

LEGISLATIVE COUNCIL
WEDNESDAY, 19 MARCH 2008

4.00pm

Prayers

4.00PM - ORDER OF BUSINESS

Condolence Motion - Hon Fred McKenzie

Petitions

(Hon George Cash)
(Hon Helen Morton)

Statements by Ministers and Parliamentary Secretaries

(Minister for Local Government)

Papers for Tabling

(President)
(Leader of the House)
(Minister for Local Government)
(Minister for Child Protection)
(Parliamentary Secretary representing the Minister for Planning and Infrastructure)

Notice of Questions

Notices of Motions for Disallowance

Notices of Motions to Introduce Bills

(Hon Wendy Duncan)

Notices of Motions

(Hon Simon O'Brien)

Motions without Notice

4.00pm Motions on Notice

5.00pm Questions without Notice

5.30pm Orders of the Day

10.00pm House adjourns

MOTIONS ON NOTICE

63. Health, Education and Law and Order - Crises (*Notice given 27 September 2007*)

Continuation of introductory remarks Hon Ray Halligan (Thursday, 13 March 2008) in moving the following motion -

That this House condemns the Government for refusing to acknowledge that over its terms in office it has contributed to the crises continuing to plague our communities in the areas of health, education and law and order.

57. Aboriginal Child Health Survey (*Notice given 3 April 2007*)

Hon Barbara Scott: To move -

That this House -

- (1) Urges the State Government to take seriously the Western Australian Aboriginal Child Health Survey - Strengthening the Capacity of Aboriginal Children, Families and Communities (Volume 4);
- (2) Set some realistic and achievable time frames for the implementation of the recommended actions;
- (3) Establish an inter-government agency approach to prioritising the recommended actions; and
- (4) Ensure programs build capability in families and communities with Aboriginal and Torres Strait Islander children.

62. Alcoa - Supplementary Property Purchase Plan (*Notice given 19 June 2007*)

Hon Robyn McSweeney: To move -

That given the serious concern expressed by landholders regarding the compensation processes related to the current Alcoa expansion, the Standing Committee on Environment and Public Affairs be required to conduct an inquiry into the fairness and just terms of the *Supplementary Property Purchase Program* (SPPP) and to report back by 14 August 2007.

ORDERS OF THE DAY

568. Rights in Water and Irrigation Amendment Regulations (No. 3) 2007 - Disallowance

Moved *pro forma* (SO 152(b)) Tuesday, 11 March 2008 on the motion of Hon Barry House (Days remaining 6 after today)

That the *Rights in Water and Irrigation Amendment Regulations (No. 3) 2007* published in the *Gazette* on 28 December 2007 and tabled in the Legislative Council on 21 February 2008 under the *Rights in Water and Irrigations Act 1914*, be and are hereby disallowed. (Tabled paper 3658).

The business listed for today's sitting and sequence in which it is to be considered may be altered by the House without notice. Members and other persons are advised to check the status of an item in which they have an interest in the course of today's sitting. Electronic version available on the Parliament's Internet site at www.parliament.wa.gov.au.

571. Shire of Harvey Local Law Relating to Signs and Other Advertising Devices 2007 - Disallowance

Moved *pro forma* (SO 152(b)) Thursday, 13 March 2008 on the motion of Hon Ray Halligan (Days remaining 8 after today)

That the *Shire of Harvey Local Law Relating to Signs and Other Advertising Devices 2007* published in the *Gazette* on 9 November 2007 and tabled in the Legislative Council on 20 November 2007 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled paper 3491).

***530. Prostitution Amendment Bill 2007 [LA 226-2] Minister for Child Protection representing the Attorney General**

Committee progress clause 20 section 21C (Tuesday, 18 March 2008). *cf SNP 226 Issue 1 - 13 March 2008.*

***477. Parental Support and Responsibility Bill 2005 [LA 041-1] (18 September 2007).**

cf SNP 902 Issue 2 - 18 March 2008.

Resumption of debate adjourned in Committee of the Whole (Tuesday, 11 March 2008), on Amendment No. 21 of the motion of Minister for Child Protection as follows -

That the Legislative Council not insist on its amendments Nos 6 to 8, 10 to 12, 18, 19, 24 to 36, 40 to 45, 49 and 50; agrees to the amendments proposed by the Legislative Assembly in substitution for the Legislative Council Amendments Nos 15, 17, 20 and 22; agrees to the further amendment to Amendment No. 48; does not insist on Amendment Nos 4, 14, 16, 23 and 39 but substitutes the following alternatives; and agrees to the Legislative Assembly substituted Amendment No. 21 subject to a further amendment.

Amendment No. 4

New amendment as an alternative to Amendment 4:

Clause 3, page 3, after line 3 — To insert —

“
“income support” means financial assistance provided under a law of the State or the Commonwealth;
 ”.

Amendment No. 14

New amendment as an alternative to Amendment 14:

Clause 9, page 6, line 6 — To delete the full stop and insert instead —

“
 ; or
 (c) a prescribed agency of the Commonwealth.
 ”.

