

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 137

FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT

TUESDAY, 8 MAY 2007

1. Meeting of Assembly

The Assembly met at 2.00 p.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Brief Ministerial Statements

The following Brief Ministerial Statements were made by -

The Premier on his visit to Malaysia from 22 to 25 April 2007 to commemorate ANZAC Day in Sandakan, Sabah.

The Deputy Premier on the ratification by the Federal Court on Friday, 27 April 2007 of the consent determination negotiated between the State of Western Australia and the Yungngora people.

The Minister for Water Resources on the State Water Plan 2007.

Paper

The following paper was presented and ordered to lie upon the Table of the House -

By the Minister for Water Resources -

State Water Plan - State Water Plan 2007 (2661).

The Minister for Disability Services on the launch of the Disability Services Health Check Report on 4 May 2007.

Paper

The following paper was presented and ordered to lie upon the Table of the House -

By the Minister for Disability Services -

Disability Services Health Check - Sector Health Check: A report on disability services (2662).

Disability Services Health Check - Sector Health Check: A review of disability services (2663).

The Attorney General on the Government response to recommendations in Report No. 16 of the Joint Standing Committee on the Corruption and Crime Commission.

Paper

The following paper was presented and ordered to lie upon the Table of the House -

By the Attorney General -

Joint Standing Committee on the Corruption and Crime Commission - Government Response to Recommendations in Report No. 16: Joint Standing Committee on the Corruption and Crime Commission to Continue after Dissolution of Parliament(2664).

The Minister for Tourism on the launch, on 22 April 2007, of the 'Real Thing' television commercial encouraging Western Australians to holiday in Western Australia.

3. Questions

Questions without Notice were taken.

Paper

The following paper was presented and ordered to lie upon the Table of the House -

By the Treasurer -

Treasury and Finance, Department of - Letter to the Treasurer - Policy for Setting of Tariffs, Fees and Charges - Clarification (2665).

Questions on notice Nos 2179 - 2262 were asked.

Questions on notice Nos 1854, 1857, 1859, 1867, 1869, 1871, 1884, 1887, 1889, 1919, 1921, 1929, 1931, 1933, 1942, 1965, 1971, 1974, 1975, 1977, 1979, 1980, 1987 to 1989, 2021, 2023, 2032, 2038, 2045, 2065, 2067 to 2069, 2071, 2076 to 2078, 2082, 2087, 2094, 2108, 2110, 2112 to 2114, 2116, 2117, 2122, 2126, 2127, 2131, 2132, 2134, 2135, 2137, 2138, 2144, 2147, 2148, 2151, 2153 to 2155, 2156, 2157 to 2159, 2161 to 2163, 2164 to 2166, 2168 to 2171, 2175 and 2178 were answered.

Paper tabled by the Minister for Employment Protection; Housing and Works; Indigenous Affairs; Heritage; Land Information -

Question on Notice No. 1857 - Government owned assets sold between 1 January 2003 and June 2003 - Department. of Housing and Works (2647).

Papers tabled by the Attorney General -

Question on Notice No. 1921 - List of individual breaches of parole last month and penalties invoked (2648).

Question on Notice No. 2038 - List of recipients who received ex gratia payments during 2006 - Dept. of the Attorney General (2649).

Paper tabled by the Minister representing the Minister for Fisheries; the Kimberley, Pilbara and Gascoyne

Question on Notice No. 2045 - List of recipients who received ex gratia payments during 2006 - Department. of Fisheries (2650).

Paper tabled by the Treasurer

Question on Notice No. 2112 - Breakdown of the Capital Works Program, by Electorate, for Western Australia (2651).

Papers tabled by the Minister for Health -

Question on Notice No. 2157 - Number of surgeries carried out between 2004-2005; 2005-2006 and 2006-2007 (2652).

Question on Notice No. 2162 - Number of beds available on Wednesdays for Kaleeya and Galliers Hospitals (2653).

Question on Notice No. 2164 - Number of beds available on Wednesdays for Royal Perth, Sir Charles Gairdner, Fremantle, Princess Margaret and Joondalup Hospitals (2660).

Papers tabled by the Minister for Energy -

Question on Notice No. 2148 - Western Power Transmission and Distribution Annual Asset Management Report 2006 (2657).

