

WESTERN AUSTRALIA

**LEGISLATIVE ASSEMBLY**

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**VOTES AND PROCEEDINGS****No. 134****FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT**

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**TUESDAY, 3 APRIL 2007****1. Meeting of Assembly**

The Assembly met at 2.00 p.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

**2. Speaker's Statement - Delay in the Procedure and Privileges Committee Reporting on the Matter of Privilege Concerning the Member of Murchison-Eyre**

The Speaker advised members that the Procedure and Privileges Committee, of which he is the Chairman, had anticipated being able to report on its inquiry into the actions of the member for Murchison-Eyre in relation to the inquiry into Vanadium Resources at Windimurra undertaken by the Economics and Industry Standing Committee by the end of this sitting week, but due to correspondence received from the Corruption and Crime Commission last week on a range of issues, the Procedure and Privileges Committee's deliberations had been postponed. The Speaker advised that the Procedure and Privileges Committee would report on this matter when the House resumes sitting after the recess.

**3. Brief Ministerial Statements**

The following Brief Ministerial Statements were made by -

The Premier on the appointment of the Minister for Planning and Infrastructure to co-ordinate the State Government's response to address the issue of lead contamination at Esperance.

The Minister for Education and Training on advice given to the Acting Director General of the Department of Education and Training on the Government's policy position regarding reporting to parents.

The Minister for Health on the Department of Health's selection of Alan Piper Consulting as the preferred tenderer to develop the Department's Information Communication Technology (ICT) Program.

The Minister for Industry and Enterprise on the establishment of a game development studio in Perth by Interzone, an American-based computer game company.

#### **4. Questions**

Questions without Notice were taken.

Questions on Notice Nos 2130 to 2142 were asked.

Questions on Notice Nos 1765, 1782, 1796, 1799 to 1802, 1804, 1810, 1899, 1900, 1948, 1949, 1998 and 2099 were answered.

Paper tabled by the Minister for Education and Training -

Question on Notice No.1796 - Distribution of Teachers' ages in each subject area (2569).

Question on Notice No.1810 - List of Government Schools where teacher vacancies occurred in Term 1 (2570).

#### **5. Message from the Governor**

Message No. 4 from His Excellency the Governor was reported assenting to the following bills -

Local Government (Official Conduct) Amendment Bill 2005, Act No. 1 of 2007.

Racing and Wagering Legislation Amendment Bill 2006, Act No. 2 of 2007.

Racing and Wagering Western Australia Tax Amendment Bill 2006, Act No. 3 of 2007.

#### **6. Petitions**

Funding for a new High School in South Mandurah - Dr K.D. Hames presented a petition from 72 persons requesting that the Government recognise the shortage of High School places in South Mandurah and commit funds to begin the process of constructing a new High School (P. 201).

Daylight Saving - Mr M.P. Whitely presented a petition from 43 persons requesting that the Legislative Assembly initiate a referendum to be held before 31 October 2007 so that a democratic decision on daylight saving can be reached (P. 202).

*Residential Parks (Long-Stay Tenants) Act 2006* - Mrs D.J. Guise presented a petition from 3,455 persons requesting that the *Residential Parks (Long-Stay Tenants) Act 2006* be proclaimed and the regulations completed without further delay (P. 203).

Wild Dogs in the North Eastern Wheatbelt - Mr B.J. Grylls presented a petition from 66 persons requesting that the Legislative Assembly put in place the necessary legislation to allow Mr Bill Dale to be employed as a Dogger in the North Eastern Wheatbelt to control and eradicate wild dogs (P. 204).

#### **7. Papers**

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

By the Clerk -

Environmental Protection Act 1986 - Regulations (Environmental Protection (Clearing of Native Vegetation) Amendment Regulations 2007 G.G. 30/03/2007) (2559).

Industrial Relations Act 1979 - Regulations (Industrial Relations Commission Amendment Regulations 2007 G.G. 27/03/2007) (2560).

Industrial Training Act 1975 - Regulations (Industrial Training (Apprenticeship Training) Amendment Regulations (No. 3) 2007 G.G. 30/03/2007) (2561).

Industrial Training Act 1975 - Regulations (Industrial Training (General Apprenticeship) Amendment Regulations 2007 G.G. 28/03/2007) (2562).

Petroleum (Submerged Lands) Act 1982 - Regulations (Petroleum (Submerged Lands) (Diving Safety) Regulations 2007 G.G. 27/03/2007) (2563).

