

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 45

FIRST SESSION OF THE THIRTY-SIXTH PARLIAMENT

THURSDAY, 15 NOVEMBER 2001

1. Meeting of Assembly

The Assembly met at 9.00 a.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Petitions

Duncraig House - Dr Woollard presented a petition from 52 persons requesting that the Government not sell the house because it is an integral part of the Heathcote Heritage and Parkland Area (P. 109).

Male to Male Sex Acts - Mr Johnson presented a petition from 69 persons requesting that opposition to lowering the age of consent to 16 years of age for male to male sex acts be noted (P. 110).

Electoral Amendment Bill 2001 - Mr Birney presented a petition from 114 persons requesting that the Government either withdraw the Bill or submit it to a referendum (P. 111).

Recreational Net Fishing Rules for the Peel Waterways - Mr Marshall presented a petition from 108 persons requesting that the rules stay the same (P. 112).

3. Notice of Motion

4. Brief Ministerial Statements

The following brief Ministerial Statements were made by -

The Minister for Energy on State Government electricity reform process.

The Minister for Training on training standards in Western Australia.

The Attorney General on review of mandatory sentencing laws.

Papers

The following papers were presented and ordered to lie upon the Table of the House -

By the Attorney General -

Criminal Code - Review of Section 401 of the Criminal Code, Appendices (905).

Criminal Code - Review of Section 401 of the Criminal Code (906).

The Minister for Police and Emergency Services on quarterly crime statistics.

Papers

The following papers were presented and ordered to lie upon the Table of the House -

By the Minister for Police and Emergency Services -

Reported Offence and Clearance Statistics - Western Australia Police Service, September 2001 Quarter (907).

Reported Offence and Clearance Crime Statistics - Western Australia Police Service, June 2001 Quarter (908).

Reported Offence and Clearance Crime Statistics - Western Australia Police Service, March 2001 Quarter (909).

Reported Offence and Clearance Crime Statistics - Western Australia Police Service, December 2000 Quarter (910).

The Minister for Disability Services on the review of the Disability Services Act.

The Minister for Health on Interim Report of the Bunbury Task Force.

Paper

The following paper was presented and ordered to lie upon the Table of the House -

By the Minister for Health -

Bunbury Health Task Force - Interim Report, November 2001 (911).

5. Grievances

The Speaker called for grievances which were then made.

Paper

The following paper was presented and ordered to lie upon the Table of the House -

By the Minister for Health -

Consumer Perspectives on Health Service Arrangements in Geraldton - Letter from the Consumers' Health Council to the Minister for Health dated August 2001 (912).

6. Notice of Motion Due to Lapse

The Speaker advised that Private Members' Business Notice of Motion No. 3 had lapsed and, unless the member indicated otherwise, would be removed from the Notice Paper.

7. Betting Legislation Amendment Bill 2001 (No. 67)

The Treasurer, pursuant to notice, moved,

That a Bill for “An Act to –

- amend the Betting Control Act 1954;
- amend the Totalisator Agency Board Betting Act 1960; and
- validate certain acts of the manager of the Totalisator Agency Board, and for related purposes.” be introduced and read a first time.

Question put and passed.

The Treasurer presented an explanatory memorandum and Bill read a first time.

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

Mr Bradshaw moved, That the debate be adjourned.

Question put and passed.

8. Revenue Laws Amendment (Assessment) Bill (No. 2) 2001 (No. 61)

The Order of the Day for the resumption of the debate upon the second reading of the Bill was read.

Debate resumed.

Question put.

The Assembly divided.

Ayes (28)

Mr Andrews
Mr Bowler
Mr Brown
Mr Carpenter
Mr Dean
Mr D’Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin
Mr Murray
Mr O’Gorman

Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Watson
Mr Whitely
Ms Quirk (*Teller*)

Noes (19)

Mr Barnett
Mr Birney
Mr Board
Dr Constable
Mr Day
Mr Edwards
Mrs Hodson-Thomas

Mr House
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters
Mr Pental
Mr Sullivan

Mr Sweetman
Mr Waldron
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Question thus passed.

Bill read a second time.

Ordered, That the consideration in detail of the Bill be made an Order of the Day for a later stage of the sitting.

