

Mr Rob Johnson; Mr Eric Ripper; Dr Janet Woollard; Mr John Kobelke; Mr David Templeman; Mr Tom Stephens; Mr John McGrath; Speaker; Mr Paul Papalia; Mr Bill Johnston; Mr John Hyde; Mr Martin Whitely; Mr Troy Buswell

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**LOCAL GOVERNMENT AMENDMENT (ELECTIONS) BILL 2009**

*Rescission of Third Reading Vote — Standing Orders Suspension — Motion*

**MR R.F. JOHNSON (Hillarys — Leader of the House)** [7.01 pm] — without notice: I move —

That so much of standing orders be suspended as is necessary to enable the following motion to be moved forthwith —

That —

- (a) the vote passed by this house today whereby the third reading of the Local Government Amendment (Elections) Bill 2009 failed to gain the concurrence of a majority of members in the house, thereby causing the bill to be negated at the third reading, be and is hereby rescinded; and
- (b) consequent thereon the third reading of the Local Government Amendment (Elections) Bill 2009 be immediately called upon.

The reason we are seeking to suspend standing orders is that at the third reading vote on the bill, at just after five minutes to four o'clock, there was unfortunate, enormous confusion throughout Parliament House.

**Mr M.P. Whitely** interjected.

**The SPEAKER:** Thank you, member for Bassendean!

**Mr R.F. JOHNSON:** The bells had started ringing for the upper house to move into its business. As I understand it, just after that the bells for the lower house started to be rung for the division that was called on the third reading of the bill.

**Mr T.G. Stephens** interjected.

**The SPEAKER:** Thank you, member for Pilbara!

**Mr R.F. JOHNSON:** Many members were confused because they heard the bells. May I say that those members were not only on this side of the house; members on the other side of the house also missed the division for the very reason that I have outlined.

Several members interjected.

**The SPEAKER:** Order! I would like to hear the Leader of the House's explanation.

**Mr R.F. JOHNSON:** Thank you, Mr Speaker. Members on both sides of the house missed that division.

**Mr M.P. Whitely** interjected.

**The SPEAKER:** Order, member for Bassendean!

**Mr R.F. JOHNSON:** There was confusion. I am told by some members that they heard bells but the only light they saw was the red light. When they again checked, they did not see the blue light. That obviously caused enormous confusion on that vote and that division. I believe in the interests of fairness and some sort of morality and integrity in this chamber —

**Ms R. Saffioti:** Coming from you!

**Mr R.F. JOHNSON:** Do not start on me, young lady, because you will be right in the firing line!

At the end of the day I think that most fair people would accept that there was confusion and there were problems with the bells. I have asked the temporary manager of opposition business, and indeed the Leader of the Opposition, to act in a fair way and allow us to suspend standing orders so that we can rescind that vote, which was not a fair reflection of this chamber, and allow the question to be put again. It is very important that we do that. I will suggest it is a very simple thing that we need to do. I am just checking the numbers! The chamber can tell the number of members on this side of the house who I am confident will support the suspension of standing orders, because members on this side of the house believe in fairness. We believe in integrity, and we believe in the integrity of the voting system in this house. If there is a malfunction, as many members on both sides of the house believe, the only fair thing to do is to rescind the vote and to put the question again. This is not the first time it happened. In fact, the former member for Fremantle, Hon Jim McGinty —

Several members interjected.

**Mr R.F. JOHNSON:** Forgotten so soon!

Mr Rob Johnson; Mr Eric Ripper; Dr Janet Woollard; Mr John Kobelke; Mr David Templeman; Mr Tom Stephens; Mr John McGrath; Speaker; Mr Paul Papalia; Mr Bill Johnston; Mr John Hyde; Mr Martin Whitely; Mr Troy Buswell

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**Mr J.C. Kobelke:** He did not lose the vote.

**Mr R.F. JOHNSON:** He did lose the vote.

**Mr J.C. Kobelke:** He did not have an absolute majority.

**Mr R.F. JOHNSON:** Absolutely, so he lost the essential vote that was needed.

**The SPEAKER:** I remind the Leader of the House, although I do not know that I need to remind him, that he is speaking to the suspension of standing orders.

**Mr R.F. JOHNSON:** Mr Speaker, certainly. I have been speaking for only four minutes and I intend to speak for only one more minute, with your indulgence. This is not the first time this has happened. I think that the indulgence of the house would normally be forthcoming from all members of the house when they have seen a genuine mistake and confusion over something that was completely unavoidable. It would be great to see some good, honest —

**Mr T.G. Stephens:** When have you ever shown any of that?

**Mr R.F. JOHNSON:** That is a nasty thing to say. It would be great to be able to see members on the other side show some integrity, dignity, honesty and fairness. I have always had a lot of time for the Leader of the Opposition, and he knows that. I hope that he will instruct his members to be fair in this situation because there was confusion. I have moved the motion to suspend standing orders, and it would be my fervent hope that all members of the house would agree to that motion.

**MR E.S. RIPPER (Belmont — Leader of the Opposition)** [7.09 pm]: I must say that the motion moved by the Leader of the House has some appeal. I think that the argument goes like this: we called the vote too early and we lost and, in fairness, we would like to have the vote again. Some of us on this side can see the merit of that argument! We are fair on this side of the house. We would like to be fair to the voters in local government elections. We strongly oppose this bill. We do not see any reason that we should cooperate with the government in giving the bill any easier passage through the Parliament than it deserves. Let us be quite clear here: what the government is doing is seeking a suspension of standing orders so that it can bring on an immediate rescission vote. It is not about fairness; it is about avoiding embarrassment for the government and avoiding another day's debate on its ineptitude, complacency and arrogance. There is another way the government could do this: it could give notice of a motion and the matter could be debated in the usual course of events on Tuesday, but that would involve the government having to endure for a whole weekend and a workday or two the embarrassment of having lost a vote on the floor of the house. They do not want to do that. They want to move a suspension of standing orders. It is not about fairness. It is about political expediency, it is about management of the media cycle and it is about spin. That is what it is about; not about fairness. We will be fair but we will be fair to the voters in local government elections who are having forced upon them a system that will mean that councils will be less representative of the diversity of opinion in their districts than they would otherwise have been.

A suspension of standing orders has been moved because of the government's embarrassment. I say the government deserves to be embarrassed. The government has treated this bill complacently and with arrogance. I have to say that the minister has been painfully weak. He has been painfully weak in the way in which he has handled the bill. The minister did not even speak in the third reading stage just before the government lost the vote. We had the extraordinary spectacle of steam coming out of the Premier's ears and the Leader of the National Party having his hands out in acknowledgement of the failure of the National Party to turn up for the vote. Mr Speaker, with this government you do not need to lock only the internal doors for a division; you need to go around the house and lock all the external doors as well, otherwise the National Party particularly and quite a lot of the Liberal Party might not be there late in the afternoon!