Petroleum (Submerged Lands) Act 1982 - Regulations (Petroleum (Submerged Lands) (Management of Safety on Offshore Facilities) Regulations 2007 G.G. 27/03/2007) (2564).

Petroleum (Submerged Lands) Act 1982 - Regulations (Petroleum (Submerged Lands) (Occupational Safety and Health) Regulations 2007 G.G. 27/03/2007) (2565).

Petroleum (Submerged Lands) Act 1982 - Regulations (Petroleum (Submerged Lands) (Pipelines) Regulations 2007 G.G. 27/03/2007) (2566).

Residential Tenancies Act 1987 - Regulations (Residential Tenancies Amendment Regulations 2007 G.G. 30/03/2007) (2567).

Shared Services, Office of - Final Report 1 July to 31 December 2006 (2568).

## 8. Notices of Motion

### 9. Matter of Public Interest - Shared Corporate Services Project

The Deputy Speaker informed the Assembly that she was in receipt of a notice from Mr T.R. Buswell that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr T.R. Buswell moved,

This House has no confidence in the capacity of the Premier and Treasurer to manage the Government's shared corporate services project and to deliver the promised savings to Western Australian taxpayers.

Debate ensued.

Question put.

The Assembly divided.

#### Ayes (19)

Mr C.J. Barnett  
Mr D.F. Barron-Sullivan  
Mr T.R. Buswell  
Mr G.M. Castrilli  
Dr E. Constable  
Mr M.J. Cowper  
Mr B.J. Grylls

Dr K.D. Hames  
Ms K. Hodson-Thomas  
Mr R.F. Johnson  
Mr J.E. McGrath  
Mr P.D. Omodei  
Mr A.J. Simpson  
Mr G. Snook

Dr S.C. Thomas  
Mr T.K. Waldron  
Ms S.E. Walker  
Dr J.M. Woollard  
Mr T.R. Sprigg (*Teller*)

#### Noes (26)

Mr J.J.M. Bowler  
Mr A.J. Carpenter  
Mr J.B. D'Orazio  
Dr J.M. Edwards  
Mrs D.J. Guise  
Mrs J. Hughes  
Mr J.N. Hyde  
Mr J.C. Kobelke  
Mr R.C. Kucera

Mr F.M. Logan  
Mr J.A. McGinty  
Mr M. McGowan  
Mr A.D. McRae  
Mrs C.A. Martin  
Mr A.P. O'Gorman  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk

Ms J.A. Radisich  
Mr E.S. Ripper  
Mrs M.H. Roberts  
Mr T.G. Stephens  
Mr D.A. Templeman  
Mr P.B. Watson  
Mr M.P. Whitely  
Mr S.R. Hill (*Teller*)

Question thus negatived.

# 10. Medical Practitioners Bill 2006

The Order of the Day for the consideration in detail of the bill was read.

## CONSIDERATION IN DETAIL

Clauses 1 to 26 agreed to.

Clause 27.

The Minister for Health moved,

Page 18, lines 8 and 9 – To delete “appointed under the *Financial Administration and Audit Act 1985*”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 28 to 57 agreed to.

Clause 58.

The Minister for Health moved, That the debate be adjourned.

Question put and passed.

# 11. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 7 be next considered.

# 12. Pharmacists Bill 2006

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.

## CONSIDERATION IN DETAIL

Clauses 1 and 2 agreed to.

Clause 3.

The Minister for Health moved,

Page 5, line 5 — To insert after “*Act 1964*” —

“ of a type prescribed by the regulations ”.

Amendment put and passed.

The Minister for Health moved,

Page 5, after line 7 — To insert —

“

“**prescribed private hospital**” means a private hospital, other than a day hospital facility, nursing home or nursing post, prescribed, or of a type prescribed, by the regulations;

“**preserved company**” means St John of God Health Care Incorporated, an association incorporated under the *Associations Incorporation Act 1987*; ”.

Page 5, after line 9 — To insert —

“

“**private hospital**” means a natural person or a body corporate that is the holder of a licence to conduct a private hospital granted under the *Hospitals and Health Services Act 1927* Part IIIA; ”.

Amendments put.

The Assembly divided.