9. Members’ Statements

The Acting Speaker called for members’ statements which were then made.

10. Questions

Questions without notice were taken.

Questions on notice Nos 1273 to 1277 were asked.

Questions on notice Nos 735, 764, 865, 871, 900, 984, 990, 993, 994, 1016, 1080, 1082, 1205, 1206, and 1208 were answered.

11. Matter of Public Interest - Government Services in Rural and Regional Western Australia

The Speaker informed the Assembly that he was in receipt of a notice from Mr Barnett that he intended to move a motion on a matter of public interest.

At least five members having risen in support,

Mr Barnett moved,

That this House condemns the Gallop Labor Government for its complete lack of commitment to rural and regional Western Australia and for its centralist approach to the provision of Government services.

Debate ensued.

The Premier moved, To delete all words after “House” with a view to substituting the following -

“supports the comments by the Leader of the National Party when he said that -

- (a) the Leader of the Opposition had publicly opposed road building programs for country areas such as the \$100 million Southern Transport Corridor at Geraldton;
- (b) the Leader of the Opposition is an absolute joke by suddenly trying to be a friend of the bush when he hardly ever went near country areas as a Minister in the former Government;
- (c) the Leader of the Opposition has always put the interests of the city and economic rationalism above the needs of country people; and
- (d) the Leader of the Opposition’s “johnny come lately act” will not wash with the people of Merredin.”.

Debate ensued.

Deputy Speaker’s Ruling

The Deputy Speaker ruled that the amendment was not a direct negative, that it was within the subject of the original motion, and it would be allowed.

Debate ensued.

Dissent from Deputy Speaker’s Ruling

Mr Day moved to dissent from the Deputy Speaker’s ruling.

Debate ensued.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (27)

Mr Andrews
Mr Bowler
Mr Brown
Mr Carpenter
Mr Dean
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin
Mr Murray

Mr O’Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Watson
Mr Whitely
Ms Quirk (*Teller*)

Noes (16)

Mr Barnett
Mr Birney
Mr Board
Mr Day
Mr Edwards
Mrs Hodson-Thomas

Mr Johnson
Mr McNee
Mr Marshall
Mr Masters
Mr Pental
Mr Sweetman

Mr Waldron
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Question thus passed.

On the question, That the dissent from the Deputy Speaker’s ruling be agreed to,

Question put.

The Assembly divided.

Ayes (17)

Mr Barnett
Mr Birney
Mr Board
Dr Constable
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters
Mr Pental

Mr Sweetman
Mr Waldron
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Noes (27)

Mr Andrews
Mr Bowler
Mr Brown
Mr Carpenter
Mr Dean
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin
Mr Murray

Mr O’Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Watson
Mr Whitely
Ms Quirk (*Teller*)

Question thus negatived.

On the question, That the words be deleted,

Debate resumed.

Question put.

The Assembly divided.

Ayes (26)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Ms Martin
Mr Murray
Mr O'Gorman

Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Watson
Mr Whitely
Ms Quirk (*Teller*)

Noes (16)

Mr Barnett
Mr Birney
Mr Board
Dr Constable
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters
Mr Pental

Mr Sweetman
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Question thus passed.

On the question, That the words be inserted,

Question put.

The Assembly divided.

Ayes (27)

Mr Andrews
Mr Bowler
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Dr Gallop
Mrs Guise

Mr Hyde
Mr Kobelke
Mr Kucera
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Ms Martin
Mr Murray

Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Watson
Mr Whitely
Ms Quirk (*Teller*)

Noes (16)

Mr Barnett
Mr Birney
Mr Board
Dr Constable
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters
Mr Pental

Mr Sweetman
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Question thus passed.

On the question, That the motion, as amended, be agreed to,

Question put.

The Assembly divided.

Ayes (27)

Mr Andrews
Mr Bowler
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Dr Gallop
Mrs Guise

Mr Hyde
Mr Kobelke
Mr Kucera
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Ms Martin
Mr Murray

Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Watson
Mr Whitely
Ms Quirk (*Teller*)

Noes (16)

Mr Barnett
Mr Birney
Mr Board
Dr Constable
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters
Mr Pental

Mr Sweetman
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Question thus passed.

