



LEGISLATIVE COUNCIL

WEDNESDAY, 30 NOVEMBER 2022

1.00pm

1. Meeting of Council

The Council assembled at 1.00pm pursuant to order.

The President, Hon Alanna Clohesy, took the Chair.

Prayers and an Acknowledgement of Country were read.

2. Ministerial Statement — Animal Welfare Act Progress

The Parliamentary Secretary to the Minister for Agriculture and Food on behalf of the Minister for Agriculture and Food made a Ministerial Statement with respect to the Department of Primary Industries and Regional Development's progress on the proposed Bill to amend the *Animal Welfare Act 2002*.

3. Papers

The following Papers were laid on the Table by —

Leader of the House

Reports —

Ministerial Office Staffing as at 27 October 2022 1911

Minister for Emergency Services

Annual Reports —

Racing Penalties Appeal Tribunal (2021-22) (Date received 29/11/2022) 1912

Parliamentary Secretary to the Attorney General

Annual Reports —

Western Australian Electoral Commission (2021-22) (Date received 29/11/2022) 1913

4. Attorney General

Hon Nick Goiran: To move on the next day of sitting —

That this House —

- (a) expresses its concerns that the Attorney General has once again broken the law of our State;
- (b) notes that —
 - (i) since 7 April 2022, the Attorney General has been knowingly in breach of section 110ZZE of the *Guardianship and Administration Act 1990*; and

- (ii) on a date between 7 April 2022 and 29 November 2022, the Attorney General wilfully breached that same section of the Act;
- (c) further notes that the Attorney General continues to knowingly and wilfully breach this law of our State; and
- (d) calls on the Premier to replace the Attorney General with a reliable Member who will not be confused about their duty to abide by the rule of law, not merely at their own convenience, but at all times.

5. Suspension of Standing Orders

The Leader of the House moved, without notice —

That so much of Standing Orders be suspended as to enable the *Medicines and Poisons (Validation) Amendment Bill 2022* to proceed through all stages at a day and time determined 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. Consideration of Committee Reports

Pursuant to order for the consideration of Committee Reports.

In Committee

(Hon Peter Foster in the Chair)

Joint Standing Committee on Delegated Legislation — Report 2 — Annual Report 2021

Debate resumed on the motion of Hon Martin Pritchard, That the Report be noted.

Debate interrupted and postponed pursuant to SO 110(2A).

Joint Standing Committee on the Corruption and Crime Commission — Report 5 — Police Power of Arrest — Parliamentary Inspector's Report

Debate resumed on the motion of Hon Pierre Yang, That the Report be noted.

Question — put and passed.

Interruption pursuant to order.

The Acting President resumed the Chair.

The Deputy Chair of Committees reported that the Committee of the Whole House had considered the —

- (1) Joint Standing Committee on Delegated Legislation — Report 2 — *Annual Report 2021*, made progress, and postponed further consideration until the next sitting.
- (2) Joint Standing Committee on the Corruption and Crime Commission — Report 5 — *Police Power of Arrest — Parliamentary Inspector's Report* and had noted same.

Report adopted.

7. Order of Business

Ordered — That Order of the Day No. 1, *Shire of Meekatharra Health Local Law 2021 — Disallowance*, be taken after Order of the Day No. 2, *Health Services Amendment Bill 2021*. (Leader of the House).

8. Medicines and Poisons (Validation) Bill 2022

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

The Leader of the House representing the Minister for Health moved, without notice —

That pursuant to Standing Order 125A, the following maximum time limits apply to the following stages of the Bill:

Second Reading	85 minutes
Committee of the Whole	150 minutes
Third Reading	60 minutes

Question — put and passed.

Debate ensued on the second reading of this urgent Bill.

Question — put and passed.

Bill read a second time.

The Acting President left the Chair.

In Committee

(Hon Jackie Jarvis in the Chair)

Clause 1.

Debate ensued.

The Leader of the House representing the Minister for Health, tabled the misdirected definition of the standard for the uniform scheduling of medicines and poisons (SUSMP). (Tabled Paper 1914).

Debate resumed.

9. Questions Without Notice

Questions without notice were taken.

