



LEGISLATIVE COUNCIL

WEDNESDAY, 26 MAY 2021

1.00pm

ORDER OF BUSINESS

Petitions, Statements by Ministers and Parliamentary Secretaries, Papers for Tabling, Notices of Questions, Notices of Motions for Disallowance, Notices of Motions to Introduce Bills, Notices of Motions, Questions without Notice, Motions Without Notice, Motions and Orders of the Day.

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MOTIONS

1. Cyclone Seroja and recent bushfires (*Notice given 29 April 2021*)

Continuation of remarks by the Minister for Regional Development — 37 mins (Wednesday, 12 May 2021) on the motion of the Leader of the House as follows —

That this House acknowledges the devastating impact that cyclone Seroja and the recent bushfires have had on Western Australian communities and commends our emergency services for putting themselves in danger to protect Western Australians and to ensure the recovery of those communities.

Total time remaining on motion – 2 hrs, 2 mins.

2. Standing Committee on Environment and Public Affairs – Terms of Reference (*Notice given 29 April 2021*)

Hon Simon O'Brien: To move —

That with reference to Recommendation 5 of the *Final Report of the Select Committee into Local Government*, the Terms of Reference of the Standing Committee on Environment and Public Affairs be amended as follows —

- (1) To insert after Term of Reference 2.3(a) —
 - (a) matters relating to local government;
- (2) To renumber the paragraphs that follow accordingly.

BILLS FOR INTRODUCTION

1. Agricultural Produce Commission Amendment Bill 2021 (*Notice given 25 May 2021*)

The Minister for Agriculture and Food: To move —

That a Bill for “An Act to amend the *Agricultural Produce Commission Act 1988*” be introduced and read a first time.

ORDERS OF THE DAY

1. City of Bunbury Public Places and Local Government Property Local Law 2020 — Disallowance

Moved *pro forma* (SO 67(3)) 26 May 2021 on the motion of Hon Martin Pritchard (Days remaining 17 after today (Indicative date — 17 August 2021))

That the *City of Bunbury Public Places and Local Government Property Local Law 2020* published in the *Gazette* on 20 October 2020 and tabled in the Legislative Council on 3 November 2020 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper No. 4517).

2. Boxing Contest Rules 2020 — Disallowance

Moved *pro forma* (SO 67(3)) 26 May 2021 on the motion of Hon Martin Pritchard (Days remaining 17 after today (Indicative date — 17 August 2021))

That the *Boxing Contest Rules 2020* published in the *Gazette* on 21 October 2020 and tabled in the Legislative Council on 3 November 2020 under the *Combat Sports Act 1987*, be and is hereby disallowed. (Tabled paper No. 4521).

3. Kickboxing Contest Rules 2020 — Disallowance

Moved *pro forma* (SO 67(3)) 26 May 2021 on the motion of Hon Martin Pritchard (Days remaining 17 after today (Indicative date — 17 August 2021))

That the *Kickboxing Contest Rules 2020* published in the *Gazette* on 21 October 2020 and tabled in the Legislative Council on 3 November 2020 under the *Combat Sports Act 1987*, be and is hereby disallowed. (Tabled paper No. 4521).

4. MMA Contest Rules 2019 — Disallowance

Moved *pro forma* (SO 67(3)) 26 May 2021 on the motion of Hon Martin Pritchard (Days remaining 17 after today (Indicative date — 17 August 2021))

That the *MMA Contest Rules 2019* published in the *Gazette* on 21 October 2020 and tabled in the Legislative Council on 3 November 2020 under the *Combat Sports Act 1987*, be and is hereby disallowed. (Tabled paper No. 4521).

5. **Muay Thai Contest Rules 2020 — Disallowance**

Moved *pro forma* (SO 67(3)) 26 May 2021 on the motion of Hon Martin Pritchard (Days remaining 17 after today (Indicative date — 17 August 2021))

That the *Muay Thai Contest Rules 2020* published in the *Gazette* on 21 October 2020 and tabled in the Legislative Council on 3 November 2020 under the *Combat Sports Act 1987*, be and is hereby disallowed. (Tabled paper No. 4521).

6. **Address-in-Reply**

Resumption of debate adjourned Hon Colin de Grussa[^] (Tuesday, 25 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.