It is the government's responsibility in a Westminster system to maintain the numbers in the house. It is not a circumstance that we should automatically assume that people's votes are cast one way or another. After all, in the House of Commons, which is the original Westminster system, there is not even enough seats for all the members. It is the job of the Whips to get all the members in when a vote is required, and sometimes they fail to do that. The opposition has a Whip who can deliver a majority of votes on the floor of this house. The government has a Whip who, unfortunately, failed in his task. The failure is not just a technical failure of the Whip; the failure is a reflection of the complacent way that the government handled the debate.

Several members interjected.

**The SPEAKER:** Order, members! Order, Minister for Health! Leader of the Opposition, I reflect on the remarks that I made to the Leader of the House: you are talking to the suspension of standing orders and no other detail in this particular speech you are making.

Mr Rob Johnson; Mr Eric Ripper; Dr Janet Woollard; Mr John Kobelke; Mr David Templeman; Mr Tom Stephens; Mr John McGrath; Speaker; Mr Paul Papalia; Mr Bill Johnston; Mr John Hyde; Mr Martin Whitely; Mr Troy Buswell

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**Mr E.S. RIPPER:** I thank Mr Speaker for his guidance on this matter. We need to reflect on what the government is doing here. It is seeking an urgent decision of the house. It is seeking a suspension of standing orders after the time at which the house would normally rise on a Wednesday evening. Why is it seeking that? The government says it is for fairness; it says it is so that the votes of members can be repeated and reflect the true state of feeling in the house. What it is really saying is: Please do this for reasons of political expedience. Please do this so that we can cover our embarrassment tonight rather than suffer two or three days more of embarrassment and deal with the matter on Tuesday.

We do not agree with the bill. We think the bill is wrong in principle. We do not see why we should cooperate in any way with the passage of this bill, which we universally oppose. We are certainly not going to cooperate with a suspension of standing orders just because a complacent, arrogant, divided, weak, ineffectual government and minister have caused themselves embarrassment through their own ineptitude.

**DR J.M. WOOLLARD (Alfred Cove)** [7.14 pm]: I will not be supporting the bill. As members know, during the second reading debate I spoke against the bill and voted against the bill, and I will vote against the bill this evening when the vote is put again. However, I will support this suspension and I will support a rescission, just as I did when Labor was in government. I was approached by Jim McGinty, when there was a bill on the table, and I was asked the same thing. The reason put to me then was that the vote did not reflect the will of the Parliament. Someone was meant to be in here and he was not here. It was the bill about the courts and about the judges. I cannot remember the name of the bill.

**Mr T.R. Buswell:** That was the member who was not in here!

**Dr J.M. WOOLLARD:** I cannot remember who it was on that side who was not here. They have a process in the Senate whereby if a vote is taken and it does not reflect the will of the Parliament, that vote is taken again. Some members have actually come up today, since this vote was taken earlier, and asked what deal I have done with the Liberals and what they have given me for this.

**Mr T.R. Buswell:** Was it the member for Pilbara?

Several members interjected.

**Dr J.M. WOOLLARD:** There is not a deal. As an Independent, I will vote on each bill that comes before this Parliament in the best interests of my community in Alfred Cove and the best interests of the wider community. Just as the Nationals are battling for royalties for regions —

**Mr T.G. Stephens:** What is the member going to get from this vote?

**Dr J.M. WOOLLARD:** Member for Pilbara, yes, I am in there battling for assets for Alfred Cove; yes, there is daily horse-trading going on. The Minister for Health and I have been horse-trading over Royal Perth Hospital and the tobacco bill for many weeks now, but it is not deals.

**Mr E.S. Ripper:** Tell us more!

**The SPEAKER:** For the third time tonight I remind members, and I remind the member for Alfred Cove and anybody who seeks to interject, that you are talking to the suspension of standing orders. You are not talking to anything else in this house.

**Dr J.M. WOOLLARD:** I will support the suspension of standing orders. I will vote against this bill because I do not think that this bill is good legislation.

**MR J.C. KOBELKE (Balcatta)** [7.17 pm]: I rise to add comments to those of the Leader of the Opposition about why the opposition will not support the suspension of standing orders. As has been pointed out, it is the government's responsibility to maintain the numbers in the house. Even though we did not have all our members here, the fact that eight members on the government side missed the division is the reason the government did not have the numbers for the Local Government Amendment (Elections) Bill.

We are now debating a motion to suspend standing orders. I can only comment very briefly on what will happen if we suspend standing orders, which is to put in place a bill that we totally oppose because of its unfairness. To suggest somehow that the suspension is about fairness runs totally contrary to what we will potentially deal with if the suspension of standing orders is carried—that is, to have a re-vote on the bill. It means that there would be a lack of fairness in particular elections for local government wards for which there is more than one member. That is one of the reasons that we are clearly opposed to it. When it comes down to having that fairness, we believe that we should be taking the fight up continually in the house and not allow the suspension of standing orders. This bill would inflict an unfair voting system on the electors of local government.

Mr Rob Johnson; Mr Eric Ripper; Dr Janet Woollard; Mr John Kobelke; Mr David Templeman; Mr Tom Stephens; Mr John McGrath; Speaker; Mr Paul Papalia; Mr Bill Johnston; Mr John Hyde; Mr Martin Whitely; Mr Troy Buswell

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Moving specifically to the suspension of standing orders, when the member for Hillarys was talking about the suspension of standing orders, he said that this happened last year. He was referring to the use of standing order 127 which allows for the repeal of a vote that has been taken. It can only be done using standing order 127 and this suspension is very much about the use of standing order 127. Of course, without the suspension, the government would have to give notice of a motion to use standing order 127 and that would come up in a day or two's time when we were able to deal with that without a suspension. However, the suspension means that if the government can gain an absolute majority on the floor, it can move immediately to the use of standing order 127.

The history of using suspensions of standing orders for standing order 127 has not happened very often. I think the Leader of the House was not fulsome in his explanation and therefore potentially misled the house when he said this happened last year. He is correct —

**Mr R.F. Johnson:** No, I said this has happened before under the former member for Fremantle.

**Mr J.C. KOBELKE:** It related to the fact that it happened for an electoral amendment bill under the last government and that was on 12 June 2008. However, it was not actually a loss of votes whereby the government of the day could not get its numbers in and therefore had fewer votes than the opposition. It was a situation whereby it was an electoral bill that required an absolute majority and because of the failure of a member to attend the vote, it did not have an absolute majority. Therefore, the suspension of standing orders was used on or about 12 June to be able to use standing order 127 and recommit to a vote on what was an electoral bill. It is quite strange that the bill we would go to if the suspension of standing orders was passed is an electoral bill about local government—it does not require an absolute majority. It is very different from the suspension of standing orders required last year because an absolute majority was not on the floor for that particular vote.