The Minister for Emergency Services on behalf of the Leader of the House representing the Premier; Minister for State and Public Sector Management; Federal-State Relations, by leave, incorporated into *Hansard* information in relation to the State Government Voluntary Targeted Separation Scheme (VTSS), in response to a question without notice asked by Hon Dr Steve Thomas.

The Parliamentary Secretary representing the Minister for Energy tabled Western Power's *State Infrastructure Report 2020-21*, in response to a question without notice asked by Hon Dr Steve Thomas.

The Leader of the House representing the Minister for Child Protection tabled the Department of Communities caseload management error corrections for November 2022, in response to a question without notice asked by Hon Nick Goiran. (Tabled Paper 1916).

The Parliamentary Secretary representing the Minister for Energy, by leave, incorporated into *Hansard* information in relation to residential disconnection and applications to the hardship utility grants scheme in September and October 2022, in response to a question without notice asked by Hon Dr Steve Thomas.

The Minister for Regional Development representing the Minister for Tourism, by leave, incorporated into *Hansard* information in relation to number of complaints regarding accommodation services at Rottnest Island, in response to a question without notice asked by Hon Colin de Grussa.

The Minister for Emergency Services representing the Minister for Finance, by leave, incorporated into *Hansard* information in relation to FIRM Construction entering administration, in response to a question without notice asked by Hon Dr Steve Thomas.

The Minister for Emergency Services representing the Minister for Aboriginal Affairs, by leave, incorporated into *Hansard* information in relation to the budget allocated for capacity building of Aboriginal organisations, in response to a question without notice asked by Hon Colin de Grussa.

The Minister for Regional Development representing the Minister for Forestry, by leave, incorporated into *Hansard* information in relation to references supporting the predicted decline in Jarrah regrowth over the next 50 years, in response to a question without notice asked by Hon Dr Steve Thomas.

The Minister for Agriculture and Food, by leave, incorporated into *Hansard* a correction to question without notice 1204 regarding reports received through Biosecurity Blitz' that may involve permitted organisms, in response to a question without notice asked by Hon Dr Steve Thomas.

The Minister for Regional Development representing the Minister for Forestry tabled an updated answer to a question without notice previously incorporated on this day regarding references supporting the predicted decline in Jarrah regrowth over the next 50 years, in response to a question without notice asked by Hon Dr Steve Thomas. (Tabled Paper 1917).

10. Medicines and Poisons (Validation) Bill 2022

Resumption of consideration of this Bill in Committee of the Whole House (*see item 8 above*).

The President left the Chair.

In Committee

(Hon Dr Brian Walker in the Chair)

Clause 1.

Debate resumed.

Interruption pursuant to order.

The 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.

11. Members' Statements

Statements were taken.

12. Working with Children (Criminal Record Checking) Amendment Bill 2022

The following Message from the Legislative Assembly was reported —

Honourable President

Message No. 92

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Working with Children (Criminal Record Checking) Amendment Bill 2022*.

Mr D.A.E. Scaife

Acting Speaker

Legislative Assembly Chamber

Perth, 30 November 2022

13. Road Traffic (Vehicles) Amendment (Offensive Advertising) Bill 2022

The President reported the receipt of Message No. 93 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary to the Attorney General on behalf of the Leader of the House representing the Minister for Transport moved, That the Bill be read a first time.

Question — put and passed.

Bill read a first time.

The Parliamentary Secretary to the Attorney General on behalf of the Leader of the House representing the Minister for Transport moved, That the Bill be read a second time.

The Parliamentary Secretary to the Attorney General on behalf of the Leader of the House representing the Minister for Transport tabled an Explanatory Memorandum relating to the Bill. (Tabled Paper 1918).

Debate stands adjourned.

14. Adjournment

The Council adjourned at 7.09 pm until Thursday, 1 December 2022 at 10.00am.

Members present during the day's proceedings

Attendance: Present all Members except Hon Klara Andric (*leave*), Hon James Hayward (*suspended*), Hon Rosetta Sahanna and Hon Tjorn Sibma.

SAM HASTINGS

Clerk of the Legislative Council

HON ALANNA CLOHESY MLC

President of the Legislative Council