



## LEGISLATIVE COUNCIL

### TUESDAY, 28 MARCH 2023

### 2.00pm

#### 1. Meeting of Council

The Council assembled at 2.00pm pursuant to order.

The President, Hon Alanna Clohesy, took the Chair.

Prayers and an Acknowledgement of Country were read.

#### 2. Petition

Hon Colin de Grussa presented a petition from 285 petitioners requesting the Legislative Council inquire into sealing the remaining unsealed section of the Goldfields Highway, Meekatharra Wiluna Road. (Tabled Paper 2117).

Hon Nick Goiran presented an E-petition from 6,192 petitioners requesting the Legislative Council inquire into the protection of religious freedoms. (Tabled Paper 2118).

#### 3. Papers

The following Papers were laid on the Table by —

##### President

*Auditor General's Papers* —

Opinions on Ministerial Notifications — Tourism WA's Campaign Expenditure  
(Report No. 18) (2022-23) (Deemed tabled 27/03/2023) .....2113

##### Leader of the House

*Regulations* —

Mental Health Act 2014 (Mental Health Amendment Regulations 2023 G.G. 24/03/2023) .....2114

##### Minister for Agriculture and Food

*Local Laws* —

Local Government Act 1995 (Shire of Augusta Margaret River Cat Local  
Law 2023 G.G. 24/03/2023 and Shire of Waroona Health Amendment Local  
Law 2023 G.G. 21/03/2023) .....2115

##### Parliamentary Secretary to the Attorney General

*Regulations* —

Work Health and Safety Act 2020 (Work Health and Safety Regulations Amendment  
Regulations 2023 G.G. 24/03/2023) .....2116

#### **4. Mining Amendment Bill 2023**

The Parliamentary Secretary to the Minister for Mines and Petroleum: To move on the next day of sitting —

That a Bill for “An Act to amend the *Mining Act 1978*.” be introduced and read a first time.

#### **5. Suspension of Standing Orders**

The Leader of the House moved, without notice —

That so much of Standing Orders be suspended to enable the Council to sit beyond 9.45pm on this day’s sitting and to take Members’ Statements at a time ordered by the House.

Debate ensued.

The motion requiring the concurrence of an absolute majority.

Question — put.

The President having counted the Council, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

#### **6. Criminal Investigation Amendment (Validation) Bill 2023**

The President reported the receipt of Message No. 103 from the Legislative Assembly forwarding the Bill for concurrence.

The Minister for Emergency Services representing the Minister for Police moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Minister for Emergency Services representing the Minister for Police moved, That the Bill be read a second time.

The Minister for Emergency Services representing the Minister for Police tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 2119).

Debate stands adjourned.

#### **7. Suspension of Standing Orders**

The Leader of the House moved, without notice —

That so much of Standing Orders be suspended to enable the *Criminal Investigation Amendment (Validation) Bill 2023* to be taken forthwith and proceed through all stages at this day’s sitting.

Debate ensued.

The motion requiring the concurrence of an absolute majority.

Question — put.

The President having counted the Council, and there being an absolute majority present, and no dissentient voice, declared the motion carried with the concurrence of an absolute majority.

#### **8. Criminal Investigation Amendment (Validation) Bill 2023**

The Order of the Day having been read for the adjourned debate on the second reading of this Bill. The Minister for Emergency Services representing the Minister for Police, pursuant to Standing Order 125A, declared the Bill to be an urgent Bill.

The Minister for Emergency Services representing the Minister for Police moved, without notice —  
That pursuant to Standing Order 125A, the following maximum time limits apply to the following stages of the Bill:

Second Reading	55 minutes
Committee of the Whole	0 minutes
Third Reading	0 minutes

Question — put and passed.

Debate resumed on the second reading of this urgent Bill.

Question — put and passed.

Bill read a second time.

Leave was granted to proceed forthwith to the third reading.

The Minister for Emergency Services representing the Minister for Police moved, That the Bill be read a third time.

Question — put and passed.

Bill read a third time and passed.

