

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 3

WEDNESDAY, 12 NOVEMBER 2008

1. Meeting of Council

The Council assembled at 4.00pm pursuant to order.

The President, Hon Nick Griffiths, took the Chair and read prayers.

2. President's Ruling - Petition of Mr Noel Crichton-Browne

The President ruled as follows -

Yesterday, Hon Norman Moore presented a petition bearing one signature praying for relief on behalf of Mr Noel Crichton-Browne. The petition falls within the provisions of Standing Order 134. Standing Order 134(a) and (b) specify that such a petition shall be confined to a request for relief, and be accompanied by a statement of facts supporting the request and an affidavit disclosing all relevant facts. Pursuant to Standing Order 134(d), the statement of facts and the affidavit were not tabled with the petition, but retained by the Clerk.

Standing Order 134(e) provides, in part, that a petition that alleges that a member of the Legislative Council has, in the course of a proceeding of the Parliament —

- (i) attributed to the petitioner statements or acts that are denied by the petitioner; or
- (ii) misrepresented the scope, purpose, or intent of any statement or act of the petitioner, stands referred to the President on presentation.

The matters contained in the statement of facts supporting the petition presented by Hon Norman Moore fall within both Standing Order 134(e)(i) and (ii), and therefore the petition stood referred to me on presentation.

Standing Order 134(f) provides that I must rule whether the petition falls within one of three categories: whether the matter is justiciable and legal remedies available to the petitioner have not been exhausted; whether the petition raises a matter of privilege; or whether the petition does not fall within either foregoing category.

I advise members that I have reviewed the petition and the accompanying statement of facts. Having reviewed and considered these documents, I rule that —

- the matters raised are not justiciable and there are no legal remedies available to the petitioner; and
- the petition does raise a matter of privilege.

Accordingly, pursuant to Standing Order 134(h), this petition now stands referred to the Procedure and Privileges Committee for its inquiry and report to the House.

Members will note that Standing Order 134(j) provides that the Procedure and Privileges Committee must conclude its inquiry and report to the House not later than 30 days from today, being the date of referral of the petition to the committee.

3. Petitions

Hon Barry House presented a petition from 457 petitioners, requesting the Legislative Council to undertake an examination of the facts relating to Biomass Pty Ltd's intention to construct a biomass generator at the Diamond Mill in the Shire of Manjimup. (Tabled paper 281).

Hon Brian Ellis presented a petition from 1 665 petitioners, requesting the Legislative Council support the granting of Commercial Producer's and Commercial Purposes Licences for picking *Scaevola Spinescens* (Maroon Bush). (Tabled paper 282).

Hon Giz Watson presented a petition from 954 petitioners, requesting the Legislative Council to support the urgent introduction of legislation to ensure the protection of mature trees on public land in urban areas. (Tabled paper 283).

Hon Giz Watson presented a petition from 1 petitioner, requesting that the Legislative Council inquire into the activities of the Shire of Augusta Margaret River in relation to the District Planning Scheme for the Shire (DDTPS1). (Tabled paper 284).

4. Papers

The following Papers were laid on the Table by -

President

Auditor General's Papers -

Audit Results - Assurance Audits completed at 3 November 2008 and Opinions on Ministerial Notifications (Report No. 6) (November 2008) (Deemed tabled 12/11/2008)	192
Performance Examination - Responding to Changes in attraction, Retention and Achievement in Vocational Training (Report No. 7) (November 2008) (Deemed tabled 12/11/2008)	193

Leader of the House

Management Plans -

Fish Resources Management Act 1994 (Pilbara Fish Trawl Fishery (Interim) Management Plan Amendment 2008 G.G. 25/07/2008)	285
--	-----

