

# 32 Daily Notice Paper



LEGISLATIVE COUNCIL

TUESDAY, 7 SEPTEMBER 2021

2.00pm

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## ORDER OF BUSINESS

Petitions, Statements by Ministers and Parliamentary Secretaries, Papers for Tabling, Notices of Questions, Notices of Motions for Disallowance, Notices of Motions to Introduce Bills, Notices of Motions, Questions without Notice, Motions Without Notice, Motions and Orders of the Day.

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## MOTIONS

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### 1. **Reform of Western Australia's Fines Enforcement Regime** *(Notice given 1 June 2021)*

Hon Pierre Yang: To move —

That this House notes the historic reform of Western Australia's fines enforcement regime during the last term of Government and commends the McGowan Government on the meaningful difference this reform has provided to those in our community who experience genuine hardship as a result of their inability to pay a fine. In particular this House notes in relation to the reform —

- (a) the impact of the commencement of the Work and Development Permit Scheme;
- (b) the reduction of individuals imprisoned as a result of fine default;
- (c) the introduction of garnishee orders and their impact in recovering payment for outstanding fines; and
- (d) the prohibition of issuing licence suspension orders for individuals whose last known address is in a remote area, addressing the disproportionate impact of suspended licences on individuals living in remote areas without public transport infrastructure.

### 2. **Sustainable Management of Western Australia's Fisheries** *(Notice given 2 June 2021)*

Hon Dr Sally Talbot: To move —

That the Legislative Council commends the McGowan Labor Government's ongoing commitment to sustainable management of Western Australia's fisheries.

**3. Innovation Voucher Program** *(Notice given 2 June 2021)*

Hon Dan Caddy: To move —

That this House notes the McGowan Government's commitment to foster innovation and grow entrepreneurship in Western Australia through the successful Innovation Voucher Program and by providing initial funding for start-ups and small businesses to commercialise their ideas and create jobs.

**4. McGowan Labor Government — Machinery of Government Changes** *(Notice given 3 June 2021)*

Hon Peter Collier: To move —

That this House expresses its concern with the McGowan Labor Government's machinery of government changes, in particular the establishment of the Department of Communities, in relation to, amongst other things —

- (a) the impact of the amalgamation of five departments into one with the Department of Communities upon some of Western Australia's most vulnerable people;
- (b) the issues surrounding a lack of leadership and direction within departments; and
- (c) the issues surrounding the duplication of Ministerial responsibility within amalgamated departments.

**5. Housing Concerns** *(Notice given 3 June 2021)*

Hon Steve Martin: To move —

That this House expresses its concern with issues within the Housing portfolio, in particular —

- (a) the unacceptable and rising level of homelessness throughout Western Australia;
- (b) the impact of COVID-19 on affordable housing, and
- (c) the shortage of rental housing throughout Western Australia and the shortfall in government provided housing.

**6. World Elder Abuse Awareness** *(Notice given 3 June 2021)*

Hon Rosetta Sahanna: To move —

That the Legislative Council notes the McGowan Government's ongoing efforts to combat elder abuse in Western Australia and recognise the importance of World Elder Abuse Awareness Day.

**7. State Disability Strategy** *(Notice given 3 June 2021)*

Hon Lorna Harper: To move —

That the Legislative Council commends the McGowan Labor Government's ongoing commitment to building inclusive communities which support and empower people with disability, through the State Disability Strategy.

**8. Ambulance Ramping Crisis** *(Notice given 15 June 2021)*

Hon Dr Steve Thomas: To move —

That the Legislative Council calls on the Government to acknowledge and fix the ambulance ramping crisis afflicting our health system.

**9. Machinery of Government — Outcomes** *(Notice given 15 June 2021)*

Hon Dr Steve Thomas: To move —

That the Legislative Council calls on the Government to identify the costs, savings and outcomes of its Machinery of Government changes implemented on 1 July 2017.

**10. Contribution of WA Police** *(Notice given 15 June 2021)*

Hon Peter Collier: To move —

That this House —

- (1) Recognises the valuable contribution of WA Police to the State.
- (2) Encourages the Labor Government to recognise the significant pressures on all areas of the police force due to factors including —
  - (a) COVID-19;
  - (b) substance abuse throughout the community;
  - (c) cost of living pressures for officers, particularly those serving in remote and regional areas of the State; and
  - (d) increased domestic violence cases,
 and calls upon the Government to provide the appropriate salary and conditions accordingly.

**11. Family and Domestic Violence** *(Notice given 15 June 2021)*

Hon Sandra Carr: To move —

That this House notes —

- (a) the public interest that has been generated from the recently aired 'See What You Made Me Do' television series aired on SBS about peoples' experiences of family and domestic violence; and
- (b) the efforts of the McGowan Government to address this issue in the community through a significant increase in funding, awareness, and legislative reform.

