

# 8

# Business Program



**LEGISLATIVE COUNCIL**

**TUESDAY, 25 MAY 2021**

**2.00pm**

Election of the President of the Legislative Council

*(Break in proceedings for the President to attend Government House)*

## **ORDER OF BUSINESS**

Prayers

Acknowledgement of Country

Condolence Motions

Election of Chair of Committees

Petitions

Statements by Ministers and Parliamentary Secretaries

Papers for Tabling

President

Leader of the House

Minister for Mental Health

Minister for Regional Development

Parliamentary Secretary to the Attorney General

Parliamentary Secretary to the Minister for Child Protection

Parliamentary Secretary to the Minister for Disability Services

Notice of Questions

Notices of Motions to Introduce Bills

Minister for Agriculture and Food

Notices of Motions for Disallowance

Notices of Motions

Motions without Notice

Leader of the House — Appointment of Deputy Chairs of Committees

Leader of the House — Appointment of Members to Committees

Leader of the House — Access to Evidence of Prior Committees

Leader of the House — Suspension of Standing Orders

Orders of the Day

4.30pm Questions without Notice

5.00pm Orders of the Day (continued)

9.45pm Members' Statements

10.25pm House adjourns

The business listed for today's sitting and sequence in which it is to be considered may be altered by the House without notice. To see what is currently being debated in the course of today's sitting please see the electronic Business Program at: [www.parliament.wa.gov.au/WebCMS/WebCMS.nsf/content/legislative-council-live-broadcast-lc](http://www.parliament.wa.gov.au/WebCMS/WebCMS.nsf/content/legislative-council-live-broadcast-lc)

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## ORDERS OF THE DAY

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### 1. Address-in-Reply

Resumption of debate adjourned Hon Colin de Grussa<sup>^</sup> (Thursday, 13 May 2021), on the motion of Hon Pierre Yang as follows —

To His Excellency, The Honourable Kim Beazley, Companion of the Order of Australia, Governor in and over the State of Western Australia and its dependencies in the Commonwealth of Australia.

May it please Your Excellency: We, the Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled, beg to express our loyalty to our most gracious sovereign and thank Your Excellency for the speech you have been pleased to deliver to Parliament.

(<sup>^</sup>Hon Martin Aldridge — 10 mins (*by leave*))

### 2. [COVID-19 Response Legislation Amendment \(Extension of Expiring Provisions\) Bill 2021](#)

[LA 3–1] *Leader of the House representing the Minister for Emergency Services*

Second reading adjourned (Tuesday, 11 May 2021).

### 3. [Treasurer's Advance Authorisation Bill 2021](#) [LA 4–1] *Minister for Mental Health representing the Treasurer*

Second reading adjourned (Thursday, 13 May 2021).

### 4. **Joint Standing Committee on Delegated Legislation — Establishment** (*Notice given 29 April 2021*)

The Leader of the House to move —

That the Legislative Assembly be invited to agree to the rules and orders of the Legislative Council contained in the Schedule for the constitution, powers and procedure of a Joint Standing Committee on Delegated Legislation.

## SCHEDULE

### 10. **Joint Delegated Legislation Committee**

10.1 *A Joint Delegated Legislation Committee is established.*

10.2 The Committee consists of 8 Members, 4 of whom are appointed from each House. The Chair must be a Member of the Committee who supports the Government.

10.3 A quorum is 4 Members of whom at least one is a Member of the Council and one a Member of the Assembly.

10.4 (a) A report of the Committee is to be presented to each House by a Member of each House appointed for the purpose by the Committee.

(b) Where a notice of motion to disallow an instrument has been given in either House pursuant to recommendation of the Committee, the Committee shall present a report to both Houses in relation to that instrument prior to the House's consideration of that notice of motion. If the Committee is unable to report a majority position in regards to the instrument, the Committee shall report the contrary arguments.