Orders -

Fish Resources Management Act 1994 (Prohibition on Commercial Fishing (Barrow Island Marine Management Area) Order 2008 G.G. 27/06/2008, Prohibition on Commercial Fishing (Barrow Island Marine Park and Montebello Islands Marine Park) Order 2008 G.G. 27/06/2008, Prohibition on Recreational Fishing (Barrow Island Marine Management Area) Order 2008 G.G. 27/06/2008, Prohibition on Recreational Fishing (Barrow Island Marine Park and Montebello Islands Marine Park) Order 2008 G.G. 27/06/2008, and Prohibition on Commercial Fishing (Barrow Island Marine Park and Montebello Islands Marine Park) Amendment Order 2008 G.G. 11/07/2008).....	195
---	-----

Regulations -

Dangerous Goods Safety Act 2004 (Dangerous Goods Safety (Road and Rail Transport of Non-explosives) Amendment Regulations 2008 G.G. 30/06/2008)	196
Salaries and Allowances Act 1975 (Salaries and Allowances Amendment Regulations 2008 G.G. 25/07/2008)	197

Minister for Transport

Annual Reports -

Health, Department of (2007-2008) (Date received 11/11/2008)	198
Reproductive Technology Council (2007-2008) (Date received 11/11/2008)	199

Annual Reports - Hospitals -

Metropolitan Health Service (2007-2008) (Date received 11/11/2008)	200
WA Country Health Service (2007-2008) (Date received 11/11/2008)	201

Notices -

Health Act 1911 (City of Canning - Fees and Charges G.G. 15/07/2008, City of Cockburn - Fees and Charges G.G. 04/07/2008, and Shire of Cranbrook - Fees and Charges G.G. 29/07/2008).....	202
---	-----

Regulations -

Children's Court of Western Australia Act 1988 (Children's Court (Fees) Amendment Regulations (No. 2) 2008 G.G. 27/06/2008)	203
Civil Judgments Enforcement Act 2004 (Civil Judgments Enforcement Amendment Regulations (No. 2) 2008 G.G. 27/06/2008)	204
District Court of Western Australia Act 1969 (District Court (Fees) Amendment Regulations 2008 G.G. 27/06/2008)	205
Evidence Act 1906 (Evidence (Video and Audio Links Fees and Expenses) Amendment Regulations 2008 G.G. 27/06/2008)	206
Fines, Penalties and Infringement Notices Enforcement Act 1994 (Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 5) 2008 G.G. 04/07/2008)	207
Jetties Act 1926 (Jetties Amendment Regulations (No. 2) 2008 G.G. 01/07/2008)	208
Magistrates Court Act 2004 (Magistrates Court (Fees) Amendment Regulations (No. 2) 2008 G.G. 27/06/2008)	209
Mining Act 1978 (Mining Amendment Regulations 2008 G.G. 01/08/2008).....	210
Public Trustee Act 1941 (Public Trustee Amendment Regulations 2008 G.G. 24/06/2008).....	211
Road Traffic Act 1974 (Road Traffic Amendment (Novice Driver Penalties) Regulations 2008 G.G. 27/06/2008)	212
Shipping and Pilotage Act 1967 (Navigable Waters Amendment Regulations (No. 2) 2008 G.G. 24/06/2008, Mooring Amendment Regulations 2008 G.G. 24/06/2008, Navigable Waters Amendment Regulations (No. 3) 2008 G.G. 01/07/2008, Ports and Harbours Amendment Regulations 2008 G.G. 01/07/2008, and Ports and Harbours Amendment Regulations (No. 3) 2008 G.G. 01/07/2008)	213
State Administrative Tribunal Act 2004 (State Administrative Tribunal Amendment Regulations 2008 G.G. 27/06/2008)	214
Supreme Court Act 1935 (Supreme Court (Fees) Amendment Regulations (No. 2) 2008 G.G. 27/06/2008).....	215
Transport Co-ordination Act 1966 (Transport (Country Taxi-car) Amendment (Road Traffic) Regulations 2008 G.G. 24/06/2008, Transport Co-ordination Amendment Regulations (No. 2) 2008 G.G. 01/07/2008, Transport (Country Taxi-car) Amendment Regulations 2008 G.G. 01/07/2008, and Country Taxi-cars (Fares and Charges) Amendment Regulations 2008 G.G. 31/07/2008).....	216
Western Australian Marine Act 1982 (Navigable Waters Amendment Regulations (No. 4) 2008 G.G. 24/06/2008, W.A. Marine (Certificates of Competency and Safety Manning) Amendment Regulations (No. 2) 2008 G.G. 24/06/2008, W.A. Marine (Hire and Drive Vessels) Amendment Regulations 2008 G.G. 24/06/2008, W.A. Marine (Radiotelephony) Amendment Regulations 2008 G.G. 24/06/2008, and W.A. Marine (Surveys and Certificates of Survey) Amendment Regulations 2008 G.G. 24/06/2008)	217