12. Messages from the Legislative Council

Messages from the Legislative Council were reported returning the following Bills without amendment -

14 November 2001

Salaries and Allowances Amendment Bill 2001 (message No. 29).

15 November 2001

Criminal Law Amendment Bill 2001 (message No. 30).

Armada Redevelopment Bill 2001 (message No. 32).

Zoological Parks Authority Bill 2001 (message No. 33).

13. Acts Amendment (Federal Courts and Tribunals) Bill 2001 (No. 32)

Message No. 31, dated 15 November 2001, from the Legislative Council was reported as follows -

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Acts Amendment (Federal Courts and Tribunals) Bill 2001* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Acts Amendment (Federal Courts and Tribunals) Bill 2001

No. 1

Clause 2, page 2, lines 10 to 14 - To delete subclause (3).

No. 2

Clause 2, page 2, lines 19 to 26 - To delete subclause (5).

No. 3

Clauses 13 to 22, page 7, line 1 to page 11, line 6 - To delete the Clauses.

No. 4

Clause 50, page 30, lines 1 to 16 - To delete the Clause.

Ordered, That consideration in detail of Legislative Council message No. 31 be made an Order of the Day for the next sitting of the Assembly.

14. Consumer Credit (Western Australia) Amendment Bill 2001 (LC No. 52)

Message No. 34, dated 14 November 2001, from the Legislative Council was reported forwarding for concurrence a Bill entitled a Bill for "An Act to amend the Consumer Credit (Western Australia) Act 1996 and for related purposes."

Ordered, That the first reading of the Bill be made an Order of the Day for a later stage of the sitting.

15. Personal Explanation

Minister for Health made a personal explanation about an answer to a question regarding the Bunbury Task Force Interim Report.

16. Variation to the Order of Business

The Leader of the House moved, That consideration of Government Business Order of the Day No. 1 be resumed.

Debate ensued.

Question put and passed.

17. Revenue Laws Amendment (Assessment) Bill (No. 2) 2001 (No. 61)

The Order of the Day for the consideration in detail of the Bill was read.

CONSIDERATION IN DETAIL

Clause 1.

Mr Barnett moved, That the debate be adjourned.

Question put.

The Assembly divided.

Ayes (15)

Mr Barnett	Mrs Hodson-Thomas	Mr Pental
Mr Birney	Mr Johnson	Mr Sweetman
Mr Board	Mr McNee	Ms Walker
Mr Day	Mr Marshall	Dr Woollard
Mr Edwards	Mr Masters	Mr Bradshaw (<i>Teller</i>)

Noes (27)

Mr Andrews	Mr Hyde	Mr Murray
Mr Bowler	Mr Kobelke	Mr O'Gorman
Mr Brown	Mr Kucera	Mr Quigley
Mr Carpenter	Ms MacTiernan	Ms Radisich
Mr Dean	Mr McGinty	Mr Ripper
Mr D'Orazio	Mr McGowan	Mrs Roberts
Dr Edwards	Ms McHale	Mr Templeman
Dr Gallop	Mr McRae	Mr Whitely
Mrs Guise	Ms Martin	Ms Quirk (<i>Teller</i>)

Question thus negatived.

On the question, That clause 1 be agreed to,

Mr Birney moved,

Page 2 line 3 - To delete all words after the word “the” and substitute the following -

“*Labor Party Tax Impost on Small Business Act 2001*”.

Debate ensued.

The Deputy Speaker left the Chair at 7.58 p.m.

The Deputy Speaker resumed the Chair at 8.02 p.m.

Debate resumed.

Mr Johnson moved, That the debate be adjourned.

Question put.

The Assembly divided.

Ayes (15)

Mr Barnett
Mr Birney
Mr Board
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters

Mr Pandal
Mr Sweetman
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Noes (25)

Mr Brown
Mr Carpenter
Mr Dean
Mr D’Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde
Mr Kobelke

Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin
Mr Murray

Mr O’Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Whitely
Ms Quirk (*Teller*)

Question thus negatived.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (26)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D’Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Ms Martin
Mr Murray

Mr O’Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (15)

Mr Barnett
Mr Birney
Mr Board
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters

Mr Pental
Mr Sweetman
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Question thus passed.

