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Business Program



LEGISLATIVE COUNCIL

THURSDAY, 15 AUGUST 2019

10.00am

Prayers

Acknowledgement of Country

ORDER OF BUSINESS

Condolence Motions

Petitions

Statements by Ministers and Parliamentary Secretaries

Minister for Education and Training

Minister for Ports

Papers for Tabling

President

Minister for Environment

Minister for Regional Development

Parliamentary Secretary to the Deputy Premier

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Hon Robin Chapple

Notices of Motions

Hon Nick Goiran

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. [Criminal Code Amendment \(Industrial Manslaughter\) Bill 2017](#) [LC 11–1] Hon Alison Xamon
Second reading adjourned (Thursday, 15 June 2017).

PRIVATE MEMBERS' BUSINESS

1. **Rail Service to Ellenbrook**

Hon Martin Pritchard to move —

That the Legislative Council notes that, after many years of promises from the previous State Government, the McGowan Government has committed to providing a rail service to Ellenbrook.

ORDERS OF THE DAY

1. **[*Standing Committee on Procedure and Privileges — Report 55 — A Refusal to Comply with a Summons to Produce Documents](#)** (*Moved 14 August 2019*)

Committee (Wednesday, 14 August 2019).

Consideration of Recommendations 1 to 4 contained in Report 55 of the Standing Committee on Procedure and Privileges, *A Refusal to Comply with a Summons to Produce Documents*.

See Tabled paper 2929 (Tabled 14 August 2019).

Recommendation 1 states —

That the Legislative Council refer the following matter to the Standing Committee on Procedure and Privileges for investigation and report:

In relation to the refusal by Ms Emily Roper, the Acting Director General of the Department of the Premier and Cabinet, to comply with a summons to attend and produce documents at 9.00am on Friday, 9 August 2019, issued by the Legislative Council Standing Committee on Procedure and Privileges, and the events leading up to that non-compliance:

- (1) Did Ms Emily Roper, or any other person or body, commit a contempt of the Legislative Council or any breach of its privileges?
- (2) If the Committee so finds that any contempt of the Legislative Council has been committed, or that any of the privileges of the Legislative Council have been breached, then what penalty, if any, should the Legislative Council impose for each contempt or breach?

Recommendation 2 states —

That the Legislative Council refer the following matter to the Standing Committee on Procedure and Privileges for investigation and report:

In relation to the actions of Mr Darren Foster, the Director General of the Department of the Premier and Cabinet, in producing documents to the Corruption and Crime Commission relating to former Members of the Legislative Council without following a procedure that the Legislative Council or the Legislative Council Standing Committee on Procedure and Privileges had authorised for determining issues of parliamentary privilege:

- (1) Did Mr Darren Foster, or any other person or body, commit a contempt of the Legislative Council or any breach of its privileges?
- (2) If the Committee so finds that any contempt of the Legislative Council has been committed, or that any of the privileges of the Legislative Council have been breached, then what penalty, if any, should the Legislative Council impose for each contempt or breach?

Recommendation 3 states —

That the Legislative Council order:

That Mr Darren Foster, Director General, Department of the Premier and Cabinet, or any person acting in that capacity, is hereby ordered:

- (1) to attend before the Legislative Council Standing Committee on Procedure and Privileges to produce the documents listed below at the Legislative Council Committee Office, Ground Floor, 18-32 Parliament Place, West Perth at 9.00am on Friday, 23 August 2019; and
- (2) to continue in attendance until released by order of the Committee;

DOCUMENTS TO BE PRODUCED:

In relation to Corruption and Crime Commission (CCC) Notices to Produce Nos. NPR 00615-2019-4614 and NPR 00615-2019-4647, or any further notice issued to the Director General, Department of the Premier and Cabinet:

- (a) all documents that were identified as relevant to the CCC investigation, together with a list of those documents;
- (b) all documents that were identified as being subject to parliamentary privilege, together with a list of those documents; and
- (c) all documents that were produced to the CCC in compliance with each of the CCC Notices to Produce, together with a list of those documents.

Recommendation 4 states —

That Mr Darren Foster, Director General, Department of the Premier and Cabinet (Department), or any person acting in that capacity, is hereby ordered:

- (1) to not produce to the Corruption and Crime Commission or any other investigative agency in answer to any further compulsory process or otherwise any document or data in the Department's possession, custody or power that was created or received by a current or former member of the Legislative Council or their staff; and
- (2) to produce any documents or data that is the subject of any further compulsory process immediately to the Legislative Council Standing Committee on Procedure and Privileges at the Legislative Council Committee Office, Ground Floor, 18-32 Parliament Place, West Perth,

pursuant to the provisions of the Parliamentary Privileges Act 1891 for that Committee to determine whether:

- (a) its description falls within the lawful scope of any warrant, notice to produce, or other similar power granted to an investigative agency under a written law; and
- (b) the documents or data is not proceedings in Parliament within the meaning of Article 9 of the *Bill of Rights 1688* or does not otherwise fall within the scope of parliamentary privilege.

16. *[TAB \(Disposal\) Bill 2019](#) [LA 128-2] Minister for Environment representing the Treasurer
Cognate debate with *Betting Control Amendment Taxing Bill 2019*.

Second reading continuation of remarks in reply Minister for Environment representing the Treasurer (Wednesday, 14 August 2019).

cf SNP 128 Issue 2 – 6 August 2019.

17. [Betting Control Amendment \(Taxing\) Bill 2019](#) [LA 129-1] Minister for Environment representing the Treasurer

Cognate debate with *TAB (Disposal) Bill 2019*.

Second reading continuation of remarks in reply Minister for Environment representing the Treasurer (Wednesday, 14 August 2019).

14. *[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, 8 August 2019).

cf SNP 96 Issue 5 – 13 August 2019.

13. *[Residential Parks \(Long-stay Tenants\) Amendment Bill 2018](#) [LA 99-1] Minister for Regional Development representing the Minister for Commerce and Industrial Relations

Second reading adjourned (Tuesday, 12 February 2019).

See Standing Committee on Legislation Report 39 (Tabled 21 March 2019).

cf SNP 99 Issue 4 – 13 August 2019.

12. *[Births, Deaths and Marriages Registration Amendment \(Change of Name\) Bill 2018](#) [LA 87-1] Leader of the House representing the Attorney General

Second reading adjourned (Tuesday, 5 December 2018).

cf SNP 87 Issue 1 — 7 May 2019

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

NIGEL PRATT

Clerk of the Legislative Council