Minister for Energy*Local Laws -*

Bush Fires Act 1954 (Shire of Meekatharra - Bush Fire Brigades Local Law 2007 G.G. 29/07/2008)	218
Cemeteries Act 1986 (Shire of Morawa Management and Control of Morawa Cemetery Local Law 2008 G.G. 16/07/2008 and Shire of Meekatharra - Meekatharra Public Cemetery Local Law 2007 G.G. 29/07/2008)	219
Dog Act 1976 (Shire of Morawa Dogs Local Law 2008 G.G. 16/07/2008 and Shire of Meekatharra - Dogs Local Law 2007 G.G. 29/07/2008)	220

Local Government Act 1995 (Town of Cambridge Standing Orders Amendment Local Law 2008 G.G. 01/07/2008, Shire of Kalamunda Trading on Thoroughfares and Public Places Local Law 2008 G.G. 11/07/2008, Shire of Morawa Extractive Industries Local Law 2008 G.G. 16/07/2008, Shire of Morawa Local Laws Relating to Fencing 2008 G.G. 16/07/2008, Shire of Morawa Repeal Local Law 2007 G.G. 16/07/2008, Shire of Meekatharra - Activities in Thoroughfares and Public Places and Trading Local Law 2007 G.G. 29/07/2008, Shire of Meekatharra - Local Government Property Local Law 2007 G.G. 29/07/2008, and Shire of Meekatharra - Repeal Local Law 2007 G.G. 29/07/2008)	221
--	-----

Regulations -

Animal Welfare Act 2002 (Animal Welfare (General) Amendment Regulations (No. 3) 2008 G.G. 18/07/2008)	222
Electricity Industry Act 2004 (Electricity Industry (Independent Market Operator) Amendment Regulations 2008 G.G. 27/06/2008)	223
Energy Coordination Act 1994 (Energy Coordination (Gas Tariffs) Amendment Regulations 2008 G.G. 30/06/2008)	230
Firearms Act 1973 (Firearms Amendment Regulations 2008 G.G. 24/06/2008)	231
Industrial Training Act 1975 (Industrial Training Legislation Amendment Regulations 2008 G.G. 23/07/2008)	232
Pawnbrokers and Second-hand Dealers Act 1994 (Pawnbrokers and Second-hand Dealers Amendment Regulations (No. 2) 2008 G.G. 24/06/2008)	233
Police Act 1892 (Police (Fees) Amendment Regulations 2008 G.G. 24/06/2008)	234
Security and Related Activities (Control) Act 1996 (Security and Related Activities (Control) Amendment Regulations 2008 G.G. 24/06/2008)	235

