

INFRASTRUCTURE WESTERN AUSTRALIA BILL 2019

Committee

Resumed from 11 June. The Deputy Chair of Committees (Hon Martin Aldridge) in the chair; Hon Sue Ellery (Leader of the House) in charge of the bill.

Progress was reported after postponed clause 10, as amended, had been agreed to.

Title —

Hon SUE ELLERY: Yesterday, during the clause-by-clause consideration of this bill, I undertook to provide the chamber with some information about the exercise of the prosecution of the fines attached to clauses 44 and 64, both of which prescribe penalties of \$10 000. I was asked who would prosecute those offences. I am now able to provide that information.

The offences described in clauses 44 and 64 are regarded as simple offences—that is, not indictable offences. A prosecution for such an offence may be commenced only by persons listed in section 20(3)(a) of the Criminal Procedure Act 2004. That list includes a police officer or the State Solicitor acting in the course of their duties. Other authorised persons include the Attorney General and the Solicitor-General. In practice, it is likely that a prosecution would be commenced by a police officer or the State Solicitor. Although the member who asked the question is out of the chamber on urgent parliamentary business, I relayed this information to him behind the Chair immediately before question time today.

Title put and passed.

Report

Bill reported, with amendments, and, by leave, the report adopted.

As to Third Reading — Standing Orders Suspension — Motion

On motion without notice by **Hon Sue Ellery (Leader of the House)**, resolved with an absolute majority —

That so much of standing orders be suspended so as to enable the bill to be read a third time forthwith.

Third Reading

Bill read a third time, on motion by **Hon Sue Ellery (Leader of the House)**, and returned to the Assembly with amendments.