([^]Hon Martin Aldridge — 10 mins (*by leave*))

([^]Hon Dr Sally Talbot — 40 mins (*by leave*))

7. **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).

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

Second reading adjourned (Thursday, 13 May 2021).

9. **Standing Committee on Procedure and Privileges — Report 61 — Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament** (Tabled 13 May 2021)

Consideration on the motion of Hon Simon O'Brien (Thursday, 13 May 2021) as follows —

That Recommendation 1 contained in Report 61 of the Standing Committee on Procedure and Privileges, *Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament*, be adopted and agreed to.

See Tabled Paper 191 (Tabled 13 May 2021).

Recommendation 1 states —

A standing memorandum of understanding relating to the compulsory production of evidence and determinations as to material that is subject to parliamentary privilege be advanced between the Legislative Council and relevant investigative agencies, in accordance with the resolution of the Legislative Council of 5 September 2019.

10. Standing Committee on Procedure and Privileges — Report 61 — Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament
(Tabled 13 May 2021)

Consideration on the motion of Hon Simon O'Brien (Thursday, 13 May 2021) as follows —

That Recommendation 2 contained in Report 61 of the Standing Committee on Procedure and Privileges, *Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament*, be adopted and agreed to.

See Tabled Paper 191 (Tabled 13 May 2021).

Recommendation 2 states —

The Committee recommends that the following matters be re-referred to the Procedure and Privileges Committee for inquiry and report:

In relation to the refusal by Ms Emily Roper, the Acting Director General of the Department of the Premier and Cabinet, to comply with a summons to attend and produce documents at 9.00am on Friday, 9 August 2019, issued by the Legislative Council Standing Committee on Procedure and Privileges, and the events leading up to that non-compliance:

- (1) Did Ms Emily Roper, or any other person or body, commit a contempt of the Legislative Council or any breach of its privileges?
- (2) If the Committee so finds that any contempt of the Legislative Council has been committed, or that any of the privileges of the Legislative Council have been breached, then what penalty, if any, should the Legislative Council impose for each contempt or breach?

11. Standing Committee on Procedure and Privileges — Report 61 — Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament
(Tabled 13 May 2021)

Consideration on the motion of Hon Simon O'Brien (Thursday, 13 May 2021) as follows —

That Recommendation 3 contained in Report 61 of the Standing Committee on Procedure and Privileges, *Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament*, be adopted and agreed to.

See Tabled Paper 191 (Tabled 13 May 2021).

Recommendation 3 states —

The Committee recommends that the following matters be re-referred to the Procedure and Privileges Committee for inquiry and report:

In relation to the actions of Mr Darren Foster, the Director General of the Department of the Premier and Cabinet, in producing documents to the Corruption and Crime Commission relating to former Members of the Legislative Council without following a procedure that the Legislative Council or the Legislative Council Standing Committee on Procedure and Privileges had authorised for determining issues of parliamentary privilege:

- (1) Did Mr Darren Foster, or any other person or body, commit a contempt of the Legislative Council or any breach of its privileges?
- (2) If the Committee so finds that any contempt of the Legislative Council has been committed, or that any of the privileges of the Legislative Council have been breached, then what penalty, if any, should the Legislative Council impose for each contempt or breach?

BILLS REFERRED TO COMMITTEES

1. Statutes (Repeals and Minor Amendments) Bill 2021 [LC 2–1] *Parliamentary Secretary to the Attorney General*

Now stands referred to the Standing Committee on Uniform Legislation and Statutes Review.
Second reading adjourned (Thursday, 6 May 2021).

2. Veterinary Practice Bill 2021 [LC 11–1] *Minister for Agriculture and Food*

Now stands referred to the Standing Committee on Uniform Legislation and Statutes Review.
(SO 126 applies until 25 June 2021).
Second reading adjourned (Wednesday, 12 May 2021).

CONSIDERATION OF COMMITTEE REPORTS

1. Standing Committee on Procedure and Privileges — Report 61 — Progress Report: Supreme Court proceedings and matters of privilege raised in the 40th Parliament
(Tabled 13 May 2021)

Consideration. *See Tabled paper 191.*

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

Ω Note: Legislative Assembly Standing Orders apply.

For a list of all Petitions tabled see cumulative Tabled Paper list.

NIGEL PRATT

Clerk of the Legislative Council