

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL

DAILY NOTICE PAPER

No. 42

THURSDAY, 7 DECEMBER 2017, 9.00AM

ORDER OF BUSINESS

Petitions, Statements by Ministers and Parliamentary Secretaries, Papers for Tabling, Notices of Questions, Notices of Motions for Disallowance, Notices of Motions to Introduce Bills, Notices of Motions, Questions without Notice, Motions Without Notice, Motions and Orders of the Day.

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MOTIONS

1. Building and Construction Industry Training Fund (*Notice given 23 May 2017*)

Hon Martin Aldridge: To move —

That this House:

- (a) notes that the introduction of the Building and Construction Industry Training Fund has supported the training and employment of more than 48,000 apprentices and trainees and has helped over 340,000 industry workers to upgrade their skills;
- (b) notes the *Review of the Operation and Effectiveness of the Building and Construction Industry Training Fund and Levy Collection Act 1990* of June 2014 that recommended the amendment to regulations to withdraw the current exemption from the payment of the levy applying to engineering construction projects in the resources industry;
- (c) supports the amendment of regulation 3AA of the *Building and Construction Industry Training Fund and Levy Collection Regulations 1991* therefore requiring construction projects in the mining and petroleum industry to contribute to the training and skills development in the building and construction industry; and
- (d) calls on the Government to immediately amend the regulation to support local job creation and skills development across the building and construction industry.

2. Genetically Modified Crops Free Areas Repeal Act (*Notice given 24 May 2017*)

Hon Diane Evers: To move —

That given the Government spoke so vigorously against the *Genetically Modified Crops Free Areas Repeal Bill 2015* when in opposition, that the Government now reinstate the *Genetically Modified Crops Free Areas Act 2003*.

3. Independent Rural Fire Service (*Notice given 24 May 2017*)

Hon Rick Mazza: To move —

That this House supports:

- (a) the creation of an independent Rural Fire Service (RFS) consistent with the recommendations of the Euan Fergusson Report;
- (b) the new RFS be funded by a proportion of the Emergency Services Levy (ESL);
- (c) the ESL be treated the same as other sources of State revenue and collected by the Department of Finance;
- (d) the Department of Finance to then remit funding to the DFES and the RFS as per operational and budgetary requirements; and
- (e) that the House directs the Public Administration Committee to inquire into the implementation of an independent Rural Fire Service and report to the Legislative Council within 12 months of the referral.

4. Select Committee into alternate approaches to reducing illicit drug use and its effects on the community (*Notice given 13 June 2017*)

Hon Alison Xamon: To move —

- (1) A Select Committee examining alternate approaches to reducing illicit drug use and its effects on the community is established.
- (2) The Select Committee is to inquire into and report on —
 - (a) other Australian state jurisdictions and international approaches (including Portugal) to reducing harm from illicit drug use, including the relative weighting given to enforcement, health and social interventions;
 - (b) a comparison of effectiveness and cost to the community of drug related laws between Western Australia and other jurisdictions;
 - (c) the applicability of alternate approaches to minimising harms from illicit drug use from other jurisdictions to the Western Australian context; and
 - (d) consider any other relevant matter.
- (3) The Select Committee shall consist of five Members.
- (4) The Select Committee is to report no later than four months after the motion is agreed to.

5. Local Project, Local Jobs Initiative (*Notice given 13 June 2017*)

Hon Darren West: To move —

That this House congratulates the McGowan Labor Government for its Local Projects, Local Jobs initiative and for the positive impact this will have on local communities.

6. Select Committee on Personal Choice and Community Safety (*Notice given 15 August 2017*)

Hon Aaron Stonehouse: To move —

- (1) A Select Committee, to be known as the Personal Choice and Community Safety Committee, is established.
- (2) The Select Committee is to inquire into and report on the economic and social impact of measures introduced in Western Australia to restrict personal choice ‘for the individual’s own good’, with particular reference to —
 - (a) the sale and supply of alcohol, including any impact on the wellbeing, enjoyment and finances of users and non-users;
 - (b) risk-reduction products such as e-cigarettes and heat-not-burn tobacco products, including any impact on the wellbeing, enjoyment and finances of users and non-users;
 - (c) skirmish games such as airsoft, paintball and laser tag as well as projectile-based toys such as Nerf-guns and gel-blasters, including any impact on the wellbeing, enjoyment and finances of users and non-users;
 - (d) outdoor recreations such as cycling, fishing and aquatic leisure, including any impact on the wellbeing, enjoyment and finances of users and non-users; and
 - (e) any other measures introduced to restrict personal choice.
- (3) The Select Committee shall consist of five members.
- (4) The Select Committee is to report by no later than 12 months after the Committee has been established.

