

LEGISLATIVE COUNCIL
WEDNESDAY, 13 SEPTEMBER 2017

1.00pm

Prayers

ORDER OF BUSINESS

Condolence Motions

Petitions

Statements by Ministers and Parliamentary Secretaries

Papers for Tabling

Leader of the House

Minister for Environment

Minister for Regional Development

Parliamentary Secretary to the Minister for Health

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Notices of Motions

Motions without Notice

1.15pm	Motions on Notice
3.15pm	Orders of the Day
4.30pm	Questions without Notice
5.00pm	Orders of the Day
6.20pm	Members' Statements
7.00pm	House adjourns

MOTIONS ON NOTICE

1. Select Committee on Elder Abuse (*Notice given 23 May 2017*)

Continuation of introductory remarks Hon Nick Goiran — 40 mins (Wednesday, 6 September 2017) in moving the following motion —

- (1) A Select Committee into Elder Abuse in Western Australia is established;
- (2) The Select Committee is to inquire into elder abuse with particular reference to —
 - (a) determine an appropriate definition of elder abuse;
 - (b) identify its prevalence;
 - (c) identify the forms of elder abuse, including but not limited to neglect;
 - (d) identify the risk factors;
 - (e) assess and review the legislative and policy frameworks;
 - (f) assess and review service delivery and agency responses;
 - (g) the capacity of the Western Australia Police to identify and respond to allegations of elder abuse;
 - (h) identify initiatives to empower older persons to better protect themselves from risks of elder abuse as they age;
 - (i) consider new proposals or initiatives which may enhance existing strategies for safeguarding older persons who may be vulnerable to abuse; and
 - (j) consider any other relevant matter.
- (3) The Select Committee is to report by no later than 12 months after the motion is agreed to.
- (4) The Select Committee shall comprise of the following members —
 - (a) Hon Nick Goiran, Chair;
 - (b) Hon Alison Xamon, Deputy Chair;
 - (c) Hon Matthew Swinbourn; and
 - (d) Hon Tjorn Sibma.

Total time remaining on motion – 3hrs 55mins.

2. National Disability Insurance Scheme (*Notice given 23 May 2017*)

Hon Alison Xamon: To move —

That this House notes the significant impacts on people with disability and their families of ongoing uncertainty about which form of NDIS will be adopted in Western Australia.

Whether the Government decides to adopt the NDIS or the NDIS My Way model, it is imperative that those whose lives will be most affected by the decision are kept informed in an ongoing and meaningful way.

Furthermore, it is essential that a co-design model for engagement that involves people with disability and their families in the design of governance, policy and operational aspects is developed to inform the delivery of whichever scheme is agreed to.

Noting the significant uncertainty in the funding of disability services in Western Australia, this House calls upon the Government to ensure that there are mechanisms in place to —

- (a) ensure people with disability and their representative organisations are included in governance structures and inform service delivery design; and
- (b) that the decision making process is fully transparent.

3. Metronet (*Notice given 23 May 2017*)

Hon Alanna Clohesy: To move —

That this House congratulates the McGowan Government on its Metronet policy and notes the benefits Western Australia will derive, including the jobs to be created, from this transport and planning initiative.

ORDERS OF THE DAY

- 1. Road Traffic Regulations Amendment (Pilot Vehicle Drivers) Regulations 2016 — Disallowance**
Moved *pro forma* (SO 67(3)) 15 August 2017 on the motion of Hon Robin Chapple (Days remaining 7 after today (Indicative date — 2 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Road Traffic Regulations Amendment (Pilot Vehicle Drivers) Regulations 2016* published in the *Gazette* on 15 November 2016 and tabled in the Legislative Council on 22 November 2016 under the *Road Traffic (Administration) Act 2008* and the *Road Traffic (Vehicles) Act 2012*, be and is hereby disallowed. (Tabled paper No. 4926).

