



Scrutiny of Acts and Regulations Committee

Alert Digest No. 3 of 2025

March 2025

On the following Bills

Help to Buy (Commonwealth Powers) Bill 2025

Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024
[House Amendments]

Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment
Bill 2025

Terrorism (Community Protection) and Control of Weapons Amendment Bill 2024

Transport Legislation Amendment (Vehicle Sharing Scheme Safety and Standards)
Bill 2025

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Terms of Reference – Scrutiny of Bills

The functions of the Scrutiny of Acts and Regulations Committee are –

- (a) to consider any Bill introduced into the Council or the Assembly and to report to the Parliament as to whether the Bill directly or indirectly –
 - (i) trespasses unduly upon rights or freedoms;
 - (ii) makes rights, freedoms or obligations dependent upon insufficiently defined administrative powers;
 - (iii) makes rights, freedoms or obligations dependent upon non-reviewable administrative decisions;
 - (iv) unduly requires or authorises acts or practices that may have an adverse effect on personal privacy within the meaning of the *Privacy and Data Protection Act 2014*;
 - (v) unduly requires or authorises acts or practices that may have an adverse effect on privacy of health information within the meaning of the *Health Records Act 2001*;
 - (vi) inappropriately delegates legislative power;
 - (vii) insufficiently subjects the exercise of legislative power to parliamentary scrutiny;
 - (viii) is incompatible with the human rights set out in the Charter of Human Rights and Responsibilities;
- (b) to consider any Bill introduced into the Council or the Assembly and to report to the Parliament –
 - (i) as to whether the Bill directly or indirectly repeals, alters or varies section 85 of the *Constitution Act 1975*, or raises an issue as to the jurisdiction of the Supreme Court;
 - (ii) if a Bill repeals, alters or varies section 85 of the *Constitution Act 1975*, whether this is in all the circumstances appropriate and desirable;
 - (iii) if a Bill does not repeal, alter or vary section 85 of the *Constitution Act 1975*, but an issue is raised as to the jurisdiction of the Supreme Court, as to the full implications of that issue;

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Useful information

Role of the Committee

The Scrutiny of Acts and Regulations Committee is an all-party Joint House Committee, which examines all Bills and subordinate legislation (regulations) introduced or tabled in the Parliament. The Committee does not make any comments on the policy merits of the legislation. The Committee's terms of reference contain principles of scrutiny that enable it to operate in the best traditions of non-partisan legislative scrutiny. These traditions have developed since the first Australian scrutiny of Bills committee of the Australian Senate commenced scrutiny of Bills in 1982. They are precedents and traditions followed by all Australian scrutiny committees. Non-policy scrutiny within its terms of reference allows the Committee to alert the Parliament to the use of certain legislative practices and allows the Parliament to consider whether these practices are necessary, appropriate or desirable in all the circumstances.

The *Charter of Human Rights and Responsibilities Act 2006* provides that the Committee must consider any Bill introduced into Parliament and report to the Parliament whether the Bill is incompatible with human rights.

Interpretive use of Parliamentary Committee reports

Section 35 (b)(iv) of the *Interpretation of Legislation Act 1984* provides –

In the interpretation of a provision of an Act or subordinate instrument consideration may be given to any matter or document that is relevant including, but not limited to, reports of Parliamentary Committees.

When may human rights be limited

Section 7 of the *Charter* provides –

Human rights – what they are and when they may be limited –

- (2) A human right may be subject under law only to such reasonable limits as can be demonstrably justified in a free and democratic society based on human dignity, equality and freedom, and taking into account all relevant factors including—
 - (a) the nature of the right; and
 - (b) the importance of the purpose of the limitation; and
 - (c) the nature and extent of the limitation; and
 - (d) the relationship between the limitation and its purpose; and
 - (e) any less restrictive means reasonably available to achieve the purpose that the limitation seeks to achieve

Glossary and Symbols

'*Assembly*' refers to the Legislative Assembly of the Victorian Parliament

'*Charter*' refers to the Victorian *Charter of Human Rights and Responsibilities Act 2006*

'*Council*' refers to the Legislative Council of the Victorian Parliament

'*DPP*' refers to the Director of Public Prosecutions for the State of Victoria

'*human rights*' refers to the rights set out in Part 2 of the Charter

'*IBAC*' refers to the Independent Broad-based Anti-corruption Commission

'*PCA*' refers to the *Parliamentary Committees Act 2003*

'*penalty units*' refers to the penalty unit fixed from time to time in accordance with the *Monetary Units Act 2004* and published in the government gazette (as at 1 July 2024 one penalty unit equals \$197.59)

'*Statement of Compatibility*' refers to a statement made by a member introducing a Bill in either the Council or the Assembly as to whether the provisions in a Bill are compatible with Charter rights

'*VCAT*' refers to the Victorian Civil and Administrative Tribunal

[] denotes clause numbers in a Bill

Alert Digest No. 3 of 2025

Help to Buy (Commonwealth Powers) Bill 2025

Member	Hon Jaclyn Symes MP	Introduction Date	18 February 2025
Portfolio	Treasurer	Second Reading Date	19 February 2025

Summary

The purpose of the Bill is to adopt into Victorian law, specified provisions of the *Help to Buy Act 2024* (Cth) (HTB Act). Note the Statement of Compatibility:-

The Bill will adopt the primary and residual versions of the *Help to Buy Act 2024* (Cth) (the Commonwealth Act) and refer the necessary legislative powers of the Victorian Parliament to the Commonwealth Parliament to the extent necessary to enable the Commonwealth's Help to Buy scheme to operate in Victoria.

The Bill will enable the Commonwealth, through Housing Australia, to establish and administer the Help to Buy scheme in Victoria. The Help to Buy scheme is a shared equity scheme, which involves the provision of financial assistance to individuals from the Commonwealth, through Housing Australia, to assist those individuals to purchase a home. The Commonwealth Act will confer powers on Housing Australia to enter into shared equity arrangements for the purposes of the Help to Buy scheme, and is scheduled to the Bill.

The Bill also makes certain consequential amendments to the *Duties Act 2000*, the *Land Tax Act 2005*, and the *First Home Owner Grant and Home Buyer Schemes Act 2000*.

