

2022

—
WESTERN AUSTRALIA

MINUTES OF THE PROCEEDINGS

of the

Joint Sitting of the Two Houses of Parliament

of the

State of Western Australia

**TO CHOOSE A PERSON TO HOLD THE PLACE IN THE SENATE OF THE
COMMONWEALTH OF AUSTRALIA RENDERED VACANT BY THE
RESIGNATION OF SENATOR THE HONOURABLE BENJAMIN JOHN SMALL**

**HELD IN ACCORDANCE WITH THE PROVISIONS OF SECTION 15 OF THE
COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT,**

on

WEDNESDAY, 18 MAY 2022

—
FIRST SESSION OF THE FORTY FIRST PARLIAMENT
—

Extracts from the Minutes of Proceedings**LEGISLATIVE COUNCIL**

TUESDAY, 10 MAY 2022.

1. Message from His Excellency the Governor - Senate Vacancy

The President read the following message -

The Governor transmits to the Legislative Council a copy of a despatch which he has received from the Honourable the President of the Senate of the Commonwealth of Australia, notifying that a vacancy has happened in the representation of the State of Western Australia in the said Senate.

2. Joint Sitting to fill Senate Vacancy

The Leader of the House moved, without notice -

That with reference to the Message reported to the Council by the President from His Excellency the Governor, the Honourable President be requested to confer with the Honourable Madam Speaker in order to fix a day and place whereon and whereat the Legislative Council and the Legislative Assembly, sitting and voting together, shall choose a person to hold the place of the Senator whose place has become vacant.

Question - put and passed.

THURSDAY, 12 MAY 2022.

3. Statement by President - Joint Sitting to fill Senate Vacancy

The President made the following statement –

With reference to the motion this House passed on Tuesday, 10 May 2022 in respect of the fixing of the day and place for a joint sitting of the Legislative Council and the Legislative Assembly to fill the Senate vacancy, I advise that I have conferred with the Speaker of the Legislative Assembly and have received agreement that the Houses will meet in the Legislative Council Chamber at 11.00am on Wednesday, 18 May 2022.

Extracts from the Votes and Proceedings**LEGISLATIVE ASSEMBLY**

TUESDAY, 10 MAY 2022.

1. Message from His Excellency the Governor - Senate Vacancy

The Speaker read the following message -

The Governor transmits to the Legislative Assembly a copy of a despatch which he has received today from the Honourable the President of the Senate of the Commonwealth of Australia, notifying that a vacancy has happened in the representation of the State of Western Australia in the said Senate.

2. Joint Sitting to fill Senate Vacancy

The Premier, pursuant to the message from His Excellency the Governor, moved -

That Madam Speaker be requested to confer with the President of the Legislative Council, in order to fix a day and place whereon and whereat the Legislative Assembly and the Legislative Council, sitting and voting together, shall choose a person to hold the place of the Senator whose place has become vacant.

Question put and passed.

THURSDAY, 12 MAY 2022.

1. Statement by Speaker - Joint Sitting to fill Senate Vacancy

The Speaker made the following statement –

I advise Members that I have consulted with the President of the Legislative Council in relation to holding a Joint Sitting to fill the vacancy in the Senate created by the resignation of Senator Ben Small, and that the Joint Sitting will be held on Wednesday, 18 May 2022 at 11.00 am in the Legislative Council Chamber.

JOINT SITTING OF BOTH HOUSES OF PARLIAMENT

WEDNESDAY, 18 MAY 2022

1. Opening of the Joint Sitting

Members of the Legislative Council and of the Legislative Assembly met in the Legislative Council Chamber at 11.00am.

The President and the Speaker were announced by the Usher of the Black Rod.

2. Presiding Officer

Pursuant to the Joint Sitting Standing Orders for the Election of a Senator, the Honourable Alanna Clohesy, President of the Legislative Council, took the Chair as President of the Joint Sitting.

3. Proposal of Candidate

The Premier, Hon Mark McGowan, proposed that Benjamin John Small of 72a Matheson Road, Applecross, Western Australia, being a person who is eligible to be chosen pursuant to section 15 of the *Constitution* of the Commonwealth of Australia, as amended, be chosen to hold the vacant place in the Senate of the Parliament of the Commonwealth created by the resignation of Senator Benjamin John Small.

The Premier advised he has received Mr Small's assurance that, if chosen, he was willing to act.

The motion was seconded by Ms M.J. Davies.

Debate ensued.

There being no further nominations, the President declared Benjamin John Small elected to fill the vacancy.

4. Close of Joint Sitting

The President then declared the Joint Sitting closed at 11.11am.

5. Members of the Legislative Council present at the proceedings

The Honourables Sandra Carr, Alanna Clohesy, Stephen Dawson, Colin de Grussa, Sue Ellery, Donna Faragher, Peter Foster, Lorna Harper, James Hayward, Steve Martin, Sophia Moermond, Martin Pritchard, Rosetta Sahanna, Tjorn Sibma, Dr Steve Thomas, Neil Thomson, Wilson Tucker, Dr Brian Walker, Darren West and Pierre Yang.

6. Members of the Legislative Assembly present at the proceedings

Mr J.N. Carey, Mrs R.M.J. Clarke, Ms C.M. Collins, Ms D.G. D'Anna, Ms M.J. Davies, Mr M.J. Folkard, Ms E.L. Hamilton, Ms M.J. Hammat, Ms J.L. Hanns, Dr D.J. Honey, Mr M. Hughes, Mr H.T. Jones, Ms E.J. Kelsbie, Ms A.E. Kent, Dr J. Krishnan, Mr P.R. Lilburne, Mr M. McGowan, Ms S.F. McGurk, Ms L. Mettam, Mr K.J.J. Michel, Ms L.A. Munday, Mrs L.M. O'Malley, Mr P. Papalia, Mr S.J. Price, Mr D.T. Punch, Mrs M.H. Roberts, Mr P.J. Rundle, Ms R. Saffioti, Ms A. Sanderson, Mr D.A.E. Scaife, Mrs J.M.C. Stojkovski, Mr C.J. Tallentire, Ms C.M. Tonkin and Mr R.R. Whitby.

SAM HASTINGS

Clerk of the Legislative Council

KIRSTEN ROBINSON

Clerk of the Legislative Assembly

HON ALANNA CLOHESY

President of the Joint Sitting