- 2. Town of Cambridge Local Government and Public Property Local Law 2016 — Disallowance**
Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Cambridge Local Government and Public Property Local Law 2016* published in the *Gazette* on 24 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 76).

- 3. Town of Cambridge Private Property Local Law 2016 — Disallowance**
Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Cambridge Private Property Local Law 2016* published in the *Gazette* on 24 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 76).

- 4. Town of Cambridge Waste Local Law 2016 — Disallowance**
Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Cambridge Waste Local Law 2016* published in the *Gazette* on 24 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995* and the *Waste Avoidance and Resource Recovery Act 2007*, be and is hereby disallowed. (Tabled paper No. 112).

- 5. Shire of Bruce Rock Animals, Environment and Nuisance Local Law 2016 — Disallowance**
Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Bruce Rock Animals, Environment and Nuisance Local Law 2016* published in the *Gazette* on 25 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995* and the *Health Act 1911*, be and is hereby disallowed. (Tabled paper No. 165).

- 6. Shire of Kulin Animals, Environment and Nuisance Local Law 2016 — Disallowance**
Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Kulin Animals, Environment and Nuisance Local Law 2016* published in the *Gazette* on 25 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995* and the *Health Act 1911*, be and is hereby disallowed. (Tabled paper No. 165).

7. Shire of Gingin — Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Gingin — Waste Local Law 2016* published in the *Gazette* on 2 December 2016 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995* and the *Waste Avoidance and Resource Recovery Act 2007*, be and is hereby disallowed. (Tabled paper No. 113).

8. Shire of Narrogin — Public Places and Local Government Property Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Narrogin — Public Places and Local Government Property Local Law 2016* published in the *Gazette* on 6 December 2016 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 75).

9. Shire of Lake Grace Animals, Environment and Nuisance Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Lake Grace Animals, Environment and Nuisance Local Law 2016* published in the *Gazette* on 20 December 2016 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995*, *Health Act 1911* and the *Cat Act 2011*, be and is hereby disallowed. (Tabled paper No. 75).

10. City of Busselton Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Busselton Waste Local Law 2016* published in the *Gazette* on 3 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995* and the *Waste Avoidance and Resource Recovery Act 2007*, be and is hereby disallowed. (Tabled paper No. 112).

11. Legal Profession (Law Library Fees) Rules 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Legal Profession (Law Library Fees) Rules 2017* published in the *Gazette* on 13 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Legal Profession Act 2008*, be and are hereby disallowed. (Tabled paper No. 104).

12. Shire of Narambeen Animals, Environment and Nuisance Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Narambeen Animals, Environment and Nuisance Local Law 2016* published in the *Gazette* on 25 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Health Act 1911* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 165).

13. Shire of Kondinin Animals, Environment and Nuisance Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Kondinin Animals, Environment and Nuisance Local Law 2016* published in the *Gazette* on 10 February 2017 and tabled in the Legislative Council on 17 May 2017 under the *Health Act 1911* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 167).

14. Shire of Capel Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Capel Waste Local Law 2016* published in the *Gazette* on 13 February 2017 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 114).

15. Shire of Murray Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Murray Waste Local Law 2016* published in the *Gazette* on 16 March 2017 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 115).

16. Shire of Chittering Waste Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Chittering Waste Local Law 2017* published in the *Gazette* on 23 March 2017 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 115).

17. Shire of Cunderdin Animals, Environment and Nuisance Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Cunderdin Animals, Environment and Nuisance Local Law 2016* published in the *Gazette* on 4 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995* and the *Health Act 1911*, be and is hereby disallowed. (Tabled paper No. 165).

18. City of Gosnells Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Gosnells Waste Local Law 2016* published in the *Gazette* on 1 December 2016 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 113).

19. Shire of Moora Dogs Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Moora Dogs Local Law 2016* published in the *Gazette* on 22 March 2017 and tabled in the Legislative Council on 17 May 2017 under the *Dog Act 1976* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 73).