7. Tax Incentives for Regional Businesses (*Notice given 6 September 2017*)

Hon Robin Scott: To move —

That as an incentive for Western Australians to start and operate businesses in the Mining and Pastoral Region, the Agricultural Region and the South West Region, this House calls upon the Government of Western Australia to —

- (a) halve payroll taxes from 5.5% to 2.25% for businesses with less than 100 employees 100km from Perth; and
- (b) eliminate payroll tax for businesses with less than 100 employees 1,000km from Perth.

8. Temporary Order — Recall of the House (*Notice given 28 November 2017, and amended 29 November 2017*)

Hon Martin Aldridge: To move —

- (1) That Standing Order 6(3) is suspended and the following Temporary Order is substituted —
 - (3) When the Council is adjourned the President:
 - (a) may on the request of the Leader of the House and after consultation with the leaders of all parties vary the day and time at which the Council may next meet; or
 - (b) shall, at the written request of an absolute majority of the whole number of Members that the Council meet at a certain day and time, fix a day and time of meeting in accordance with that request.
 - (4) When varying or fixing a day and time of meeting not less than 4 days’ notice shall be given to each Member.

- (5) For the purposes of (3)(b):
- (a) A request by the leader or deputy leader of a party in the Council shall be deemed to be a request by every member of that party who is a member of the Council.
 - (b) A request may be made to the President by delivery to the Clerk, who shall immediately notify the President.
 - (c) If the President is unavailable, the Clerk shall notify the Deputy President, or, should the Deputy President be unavailable, any one of the Deputy Chairs of Committees, who shall be required to summon the Council on behalf of the President, in accordance with this temporary order.
- (2) That the Temporary Order is referred to the Standing Committee on Procedure and Privileges for consideration and report on or before Thursday, 29 March 2018.
- (3) That the Temporary Order lapses when the Standing Committee on Procedure and Privileges reports to the House.

BILLS FOR INTRODUCTION

1. Environmental Protection Amendment (Banning Plastic Bags and Other Things) Bill 2017 (*Notice given 21 June 2017*)

Hon Robin Chapple: To move —

That a Bill for “An Act to amend the *Environmental Protection Act 1986* to —

- restrict the supply of plastic bags, balloons, plastic drinking straws and polyethylene and polystyrene packaging; and
- prohibit the supply of products containing plastic microbeads and, for incidental and related purposes.” be introduced and read a first time.

2. Criminal Procedure Amendment (Trial by Judge Alone) Bill 2017 (*Notice given 1 November 2017*)

Hon Aaron Stonehouse: To move —

That a Bill for “An Act to amend the *Criminal Procedure Act 2004*.” be introduced and read a first time.

3. Petroleum and Geothermal Energy Resources Amendment (Veto Powers) Bill 2017 (*Notice given 8 November 2017*)

Hon Rick Mazza: To move —

That a Bill for “An Act to amend the *Petroleum and Geothermal Energy Resources Act 1967*.” be introduced and read a first time.

4. Environmental Protection Amendment (Clearing for Fire Risk Reduction) Bill 2017 (*Notice given 9 November 2017*)

Hon Dr Steve Thomas: To move —

That a Bill for “An Act to amend the *Environmental Protection Act 1986*.” be introduced and read a first time.

5. Public and Health Sector Legislation Amendment (Executive Payout Compensation) Bill 2017 (*Notice given 6 December 2017*)

Hon Tjorn Sibma: To move —

That a Bill for “An Act to amend the *Public Sector Management Act 1994* and the *Health Services Act 2016* to reduce payout compensation for executives appointed under those Acts.” be introduced and read a first time.

ORDERS OF THE DAY

1. Shire of Northampton Dogs Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 7 November 2017 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 29 March 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Northampton Dogs Local Law 2017* published in the *Gazette* on 1 August 2017 and tabled in the Legislative Council on 16 August 2017 under the *Local Government Act 1995* and the *Dog Act 1976*, be and is hereby disallowed. (Tabled paper No. 360).

