

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 160

FIRST SESSION OF THE THIRTY-SEVENTH PARLIAMENT

THURSDAY, 20 SEPTEMBER 2007

1. Meeting of Assembly

The Assembly met at 9.00 am pursuant to adjournment.

The Deputy Speaker took the Chair.

Prayers were read.

2. Papers

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

By the Clerk -

Corruption and Crime Commission of Western Australia - Annual Report 2006-2007 under the *Surveillance Devices Act 1998* (3118).

Corruption and Crime Commission of Western Australia - Annual Report 2006-2007 under the *Telecommunications (Interception and Access) Act 1979* (3119).

LotteryWest - Annual Report 2006-2007 (3120).

WorkCover Western Australia - Annual Report 2007 (3121).

3. Notice of Motion Lapsed

The Deputy Speaker advised that Private Members' Notice of Motion No. 5 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

4. Brief Ministerial Statements

The following Brief Ministerial Statements were made by -

The Minister for Sport and Recreation on the forums to be held as part of the investigation by the Parliamentary Secretary to the Minister for Sport and Recreation on the future needs of regional sport and recreation.

The Minister for the Environment on the release by the Cockburn Sound Management Council of its 2006-2007 annual environmental report cards.

The Minister for Energy on the promotion of the “Reach for the Stars” energy label awareness program by the Sustainable Energy Development Office and its use in the latest Harvey Norman advertising catalogue.

The Minister for Small Business on her official visit to Auckland, New Zealand from 31 August to 2 September 2007 to launch the third phase of the “Go West Now” skilled migrant attraction campaign.

5. Grievances

The Deputy Speaker called for grievances which were then made.

6. Joint Standing Committee on the Corruption and Crime Commission

Mr J.H.D. Day, as Deputy Chairman, presented the following report which was ordered to lie upon the Table of the House -

Joint Standing Committee on the Corruption and Crime Commission - Annual Report 2006-2007, Report No. 30 (3123).

Mrs J. Hughes spoke on the report.

7. Prostitution Amendment Bill 2007

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 (Dr J.M. Edwards speaking) and adjourned until a later stage of the sitting.

8. Members' Statements

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

9. Questions

Questions without Notice were taken.

Questions on Notice Nos 2705 to 2715 were asked.

Questions on Notice Nos 2502, 2503, 2507, 2508, 2511, 2512, 2514, 2516, 2517, 2527, 2552, 2557, 2599 and 2649 were answered.

10. Unanswered Question on Notice

Under Standing Order 80, Dr J.M. Woollard asked why no answer had been received in respect of her Question on Notice No. 2483.

11. Message from the Legislative Council

Message No. 170 dated 19 September 2007 from the Legislative Council was reported as follows -

The Legislative Council requests the Legislative Assembly grant leave to Mr Trevor Sprigg MLA, to give evidence before the Standing Committee on Estimates and Financial Operations appointed to inquire into the Memorandum of Understanding between Balga Senior High School and Manufacturing Industry Training Services Pty Ltd, if he thinks fit.

Deputy Speaker's Statement - Legislative Assembly Members giving evidence to Legislative Council Committees

The Deputy Speaker advised members that -

A Legislative Council Committee may not seek to take evidence from members of this House unless the Council sends a message to the Assembly requesting that they appear before the relevant committee. A message is not required however if a member of the Assembly has initiated the approach to a Council committee and asked to give evidence, nor is an Assembly member precluded from sending a written submission to a Council Committee in response to an invitation issued in the broad to all members and perhaps others. If however the Council Committee initiates an approach to an Assembly member specifically, the formal requirement must be followed.

The same situation applies in respect of a Council member giving evidence to an Assembly committee. In relation to Joint Committees, members of either House may be invited to give evidence before those committees without any communication between the Houses.

Legislative Assembly Standing Order 305 encapsulates the procedures as follows:

305. If the Assembly or a committee wishes to examine a member or officer of the Council, a message will be sent requesting the Council to grant leave for the member or officer to be examined on the matters stated in the message.

In this case, where the member for Murdoch has volunteered his attendance before a Council Committee, specifically seeking to attend, there is no technical need for the Council to seek leave from the Assembly. As the courtesy request has been extended to the Assembly in this case, a reply in accordance with Standing Order 306, specifying that the member may attend if he thinks fit, should be considered by the House.

Ordered by leave, That consideration of Legislative Council message No. 170 be undertaken forthwith.

The Leader of the House, pursuant to the foregoing motion, moved,

- (1) That this House gives leave to the Member for Murdoch to attend before the Legislative Council Standing Committee on Estimates and Financial Operations in relation to its inquiry into the Memorandum of Understanding between Balga Senior High School and Manufacturing Industry Training Services Pty Ltd.
- (2) That the Legislative Council be acquainted accordingly.

Debate ensued.

Question put and passed.

12. Fiona Stanley Hospital Construction Account Bill 2007

Message No. 169 dated 19 September 2007 from the Legislative Council was reported as follows -

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Fiona Stanley Hospital Construction Account Bill 2007* subject to the amendment contained in the Schedule annexed; in which amendment the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendment made by the Legislative Council in the Fiona Stanley Hospital Construction Account Bill 2007

No. 1

Clause 4, page 2, line 20 — To insert after “hospital” —

“ including purchase of relevant land ”.

Ordered, That consideration in detail of Legislative Council message No. 169 be made an Order of the Day for a later stage of the sitting.

13. Variation to the Order of Business

Ordered, That Government Business Order of the Day No. 2 be next considered.

14. Judges' Salaries and Pensions Amendment Bill 2007

The Order of the Day for the third reading of the bill having been read, the Attorney General 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.

15. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

16. Prostitution Amendment Bill 2007

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

The Attorney General moved, That the debate be adjourned.

Question put and passed.

17. Variation to the Order of Business

Ordered, That Government Business Order of the Day for the consideration in detail of Legislative Council Message No. 169 be next considered.

18. Fiona Stanley Hospital Construction Account Bill 2007

The Order of the Day for the consideration in detail of Legislative Council message No. 169 was read (see paragraph 12).

CONSIDERATION IN DETAIL

The Minister for Health on behalf of the Treasurer moved, That amendment No. 1 be agreed to.

Question put and passed.

Consideration in detail concluded and the Legislative Council acquainted accordingly.

19. Adjournment

The Minister for Health moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly, at 4.40 pm until Tuesday, 25 September 2007 at 2.00 pm.

Members present during any part of the day's proceedings - All the members except Mr J.J.M. Bowler, Ms K. Hodson-Thomas, Ms A.J.G. MacTiernan, Mr A.P. O’Gorman, Mr F. Riebeling, Mr G. Snook and Mr G.A. Woodhams.

PETER J. McHUGH

Clerk of the Legislative Assembly

DIANNE GUISE

Deputy Speaker of the Legislative Assembly