20. Shire of Moora Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Moora Waste Local Law 2016* published in the *Gazette* on 22 March 2017 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 115).

21. Town of East Fremantle Waste Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Robin Chapple (Days remaining 10 after today (Indicative date — 9 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of East Fremantle Waste Local Law 2017* published in the *Gazette* on 31 March 2017 and tabled in the Legislative Council on 17 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 115).

22. City of Joondalup Animals Amendment Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 22 August 2017 on the motion of Hon Martin Pritchard (Days remaining 10 after today (Indicative date — 9 November 2017))

That the *City of Joondalup Animals Amendment Local Law 2016* published in the *Gazette* on 10 January 2017 and tabled in the Legislative Council on 17 May 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 76).

23. Bunbury-Harvey Regional Council Standing Orders Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 23 August 2017 on the motion of Hon Robin Chapple (Days remaining 11 after today (Indicative date — 28 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Bunbury-Harvey Regional Council Standing Orders Local Law 2017* published in the *Gazette* on 10 May 2017 and tabled in the Legislative Council on 18 May 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 186).

24. City of South Perth Waste Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 23 August 2017 on the motion of Hon Robin Chapple (Days remaining 11 after today (Indicative date — 28 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of South Perth Waste Local Law 2017* published in the *Gazette* on 5 May 2017 and tabled in the Legislative Council on 18 May 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 197).

25. Electricity (Licensing) Amendment Regulations 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 23 August 2017 on the motion of Hon Robin Chapple (Days remaining 11 after today (Indicative date — 28 November 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Electricity (Licensing) Amendment Regulations 2017* published in the *Gazette* on 22 March 2017 and tabled in the Legislative Council on 18 May 2017 under the *Electricity Act 1945*, be and are hereby disallowed. (Tabled paper No. 200).

26. Police Regulations Amendment (Fees and Charges) Regulations 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 24 August 2017 on the motion of Hon Aaron Stonehouse (Days remaining 12 after today (Indicative date — 29 November 2017))

That the *Police Regulations Amendment (Fees and Charges) Regulations 2017* published in the *Gazette* on 27 June 2017 and tabled in the Legislative Council on 16 August 2017 under the *Firearms Act 1973*, be and are hereby disallowed. (Tabled paper No. 376).

27. City of Kalgoorlie-Boulder Cat Amendment Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 7 September 2017 on the motion of Hon Robin Chapple (Days remaining 15 after today (Indicative date — 6 December 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Kalgoorlie-Boulder Cat Amendment Local Law 2017* published in the *Gazette* on 2 June 2017 and tabled in the Legislative Council on 13 June 2017 under the *Local Government Act 1995* and the *Cat Act 2011*, be and is hereby disallowed. (Tabled paper No. 240).

28. Town of East Fremantle Plastic Bag Reduction Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 7 September 2017 on the motion of Hon Robin Chapple (Days remaining 15 after today (Indicative date — 6 December 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of East Fremantle Plastic Bag Reduction Local Law 2017* published in the *Gazette* on 2 June 2017 and tabled in the Legislative Council on 13 June 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 240).

29. City of Nedlands Waste Local Law 2016 — Disallowance

Moved *pro forma* (SO 67(3)) 7 September 2017 on the motion of Hon Robin Chapple (Days remaining 15 after today (Indicative date — 6 December 2017))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Nedlands Waste Local Law 2016* published in the *Gazette* on 7 June 2017 and tabled in the Legislative Council on 13 June 2017 under the *Waste Avoidance and Resource Recovery Act 2007* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 246).

30. Estimates of Revenue and Expenditure — Consolidated Account Estimates 2017–2018 (*Notice given 7 September 2017*) Minister for Environment representing the Treasurer

Debate adjourned Hon Ken Baston (Tuesday, 12 September 2017) on the motion of the Minister for Environment representing the Treasurer as follows —

That pursuant to Standing Order No. 69(1) the Legislative Council take note of Tabled Paper No. 469A–D (2017–2018 Budget Statements), laid upon the Table of the House on Thursday, 7 September 2017.

