

WESTERN AUSTRALIA

LEGISLATIVE COUNCIL

MINUTES OF PROCEEDINGS

No. 74

THURSDAY, 4 MARCH 2010

1. Meeting of Council

The Council assembled at 11.00am pursuant to order.

The President, Hon Barry House, took the Chair and read prayers.

2. Petitions

Hon Alyssa Hayden presented a petition, by delivery to the Clerk, [SO 130], from 464 petitioners requesting the Legislative Council support the preservation of leased shack-site communities for alternative recreational holiday destinations for Western Australians. (Tabled paper 1777).

Hon Matt Benson-Lidholm presented a petition from 20 petitioners requesting the Legislative Council's support to maintain Western Australia as a Genetically Modified (GM) Free Zone. (Tabled paper 1778).

Hon Adele Farina presented a petition from 185 petitioners requesting the Legislative Council support the introduction of breast-feeding legislation in Western Australia. (Tabled paper 1779).

Hon Nick Goiran presented a petition from 101 petitioners requesting the Legislative Council support the repeal of the *Prostitution Amendment Act 2008*. (Tabled paper 1780).

Hon Adele Farina, by leave, presented a non-conforming petition from 1 244 petitioners requesting the Legislative Council support the introduction of breast-feeding legislation in Western Australia. (Tabled paper 1781).

3. Ministerial Statement - Workforce Development - Government Achievements

The Minister for Training and Workforce Development made a Ministerial Statement with respect to the Government's achievements in the area of workforce development.

Ordered - That consideration of the Ministerial Statement be made an Order of the Day for the next sitting.

4. Ministerial Statement - International Womens' Day 2010

The Minister for Women's Interests made a Ministerial Statement with respect to International Womens' Day 2010 and the achievements and contributions of Western Australian women in the State's workforce and social arena.

Ordered - That consideration of the Ministerial Statement be made an Order of the Day for the next sitting.

5. Paper

The following Paper was laid on the Table by -

Minister for Environment

Annual Reports -

National Environment Protection Council (2008-2009) (Date received 03/03/2010)..... 1776

6. Standing Committee on Uniform Legislation and Statutes Review - Forty-fifth Report - Working with Children (Criminal Record Checking) Amendment Bill 2009

Hon Adele Farina presented the Forty-fifth Report of the Standing Committee on Uniform Legislation and Statutes Review in relation to the *Working with Children (Criminal Record Checking) Amendment Bill 2009*. (Tabled paper 1782).

Hon Adele Farina moved, That the Report do lie upon the Table and be printed.

Question - put and passed.

7. Freedom of Information Process

Motion No. 1 having been called, debate resumed on the motion of Hon Ljiljanna Ravlich as follows -

That this House condemns the Premier for failing to honour his election commitment to review the manner in which Departments are administering the Freedom of Information (FOI) process, to ensure that the Government is accountable and open in accordance with the spirit of the FOI Act and calls on the Premier to explain why he has allowed a culture of arrogance, secrecy and of deliberately keeping information from the public to develop among his Cabinet Ministers when dealing with FOI requests.

Interruption of Debate [SO 195].

8. Consideration of Committee Reports

Pursuant to Standing Orders for the consideration of Committee Reports.

In Committee

(Hon Matt Benson-Lidholm in the Chair)

Standing Committee on Estimates and Financial Operations - Twentieth Report - "Royalties for Regions" Policy

Debate resumed on the motion of Hon Giz Watson, That the Report be noted.

Question - put and passed.

Joint Standing Committee on Delegated Legislation - Thirtieth Report - Annual Report 2008

Hon Robin Chapple moved, That the Report be noted.

Debate ensued.

Question - put and passed.

Joint Standing Committee on Delegated Legislation - Thirty-first Report - Issues of Concern Raised by the Committee between 1 May 2007 and 30 April 2009 with respect to Local Laws

Hon Robin Chapple moved, That the Report be noted.

Question - put and passed.

