

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 182

WEDNESDAY, 20 FEBRUARY 2008

1. Meeting of Council

The Council assembled at 4.00pm pursuant to order.

The President, Hon Nick Griffiths, took the Chair and read prayers.

2. Petitions

Hon Graham Giffard presented a petition from 646 residents of Western Australia, requesting the support of the Legislative Council to maintain Western Australia as a Genetically Modified (GM) Free Zone. (Tabled paper 3652).

3. Papers

The following Papers were laid on the Table by -

Minister for Child Protection

Reports -

Marine Safety - Ferry and Charter Boat Industry Code of Practice 3649

Parliamentary Secretary representing the Minister for Planning and Infrastructure

Ministerial Approvals -

Midland Redevelopment Act 1999 - To enter into a contract of value in excess of \$1 million in accordance with Section 20(3) - Pattern Shop Extension with Connolly Building Company 3650

Midland Redevelopment Act 1999 - To enter into a contract of value in excess of \$1 million in accordance with Section 20(3) - Sector 10B subdivision works for the Helena East precinct with the Georgiou Group..... 3651

4. Joint Standing Committee on Delegated Legislation - Addendum to the Twenty-Fourth Report - Town of Claremont - Standing Orders Local Law 2007

Hon Ray Halligan presented an addendum to the Twenty-Fourth Report of the Joint Standing Committee on Delegated Legislation in relation to the *Town of Claremont - Standing Orders Local Law 2007*. (Tabled paper 3653).

Hon Ray Halligan moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

5. Standing Committee on Estimates and Financial Operations - Eleventh Report - Budget of the Office of the Auditor General

Hon Giz Watson presented the Eleventh Report of the Standing Committee on Estimates and Financial Operations in relation to the *Budget of the Office of the Auditor General*. (Tabled paper 3654).

Hon Giz Watson moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

6. Broadband Internet - Use of Future Fund

Motion No. 56 having been called, debate resumed on the motion of Hon Vincent Catania as follows -

That this House urges the Federal Government to support the use of the Future Fund in order to provide the necessary public investment in broadband internet access throughout Australia.

In particular, this House urges the Federal Government to acknowledge that -

- (a) the urban broadband network is inadequate to meet current or future demands;
- (b) Western Australia's mining companies, pastoralists, farmers and communities function in regions that are as remote from administrative centres as any in the world;
- (c) Tele-health capacity would enable quality health services to be delivered via a broadband network to areas where such services are currently impossible; and
- (d) the use of the Future Fund to enable public investment in the national broadband network is a valid and essential means of achieving the aims of the Fund by investing in Australia's future in commerce, education and health.

7. Questions Without Notice

Questions without notice were taken.

The Minister for Regional Development representing the Minister for Police and Emergency Services tabled, and by leave incorporated into Hansard, documents in relation to the response of Geraldton police to emergency telephone calls from the Rowe family on Christmas night 2007, in response to a question without notice asked by Hon Anthony Fels. (Tabled paper 3655).

8. Broadband Internet - Use of Future Fund.

Continuation of remarks Hon Ray Halligan on the motion of Hon Vincent Catania (cf item 6 above).

Interruption of Debate [SO 195].

9. Order of Business

Ordered - That Orders of the Day Nos 527, *Town of Claremont Standing Orders Local Law 2007*, 544, *West Coast Demersal Scalefish (Interim) Management Plan 2007* and 547, *Prohibition on Commercial Fishing (Metropolitan Waters) Order 2007*, be taken after Order of the Day No. 469, *Eastern Goldfields Transport Board Repeal Bill 2007*. (Leader of the House).

10. Criminal Law and Evidence Amendment Bill 2006

The Order of the Day having been read for the consideration of the Committee's report upon this Bill.

The Minister for Child Protection representing the Attorney General moved, That the report be adopted.

Question - put and passed.

Ordered - That the third reading of the Bill be made an Order of the Day for the next sitting.

11. Acts Amendment (Justice) Bill 2007

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

Debate resumed.

Question - put and passed.

Bill read a second time.

Ordered - That the Committee stage of the Bill be made an Order of the Day for a later stage of this day's sitting.

12. Resolution of the House Regarding the Select Committee of Privilege

The Order of the Day for the consideration of the letters tabled by the President having been read.

The Leader of the House moved, without notice -

1. That the letters tabled in the House on 19 February 2008 by the President be referred to the Standing Committee on Procedure and Privileges, for the committee to consider and report to the House on -
 - (a) whether the letters constitute an "unreserved written apology" in accordance with the resolutions of the House on 4 December 2007 and to determine the merit or otherwise of the arguments contained in the purported apologies; and
 - (b) what further action may be taken by the House.
2. The Committee have access to documents in the possession of the Clerk relating to the inquiry of the Select Committee of Privilege on a Matter Arising in the Standing Committee on Estimates and Financial Operations.

Debate ensued.

Question - put and passed.

13. Acts Amendment (Justice) Bill 2007

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

The Acting President left the Chair.

In Committee

(Hon Sheila Mills in the Chair)

Clause 1.

Debate ensued.

Clause agreed to.

Clause 2.

Debate ensued.

Clause agreed to.

Clauses 3 to 29 agreed to.

Clause 30.

Debate ensued.

Clause agreed to.

Clauses 31 to 52 agreed to.

Clause 53.

Debate ensued.

Clause agreed to.

Clauses 54 to 69 agreed to.

Clause 70.

Debate ensued.

Clause agreed to.

Clauses 71 and 72.

Debate ensued.

The Minister for Child Protection representing the Attorney General moved, without notice -

That further consideration of clauses 71 and 72 be deferred until after consideration of clause 132.

Question - put and passed.

Clauses 73 to 108 agreed to.

Clause 109.

Debate ensued.

Clause agreed to.

Clauses 110 to 132 agreed to.

Interruption of Debate [SO 61(c)].

The Acting President resumed the Chair.

The Chairman of Committees reported that the Committee had considered the Bill, made progress, and asked leave to sit again.

Ordered - That the Committee have leave to sit again.

14. Adjournment

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

Debate ensued.

Question - put and passed.

The House adjourned at 10.19pm until Thursday, 21 February 2008 at 11.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Batong Pham and Hon Barbara Scott.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council