

c2026-091
OPP--Opposition

LEGISLATIVE COUNCIL

Road Transport Amendment (Demerit Points Reduction) Bill 2026

First print

Proposed amendments

No. 1 **Attendances of witnesses**

Page 5. Insert after line 10—

**Schedule 3 Amendment of Parliamentary Evidence Act
1901 No 43**

[1] Sections 7 and 8

Omit sections 7–9. Insert instead—

7 Non-attendance of witnesses

- (1) This section applies if a person is summoned to attend and give evidence before the Council or Assembly or a Committee by a notice or order as referred to in section 4.
- (2) If the person fails to attend and give evidence as required by the notice or order, the President or the Speaker, as the case requires, may issue a warrant for the apprehension of the person for the purpose of bringing the person before the Council, Assembly or Committee to give evidence.
- (3) The President or the Speaker must not issue the warrant unless satisfied of the person's failure to attend and that the non-attendance is without just cause or reasonable excuse.
- (4) The warrant must be in the form set out in Schedule 1 or a similar form.

8 Warrants and orders of President or Speaker sufficient authority for acts under them

- (1) A warrant issued under section 7 is sufficient authority for all persons acting under the warrant to apprehend the person named in the warrant, and to keep the person in custody, so the person may be—
 - (a) produced, from time to time, for the purpose of giving evidence, or
 - (b) remanded and finally discharged from custody, pursuant to an order under the hand and seal of the President or the Speaker, as the case requires (a *discharge order*).

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- (2) A discharge order is sufficient authority for all persons acting under the order.
- (3) An individual does not incur civil or criminal liability for an act or omission done in good faith in the exercise or discharge, or purported exercise or discharge, of a function under this section.

[2] Schedule 1

Omit Schedules 2 and 3. Insert instead—

Schedule 1 Warrants

section 7(4)

Form of warrant

To the [*Usher of the Black Rod/Serjeant-at-Arms, as the case requires*], the Commissioner of Police and all police officers.

WHEREAS _____ of _____ (the *witness*) has been duly summoned to attend and give evidence before the _____ pursuant to the *Parliamentary Evidence Act 1901*, but has failed to appear.

This warrant requires you to immediately apprehend the witness and detain the witness in custody for the purpose of being brought before _____ to give evidence and there to obey all further orders under the hand of the [*President/Speaker, as the case requires*] for the witness's remand or final discharge from custody.

Given under my hand and seal at _____ this _____ day of _____ in the year _____ .

[*President/Speaker, as the case requires*]

No. 2 **Long title**

Omit “related”. Insert instead “other”.