



## MESSAGE No. 156

Mr Speaker

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Commonwealth Heads of Government Meeting (Special Powers) Bill 2011* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

A handwritten signature in blue ink, consisting of several large, sweeping loops and a final horizontal stroke.

Hon Barry House  
President of the Legislative Council

Legislative Council Chamber  
Perth, 22 June 2011

*Schedule indicating the amendments made by the Legislative Council in the Commonwealth Heads of Government Meeting (Special Powers) Bill 2011*

**No. 1**

Page 1 — To delete “2011,” and insert —

2011 and associated meetings, events, functions and activities,

**No. 2**

Page 2, after line 16 — To insert —

***attend*** an event includes —

- (a) be involved in the event; and
- (b) in the case of an event that consists of the provision of accommodation, be accommodated in the accommodation provided;

**No. 3**

Page 2, lines 20 and 21 — To delete the lines and insert —

***CHOGM event*** means —

- (a) any meeting, event, function or activity that forms part of CHOGM (Perth); or
- (b) any function held for the benefit of people attending CHOGM (Perth); or
- (c) any entertainment event held for the benefit of people attending CHOGM (Perth); or
- (d) the accommodation provided for people attending CHOGM (Perth), CHOGM officials or other officials associated with the organisation of CHOGM (Perth); or
- (e) the arrival at, or departure from, any airport of people attending CHOGM (Perth), CHOGM officials or other officials associated with the organisation of CHOGM (Perth); or
- (f) any other meeting, event, function or activity that is declared to be a CHOGM event by an order made under section 13A;

**No. 4**

Page 2, line 26 — To insert after “period” —

and includes associated meetings, events, functions and activities held during that period

**No. 5**

Page 4, line 31 — To insert after “associated” —

meetings,

**No. 6**

Page 5, line 3 — To delete “that meeting.” and insert —

CHOGM (Perth).

**No. 7**

Page 5, lines 7 and 8 — To delete “CHOGM (Perth) and associated events, functions and activities; and” and insert —

CHOGM (Perth); and

**No. 8**

Page 5, lines 10 and 11 — To delete “that meeting or those events, functions and activities.” and insert —

CHOGM (Perth).

**No. 9**

Page 11, after line 14 — To insert —

### **Division 3A — CHOGM events**

#### **13A. Order declaring CHOGM event**

(1) The Minister may, by order, declare any meeting, event, function or activity to be a CHOGM event if the Minister is satisfied that declaring the meeting, event, function or activity to be a CHOGM event will substantially assist in —

- (a) promoting the security or safety of —
  - (i) people attending CHOGM (Perth); or
  - (ii) CHOGM officials or other officials associated with the organisation of CHOGM (Perth); or
  - (iii) the public;
 or
- (b) preventing or controlling a public disorder.

- (2) An order made under subsection (1) has effect when it is published in the *Gazette* unless section 13C applies, in which case it has effect when the Minister signs the order.
- (3) An order under this section may be made before or during the CHOGM period.

**13B. Urgent order declaring CHOGM event**

- (1) The Minister may make an order under section 13A without publishing the order in the *Gazette* if the Minister is satisfied —
  - (a) that it is necessary to declare a meeting, event, function or activity to be a CHOGM event as a matter of urgency; and
  - (b) that the delay that would be caused by having to publish the order in the *Gazette* would significantly compromise the security or safety of the meeting, event, function or activity, people attending it or the public.
- (2) If an order is made by the Minister in the circumstances set out in subsection (1) —
  - (a) the order has effect when the Minister signs the order; and
  - (b) as soon as practicable after the order is made, the Minister must ensure that the order is published in the *Gazette*, unless section 13C applies.
- (3) A failure to comply with subsection (2)(b) does not affect the validity of the order.

**13C. Gazetting of order can be dispensed with**

Despite sections 13A(2) and 13B(2)(b), the Minister does not have to publish an order made under section 13A in the *Gazette* if the Minister is satisfied that the publication of the order would be likely to significantly compromise the security or safety of the meeting, event, function or activity to which the order relates, people attending it or the public.

**No. 10**

Page 11, line 17 — To delete “8 or 12” and insert —

8, 12 or 13A

**No. 11**

Page 11, line 21 — To delete “8 or 12” and insert —

8, 12 or 13A

**No. 12**

Page 11, line 23 — To delete “8 or 12” and insert —

8, 12 or 13A

**No. 13**

Page 27, after line 8 — To insert —

(1A) The Commissioner must take reasonable steps to contact a person in order to notify the person that the person is named in an excluded persons list.

**No. 14**

Page 27, line 18 — To insert after “the Commissioner” —

to notify a person that the person is named in an excluded persons list, or

**No. 15**

Page 27, line 19 — To delete “list” and insert —

list,

**No. 16**

Page 46, after line 10 — To insert —

(ba) that an order was made under section 13A declaring a stated meeting, event, function or activity to be a CHOGM event, and the date and time when the order was signed;

**No. 17**

Page 46, after line 18 — To insert —

(4) Subsection (1)(ba) does not apply if the order made under section 13A is published in the *Gazette*.

No. 18

Page 51, after line 18 — To insert —

*attend* an event has the meaning given in section 3;

A handwritten signature in blue ink, consisting of stylized initials and a surname, positioned above the title of the signatory.

Clerk of the Legislative Council