

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 189

THURSDAY, 13 MARCH 2008

1. Meeting of Council

The Council assembled at 11.00am pursuant to order.

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

2. Message from His Excellency the Governor - Assent to Bills

The President reported the receipt of a Message from His Excellency the Governor assenting to the following Bills -

12 March 2008 - Message No. 6	Act No.
Criminal Law and Evidence Amendment Bill 2006	2 of 2008
Fines Legislation Amendment Bill 2006	3 of 2008

3. Papers

The following Papers were laid on the Table by -

Leader of the House

Annual Reports -

Co-operative Bulk Handling Group [CBH] 2007 (Date received 12/03/2008)..... 3762

Minister for Local Government

Local Laws -

Local Government Act 1995 (City of Perth Amendment Local Law 2007 G.G. 29/02/2008, Shire of Dowerin Dogs Local Law 2008 G.G. 29/02/2008 and Town of Kwinana - Standing Orders Amendment Local Law 2007 G.G. 29/02/2008)..... 3763

Minister for Employment Protection

Management Plans -

Fish Resources Management Act 1994 (South-West Coast Salmon Fishery Management Plan Amendment 2008 [853] G.G. 29/02/2008)..... 3764

Regulations -

Mines Safety and Inspection Act 1994 (Mines Safety and Inspection Amendment Regulations 2008 G.G. 29/02/2008) 3765

Weapons Act 1999 (Weapons Amendment Regulations 2008 G.G. 29/02/2008).....	3766
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Minister for Child Protection

Regulations -

Child Care Services Act 2007 (Child Care Services Amendment Regulations 2008 G.G. 26/02/2008).....	3767
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Parliamentary Secretary representing the Minister for Planning and Infrastructure

Regulations -

Public Transport Authority Act 2003 (Public Transport Authority Amendment Regulations 2008 G.G. 29/02/2008).....	3768
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Road Traffic Act 1974 (Road Traffic Code Amendment Regulations (No. 4) 2008 G.G. 29/02/2008) ..	3769
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Standards -

State Records Act 2000 (State Records (Digital Recordkeeping) Standard 2008 G.G. 29/02/2008)	3770
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4. Leave of Absence - Hon Barbara Scott

Hon Bruce Donaldson moved without notice -

That leave of absence be granted to Hon Barbara Scott for 6 sitting days after today due to ill health.

Question - put and passed.

5. Health, Education and Law and Order - Crises

Motion No. 63 having been read, Hon Ray Halligan continued his introductory remarks 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.

Interruption of Debate [SO 195].

6. Consideration of Committee Reports

Pursuant to Standing Orders for the consideration of Committee Reports.

In Committee

(Hon Sheila Mills in the Chair)

Joint Standing Committee on Delegated Legislation - Report No. 23 - Issues of Concern Raised by the Committee Between 1 May 2006 and 30 April 2007 With Respect to Local Laws - Committee Report

The Order of the Day having been read, Hon Ray Halligan continued his introductory remarks in moving, That the Report be noted.

Question - put and passed.

Joint Standing Committee on the Corruption and Crime Commission - Report No. 26 - Inquiry into the Future Operation of Witness Protection Programmes in Western Australia - Committee Report

The Order of the Day having been called, Hon Ray Halligan moved, That the Report be noted.

Interruption of Debate [SO 61A].

The Deputy President resumed the Chair.

The Deputy Chairman of Committees reported that the Committee of the Whole House had considered the -

- (1) Joint Standing Committee on Delegated Legislation - Report No. 23 - Issues of Concern Raised by the Committee Between 1 May 2006 and 30 April 2007 With Respect to Local Laws - Committee Report and had noted same.
- (2) Joint Standing Committee on the Corruption and Crime Commission - Report No. 26 - Inquiry into the Future Operation of Witness Protection Programmes in Western Australia - Committee Report, made progress, and asked leave to sit again.

Report adopted.

7. Order of Business

Ordered - That Orders of the Day Nos 568, *Rights in Water and Irrigation Amendment Regulations (No. 3) 2007 - Disallowance* and 571, *Shire of Harvey Local Law Relating to Signs and Other Advertising Devices 2007 - Disallowance*, be taken after Order of the Day No. 532, *Nuclear Facilities Prohibition Bill 2007*. (Leader of the House).

