

**ANZAC DAY AMENDMENT BILL 2015**

*Returned*

Bill returned from the Council with amendments.

On motion by **Mr J.M. Francis (Minister for Veterans)**, resolved —

That the Council's amendments be considered in detail forthwith.

*Council's Amendments — Consideration in Detail*

The amendments made by the Council were as follows —

No. 1

New Clause 10A, page 9, after line 21 — To insert —

**10A. Section 13 amended**

In section 13(d) delete “Governor” and insert:

Minister

No. 2

New Clause 10B, page 9, after line 21 — To insert —

**10B. Section 14 amended**

In section 14 delete “Governor” (each occurrence) and insert:

Minister

**Mr J.M. FRANCIS:** I move —

That amendment 1 made by the Council be agreed to.

For the purpose of members, these are minor amendments to the Anzac Day Act that were corrected and amended in the Legislative Council. This is a simple amendment to section 13(d) of the Anzac Day Act to delete the word “Governor”. The amendment came out after some drafting errors were not recognised. The purpose of the amendment is that section 11 of the Anzac Day Act provides for the appointment of trustees and section 11(2) provides that the trust shall consist of four trustees. The amendment passed by the other house provides that the trustees be appointed by the minister, not the Governor. However, the draftsman had overlooked that in section 13(d) a trustee may be removed—for example, if they have been convicted of an offence—by the Governor, and this needed to be amended. Likewise in section 14 of the act, resignations of trustees are received by the Governor. In accordance with the policy approved by this house, trustees are appointed by the minister but can resign only by tendering their resignation to the Governor rather than the minister. I propose in due course to move a similar amendment to section 14.

**Mr B.S. WYATT:** The minister will answer this question I dare say when he deals with the second amendment. We are deleting “Governor” and inserting “Minister” for the reason that the legislation referred to the Governor previously. I think that is what the minister said.

**Mr J.M. Francis:** Correct.

**Mr B.S. WYATT:** Why not simply delete “Minister” and insert “Governor”? The minister can answer that when he gets to amendment 2. Why have we left it with the minister and not the Governor?

**Question put and passed; the Council's amendment agreed to.**

**Mr J.M. FRANCIS:** I move —

That amendment 2 made by the Council be agreed to.

This does not involve a paid board of trustees; it is a volunteer board of trustees. As with most of these kinds of things, the trustees are approved by the minister. It is my understanding that there was a drafting conflict when it came to amending it in the two separate sections. The purpose of this amendment is to reflect in section 14 of the principal act a like amendment to that that was passed in the other place again removing reference to the Governor in subsection (1) and to a couple of references in subsection (2), which is why the amendment states “each occurrence”, and replacing them with references to the minister so that there is consistency throughout the entire legislation.

**Question put and passed; the Council's amendment agreed to.**

**The Council acquainted accordingly.**