

STANDING COMMITTEE ON UNIFORM LEGISLATION AND STATUTES REVIEW

*112th Report — “Committee’s Treaty Function” — Recommendation 1 —
Referral to Standing Committee on Procedure and Privileges — Motion*

Resumed from 27 March on the following motion moved by Hon Michael Mischin —

That recommendation 1 contained in the 112th report of the Standing Committee on Uniform Legislation and Statutes Review, entitled “Committee’s Treaty Function”, be referred to the Standing Committee on Procedure and Privileges for inquiry and report.

HON MICHAEL MISCHIN (North Metropolitan — Deputy Leader of the Opposition) [3.56 pm]: To put this into context very briefly, the continuation of my remarks follow from the tabling of the 112th report of the Standing Committee on Uniform Legislation and Statutes Review, “Committee’s Treaty Function”, which was the result of a self-referral to the committee for examination of its treaty function under the standing orders. That report was discussed in some detail yesterday during the period set aside by this house for consideration of committee reports. The point made during that was not only reaffirmation of the futility of the committee being charged with a function to review treaties, but also the canvassing of the prospect of the treaties function being reviewed by the Standing Committee on Procedure and Privileges of this place. If it is thought fit that treaties be examined by this house at some point, a better system should be devised for it. A corollary motion is before the house today—that the committee recommend that the Legislative Council delete clause 6.3(c) in schedule 1 of the standing orders of the Legislative Council and renumber the remaining subclauses accordingly.

Before we could get to that recommendation being considered by the Standing Committee on Procedure and Privileges, the corollary motion of recommendation 1 of the Standing Committee on Uniform Legislation and Statutes Review’s report on the treaty function is that it be referred to the Standing Committee on Procedure and Privileges. I am very grateful to the government and for the work done by the Deputy Leader of the Government, Hon Stephen Dawson for bringing on this matter. What emerged from yesterday’s discussion of the committee report was that the function was one that was otiose and futile. However, to relieve the standing committee of the function, it needs to be done by way of a change to standing orders by this house. Before we could get to that stage, it is something that ought to be properly considered by the Standing Committee on Procedure and Privileges and a recommendation made to this house on what to do in that regard. Hon Stephen Dawson has done some work behind the Chair to bring this order of the day forward so that this business can be passed to the procedure and privileges committee in a timely way and so that it can be dealt with and the committee can come to a decision on what recommendation it should make to this house. I am grateful for his efforts. I understand that some comment will be made by one or two members about this matter, and there is broad consensus that the committee be charged with that function.

I stress that the passage of this motion will not result in any change to the standing orders. All the motion will do is give the Standing Committee on Procedure and Privileges the job of considering the treaty function of this house, and in due course we will receive the committee’s recommendations and will be able to act on those recommendations.

On that note, I thank the government again for finding the time in its legislative schedule, amongst orders of the day, to bring this matter forward in a timely fashion and to be so responsive to the report of the committee, which was tabled back on 27 March and discussed yesterday. I commend the motion to the house.

HON COLIN HOLT (South West) [4.00 pm]: On behalf of the National Party, I support the referral to the Standing Committee on Procedure and Privileges. Yes, we do ask our committees to do the work of the house. Therefore, this is an appropriate referral. The Standing Committee on Uniform Legislation and Statutes Review has identified an issue and has done the right thing by recommending that this matter be referred to the procedure and privileges committee. I was interested to hear the remarks of Hon Michael Mischin. He said that the referral to the committee is timely. It is timely, so let us get on with the job. However, I point out that we still have to deal with a number of outstanding matters that are listed on the notice paper. Those outstanding matters include four or five reports from the procedure and privileges committee. Obviously the committee will need to meet, determine what needs to occur and come back with some recommendations. However, as it stands, committee reports tend to sit on the notice paper, unless some agreement is reached behind the Chair, especially around orders of the day, to deal with those matters in a timely manner. I note the previous debate about the proposed amendment to the standing orders of this house to recognise a welcome to country. I would hate to think that another referral to the PPC will result in a report that will sit on the notice paper when there are still outstanding matters from the previous Parliament that we need to deal with. If we are asking the PPC to do work on behalf of the house, we should deal with its reports in a timely manner. I support the referral and wish the PPC luck in its deliberations on this matter.

Question put and passed.