

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 56

TUESDAY, MAY 6 2003

1. Meeting of Council

The Council assembled at 3.00pm pursuant to order.

The President, Hon John Cowdell, took the Chair and read prayers.

2. Messages from His Excellency the Governor and the Lieutenant Governor - Assent to Bills

The President reported the receipt of Messages from His Excellency the Governor and the Lieutenant Governor assenting to the following Bills -

April 17 2003 - Message No. 33	Act No.
Offshore Minerals Bill 2001	10 of 2003
Offshore Minerals (Registration Fees) Bill 2001	11 of 2003
Offshore Minerals (Consequential Amendments) Bill 2001	12 of 2003
First Home Owner Grant Amendment Bill 2002	13 of 2003
Fines, Penalties and Infringement Notices Enforcement Amendment Bill 2002	14 of 2003
Coroners Amendment Bill 2001	15 of 2003
Boxing Control Amendment Bill 2001	16 of 2003
Law Reform (Contributory Negligence and Tortfeasors' Contribution) Amendment Bill 2001	17 of 2003
Trustees of Western Australia Limited (Transfer of Business) Bill 2002	18 of 2003
Unclaimed Money (Superannuation and RSA Providers) Bill 2002	19 of 2003
April 23 2003 - Message No. 34	Act No.
Corporations (Consequential Amendments) Bill (No. 2) 2001	20 of 2003
Corporations (Consequential Amendments) Bill (No. 3) 2001	21 of 2003
Water Boards Amendment Bill 2002	22 of 2003
Reserves (Dampier to Bunbury Natural Gas Pipeline Corridor) Bill 2002	23 of 2003
April 24 2003 - Message No. 35	Act No.
Prisons Amendment Bill 2002	24 of 2003

3. Papers

The following Papers were laid on the Table by -

President

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4. Standing Committee on Uniform Legislation and General Purposes - Ninth Report - Consumer Credit (Western Australia) Amendment Bill 2002

Hon Adele Farina presented the Ninth Report of the *Standing Committee on Uniform Legislation and General Purposes* in relation to the *Consumer Credit (Western Australia) Amendment Bill 2002*. (Tabled paper 1014).

Hon Adele Farina moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

5. Standing Committee on Uniform Legislation and General Purposes - Acts Amendment and Repeal (Competition Policy) Bill 2002 - Extension of Reporting Time

Hon Adele Farina presented a Report of the *Standing Committee on Uniform Legislation and General Purposes* in relation to the *Acts Amendment and Repeal (Competition Policy) Bill 2002* seeking an extension of time from May 9 2003 to June 11 2003. (Tabled paper 1015).

Hon Adele Farina moved, That the Report do lie upon the Table and be adopted and agreed to.

Question - put and passed.

6. Joint Standing Committee on the Anti-Corruption Commission - Fourth Report - Report on Hearing with the Anti-Corruption Commission on 7 April 2003

Hon Derrick Tomlinson presented the Fourth Report of the *Joint Standing Committee on the Anti-Corruption Commission* in relation to the Report on Hearing with the Anti-Corruption Commission on 7 April 2003. (Tabled paper 1016).

Hon Derrick Tomlinson moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

7. Standing Committee on Legislation - Sentence Administration Bill 2002 and the Sentencing Legislation Amendment and Repeal Bill 2002 - Extension of Reporting Time

Hon Giz Watson presented a Report of the *Standing Committee on Legislation* in relation to the *Sentence Administration Bill 2002* and the *Sentencing Legislation Amendment and Repeal Bill 2002* seeking an extension of time from May 6 2003 to May 16 2003. (Tabled paper 1017).

Hon Giz Watson moved, That the Report do lie upon the Table and be adopted and agreed to.

Question - put and passed.

8. Standing Committee on Legislation - Statutes (Repeals and Minor Amendments) Bill 2001 - Extension of Reporting Time

Hon Giz Watson presented a Report of the *Standing Committee on Legislation* in relation to the *Statutes (Repeals and Minor Amendments) Bill 2001* seeking an extension of time from June 2 2003 to June 10 2003. (Tabled paper 1018).

Hon Giz Watson moved, That the Report do lie upon the Table and be adopted and agreed to.

Question - put and passed.

9. Veterinary Preparations and Animal Feeding Stuffs Amendment Bill 2003

The Minister for Agriculture, Forestry and Fisheries: To move on the next day of sitting -

That a Bill for "An Act to amend the *Veterinary Preparations and Animal Feeding Stuffs Act 1976* and for related purposes" be introduced and read a first time.

10. Acts Amendment and Repeal (Competition Policy) Bill 2002 - Instruction to the Committee of the Whole House

Hon Peter Foss: To move on the next day of sitting -

That upon the second reading of the *Acts Amendment and Repeal (Competition Policy) Bill 2002* I shall move -

That it be an instruction to the Committee of the Whole that it shall have power to extend the operation of the Bill to the repeal of the *Hairdressers Registration Act 1946*.

11. Ministerial Statement - Department of Housing and Works Policy Framework for Better Risk Management and Best Practice Contracting

The Minister for Housing and Works made a Ministerial Statement with respect to Department of Housing and Works Policy Framework for Better Risk Management and Best Practice Contracting.