Part 2 – Adoption of the HTB Act – Commonwealth of Australia Constitution Act (Constitution)

Section 51 of the Constitution confers powers to make laws on the Commonwealth Parliament with respect to specified subjects.¹ Section 51(xxxvii) is set out:-

The Parliament shall, subject to this Constitution have power to make laws for the peace, order and good government of the Commonwealth with respect to:

(xxxvii) matters referred to the Parliament of the Commonwealth by the Parliament or Parliaments of any State or States, but so that the law shall extend only to States by whose Parliaments the matter is referred, or which afterwards adopt the law;

It defines 'Help to Buy arrangement'² and 'primary version' and 'residual version'. [3] Clause 4(1) provides for the separate and independent adoption of the primary and residual versions of the HTB Act within the meaning of section 51(xxxvii) of the Constitution. [4] Note the Explanatory memorandum:-

¹ See section 51(i) to (xxxix) of the Constitution. These include subjects of trade and commerce, taxation, external affairs, the influx of criminals, invalid and old age pensions, external affairs etc.

² See section 3 definitions. [3] 'Help to Buy arrangement' has the same meaning as in the Commonwealth Help to Buy Act.

Help to Buy Act 2024 (Cth), 6 Meaning of *Help to Buy arrangement*

(1) Subject to subsection (2), a *Help to Buy arrangement* is a shared equity arrangement in relation to a residential property that Housing Australia enters into, on behalf of the Commonwealth, in the performance of Housing Australia's function mentioned in paragraph 10(1)(a).

(2) An arrangement in relation to residential property that Housing Australia enters into in the performance of Housing Australia's functions under the *Housing Australia Act 2018* is not a *Help to Buy arrangement*.

(3) For the purposes of subsection (2) of this section, disregard paragraph 8(1)(ca) of the *Housing Australia Act 2018*.

Importantly, the Bill has been structured with two separate adoptions to provide Victoria with flexibility to choose how it participates in the Help to Buy program in the future and to align with the drafting of the Commonwealth Act. In particular, the Governor in Council may choose to terminate the adoption of the primary version and retain the operation in Victoria of the adoption of the residual version as set out in clause 7 of the Bill. In this circumstance, Housing Australia can continue to administer existing shared equity arrangements but cannot enter into any new such arrangements in Victoria.

Clause [5] provides ‘Commonwealth laws are not otherwise affected.’ It provides the Victorian Parliament intends the HTB Act may be expressly amended or have its operation otherwise affected at any time after the commencement of the section by either or both subclauses (a) and (b).³ [5] It refers limited and specific powers to the Commonwealth Parliament to enact matters which apply only to the extent of making laws with respect to those matters by making express amendments to the HTB Act. This is an ‘amendment reference’ provision. Its purpose is to ensure there is a limited and specific flexibility for the Commonwealth Parliament to make amendments to the Commonwealth Act.⁴ [6]

The Governor in Council may by proclamation published in the Government Gazette terminate the adoptions of either or any or all of the primary or residual versions of the HTB Act. Subclause (c) sets out the circumstances where the amendment reference is to terminate. The Governor in Council may fix the day by proclamation in the Government Gazette.⁵ [7] It sets out the effect of termination of the amendment reference before the termination of the adoption of the primary or residual version of the HTB Act.⁶ [8]

Part 3 – Miscellaneous amendments – Part 4 Consequential amendments of other Acts

Part 3 contains miscellaneous amendments. This includes matters declared excluded for the purposes of section 41A of the HTB Act in relation to the Help to Buy Program.⁷ The declaration of excluded matters only applies to ensure no inconsistency arises between the Help to Buy Program and excluded matters.⁸ [9] It provides a mechanism for the Minister to object in specified periods to regulations or legislative instruments made under the HTB Act. The Minister must give notice to the Commonwealth Minister and ensure a notice is published in the Government Gazette as soon as practicable. It sets out the Governor in Council’s power to make regulations. [11] Part 4 makes consequential amendments to other Acts. [12-17]

³ Note the Explanatory memorandum, Clause 5 on p 4.

⁴ Ibid., Clause 6 on p 4.

Note also the Second Reading Speech:- ‘It also provides an amendment reference to the Commonwealth Parliament to enable future changes to Help to Buy so it does not become static legislation and can evolve over time.’

⁵ Section 87E of the *Constitution Act 1975* sets out the circumstances in which the Governor acts on the advice of the Executive Council where required or permitted by statute to act in Council.

⁶ See new section 8. This includes (a) laws made under that reference before that termination (b) the continued operation in the Commonwealth of the Help to Buy Act etc. [8]

⁷ See section 9 Declaring certain matters to be excluded matters

(1) The following matters are declared to be excluded matters for the purposes of section 41A of the Commonwealth Help to Buy Act in relation to the Help to Buy program—

(a) Part 2A of the *First Home Owner Grant and Home Buyer Schemes Act 2000*;

(b) the Victorian Homebuyer Fund scheme declared by notice in the Government Gazette on 16 September 2021 in accordance with section 34B of the *First Home Owner Grant and Home Buyer Schemes Act 2000*;

(c) the HomesVic scheme declared by notice in the Government Gazette on 22 June 2023 in accordance with section 34B of the *First Home Owner Grant and Home Buyer Schemes Act 2000*;

(d) any Victorian shared equity home buyer scheme including a scheme declared in accordance with section 34B of the *First Home Owner Grant and Home Buyer Schemes Act 2000*.

⁸ Note the Explanatory memorandum, Clause 9 on p 7.

Comments under the PCA

The Committee makes no comment pursuant to its terms of reference under section 17 of the *Parliamentary Committees Act 2003*.

Charter Issues

The Bill is compatible with the rights set out in the *Charter of Human Rights and Responsibilities Act 2006*.

Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Amendment Bill 2025

Member	Hon Mary-Anne Thomas MP	Introduction Date	18 February 2025
Portfolio	Health	Second Reading Date	19 February 2025

Summary

The Bill amends the *Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015* (Safe Patient Act). The Bill makes various amendments in relation to staffing ratios. Note the Second Reading Speech:-

First, the Bill introduces staffing ratios into ICUs through the establishment of a 1:1 ratio for ICUs on all shifts in Level 1 and Level 2 ICUs.

Second, the Bill improves staffing ratios in resuscitation bays in Level 1 hospitals with Emergency Departments on morning shift by prescribing one nurse for each resuscitation cubicle on a morning shift in hospitals specified in Schedule 3 Part 1 of the Act.

Third, the Bill improves staffing ratios in postnatal and antenatal wards by enshrining a 1:4 midwifery ratio on night shift in prescribed health services. Maternity Capability Level 5 and 6, as well as Level 4 services that are part of a larger multicampus metropolitan health service will be prescribed for this purpose.