Minister for Child Protection

Annual Reports -

Agriculture and Food, Department of (2007-2008) (Deemed tabled 25/09/2008)	237
Agriculture Practices Board (2007-2008) (Deemed tabled 25/09/2008)	238
Agriculture Produce Commission (2007-2008) (Deemed tabled 25/09/2008)	239
Agriculture Protection Board (2007-2008) (Deemed tabled 25/09/2008)	240
Armadale Redevelopment Authority (2007-2008) (Deemed tabled 26/09/2008)	241
Art Gallery (2007-2008) (Deemed tabled 26/09/2008)	242
Culture and the Arts, Department of (2007-2008) (Deemed tabled 26/09/2008)	243
East Perth Redevelopment Authority (2007-2008) (Deemed tabled 26/09/2008)	244
Forest Products Commission (2007-2008) (Deemed tabled 25/09/2008)	245
Grain Licensing Authority (2007-2008) (Date received 31/10/2008)	246
LandCorp (2007-2008) (Deemed tabled 26/09/2008)	247
Meat Industry Authority (2007-2008) (Deemed tabled 25/09/2008)	248
Midland Redevelopment Authority (2007-2008) (Deemed tabled 26/09/2008)	249
Museum, Western Australian (2007-2008) (Deemed tabled 26/09/2008)	250
Perth Market Authority (2007-2008) (Deemed tabled 25/09/2008)	251
Perth Theatre Trust (2007-2008) (Deemed tabled 26/09/2008)	252
Planning and Infrastructure, Department for (2007-2008) (Deemed tabled 26/09/2008)	253
Planning Commission (2007-2008) (Deemed tabled 26/09/2008)	254
Potato Marketing Corporation (2007-2008) (Deemed tabled 25/09/2008)	255
Rural Business Development Corporation (2007-2008) (Deemed tabled 25/09/2008)	256
ScreenWest (2007-2008) (Deemed tabled 26/09/2008)	257
State Library (2007-2008) (Deemed tabled 26/09/2008)	258
State Records Commission (2007-2008) (Date received 30/10/2008)	259
Subiaco Redevelopment Authority (2007-2008) (Deemed tabled 26/09/2008)	260
Swan Bells Foundation Inc. (2007-2008) (Deemed tabled 26/09/2008)	261

Directions -

Planning and Development Act 2005 - DR 318 and DR 321 of 2008, between Straits Development Private Ltd and Western Australian Planning Commission and City of Stirling	262
--	-----

Financial Statements

Landcare Trust (For the year ending 30 June 2008) (Date received 25/09/2008)	263
--	-----

Ministerial Approvals

Armadale Redevelopment Act 2001 - To enter into an agreement of value over \$1 million - Reconstruction of Green Avenue and Tudor Road, Armadale with Downer EDI	264
Midland Redevelopment Act 1999 - Approval for Subdivision SU0005 Clayton Precinct - Lot 515 Clayton Street, Midland	265
Midland Redevelopment Act 1999 - To enter into an arrangement of value in excess of \$1 million in accordance with Section 20(3) - Sector 10A subdivision works for the Helena East precinct with the Georgiou Group	266
Midland Redevelopment Act 1999 - To enter into a contract of value in excess of \$1 million in accordance with Section 20(3) - Stage 3 and 4 remedial works for the Helena East precinct with the Georgiou Group	267

Regulations -

Western Australian Meat Industry Authority Act 1976 (Western Australian Meat Industry Authority Amendment Regulations 2008 G.G. 31/07/2008)	268
---	-----

Minister for Environment*Regulations -*

Rottneest Island Authority Act 1987 (Rottneest Island Amendment Regulations 2008 G.G. 24/06/2008)	269
---	-----

Parliamentary Secretary representing the Minister for Water*By-laws -*

Water Agencies (Powers) Act 1984 (Water Agencies Amendment By-laws 2008 G.G. 27/06/2008 and Water Agencies (Charges) Amendment By-laws 2008 G.G. 27/06/2008)	270
--	-----

Parliamentary Secretary representing the Treasurer*Orders -*

Retail Trading Hours Act 1987 (Retail Trading Hours (Small Retail Shops) Amendment Order 2008 G.G. 08/07/2008)	271
--	-----