8. Prostitution Amendment Bill 2007

The Order of the Day having been read for the adjourned debate on the second reading of this Bill.

Debate resumed.

9. Questions Without Notice

Questions without notice were taken.

The Minister for Employment Protection on behalf of the Minister for Child Protection representing the Minister for Health tabled, and by leave incorporated into Hansard, an answer in tabular format in relation to youth suicides in rural and regional Western Australia, in response to a question without notice asked by Hon Robyn McSweeney. (Tabled paper 3771).

The Parliamentary Secretary representing the Minister for State Development tabled, and by leave incorporated into Hansard, documents in relation to the Deed of Undertaking between Alcoa and the State, in response to a question without notice asked by Hon Paul Llewellyn. (Tabled paper 3772).

10. Prostitution Amendment Bill 2007

Debate resumed on the second reading of this Bill (cf item 8 above).

Interruption of Debate [SO 61(b)].

11. Duties Legislation Amendment Bill 2007

The Acting President reported the receipt of Message No. 290 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary representing the Treasurer moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Parliamentary Secretary representing the Treasurer moved, That the Bill be now read a second time.

The Parliamentary Secretary representing the Treasurer, by leave, tabled the explanatory memorandum. (Tabled paper 3773).

Debate stands adjourned.

12. Duties Bill 2007

The Acting President reported the receipt of Message No. 292 from the Legislative Assembly forwarding the Bill for concurrence.

The Parliamentary Secretary representing the Treasurer moved, That the Bill be now read a first time.

Question - put and passed.

Bill read a first time.

The Parliamentary Secretary representing the Treasurer moved, That the Bill be now read a second time.

The Parliamentary Secretary representing the Treasurer, by leave, tabled the explanatory memorandum. (Tabled paper 3774).

Debate stands adjourned.

13. Parliamentary Services Committee - Joint Standing Committee on Delegated Legislation - Legislative Assembly Membership

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 291

The Legislative Assembly acquaints the Legislative Council that it has appointed the member for Serpentine-Jarrahdale to the Parliamentary Services Committee in place of the former member for Murdoch, and that the member for Murdoch has been appointed to the Joint Standing Committee on Delegated Legislation in place of the member for Roe.

Hon Fred Riebeling MLA

Speaker

Legislative Assembly Chamber

Perth, 12 March 2008

14. Police Amendment Bill 2006

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 293

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Police Amendment Bill 2006*.

Hon F. Riebeling

Speaker

Legislative Assembly Chamber

Perth, 13 March 2008

15. Public Trustee and Trustee Companies Legislation Amendment Bill 2006

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 294

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendment made by the Legislative Council in the *Public Trustee and Trustee Companies Legislation Amendment Bill 2006*.

Hon F. Riebeling

Speaker

Legislative Assembly Chamber

Perth, 13 March 2008

16. Acts Amendment (Justice) Bill 2007

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 295

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendments made by the Legislative Council in the *Acts Amendment (Justice) Bill 2007*.

Hon F. Riebeling

Speaker

Legislative Assembly Chamber

Perth, 13 March 2008

17. Bail Amendment Bill 2007

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 296

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendment made by the Legislative Council in the *Bail Amendment Bill 2007*.

Hon F. Riebeling

Speaker

Legislative Assembly Chamber

Perth, 13 March 2008

18. Cross-border Justice Bill 2007

The following Message from the Legislative Assembly was reported -

Mr President

Message No. 297

The Legislative Assembly acquaints the Legislative Council that it has agreed to the amendment made by the Legislative Council in the *Cross-border Justice Bill 2007*.

Hon F. Riebeling

Speaker

Legislative Assembly Chamber

Perth, 13 March 2008

19. Adjournment

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

Question - put and passed.

The House adjourned at 5.22pm until Tuesday, 18 March 2008 at 3.30pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Ed Dermer.

Member granted leave: Hon Barbara Scott.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON NICK GRIFFITHS
President of the Legislative Council