

LEGISLATIVE COUNCIL
WEDNESDAY, 14 JUNE 2017

1.00pm

Prayers

ORDER OF BUSINESS

Condolence Motions

Petitions

Hon Alanna Clohesy

Statements by Ministers and Parliamentary Secretaries

Minister for Disability Services

Papers for Tabling

Leader of the House

Notice of Questions

Notices of Motions to Introduce Bills

Notices of Motions for Disallowance

Notices of Motions

Motions without Notice

1.15pm	Motions on Notice
3.15pm	Orders of the Day
4.30pm	Questions without Notice
5.00pm	Orders of the Day
6.20pm	Members' Statements
7.00pm	House adjourns

MOTIONS ON NOTICE

1. **Education Central** (*Notice given 17 May 2017*)

Continuation of remarks Hon Alison Xamon — 33 mins (Wednesday, 24 May 2017) on the motion of Hon Donna Faragher as follows —

That this House notes both the significant concerns being raised across the community and the lack of consultation undertaken by the McGowan Government on its “Education Central” policy, particularly the proposed re-location of the State’s only fully academically selective senior high school currently at Perth Modern School to a high-rise inner city school within Perth City Link and calls on the Government to:

- (a) reverse its “Education Central” policy and maintain Perth Modern School as a fully academically selective school; and
- (b) revert to the comprehensive Western Suburbs Secondary Schooling Strategy announced in September 2016.

Total time remaining on motion — 2hrs.

2. **Climate change and measures for amelioration** (*Notice given 17 May 2017*)

Hon Robin Chapple: To move —

That the House note the impact of climate change and give consideration to measures that may be introduced to ameliorate its damaging and long term effects on Western Australia’s social, economic and environmental prosperity.

3. **Western Australia’s Finances** (*Notice given 17 May 2017*)

Hon Sally Talbot: To move —

That this House condemns the former Liberal-National Government for its reckless mismanagement of the State’s finances.

ORDERS OF THE DAY

1. **Firearms Amendment Regulations 2017 — Disallowance**

Moved *pro forma* (SO 67(3)) 25 May 2017 on the motion of Hon Rick Mazza (Days remaining 15 after today (Indicative date — 6 September 2017))

That the *Firearms Amendment Regulations 2017* published in the *Gazette* on 3 February 2017 and tabled in the Legislative Council on 17 May 2017 under the *Firearms Act 1973*, be and are hereby disallowed. (Tabled paper No. 133).

2. **Road Traffic (Vehicles) Amendment Regulations (No. 2) 2017 — Disallowance**

Moved *pro forma* (SO 67(3)) 25 May 2017 on the motion of Hon Rick Mazza (Days remaining 15 after today (Indicative date — 6 September 2017))

That the *Road Traffic (Vehicles) Amendment Regulations (No. 2) 2017* published in the *Gazette* on 7 February 2017 and tabled in the Legislative Council on 17 May 2017 under the *Road Traffic (Vehicles) Act 2012*, be and are hereby disallowed. (Tabled paper No. 151).

3. **Address-in-Reply**

Continuation of remarks Hon Colin Holt — 44 mins^ (Tuesday, 13 June 2017), on the motion of Hon Sally Talbot as follows —

To Her Excellency, The Honourable Kerry Sanderson, Companion of the Order of Australia, Governor in and over the State of Western Australia and its dependencies in the Commonwealth of Australia.

May it please Your Excellency: We, the Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled, beg to express our loyalty to our most gracious Sovereign and thank Your Excellency for the speech you have been pleased to deliver to Parliament.

^(Hon Darren West — 37 mins (*by leave*)) (Hon Adele Farina — 28 mins (*by leave*))

5. Loan Bill 2017 [LA 1–1] Minister for Environment representing the Treasurer

Second reading adjourned. (Wednesday, 24 May 2017).

4. Constitution Amendment (Demise of the Crown) Bill 2017 [LC 4–1] Leader of the House representing the Attorney General

Second reading adjourned. (Wednesday, 17 May 2017).