(Days remaining 8 after today – SO 69(2))

32. *[Coroners Amendment Bill 2017](#) [LA 15–1] Leader of the House representing the Attorney General

Second reading continuation of remarks Hon Michael Mischin (Tuesday, 12 September 2017).
cf SNP 15 Issue 1 – 6 September 2017.

35. [Health Practitioner Regulation National Law \(WA\) Amendment Bill 2017](#) [LA 20–2] Parliamentary Secretary to the Minister for Health

Second reading adjourned (Wednesday, 6 September 2017).

31. [First Home Owner Grant Amendment Bill 2017](#) [LA 16–1B] Minister for Environment representing the Treasurer

Committee progress clause 14 (Thursday, 7 September 2017).

37. *[Standing Committee on Procedure and Privileges – Report No. 45 – Outstanding Matters from the 39th Parliament](#) (Tabled 24 August 2017)

Continuation of remarks Hon Adele Farina — 45 mins (Thursday, 24 August 2017) in moving the following motion –

That Recommendation 1 contained in Report No. 45 of the Standing Committee on Procedure and Privileges, *Outstanding Matters from the 39th Parliament*, be adopted and agreed to.

See Tabled paper No. 435.

Recommendation 1 states —

Temporary Orders

The Legislative Council makes the following Temporary Orders —

1. Duration of Temporary Orders

These Temporary Orders apply until (and including) 31 December 2018.

2. Time Limits on Speeches

Standing Order 21, debate times for “Consideration of Committee Reports” is suspended and replaced by the following Temporary Order —

Consideration of Committee Reports

All Members unlimited periods of 10 minutes per report

3. Maximum Time Limits for Certain Business Items

Standing Order 23, paragraph (1)(b) is suspended.

4. Consideration of Committee Reports

Standing Order 110 is amended by inserting the following Temporary Order —

- (2A) Where the debate on an order of the day listed under (2) has reached one hour of consideration and further orders of the day are listed on the Notice Paper, the debate on the order of the day shall be postponed.
- (2B) An order of the day postponed under (2A) shall be listed for further consideration after the orders of the day for the consideration of committee reports listed on that day's Notice Paper and not disposed of.

38. [*Standing Committee on Procedure and Privileges – Report No. 45 – Outstanding Matters from the 39th Parliament](#) (Tabled 24 August 2017)

Continuation of remarks Hon Adele Farina — 45 mins (Thursday, 24 August 2017) in moving the following motion –

That Recommendation 2 contained in Report No. 45 of the Standing Committee on Procedure and Privileges, *Outstanding Matters from the 39th Parliament*, be adopted and agreed to.

See Tabled paper Nos 435 and 3650 (Tabled 25 November 2015).

Recommendation 2 states —

That Recommendation 3 contained in Report No. 37 of the Standing Committee on Procedure and Privileges, *Temporary Orders – 2016*, be adopted and agreed to.

Recommendation 3 of Report No. 37, *Temporary Orders – 2016*, as follows —

That this be a Temporary Order —

Standing Order 190(2) is suspended and replaced by the following Temporary Order –

- (2) When a motion is moved under (1), before putting the question the President shall ask whether any Member wishes to speak to the motion and —
 - (a) if no Member indicates that they wish to speak to the motion, the President shall put the question immediately;
 - (b) if any Member indicates that they wish to speak to the motion, then no debate shall ensue at that time and the debate shall be adjourned until a later stage of the sitting;
 - (c) an adjournment under (b) does not affect the movers right to speak to the motion.