Looking at the evidence going back for such a suspension of standing orders, the example that I found prior to that was on 22 September 1983. It was also about an electoral bill which again was not a situation whereby the government was outvoted on the floor; it was a situation whereby it did not have the absolute majority required. For that reason the rescission was required under standing order 127. The date that I have prior to that was in November 1958 and, lo and behold again, it related to the Electoral Act Amendment Bill of 1958. I know many members perhaps were not born then, but again that was the use of rescission, which this standing order would allow the government to take forward.

Several members interjected.

**The SPEAKER:** Order, members!

**Mr J.C. KOBELKE:** Prior to that was back in June 1949 when it was not expressly about an electoral bill, but that is again a rescission. The point I make is that the use of standing order 127, which this suspension of standing orders motion is all about, has not happened very often. Therefore, it is quite exceptional that a government has found itself so inept and so arrogant that it could not have the numbers on the floor for a bill that it gave priority. Keep in mind this government has put very few bills through the Parliament, so although this bill may seem to be minor, it has some priority for the government. The fact that there was real criticism of the minister's handling of the bill has really been added to by the incompetence and arrogance of not having the numbers. Therefore, the suspension of standing orders is not about equity or the expeditious process of government legislation that has some priority; it is simply about seeking to save the embarrassment of a government that got it very wrong due to its arrogance. That is not a reason for suspending standing orders. A suspension of standing orders should be about something that cannot be dealt with through the normal procedures and processes of the house. The government has methods available by which it can seek to remove that embarrassment and to have the bill proceed through the use of standing order 127's rescission, but it does not require the suspension of standing orders to do that. The only reason that the government is taking this tack to suspend standing orders is its outright embarrassment because its arrogance and mismanagement has been shown up in the fact that it lost the vote by having eight of its members who simply missed the division. If there are issues —

Several members interjected.

**The SPEAKER:** Order!

**Mr J.C. KOBELKE:** If there are issues with respect to failure of the bells, I am sure members will draw them to the Speaker's attention and he will see what can be done so that we do not have a situation whereby members may be in a meeting or in their rooms and are not aware that a division has been called. However, that is a very lame excuse. It really leads one to conjecture whether some members on the government side did not wish to support the minister in this. Clearly, he had not handled the bill well and they were trying to ensure that they were not part of that embarrassment.

Mr Rob Johnson; Mr Eric Ripper; Dr Janet Woollard; Mr John Kobelke; Mr David Templeman; Mr Tom Stephens; Mr John McGrath; Speaker; Mr Paul Papalia; Mr Bill Johnston; Mr John Hyde; Mr Martin Whitely; Mr Troy Buswell

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Several members interjected.

**The SPEAKER:** Order, members!

**Mr J.C. KOBELKE:** We are, therefore, debating whether standing orders should be suspended to allow standing order 127 to be used for the rescission of that vote. That situation is all about the embarrassment of the government because of its mismanagement and arrogance; it is not a basis for which I and the opposition believe that we should have a suspension of standing orders. On that basis, we will certainly oppose the suspension of standing orders.

**MR D.A. TEMPLEMAN (Mandurah)** [7.25 pm]: I am very pleased to make comments on the motion to suspend standing orders. I highlight to the house that this is now the first time this century that the government of the day has lost control of the house. I do not want to have a go at my very good friend the member for South Perth, the government Whip, as he is a wonderful person and he should not be blamed for this. He should not be blamed for this; there is absolutely no way in this Parliament that the members of his own side should draw their swords and attack the government Whip, as I feel they may do, even though this is the first time in the history of the Western Australian Parliament this century that we have seen the government of the day fall or fail to provide the numbers in the house. Now, of course I noticed that the Deputy Premier was fiercely searching for a chamber seating plan like the lovely picture I hold up, because he was going through the numbers saying, "How many of them didn't turn up?" I can tell the Deputy Premier as opposition Whip that I have clearly ensured that members on this side who were not in this house had very good reason to not be here, unlike the government of the day that has for the first time this century failed to provide the numbers, and this point was made by the acting leader of opposition business. It is this government's responsibility to ensure that the numbers are maintained on its side of the house. It failed dismally. Let us take a look at who the failures were.

I will not reflect inappropriately on the Speaker because, of course, I would not risk that. However, of course, the Speaker does have a bit of a spot on him at the moment. Let us look at the ministers who were not in this place. I am very concerned when we look at the ministers who were not here. The Minister for Agriculture and Food; Forestry; Minister Assisting the Minister for Education—big cross; not here! The member for Wagin, Minister for Sport and Recreation; Racing and Gaming; Minister Assisting the Minister for Health; Deputy Leader of the National Party—big cross; not here!

**The SPEAKER:** Although I might insist that the member should be talking to the suspension of standing orders motion, I will only give him half an hour to conclude his remarks. He might need to hasten.

**Mr D.A. TEMPLEMAN:** I will make sure that this is relevant. The Minister for Education; Tourism—not here! The Minister for Water; Mental Health is an interesting case because I was in the corridor and the minister—I like him; he is a good friend of mine—was sitting out there. He was probably the closest to the chamber in which to hear the bells and to see the rushing of the Labor members into the chamber—he failed to turn up! His counterpart, the parliamentary secretary, the member for Murray-Wellington, failed to turn up. The member for Jandakot was in the chair. During the ringing of the bells, the member for Jandakot was sweating. I was watching him closely. He was watching those little grains of sand dripping into the hourglass. I had to remind him that all the bits of sand had got to the bottom and he should be calling out, "Close the doors". He was sweating and looking around, trying not to notice me attempting to gain his attention. However, in the end he had to call for the doors to be closed.

It is very clear that for the first time this century the government of the day has failed to maintain the numbers, as is its responsibility. It is not the responsibility of the opposition to maintain the numbers in this place. Absolutely not. It is the responsibility of the government of the day. It has failed. This has created a huge fissure in this government. The fissures are there to be seen. There are massive cracks. This was an embarrassment for the government this afternoon. It will go down in the history—I am pleased to be part of that history—of the Western Australian Parliament that this government was so inept that it was unable to maintain the numbers.

Speaking to the motion, what a marvellous thing it was to see the Premier today. I have not seen the Premier steam so much for so long. The steam was pouring out of his ears when he saw what had happened. Not only has he been required to come in here on numerous occasions to save ministers with their portfolios and bowl in here and try to take over, but now he has suffered the embarrassment of being the first Premier this century to oversee a government that has lost control of the place. We will not support this motion to suspend standing orders. This is a huge embarrassment for this government and it should be condemned for its ineptness.

**MR T.G. STEPHENS (Pilbara)** [7.32 pm]: I want to speak to the motion. I know that there are a variety of ways of addressing the house when we have a circumstance such as this. One of the ways of doing it is in the humour with which my colleague has tackled the question. There is another way, which is in accordance with the

Mr Rob Johnson; Mr Eric Ripper; Dr Janet Woollard; Mr John Kobelke; Mr David Templeman; Mr Tom Stephens; Mr John McGrath; Speaker; Mr Paul Papalia; Mr Bill Johnston; Mr John Hyde; Mr Martin Whitely; Mr Troy Buswell

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traditions and practices of the house and this Parliament, and that is to draw to the house's attention the seriousness with which we are now faced. I refer to standing order 126. This standing order will effectively be overridden by the motion, if it is carried, to suspend so much of standing orders as would allow for a set of motions to be put that would be in contravention of standing order 126, which states —

A question will not be proposed which is the same as any question which has been resolved in the affirmative or negative during the same year commencing 1 January.