10.5 Upon its publication, whether under section 41(1)(a) of the *Interpretation Act 1984* or another written law, an instrument stands referred to the Committee for consideration.

- 10.6 In its consideration of an instrument, the Committee is to inquire whether the instrument –
- (a) is within power;
  - (b) has no unintended effect on any person’s existing rights or interests;
  - (c) provides an effective mechanism for the review of administrative decisions; and
  - (d) contains only matter that is appropriate for subsidiary legislation.
- 10.7 It is also a function of the Committee to inquire into and report on –
- (a) any proposed or existing template, *pro forma* or model local law;
  - (b) any systemic issue identified in 2 or more instruments of subsidiary legislation; and
  - (c) the statutory and administrative procedures for the making of subsidiary legislation generally, but not so as to inquire into any specific proposed instrument of subsidiary legislation that has yet to be published.
- 10.8 The Standing Orders of the Legislative Council relating to Standing Committees will be followed as far as they can be applied.
- 10.9 In this order –
- “instrument” means –
- (a) subsidiary legislation in the form in which, and with the content it has, when it is published;
  - (b) an instrument, not being subsidiary legislation, that is made subject to disallowance by either House under a written law;
- “subsidiary legislation” has the meaning given to it by section 5 of the *Interpretation Act 1984*.

**5. Joint Standing Committee on Audit — Establishment** (*Notice given 29 April 2021*)

The Leader of the House: To move —

That the Legislative Assembly be invited to agree to the rules and orders of the Legislative Council contained in the Schedule for the constitution, powers and procedure of a Joint Standing Committee on Audit.

**SCHEDULE**

**7. Joint Audit Committee**

- 7.1 A *Joint Audit Committee* is established.
- 7.2 The Committee consists of the Members of the Legislative Council Standing Committee on Estimates and Financial Operations and the Members of the Legislative Assembly Public Accounts Committee.
- 7.3 The Chair of the Standing Committee on Estimates and Financial Operations will be the Chair of the Joint Audit Committee.
- 7.4 The Standing Orders of the Legislative Council relating to Standing Committees will be followed as far as they can be applied.

**9. Joint Standing Committee on the Corruption and Crime Commission — Establishment (12 May 2021)**

Consideration of Legislative Assembly Message No. 4 as follows –

The Legislative Assembly acquaints the Legislative Council that it has agreed to the following resolution —

That for the present Parliament, in accordance with Legislative Assembly Standing Orders 288 to 292, a Joint Standing Committee on the Corruption and Crime Commission be appointed by the Legislative Assembly and the Legislative Council.

and requests the Legislative Council to agree to a similar resolution.

**10. Joint Standing Committee on the Commissioner for Children and Young People — Establishment (12 May 2021)**

Consideration of Legislative Assembly Message No. 5 as follows –

The Legislative Assembly acquaints the Legislative Council that it has agreed to the following resolution —

That for the present Parliament —

- (a) pursuant to section 51 of the *Commissioner for Children and Young People Act 2006*, a Joint Standing Committee on the Commissioner for Children and Young People be appointed by the Legislative Assembly and the Legislative Council.
- (b) The Joint Standing Committee shall comprise 2 members appointed by the Legislative Assembly and 2 members appointed by the Legislative Council.
- (c) It is the function of the Joint Standing Committee to —
  - (i) monitor, review and report to Parliament on the exercise of the functions of the Commissioner for Children and Young People;
  - (ii) to examine Annual and other Reports of the Commissioner; and
  - (iii) to consult regularly with the Commissioner.
- (d) A report of the Joint Standing Committee will be presented to the Legislative Assembly and the Legislative Council by Members of the Joint Standing Committee nominated by it for that purpose.
- (e) The Standing Orders of the Legislative Assembly relating to Standing and Select Committees will be followed as far as they can be applied.

and requests the Legislative Council to agree to a similar resolution.

\* For amendments see Supplementary Notice Paper and/or Committee Report

**NIGEL PRATT**

Clerk of the Legislative Council