Joint Standing Committee on Delegated Legislation - Thirty-second Report - Supreme Court (Fees) Amendment Regulations (No. 2) 2008, Children's Court (Fees) Amendment Regulations (No. 2) 2008, District Court (Fees) Amendment Regulations 2008, Magistrates Court (Fees) Amendment Regulations (No. 2) 2008, Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2007 and other Court Fee Instruments

Hon Robin Chapple moved, That the Report be noted.

Question - put and passed.

Joint Standing Committee on the Commissioner for Children and Young People - First Report - Review of the 2007-2008 Annual Report of the Commissioner for Children and Young People

Hon Helen Bullock moved, That the Report be noted.

Debate ensued.

Question - put and passed.

Standing Committee on Public Administration - Tenth Report - Inquiry into Statutory Office Holders' Grievance Procedures

Hon Ed Dermer 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) Standing Committee on Estimates and Financial Operations - Twentieth Report - "Royalties for Regions" Policy and had noted same.
- (2) Joint Standing Committee on Delegated Legislation - Thirtieth Report - Annual Report 2008 and had noted same.
- (3) Joint Standing Committee on Delegated Legislation - Thirty-first Report - Issues of Concern Raised by the Committee between 1 May 2007 and 30 April 2009 with respect to Local Laws and had noted same.
- (4) Joint Standing Committee on Delegated Legislation - Thirty-second Report - Supreme Court (Fees) Amendment Regulations (No. 2) 2008, Children's Court (Fees) Amendment Regulations (No. 2) 2008, District Court (Fees) Amendment Regulations 2008, Magistrates Court (Fees) Amendment Regulations (No. 2) 2008, Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2007 and other Court Fee Instruments and had noted same.
- (5) Joint Standing Committee on the Commissioner for Children and Young People - First Report - Review of the 2007-2008 Annual Report of the Commissioner for Children and Young People and had noted same.
- (6) Standing Committee on Public Administration - Tenth Report - Inquiry into Statutory Office Holders' Grievance Procedures, made progress, and asked leave to sit again

Report adopted.

9. Order of Business

Ordered - That Order of the Day No. 1, *Taxi Amendment Regulations (No. 2) 2009 - Disallowance*, be taken after Order of the Day No. 17, *Joint Standing Committee on Audit*. (Leader of the House).

10. Standardisation of Formatting Bill 2009

The Order of the Day having been read for the consideration of the Committee's report upon this Bill.

The Parliamentary Secretary representing the Attorney General moved, That the report be adopted.

Question - put and passed.

Ordered - That the third reading of the Bill be made an Order of the Day for the next sitting.

11. Child Exploitation Material and Classification Legislation Amendment Bill 2009

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

Debate resumed.

12. Questions Without Notice

Questions without notice were taken.

The Minister for Transport representing the Minister for Health tabled, and by leave incorporated into Hansard, a document in relation to the number of private patients treated at Sir Charles Gardiner, Royal Perth and Fremantle Hospitals during 2008, 2009 and 2010 (1 January to 2 March), in response to a question without notice asked by Hon Adele Farina. (Tabled paper 1783).

13. Child Exploitation Material and Classification Legislation Amendment Bill 2009

Debate resumed on the second reading of this Bill (cf item 11 above).

Interruption of Debate [SO 61(b)].

14. Special Adjournment

The Leader of the House moved, without notice -

That the House at its rising adjourn until Tuesday, 23 March 2010 at 3.30pm in the Legislative Assembly Chamber.

Question - put and passed.

15. Adjournment

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

Debate ensued.

Question - put and passed.

The House adjourned at 5.24pm until Tuesday, 23 March 2010 at 3.30pm.

Members present during the day's proceedings

Attendance: Present all Members except Hon Mia Davies, Hon Wendy Duncan and Hon Max Trenorden.

MALCOLM PEACOCK
Clerk of the Legislative Council

HON BARRY HOUSE
President of the Legislative Council