

LEGISLATIVE COUNCIL

FIRE SERVICES PROPERTY LEVY BILL 2012

(Suggested amendments to be proposed in Committee by Mr LENDERS)

That it be a suggestion to the Assembly that they make the following amendments in the Bill:

1. Clause 2, lines 31 and 32, omit "94, 95, 97, 100, 101, 102, 103, 105, 108, 109 and 110" and insert "93, 94, 96, 99, 100, 101, 102, 104, 107, 108 and 109".
2. Clause 2, page 3, line 1, omit "97(3) and 105(2)" and insert "96(3) and 104(2)".
3. Clause 2, page 3, line 3, omit "95, 97(1), 97(2), 102, 105(1) and 108" and insert "94, 96(1), 96(2), 101, 104(1) and 107".
4. Clause 2, page 3, lines 5 and 6, omit "94, 100, 101(1), 103, 109 and 110(1)" and insert "93, 99, 100(1), 102, 108 and 109(1)".
5. Clause 2, page 3, line 11, omit "101(2)" and insert "100(2)".
6. Clause 2, page 3, line 12, omit "110(2)" and insert "109(2)".
7. Clause 12, line 33, omit "and".
8. Clause 12, page 14, lines 1 to 3, omit all words and expressions on those lines.
9. Clause 12, page 14, line 19, omit "Act; and" and insert "Act."
10. Clause 12, page 14, lines 20 to 22, omit all words and expressions on those lines.
11. Clause 12, page 14, after line 33 insert—
 - () On or before the 6th sitting day after a determination under this section is published in the Government Gazette, the Minister must ensure that a copy of that determination is laid before each House of the Parliament.
 - () A failure to comply with subsection (6) does not affect the operation or effect of the determination but the Scrutiny of Acts and Regulations Committee of the Parliament may report the failure to each House of the Parliament.
 - () A determination under this section may be disallowed in whole or in part by either House of Parliament.
 - () Part 5A of the **Subordinate Legislation Act 1994** applies to a determination under this section as if—
 - () a reference in that Part to a "legislative instrument" were a reference to a determination under this section; and
 - () a reference in section 25C of that Act to "section 16B(1)" were a reference to subsection (6); and

- () the determination had been published in the Government Gazette for the purposes of section 16A of that Act on the day on which notice of the determination was published in the Government Gazette.
 - () A reference to a determination under this section includes a reference to any amendment to a determination under this section.'
12. Clause 18, after line 13 insert—
- '() On or before the 6th sitting day after a notice under this section is published in the Government Gazette, the Minister must ensure that a copy of that notice is laid before each House of the Parliament.
 - () A failure to comply with subsection (3) does not affect the operation or effect of the notice but the Scrutiny of Acts and Regulations Committee of the Parliament may report the failure to each House of the Parliament.
 - () A notice under this section may be disallowed in whole or in part by either House of Parliament.
 - () Part 5A of the **Subordinate Legislation Act 1994** applies to a notice under this section as if—
 - () a reference in that Part to a "legislative instrument" were a reference to a notice under this section; and
 - () a reference in section 25C of that Act to "section 16B(1)" were a reference to subsection (3); and
 - () the notice had been published in the Government Gazette for the purposes of section 16A of that Act on the day on which notice of the notice under this section was published in the Government Gazette.
 - () A reference to a notice under this section includes a reference to any amendment to a notice under this section.'
13. Clause 29, page 31, line 16, omit "Act." and insert "Act; or".
14. Clause 29, page 31, after line 16 insert—
- "(c) a health care card issued under section 1061ZS of the Social Security Act 1991 of the Commonwealth."
15. Clause 74, omit this clause.
16. Clause 86, line 11, omit "may" and insert "must".
17. Clause 91, line 3, omit "86" and insert "85".
18. Clause 91, after line 21 insert—
- "() The Minister must cause a copy of any report submitted to the Minister under subsection (1) to be made publicly available.

() If the Commission submits a report to the Minister in the form required by subsection (3), a reference to any report under subsection (5) is to be read as a reference to a document described in subsection (3)(b)."

19. Clause 93, line 20, omit "89" and insert "88".
20. Clause 93, line 24, omit "91" and insert "90".
21. Clause 93, page 70, line 3, omit "91(3) and insert "90(3)".
22. Clause 102, line 16, omit "95" and insert "94".
23. Clause 135, line 18, omit "91" and insert "90".
24. Clause 135, line 21, omit "91(3)" and insert "90(3)".