Regulations -

Fair Trading Act 1987 (Fair Trading (Product Safety Standard) Amendment Regulations 2008 G.G. 27/06/2008 and Fair Trading (Product Safety Standard) Amendment Regulations (No. 2) 2008 G.G. 27/06/2008)	272
Government Financial Responsibility Act 2000 (Government Financial Responsibility Amendment Regulations 2008 G.G. 24/06/2008)	273
Industrial Relations Act 1979 (Industrial Relations Commission Amendment Regulations (No. 4) 2008 G.G. 29/07/2008)	274
Local Government (Miscellaneous Provisions) Act 1960 (Building Amendment Regulations (No. 4) 2008 G.G. 22/07/2008)	275
Marine Navigational Aids Act 1973 (Marine Navigational Aids Amendment Regulations 2008 G.G. 24/06/2008)	276
Motor Vehicle Repairers Act 2003 (Motor Vehicle Repairers Amendment Regulations 2008 G.G. 24/06/2008)	277
Real Estate and Business Agents Act 1978 (Real Estate and Business Agents (General) Amendment Regulations 2008 G.G. 24/06/2008)	278
State Superannuation Act 2000 (State Superannuation Amendment Regulations (No. 4) 2008 G.G. 23/06/2008 and State Superannuation Amendment Regulations (No. 6) 2008 G.G. 08/07/2008)	279
Taxation Administration Act 2003 (Taxation Administration Amendment Regulations (No. 2) 2008 G.G. 22/07/2008)	280

5. Joint Standing Committee on Delegated Legislation - Establishment

Motion No. 1 having been called, the Leader of the House pursuant to notice, moved -

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

3. Joint Standing Committee on Delegated Legislation

- 3.1 A *Joint Delegated Legislation Committee* is established.
- 3.2 The Committee consists of 8 Members, 4 of whom are appointed from each House. The Chairman must be a Member of the Committee who supports the Government.
- 3.3 A quorum is 4 Members of whom at least 1 is a Member of the Council and 1 a Member of the Assembly.
- 3.4 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.
- 3.5 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.
- 3.6 In its consideration of an instrument, the Committee is to inquire whether the instrument -
 - (a) is authorized or contemplated by the empowering enactment;
 - (b) has an adverse effect on existing rights, interests, or legitimate expectations beyond giving effect to a purpose authorized or contemplated by the empowering enactment;
 - (c) ousts or modifies the rules of fairness;
 - (d) deprives a person aggrieved by a decision of the ability to obtain review of the merits of that decision or seek judicial review;
 - (e) imposes terms and conditions regulating any review that would be likely to cause the review to be illusory or impracticable; or
 - (f) contains provisions that, for any reason, would be more appropriately contained in an Act.
- 3.7 In this clause -

“adverse effect” includes abrogation, deprivation, extinguishment, diminution, and a compulsory acquisition, transfer, or assignment;

“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*.

Question - put and passed.

6. Order of Business

Ordered - That Motion No. 3, *Select Committee into the Police Raid on the Sunday Times - Establishment*, and Motion No. 5, *Select Committee into the Appropriateness of Powers and Penalties for Breaches of Parliamentary Privilege and Contempts of Parliament - Establishment*, be taken before Motion No. 2, *Select Committee into Public Sector Expenditure - Establishment*. (Leader of the House).

7. Select Committee into the Police Raid on *The Sunday Times* - Establishment

Motion No. 3 having been called, the Leader of the House, pursuant to notice, moved -

- (1) That a select committee of three members is appointed, any two of whom constitute a quorum.
- (2) The committee and the proceedings of the committee are subject to Chapter XXII of Standing Orders and it is to be regarded for all purposes as a committee appointed under that chapter.
- (3) The committee is to inquire into and report on all circumstances surrounding the police raid on *The Sunday Times* on 30 April 2008.
- (4) The Select Committee have access to all documents, evidence and other material possessed, obtained, or controlled by the previous Select Committee.
- (5) The committee is to report by 10 March 2009.

Question - put and passed.

8. Select Committee into the Police Raid on *The Sunday Times* - Membership

The Leader of the House moved, without notice -

That the following Members be appointed to serve on the Select Committee into the Police Raid on *The Sunday Times* -

- Hon George Cash;
 - Hon Giz Watson; and
 - Hon Adele Farina,
- and that Hon George Cash be appointed Chairman.