Ayes (24)

Mr J.J.M. Bowler  
Dr J.M. Edwards  
Mrs D.J. Guise  
Mrs J. Hughes  
Mr J.N. Hyde  
Mr J.C. Kobelke  
Mr R.C. Kucera  
Mr F.M. Logan

Ms A.J.G. MacTiernan  
Mr J.A. McGinty  
Mr M. McGowan  
Mr A.D. McRae  
Mrs C.A. Martin  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk

Ms J.A. Radisich  
Mrs M.H. Roberts  
Mr T.G. Stephens  
Mr D.A. Templeman  
Mr P.B. Watson  
Mr M.P. Whitely  
Mr B.S. Wyatt  
Mr S.R. Hill (*Teller*)

Noes (20)

Mr C.J. Barnett  
Mr D.F. Barron-Sullivan  
Mr T.R. Buswell  
Mr G.M. Castrilli  
Dr E. Constable  
Mr M.J. Cowper  
Mr J.B. D’Orazio

Mr B.J. Grylls  
Dr K.D. Hames  
Dr G.G. Jacobs  
Mr R.F. Johnson  
Mr J.E. McGrath  
Mr P.D. Omodei  
Mr D.T. Redman

Mr A.J. Simpson  
Mr G. Snook  
Dr S.C. Thomas  
Mr T.K. Waldron  
Ms S.E. Walker  
Mr T.R. Sprigg (*Teller*)

Amendments thus agreed to.

The Minister for Health moved,

Page 5, after line 17 — To insert —

“ and has a meaning affected by subsection (2); ”.

Amendment put and passed.

The Minister for Health moved,

Page 5, line 31 — To insert after “drugs” —

“

but does not include to use, supply or sell a poison under the *Poisons Act 1964* section 23(2)(b), (c) or (e)

”.

Amendment put and passed.

The Minister for Health moved,

Page 6, after line 8 — To insert —

“

- (2) Without limiting the generality of the expression, a person will be taken to hold a proprietary interest in a pharmacy business if —
  - (a) the person is a party to an arrangement of a kind prescribed by the regulations; or

- (b) the person, in the course of carrying on a business, provides a benefit to another for which the person is entitled to receive the profits or income, or a share in the profits or income, of a pharmacy business; or
- (c) the person has, under a franchise or other commercial arrangement, a right to receive consideration that varies according to the profits or income of a pharmacy business. ”.

Amendment put and passed.

On the question, That the clause, as amended, be agreed to,

Question put.

The Assembly divided.

Ayes (24)

Mr J.J.M. Bowler  
Dr J.M. Edwards  
Mrs D.J. Guise  
Mrs J. Hughes  
Mr J.N. Hyde  
Mr J.C. Kobelke  
Mr R.C. Kucera  
Mr F.M. Logan

Ms A.J.G. MacTiernan  
Mr J.A. McGinty  
Mr M. McGowan  
Mr A.D. McRae  
Mrs C.A. Martin  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk

Ms J.A. Radisich  
Mrs M.H. Roberts  
Mr T.G. Stephens  
Mr D.A. Templeman  
Mr P.B. Watson  
Mr M.P. Whitely  
Mr B.S. Wyatt  
Mr S.R. Hill (*Teller*)

Noes (20)

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Mr T.R. Buswell  
Mr G.M. Castrilli  
Dr E. Constable  
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Mr J.B. D’Orazio

Mr B.J. Grylls  
Dr K.D. Hames  
Dr G.G. Jacobs  
Mr R.F. Johnson  
Mr J.E. McGrath  
Mr P.D. Omodei  
Mr D.T. Redman

Mr A.J. Simpson  
Mr G. Snook  
Dr S.C. Thomas  
Mr T.K. Waldron  
Ms S.E. Walker  
Mr T.R. Sprigg (*Teller*)

Clause, as amended, thus agreed to.

Clauses 4 to 27 agreed to.

Clause 28.

The Minister for Health moved,

Page 21, lines 28 to 31 — To delete the lines.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 29 to 31 agreed to.

Clause 32.

The Minister for Health moved,

Page 23, lines 28 and 29 — To delete the lines.

Amendment put and passed.

Clause, as amended, agreed to.

Clause 33 agreed to.

Clause 34.

The Minister for Health moved,

Page 24, lines 26 to 29 — To delete the lines and substitute —

“

“**supermarket**” means a retail store or market the primary business of which is the sale of a range of food, beverages, groceries and other domestic goods.

”.

Amendment put and passed.

Clause, as amended, agreed to.

Clause 35 agreed to.

Clause 36.

The Minister for Health moved,

Page 25, line 17 — To insert after “37” —

“ (1) ”.

Amendment put and passed.