40. [*Standing Committee on Procedure and Privileges – Report No. 45 – Outstanding Matters from the 39th Parliament](#) (Tabled 24 August 2017)

Continuation of remarks Hon Adele Farina — 45 mins (Thursday, 24 August 2017) in moving the following motion –

That Recommendation 4 contained in Report No. 45 of the Standing Committee on Procedure and Privileges, *Outstanding Matters from the 39th Parliament*, be adopted and agreed to.

See Tabled paper Nos 435 and 4241 (tabled 28 June 2016).

Recommendation 4 states —

That Recommendation 1 contained in Report No. 40 of the Standing Committee on Procedure and Privileges, *E-Petitions*, be adopted and agreed to.

Recommendation 1 of Report No. 40, *E-Petitions*, as follows —

That new **Temporary Order 6**, as outlined below, be adopted by the Council to apply until (and including) 31 December 2017 —

6. E-Petitions

- (1) An E-Petition is a petition —
 - (a) in the correct form prescribed by Standing Order 101;

- (b) facilitated by a Member and lodged with the Clerk for publication on the Parliament's Internet Website for a nominated period ("posted period");
 - (c) persons must indicate their support of ("join the petition") by electronically providing their name, address (including postcode) and email address, and signifying their intention to join the petition.
- (2) The posted period for an E-Petition is to be a minimum of one week and a maximum of six months from the date of publication on the Parliament's Internet Website.
 - (3) The Member facilitating the E-Petition must provide the Clerk with the details of the petition in the correct form; the posted period and a signed acknowledgment that they are prepared to facilitate the E-Petition.
 - (4) Once published on the Parliament's Internet Website an E-Petition cannot be altered.
 - (5) Only one E-Petition dealing with substantially the same grievance and requesting substantially the same action by the Council shall be published on the Parliament's Internet Website at the same time.
 - (6) Once the posted period for an E-Petition has elapsed, a paper copy of the Petition shall be printed by the Clerk in full (including the details of the persons who joined the petition) and presented to the Council by the Member that facilitated the E-Petition.
 - (7) An E-Petition published on the Parliament's Internet Website, but not presented to the Council prior to the prorogation of the Parliament or the dissolution of the Legislative Assembly, shall be presented to the subsequent Parliament and become a petition of the subsequent Parliament.
 - (8) An E-Petition may be facilitated during any adjournment of the Legislative Council and during any period of prorogation.
 - (9) Persons must join an E-Petition by filling out their correct details and personally agreeing to join the E-Petition, and by no one else, except in the case of incapacity from sickness.
 - (10) A person cannot sign or join an E-Petition more than once.
 - (11) Only the name and address of the Principal Petitioner shall be made public on the Legislative Council's website.
 - (12) The Clerk may decline to publish an E-Petition on the website not in conformity with these Orders and shall advise the facilitating Member accordingly.
 - (13) The Clerk shall ensure that all Government responses to E-Petitions are posted on the website.
 - (14) The Clerk or any Member may seek a ruling from the President of the Legislative Council relating to the conformity or otherwise of any E-Petition with these Orders.
 - (15) The Clerk is authorised to create and maintain an appropriate internet website on which to publish E-Petitions, responses to E-Petitions and other explanatory information and do all things necessary in order to give effect to these Orders.
 - (16) The Clerk must dispose of all electronic personal data relating to the posting and joining of an E-Petition within six months after an E-Petition is printed and presented to the Legislative Council.
 - (17) The Standing Orders for petitions have application to E-Petitions insofar as they can be applied.

41. [*Standing Committee on Procedure and Privileges – Report No. 45 – Outstanding Matters from the 39th Parliament](#) (Tabled 24 August 2017)

Continuation of remarks Hon Adele Farina — 45 mins (Thursday, 24 August 2017) in moving the following motion –

That Recommendation 5 contained in Report No. 45 of the Standing Committee on Procedure and Privileges, *Outstanding Matters from the 39th Parliament*, be adopted and agreed to.

See Tabled paper Nos 435 and 4772 (tabled 13 October 2016).