Fourth, the Bill introduces an in-charge nurse on night shift in standalone High Dependency Units and Coronary Care Units. An increase in overnight rostered nursing staff will help reduce clinical risk, improve patient safety and ensure patient and staff wellbeing.

Finally, an in-charge nurse, a team leader and liaison nurse will be introduced in addition to the specified ratios on shifts in Level 1 and Level 2 ICUs to provide essential support to staff, patients and their families.

The Bill also updates the list of hospitals in the Schedules to the Act to ensure they reflect current nomenclature. staged implementation process will occur to enable health services to plan and prepare for these improvements. The improvements will be phased in at 25% of the additional staffing implemented from the day after Royal Assent, 75% from 1 December 2025 and 100% from 1 July 2026.

Part 2 – Amendment of Safe Patient Act

It inserts a new definition of *intensive care unit*. It amends section 12⁹ to stipulate the date on which the rounding method applies in respect of intensive care units in level 1 and 2 hospitals. **[4,5]** It sets out the ratio requirements for emergency departments on the morning shift and the staggered dates on which additional staffing requirements commence.¹⁰ **[6]** It inserts new sections 20A and 20B which set out staff ratio requirements for intensive care units in level 1 and 2 hospitals. **[7]** It provides for the phased implementation of the operator’s new requirement to staff a coronary case unit with a nurse in charge on the night shift. **[8]** It requires the operator of a level 1 hospital to staff a stand alone high dependency unit with a nurse in charge on the night shift unless the unit is co-located with an intensive care unit. **[9]** It inserts new section 30A which sets out ratio requirements for the night shift in antenatal wards for prescribed hospitals. **[11]**

⁹ Section 12 of the *Safe Patient (Nurse to Patient and Midwife to Patient Ratios) Act 2015* sets out the rounding method which sets out staff ratios in level 1 and level 2 hospitals and the various units. It makes provision for other matters including night shifts in level 3 and level 4 hospitals etc. A ‘level 4 hospital’ is defined in section 3. Schedule 1 lists level 1, 2 and 3 hospitals as they apply in Parts 1, 2 and 3. Schedule 2 lists hospitals which are not restricted in the use of enrolled nurses. Schedule 3 lists categories of hospitals for emergency department ratios. Schedule 3 lists the hospitals under Parts 1, 3 and 3.

¹⁰ This includes from the date of commencement of the Act, 1 December 2025 and 1 July 2026.

It inserts new section 31B which sets out ratio requirements for postnatal wards on the night shift for prescribed hospitals. **[13]** It provides the local dispute resolution process under section 41¹¹ does not apply to a breach of a new additional staffing requirements. The phased additional staffing requirements apply from the commencement of the Act, 30 November 2025 and until 30 June 2026.¹² **[14]** It makes machinery amendments and amends Schedules 1, 2 and 3. It updates the change of names of various hospitals and services which have been amalgamated under the *Health Services Act 1988*. There are no changes to the classification or levels of hospitals. **[15-20]**

Comments under the PCA

The Committee makes no comment pursuant to its terms of reference under section 17 of the *Parliamentary Committees Act 2003*.

Charter Issues

The Bill is compatible with the rights set out in the *Charter of Human Rights and Responsibilities Act 2006*.

¹¹ Section 41 of the *Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act 2015* makes provision for a local dispute resolution process. Section 41(1) provides that a nurse or midwife who works at a hospital covered by a ratio or union (as representative of the nurse or midwife) may notify the operator of a hospital of an alleged breach of the ratio or a ratio variation. Section 42 provides for referral of a local dispute to the Magistrates' Court.

¹² Note the Explanatory memorandum:- 'This disapplication of section 41 for an extended period of time is to ensure that the operators of hospitals have sufficient time to recruit additional nurses and midwives to meet the new staffing requirements.'

Transport Legislation Amendment (Vehicle Sharing Scheme Safety and Standards) Bill 2025

Member	Hon Melissa Horne MP	Introduction Date	18 February 2025
Portfolio	Roads and Road Safety	Second Reading Date	19 February 2025

Summary

The Bill amends the *Road Safety Act 1986* (RSA) and the *Transport (Compliance and Miscellaneous) Act 1983* (TCM Act) in relation to vehicle sharing schemes. The Bill:-

- Repeals provisions of the RSA relating to vehicle sharing schemes;
- Makes further provision for offences involving electric scooters;
- Inserts provisions relating to vehicles sharing schemes into the TCM Act and provides savings and transitional provisions. Note the Second Reading Speech:-

The Bill will provide local governments with better support to select vehicle sharing schemes within their local government areas by introducing a pre-approval requirement for prospective vehicle sharing scheme operators and imposing improved safety and technology standards on those operators. The Bill amends the *Transport (Compliance and Miscellaneous) Act 1983* to introduce a new regulatory framework for operators of vehicle sharing schemes. The regulatory model will initially cover e-scooter sharing schemes, with powers to prescribe other vehicle types as new vehicle types are provided as part of vehicle sharing schemes.

Part 2 – Amendment of the RSA – Part 3 – Amendment of TCM Act

It inserts a new definition of ‘electric scooter offence’ into section 3.¹³ [3] A protective services officer may prosecute an electric scooter offence and issue a traffic infringement notice. [4,5] It repeals Part 7C. It amends the TCM Act and inserts Part VIA which generally provides for vehicle sharing schemes. [8] A ‘vehicle sharing scheme’ means a category A vehicle sharing scheme or a category B vehicle sharing scheme. Note the Explanatory memorandum:-

A distinction is being made between a category A vehicle sharing scheme and a category B vehicle sharing scheme. For a category B vehicle sharing scheme, such as one for bicycles, a person must simply enter into an agreement with a municipal council under new section 207L before the person may operate the scheme within the municipal district of that council. For a category A vehicle sharing scheme, such as one for electric scooters, a person must first become an approved category A scheme operator in order to be able to enter into the necessary agreement with a municipal council under new section 207L.

A person who proposes to operate a category A vehicle sharing scheme may make application to the Secretary for approval. The Secretary must make a decision within 60 days after receipt of the application. The Secretary’s decision may be reviewed under new Division 4. New Division 4 sets out the process for internal review of the Secretary’s decision by a delegate. (See new sections 207H to 207J.) Provision is also made for review of the decision by the VCAT. (See new section 207K.) [8]

The Secretary must maintain a register of approved Category A scheme operators and ensure it is available for inspection on the Department’s Internet site. (See new section 207G). New Division 5

¹³ ‘Electric scooter offence means a prescribed offence against this Act, the regulations or the rules a necessary element of which is the riding of, or any other use of, an electric scooter’. [3]

makes provision for authorising agreements. (See new section 207L). Agreements under that section must make provision for any matters prescribed in regulations.¹⁴

New Division 6 sets out offences and accompanying penalties. New section 207O sets out the Governor in Council's power to make regulations. It inserts new Division 17 with savings and transitional provisions. [9]

Comments under the PCA

The Committee makes no comment pursuant to its terms of reference under section 17 of the *Parliamentary Committees Act 2003*.