The Minister for Health moved,

Page 25, after line 17 — To insert —

“

(c) subject to section 37(2), a prescribed private hospital.

”.

Amendment put.

The Assembly divided.

#### Ayes (24)

Mr J.J.M. Bowler  
Dr J.M. Edwards  
Mrs D.J. Guise  
Mrs J. Hughes  
Mr J.N. Hyde  
Mr J.C. Kobelke  
Mr R.C. Kucera  
Mr F.M. Logan

Ms A.J.G. MacTiernan  
Mr J.A. McGinty  
Mr M. McGowan  
Mr A.D. McRae  
Mrs C.A. Martin  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk

Ms J.A. Radisich  
Mrs M.H. Roberts  
Mr T.G. Stephens  
Mr D.A. Templeman  
Mr P.B. Watson  
Mr M.P. Whitely  
Mr B.S. Wyatt  
Mr S.R. Hill (*Teller*)

#### Noes (20)

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Mr D.F. Barron-Sullivan  
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Mr G.M. Castrilli  
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Mr M.J. Cowper  
Mr J.B. D’Orazio

Mr B.J. Grylls  
Dr K.D. Hames  
Dr G.G. Jacobs  
Mr R.F. Johnson  
Mr J.E. McGrath  
Mr P.D. Omodei  
Mr D.T. Redman

Mr A.J. Simpson  
Mr G. Snook  
Dr S.C. Thomas  
Mr T.K. Waldron  
Ms S.E. Walker  
Mr T.R. Sprigg (*Teller*)

Amendment thus agreed to.

Clause, as amended, agreed to.

Clause 37.

The Minister for Health moved,

Page 25, after line 28 — To insert —

“

- (2) A prescribed private hospital may not carry on a pharmacy business at any premises other than the premises approved as premises for the hospital under the *Hospitals and Health Services Act 1927* Part IIIA. ”.

Amendment put.

The Assembly divided.

Ayes (25)

Mr J.J.M. Bowler	Mr J.A. McGinty	Mrs M.H. Roberts
Mr J.B. D’Orazio	Mr M. McGowan	Mr T.G. Stephens
Dr J.M. Edwards	Mr A.D. McRae	Mr D.A. Templeman
Mrs J. Hughes	Mrs C.A. Martin	Mr P.B. Watson
Mr J.N. Hyde	Mr A.P. O’Gorman	Mr M.P. Whitely
Mr J.C. Kobelke	Mr P. Papalia	Mr B.S. Wyatt
Mr R.C. Kucera	Mr J.R. Quigley	Mr S.R. Hill ( <i>Teller</i> )
Mr F.M. Logan	Ms M.M. Quirk	
Ms A.J.G. MacTiernan	Ms J.A. Radisich	

Noes (18)

Mr C.J. Barnett	Mr B.J. Grylls	Mr D.T. Redman
Mr D.F. Barron-Sullivan	Dr K.D. Hames	Mr A.J. Simpson
Mr T.R. Buswell	Dr G.G. Jacobs	Mr G. Snook
Mr G.M. Castrilli	Mr R.F. Johnson	Dr S.C. Thomas
Dr E. Constable	Mr J.E. McGrath	Ms S.E. Walker
Mr M.J. Cowper	Mr P.D. Omodei	Mr T.R. Sprigg ( <i>Teller</i> )

Amendment thus agreed to.

Clause, as amended, agreed to.

Clause 38 agreed to.

Clause 39.

The Minister for Health moved,

Page 27, after line 24 — To insert —

“

- (e) the Board is satisfied that the premises are —
- (i) located wholly or partly within a supermarket; or
  - (ii) capable of being entered from a supermarket; or
  - (iii) capable of being used to gain entry to a supermarket;
- or ”.

Amendment put and passed.



The Minister for Health moved,

Page 27, line 25 — To insert after “company” —

“ or a prescribed private hospital ”.

Amendment put.

The Assembly divided.

#### Ayes (25)

Mr J.J.M. Bowler  
Mr J.B. D’Orazio  
Dr J.M. Edwards  
Mrs J. Hughes  
Mr J.N. Hyde  
Mr J.C. Kobelke  
Mr R.C. Kucera  
Mr F.M. Logan  
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#### Noes (18)

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Dr G.G. Jacobs  
Mr R.F. Johnson  
Mr J.E. McGrath  
Mr P.D. Omodei

Mr D.T. Redman  
Mr A.J. Simpson  
Mr G. Snook  
Dr S.C. Thomas  
Ms S.E. Walker  
Mr T.R. Sprigg (*Teller*)

Amendment thus agreed to.