On the amendment, That the words be deleted,

Question put.

The Assembly divided.

Ayes (15)

Mr Barnett
Mr Birney
Mr Board
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters

Mr Pental
Mr Sweetman
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Noes (26)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Ms Martin
Mr Murray

Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Question thus negatived.

Mr Barnett moved,

Page 2, line 4 - To insert after "2001" the following -

" - 2002".

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (26)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Ms Martin
Mr Murray

Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (15)

Mr Barnett
Mr Birney
Mr Board
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters

Mr Pandal
Mr Sweetman
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Question thus passed.

On the amendment, That the number be inserted,

Question put.

The Assembly divided.

Ayes (15)

Mr Barnett
Mr Birney
Mr Board
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters

Mr Pandal
Mr Sweetman
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Noes (26)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Ms Martin
Mr Murray

Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Question thus negatived.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (26)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Ms Martin
Mr Murray

Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (15)

Mr Barnett
Mr Birney
Mr Board
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters

Mr Pandal
Mr Sweetman
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Question thus passed.

On the question, That clause 1 be agreed to,

Question put.

The Assembly divided.

Ayes (26)

Mr Andrews
Mr Brown
Mr Carpenter
Mr D'Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde
Mr Kobelke

Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin
Mr Murray

Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (15)

Mr Barnett
Mr Birney
Mr Board
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters

Mr Pental
Mr Sweetman
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Question thus passed.

Clause agreed to.

Mr Barnett moved, That the debate be adjourned.

Question put.

The Assembly divided.

Ayes (15)

Mr Barnett
Mr Birney
Mr Board
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters

Mr Pental
Mr Sweetman
Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Noes (26)

Mr Andrews
Mr Brown
Mr Carpenter
Mr D'Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde
Mr Kobelke

Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin
Mr Murray

Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Question thus negatived.

Clause 2.

Mr Johnson moved, That this Bill be referred to the Economics and Industry Standing Committee.

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (27)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin

Mr Murray
Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (13)

Mr Barnett
Mr Birney
Mr Board
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters

Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Question thus passed.

On the question, That the Bill be referred to the Economics and Industry Standing Committee,

Question put and negatived.

Mr Birney moved,

Page 2, line 6 - To delete all words after "the" and substitute the following -

" 1 July 2010".

The Treasurer moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (27)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin

Mr Murray
Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (13)

Mr Barnett
Mr Birney
Mr Board
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters

Mr Waldron
Ms Walker
Mr Bradshaw (*Teller*)

Question thus passed.

On the amendment, That the words be deleted,

Question put.

The Assembly divided.

Ayes (13)

Mr Barnett
Mr Birney
Mr Board
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters

Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Noes (27)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin

Mr Murray
Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Question thus negatived.

On the question, That clause 2 be agreed to,

The Treasurer moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (27)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Dr Gallop
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin

Mr Murray
Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (13)

Mr Barnett
Mr Birney
Mr Board
Mr Day
Mr Edwards

Mrs Hodson-Thomas
Mr Johnson
Mr McNee
Mr Marshall
Mr Masters

Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Question thus passed.

Clause agreed to.

Clause 3.

Question put.

The Assembly divided.

Ayes (26)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Dr Gallop
Mr Hyde
Mr Kobelke

Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin
Mr Murray

Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (9)

Mr Barnett
Mr Birney
Mr Board

Mrs Hodson-Thomas
Mr Johnson
Mr Masters

Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Question thus passed.

Clause agreed to.

Clause 4.

Paper

The following paper was presented and ordered to lie upon the Table of the House -

By the Treasurer -

Unwinding Trusts and Companies - Discretionary Trust, Unit Trust, Bare Trust and Company Structure (913).

Clause agreed to.

Clause 5 agreed to.

Clause 6.

Question put.

The Assembly divided.

Ayes (25)

Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Mrs Guise
Mr Hyde
Mr Kobelke
Mr Kucera

Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin
Mr Murray
Mr O'Gorman

Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (9)

Mr Barnett
Mr Birney
Mr Board

Mrs Hodson-Thomas
Mr Johnson
Mr Masters

Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Question thus passed.

Clause agreed to.

Clause 7.