Charter Issues

The Bill is compatible with the rights set out in the *Charter of Human Rights and Responsibilities Act 2006*.

¹⁴ Note the Example provided in the legislation (new section 207L). 'Prescribed matters may include the period of the scheme, how the agreement may be terminated and insurance requirements.'

House Amendments

Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024

Member	Hon Jaclyn Symes MP	Introduction Date	26 November 2024
Portfolio	Attorney-General	Second Reading Date	27 November 2024

Amendments moved	18 February 2025
Moved by	Sonya Kilkenny MP

Summary

The introductory print of the Bill (introductory Bill) was introduced into the Legislative Assembly on 26 November 2024. The introductory Bill was Second Read on 27 November 2024. The introductory Bill was previously summarised and reported in detail in *Alert Digest No. 1 of 2025*.¹⁵

The Hon. Sonya Kilkenny MP, Attorney-General moved House Amendments on 18 February 2025. The Government amendments were agreed to on 20 February 2025 and the introductory Bill was read for the third time. The amended print of the Bill (amended Bill) was sent to and introduced into the Legislative Council on 20 February 2025. The Second Reading Speech for the amended Bill was moved on 20 February 2025.¹⁶ A statement of compatibility for the amended Bill was also tabled that day.

The first amendment

Clause 4 of the introductory Bill inserted new Division 2D into the *Crimes Act 1958 (CA)* which set out serious vilification offences, new sections 195M¹⁷ to 195O.¹⁸ Subclause (4) of new section 195N provides:-

- (4) It is a defence to a charge for an offence against subsection (1) if the accused engaged in the conduct for a genuine political purpose.

The first House amendment is set out.

Clause 4, page 5, lines 10 to 13, omit all words and expressions on these lines.

The amendment removes the statutory defence to a charge under new section 195N(1). The Second Reading Speech in the Legislative Assembly stated:-

The Bill introduces a defence for the incitement offence for conduct that is engaged in for a genuine political purpose. This will ensure consistency with the implied freedom of political communication and ensure that all Victorians feel safe to engage in legitimate political debate.

¹⁵ See <<https://www.parliament.vic.gov.au/4920e2/globalassets/committee-publication-record-documents/committee-36/publication-339/alert-digest-no-1-of-2025.pdf>>.

¹⁶ See <<https://www.legislation.vic.gov.au/bills/justice-legislation-amendment-anti-vilification-and-social-cohesion-bill-2024>>.

¹⁷ See new section 195N Incitement on the ground of protected attribute.

¹⁸ See new section 195O Threaten physical harm or property damage on ground of protected attribute.

The Explanatory memorandum to the introductory Bill stated:-

New section 195N(4) provides a statutory defence to a charge under section 195N(1) if the accused engaged in the conduct for a genuine political purpose. The defence is intended to ensure the incitement offence does not infringe on the Constitutional implied freedom of political communication.

The Committee notes the High Court¹⁹ has inferred a freedom of political communication from sections 7²⁰ and 24²¹ of the *Constitution of Commonwealth of Australia* (Constitution).²² The majority of the High Court held that an implied freedom of political communication exists as an incident of the system of representative government established by the Constitution.²³ The Committee has previously considered the implied freedom of political communication. The Committee notes its earlier comments²⁴:

The High Court has formulated, in *Lange v Australian Broadcasting Corporation* (1997) 189 CLR 520, the following two-step test for determining whether a law is compatible with the implied freedom:

- Does the law effectively burden freedom of communication about government or political matters?
- If so, is the law reasonably appropriate and adapted to serve a legitimate end, the fulfilment of which is compatible with the maintenance of the constitutionally prescribed system of representative and responsible government and the procedure for submitting a proposed amendment of the Constitution to the people?²⁵

... As Professors George Williams and David Hume have noted, the second limb of the *Lange* test includes the application of a 'proportionality or balancing' test.

The High Court, in *McCloy v NSW* (2015) HCA 34, has since identified three components to the process of 'proportionality testing'.

As Professor Anne Twomey has articulated, this process:

...asks whether the restriction imposed by the law on the freedom is justified as (a) suitable; (b) necessary; and (c) adequate in its balance. A law is 'suitable' if it has a rational connection to its purported purpose. It is 'necessary' if there is 'no obvious and compelling alternative, reasonably practicable means of achieving the same purpose which has a less restrictive effect on the freedom'. It is 'adequate in its balance' if the court makes the value judgment that the importance

¹⁹ *Lange v Australian Broadcasting Corporation* (1997) 189 CLR 520.

²⁰ Section 7 of the *Commonwealth of Australia Constitution* makes general provision for the composition of Senate. 'The Senate shall be composed of senators for each State, directly chosen by the people of the State, voting, until the Parliament otherwise provides as one electorate... The Senators shall be chosen for a term of six years, and the names of the senators chosen for each State shall be certified by the Governor to the Governor-General.'

²¹ Section 24 of the *Commonwealth of Australia Constitution* makes general provision for the constitution of the House of Representatives.

'The House of Representatives shall be composed of members directly chosen by the people of the Commonwealth, and the number of such members shall be, as nearly as practicable, twice the number of the senators... But notwithstanding anything in this section, five members at least shall be chosen in each Original State.'

²² Australian Government, Attorney-General's Department, *Right to freedom of opinion and expression*, Public sector guidance sheet <<https://www.ag.gov.au/rights-and-protections/human-rights-and-anti-discrimination/human-rights-scrutiny/public-sector-guidance-sheets/right-freedom-opinion-and-expression>>

²³ *Australian Capital Television Pty Ltd v Commonwealth* (1992) 177 CLR 106; *Unions NSW v New South Wales* [2013] HCA 58. See Australian Human Rights Commission, Freedom of information, opinion and expression <<https://humanrights.gov.au/our-work/rights-and-freedoms/freedom-information-opinion-and-expression>>

²⁴ See *Alert Digest No. 8 of 2017*, Children and Justice Legislation Amendment (Youth Justice Reform) Bill 2017, pp 8-12. See Fn. 18. The High Court has also found in a number of cases that laws subjecting a person to criminal liability effectively burdened freedom of political communications. See George Williams and David Hume, *Human Rights under the Australian Constitution*, 2nd edition, 2013, p 193.