2. Shire of Chittering Repeal Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 7 November 2017 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 29 March 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Chittering Repeal Local Law 2017* published in the *Gazette* on 7 July 2017 and tabled in the Legislative Council on 16 August 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 360).

3. Shire of Northampton Local Government Property Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 7 November 2017 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 29 March 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Northampton Local Government Property Local Law 2017* published in the *Gazette* on 1 August 2017 and tabled in the Legislative Council on 16 August 2017 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 360).

4. Biosecurity and Agriculture Management Act 2007 Notice Under Section 130(1) — Disallowance

Moved *pro forma* (SO 67(3)) 7 November 2017 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 29 March 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Biosecurity and Agriculture Management Act 2007 Notice Under Section 130(1)* published in the *Gazette* on 27 June 2017 and tabled in the Legislative Council on 16 August 2017 under the *Biosecurity and Agriculture Management Act 2007*, be and is hereby disallowed. (Tabled paper No. 388).

5. Water Services (Water Corporations Charges) Amendment Regulations 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 7 November 2017 on the motion of Hon Robin Chapple (Days remaining 9 after today (Indicative date — 29 March 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Water Services (Water Corporations Charges) Amendment Regulations 2017* published in the *Gazette* on 21 July 2017 and tabled in the Legislative Council on 16 August 2017 under the *Water Services Act 2012*, be and are hereby disallowed. (Tabled paper No. 404)

6. Shire of Bridgetown-Greenbushes Cemeteries Amendment Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 30 November 2017 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 9 May 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Bridgetown-Greenbushes Cemeteries Amendment Local Law 2017* published in the *Gazette* on 1 September 2017 and tabled in the Legislative Council on 5 September 2017 under the *Cemeteries Act 1986* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 438).

7. Shire of Victoria Plains Bush Fire Brigades Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 30 November 2017 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 9 May 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Victoria Plains Bush Fire Brigades Local Law 2017* published in the *Gazette* on 29 August 2017 and tabled in the Legislative Council on 5 September 2017 under the *Bush Fires Act 1954* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 444).

8. Conservation and Land Management Amendment Regulations 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 30 November 2017 on the motion of Hon Robin Chapple (Days remaining 14 after today (Indicative date — 9 May 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Conservation and Land Management Amendment Regulations 2017* published in the *Gazette* on 1 September 2017 and tabled in the Legislative Council on 5 September 2017 under the *Conservation and Land Management Act 1984*, be and are hereby disallowed. (Tabled paper No. 448).

9. Transfer of Land Amendment Regulations 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 5 December 2017 on the motion of Hon Rick Mazza (Days remaining 15 after today (Indicative date — 10 May 2018))

That the *Transfer of Land Amendment Regulations 2017* published in the *Gazette* on 24 November 2017 and tabled in the Legislative Council on 28 November 2017 under the *Transfer of Land Act 1893*, be and are hereby disallowed. (Tabled paper No. 882).

10. Shire of Narrogin Bush Fire Brigades Local Law 2017 — Disallowance

Moved *pro forma* (SO 67(3)) 7 December 2017 on the motion of Hon Robin Chapple (Days remaining 17 after today (Indicative date — 16 May 2018))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Narrogin Bush Fire Brigades Local Law 2017* published in the *Gazette* on 8 September 2017 and tabled in the Legislative Council on 12 September 2017 under the *Bush Fires Act 1954* and the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 473).

11. *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.

12. Building and Construction Industry Training Fund and Levy Collection Amendment Bill 2017 [LC 29–1] Minister for Education and Training

Second reading adjourned (Wednesday, 6 September 2017).

13. *Courts Legislation Amendment Bill 2017 [LC 23–1] Leader of the House representing the Attorney General

Second reading adjourned (Wednesday, 6 September 2017).
cf SNP 23 Issue 1 – 11 October 2017.

14. *Dangerous Sexual Offenders Legislation Amendment Bill 2017 [LA 22–1] Leader of the House representing the Attorney General

Committee progress clause 1 (Wednesday, 8 November 2017).
cf SNP 22 Issue 1 – 7 November 2017.