6. Joint Standing Committee on Delegated Legislation — Establishment (13 June 2017)

Consideration of Legislative Assembly Message No. 5 as follows —

Madam President

The Legislative Assembly acquaints the Legislative Council that it has agreed to the following resolution –

That the House agrees to the resolution of the Legislative Council referred to in Legislative Council Message No. 1, subject to the following amendment to which the Legislative Assembly requests the concurrence of the Legislative Council:

No. 1

Delete paragraph 10.8.

Acting Speaker

Mr I.C. Blayney

Legislative Assembly Chamber

Perth, 13 June 2017

Which amends Legislative Council Message No. 1, which follows —

Mr Speaker

The Legislative Council acquaints the Legislative Assembly that it has passed the following resolution and invites the Legislative Assembly to concur with the resolution —

That the Legislative Assembly be invited to agree to the rules and orders of the Legislative Council contained in the schedule for the constitution, powers and procedure of a Joint Standing Committee on Delegated Legislation.

A copy of the proposed Standing Orders Clause 10 of Schedule 1 is attached.

Hon Kate Doust

President of the Legislative Council

Legislative Council Chamber

Perth, 24 May 2017

SCHEDULE

10. Joint Delegated Legislation Committee

10.1 A *Joint Delegated Legislation Committee* is established.

10.2 The Committee consists of 8 Members, 4 of whom are appointed from each House. The Chair must be a Member of the Committee who supports the Government.

10.3 A quorum is 4 Members of whom at least one is a Member of the Council and one a Member of the Assembly.

10.4 (a) A report of the Committee is to be presented to each House by a Member of each House appointed for the purpose by the Committee.

(b) Where a notice of motion to disallow an instrument has been given in either House pursuant to recommendation of the Committee, the Committee shall present a report to both Houses in relation to that instrument prior to the House's consideration of that notice of motion. If the Committee is unable to report a

majority position in regards to the instrument, the Committee shall report the contrary arguments.

- 10.5 Upon its publication, whether under section 41(1)(a) of the *Interpretation Act 1984* or another written law, an instrument stands referred to the Committee for consideration.
- 10.6 In its consideration of an instrument, the Committee is to inquire whether the instrument –
- (a) is within power;
 - (b) has no unintended effect on any person's existing rights or interests;
 - (c) provides an effective mechanism for the review of administrative decisions; and
 - (d) contains only matter that is appropriate for subsidiary legislation.
- 10.7 It is also a function of the Committee to inquire into and report on –
- (a) any proposed or existing template, pro forma or model local law;
 - (b) any systemic issue identified in 2 or more instruments of subsidiary legislation; and
 - (c) the statutory and administrative procedures for the making of subsidiary legislation generally, but not so as to inquire into any specific proposed instrument of subsidiary legislation that has yet to be published.
- 10.8 In relation to the constitution, powers and procedure of the Joint Standing Committee on Delegated Legislation —
- (a) The Standing Orders applicable to committees of the Legislative Council will apply to the Committee's proceedings except to the extent that they impinge upon the functioning of the Committee;
 - (b) Legislative Assembly Standing Orders 249(1), (2) and (3), 252, 254, 262, 263 and 264 will apply to the Legislative Assembly Members of the Committee;
 - (c) Any Member of the Legislative Council or Legislative Assembly may participate in the taking of oral evidence by the Committee, and by leave of the Committee, its deliberations and proceedings but may not vote, move any motion, or be counted for the purpose of a quorum;
 - (d) Leave under (c) may be given only for a specific inquiry, but any Member of the Legislative Council or Legislative Assembly may be given leave in relation to more than one inquiry.
- 10.9 In this order –
- “instrument” means –
- (a) subsidiary legislation in the form in which, and with the content it has, when it is published;
 - (b) an instrument, not being subsidiary legislation, that is made subject to disallowance by either House under a written law;
- “subsidiary legislation” has the meaning given to it by section 5 of the *Interpretation Act 1984*.

BILLS FOR INTRODUCTION

3. Petroleum Legislation Amendment Bill 2017 (*Notice given 13 June 2017*)

Minister for Regional Development representing the Minister for Mines and Petroleum: To move —

That a Bill for “An Act to amend the *Petroleum and Geothermal Energy Resources Act 1967* and the *Petroleum (Submerged Lands) Act 1982*” be introduced and read a first time.

* For amendments see Supplementary Notice Paper and/or Committee Report

NIGEL PRATT

Clerk of the Legislative Council