#### WESTERN AUSTRALIA

# LEGISLATIVE COUNCIL

# MINUTES OF PROCEEDINGS

No. 11

# **TUESDAY, 20 JUNE 2017**

## 1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The President, Hon Kate Doust, took the Chair and read prayers.

### 2. Statement by President — Parliamentary Departmental Surveys

The President made the following Statement —

Today Members will receive both electronic and hard copy versions of surveys of the Legislative Council and the Parliamentary Services Department. These surveys give Members the opportunity to comment on the services provided by the staff of the Department of the Legislative Council and the Parliamentary Services Department. I encourage Members to fill them out and return them to Chamber staff or complete the online versions via the link provided in the emails you will receive. The results of the surveys will appear in the annual reports, and the feedback that Members give will be used to improve the services you receive wherever possible.

#### 3. Statement by President — Emergency Evacuation Alarm System Testing

The President made the following Statement —

Before we commence our formal proceedings today, I advise Members that in the next few moments the Parliament will be conducting a fire and security familiarisation exercise. Members will not be required to do anything; however, the exercise will provide valuable information to Members about what to expect in the event that one of the alarm signals is activated.

### 4. Death of Hon Robert (Bob) John Thomas — Motion of Condolence

The Leader of the House moved, without notice —

That this Council expresses its deep regret at the death of Hon Bob Thomas, a former Member of the Legislative Council for the South West Region, and places on record its appreciation for his long public service, and tenders its profound sympathy to his family in their bereavement.

The motion supported by several Members including the President and was carried in silence, Members standing in their places.

#### 5. Petition

Hon Diane Evers presented a petition from 295 petitioners requesting the Legislative Council to oppose the sale or leasing of the Port of Fremantle. (Tabled Paper 285).

# 6. Papers

The following Papers were laid on the Table by —

#### **President**

Reports —

#### **Leader of the House**

Local Laws —

#### **Minister for Environment**

Regulations —

### 7. Joint Standing Committee on the Corruption and Crime Commission — Membership

The following Message from the Legislative Assembly was reported —

Madam President Message No. 9

The Legislative Assembly acquaints the Legislative Council that for the present Parliament the Legislative Assembly has appointed the Member for Girrawheen and the Member for Kalamunda as members of the Joint Standing Committee on the Corruption and Crime Commission.

Hon P.B. Watson

Speaker

Legislative Assembly Chamber

Perth, 15 June 2017

Point of Order

Hon Nick Goiran raised the following Point of Order —

Madam President, I do not have a copy of that message in front of me, but I think I heard you indicate that it contained a resolution from the Legislative Assembly. I draw to your attention Standing Order 229(2), which indicates —

A Message containing a resolution from the Assembly shall be read and ordered for consideration —

(a) at the next sitting of the Council.

Standing Order 229 plainly indicates that if a message contains a resolution, which this matter does—the Legislative Assembly has resolved and informed this House of the composition of its Members for the Joint Standing Committee on the Corruption and Crime Commission—then the matter is to be read, which you have done, and the matter is then to be ordered for consideration at the next sitting of the Council. The only alternative to that is in paragraph (b), which indicates that by order of the Council that matter can be dealt with immediately, or at a later stage of the sitting. If the Leader of the House wants to move such a motion, that we consider this matter immediately, I would be happy to do so.

President's Ruling

The President ruled as follows —

Hon Nick Goiran, this is a message that has been given to us; it does not require us to take any action other than to note the message that has come to us. It is not a resolution; it is just advising us of what has occurred in the other place. I will seek some further advice and report back to the House at a later stage.

#### 8. Order of Business

Ordered — That Orders of the Day Nos 1, Firearms Amendment Regulations 2017 — Disallowance, and 2, Road Traffic (Vehicles) Amendment Regulations (No. 2) 2017 — Disallowance, be taken after Order of the Day No. 4, Constitution Amendment (Demise of the Crown) Bill 2017. (Leader of the House).

# 9. Address-In-Reply

The Order of the Day having been read for the adjourned debate on the Address-in-Reply.

Debate resumed.

Question — put and passed.

The Leader of the House moved, without notice —

That the Address-in-Reply be presented to Her Excellency the Governor by the President and such Members as may desire to accompany her.

Question — put and passed.

#### 10. Loan Bill 2017

The Order of the Day having been read for the adjourned debate on the second reading of this Bill. Debate resumed.

#### 11. Distinguished Visitors

The President drew attention to the presence in the gallery of former Senator for Western Australia, Dr Alan Eggleston, and former Speaker of the South Australian House of Assembly, Mr Peter Lewis, and, on behalf of Honourable Members, extended a warm welcome to them.

#### 12. Questions Without Notice

Questions without notice were taken.

The Minister for Environment representing the Treasurer, by leave, incorporated into *Hansard* a table in relation to Insurance Commission of Western Australia dividend payments, in response to a question without notice asked by Hon Peter Collier.

The Minister for Education and Training, by leave, incorporated into *Hansard* a table in relation to Western Australian government primary school capital works funding, in response to a question without notice asked by Hon Donna Faragher.

The Minister for Regional Development representing the Minister for Racing and Gaming tabled documents in relation to the Department of Racing, Gaming and Liquor's submission to the Australian Competition Tribunal (Tabcorp-Tatts Group merger), in response to a question without notice asked by Hon Colin Holt. (Tabled Paper 286).

The Parliamentary Secretary to the Minister for Health tabled documents in relation to public hospital guidelines for stillbirth babies up to 28 weeks gestation, in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 287).

The Parliamentary Secretary to the Minister for Health, by leave, incorporated into *Hansard* an answer in relation to the Living Proud organisation, in response to a question without notice asked by Hon Alison Xamon.

#### 13. Loan Bill 2017

Debate resumed on the second reading of this Bill (see item 10 above).

Point of Order

Hon Robin Chapple raised the following Point of Order —

I think it is important that Members refer to Standing Order 36; can I get your ruling on Standing Order 36.

Acting President's Ruling

The Acting President ruled as follows —

For those Members who have not had the opportunity to refer to Standing Order 36, it reads —

Except when introducing a Bill or by leave of the President, a Member shall not read a speech.

I also refer to a previous ruling that states —

The Standing Orders of the Legislative Council prohibit the reading of speeches. Of course notes, even copious notes, can be used and referred to in giving speeches, but it is against the Standing Orders that speeches be read.

Debate resumed.

Interruption pursuant to order.

#### 14. Members' Statements

Statements were taken.

# 15. Adjournment

The Council adjourned at 10.10pm until Wednesday, 21 June 2017 at 1.00pm.

### Members present during the day's proceedings

Attendance: Present all Members except Hon Sally Talbot and Hon Dr Steve Thomas.

**NIGEL PRATT** 

HON KATE DOUST MLC

Clerk of the Legislative Council President of the Legislative Council