²⁵ *Ibid.*, fn. 17. See George Williams and David Hume, *Human rights under the Australian constitution*, 2nd edition, 2013, p 172.

of the purpose served by the law outweighs the extent of the restriction that it imposes on the freedom.²⁶

The Committee notes the removal of the statutory defence to a charge under new section 195N(1). The effect of the amendment may be that a person commits an offence whom for a genuine political purpose:-

- engages in conduct that is likely to incite hatred against, serious contempt, revulsion towards or severe ridicule of another person or a group of persons; and
- engages in the conduct on the ground of a protected attribute of the other person or the group; and
- the person either –
 - intends that conduct to incite hatred against, serious contempt for, revulsion towards or severe ridicule of the other person or the group; or
 - believes that conduct will probably incite hatred against, serious contempt for, revulsion towards or severe ridicule of the other person or the group.

The Committee notes the Second Reading Speech tabled in the Legislative Council:

The Bill introduces new serious vilification offences that will apply to the expanded protected attributes and will make it easier to prosecute serious examples of hateful conduct.

It will be an offence, on the ground of a protected attribute, to:

- incite hatred against, serious contempt for, revulsion towards or severe ridicule of a person or a group (the incitement offence), or
- threaten physical harm towards another person or group or threaten to damage property (the threat offence).

Currently, it is not an offence to incite hatred unless a threat is also made. This Bill will ensure either hatred or threat is sufficient for criminal sanctions. The offences will apply to intentional and reckless conduct. Recklessness is still a high threshold to prove, which is appropriate to ensure these offences only capture the most serious conduct.

The Committee also notes the Statement of Compatibility tabled in the Legislative Council:

Section 15 of the Charter provides that every person has the right to freedom of expression, including the freedom to hold an opinion without interference and seek, receive and impart information and ideas of all kinds through a variety of mediums.

The right is essential to individual self-fulfilment and the 'social and cultural development of the individual in society' (*XYZ v Victoria Police* (2010) 33 VAR 1 [554] (Bell J)). The right to freedom of expression is also a foundation of the rule of law and 'one of the essential pillars of a democratic system of government, because it enables citizens to freely and effectively participate in the political, social, economic and other affairs of their community' (*Magee v Delaney* (2012) 39 VR 50 [181] (Kyrou J)).

The right to freedom of expression is 'not absolute but is conditional and qualified' (*Magee v Delaney* (2012) 39 VR 50 [103] (Kyrou J)). The right may be subject to lawful restrictions reasonably and necessary to respect the rights and reputation of other persons, or for the protection of national security, public order, public health or public morality (section 15(3) of the Charter) ...

[T]he new incitement offence [is] designed to limit the right to freedom of expression only to the extent that is reasonably necessary to protect the rights of individuals and groups with protected attributes. The Bill does this by... imposing criminal sanctions only for the most serious and egregious conduct,

²⁶ Op. Cit., *Alert Digest No. 8 of 2017*, fn. 20. Professor Anne Twomey, 'Proportionality and the Constitution - McCloy and the revised test of proportionality', *Speaking notes from Professor Anne Twomey, Sydney Law School, University of Sydney, at ALRC Freedoms Symposium*, Federal Court, Queens Square, Sydney, 8 October 2015, Australian Law Reform Commission, 13 October 2015. <<https://www.alrc.gov.au/proportionality-constitution-anne-twomey>>

when a person intentionally or recklessly does something that is likely to incite hatred or other specified emotions on the ground of a protected attribute... The reforms in this Bill reflect a balancing of rights and ensure that these reforms only limit the right to freedom of expression to the extent necessary to protect the right to equality.

The Committee will write to the Attorney-General seeking further information as to removal of the statutory defence to a charge under new section 195N(1) and any restriction or limitation on the implied Constitutional freedom of political communication. The Committee notes the Charter report.

The second amendment

Clause [9] of the introductory Bill inserted new Part 6A into the *Equal Opportunity Act 2010*. It made provision for the Prohibition of vilification. The Committee reported²⁷:-

New section 102G provides exceptions to the prohibitions set out in new sections 102D and 102E. [9] It amends the definition of 'religious purpose'. Note the Statement of Compatibility:

The Bill retains a civil religious purpose exception for conduct engaged in, reasonably and in good faith, for any genuine religious purpose. This exception protects the right to freedom of religion and belief and minimises any limitations on the right.

The Bill also modernises the definition of 'religious purpose' to align it with the wording of the Charter, to define a religious purpose as including (but not limited to) worship, observance, practice and teaching. The new definition will remove reference to 'proselytising' that is in the current definition of religious purpose under section 11(2) of the RRTA. However, this is not intended to narrow the definition, as courts have accepted in other contexts that proselytising may be a fundamental part of at least some religious faiths (see, *Applicant NABD of 2002 v Minister for Immigration and Multicultural and Indigenous Affairs* (2005) 216 ALR 1 [9] (Gleeson CJ)). Accordingly, proselytising could fall within the new definition of religious purpose...

The amendment is set out:-

2. Clause 9, page 16, lines 3 and 4, omit "and teaching" and insert ", teaching, preaching and proselytising".

New amended section 102G in the amended Bill with the addition of the words 'preaching and proselytising' is set out:-

102G Exceptions

- (1) A person does not contravene section 102D or 102E if the person establishes that the person's conduct was engaged in reasonably and in good faith—
 - (a) in the performance, exhibition or distribution of an artistic work; or
 - (b) in the course of any statement, publication, discussion or debate made or held, or any other conduct engaged in, for any genuine academic, artistic, public interest, religious or scientific purpose; or
 - (c) in making or publishing a fair and accurate report of any event or matter of public interest.
- (2) For the purposes of subsection (1)(b), a religious purpose includes, but is not limited to, worship, observance, practice and teaching, preaching and proselytising.