Question - put and passed.

9. Select Committee into the Appropriateness of Powers and Penalties for Breaches of Parliamentary Privilege and Contempts of Parliament - Establishment

Motion No. 5 having been called, the Leader of the House, pursuant to notice, moved -

That a select committee of 6 members be appointed to -

- (1) Inquire into and report on the appropriateness of the powers and penalties provided for in the *Parliamentary Privileges Act 1891* and *The Criminal Code* in respect to breaches of parliamentary privilege and contempts of Parliament.
- (2) The Select Committee have access to all documents, evidence and other material possessed, obtained, or controlled by the previous Select Committee.
- (3) The committee is to report to the House no later than 5 May 2009.

Question - put and passed.

10. Select Committee into the Appropriateness of Powers and Penalties for Breaches of Parliamentary Privilege and Contempts of Parliament - Membership

The Leader of the House moved, without notice -

- (1) That the President, Hon Giz Watson, Hon George Cash, Hon Norman Moore, Hon Kate Doust and Hon Kim Chance be appointed to the Select Committee into the Appropriateness of Powers and Penalties for Breaches of Parliamentary Privilege and Contempts of Parliament, and the President be appointed as Chairman of the Committee.
- (2) That the quorum for the Select Committee be three members.

Question - put and passed.

11. Select Committee into Public Sector Expenditure - Establishment

Motion No. 2 having been called, the Hon Sue Ellery, pursuant to notice, moved -

- (1) That a select committee of five members is appointed, any three of whom constitute a quorum.
- (2) The committee and the proceedings of the committee are subject to Chapter XXII of Standing Orders and it is to be regarded for all purposes as a committee appointed under that chapter.
- (3) The committee is to inquire into and report on Government measures to audit the operational and financial performance of the Western Australian public sector, and any other means by which efficiencies in public sector expenditure can be gained and all the circumstances surrounding the implementations of the 3 percent efficiency dividend including -
 - (a) the impacts of the 3 percent efficiency dividend on the general level of service delivery across all agencies; in particular any impacts on service delivery to regional areas,
 - (b) consider alternative methods for achieving a 3 percent reduction in government expenditure;
 - (c) whether the efficiency dividend has a disproportionate impact on smaller agencies, including whether or not smaller agencies are disadvantaged by poorer economies of scale or a relative inability to obtain funding for new policy proposals;
 - (d) what measures agencies are taking to implement the efficiency dividend, and the effect on their functions, performance and staffing arrangements;
 - (e) alternatives to an across-the-board efficiency dividend to encourage efficiency in the public sector, including consideration of whether certain agencies or functions of agencies should be exempt from the efficiency dividend, or whether the rate of the dividend should vary according to agency size or function.
- (4) The Committee may present interim reports without a requirement for leave and is to present its final report to the House not later than Tuesday, 12 May 2009.

Debate ensued.

12. Questions Without Notice

Questions without notice were taken.

The Minister for Energy representing the Minister for Police tabled, and by leave incorporated into Hansard, documents in relation to a report of the Auditor General examining the performance of the juvenile justice system, in response to a question without notice asked by Hon Giz Watson. (Tabled paper 286).

President's Ruling

The President ruled as follows -

That a question asked by Hon Ljiljanna Ravlich of the Leader of the House in relation to a petition tabled by the Leader of the House on behalf of Mr Noel Crichton-Browne cannot be asked at this stage.

The Minister for Energy representing the Minister for Education tabled, and by leave incorporated into Hansard, documents in relation to the Department of Education and Training's Aboriginal Kindergarten Program for three to four year olds, in response to a question without notice asked by Hon Shelley Archer. (Tabled paper 287).

The Minister for Environment tabled a letter dated 9 October 2008 from the Minister for Environment to Mr Keiran McNamara, Director General, Department of Environment and Conservation, regarding a conflict of interest concerning Woodside Energy, in response to a question without notice asked by Hon Sally Talbot. (Tabled paper 288).