Recommendation 5 states —

That Recommendation 1 contained in Report No. 42 of the Standing Committee on Procedure and Privileges, *Joint Standing Committee on the Corruption and Crime Commission — Terms of Reference*, be adopted and agreed to.

Recommendation 1 of Report No. 42, *Joint Standing Committee on the Corruption and Crime Commission — Terms of Reference*, as follows —

- (1) That **Schedule 1: Committees, Item 9.2(a)** be deleted and the following substituted —
 - (a) monitor and report to Parliament on the exercise of the functions of the —
 - (i) Corruption and Crime Commission;
 - (ii) Parliamentary Inspector of the Corruption and Crime Commission; and
 - (iii) Public Sector Commissioner in relation to functions under the *Corruption, Crime and Misconduct Act 2003*;
- (2) That the Legislative Assembly be acquainted accordingly and be invited to pass a similar resolution.

39. *Standing Committee on Procedure and Privileges – Report No. 45 – Outstanding Matters from the 39th Parliament (Tabled 24 August 2017)

Continuation of remarks Hon Adele Farina — 45 mins (Thursday, 24 August 2017) in moving the following motion –

That Recommendation 3 contained in Report No. 45 of the Standing Committee on Procedure and Privileges, *Outstanding Matters from the 39th Parliament*, be adopted and agreed to.

See Tabled paper Nos 435, 4240 (tabled 28 June 2016) and 1476 (tabled 15 May 2014).

Recommendation 3 states —

That Recommendations 1 to 3 contained in Report No. 39 of the Standing Committee on Procedure and Privileges, *Reference from the House on 25 February 2015; Standing Order 97: Strangers in the Council; and Standing Order 181: Witnesses' Entitlements*, be adopted and agreed to.

Recommendation 1 of Report No. 39, *Reference from the House on 25 February 2015; Standing Order 97: Strangers in the Council; and Standing Order 181: Witnesses' Entitlements*, as follows —

That the House does not proceed with the Recommendations 2(a) and 2(c) contained in the Standing Committee on Procedure and Privileges — Report No. 29 — Review of the Select Committee into the Appropriateness of Powers and Penalties for Breaches of Parliamentary Privilege and Contempts of Parliament.

Recommendation 2(a) of Report No. 29, *Review of the Select Committee into the Appropriateness of Powers and Penalties for Breaches of Parliamentary Privilege and Contempts of Parliament*, as follows —

The Committee recommends that the State Government instruct the Parliamentary Counsel to draft a bill or bills to:

- (a) amend the *Criminal Code* so as to clarify that the proceedings of Parliament may be used as evidence in the prosecution of an offence under sections 55 to 59 of the *Criminal Code*;

Recommendation 2(c) of Report No. 29, *Review of the Select Committee into the Appropriateness of Powers and Penalties for Breaches of Parliamentary Privilege and Contempts of Parliament*, as follows —

The Committee recommends that the State Government instruct the Parliamentary Counsel to draft a bill or bills to:

- (c) amend the constitutional and/or electoral legislation to abolish the ability of a House of the Parliament of Western Australia to expel one of its Members; and

Recommendation 2 of Report No. 39, *Reference from the House on 25 February 2015; Standing Order 97: Strangers in the Council; and Standing Order 181: Witnesses' Entitlements*, as follows —

That Standing Order 97(2) be deleted and the following inserted —

- (2) When a division is called strangers shall withdraw unless otherwise ordered by the President.

Recommendation 3 of Report No. 39, *Reference from the House on 25 February 2015; Standing Order 97: Strangers in the Council; and Standing Order 181: Witnesses' Entitlements*, as follows —

That **Standing Order 181** be amended as follows —
To delete “Any” and insert —

Subject to order, any

* For amendments see Supplementary Notice Paper and/or Committee Report

NIGEL PRATT
Clerk of the Legislative Council