15. *Corruption, Crime and Misconduct and Criminal Property Confiscation Amendment Bill 2017 [LA 21–2] Leader of the House representing the Attorney General

Second reading adjourned (Thursday, 14 September 2017).
cf SNP 21 Issue 1 – 7 November 2017.

16. Animal Welfare Amendment Bill 2017 [LC 33–1] Minister for Agriculture and Food

Second reading adjourned (Wednesday, 11 October 2017).

17. *Salaries and Allowances Amendment (Debt and Deficit Remediation) Bill 2017 [LA 34–1] Leader of the House representing the Minister for Public Sector Management

Committee progress clause 2 (Wednesday, 6 December 2017).
cf SNP 34 Issue 4 – 6 December 2017.

18. *Tobacco Products Control Amendment Bill 2017 [LA 28–1] Parliamentary Secretary to the Minister for Health

Second reading adjourned (Wednesday, 6 September 2017).
See Standing Committee on Uniform Legislation and Statutes Review Report No. 108 (Tabled 31 October 2017).

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

Second reading adjourned (Thursday, 14 September 2017).
See Standing Committee on Uniform Legislation and Statutes Review Report No. 109 (Tabled 31 October 2017).

20. *Pay-roll Tax Amendment (Debt and Deficit Remediation) Bill 2017 [LA 36–1] Minister for Environment representing the Treasurer

Cognate debate with *Pay-roll Tax Assessment Amendment (Debt and Deficit Remediation) Bill 2017*.
Second reading resumption of debate adjourned Hon Martin Pritchard (Wednesday, 6 December 2017).
cf SNP 36 Issue 1 – 6 December 2017.

21. *Pay-roll Tax Assessment Amendment (Debt and Deficit Remediation) Bill 2017
[LA 37–1] Minister for Environment representing the Treasurer

Cognate debate with *Pay-roll Tax Amendment (Debt and Deficit Remediation) Bill 2017*

Second reading resumption of debate adjourned Hon Martin Pritchard (Wednesday, 6 December 2017).

cf SNP 37 Issue 2 – 6 December 2017.

22. Occupational Safety and Health Amendment Bill 2017 *[LA 35–1] Minister for Regional Development representing the Minister for Commerce and Industrial Relations*

Second reading adjourned (Thursday, 9 November 2017).

23. Mines Safety and Inspection Amendment Bill 2017 *[LA 38–1] Minister for Regional Development representing the Minister for Mines and Petroleum*

Second reading adjourned (Thursday, 9 November 2017).

24. *Sentence Administration Amendment Bill 2017 *[LA 8–1] Leader of the House representing the Attorney General*

Second reading adjourned (Tuesday, 15 August 2017).

See Standing Committee on Legislation Report No. 34 (Tabled 28 November 2017).

25. Corruption, Crime and Misconduct Amendment Bill 2017 *[LA 41–1] Leader of the House representing the Attorney General*

Second reading adjourned (Tuesday, 28 November 2017).

26. Appropriation (Recurrent 2010–11 to 2015–16) Supplementary Bill 2017 *[LA 30–1] Minister for Environment representing the Treasurer*

Second reading adjourned (Tuesday, 5 December 2017).

27. Appropriation (Capital 2010–11 to 2015–16) Supplementary Bill 2017 *[LA 31–1] Minister for Environment representing the Treasurer*

Second reading adjourned (Tuesday, 5 December 2017).

28. Temporary Orders *(Moved 22 August 2017)*

Hon Sue Ellery: To move —

That the Temporary Orders set out in the attached Schedule, and as previously adopted by the House in the last Parliament on the recommendation of the Procedure and Privileges Committee, be adopted and agreed to and shall remain in operation for 12 months from the date on which they are adopted.

Schedule

The Legislative Council makes the following Temporary Orders —

1. Duration of Temporary Orders

These Temporary Orders apply for a period of 12 months from the day of adoption.

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.

29. ***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.

30. ***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.

31. *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 —

- (1) 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

32. *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.

33. *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.

34. *Standing Committee on Procedure and Privileges – Report No. 46 – Acknowledgement of Country (*Tabled 30 November 2017*)

Consideration in Committee of the Whole, on the motion of Hon Simon O’Brien, of Recommendations 1 and 2 contained in Report No. 46 of the Standing Committee on Procedure and Privileges, *Acknowledgement of Country*.

