

136

Business Program



LEGISLATIVE COUNCIL

THURSDAY, 27 JUNE 2019

10.00am

Prayers

Acknowledgement of Country

ORDER OF BUSINESS

Condolence Motions

Petitions

Hon Diane Evers

Hon Alison Xamon

Statements by Ministers and Parliamentary Secretaries

Parliamentary Secretary to the Minister for Health

Papers for Tabling

President

Minister for Environment

Hon Robin Chapple

Hon Jim Chown

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Hon Robin Chapple x 2

Notices of Motions

Motions without Notice

Non-Government Business

Private Members' Business

Orders of the Day

4.30pm Questions without Notice

5.00pm Orders of the Day

5.20pm Members' Statements

6.00pm House adjourns

NON-GOVERNMENT BUSINESS

1. Transparency and the Provision of Information

Hon Michael Mischin to move —

That this House condemns the McGowan Labor Government for its continuing lack of transparency and its persistent refusal to give full, frank, timely and correct information to Members, this Parliament and the people of Western Australia.

ORDERS OF THE DAY

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 2 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).

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.

22. [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