## 9. Order of Business

Ordered — That Orders of the Day Nos 1, *Shire of Kojonup Cat Local Law 2022 — Disallowance*, 2, *Shire of Kojonup Parking Local Law 2022 — Disallowance*, 3, *Shire of Dumbleyung Bush Fire Brigades Local Law 2022 — Disallowance*, 4, *Shire of Dumbleyung Health Local Law 2022 — Disallowance*, 5, *Shire of Dumbleyung Local Government Property and Public Places Local Law 2022 — Disallowance*, and 6, *Shire of Kondinin Bush Fire Brigades Local Law 2022 — Disallowance*, be taken after Order of the Day No. 9, *Major Events Bill 2023*. (Leader of the House).

## 10. Criminal Law (Mental Impairment) Bill 2022

The Order of the Day for the further consideration of this Bill, in Committee of the Whole House, having been read.

The President left the Chair.

### In Committee

(Hon Dr Brian Walker in the Chair)

Clause 2.

Debate resumed.

The Parliamentary Secretary representing the Attorney General tabled an Implementation Timeline and Program Streams, in relation to the Bill. (Tabled Paper 2120).

Debate resumed.

Clause agreed to.

Clauses 3 to 7 agreed to.

Clause 8.

Debate ensued.

Clause agreed to.

Clause 9.

Debate ensued.

## 11. Questions Without Notice

Questions without notice were taken.

The Parliamentary Secretary representing the Minister for Regional Development on behalf of the Parliamentary Secretary representing the Minister for Mines and Petroleum, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Dr Steve Thomas.

The Minister for Emergency Services representing the Minister for Tourism tabled a response to a question without notice asked by Hon Tjorn Sibma. (Tabled Paper 2121).

The Minister for Agriculture and Food representing the Minister for Housing, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Steve Martin.

The Minister for Forestry, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Dr Steve Thomas.

The Parliamentary Secretary representing the Minister for Mines and Petroleum, by leave, incorporated into *Hansard* a response to a question without notice asked by Hon Dr Steve Thomas.

## **12. Criminal Law (Mental Impairment) Bill 2022**

Resumption of consideration of this Bill in Committee of the Whole House (*see item 10 above*).

The President left the Chair.

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### **In Committee**

(Hon Martin Aldridge in the Chair)

Clause 9.

Debate resumed.

Clause agreed to.

Clause 10.

Debate ensued.

Clause agreed to.

Clause 11.

Debate ensued.

Clause agreed to.

Clauses 12 and 13 agreed to.

Clause 14.

Debate ensued.

Clause agreed to.

Clauses 15 to 18 agreed to.

Clause 19.

Debate ensued.

Clause agreed to.

Clause 20.

Debate ensued.

Clause agreed to.

Clause 21 agreed to.

Clause 22.

Debate ensued.

Clause agreed to.

Clause 23 agreed to.

Clauses 24 and 25 agreed to.

Clause 26.

Debate ensued.

Clause agreed to.

Clause 27 agreed to.

Clause 28.

Debate ensued.

Clause agreed to.

Clauses 29 to 34 agreed to.

Clause 35.

Debate ensued.

Clause agreed to.

Clauses 36 to 40 agreed to.

Clause 41.

Debate ensued.

Clause agreed to.

Clause 42.

Debate ensued.

Clause agreed to.

Clause 43.

Debate ensued.

Clause agreed to.

Clause 44 agreed to.

Clause 45.

Debate ensued.

The Parliamentary Secretary representing the Attorney General moved, That the Deputy Chair report progress and seek to sit again.

Question — put and passed.

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The Acting President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the Bill, made progress, and seeks to sit again.

Ordered — That the Committee of the Whole House sit again.

### **13. Order of Business**

Ordered — That Members' Statements be taken forthwith. (Leader of the House).

### **14. Members' Statements**

Statements were taken.

### **15. Directors' Liability Reform Bill 2022**

The following Message from the Legislative Assembly was reported —

Honourable President

Message No. 104

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Directors' Liability Reform Bill 2022*.

Mr S. J. Price  
Deputy Speaker  
Legislative Assembly Chamber  
Perth, 28 March 2023

**16. Adjournment**

The Council adjourned at 9.56pm until Wednesday, 29 March 2023 at 1.00pm.

**Members present during the day's proceedings**

Attendance: Present all Members except Hon Ayor Makur Chuot (*leave*).

**PAUL GRANT**

Acting Clerk of the Legislative Council

**HON ALANNA CLOHESY MLC**

President of the Legislative Council