The Statement of Compatibility tabled in the Legislative Council remarks:-

The Bill retains a civil religious purpose exception for conduct engaged in, reasonably and in good faith, for any genuine religious purpose. This exception protects the right to freedom of religion and belief

²⁷ *Alert Digest No 1 of 2025*, Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024, p. 22 <<https://www.parliament.vic.gov.au/4920e2/globalassets/committee-publication-record-documents/committee-36/publication-339/alert-digest-no-1-of-2025.pdf>>

and minimises any limitations on the right. The Bill also modernises the definition of ‘religious purpose’ to align it with the wording of the Charter, with additional modifications. It defines a religious purpose as including, but not limited to, worship, observance, practice, teaching, preaching and proselytising. The inclusion of the terms ‘preaching’ and ‘proselytising’ provides greater certainty to faith communities that these religious practices continue to fall within the religious purpose exception.

The Committee notes the above.

Charter Issues

Freedom of expression – Participation in public affairs – Incitement on the ground of a protected attribute – Genuine political purpose

Summary: *The effect of the house amendment may be that a person who, for a genuine political purpose, engages in conduct on the ground of others’ disability, gender, race, religion, sex or sexuality will commit an offence if he or she accurately believes the conduct will probably prompt hatred, serious contempt, revulsion or severe ridicule towards those others. The Committee will write to the Attorney-General seeking further information.*

Relevant provision

The Committee notes that clause 4, inserting a new sub-section 195N(1) into the *Crimes Act 1958*, provides:

A person commits an offence if—

- (a) the person engages in conduct that is likely to incite hatred against, serious contempt for, revulsion towards or severe ridicule of, another person or a group of persons; and
- (b) the person engages in the conduct on the ground of a protected attribute of the other person or the group; and
- (c) the person...
 - (ii) believes that conduct will probably incite hatred against, serious contempt for, revulsion towards or severe ridicule of, the other person or the group.

The Explanatory Memorandum explains:

Incite is intended to take its ordinary or dictionary meaning in section 195N, which includes to urge, spur on, stir up, stimulate or encourage.... Similarly, “hatred”, “serious contempt”, “revulsion” and “severe ridicule” are intended to take their ordinary meaning, informed by how they have been interpreted in the current serious vilification offences. The offence is intended to target extreme conduct that urges or promotes the strongest forms of dislike towards a person or group of persons. The offence is not intended to “capture mere contempt, distaste and ridicule”, or “seriously unkind” conduct or “bad thoughts”...

‘protected attribute’ means disability, gender identity, race, religious belief or activity, sex, sex characteristics, sexual orientation; or personal association with a person identified by reference to one of those attributes.

The Committee also notes that amendment 1 of the circulated government amendments adopted by the Legislative Assembly on 20th February 2025 omits a previous new sub-section 195N(4) which would have provided:

It is a defence to a charge for an offence against subsection (1) if the accused engaged in the conduct for a genuine political purpose.

The Second Reading Speech for the Bill as introduced into the Legislative Assembly had remarked:

The Bill introduces a defence for the incitement offence for conduct that is engaged in for a genuine political purpose. This will ensure consistency with the implied freedom of political communication and ensure that all Victorians feel safe to engage in legitimate political debate.

The Committee observes that the effect of the house amendment may be that a person who, for a genuine political purpose, engages in conduct on the ground of others' disability, gender, race, religion, sex or sexual orientation will commit an offence if he or she accurately believes the conduct will probably prompt hatred, serious contempt, revulsion or severe ridicule towards those others.

Charter analysis

The Statement of Compatibility remarks:

[T]he new incitement offence [is] designed to limit the right to freedom of expression only to the extent that is reasonably necessary to protect the rights of individuals and groups with protected attributes. The Bill does this by... imposing criminal sanctions only for the most serious and egregious conduct, when a person intentionally or recklessly does something that is likely to incite hatred or other specified emotions on the ground of a protected attribute... The reforms in this Bill reflect a balancing of rights and ensure that these reforms only limit the right to freedom of expression to the extent necessary to protect the right to equality.

The criminal offences... in the Bill may limit the right to take part in public life by restricting speech that vilifies others based on their protected attributes. However, as discussed in relation to the right to freedom of expression, the reforms in this Bill involve a balancing of rights. Any limitations on this right are reasonable and justified in accordance with section 7(2) of the Charter, as they protect individuals from vilification and their right to fully participate in public life.

The Committee notes that the Statement of Compatibility for the Bill as introduced into the Legislative Assembly remarked:

The political purpose defence... is intended to ensure that genuine political discourse is not criminalised. It recognises the importance of ensuring robust political discourse on matters of politics and the government, within an open and democratic society. Including the... criminal defence also promotes other rights, including the right to freedom of expression...

The genuine political purpose defence for the incitement offence excuses genuine discourse about political matters, such as matters pertaining to government policies and decisions. This recognises that open discussion of political issues is critical in a free, open and democratic society and promotes rights to freedom of expression and taking part in public life.

The Committee observes that, to the extent that the house amendment's effect may be to criminalise genuine political discourse, including robust political discourse on matters of politics and government or genuine discourse about matters pertaining to government policies or decisions, it may limit the Charter's rights to freedom of expression and to participation in public life.²⁸

The Committee also notes that the Explanatory Memorandum for the Bill as introduced into the Legislative Assembly explained:

New section 195N(4) provides a statutory defence to a charge under section 195N(1) if the accused engaged in the conduct for a genuine political purpose. The defence is intended to ensure the incitement offence does not infringe on the Constitutional implied freedom of political communication.

The Committee observes that, to the extent that the house amendment's effect is that new section 195N may be inconsistent with the Constitutional implied freedom of political communication, new

²⁸ Charter ss. 15(2) & 18(1).

section 195N may not be a ‘lawful’ restriction of the Charter’s right to freedom of expression or a limitation ‘under law’ of that right and the Charter’s right to participation in public affairs.²⁹

Relevant comparisons

The Committee notes that some current Victorian laws include somewhat similar provisions to the previous new sub-section 195N(4):

- the existing offence of consorting has an exception for associations ‘for genuine political purposes’ that are ‘not for an ulterior purpose’.³⁰
- the existing civil prohibition of vilification has an exception for ‘conduct... engaged in reasonably and in good faith... in the course of any statement, publication, discussion or debate made or held, or any other conduct engaged in... for any purpose that is in the public interest’ or ‘a fair and accurate report of any event or matter of public interest’.³¹

The Committee observes that, while Victoria’s existing serious vilification offences do not include an equivalent to the previously proposed new sub-section 195N(4), they are narrower than proposed new sub-section 195N(1) in that they require that the offender either knows his or her conduct is ‘likely... to threaten, or incite others to threaten, physical harm towards’ others or their property or has ‘the intention of inciting serious contempt for, or revulsion or severe ridicule of’ others.³²