Question on Notice No. 2148 - Western Power Annual Reliability and Power Quality Report, October 2006 (2658).

Question on Notice No. 2148 - Western Power Transmission and Distribution Annual Planning Report 2007 (2659).

Questions on notice Nos 1781, 1784 to 1787, 1792, 1794, 1803, 1805, 1841, 1847, 1848, 1852, 1853, 1855, 1856, 1860 to 1863, 1865, 1885, 1886, 1888, 1890, 1892 to 1896, 1898, 1901, 1905, 1907 to 1911, 1913 to 1918, 1920, 1922, 1924, 1925, 1927, 1928, 1930, 1932, 1934, 1937, 1938, 1940, 1943, 1944, 1946, 1967 to 1970, 1973, 1976, 1978, 1983 to 1986, 1990, 1992, 1993, 1995 to 1997, 1999, 2001, 2034 to 2036, 2039, 2041, 2043, 2044, 2046 to 2048, 2066, 2072 to 2075, 2079 to 2081, 2083, 2084, 2086, 2088, 2090 to 2092, 2098, 2103 to 2106, 2109, 2111, 2118, 2133, 2136, 2139, 2140, 2173, 2176 and 2177 were answered on 1 May 2007.

Papers tabled by the Minister for Police and Emergency Services; Community Safety; Water Resources; Sport and Recreation -

Question on Notice No. 1847 - Number of sworn police officers, total headcount and total FTE's, between 2004 and 2006 (2585).

Question on Notice No. 1855 - List of Government owned assets with a value of \$500,000.00 or more sold since 1 January 2003 - WA Police Department (2586).

Question on Notice No. 1855 - List of Government owned assets with a value of \$500,000.00 or more sold since 1 January 2003 - Water Corporation (2587).

Question on Notice No. 1940 - Table showing Approved Strength, Actual Employment Level (FTE) and headcount for Police Officers and Aboriginal Police Liaison Officers for each Metropolitan District as at 28 February 2007 (2590).

Question on Notice No. 1940 - Table showing the Approved Strength, Actual Employment Level (FTE) and headcount for Police officers and Aboriginal Police Liaison Officers for each regional Western Australian District as at 28 February 2007 (2591).

Question on Notice No. 1940 - Police Response Times as at February 2007 (2592).

Papers tabled by the Minister for Health -

Question on Notice No. 1856 - List of Government owned assets with a value of \$500,000 00 or more sold since 1 January 2003 - Health Department (2588).

Question on Notice No. 1999 - Names, number of beds and locations of institutions currently receiving subsidies for mental health patients (2597).

Question on Notice No. 1999 - Names, number of beds and locations of institutions that receive subsidies (2598).

Papers tabled by the Minister for Energy; Resources; Industry and Enterprise -

Question on Notice No. 1861 - List of Government owned assets with a value of \$500,000.00 or more sold since 1 January 2003 - Industry and Resources Dept. (2589).

Question on Notice No. 1944 - Notice of Intent for mining operations given approval for final construction and start-up, February 2007 (2593).

Question on Notice No. 2043 - Names of persons receiving ex gratia or similar payments from any agency or department during the 2006 calendar year (2599).

Papers tabled by the Minister for Agriculture and Food -

Question on Notice No. 1997 - The AQIS import requirements for cherries (2594).

Question on Notice No. 1997 - The AQIS import requirements for apricots (2595).

Question on Notice No. 1997 - Biosecurity Australia document - Final Report for the Post-Risk Analysis for Stone Fruit from New Zealand (2596).

Paper tabled by the Minister for Education and Training -

Question on Notice No. 2133 - List of subjects that students are enrolled in through Schools of Isolated and District Education (SIDE) (2600).

4. Petitions

Vehicle Examination Centre in Eddington Road, Warwick - Mrs J. Hughes presented a petition from 82 persons requesting that the Vehicle Examination Centre in Eddington Road, Warwick, be relocated (P. 207).

Daylight Saving - Dr K.D. Hames presented a petition from 3 persons requesting that the Legislative Assembly keep the three-year trial of Daylight Saving before a referendum is held (P. 208).

Daylight Saving - Dr K.D. Hames presented a petition from 109 persons requesting that the Legislative Assembly brings forward the referendum to end the Daylight Saving trial to 2007 (P. 209).