Ordered - That consideration of the Ministerial Statement be made an Order of the Day for the next sitting.

12. Ministerial Statement - Public Transport Authority Bill Correction to Second Reading Speech

The Parliamentary Secretary to the Minister for Planning and Infrastructure made a Ministerial Statement with respect to Public Transport Authority Bill Correction to Second Reading Speech.

13. Juries Amendment Bill 2003

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

Debate resumed.

The President left the Chair.

In Committee

(Hon George Cash in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clauses 2 to 24 agreed to.

Title agreed to.

The President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Minister for Racing and Gaming moved, That the Bill be now read a third time.

The President having reported that the Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as agreed to in Committee, and reported.

Question - put and passed.

Bill read a third time and passed.

14. Appropriation (Consolidated Fund) Bill (No. 3) 2002

The Order of the Day for the consideration of this Bill, in Committee, having been read,

The President left the Chair.

In Committee

(Hon Kate Doust in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clause 2 agreed to.

Clause 3.

Debate ensued.

15. Distinguished Visitors

The President drew attention to the presence in the gallery of members of the CPA study group from Samoa, Tonga and Vanuatu, and, on behalf of Honourable Members, extended a warm welcome to members of the delegation.

16. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary representing the Minister for State Development tabled documents in relation to Western Australian Tourism Commission Intellectual Property Asset Register (March 2003) in response to question on notice No. 442 asked by Hon George Cash. (Tabled paper 1019).

The Parliamentary Secretary representing the Minister for State Development tabled documents in relation to Schedule of Tenements associated with Kalgoorlie Consolidated Gold Mines Pty Ltd Superpit Mining Operations, that are subject to Bonds in response to question on notice No. 571 asked by Hon Robin Chapple. (Tabled paper 1020).

The Minister for Housing and Works tabled documents in relation to Copy of Department of Environment Water and Catchment Protection Model enforcement Policy (February 2003) in response to question on notice No. 578 asked by Hon Robin Chapple. (Tabled paper 1021).

The Minister for Housing and Works tabled documents in relation to Copies of a National Pollutant Inventory Reporting Form and Department Environmental Protection Checksheet for Facility Reports in response to question on notice No. 698 asked by Hon Robin Chapple. (Tabled paper 1022).

17. Leader of the House - Personal Explanation - Forest Products Commission Answer to Question Without Notice No. 130

The Leader of the House, by leave, made a personal explanation [SO 85] regarding the Forest Products Commission Answer to Question Without Notice No. 130 asked by Hon Christine Sharp.

18. Appropriation (Consolidated Fund) Bill (No. 3) 2002

The Order of the Day having resumed for further consideration of this Bill, in Committee, having been read (cf item 14 above).

The President left the Chair.

In Committee

(Hon Kate Doust in the Chair)

Clause 3 agreed to.

Schedules 1 to 3 agreed to.

Title agreed to.

The President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Minister for Racing and Gaming moved, That the Bill be now read a third time.

The President having reported that the Deputy Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as agreed to in Committee, and reported.

Question - put and passed.

Bill read a third time and passed.

19. Appropriation (Consolidated Fund) Bill (No. 4) 2002

The Order of the Day for the consideration of this Bill, in Committee, having been read,

The President left the Chair.

In Committee

(Hon Kate Doust in the Chair)

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3.

Debate ensued.

Clause agreed to.

Schedules 1 to 3 agreed to.

Title agreed to.

The Deputy President resumed the Chair.

Bill reported without amendment.

Report adopted.

The Minister for Racing and Gaming moved, That the Bill be now read a third time.

The Deputy President having reported that the Deputy Chairman of Committees had certified that the fair print of the Bill was in accordance with the Bill as agreed to in Committee, and reported.

Question - put and passed.

Bill read a third time and passed.

20. Cognate Debate - Business Tax Review (Assessment) Bill 2003 and Business Tax Review (Taxing) Bill 2003

The Minister for Racing and Gaming sought leave of the House to debate Order of the Day No. 165, *Business Tax Review (Assessment) Bill 2003* and Order of the Day No. 166, *Business Tax Review (Taxing) Bill 2003* cognately [SO 228].

Leave granted.

21. Business Tax Review (Assessment) Bill 2003 and Business Tax Review (Taxing) Bill 2003

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

On the motion of Minister for Racing and Gaming the debate was adjourned to the next sitting.

22. Perth International Centre for Application of Solar Energy Amendment Bill 2003

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

Debate resumed.

On the motion of Minister for Housing and Works the debate was adjourned to the next sitting.

23. Public Transport Authority Bill 2003

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

Debate resumed.

Interruption pursuant to Sessional Order.

24. Adjournment

Pursuant to Sessional Order 2(2) the House adjourned at 10.00pm until Wednesday, May 7 2003 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Bruce Donaldson, Hon Jon Ford, Hon Frank Hough, Hon Robyn McSweeney, Hon Louise Pratt and Hon Barbara Scott.

L B MARQUET

Clerk of the Legislative Council

HON JOHN COWDELL

President of the Legislative Council