

# 135

# Business Program



**LEGISLATIVE COUNCIL**

**WEDNESDAY, 26 JUNE 2019**

**1.00pm**

Prayers

Acknowledgement of Country

**ORDER OF BUSINESS**

Condolence Motions

Notification of Royal Assent - Message No. 13

Petitions

Statements by Ministers and Parliamentary Secretaries

Minister for Ports

Papers for Tabling

President

Minister for Environment

Minister for Regional Development

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

6.00pm Dinner Break

7.00pm Orders of the Day

Members' Statements

House adjourns

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**MOTIONS ON NOTICE**

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**2. Select Committee into Local Government** (*Notice given 5 June 2019*)

Hon Simon O'Brien: To move —

- (1) That a Select Committee into Local Government is established.
- (2) The Select Committee is to inquire into how well the system of Local Government is functioning in Western Australia, with particular reference to —
  - (a) whether the *Local Government Act 1995* and related legislation is generally suitable in its scope, construction and application;
  - (b) the scope of activities of Local Governments;
  - (c) the role of the Department of State administering the *Local Government Act 1995* and related legislation;
  - (d) the role of Elected Members and Chief Executive Officers/employees and whether these are clearly defined, delineated, understood and accepted;
  - (e) the funding and financial management of Local Governments; and
  - (f) any other related matters the Select Committee identifies as worthy of examination and Report.
- (3) The Select Committee shall comprise five Members.
- (4) The Select Committee shall report by no later than 12 months after the motion for its establishment is agreed to and may, if it sees fit, provide interim reports to the House.

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**ORDERS OF THE DAY**

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**1. City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018 — Disallowance**

Moved *pro forma* (SO 67(3)) 11 April 2019 on the motion of Hon Robin Chapple (Days remaining 3 after today (Indicative date — 7 August 2019))

That the *City of Rockingham Bush Fire Control and Bush Fire Brigades Amendment Local Law 2018* published in the *Gazette* on 18 January 2019 and tabled in the Legislative Council on 12 February 2019 under the *Bush Fires Act 1954*, be and is hereby disallowed.  
(Tabled paper 2353).

**18. \*Public Health Amendment (Immunisation Requirements for Enrolment) Bill 2019** [LC 127–1] *Minister for Education and Training*

Committee progress clause 8, amendment reference No. 6/8 (Tuesday, 25 June 2019).  
*cf SNP 127 Issue 5 – 13 June 2019.*

**17. \*Local Government Legislation Amendment Bill 2019** [LA 119–1] *Leader of the House representing the Minister for Local Government*

Second reading adjourned (Thursday, 11 April 2019).  
*cf SNP 119 Issue 2 – 11 June 2019.*

**23. [Bail Amendment \(Persons Linked to Terrorism\) Bill 2018](#) [LA 112–1] Leader of the House representing the Attorney General (9 May 2019)**

Consideration of Legislative Assembly Message No. 124 as follows –

Madam President

The Legislative Assembly acquaints the Legislative Council that it has considered the amendments made by the Legislative Council in the *Bail Amendment (Persons Linked to Terrorism) Bill 2018*, has agreed to Amendment No. 2; and has disagreed to Amendment No. 1 and substituted a new amendment in its place, as set forth in the Schedule annexed.

Acting Speaker

Mr T.J. Healy

Legislative Assembly Chamber

Perth, 9 May 2019

***Schedule showing the amendment substituted by the Legislative Assembly for the amendment made by the Legislative Council in the Bail Amendment (Persons Linked to Terrorism) Bill 2018.***

**No. 1**

Amendment disagreed to and the following amendment substituted —

Clause 11

Page 8, after line 6 — To insert:

**66D. Annual report to include information about application of s. 66C**

(1) In this section —

**accountable authority** means the accountable authority, as defined in the *Financial Management Act 2006* section 3, of the department of the Public Service principally assisting in the administration of this Act;

**protected information** means information the disclosure of which would contravene a written law or an order of a court;

**sensitive information** means information the disclosure of which could reasonably be expected —

- (a) to prejudice national security; or
- (b) to endanger a person's life or physical safety; or
- (c) to threaten significant damage to infrastructure or property; or
- (d) to prejudice a criminal investigation; or
- (e) to reveal intelligence-gathering methodologies, investigative techniques or technologies or covert practices; or
- (f) to enable the discovery of the existence or identity of a confidential source of information relevant to law enforcement.

(2) Subject to subsections (7) and (8), the accountable authority must, in each annual report submitted under the *Financial Management Act 2006* Part 5 Division 2, include information relating to action taken under section 66C(1) in proceedings on a case for bail in the financial year to which the annual report relates (**reportable information**).

- (3) Reportable information must, without disclosing terrorist intelligence information, specify —
  - (a) the number of proceedings in which action was taken under section 66C(1); and
  - (b) in each of those proceedings whether the accused had access to the terrorist intelligence information received by the judicial officer and whether —
    - (i) evidence by or on behalf of the accused was received; and
    - (ii) argument by or on behalf of the accused was heard.
- (4) Prior to submitting an annual report, the accountable authority must give a copy of the reportable information they propose to include in the annual report to the Attorney General and the Commissioner of Police.
- (5) The Commissioner of Police must advise the Attorney General whether any of the reportable information, in the Commissioner's opinion, is or is likely to be sensitive information.
- (6) A judicial officer may advise the Attorney General of any reportable information that, in the judicial officer's opinion, is or is likely to be protected information.
- (7) If the Attorney General is, on advice provided under subsection (5) or (6), satisfied that some or all of the reportable information is sensitive information or protected information, the Attorney General must direct the accountable authority to —
  - (a) exclude the information from the annual report; and
  - (b) insert a statement in the annual report to the effect that information has been excluded from the report under this section.
- (8) The accountable authority must comply with a direction under subsection (7).

**14. [Road Traffic Amendment \(Blood Alcohol Content\) Bill 2019](#) [LA 117-1] Minister for Environment representing the Minister for Road Safety**

Second reading continuation of remarks Hon Charles Smith — 43 mins (Wednesday, 5 June 2019).

**15. [\\*Consumer Protection Legislation Amendment Bill 2018](#) [LA 96-2] Minister for Regional Development representing the Minister for Commerce**

Second reading continuation of remarks in reply Minister for Regional Development representing the Minister for Commerce (Thursday, 9 May 2019).

*cf SNP 96 Issue 3 – 14 May 2019.*

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

**NIGEL PRATT**

Clerk of the Legislative Council