The Committee also notes that two Australian jurisdictions that currently criminalise some vilification in similar ways to proposed section 195N provide exceptions for:

- In Tasmania, a ‘fair comment on a matter of public interest’.³³
- In Western Australia, ‘conduct... engaged in reasonably and in good faith... in the course of any statement, publication, discussion or debate made or held, or any other conduct engaged in, for... any purpose that is in the public interest; or... in making or publishing a fair and accurate report or analysis of any event or matter of public interest’.³⁴

The Committee observes that, while the remaining Australian jurisdictions that currently criminalise some forms of vilification do not provide for similar exceptions, their offences are narrower than new sub-section 195N(1) in that they require that the offender:

- in federal law, advocate, and be aware of a substantial, unjustified risk, of force or violence or property damage or destruction.³⁵
- in the Australian Capital Territory, be aware of a substantial, unjustified risk that others will threaten to physically harm a person or group.³⁶
- in New South Wales, intend to incite hatred.³⁷

²⁹ Charter ss. 7(2) & 15(3).

³⁰ *Criminal Organisations Control Act 2012*, s. 124A(4)(f).

³¹ *Racial and Religious Tolerance Act 2001*, s. 11(1)(b) & (c). See also clause 9, inserting a new section 102G into the *Equal Opportunities Act 2010* that is similar to existing s. 11(1)(b) but requires that a ‘genuine public interest’.

³² *Racial and Religious Tolerance Act 2001*, ss. 24 & 25.

³³ *Criminal Code Act 1924* (Tas), Schedule 1, s. 68(2) (and see s. 68(1), criminalising ‘without lawful justification... publish[ing] any writing tending to degrade, revile, or expose to hatred or contempt the people... of any foreign State’.)

³⁴ *Criminal Code Act Compilation 1913* (WA), Appendix B, s. 80G(1)(b) & (c) (and see s. 78, criminalising ‘conduct... that is likely to create, promote or increase animosity towards, or harassment of, a racial group’.)

³⁵ *Criminal Code Act 1995* (Cth), ss. 80.2A(1)(b) & 2(b), 80.2B(1)(b) & (2)(b), 80.2BC(1)(c) & (2)(c) & 80.2BE(1)(c) & (2)(c) (and see s. 5.4(2)).

³⁶ *Criminal Code 2002* (ACT), s. 750(1)(b) (and see (2) (‘threatening act’) & s. 20(1)).

³⁷ *Crimes Act 1900* (NSW), s. 93ZAA(1)(a). The offence also requires that the target reasonable fear harassment, intimidation or violence or for the target’s safety.

- in Queensland, recklessly threaten or incite others to threaten physical harm towards others or any property.³⁸
- in South Australia, threaten or incite others to threaten physical harm towards others or any property.³⁹

Conclusion

The Committee will write to the Attorney-General seeking further information as to whether or not:

- **including an exception to new section 195N in similar terms to those in existing Tasmanian, Victorian or Western Australian laws may be a less restrictive means reasonably available to achieve the purpose of clause 4; and**
- **new section 195N, as amended by the house amendment, is compatible with the Constitutional implied freedom of political communication.**

³⁸ *Criminal Code Act 1899* (Qld), Schedule 1, s. 52A(a) & (b).

³⁹ *Racial Vilification Act 1996* (SA), s. 4(a) & (b).

Ministerial Correspondence

The Committee received a response from the Minister in relation to the Bill listed below.

The Committee thanks the Minister for the attached information.

The response is reproduced. Please refer to Appendix 3 for additional information.

Terrorism (Community Protection) and Control of Weapons Amendment Bill 2024



Hon Anthony Carbinos MP

Minister for Police
Minister for Community Safety
Minister for Victims
Minister for Racing

121 Exhibition Street
Melbourne Victoria 3000
Telephone:(03) 9136 2888

Our ref: EBC 25020546

Mr Gary Maas MP
Chair
Scrutiny of Acts and Regulations Committee
Parliament House
Spring Street
East Melbourne VIC 3002
By email: sarc@parliament.vic.gov.au

Dear Mr Maas

TERRORISM (COMMUNITY PROTECTION) AND CONTROL OF WEAPONS AMENDMENT BILL 2024

I refer to your letter of 5 February 2025, enclosing an extract from Alert Digest No. 1 of 2025, which contains issues raised by the Scrutiny of Acts and Regulations Committee (the Committee) regarding the compatibility of the Terrorism (Community Protection) and Control of Weapons Amendment Bill 2024 (the Bill) with the human rights set out in the *Charter of Human Rights and Responsibilities Act 2006* (the Charter).

As the Minister responsible for the Bill, I am pleased to provide the following information in response to the Committee's query.

The Committee sought further information as to whether provisions of the Queensland *Police Powers and Responsibilities Act 2000* or those of the New South Wales *Law Enforcement (Powers and Responsibilities) Act 2002* are a 'less restrictive means' reasonably available to achieve the purposes of clauses 55 and 56 of the Bill. These clauses of the Bill will, if passed, make amendments to the planned and unplanned designated area provisions of Victoria's *Control of Weapons Act 1990* (the Victorian Act). In particular, the Committee refers to seven aspects of the Queensland and New South Wales legislative schemes that enable the Queensland Police Service and New South Wales Police Force, respectively, to exercise without warrant or suspicion searches for weapons in particular locations and at specified times.

The Queensland provisions, 'Jack's Law – Use of hand held scanners without warrant in particular places' under Part 3A of the *Police Powers and Responsibilities Act 2000*, and the New South Wales provisions, 'Additional powers without warrant in designated areas' scheme under Part 4A of the *Law Enforcement (Powers and Responsibilities) Act 2002*, are not directly comparable to Victoria's existing planned and unplanned designated area provisions set out in sections 10C to 10L of, and Schedule 1 to, the Victorian Act.

The Victorian provisions are designed to give police the flexibility to make area-based or event-based designations in response to the likelihood of violence or disorder, informed by offending data and intelligence, that is not limited to a pre-defined range of locations. Victoria Police is able to target areas that are, or become over time, high risk areas for weapons related violence or disorder, enabling a dynamic response to a changing risk profile.

In comparison, the interstate schemes appear limited to a range of locations defined according to an established function or purpose (for example, public transport stations, shopping precincts and sporting venues), where there is previous offending at a location. While those areas may seem limited in this regard, I note that the Queensland scheme applies to 'Safe Night Precincts' (SNP) and there are currently 15 areas of significant size across that state prescribed as SNPs, as an initiative to reduce late-night drug and alcohol-related violence in and around Queensland's liquor licensed venues.