Southern Yarragadee Aquifer - Mr P.D. Omodei presented a petition from 1,652 persons requesting that no water be taken from the Southern Yarragadee Aquifer until South West water needs are met and guaranteed for the future and the environmental impact of the extraction is assessed by an independent scientific body (P. 210).

Pink Snapper - Mr P.B. Watson presented a petition from 289 persons requesting that objections to the change in pink snapper size in Wilsons Inlet, due to its impact on the tourist and fishing industries, be noted (P. 211).

Funding for a New High School in South Mandurah - Dr K.D. Hames presented a petition from 260 persons requesting that the Government recognises the shortage of High School places in South Mandurah and commits funds to begin the process of constructing a new High School (P. 212).

Royal Perth Hospital - Dr K.D. Hames presented a petition from 65 persons requesting that the Legislative Assembly strongly opposes the closure of Royal Perth Hospital and ensures the retention of the name 'Royal Perth Hospital' (P. 213).

5. Speaker's Statement - Budget Day Arrangements

The Speaker advised members that he had agreed to the request of the Leader of the House to alter arrangements for Thursday to enable the State budget to be presented at 2.00 p.m. Private Members' Statements would be taken at 12.20 p.m. and would be immediately followed by Questions Without Notice at 12.30 p.m.

He also advised that he had given permission for the media to photograph the Treasurer delivering the budget.

6. Papers

The following paper was presented and ordered to lie upon the Table of the House -

By the Speaker -

Public Sector Standards Commissioner, Office of the [PSSC] - Ten Year Review - Report No. 4 The Principle of Integrity in Official Conduct (2601).

The following papers were presented and ordered to lie upon the Table of the House -

By the Clerk -

Alumina Refinery (Wagerup) Agreement 1978 - Variation Agreement between The Hon. A.J. Carpenter Premier of the State of Western Australia and Alcoa of Australia Limited, dated 28 March 2007 (2602).

Armadale Redevelopment Act 2001 - Regulations (Armadale Redevelopment Amendment Regulations 2006 G.G. 05/04/2007) (2603).

Country Towns Sewerage Act 1948 - By-laws (Country Towns Sewerage Amendment By-laws (No. 2) 2007 G.G. 05/04/2007) (2604).

Employment Agents Act 1976 - Regulations (Employment Agents Amendment Regulations 2007 G.G. 20/04/2007) (2605).

Environmental Protection Act 1986 - Regulations (Environmental Protection (Controlled Waste) Amendment Regulations 2007 G.G. 13/04/2007) (2606).

Environmental Protection Act 1986 - Regulations (Environmental Protection (NEPM-UPM) Regulations 2007 G.G. 27/04/2007) (2607).

Environment and Conservation, Department of - Lease No. 2231/100 between the Department of Environment and Conservation and Telstra Corporation Ltd for a portion of Reserve No. A47880 within the Mundaring National Park for a mobile telephone communication base. (2608).

Environment and Conservation, Department of - Lease No. 2089/100 between the Department of the Environment and Conservation and the Yanchep Golf Club Inc. for a portion of Yanchep National Park for the purpose of a golf club house. (2609).

Fair Trading Act 1987 - Regulations (Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2007 G.G. 24/04/2007) (2610).

Finance Brokers Control Act 1975 - Regulations (Finance Brokers Control (General) Amendment Regulations (No. 3) 2007 G.G. 20/04/2007) (2611).

Finance Brokers Control Act 1975 - Regulations (Finance Brokers Control (General) Amendment Regulations (No. 4) 2007 G.G. 20/04/2007) (2612).

Fish Resources Management Act 1994 - Management Plans (Shark Bay Snapper Management Plan Amendment 2007 G.G. 11/04/2007) (2613).

Fish Resources Management Act 1994 - Management Plans (South-West Coast Salmon Fishery Management Plan Amendment 2007 G.G. 04/04/2007) (2614).

Forest Products Commission of Western Australia - Half-year Report 2006 (2615).

Genetically Modified Crops Free Areas Act 2003 - Orders (Genetically Modified Crops Free Areas Exemption Order (No. 2) 2007 G.G. 04/05/2007) (2616).