I have been in this Parliament long enough to know that the loss of a motion and the attempt to put the question again is a very serious proposition. There are a range of good reasons why a standing order such as 126 is in the standing orders. The standing orders come together because of the collective wisdom of the Parliament. They are designed to protect every member of Parliament and to ensure that there is an orderly process for considering issues and that when a vote is taken, the party does not willy-nilly suddenly spring up five minutes after the house was due to rise and whack on a motion to suspend standing orders. That creates the opportunity of catching out members of Parliament.

This motion should not be carried. The selection of four o'clock as the time for the earlier motion to be put was a decision of the government. I was one of the participants in that debate. I was asked whether I would cooperate with the government, with the Leader of the House, to ensure that the question was put right before 4.00 pm to accommodate the convenience of the government. In the process of that debate we curtailed and quickly brought together in a succinct way the arguments that we wanted to put to the house to deliver to the government the opportunity of putting a question to the house at four o'clock.

**Mr M.P. Whitely:** We gave them the opportunity to speak.

**Mr T.G. STEPHENS:** We gave government members the opportunity to speak and we gave the minister the opportunity to speak. What happened? He sat in his chair and did not respond.

**Mr J.N. Hyde:** Arrogant.

**Mr T.G. STEPHENS:** It was absolute arrogance. I have also been in Parliament long enough to know that for a long time now at five minutes to four on a Wednesday, the Legislative Council bells ring to bring members into the house after their committee considerations during the day. Members of the Legislative Assembly do not have the excuse of being confused when the Legislative Council bells ring at five minutes to four as it has been happening for a good period of time now.

The footnotes at page 66 of the standing orders show how rare it is to move for the suspension of standing orders in this way. We have to go back to precedents—they are that rare. It is much rarer for a suspension of standing orders to be carried in this way, thereby creating the opportunity for a rescission motion to be put and then a question to be put yet again. These are uncharted waters.

Someone was joking that I might remember the suspension back in 1958. Back in 1958, from memory, the circumstances were as follows. The member for Pilbara had died. He was a bloke named Loy Rodoreda. He was a Speaker. We would have to check the picture in the corridor, but he died around about this date. The numbers on either side of the house at that time were quite slim. Loy Rodoreda was the Labor member for Pilbara. He had been the Speaker and died while he was still the member for Pilbara. I think there was a by-election around this date that appears in the standing orders.

These are rare incidents. More than 51 years ago a similar incident occurred where the house for whatever reason provided for the suspension of standing orders so that a rescission motion could be put. I was not in the house in 1958.

**Mr M.P. Whitely:** Were you in the other house?

**Mr T.G. STEPHENS:** I was not in the other house; I arrived a little later. I happen to think very highly of the previous member for Pilbara, who died around that time, creating the situation in which the numbers were quite slender. I think a suspension of standing orders occurred around that time.

**Mr C.C. Porter:** You don't want to follow his lead, do you?

**Mr T.G. STEPHENS:** No, I do not. That was an awful interjection.

The previous incident occurred 10 years before that. These are incidences. The Leader of the House knows how extraordinary it is for a government to lose a bill and then proceed to come in here to suspend standing orders so that it can have a rescission.

**Mr R.F. Johnson:** You know why we lost the vote; it was because of the malfunctioning of the bells.

Mr Rob Johnson; Mr Eric Ripper; Dr Janet Woollard; Mr John Kobelke; Mr David Templeman; Mr Tom Stephens; Mr John McGrath; Speaker; Mr Paul Papalia; Mr Bill Johnston; Mr John Hyde; Mr Martin Whitely; Mr Troy Buswell

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**Mr T.G. STEPHENS:** It was because of the government's stupidity and arrogance.

Several members interjected.

**The SPEAKER:** Members, I would like to hear the member for Pilbara.

**Mr T.G. STEPHENS:** These are things that we joke about but the standing orders are important. When we have people in this house such as the Independent members, they more than anyone should champion the reasons these standing orders exist. The standing orders exist to protect individuals in the house. Sometimes those individuals need to be protected against the large voting blocs on either side of the house. The standing orders do that for the member for Alfred Cove and the other Independent in the house, the member for Kalgoorlie.

**Dr J.M. Woollard:** Do you want me to be hypocritical and support Labor when Labor —

**The SPEAKER:** Member for Alfred Cove!

**Mr T.G. STEPHENS:** I would never ask the member to be hypocritical. She has explained to the house in some detail that her interests are —

**Dr J.M. Woollard:** The member for Churchlands, the member for Kalgoorlie and the member for Wagin said that they did not hear the bells and did not see the lights, so the vote was not the will of the Parliament.

**Mr T.G. STEPHENS:** I will give the member for Alfred Cove another alternative. She could take the opportunity tonight to ask for the debate on this motion to be delayed rather than dealt with tonight, and she could read up on the precedents and the past practice of the Parliament. Rather than rush and vote in support of the motion that is before the house tonight, she could ask for the debate to be delayed so that she can go back and read about the ancient history of this Parliament and why these standing orders exist to protect specifically members like her. Tomorrow, the member would be able to come into this place having considered the decisions that were made in 1949 and 1958 and understanding why they were not made on other occasions to accommodate governments in the face of circumstances such as this. These standing orders are here to protect all members of Parliament as they do their job in representing their communities, and they should not be misused.

**Mr T.R. Buswell:** Did you get a response from the CCC?

**Mr T.G. STEPHENS:** I gather it has been in the paper, but I am still waiting for —

Several members interjected.

**The SPEAKER:** Order, members! I have given everyone in this place an opportunity to speak to this motion. The motion is about the suspension of standing orders. Interjections from members on both sides of this place have not helped any member, whoever that member might have been, in this discussion. I do not want any further interjections on the member for Pilbara, and I would like the member for Pilbara to come back to talking about the suspension of standing orders.

**Mr T.G. STEPHENS:** Thank you, Mr Speaker. I will not delay the house unnecessarily. However, I believe that members of the house, and certainly those members who have an opportunity of making a difference tonight, should be thinking seriously about their votes. They have the opportunity to protect all members of the house by recognising the significance and the importance of the standing orders, as they are before us, rather than rushing to support the carriage of a motion that I did not even know was going to be moved until five minutes to seven. I happened to stumble across the information that suddenly there was going to be a motion moved to suspend standing orders. What an awful way of going about business. I can tell members that when I was in the other place, President Griffiths would have dealt with the leader of the government in no uncertain terms if he had endeavoured to produce a motion for the suspension of standing orders in the way in which this leader of the government has done in this house.

