ms O'Connor)

New Clause I –

The following new Clause be inserted after clause 20 –

I. Section 60A amended

Section 60A of the principle act is amended as follows –

- (a) by inserting in subsection (1), before the definition of *personal information*, the following definition:

emergency cessation day has the same meaning as in the
*COVID-19 Disease Emergency (Miscellaneous Provisions) Bill
2020*;

- (b) by inserting the following subsection after subsection (2)

(3) This section is repealed on the emergency cessation day.

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Sixth Amendment (Ms O'Connor)

Clause 21 Amended –

Clause 21 is amended as follows –

- (a) by inserting in subsection (1), before the definition of *infringement offence*, the following definition:

emergency cessation day has the same meaning as in the
*COVID-19 Disease Emergency (Miscellaneous Provisions) Bill
2020*;

- (b) by inserting the following subsection after subsection (6)

(7) This section is repealed on the emergency cessation day.

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Seventh Amendment (Ms O'Connor)

Clause 30 Amended –

Clause 30 is amended as follows –

by inserting the following subsection after subsection (9)

(10) This section is repealed on the emergency cessation day, and any regulations made under this Act are rescinded on the emergency cessation day.