Genetically Modified Crops Free Areas Act 2003 - Orders (Genetically Modified Crops Free Areas Exemption Order 2007 G.G. 01/05/2007) (2617).

Hospitals and Health Services Act 1927 - Report on the Statutory Review (2618).

Industrial Training Act 1975 - Regulations (Industrial Training (Apprenticeship Training) Amendment Regulations (No. 4) 2007 G.G. 01/05/2007) (2619).

Juries Act 1957 - Regulations (Jury Pools Amendment Regulations 2007 G.G. 03/04/2007) (2620).

Land Administration Act 1997 - Proposal No. 5/2006 under section 45(4) of the Act for the excision of land from Class 'A' Reserve 39822 for the purpose of road dedication, dated 10 October 2006 (2621).

Liquor Licensing Act 1988 - Regulations (Liquor Licensing Amendment Regulations 2007 G.G. 01/05/2007) (2622).

Local Government (Miscellaneous Provisions) Act 1960 - Regulations (Building Amendment Regulations 2007 G.G. 04/05/2007) (2623).

Local Government Act 1995 - Local Laws (City of Perth - Parking Amendment Local Law 2006 G.G. 01/05/2007) (2624).

Local Government Act 1995 - Local Laws (Shire of Capel Standing Orders Local Law 2007 G.G. 30/04/2007) (2625).

Local Government Act 1995 - Local Laws (Shire of Donnybrook-Balingup Keeping and Welfare of Cats Local Law 2007 G.G. 13/04/2007) (2626).

Local Government Act 1995 - Local Laws (Shire of Harvey Local Government Property Amendment Local Law 2007 G.G. 04/05/2007) (2627).

Local Government Act 1995 - Local Laws (Town of Cambridge Standing Orders Local Law 2007 G.G. 02/05/2007) (2628).

Members of Parliament Interstate and Overseas Travel - Report of Interstate and Overseas Travel undertaken by Ministers, Members of Parliament and Officers on Official Business for the three months ended 31 March 2006 (2654).

Members of Parliament Interstate and Overseas Travel - Report of Interstate and Overseas Travel undertaken by Ministers, Members of Parliament and Officers on Official Business for the three months ended 30 June 2006 (2655).

Metropolitan Water Supply, Sewerage, and Drainage Act 1909 - By-laws (Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws (No. 2) 2007 G.G. 05/04/2007) (2629).

Metropolitan Water Supply, Sewerage, and Drainage Act 1909 - By-laws (Metropolitan Water Supply, Sewerage and Drainage Amendment By-laws (No. 3) 2007 G.G. 13/04/2007) (2630).

Misuse of Drugs Act 1981 - Regulations (Misuse of Drugs Amendment Regulations 2007 G.G. 20/04/2007) (2631).

Occupational Safety and Health Act 1984 - Regulations (Occupational Safety and Health Amendment Regulations (No. 2) 2007 G.G. 27/04/2007) (2632).

Official Travel - Official Mission to India by the Hon. Alan Carpenter MLA, Premier of Western Australia, 14 February 2007 to 22 February 2007 (2656).

Pawnbrokers and Second-hand Dealers Act 1994 - Regulations (Pawnbrokers and Second-hand Dealers Amendment Regulations 2007 G.G. 30/04/2007) (2633).

Pilbara TAFE - Annual Report 2006 (2634).

Prisons Act 1981 - Regulations (Prisons Amendment Regulations 2007 G.G. 03/04/2007) (2635).

Radiological Council of Western Australia - Annual Report 2006 (2636).

Road Traffic Act 1974 - Regulations (Road Traffic Code Amendment Regulations (No. 2) 2007 G.G. 05/04/2007) (2637).

Sentence Administration Act 2003 - Regulations (Sentence Administration Amendment Regulations 2007 G.G. 03/04/2007) (2638).

State Administrative Tribunal Act 2004 - Rules (State Administrative Tribunal Amendment Rules 2007 G.G. 13/04/2007) (2639).

State Emergency Management Committee [SEMC] - Annual Report 2006 (2640).

State Superannuation Act 2000 - Regulations (State Superannuation Amendment Regulations (No. 2) 2007 G.G. 13/04/2007) (2641).