Clause, as amended, agreed to.

Clauses 40 and 41 agreed to.

Clause 42.

The Minister for Health moved,

Page 28, line 24 to page 29, line 3 — To delete the lines and substitute —

“

- (c) a person who owns, or holds a proprietary interest in, the pharmacy business carried on at the premises —
  - (i) is not, or has ceased to be, a person who is entitled to own, or hold a proprietary interest in, a pharmacy business under section 58; or
  - (ii) is in breach of section 59;
- or
- (d) the person in whose name the premises are registered no longer carries on a pharmacy business at the premises; or
- (e) the Board is satisfied that the premises are —
  - (i) located wholly or partly within a supermarket; or
  - (ii) capable of being entered from a supermarket; or
  - (iii) capable of being used to gain entry to a supermarket;
- or

- (f) where the premises are registered in the name of the preserved company or a prescribed private hospital, the premises are not in compliance with section 37. ”.

On the question, That the words be deleted,

Amendment put and passed.

On the question, That the words be inserted,

Amendment put.

The Assembly divided.

Ayes (25)

Mr J.J.M. Bowler  
Mr J.B. D’Orazio  
Dr J.M. Edwards  
Mrs J. Hughes  
Mr J.N. Hyde  
Mr J.C. Kobelke  
Mr R.C. Kucera  
Mr F.M. Logan  
Ms A.J.G. MacTiernan

Mr J.A. McGinty  
Mr M. McGowan  
Mr A.D. McRae  
Mrs C.A. Martin  
Mr A.P. O’Gorman  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk  
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Mrs M.H. Roberts  
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Mr D.A. Templeman  
Mr P.B. Watson  
Mr M.P. Whitely  
Mr B.S. Wyatt  
Mr S.R. Hill (*Teller*)

Noes (18)

Mr C.J. Barnett  
Mr D.F. Barron-Sullivan  
Mr T.R. Buswell  
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Mr J.E. McGrath  
Mr P.D. Omodei

Mr D.T. Redman  
Mr A.J. Simpson  
Mr G. Snook  
Dr S.C. Thomas  
Ms S.E. Walker  
Mr T.R. Sprigg (*Teller*)

Amendment thus agreed to.

Clause, as amended, agreed to.

Clauses 43 to 55 agreed to.

New clause.

The Minister for Health moved,

Page 35, after clause 55, line 27 — To insert —

“

**56. Notification of intended change of ownership of, or interests held in, pharmacy business**

A person who intends to acquire, or dispose of, ownership of, or a proprietary interest in, a pharmacy business must give the registrar written advice of the intended acquisition or disposal at least 14 days before the acquisition or disposal occurs.

Penalty:

- (i) for an individual, a fine of \$5 000;
- (ii) for a body corporate, a fine of \$10 000.

”.

Amendment agreed to.

Clause 56 and 57 agreed to.

New clause.

The Minister for Health moved,

Page 37, after clause 57, after line 10 — To insert —

“

**58. Pharmacy business carried on by prescribed private hospital**

(1) In subsection (2) —

“**in-patient**”, in respect of a prescribed private hospital, means a patient who is admitted to the hospital for the purpose of receiving treatment in a bed in the hospital.

(2) A prescribed private hospital must not own, or hold a proprietary interest in, a pharmacy business other than a business —

- (a) consisting of the provision of pharmaceutical services for in-patients of the hospital only; and
- (b) from which goods and services relating to the provision of pharmaceutical services may be available for such patients only.

Penalty:

- (a) for an individual, a fine of \$5 000;
- (b) for a body corporate, a fine of \$10 000;
- (c) for each separate and further offence committed by the person under the *Interpretation Act 1984* section 71, a fine of \$400.

”.

Amendment agreed to.

Clause 58.

The Minister for Health moved,

Page 37, after line 23 — To insert —

“

or

(f) a prescribed private hospital.

”.

Amendment put.

The Assembly divided.