**Mr T.R. Buswell:** What happened to you?

**Mr T.G. STEPHENS:** Is the Treasurer still sniffing chairs or what?

Several members interjected.

**The SPEAKER:** I suggest that the member for Pilbara draw his remarks to a rapid close, and I do not want to hear any more interjections from the Treasurer.

**Mr T.G. STEPHENS:** Thanks very much, Mr Speaker. I will conclude my remarks by saying that the suspension of standing orders is a serious thing. It should not be dealt with in jest. It is a serious thing when people ask to be protected by the standing orders, as they have. I have seen other Independent members in this house champion the cause of standing orders when it has suited them. They would be wise to champion the

Mr Rob Johnson; Mr Eric Ripper; Dr Janet Woollard; Mr John Kobelke; Mr David Templeman; Mr Tom Stephens; Mr John McGrath; Speaker; Mr Paul Papalia; Mr Bill Johnston; Mr John Hyde; Mr Martin Whitely; Mr Troy Buswell

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cause of standing orders even when it does not suit them. This might be one such occasion on which an Independent member of the house, who now happens to be a minister, might reflect on the circumstances and the arguments that that minister, when she was a member on this side of the house, used to put. She used to champion the cause of the processes and the procedures of this house. Now that she is part of a government that clings to power, she is adopting a totally different set of standards. I remind members opposite of the extraordinary way in which they have dropped their integrity, left their arguments on this side of the house and suddenly acquired a new mantle, and that is to do anything that it takes—absolutely anything. They will suspend standing orders because apparently they are about to deliver the numbers. Shame on them—shame on the lot of them.

**Mr M.J. Cowper:** Sit down.

**Mr T.G. STEPHENS:** The big thug from Murray wants to make me sit down. I will not. Members opposite should be ashamed of themselves.

**Mr R.F. Johnson:** You should for your comments.

**Mr T.G. STEPHENS:** No, not at all. This motion could wait. It could be delayed; it could be deferred; and members opposite could wallow in their embarrassment for a lot longer.

*Question to be Put*

**MR J.E. McGRATH (South Perth) [7.46 pm]:** I move —

That the question be now put.

Question put and a division taken with the following result —

Ayes (30)

|                   |                 |                  |                                   |
|-------------------|-----------------|------------------|-----------------------------------|
| Mr P. Abetz       | Dr E. Constable | Dr G.G. Jacobs   | Mr D.T. Redman                    |
| Mr F.A. Alban     | Mr M.J. Cowper  | Mr R.F. Johnson  | Mr A.J. Simpson                   |
| Mr C.J. Barnett   | Mr J.H.D. Day   | Mr A. Krsticevic | Mr M.W. Sutherland                |
| Mr I.C. Blayney   | Mr J.M. Francis | Mr W.R. Marmion  | Mr T.K. Waldron                   |
| Mr J.J.M. Bowler  | Mr B.J. Grylls  | Mr P.T. Miles    | Dr J.M. Woollard                  |
| Mr I.M. Britza    | Dr K.D. Hames   | Ms A.R. Mitchell | Mr J.E. McGrath ( <i>Teller</i> ) |
| Mr T.R. Buswell   | Mrs L.M. Harvey | Dr M.D. Nahan    |                                   |
| Mr G.M. Castrilli | Mr A.P. Jacob   | Mr C.C. Porter   |                                   |

Noes (23)

|                   |                      |                    |                                     |
|-------------------|----------------------|--------------------|-------------------------------------|
| Ms L.L. Baker     | Mr W.J. Johnston     | Ms M.M. Quirk      | Mr A.J. Waddell                     |
| Mr A.J. Carpenter | Mr J.C. Kobelke      | Mr E.S. Ripper     | Mr P.B. Watson                      |
| Mr V.A. Catania   | Mr F.M. Logan        | Mrs M.H. Roberts   | Mr M.P. Whitely                     |
| Mr R.H. Cook      | Ms A.J.G. MacTiernan | Ms R. Saffioti     | Mr B.S. Wyatt                       |
| Ms J.M. Freeman   | Mr P. Papalia        | Mr T.G. Stephens   | Mr D.A. Templeman ( <i>Teller</i> ) |
| Mr J.N. Hyde      | Mr J.R. Quigley      | Mr C.J. Tallentire |                                     |

Question thus passed.

*Rescission of Third Reading Vote — Standing Orders Suspension — Motion Resumed*

**The SPEAKER:** Members, as this is a motion to suspend standing orders, I need to satisfy myself there is an absolute majority present, and I have done that. If I hear a dissentient voice, I will be required to divide the Assembly.

Question put and a division taken with the following result —

Ayes (30)

|                   |                 |                  |                                   |
|-------------------|-----------------|------------------|-----------------------------------|
| Mr P. Abetz       | Dr E. Constable | Dr G.G. Jacobs   | Mr D.T. Redman                    |
| Mr F.A. Alban     | Mr M.J. Cowper  | Mr R.F. Johnson  | Mr A.J. Simpson                   |
| Mr C.J. Barnett   | Mr J.H.D. Day   | Mr A. Krsticevic | Mr M.W. Sutherland                |
| Mr I.C. Blayney   | Mr J.M. Francis | Mr W.R. Marmion  | Mr T.K. Waldron                   |
| Mr J.J.M. Bowler  | Mr B.J. Grylls  | Mr P.T. Miles    | Dr J.M. Woollard                  |
| Mr I.M. Britza    | Dr K.D. Hames   | Ms A.R. Mitchell | Mr J.E. McGrath ( <i>Teller</i> ) |
| Mr T.R. Buswell   | Mrs L.M. Harvey | Dr M.D. Nahan    |                                   |
| Mr G.M. Castrilli | Mr A.P. Jacob   | Mr C.C. Porter   |                                   |

**Extract from *Hansard***  
[ASSEMBLY - Wednesday, 6 May 2009]  
p3498b-3510a

Mr Rob Johnson; Mr Eric Ripper; Dr Janet Woollard; Mr John Kobelke; Mr David Templeman; Mr Tom Stephens; Mr John McGrath; Speaker; Mr Paul Papalia; Mr Bill Johnston; Mr John Hyde; Mr Martin Whitely; Mr Troy Buswell

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Noes (23)

|                   |                      |                    |                                     |
|-------------------|----------------------|--------------------|-------------------------------------|
| Ms L.L. Baker     | Mr W.J. Johnston     | Ms M.M. Quirk      | Mr A.J. Waddell                     |
| Mr A.J. Carpenter | Mr J.C. Kobelke      | Mr E.S. Ripper     | Mr P.B. Watson                      |
| Mr V.A. Catania   | Mr F.M. Logan        | Mrs M.H. Roberts   | Mr M.P. Whitely                     |
| Mr R.H. Cook      | Ms A.J.G. MacTiernan | Ms R. Saffioti     | Mr B.S. Wyatt                       |
| Ms J.M. Freeman   | Mr P. Papalia        | Mr T.G. Stephens   | Mr D.A. Templeman ( <i>Teller</i> ) |
| Mr J.N. Hyde      | Mr J.R. Quigley      | Mr C.J. Tallentire |                                     |

Question thus passed with an absolute majority.