State Superannuation Act 2000 - Regulations (State Superannuation Amendment Regulations 2007 G.G. 13/04/2007) (2642).

Supreme Court Act 1935 - Rules (Supreme Court (Corporations) (WA) Amendment Rules 2007 G.G. 13/04/2007) (2643).

Water Agencies (Powers) Act 1984 - By-laws (Water Agencies (Charges) Amendment By-laws 2007 G.G. 13/04/2007) (2644).

Water Services Licensing Act 1995 - Regulations (Water Services Licensing (Plumbers Licensing and Plumbing Standards) Amendment Regulations 2007 G.G. 01/05/2007) (2645).

Young Offenders Act 1994 - Regulations (Young Offenders Amendment Regulations 2007 G.G. 03/04/2007) (2646).

7. Messages from the Governor

Messages from His Excellency the Governor were reported assenting to the following bills -

No. 5 - 11 April 2007

Road Traffic Amendment Bill 2006, Act No. 4 of 2007.

No. 7 - 18 April 2007

Gas and Electricity Safety Legislation Amendment Bill 2006, Act No. 5 of 2007.

8. Message from the Governor

Message No. 6 from His Excellency the Governor was reported recommending the purpose of the appropriation for the Information Privacy Bill 2007.

9. Message from the Legislative Council - Committee Membership

Message No. 148 dated 1 May 2007 from the Legislative Council was reported as follows -

The Legislative Council acquaints the Legislative Assembly that Hon. Ken Travers has been appointed to fill the vacancy on the Joint Standing Committee on Delegated Legislation following the resignation of Hon. Shelley Archer.

10. Local Government Amendment Bill (No. 2) 2006

Message No. 149 dated 2 May 2007 from the Legislative Council was reported forwarding for concurrence a bill entitled a bill for "An Act to amend the *Local Government Act 1995*."

The Leader of the House, on behalf of the Minister representing the Minister for Local Government, moved, That the bill be read a first time.

Question put and passed.

The Leader of the House, on behalf of the Minister representing the Minister for Local Government, presented an explanatory memorandum and bill read a first time.

Leave was granted to proceed forthwith to the second reading.

The Leader of the House, on behalf of the Minister representing the Minister for Local Government, moved, That the bill be now read a second time.

Mr R.F. Johnson moved, That the debate be adjourned.

Question put and passed.

11. Owner-Drivers (Contracts and Disputes) Bill 2006

Message No. 145 dated 4 April 2007 from the Legislative Council was reported as follows -

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Owner-Drivers (Contracts and Disputes) Bill 2006* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Owner-Drivers (Contracts and Disputes) Bill 2006

No. 1

Clause 18, page 9, lines 19 to 20 — To delete the lines and insert instead —

“

- (d) any other person or body from which the Minister considers it appropriate to seek nominations and will specifically seek nominations from persons able to represent the interests of regional Western Australia.

”.

No. 2

Clause 27, page 13, line 14 — To delete “may” and insert instead —

“ are to ”.

Ordered, That consideration in detail of Legislative Council message No. 145 be made an Order of the Day for the next sitting of the Assembly.

12. Parental Support and Responsibility Bill 2005

Message No. 146 dated 4 April 2007 from the Legislative Council was reported as follows -

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Parental Support and Responsibility Bill 2005* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Parental Support and Responsibility Bill 2005

No. 1

Clause 3, page 2, line 13 — To delete “(Community Development)” and insert instead —

“ (Child Protection) ”.

No. 2

Clause 3, page 2, line 15 — To delete “Community Services Act 1972” and insert instead —

“ Children and Community Services Act 2004 ”.

No. 3

Clause 3, page 2, line 19 — To delete “**(Justice)**” and insert instead —
 “ **(Corrective Services)** ”.

No. 4

Clause 3, page 2, line 23 — To delete the line.

No. 5

Clause 3, page 3, line 8 — To delete “*Community Services Act 1972*” and insert instead —
 “ *Children and Community Services Act 2004* ”.

No. 6

Clause 3, page 3, lines 26 and 27 — To delete the lines.

No. 7

Clause 3, page 4, lines 11 and 12 — To delete the lines.

No. 8

Clause 4, page 4, line 18 — To delete “, government agency or court” and insert instead —
 “ or government agency ”.