Amendment No. 16

New amendment as an alternative to Amendment 16:

Clause 13, page 11, after line 12 — To insert —

“

- (5) The Court cannot make an order after the fifth anniversary of the day on which this section came into operation and an order in force on or after that anniversary ceases to have effect at the end of the 6 months immediately following that anniversary, if it does not otherwise cease before that time.

”.

Amendment No. 21

Agrees to the Legislative Assembly’s substituted amendment and makes a further amendment:

Clause 18, page 14, after line 28 — To insert —

“

- (b) if relevant — the income of the child’s family, the extent to which that income is derived from income support and any restrictions on the use, or reduction or suspension, of that income under a law of the State or the Commonwealth;

”.

Amendment No. 23

New amendments as alternatives to Amendment 23:

Clause 20, page 16, line 8 — To delete “\$2 000” and insert instead —

“ \$200 ”.

Clause 20, page 16, lines 12 to 14 — To delete the lines and insert instead —

“

- (3) The CEO cannot give approval under subsection (2) unless the CEO —
- (a) is satisfied that all reasonable efforts to assist and encourage the parent to comply with the order have failed; and
 - (b) has taken into account the income of the child’s family, the extent to which that income is derived from income support and any restrictions on the use, or reduction or suspension, of that income under a law of the State or the Commonwealth.

”.

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Amendment No. 39

New amendment as an alternative to Amendment 39:

Clause 35, page 23, after line 27 — To insert —

“

- (5) The warrant of execution may not be executed so as to seize or sell any property unless the Sheriff is satisfied that —
 - (a) the property is wholly owned by the person in respect of whom the warrant is issued; and
 - (b) it would not be detrimental to the welfare of a child of the person to seize or sell the property.

”

to the Legislative Assembly Message No. 243 as follows -

Mr President.

The Legislative Assembly acquaints the Legislative Council that it has considered the amendments made by the Legislative Council in the *Parental Support and Responsibility Bill 2005*, has agreed to Amendments Nos 1 to 3, 5, 9, 13, 37, 38, 46 and 47; has disagreed to Amendments Nos 4, 6 to 8, 10 to 12, 14, 16, 18, 19, 23 to 36, 39 to 45, 49 and 50; has disagreed to Amendments Nos 15, 17 and 20 to 22 and substituted new amendments in their place, and has agreed to Amendment No. 48 subject to further amendments, as set forth in the Schedule annexed, in which the Legislative Assembly desires the Legislative Council's concurrence.

Judith Hughes
Acting Speaker

Legislative Assembly Chamber
Perth, 6 September 2007

501. Mines Safety and Inspection Amendment Bill 2007 [LA 210-1] Minister for Employment Protection

Second reading adjourned Minister for Local Government (Thursday, 28 February 2008).

***479. Human Reproductive Technology Amendment Bill 2007 [LA 194-1] Minister for Child Protection**

Second reading continuation of remarks Hon Ed Dermer - mins 6 (Thursday, 6 December 2007). (Standing Order 230A no longer applies). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 23 (Tabled 18 October 2007). cf SNP 194 Issue 1 - 4 December 2007.*

***273. Food Bill 2005 [LA 110-2] Minister for Child Protection**

Second reading adjourned (Thursday, 22 June 2006). (Standing Order 230A no longer applies). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 14 (Tabled 27 September 2006). cf SNP 110 Issue 1 - 19 March 2008.*

***534. Medical Practitioners Bill 2006 [LA 183-2] Minister for Child Protection representing the Minister for Health**

Second reading adjourned (Wednesday, 21 November 2007). (Standing Order 230A no longer applies). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 25 (Tabled 19 February 2008). cf SNP 183 Issue 1 - 27 February 2008.*

***538. Legal Profession Bill 2007 [LA 245-1] Minister for Child Protection representing the Attorney General**

Second reading adjourned (Wednesday, 21 November 2007). (Standing Order 230A no longer applies). *See Standing Committee on Uniform Legislation and Statutes Review Report No. 26 (Tabled 19 February 2008). cf SNP 245 Issue 1 - 27 February 2008.*

532. Nuclear Facilities Prohibition Bill 2007 [LA 212-1] Leader of the House representing the Minister for Energy

Second reading adjourned (Thursday, 15 November 2007).

500. Occupational Safety and Health Legislation Amendment Bill 2007 [LA 223-1] Minister for Employment Protection

Second reading adjourned (Tuesday, 16 October 2007).

***279. Minerals and Energy Research Amendment Bill 2006 [LA 122-1] Leader of the House**

Second reading adjourned (Thursday, 29 June 2006). *cf SNP 122 Issue 1 - 29 March 2007.*

469. Eastern Goldfields Transport Board Repeal Bill 2007 [LA 199-1] Parliamentary Secretary representing the Minister for Planning and Infrastructure

Second reading adjourned (Thursday, 30 August 2007).

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

MALCOLM PEACOCK

Clerk of the Legislative Council

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