

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 169

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

THURSDAY, 22 SEPTEMBER 2011

1. Meeting of Assembly

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

The Speaker took the Chair.

Prayers were read.

2. Petitions

Container Deposit Scheme – Mr P.B. Watson presented a petition from 35 persons requesting that the Legislative Assembly call upon the Barnett Government to immediately introduce a Western Australian Container Deposit Scheme, similar to the system that operates in South Australia (P. 468).

West Australian Football League – Mr P.B. Watson presented a petition from 8 persons requesting that the Legislative Assembly call upon the Minister for Sport and Recreation to urge the Australian Broadcasting Corporation to continue to broadcast West Australian Football League matches (P. 469).

3. Papers

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

By the Clerk –

Economics and Industry Standing Committee – Government response to Report No. 7: Inquiry into the Franchising Bill 2010 (3900).

Government of Western Australia – Annual Report on State Finances 2010–2011 (3901).

Horizon Power – Annual Report 2010–2011 (3902).

Synergy – Annual Report 2010–2011 (3903).

Verve Energy – Annual Report 2010–2011 (3904).

Western Power – Annual Report 2010–2011 (3905).

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Health on the Telstra Western Australian Business Woman of the Year, Catherine Stoddart.

The Minister for Water on the review of the ‘first in, first served’ water licensing policy.

The Minister for Education on the National Assessment Program Literacy and Numeracy 2011.

5. Grievances

The Speaker called for grievances which were then made.

6. Joint Standing Committee on the Corruption and Crime Commission

Mr J.N. Hyde, as Deputy Chairman, presented the following report which was ordered to lie upon the Table of the House –

Corruption and Crime Commission, Joint Standing Committee on the – Annual Report 2010–2011, Report No. 19 (3906).

7. Variation to the Order of Business

Ordered, That Government Business Orders of the Day Nos 2, 1, 3, 9 and 4 be next considered.

8. Misuse of Drugs Amendment Bill 2011

The Order of the Day for the third reading of the bill having been read, the Minister for Police moved, That the bill be now read a third time.

Debate ensued.

Question put and passed.

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

9. Commercial Arbitration Bill 2011

The Order of the Day for the third reading of the bill having been read, the Premier, on behalf of the Attorney General, moved, That the bill be now read a third time.

Debate ensued.

Question put and passed.

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

10. Trustee Companies (Commonwealth Regulation) Amendment Bill 2010

The Order of the Day for the consideration in detail of Legislative Council Message No. 181 was read.

The Message was as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Trustee Companies (Commonwealth Regulation) Amendment Bill 2010* 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 Trustee Companies (Commonwealth Regulation) Amendment Bill 2010

No. 1

Page 5, lines 1 to 3 — To delete “applies when a certificate of transfer issued by ASIC under the Corporations Act section 601WBG comes into force.” and insert —

applies if —

- (a) ASIC cancels the licence of a trustee company (the *transferring company*) and makes a determination under the Corporations Act section 601WBA that there is to be a transfer of estate assets and liabilities from the transferring company to another licensed trustee company (the *receiving company*); and

- (b) ASIC issues a certificate of transfer under the Corporations Act section 601WBG for the transfer; and
- (c) either or both of the transferring company or the receiving company are registered in Western Australia.

No. 2

Page 5, line 4 — To delete “The” and insert —

When the certificate of transfer comes into force, the

No. 3

Page 8, after line 8 — To insert —

- (k) provide for and give effect to the transfer of duties, obligations, immunities, rights and privileges of the transferring company from the transferring company to the receiving company.

CONSIDERATION IN DETAIL

The Attorney General moved, That amendment Nos 1, 2 and 3 be agreed to.

Question put and passed.

Consideration in detail concluded and the Legislative Council acquainted accordingly.

11. Child Care Services Amendment Bill 2011

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 (Ms J.M. Freeman speaking) and adjourned until a later stage of the sitting.

12. Members' Statements

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

13. Questions

Questions without Notice were taken.

Questions on Notice Nos 6175 to 6209 were asked.

Questions on Notice Nos 5951, 6008, 6046, 6067 and 6105 were answered.

Paper tabled by the Minister representing the Minister for Finance —

Question on Notice No. 6008 – Details of state land tax tables, and land tax collections, since 1980 (3907).

14. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 9 be resumed.

15. Child Care Services Amendment Bill 2011

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 Planning 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.

16. Retail Trading Hours Amendment Bill 2011

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.

17. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 4.25 p.m. until Tuesday, 27 September 2011 at 2.00 p.m.

Members present during any part of the day's proceedings – All the members except Mr V.A. Catania, Mrs L.M. Harvey and Mr P.C. Tinley.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. GRANT WOODHAMS
Speaker of the Legislative Assembly