**Ayes (24)**

Mr J.J.M. Bowler  
Dr J.M. Edwards  
Mrs J. Hughes  
Mr J.N. Hyde  
Mr J.C. Kobelke  
Mr R.C. Kucera  
Mr F.M. Logan  
Ms A.J.G. MacTiernan

Mr J.A. McGinty  
Mr M. McGowan  
Mr A.D. McRae  
Mrs C.A. Martin  
Mr A.P. O’Gorman  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk

Ms J.A. Radisich  
Mrs M.H. Roberts  
Mr T.G. Stephens  
Mr D.A. Templeman  
Mr P.B. Watson  
Mr M.P. Whitely  
Mr B.S. Wyatt  
Mr S.R. Hill (*Teller*)

## Noes (19)

Mr C.J. Barnett  
 Mr D.F. Barron-Sullivan  
 Mr T.R. Buswell  
 Mr G.M. Castrilli  
 Dr E. Constable  
 Mr M.J. Cowper  
 Mr J.B. D'Orazio

Mr B.J. Grylls  
 Dr K.D. Hames  
 Dr G.G. Jacobs  
 Mr R.F. Johnson  
 Mr J.E. McGrath  
 Mr P.D. Omodei  
 Mr D.T. Redman

Mr A.J. Simpson  
 Mr G. Snook  
 Dr S.C. Thomas  
 Ms S.E. Walker  
 Mr T.R. Sprigg (*Teller*)

Amendment thus passed.

The Minister for Health moved,

Page 37, line 26 — To delete “or (e)” and substitute —

“ , (e) or (f) ”.

Amendment put and passed.

The Minister for Health moved,

Page 37, line 27 — To insert after “director,” —

“ officer, trustee, ”.

Amendment put and passed.

Clause, as amended, agreed to.

Clause 59.

The Minister for Health moved,

Page 38, line 9 — To insert after “own” —

“ , or hold a proprietary interest in, ”.

Amendment put and passed.

The Minister for Health moved,

Page 38, after line 12 — To insert —

“

- (4) A prescribed private hospital must not, at any one time, own more than one pharmacy business for each licence to conduct a private hospital held by it.
- (5) A close family member of a pharmacist must not hold a proprietary interest in more than 4 pharmacy businesses at any one time.
- (6) A new friendly society must not acquire, or acquire a proprietary interest in, a pharmacy business, if the total number of pharmacy businesses which are owned by a new friendly society, or in which a new friendly society holds a proprietary interests, is not less than 8.
- (7) In subsection (6) —  
     “**new friendly society**” means a friendly society that did not own, or hold a proprietary interest in, a pharmacy business in this State immediately before the commencement of this Act. ”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 60 and 61 agreed to.

Clause 62.

The Minister for Health moved,

Page 40, after line 30 — To insert —

“

- (4) On a person ceasing to be a close family member of a pharmacist due to death, divorce or separation —
  - (a) a proprietary interest held by that person in a pharmacy business is to be dealt with in accordance with the regulations; and
  - (b) for such period as the Board approves in writing, being not longer than 12 months, section 58 does not apply in respect of the proprietary interest held by that person.

”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 63 to 102 agreed to.

Clause 103.

The Minister for Health moved,

Page 70, line 8 — To insert after “prohibit” —

“

—

- (a) a person who holds a qualification in chemistry, obtained from a university or other tertiary institution, from using the title “chemist”; or
- (b)

”.

Amendment put and passed.

Clause, as amended, agreed to.

Clauses 104 to 129 agreed to.

Schedule 1.

The Minister for Health moved,

Page 90, line 20 — To delete “3” and substitute —

“ 5 ”.

Amendment put and passed.

The Minister for Health moved,

Page 90, line 21 — To delete “3” and substitute —

“ 5 ”.

Amendment put and passed.

Schedule, as amended, agreed to.

Schedules 2 and 3 agreed to.

Title agreed to.

Consideration in detail concluded.

The Minister for Health moved,

That the Bill be reconsidered in detail for the purpose of reconsidering Clause 37.

Question put and passed.

*RECONSIDERATION IN DETAIL*

Clause 37.

The Minister for Health moved,

Page 25, lines 24 to 28 — To delete the lines.

Amendment put and passed.

Clause, as amended, agreed to.

Reconsideration in detail concluded.

Ordered, That the third reading of the bill be made an Order of the Day for the next sitting of the Assembly.

**13. Adjournment**

The Attorney General moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly, at 11.10 p.m. until Wednesday, 4 April 2007 at 12 noon.

*Members present during any part of the day's proceedings* - All the members except Mr P.W. Andrews, Mr M.J. Birney, Ms S.M. McHale, Mr M.P. Murray, Mr M.W. Trenorden and Mr G.A. Woodhams.

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

**HON. FRED RIEBELING**  
Speaker of the Legislative Assembly