

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 43

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

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THURSDAY, 24 OCTOBER 2013

**1. Meeting of Assembly**

The Assembly met at 9.00 a.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

**2. Paper**

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

By the Clerk –

Potato Marketing Corporation – Annual Report 2012–2013 (1090).

**3. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Minister for Housing on the Housing Industry Association's 2013 Perth Housing Awards.

The Minister for Environment on the presentation of National Medals for fire services to staff from the Department of Parks and Wildlife and the Forest Products Commission.

**4. Grievances**

The Speaker called for grievances which were then made.

**5. Joint Standing Committee on Delegated Legislation**

Mr P. Abetz, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Delegated Legislation, Joint Standing Committee on – Explanatory Report in Relation to Legal Profession Conduct Amendment Rules 2013, Report 65 (1091).

**6. Joint Standing Committee on Delegated Legislation**

Mr P. Abetz, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Delegated Legislation, Joint Standing Committee on – Supreme Court Amendment Rules 2013, Report 66 (1092).

## **7. Joint Standing Committee on Delegated Legislation**

Mr P. Abetz, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Delegated Legislation, Joint Standing Committee on – Information Report in Relation to City of Fremantle Plastic Bag Reduction Local Law 2012, Report 67 (1093).

Ms S.F. McGurk spoke on the report.

## **8. Education and Health Standing Committee**

Dr G.G. Jacobs, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Education and Health Standing Committee – Annual Report 2012–2013, Report No. 1 (1094).

Ms R. Saffioti and Mr N.W. Morton spoke on the report.

## **9. Messages from the Governor**

Messages from His Excellency the Governor were reported recommending that appropriations be made for the purposes of the following bills –

Ports Legislation Amendment Bill 2013 (Message No. 19).

Mental Health Bill 2013 (Message No. 21).

## **10. Dog Amendment Bill 2013**

Message No. 26 dated 23 October 2013 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Dog Amendment Bill 2013* subject to the amendment contained in the Schedule annexed; in which amendment the Legislative Council desires the concurrence of the Legislative Assembly

*Schedule indicating the amendment made by the Legislative Council in the Dog Amendment Bill 2013*

### **No. 1**

Page 55, after line 6 — To insert —

or

- (c) the Minister in his absolute discretion forms the view that extraordinary conditions exist in a particular case and a transfer of ownership is justified in that case.

Ordered, That Legislative Council Message No. 26 be considered in detail forthwith.

The Minister for Local Government moved, That amendment No. 1 be agreed to.

Question put and passed.

Consideration in detail concluded.

Ordered, That the Legislative Council be acquainted accordingly.

## **11. Criminal Investigation (Identifying People) Amendment Bill 2013**

Message No. 27 dated 23 October 2013 from the Legislative Council was reported as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Criminal Investigation (Identifying People) Amendment Bill 2013* 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 Criminal Investigation (Identifying People) Amendment Bill 2013*

**No. 1**

Page 6, lines 11 to 13 — To delete the lines and insert —

*face covering* means an item of clothing, hat, helmet, mask or sunglasses, or any other thing worn by a person, that totally or partially covers the person's face;

**No. 2**

Page 6, line 25 — To delete “any headwear” and insert —

or adjust any face covering

**No. 3**

Page 6, line 27 — To delete “head” and insert —

face

**No. 4**

Page 7, line 1 — To delete “headwear” and insert —

face covering

**No. 5**

Page 7, line 2 — To delete “head is removed.” and insert —

face is removed or adjusted.

**No. 6**

Page 12, line 1 — To insert after “51(2)” —

and (3)

Ordered, That consideration in detail of Legislative Council Message No. 27 be made an Order of the Day for the next sitting of the Assembly.

**12. Western Australian Photo Card Bill 2013**

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

Debate resumed.

Question put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the bill.

The Minister for Transport moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

### **13. Unclaimed Money (Superannuation and RSA Providers) Amendment and Expiry Bill 2013**

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

Debate resumed.

Debate interrupted by the Chair (Mr D.A. Templeman speaking) and adjourned until a later stage of the sitting.

### **14. Members' Statements**

The Acting Speaker called for members' statements which were then made.

### **15. Questions**

Questions without Notice were taken.

Questions on Notice Nos 1104 and 1105 were answered.

### **16. Joint Standing Committee on the Corruption and Crime Commission – Terms of Reference**

The Speaker advised members that he had received a letter dated 24 October 2013 from the Chairman of the Joint Standing Committee on the Corruption and Crime Commission, advising that the Committee had determined for itself terms of reference in relation to an inquiry into improving the working relationship between the Corruption and Crime Commission and Western Australia Police with the following terms of reference:

- a) to identify the current areas of tension between the Western Australia Police and the Corruption and Crime Commission which impact on their operational effectiveness; and
- b) to identify best practices in police oversight based on those that combine independence for policing operational functions and appropriate accountability, transparency and oversight of their operations.

The Committee will report to the House by 4 December 2014.

### **17. Variation to the Order of Business**

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

### **18. Unclaimed Money (Superannuation and RSA Providers) Amendment and Expiry Bill 2013**

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

Debate resumed.

Question put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the bill.

The Treasurer moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

### **19. Courts and Tribunals (Electronic Processes Facilitation) Bill 2013**

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

Debate resumed.

Question put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading of the bill.

The Leader of the House moved, That the bill be now read a third time.

Question put and passed.

Bill read a third time and passed.

**20. Adjournment**

The Leader of the House moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 3.19 p.m. until Tuesday, 29 October 2013 at 2.00 p.m.

*Members present during any part of the day's proceedings* – All the members except Ms L.L. Baker, Ms W.M. Duncan, Mrs L.M. Harvey and Ms A.R. Mitchell.

**PETER J. McHUGH**  
Clerk of the Legislative Assembly

**HON. MICHAEL SUTHERLAND**  
Speaker of the Legislative Assembly