Recommendation 1 states —

That the Legislative Council adopts the following form of words for a Legislative Council Acknowledgement of Country —

This House acknowledges and honours the traditional owners of the ancestral lands upon which we meet today — the Whadjuk Noongar people — and pays its respects to their Elders both past and present.

Recommendation 2 states —

That **Standing Order 14(1)** be amended as follows —

To delete paragraph (a) and insert —

- (a) acknowledgement of country and prayers;

See Tabled paper No. 933 (tabled 30 November 2017).

35. Pilbara Port Assets (Disposal) Repeal Bill 2017 [LC 7–1] Hon Robin Chapple

Second reading continuation of remarks Hon Jacqui Boydell (Thursday, 7 September 2017).

36. Criminal Code Amendment (Industrial Manslaughter) Bill 2017 [LC 11-1]
Hon Alison Xamon

Second reading adjourned. (Thursday, 15 June 2017).

37. Prevention of Forced Closure of Remote Aboriginal Communities Bill 2017 [LC 9-1]
Hon Robin Chapple

Second reading adjourned. (Thursday, 15 June 2017).

38. Electoral Amendment (Access to Ministers) Bill 2017 [LC 27-1] Hon Alison Xamon

Second reading adjourned (Thursday, 7 September 2017).

SELECT COMMITTEES

1. Joint Select Committee on End of Life Choices (*Established 22 August 2017*)

Agreed to by resolution of the Houses as follows —

- (1) That a Joint Select Committee of the Legislative Assembly and Legislative Council on End of Life Choices be established.
- (2) That the Committee inquire into and report on the need for laws in Western Australia to allow citizens to make informed decisions regarding their own end of life choices and, in particular, the Committee should —
 - (a) assess the practices currently being utilised within the medical community to assist a person to exercise their preferences for the way they want to manage their end of life when experiencing chronic and/or terminal illnesses, including the role of palliative care;
 - (b) review the current framework of legislation, proposed legislation and other relevant reports and materials in other Australian States and Territories and overseas jurisdictions;
 - (c) consider what type of legislative change may be required, including an examination of any federal laws that may impact such legislation; and
 - (d) examine the role of Advanced Health Directives, Enduring Power of Attorney and Enduring Power of Guardianship laws and the implications for individuals covered by these instruments in any proposed legislation.
- (3) That the Joint Select Committee consist of eight members, of whom —
 - (a) four will be members of the Assembly; and
 - (b) four will be members of the Council.
- (4) The Standing Orders of the Legislative Assembly relating to Standing and Select Committees will be followed as far as they can be applied.
- (5) That the Joint Select Committee report to both Houses no later than twelve months after the Committee has been established.

2. Select Committee on Elder Abuse (*Established 13 September 2017*)

Agreed to by resolution of the House as follows —

- (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.

COMMITTEE INITIATED INQUIRIES

1. Standing Committee on Public Administration — Inquiry into WorkSafe (*Notice given 27 June 2017*)

Resolution of the Committee on 21 June 2017 to commence an inquiry into and report on WorkSafe, with the following terms of reference —

- (a) WorkSafe's performance against the objects of the *Occupational Health and Safety Act 1984*;
- (b) funding and resourcing of WorkSafe;
- (c) adequacy of WorkSafe's training, oversight and accountability processes;
- (d) adequacy of administrative processes, including complaints, investigations and prosecution processes;
- (e) adequacy of WorkSafe's audits of training providers delivering occupational health and safety training;
- (f) timely implementation and public education of coronial inquest recommendations arising from a workplace death;
- (g) legislative and jurisdictional issues; and
- (h) any other relevant matter.

2. Joint Standing Committee on the Corruption and Crime Commission — Inquiry into public sector procurement of goods and services and its vulnerability to corrupt practice (*Notice given 28 November 2017*)

Resolution of the Committee on 22 November 2017 to commence an inquiry into and report by April 2019 on public sector procurement of goods and services and its vulnerability to corrupt practice with the following terms of reference —

- (a) the adequacy and nature of oversight mechanisms, policies and guidelines for procurement within the Western Australian public sector to prevent corruption and serious misconduct;
- (b) the profile and training of public sector personnel engaged in procurement;
- (c) corruption prevention and risk strategies deployed in Western Australian Public Sector agencies;

- (d) the sufficiency and use of sanctions for individuals found to have engaged in corrupt and serious misconduct in procurement duties;
- (e) best corruption prevention practices in procurement from other jurisdictions;
- (f) reform to current legal and administrative practices in the area of procurement to prevent and reduce the risk of corruption;
- (g) adequacy of whistleblowing protections in the context of allegations of corruption in procurement.