The Parliamentary Secretary representing the Treasurer tabled, and by leave incorporated into Hansard, documents in relation to the 2008-2009 Pre-Election Financial Projections Statement and the Monthly Report of General Government Finances Statement for the Month Ended 31 August 2008 - Estimated Reductions, in response to a question without notice asked by Hon Ed Dermer. (Tabled paper 289).

13. Select Committee into Public Sector Expenditure - Establishment

Debate resumed on the motion of Hon Sue Ellery (cf item 11 above).

Interruption of Debate [SO 195].

14. Address-In-Reply

The Order of the Day having been read for the adjourned debate on the Address-in-Reply.

Debate resumed.

On the motion of Hon Bruce Donaldson the debate was adjourned to the next sitting.

15. Order of Business

Ordered - That Bills for Introduction be now taken. (Leader of the House).

16. Mineral Sands (Eneabba) Agreement Amendment Bill 2008

The Minister for Mines and Petroleum, pursuant to notice, moved -

That a Bill for "An Act to amend the *Mineral Sands (Eneabba) Agreement Act 1975*." be introduced and read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Mines and Petroleum moved, That the Bill be now read a second time.

The Minister for Mines and Petroleum tabled an Explanatory Memorandum relating to the Bill. (Tabled paper 290).

Debate stands adjourned.

17. Surrogacy Bill 2008

The Leader of the House, on behalf of the Minister for Transport, pursuant to notice, moved -

That a Bill for "An Act about arrangements for surrogate births and children born under those arrangements and for related purposes, and to make related amendments to -

- the *Births, Deaths and Marriages Registration Act 1998*; and
- the *Children and Community Services Act 2004*; and

- the *Family Court Act 1997*; and
- the *Guardianship and Administration Act 1990*; and
- the *Human Reproductive Technology Act 1991*; and
- the *Interpretation Act 1984*.”

be introduced and read a first time.

Question - put and passed.

Bill read a first time.

The Leader of the House moved, That the Bill be now read a second time.

Debate stands adjourned.

18. Order of Business

Ordered - That Bill for Introduction No. 5, *Training Legislation Amendment and Repeal Bill 2008*, be taken before Bill for Introduction No. 4, *Statutes (Repeals and Miscellaneous Amendments) Bill 2008*. (Leader of the House).

19. Training Legislation Amendment and Repeal Bill 2008

The Minister for Training, pursuant to notice, moved -

That a Bill for “An Act —

- to amend the *Vocational Education and Training Act 1996*; and
- to repeal the *Industrial Training Act 1975*,

and, as a consequence, to amend various Acts, and for related purposes.”

be introduced and read a first time.

Question - put and passed.

Bill read a first time.

The Minister for Training moved, without notice -

That pursuant to Standing Order 230A(3), the *Training Legislation Amendment and Repeal Bill 2008* do not stand referred to the Standing Committee on Uniform Legislation and Statutes Review.

Question - put and passed.

The Minister for Training moved, That the Bill be now read a second time.

Debate stands adjourned.

20. Statutes (Repeals and Miscellaneous Amendments) Bill 2008

The Leader of the House, on behalf of the Minister for Transport, pursuant to notice, moved -

That a Bill for “An Act to amend the statute law by -

- repealing various Acts; and
 - making minor amendments to various other written laws,
- and for related purposes.” be introduced and read a first time.

Question - put and passed.

Bill read a first time.

The Leader of the House moved, That the Bill be now read a second time.

Debate stands adjourned.

21. Ministerial Statement - Government Business

The Leader of the House made a Ministerial Statement with respect to the proposed Business Program for the next day's sitting.

22. Adjournment

The Leader of the House moved, That the House do now adjourn.

Debate ensued.

Question - put and passed.

The House adjourned at 9.21pm until Thursday, 13 November 2008 at 11.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Batong Pham.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council