No. 9

Clause 5, page 5, after line 9 — To insert —

“

For the purposes of this section, “**responsibility**” includes but is not limited to all the duties, powers, responsibilities and authority which, by law, parents have in relation to children.

”.

No. 10

Clause 6, page 5, line 12 — To delete “or a court”.

No. 11

Clause 7, page 5, lines 24 and 25 — To delete “or any responsible parenting order directed towards them”.

No. 12

Clause 8, page 5, line 28 — To delete “or a court”.

No. 13

Clause 9, page 6, after line 26 — To insert —

“

- (6) The *Interpretation Act 1984* sections 41, 42, 43 and 44 apply to the guidelines as if the guidelines were regulations.

”.

No. 14

Clause 9, page 7, line 5 — To delete ‘or responsible parenting order’.

No. 15

Clause 12, page 10, lines 3 to 16 — To delete the clause.

No. 16

Clause 13, page 10, line 17 to page 11, line 12 — To delete the clause.

No. 17

Clause 14, page 11, line 13 to page 12, line 13 — To delete the clause.

No. 18

Clause 15, page 12, lines 14 to 18 — To delete the clause.

No. 19

Clause 16, page 12, lines 19 to page 13, line 2 — To delete the clause.

No. 20

Clause 17, page 13, lines 3 to 27 — To delete the clause.

No. 21

Clause 18, page 13, line 28 to page 15, line 22 — To delete the clause.

No. 22

Clause 19, page 15, line 23 to page 16, line 3 — To delete the clause.

No. 23

Clause 20, page 16, lines 4 to 28 — To delete the clause.

No. 24

Clause 21, page 17, lines 2 to 13 — To delete the clause.

No. 25

Clause 22, page 17, lines 14 to 28 — To delete the clause.

No. 26

Clause 23, page 18, lines 1 to 11 — To delete the clause.

No. 27

Clause 24, page 18, lines 12 to 30 — To delete the clause.

No. 28

Clause 25, page 19, lines 2 to 8 — To delete the clause.

No. 29

Clause 26, page 19, lines 9 to 12 — To delete the clause.

No. 30

Clause 27, page 19, lines 13 to 22 — To delete the clause.

No. 31

Clause 28, page 19, line 23 to page 20, line 3 — To delete the clause.

No. 32

Clause 29, page 20, lines 4 to 21 — To delete the clause.

No. 33

Clause 30, page 20, line 22 to page 21, line 7 — To delete the clause.

No. 34

Clause 31, page 21, lines 8 to 20 — To delete the clause.

No. 35

Clause 32, page 21, line 21 to page 22, line 4 — To delete the clause.

No. 36

Clause 33, page 22, lines 5 to 7 — To delete the clause.

No. 37

Clause 34, page 23, line 3 — To delete “(Community Development)” and insert instead —
“ (Child Protection) ”.

No. 38

Clause 34, page 23, line 4 — To delete “(Justice)” and insert instead —
“ (Corrective Services) ”.

No. 39

Clause 35, page 23, line 9 to page 24, line 3 — To delete the clause.

No. 40

Clause 36, page 24, lines 11 to 15 — To delete the lines.

No. 41

Clause 41, page 28, line 4 to page 29, line 26 — To delete the clause.

No. 42

Clause 42, page 30, line 11 — To delete “provide —” and insert instead —

“

provide an appointed person or body with information relating to a person who is,
or was, a young offender or detainee, for the purposes of section 37 of the *Parental
Support and Responsibility Act 2005*.

”.

No. 43

Clause 42, page 30, line 12 to line 20 — To delete the lines.

No. 44

Clause 42, page 30, line 21 — To delete “(b)”.

No. 45

Clause 42, page 30, line 31 to page 31, line 5 — To delete the lines.

No. 46

Clause 43, page 31, line 8 to page 32, line 17 — To delete the clause.

No. 47

New Clause 9, page 5, after line 30 — To insert the following new clause —

“

9. Principle of shared responsibility

In performing a function or exercising a power under this Act in relation to a child, a person or a court must have regard to the shared responsibility that parents, family and the community have for the wellbeing of the child.

”.