3. Standing Committee on Uniform Legislation and Statutes Review — Inquiry into the Form and Content of the Statute Book (*Notice given 6 December 2017*)

Resolution of the Committee on 4 December 2017 to review the form and content of the statute book [SO 179(2)].

4. Standing Committee on Uniform Legislation and Statutes Review — Inquiry into the Committee's Treaty Function (*Notice given 6 December 2017*)

Resolution of the Committee on 4 December 2017 to commence an inquiry into the Committee's treaty function [SO 179(2)].

CONSIDERATION OF COMMITTEE REPORTS

1. Joint Standing Committee on the Corruption and Crime Commission — Report No. 1 — The efficiency and timeliness of the current appointment process for Commissioners and Parliamentary Inspectors of the CCC (*Tabled 14 September 2017*)

Resumption of postponed debate Hon Nick Goiran — 7 mins (Wednesday, 29 November 2017) on motion of Hon Jim Chown that the report be noted.

Total time remaining on motion –57 mins.

See Tabled paper No. 566. (Government Response due 14 December 2017)

2. Joint Standing Committee on the Corruption and Crime Commission — Report No. 2 — The ability of the Corruption and Crime Commission to charge and prosecute (*Tabled 14 September 2017*)

Resumption of postponed debate (Wednesday, 29 November 2017) on the motion of Hon Jim Chown that the report be noted.

See Tabled paper No. 567. (Government Response due 14 December 2017)

3. Joint Standing Committee on Delegated Legislation — Report No. 1 — Observations arising from the Committee review of the City of Joondalup Local Government and Public Property Amendment Local Law 2015 (*Tabled 14 September 2017*)

Resumption of postponed debate (Wednesday, 29 November 2017) on the motion of Hon Robin Chapple that the report be noted.

See Tabled paper No. 569.

Government Response tabled 28 November 2017 (Tabled paper No. 877).

4. Joint Standing Committee on Delegated Legislation — Report No. 3 — Procedures for dealing with consequential amendments to delegated legislation following enactment of primary legislation (*Tabled 12 October 2017*)

Resumption of postponed debate (Wednesday, 29 November 2017) on the motion of Hon Robin Chapple that the report be noted.

See Tabled paper No. 752. (Government Response due 12 December 2017)

5. **Joint Standing Committee on the Corruption and Crime Commission — Report No. 6 — Parliamentary Inspector’s report on the issuing of notices by the Corruption and Crime Commission under s 42 of the Corruption, Crime and Misconduct Act (Tabled 30 November 2017)**

Consideration. See Tabled paper No. 943.

6. **Joint Standing Committee on the Corruption and Crime Commission — Report No. 7 — Unfinished business — The Corruption and Crime Commission’s response to the Committee’s report on Dr Cunningham and Ms Atoms (Tabled 30 November 2017)**

Consideration. See Tabled paper No. 944.

GOVERNMENT RESPONSES

<i>Committee</i>	<i>Minister</i>	<i>Due Date</i>
Ω Joint Standing Committee on the Corruption and Crime Commission Report No. 1 — <i>The efficiency and timeliness of the current appointment process for Commissioners and Parliamentary Inspectors of the CCC</i> Tabled 14 September 2017. TP#566	Attorney General Premier	14 December 2017
Ω Joint Standing Committee on the Corruption and Crime Commission Report No. 2 — <i>The ability of the Corruption and Crime Commission to charge and prosecute</i> Tabled 14 September 2017 #TP567	Attorney General	14 December 2017
Joint Standing Committee on Delegated Legislation Report No. 3 — <i>Procedures for dealing with consequential amendments to delegated legislation following enactment of primary legislation</i> Tabled 12 October 2017 #TP752	Premier	12 December 2017

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

Ω Note: Legislative Assembly Standing Orders apply.

For a list of all Petitions tabled see cumulative Tabled Paper list.

NIGEL PRATT

Clerk of the Legislative Council