Mr Birney moved, That the debate be adjourned.

Question put.

The Assembly divided.

Ayes (9)

Mr Barnett
Mr Birney
Mr Board

Mrs Hodson-Thomas
Mr Johnson
Mr Masters

Ms Walker
Dr Woollard
Mr Bradshaw (*Teller*)

Noes (25)

Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Mrs Guise
Mr Hyde
Mr Kobelke
Mr Kucera

Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin
Mr Murray
Mr O'Gorman

Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Question thus negatived.

Clause agreed to.

Clause 8.

Mr Birney moved, That the debate be adjourned.

Question put.

The Assembly divided.

Ayes (6)

Mr Barnett
Mr Birney

Mr Board
Mr Johnson

Dr Woollard
Mr Bradshaw (*Teller*)

Noes (25)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Mrs Guise
Mr Hyde
Mr Kobelke

Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Ms Martin
Mr Murray
Mr O'Gorman

Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Question thus negatived.

The Minister for Health moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (25)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Mrs Guise
Mr Hyde
Mr Kobelke

Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Ms Martin
Mr Murray
Mr O'Gorman

Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (5)

Mr Barnett
Mr Birney

Mr Board
Dr Woollard

Mr Bradshaw (*Teller*)

Question thus passed.

Clause agreed to.

Clause 9.

Question put.

The Assembly divided.

Ayes (24)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D'Orazio
Dr Edwards
Mrs Guise
Mr Hyde

Mr Kobelke
Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Ms Martin

Mr Murray
Mr O'Gorman
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (5)

Mr Barnett
Mr Birney

Mr Board
Dr Woollard

Mr Bradshaw (*Teller*)

Question thus passed.

Clause agreed to.

New Part.

Dr Woollard moved,

Page 9, after line 29 – To insert the following –

“

Part 4 – *Pay-roll Tax Assessment Act 1971* – Partial Exemption

10. The Act amended

The amendments in this Part are to the *Pay-roll Tax Assessment Act 1971**.

[Reprinted as at 12 November 1996.

For subsequent amendments see 2000 Index to Legislation of Western Australia, Table 1, p329, and Acts Nos. 3 and 10 of 2001.]

11. New section 10A

After section 10 the following section is inserted –

“

10A. Partial exemption from Pay-roll Tax

(1) In this section –

“aged care provider” means a person who is an approved provider of a certified residential care service in accordance with the *Aged Care Act 1997* (Commonwealth).

(2) The pay-roll tax payable by an aged care provider will not exceed the amount which would have been payable at the rate which applied immediately prior to the commencement of section 9 of the *Revenue Laws Amendment (Taxation) Act (No. 2) 2001*.

”.

Mr Birney moved, That the debate be adjourned.

Question put.

The Assembly divided.

Ayes (5)

Mr Barnett
Mr Birney

Mr Board
Dr Woollard

Mr Bradshaw (*Teller*)

Noes (25)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D’Orazio
Dr Edwards
Mrs Guise
Mr Hyde
Mr Kobelke

Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Ms Martin
Mr Murray
Mr O’Gorman

Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Question thus negatived.

On the question, That the new part be agreed to,

The Leader of the House moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (25)

Mr Andrews
Mr Brown
Mr Carpenter
Mr Dean
Mr D’Orazio
Dr Edwards
Mrs Guise
Mr Hyde
Mr Kobelke

Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Ms Martin
Mr Murray
Mr O’Gorman

Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (5)

Mr Barnett
Mr Birney

Mr Board
Dr Woollard

Mr Bradshaw (*Teller*)

Question thus passed.

On the question, That the new part be agreed to,

Question put and negatived.

Clauses 10 and 11 agreed to.

Clause 12.

Mr Birney moved, That the debate be adjourned.

Question put.

The Assembly divided.

Ayes (4)

Mr Barnett
Mr Birney

Mr Board
Mr Bradshaw (*Teller*)

Noes (24)

Mr Andrews
Mr Brown
Mr D'Orazio
Dr Edwards
Mrs Guise
Mr Hyde
Mr Kobelke
Mr Kucera

Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin
Mr Murray

Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Question thus negatived.

Clause agreed to.

Clauses 13 and 14 agreed to.

Clause 15.

Question put.

