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Information on Parliaments:

Federal Parliament
www.aph.gov.au

NSW Parliament
www.parliament.nsw.gov.au

Welcome to the Legislative Comment

The Legislative Comment provides a general overview of the activities of the Australian Parliament and the NSW State Parliament, Bills and motions of interest to the Association.

Commonwealth Parliament

The Commonwealth Parliament resumed sitting for 2009 on Tuesday 3 February 2009. The Parliament sat for five weeks through to 19 March 2009. The Parliament is now in recess until Tuesday, 12 May 2009. On Tuesday 12 May 2009 the Federal Treasurer, the Hon Wayne Swan MP, will hand down his second Commonwealth budget.

Commonwealth Government Parliamentary Secretaries

The Prime Minister, the Hon Kevin Rudd MP, announced changes to the Federal Government's Parliamentary Secretaries. The changes include Hon Mark Arbib MP, Parliamentary Secretary for Government Service Delivery, Hon Greg Combet AM MP, Parliamentary Secretary for Climate Change, Hon Mike Kelly MP, Parliamentary Secretary for Water and Parliamentary Secretary for Defence Support, Hon Bill Shorten MP, Parliamentary Secretary for Victorian Bushfire Reconstruction and Parliamentary Secretary for Disabilities and Children's Services and Hon Anthony Byrne MP, Parliamentary Secretary for Trade and Parliamentary Secretary to the Prime Minister

Opposition Policy Update Meetings

In February the Association commenced regular policy update meetings with the NSW Shadow Minister for Industry and other Shadow Ministers. The updates cover a range of issues currently being considered by the Association. The meetings provide for a cross flow of information between the Association and the Opposition. Similar policy update meetings are held regularly with the agricultural advisors to the NSW Minister for Primary Industries.

NSW Parliament and Bills of Interest

The NSW Parliament began 2009 sittings on Tuesday, 3 March 2009. Bills of interest to the Association and under consideration during this session include the following Bills:

1. Biofuel (Ethanol Content) Amendment Bill 2009

A Bill to amend the Biofuel (Ethanol Content) Act 2007 (the Act) as follows: (a) to provide for increases to the mandated minimum ethanol content for total petrol sales in NSW (currently 2%), (b) to make provision for a mandated minimum biodiesel content for total diesel fuel sales in NSW, (c) to provide that such mandates will apply to major retailers, in addition to primary wholesalers, of petrol and diesel fuel, (d) to provide that from July 2011 regular unleaded petrol sold in NSW by primary wholesalers must contain 10% ethanol. The Bill renames the Biofuel (Ethanol Content) Act 2007 as the Biofuels Act 2007. Assembly: Introduced and Agreed to in Principle speech 13.3.09, Passed by Parliament 1.04.09.

2. Hawkesbury-Nepean River Bill 2009

The objects of this Bill are as follows: (a) to improve the co-ordination and implementation of management strategies in relation to the health of the Hawkesbury-Nepean river system, (b) to improve public access to information about management strategies in relation to the health of the Hawkesbury-Nepean river system, (c) to provide increased opportunities for public involvement in the development of management strategies in relation to the health of the Hawkesbury-Nepean river system, (d) to improve the management of development in the Hawkesbury-Nepean waters (in-stream development). For that purpose, this Bill establishes the Office of the Hawkesbury-Nepean (the Office), as a statutory corporation, and confers functions on the Office in connection

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with maintaining or improving the health of the Hawkesbury-Nepean river system and the management of in-stream development. Other public authorities with functions in relation to the Hawkesbury-Nepean river system will be required to co-operate with the Office. Assembly: Introduced and Agreed to in Principle speech 25.3.09, Passed by Parliament 3.04.09.

3. Industrial Relations Amendment (Jurisdiction of Industrial Relations Commission) Bill 2009

The object of this Bill is to amend the Industrial Relations Act 1996 and certain other legislation to confer on the Industrial Relations Commission in Court Session (otherwise known as the Industrial Court of New South Wales) the criminal and civil jurisdiction that is currently exercised by Industrial Magistrates under that legislation. The Bill also provides that: (a) certain civil jurisdiction exercised by Industrial Magistrates will be retained by Local Courts sitting at various places (referred to as designated places) outside of the Sydney metropolitan area, and (b) Local Courts will cease to exercise criminal jurisdiction in relation to offences under the Industrial Relations Act 1996, the Occupational Health and Safety Act 2000 and certain other industrial legislation, and (c) existing Industrial Magistrates will continue in office as Local Court Magistrates. Assembly: Introduced and Agreed to in Principle speech 25.3.09.

4. Western Lands Amendment Bill 2008

The object of this Bill is to amend the Western Lands Act 1901 (the Principal Act) so as: (a) to provide for the creation of easements to maintain the dog-proof fences that are erected, pursuant to the Wild Dog Destruction Act 1921, along parts of the New South Wales/Queensland and New South Wales/South Australia borders, and (b) to increase the membership of the Western Lands Advisory Council from 14 to 15, and (c) to clarify the powers that may be exercised in relation to the establishment of fencing conditions for Western Lands leases, and (d) to clarify the powers that may be exercised in relation to the creation of public roads over freehold land in the Western Division, and (e) to clarify the objects of the Principal Act, and (f) to bring the local land boards established for the Western Division into the scheme for local land boards established under the Crown Lands Act 1989. Assembly: Introduced and Agreed to in Principle speech 4.12.08, Passed by Parliament 31.03.09.

5. Animals (Regulation of Sale) Bill 2008 [Ms Moore]

The object of this Bill is to protect the lives and well-being of cats, dogs and other mammals (but not livestock) as follows: (a) by prohibiting the keeping of cats and dogs at shops or markets for the purposes of their sale, (b) by prohibiting the sale of cats and dogs at or from shops or markets, (c) by prohibiting the display of mammals other than cats or dogs in shop windows or in parts of shops visible to passers-by, (d) by regulating the advertising of the sale of cats and dogs, (e) by requiring any person who offers a cat or dog for sale to inform prospective purchasers of the basic care requirements of the animal, (f) by restricting who can carry on the business of selling cats or dogs, or breeding cats or dogs for sale. Assembly: Introduced and Agreed to in Principle speech 14.11.08.

6. Hurlstone Agricultural High School Site Bill 2008 [Mr Stoner]

The objects of this Bill are: (a) to ensure that the Hurlstone Agricultural High School site remains in public ownership, and (b) to limit the use of the site to that of a government school. Assembly: Introduced and Agreed to in Principle speech 13.3.09.

7. Mining Amendment (Safeguarding Agricultural Land and Water) Bill [Ms Rhiannon]

That leave be given to bring in a bill for an Act to amend the Mining Act 1992 to make provision for protecting agricultural land and water from mining. Council: Notice given 3.3.09.

8. Protection of Public Ownership Bill [Dr Kaye]

That leave be given to bring in a bill for an Act to prevent, without the approval of Parliament, the privatisation of publicly-owned assets or agencies or of services provided by those agencies; and for other purposes. Council: Notice given 5.3.09.