*Rescission of Third Reading Vote — Motion*

**MR R.F. JOHNSON (Hillarys — Leader of the House)** [7.52 pm]: I move —

That —

- (a) the vote passed by this house today whereby the third reading of the Local Government Amendment (Elections) Bill 2009 failed to gain the concurrence of a majority of members in the house, thereby causing the bill to be negated at the third reading, be and is hereby rescinded; and
- (b) consequent thereon the third reading of the Local Government Amendment (Elections) Bill 2009 be immediately called upon.

**The SPEAKER:** Members, the question is that the motion be agreed to.

**Mr R.F. Johnson:** There is no debate on this.

**Mr J.C. Kobelke:** Or appeal?

**The SPEAKER:** The member for Warnbro can certainly speak to it.

**MR P. PAPALIA (Warnbro)** [7.53 pm]: Thank you, Mr Speaker.

Several members interjected.

**Mr P. PAPALIA:** I did not speak to the suspension of standing orders motion, but the suggestion was made by the Leader of the House that it was unfair to accept the vote that resulted in the defeat of the government on the floor of the house due to its ineptitude and disorganisation. I felt that was not a fair statement by the Leader of the House because the result of the debate that had taken place over the previous two days was entirely appropriate in light of the bumbling, inept and inadequate performance by the Minister for Local Government and his failure to provide any sort of evidence for why this change to the local government voting system should be made or justify why we should take the action of reverting to the legislation that governed local government elections from 1997 to 2007. I thought it was entirely appropriate that the debate ended in the defeat of the government on the floor of the house.

In standing now, I want to give the minister the opportunity to take responsibility for his legislation, by standing in this place and responding to the very many, very considered contributions that were made in the debate on his legislation by people on this side of the house and on the other side of the house. For him, as a minister, to ignore normal protocols and refuse to speak at the completion of consideration in detail and at the time of the vote being put is inappropriate. I take the opportunity now to give him a second chance.

**MR W.J. JOHNSTON (Cannington)** [7.55 pm]: I made a great contribution to the debate of this bill because electoral matters are an issue I am particularly interested in.

Several members interjected.

**The SPEAKER:** Members!

**Mr C.J. Barnett:** The 2009 award for modesty goes to you!

**Mr W.J. JOHNSTON:** I was very keen to have a full opportunity to speak at the third reading stage. Unfortunately, the Leader of the House, the member for Hillarys, asked me to limit my contribution—this afternoon he asked that I finish by five minutes to four o'clock—so that the minister could speak on the third reading debate. We agreed that the vote would be taken at four o'clock. In accordance with the request by the minister, so that the vote could take place at four o'clock—the time which the Liberal Party asked for the vote to take place, and of which they had about half an hour's notice to arrange for their members to attend the chamber—I concluded my remarks exactly at five minutes to four o'clock, by the clock at the front of the chamber, so that the minister could reply to the issues that were raised by him and other members during

Mr Rob Johnson; Mr Eric Ripper; Dr Janet Woollard; Mr John Kobelke; Mr David Templeman; Mr Tom Stephens; Mr John McGrath; Speaker; Mr Paul Papalia; Mr Bill Johnston; Mr John Hyde; Mr Martin Whitely; Mr Troy Buswell

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consideration in detail. Members on this side had made a very important contribution to the debate on this very important public policy issue, and we were all stunned that the minister said nothing at the time the Liberal Party had asked to take the vote.

Several members interjected.

**Mr W.J. JOHNSTON:** This is now a good opportunity for the minister to speak, having been silent this afternoon and having been embarrassed by the fact that his colleagues who knew the time the bill was to be voted on and did not need to hear the bells or hear other matters to be advised of it. It was the exact time that the member for Hillarys had asked for it to be voted on.

Several members interjected.

**The SPEAKER:** Members!

**Mr W.J. JOHNSTON:** I sat next to the member for Hillarys, in the chair ordinarily occupied by the Minister for Education, and asked exactly what time he wanted me to complete my brief remarks on the third reading debate. I sat down exactly at five minutes to four o'clock. That was the exact time that the Leader of the House had asked me to complete my remarks, enabling the minister to make his contribution to the third reading debate. They were the exact words that were said.

**Mr R.F. Johnson:** I think you misunderstood, my friend. You wanted to know how long the minister wanted to respond.

**Mr W.J. JOHNSTON:** That is right; five minutes. That is what the Leader of the House said to me; that is right.

**Mr R.F. Johnson:** I said that it would be no longer than five minutes.

**Mr W.J. JOHNSTON:** The Leader of the House said to me that there was a deal that the debate would finish at four o'clock. I asked whether the minister was going to make a third reading debate contribution, and the Leader of the House said he would make a brief third reading debate contribution of about five minutes. At five minutes to four o'clock, as requested by the Leader of the House, I concluded my remarks and sat down. That was the exact time that had been agreed with the Leader of the House.

Several members interjected.

**The SPEAKER:** Member for Warnbro!

**Mr W.J. JOHNSTON:** That was the exact agreement that was entered into between the Labor Party and the Liberal Party. We are interested in this bill, because this legislation will remove the right of people to be fairly represented in local government. The minister was unable to answer a very simple question. In this alternative debate, I will give him another opportunity to answer this simple question: what is the policy reason for choosing this system of multimember voting from among all the first-past-the-post voting systems that exist? This system is not commonly used anywhere else in the world. During the debate, government members have implied that the multimember first-past-the-post system that is proposed in this bill is the common process for first-past-the-post voting systems around the world. That is simply not true. I asked the Minister for Local Government whether he had considered other forms of first-past-the-post voting systems in multimember constituencies and he said no. In fact, he did not say anything; he said that he was doing this because a lobby group had told him to do it. That was the reason that he chose this voting system from among all the different first-past-the-post voting systems. This is the system that he chose because a lobby group told him to do so. That is why he did it.

We gave him an opportunity to speak at the third reading stage, as was agreed to between the Labor Party and the Leader of the House, at five minutes to four o'clock. The Leader of the House asked whether the Minister for Local Government could have five minutes to participate in the third reading debate, but the minister chose not to participate. The vote was taken and we saw the embarrassment that occurred this afternoon whereby the National Party, Liberal Party and Independents lost a vote in this house because they were unable to come into the chamber when the bells rang. I take an interest in the issue of the bells. I am only a new member of Parliament. When I became a member, I undertook a training program, which I was very pleased about, and the Leader of the House was one of the members —

**The SPEAKER:** Member for Cannington, you are supposed to be talking to the motion. You are not to talk about the content of the bill or about the sound of the bells; you are supposed to talk to the motion. I urge the member to do that.