No. 48

New Clause 37, page 24, after line 29 — To insert the following new clause —

“

37. Restriction on publication of certain information or material

- (1) A person must not, except in accordance with a written authorisation given under this section, publish information or material that identifies, or is likely to lead to the identification of, another person (the **“identified person”**) as —

- (a) a person who is or was a parent who entered into a responsible parenting agreement;
- (b) a person who is or was a child in respect of whom a responsible parenting agreement was entered into; or
- (c) a person who the parent of a child is to ensure, or take all reasonable steps to ensure, the child avoids contacting, under a responsible parenting agreement.

Penalty: \$12 000 and imprisonment for one year.

- (2) If the identified person is under 18 years of age, written authorisation for the publication of information or material to which subsection (1) applies may be given by both the CEO and a parent of the identified person.
- (3) If the identified person has reached 18 years of age, written authorisation for the publication of information or material to which subsection (1) applies may be given —
 - (a) by the identified person; or
 - (b) if the identified person is dead or cannot be found after reasonable inquiries, by the CEO.

- (4) In this section —

“CEO” means the CEO of the department of which the authorised officer who entered into the agreement is a public service officer;

“publish” means to bring to the notice of the public or a section of the public by means of newspaper, television, radio, the internet or any other form of communication.

”.

No. 49

Long Title, page 1, lines 5 and 6 — To delete “and responsible parenting orders”.

No. 50

Long Title, page 1, line 7 — To delete “the *Children’s Court of Western Australia Act 1988* and”.

Ordered, That consideration in detail of Legislative Council message No. 146 be made an Order of the Day for the next sitting of the Assembly.

13. Gas and Electricity Safety Legislation Amendment Bill 2006

Message No. 147 dated 5 April 2007 from the Legislative Council was reported agreeing to the bill without amendment.

14. Notice of Motion**15. Matter of Public Interest - Censure of Treasurer**

The Deputy Speaker informed the Assembly that she was in receipt of a notice from Mr T.R. Buswell that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr T.R. Buswell moved,

That this House censures the Treasurer for misleading the people of Western Australia in relation to increases in government fees and charges and for breaking his government’s commitment to keep increases in fees and charges under the rate of inflation.

Debate ensued.

Question put.

The Assembly divided.

Ayes (20)

Mr C.J. Barnett
Mr M.J. Birney
Mr T.R. Buswell
Dr E. Constable
Mr M.J. Cowper
Dr K.D. Hames
Ms K. Hodson-Thomas

Dr G.G. Jacobs
Mr R.F. Johnson
Mr J.E. McGrath
Mr P.D. Omodei
Mr D.T. Redman
Mr A.J. Simpson
Dr S.C. Thomas

Mr M.W. Trenorden
Mr T.K. Waldron
Ms S.E. Walker
Mr G.A. Woodhams
Dr J.M. Woollard
Mr T.R. Sprigg (*Teller*)

Noes (26)

Mr P.W. Andrews
Mr J.J.M. Bowler
Mr A.J. Carpenter
Mr J.B. D’Orazio
Mrs D.J. Guise
Mr J.N. Hyde
Mr J.C. Kobelke
Mr R.C. Kucera
Mr M. McGowan

Ms S.M. McHale
Mr A.D. McRae
Mrs C.A. Martin
Mr M.P. Murray
Mr A.P. O’Gorman
Mr P. Papalia
Mr J.R. Quigley
Ms M.M. Quirk
Ms J.A. Radisich

Mr E.S. Ripper
Mrs M.H. Roberts
Mr T.G. Stephens
Mr D.A. Templeman
Mr P.B. Watson
Mr M.P. Whitely
Mr B.S. Wyatt
Mr S.R. Hill (*Teller*)

Question thus negatived.

16. Surrogacy Bill 2007

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

The Minister for Health moved, That the debate be adjourned.

Question put and passed.

17. Adjournment

The Minister for Health moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly, at 10.14 p.m. until Wednesday, 9 May 2007 at 12 noon.

Members present during any part of the day's proceedings - All the members except Mr D.F. Barron-Sullivan, Mr G.M. Castrilli, Dr J.M. Edwards, Mr F.M. Logan and Ms A.J.G. MacTiernan.

PETER J. McHUGH

Clerk of the Legislative Assembly

HON. FRED RIEBELING

Speaker of the Legislative Assembly