Victoria's scheme is appropriately focussed on weapons related violence and disorder and does not leverage other legislative schemes established for a different purpose such as to address alcohol fuelled violence and disorder.

The New South Wales scheme additionally allows for regulations to be made to include other places that may be declared as designated areas. While additional areas do not yet seem to have been prescribed as designated areas under the relevant New South Wales regulations, the New South Wales legislation only came into force on 9 December 2024, after our Bill was introduced into Victoria's Parliament on 26 November 2024. As the relevant New South Wales provisions, and therefore the police powers enlivened by them, have only been in operation for a very short time, it is not possible for Victoria to properly assess their legal and practical efficacy.

In contrast, Victoria's planned and unplanned designated area scheme has been in operation for 15 years and the amendments in the Bill have been developed having regard to the extensive operational experience of Victoria Police in declaring areas and using the weapons search powers in those areas.

Some other Australian jurisdictions have also implemented without warrant or suspicion weapons search powers for their police forces in very recent years (for example, Western Australia and the Northern Territory) or include weapons searches as part of a broader suite of public order policing powers (for example South Australia). As is the case with the Queensland and New South Wales legislation, there are some similarities across all of these schemes; however, each are nonetheless designed to operate within the respective jurisdictions' existing legislative schemes taking into account their own local features.

I am satisfied that within the context of the Victorian statutory scheme, the planned and unplanned designated area provisions of the Victorian Act, and the amendments to those provisions in the Bill, are appropriately balanced and are focussed on the harm intended to be addressed, which is to effectively detect and deter weapons related violence and disorder.

Section 7(2) of the Charter recognises that Charter rights may be subject to reasonable and justified limits under law. The conclusion that a limit is reasonable and justified must be reached after weighing up all the relevant factors, including 'any less restrictive means

reasonably available to achieve the purpose that the limitation seeks to achieve' (section 7(2)(e)).

The available measures must be considered with regard to the purpose of the limit, and in my view, the purpose of the dynamic and responsive Victorian scheme would not be achieved by the measures adopted under the NSW and Queensland schemes.

Should you wish to discuss this matter further, please contact Vivienne Clare, Executive Director, Police and Community Safety, Department of Justice and Community Safety on 0418 586 929 or by email vivienne.clare@justice.vic.gov.au.

I trust this information has been of assistance.

Yours sincerely



Hon Anthony Carbines MP
Minister for Police
Minister for Community Safety
Minister for Victims
Minister for Racing

27/02/25

Appendix 1

Index of Bills and Subordinate Legislation in 2025

BILLS	Alert Digest Nos.
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Constitution Amendment (Abortion) Bill 2024	2
Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024	1
Energy and Land Legislation Amendment (Energy Safety) Bill 2025	2
Gambling Legislation Amendment (Pre-commitment and Carded Play) Bill 2024	1
Help to Buy (Commonwealth Powers) Bill 2025	3
Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024	1
Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024 [House Amendments]	3
Justice Legislation Amendment (Committals) Bill 2024	15 of 2014, 1
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Regulatory Legislation Amendment (Reform) Bill 2025	2
Retirement Villages Amendment Bill 2024	1
Roads and Road Safety Legislation Amendment Bill 2024 [House Amendments]	15 of 2024, 1
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Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024	16 of 2024, 1
Transport Legislation Amendment (Vehicle Sharing Scheme Safety and Standards) Bill 2025	3
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SR No. 30 – Transport (Safety Schemes Compliance and Enforcement) (Infringements) Regulations 2024	1
SR No. 40 – Subordinate Legislation (Forest (Fire Protection) Regulations 2014) Extension Regulations 2024	2
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SR No. 66 – Honorary Justices Regulations 2024	2
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Dairy Food Safety Victoria Determination of Licence Classes and Fees for Dairy Businesses	2
Ministerial Order No. 1452 – Fees for Services Provided to Children in Government Early Learning Centres	1

Appendix 2

Committee Comments classified by Terms of Reference

This Appendix lists Bills under the relevant Committee terms of reference where the Committee has raised issues requiring clarification from the appropriate Minister or Member.

Alert Digest Nos.

Section 17(a)

(i) trespasses unduly upon rights or freedoms

Agriculture and Food Safety Legislation Amendment Bill 2024	13 of 2024, 1
Constitution Amendment (Abortion) Bill 2024	2
Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024	1
Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024 [House Amendments]	3
Justice Legislation Amendment (Committals) Bill 2024	15 of 2024, 1
Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024	16 of 2024, 1

(viii) is incompatible with the human rights set out in the Charter of Human Rights and Responsibilities

Agriculture and Food Safety Legislation Amendment Bill 2024	13 of 2024, 1
Constitution Amendment (Abortion) Bill 2024	2
Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024	1
Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024 [House Amendments]	3
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Roads and Road Safety Legislation Amendment Bill 2024 [House Amendments]	15 of 2024, 1
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Appendix 3

Table of Ministerial Correspondence

Table of correspondence between the Committee and Ministers or Members

This Appendix lists the Bills where the Committee has written to the Minister or Member seeking further advice, and the receipt of the response to that request.

Bill Title	Minister/ Member	Date of Committee Letter / Minister's Response	Alert Digest No. Issue raised / Response Published
Agriculture and Food Safety Legislation Amendment Bill 2024	Agriculture	15-10-24 04-12-24	13 of 2024 1 of 2025
Protecting Public Assets and Services Bill 2024	Samantha Ratnam MP	15-10-24	13 of 2024
Justice Legislation Amendment (Committals) Bill 2024	Attorney-General	12-11-24 27-11-24	15 of 2024 1 of 2025
Roads and Road Safety Legislation Amendment Bill 2024 [House Amendments]	Roads and Road Safety	12-11-24 04-12-24	15 of 2024 1 of 2025
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Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024	Casino, Gaming and Liquor Regulation	02-12-24 21-01-25	16 of 2024 1 of 2025
Consumer and Planning Legislation Amendment (Housing Statement Reform) Bill 2024	Consumer Affairs	05-02-25	1 of 2025
Terrorism (Community Protection) and Control of Weapons Amendment Bill 2024	Police	05-02-25 27-02-25	1 of 2025 3 of 2025
Constitution Amendment (Abortion) Bill 2024	Sarah Mansfield MP	18-02-25	2 of 2025
Justice Legislation Amendment (Anti-vilification and Social Cohesion) Bill 2024 [House Amendments]	Attorney-General		3 of 2025