**Mr W.J. JOHNSTON:** Thank you, Mr Speaker. I am not canvassing your ruling.

Several members interjected.

Mr Rob Johnson; Mr Eric Ripper; Dr Janet Woollard; Mr John Kobelke; Mr David Templeman; Mr Tom Stephens; Mr John McGrath; Speaker; Mr Paul Papalia; Mr Bill Johnston; Mr John Hyde; Mr Martin Whitely; Mr Troy Buswell

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**The SPEAKER:** Thank you, members!

**Mr W.J. JOHNSTON:** As I said, I am a new member and I understood that, effectively, I was to give a third reading speech on the bill.

**The SPEAKER:** No, you are to speak to the motion.

*Point of Order*

**Mr J.C. KOBELKE:** My point of order is to seek your clarification because the proceedings are being conducted by way of interjection. I would like you to clarify for the house whether the carriage of this motion amounts to giving approval for the third reading, or is a further vote required for that?

**The SPEAKER:** What this amounts to, member for Balcatta, is that it enables the Leader of the House, I presume, to move that the third reading be put.

**Mr J.C. KOBELKE:** Will that be a subsequent motion?

**The SPEAKER:** Yes. The Leader of the House does not need to move it, but the question will be put again. The question will be put that the third reading be agreed to. That is what will happen after this process.

**Mr J.C. KOBELKE:** Thank you, Mr Speaker. I do not wish to be obtuse, but so that I have it absolutely clear, the motion now before the house will be put and then a further motion will be put, which members will not be able to speak to?

**The SPEAKER:** That is correct.

*Debate Resumed*

**Mr W.J. JOHNSTON:** Please keep me on the straight and narrow, Mr Speaker; I am not attempting to veer from that. This has been an extraordinary situation whereby the minister did not participate in the third reading debate. He did not explain —

**Mr C.J. Barnett:** It happens all the time.

**Mr W.J. JOHNSTON:** He did not reply to any of the points that were raised.

Several members interjected.

**The SPEAKER:** Members to my right!

**Mr W.J. JOHNSTON:** He did not reply on these very important issues. The minister was unable to explain how the system of elections would work or why particular regulations either would or would not be proposed. He did not give a proper explanation for the function of the bill. Quite frankly, he probably did none of those things because he does not understand the legislation that has been presented to the house. It is very unsatisfactory for a minister to not know what he is doing.

**MR J.N. HYDE (Perth)** [8.04 pm]: I urge all members of this house to oppose this motion. Let us think about the legislation that we have been discussing and about what is a better voting system for local government. Local government is a creature of the Western Australian Constitution. Local government takes its lead from the Constitution of Western Australia. As a result of the government's action this evening, it is telling local government to use the system and twist it to get its own way. Neither democracy nor the outcome matters; what matters is using the system to get your way. The government lost a democratic vote 23-22. As the Leader of the Opposition has stated, some members on this side would love the constituency to recommit and think again about their vote, but that is not possible. What the government is doing tonight is a travesty of democracy. More importantly, although the government will end up winning this vote to recommit the motion, the message it is sending to local government is that local government should do whatever it takes. That is the message the government is sending to local government, and it is a disgrace. We are the establishment body for local government. We provide a leadership role for local government, and the government's disgraceful abuse of the procedures is sending the wrong message to local government. I urge those fine members opposite who have come from local government, and who know what the passage of this expedited motion—which was moved after knock-off time on a Wednesday night—will say to our former colleagues in local government, to oppose it.

**MR M.P. WHITELY (Bassendean)** [8.06 pm]: My contribution will be very brief. At the heart of what the government is trying to achieve by the passage of this legislation is the installation of a system of voluntary ballots on a first-past-the-post basis. What basis was the ballot that the government lost 23-22 conducted? It was a voluntary vote. No-one was compelled to attend and the government lost it on a first-past-the-post basis. In

Mr Rob Johnson; Mr Eric Ripper; Dr Janet Woollard; Mr John Kobelke; Mr David Templeman; Mr Tom Stephens; Mr John McGrath; Speaker; Mr Paul Papalia; Mr Bill Johnston; Mr John Hyde; Mr Martin Whitely; Mr Troy Buswell

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fact, it was a turnout of about 75 per cent, which I suggest is a very good turnout for local government elections; local governments would be pretty impressed by that number. The government lost the ballot on the basis of the system that it is seeking to install on local government; that is, voluntary voting on a first-past-the-post basis, yet the government is not prepared to accept the outcome of the ballot. What precedent does this set? Does this mean that if a local government is unhappy with the result of an election, it will be allowed to recommit the ballot?

The Leader of the House said that the government lost the division as a result of a malfunction of the bells. That is complete rubbish. The bells rang with the split tone. The majority of government members who missed the vote were ministers and experienced members of Parliament and they should have been familiar with it. The blue light did go on because I saw the light when the bells rang.

**Mr R.F. Johnson:** Did you see every one?

**Mr M.P. WHITELEY:** There is absolutely no evidence that the blue lights did not go on. The ballot was conducted on the same basis as every other ballot that has been conducted in this place. It was not a malfunctioning of the bells; it was a malfunctioning of the government. The government was absolutely incapable of getting its members to attend the chamber to vote on a matter they knew was before the house because the Leader of the House had asked for it to be dealt with at four o'clock. The government absolutely failed to do the basics that are involved in adhering to the requirements of this place. The Leader of the House could have—as we did—got the Whip to make a call to government members through the intercom. The Leader of the House could have reminded government members that they were required in the chamber, but he did not do that. That is symptomatic of a government that cannot even manage its performance in Parliament.

The government is seeking to recommit a motion that was determined on the basis of a voluntary vote determined on a first-past-the-post basis, which voting system is at the heart of the legislation that the government is trying to impose on local government. The hypocrisy is obvious. Frankly, this is symptomatic of this government. It simply cannot get its act together in here, and people are beginning to realise that it cannot get its act together in the wider community. I urge all members to oppose this motion.

*Question to be Put*

**MR T.R. BUSWELL (Vasse — Treasurer)** [8.09 pm]: I move —

That the question be now put.