The Assembly divided.

Ayes (24)

Mr Andrews
Mr Brown
Mr Dean
Mr D'Orazio
Dr Edwards
Mrs Guise
Mr Hyde
Mr Kobelke

Mr Kucera
Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin

Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (4)

Mr Barnett
Mr Birney

Mr Board
Mr Bradshaw (*Teller*)

Question thus passed.

Clause agreed to.

Clauses 16 to 19 agreed to.

Clause 20.

Question put.

The Assembly divided.

Ayes (24)

Mr Andrews
Mr Brown
Mr D'Orazio
Dr Edwards
Mrs Guise
Mr Hyde
Mr Kobelke
Mr Kucera

Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin
Mr Murray

Mr O'Gorman
Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (4)

Mr Barnett
Mr Birney

Mr Board
Mr Bradshaw (*Teller*)

Question thus passed.

Clause agreed to.

Clauses 21 to 28 agreed to.

Title agreed to.

Consideration in detail concluded.

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

18. Revenue Laws Amendment (Taxation) Bill (No. 2) 2001 (No. 62)

The Order of the Day for the second reading of the Bill was read.

Question put.

The Assembly divided.

Ayes (25)

Mr Andrews
Mr Brown
Mr Dean
Mr D'Orazio
Dr Edwards
Mrs Guise
Mr Hyde
Mr Kobelke
Mr Kucera

Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin
Mr Murray
Mr O'Gorman

Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (4)

Mr Barnett
Mr Birney

Mr Board
Mr Bradshaw (*Teller*)

Question thus passed.

CONSIDERATION IN DETAIL

Clauses 1 to 5 agreed to.

Clause 6.

Question put.

The Assembly divided.

Ayes (25)

Mr Andrews
Mr Brown
Mr Dean
Mr D'Orazio
Dr Edwards
Mrs Guise
Mr Hyde
Mr Kobelke
Mr Kucera

Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Ms McHale
Mr McRae
Ms Martin
Mr Murray
Mr O'Gorman

Mr Quigley
Ms Radisich
Mr Ripper
Mrs Roberts
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (3)

Mr Barnett

Mr Board

Mr Bradshaw (*Teller*)

Question thus passed.

Clause agreed to.

Clause 7.

Question put.

The Assembly divided.

Ayes (22)

Mr Andrews
Mr Brown
Mr Dean
Mr D'Orazio
Dr Edwards
Mr Hyde
Mr Kobelke
Mr Kucera

Mr Logan
Ms MacTiernan
Mr McGinty
Mr McGowan
Mr McRae
Ms Martin
Mr Murray
Mr O'Gorman

Mr Quigley
Ms Radisich
Mr Ripper
Mr Templeman
Mr Whitely
Ms Quirk (*Teller*)

Noes (3)

Mr Barnett

Mr Board

Mr Bradshaw (*Teller*)

Question thus passed.

Clause agreed to.

Clauses 8 to 15 agreed to.

Title agreed to.

Consideration in detail concluded.

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

19. Variation to the Order of Business

Ordered, That the Government Business Order of the Day for the first reading of the Consumer Credit (Western Australia) Amendment Bill 2001 be next considered.

20. Consumer Credit (Western Australia) Amendment Bill 2001 (No. 52)

The Minister for Consumer and Employment Protection, pursuant to foregoing motion, moved,

That a Bill for "An Act to amend the Consumer Credit (Western Australia) Act 1996 and for related purposes." be introduced and read a first time.

Question put and passed.

The Minister for Consumer and Employment Protection presented an explanatory memorandum and Bill read a first time.

The Minister for Consumer and Employment Protection moved, That the Bill be now read a second time.

Mr Bradshaw moved, That the debate be adjourned.

Question put and passed.

21. Special Adjournment

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 27 November 2001 at 2.00 p.m.

Question put and passed.

22. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly, at 5.24 a.m. on Friday, 16 November 2001 until Tuesday, 27 November 2001 at 2.00 p.m.

Members present during any part of the day's proceedings - All the members except Mr Ainsworth, Mrs Edwardes, Mr Hill, Mr Marlborough, Mr Omodei and Mr Sullivan.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. FRED RIEBELING
Speaker of the Legislative Assembly