Question put and a division taken with the following result —

Ayes (30)

|                   |                 |                  |                                   |
|-------------------|-----------------|------------------|-----------------------------------|
| Mr P. Abetz       | Dr E. Constable | Dr G.G. Jacobs   | Mr D.T. Redman                    |
| Mr F.A. Alban     | Mr M.J. Cowper  | Mr R.F. Johnson  | Mr A.J. Simpson                   |
| Mr C.J. Barnett   | Mr J.H.D. Day   | Mr A. Krsticevic | Mr M.W. Sutherland                |
| Mr I.C. Blayney   | Mr J.M. Francis | Mr W.R. Marmion  | Mr T.K. Waldron                   |
| Mr J.J.M. Bowler  | Mr B.J. Grylls  | Mr P.T. Miles    | Dr J.M. Woollard                  |
| Mr I.M. Britza    | Dr K.D. Hames   | Ms A.R. Mitchell | Mr J.E. McGrath ( <i>Teller</i> ) |
| Mr T.R. Buswell   | Mrs L.M. Harvey | Dr M.D. Nahan    |                                   |
| Mr G.M. Castrilli | Mr A.P. Jacob   | Mr C.C. Porter   |                                   |

Noes (23)

|                   |                      |                    |                                     |
|-------------------|----------------------|--------------------|-------------------------------------|
| Ms L.L. Baker     | Mr W.J. Johnston     | Ms M.M. Quirk      | Mr A.J. Waddell                     |
| Mr A.J. Carpenter | Mr J.C. Kobelke      | Mr E.S. Ripper     | Mr P.B. Watson                      |
| Mr V.A. Catania   | Mr F.M. Logan        | Mrs M.H. Roberts   | Mr M.P. Whitely                     |
| Mr R.H. Cook      | Ms A.J.G. MacTiernan | Ms R. Saffioti     | Mr B.S. Wyatt                       |
| Ms J.M. Freeman   | Mr P. Papalia        | Mr T.G. Stephens   | Mr D.A. Templeman ( <i>Teller</i> ) |
| Mr J.N. Hyde      | Mr J.R. Quigley      | Mr C.J. Tallentire |                                     |

Question thus passed.

*Rescission of Third Reading Vote — Motion Resumed*

Question put and a division taken with the following result —

**Extract from *Hansard***  
[ASSEMBLY - Wednesday, 6 May 2009]  
p3498b-3510a

Mr Rob Johnson; Mr Eric Ripper; Dr Janet Woollard; Mr John Kobelke; Mr David Templeman; Mr Tom Stephens; Mr John McGrath; Speaker; Mr Paul Papalia; Mr Bill Johnston; Mr John Hyde; Mr Martin Whitely; Mr Troy Buswell

---

Ayes (30)

|                   |                 |                  |                                   |
|-------------------|-----------------|------------------|-----------------------------------|
| Mr P. Abetz       | Dr E. Constable | Dr G.G. Jacobs   | Mr D.T. Redman                    |
| Mr F.A. Alban     | Mr M.J. Cowper  | Mr R.F. Johnson  | Mr A.J. Simpson                   |
| Mr C.J. Barnett   | Mr J.H.D. Day   | Mr A. Krsticevic | Mr M.W. Sutherland                |
| Mr I.C. Blayney   | Mr J.M. Francis | Mr W.R. Marmion  | Mr T.K. Waldron                   |
| Mr J.J.M. Bowler  | Mr B.J. Grylls  | Mr P.T. Miles    | Dr J.M. Woollard                  |
| Mr I.M. Britza    | Dr K.D. Hames   | Ms A.R. Mitchell | Mr J.E. McGrath ( <i>Teller</i> ) |
| Mr T.R. Buswell   | Mrs L.M. Harvey | Dr M.D. Nahan    |                                   |
| Mr G.M. Castrilli | Mr A.P. Jacob   | Mr C.C. Porter   |                                   |

Noes (23)

|                   |                      |                    |                                     |
|-------------------|----------------------|--------------------|-------------------------------------|
| Ms L.L. Baker     | Mr W.J. Johnston     | Ms M.M. Quirk      | Mr A.J. Waddell                     |
| Mr A.J. Carpenter | Mr J.C. Kobelke      | Mr E.S. Ripper     | Mr P.B. Watson                      |
| Mr V.A. Catania   | Mr F.M. Logan        | Mrs M.H. Roberts   | Mr M.P. Whitely                     |
| Mr R.H. Cook      | Ms A.J.G. MacTiernan | Ms R. Saffioti     | Mr B.S. Wyatt                       |
| Ms J.M. Freeman   | Mr P. Papalia        | Mr T.G. Stephens   | Mr D.A. Templeman ( <i>Teller</i> ) |
| Mr J.N. Hyde      | Mr J.R. Quigley      | Mr C.J. Tallentire |                                     |

Question thus passed.

*Third Reading*

**The SPEAKER:** The question now is that the bill be read a third time.

*Point of Order*

**Mr T.G. STEPHENS:** Mr Speaker, you have the opportunity to hear from the minister. The motion provides him with the opportunity to move and argue the case for the third reading of this bill.

**The SPEAKER:** There is no opportunity to debate the question. Simply, the question will be put. There is no debate. That is the process. I need to put the question and that is the case.

**Mr T.G. STEPHENS:** Mr Speaker, may I explain to you the motion in the first place?

**The SPEAKER:** No, the member for Pilbara cannot. Quite simply, this is the process: the question will be put and there is no opportunity now for members to talk to the question.

*Debate Resumed*

**The SPEAKER:** Members, I will put the question again. The question is that the bill be now read a third time. That is quite simply the question. I put it to members. The question is that the bill be now read a third time.

Question put and a division taken with the following result —

Ayes (28)

|                   |                 |                  |                                   |
|-------------------|-----------------|------------------|-----------------------------------|
| Mr P. Abetz       | Dr E. Constable | Mr A.P. Jacob    | Dr M.D. Nahan                     |
| Mr F.A. Alban     | Mr M.J. Cowper  | Dr G.G. Jacobs   | Mr C.C. Porter                    |
| Mr C.J. Barnett   | Mr J.H.D. Day   | Mr R.F. Johnson  | Mr D.T. Redman                    |
| Mr I.C. Blayney   | Mr J.M. Francis | Mr A. Krsticevic | Mr A.J. Simpson                   |
| Mr I.M. Britza    | Mr B.J. Grylls  | Mr W.R. Marmion  | Mr M.W. Sutherland                |
| Mr T.R. Buswell   | Dr K.D. Hames   | Mr P.T. Miles    | Mr T.K. Waldron                   |
| Mr G.M. Castrilli | Mrs L.M. Harvey | Ms A.R. Mitchell | Mr J.E. McGrath ( <i>Teller</i> ) |

Noes (24)

|                   |                      |                    |                                     |
|-------------------|----------------------|--------------------|-------------------------------------|
| Ms L.L. Baker     | Mr W.J. Johnston     | Ms M.M. Quirk      | Mr A.J. Waddell                     |
| Mr A.J. Carpenter | Mr J.C. Kobelke      | Mr E.S. Ripper     | Mr P.B. Watson                      |
| Mr V.A. Catania   | Mr F.M. Logan        | Mrs M.H. Roberts   | Mr M.P. Whitely                     |
| Mr R.H. Cook      | Ms A.J.G. MacTiernan | Ms R. Saffioti     | Dr J.M. Woollard                    |
| Ms J.M. Freeman   | Mr P. Papalia        | Mr T.G. Stephens   | Mr B.S. Wyatt                       |
| Mr J.N. Hyde      | Mr J.R. Quigley      | Mr C.J. Tallentire | Mr D.A. Templeman ( <i>Teller</i> ) |

Question thus passed.

Bill read a third time and transmitted to the Council.