**12. Improved Seniors' Safety and Security Rebate** *(Notice given 16 June 2021)*

Hon Martin Pritchard: To move —

That the Legislative Council notes the McGowan Government's reinstatement of the improved seniors' Safety and Security Rebate and the impact that this \$16 million election commitment will have in ensuring that our seniors are protected and secure in their homes.

**13. Investment in Early Years** *(Notice given 16 June 2021)*

Hon Donna Faragher: To move —

That this House —

- (a) recognises that the early years are identified as a critical period in a child's life marked by rapid and significant changes in their physical, cognitive, social and emotional development; and
- (b) calls on the McGowan Government to significantly increase its investment in this critical area.

**14. Human Rights of People with Disability** *(Notice given 17 June 2021)*

Hon Stephen Pratt: To move —

That the Legislative Council commends the McGowan Labor Government's ongoing commitment to individual and systemic advocacy in Western Australia in working to promote, protect and defend the human rights of people with disability.

**15. Defence to the Presence of THC in a Driver** *(Notice given 22 June 2021)*

Hon Dr Brian Walker: To move —

That this House urges the McGowan Government to legislate to introduce a complete defence to the presence of THC in a driver's oral fluid or blood in circumstances where —

- (a) the driver has a valid doctor's prescription for a medicine containing THC;
- (b) the offence does not involve dangerous or reckless driving; and
- (c) an officer has not established driver impairment.

**16. Corruption and Crime Commission — Access to Documents** *(Notice given 24 June 2021)*

Hon Nick Goiran: To move —

That this House —

- (a) expresses its appreciation to the Members and staff responsible for the drafting, tabling and publishing of the 61<sup>st</sup> report of the Standing Committee on Procedure and Privileges (Committee);
- (b) is concerned that good faith negotiations between the Committee and the Corruption and Crime Commission (CCC) ceased inexplicably;
- (c) notes that the Committee's audit reveals that 1,120 privileged documents were provided without parliamentary approval by the Government to the CCC;
- (d) reasserts that draft parliamentary speeches, motions and questions are subject to parliamentary privilege in the same way as confidential parliamentary committee material such as committee deliberations and draft report recommendations; and

encourages the CCC to avail itself forthwith of the opportunity to access the more than 450,000 non-privileged records.

**17. Housing and Homelessness Crisis** *(Notice given 2 September 2021)*

Hon Dr Brad Pettitt: To move —

That this House:

- (1) Acknowledges that Western Australia is currently facing a housing and homelessness crisis and notes that urgent action is needed to stem the increasing priority public housing waitlist.
- (2) Calls on the Government to make the most of its strong financial position to immediately address this crisis by:
  - (a) prioritising investment to significantly increase public housing stock by building fully-accessible, low carbon homes;
  - (b) immediately spot-purchasing vacant homes; and
  - (c) proactively investing in and supporting innovative measures like MyHome.

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**ORDERS OF THE DAY**

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**1. Town of Port Hedland Waste Local Law 2020 — Disallowance**

Moved *pro forma* (SO 67(3)) 23 June 2021 on the motion of Hon Lorna Harper (Days remaining 3 after today (Indicative date — 14 September 2021))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Town of Port Hedland Waste Local Law 2020* published in the *Gazette* on 11 January 2021 and tabled in the Legislative Council on 4 May 2021 under the *Waste Avoidance and Resource Recovery Act 2007*, be and is hereby disallowed. (Tabled Paper 76).

**2. Shire of Broome Waste Local Law 2021 — Disallowance**

Moved *pro forma* (SO 67(3)) 23 June 2021 on the motion of Hon Lorna Harper (Days remaining 3 after today (Indicative date — 14 September 2021))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Broome Waste Local Law 2021* published in the *Gazette* on 30 March 2021 and tabled in the Legislative Council on 4 May 2021 under the *Waste Avoidance and Resource Recovery Act 2007*, be and is hereby disallowed. (Tabled Paper 75).

**3. Shire of Gingin—Meeting Procedures Amendment Local Law 2021 — Disallowance**

Moved *pro forma* (SO 67(3)) 23 June 2021 on the motion of Hon Lorna Harper (Days remaining 3 after today (Indicative date — 14 September 2021))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Gingin—Meeting Procedures Amendment Local Law 2021* published in the *Gazette* on 1 April 2021 and tabled in the Legislative Council on 4 May 2021 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 57).

**4. City of Kalamunda Dogs Local Law 2021 — Disallowance**

Moved *pro forma* (SO 67(3)) 23 June 2021 on the motion of Hon Lorna Harper (Days remaining 3 after today (Indicative date — 14 September 2021))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *City of Kalamunda Dogs Local Law 2021* published in the *Gazette* on 16 April 2021 and tabled in the Legislative Council on 4 May 2021 under the *Dog Act 1976*, be and is hereby disallowed. (Tabled Paper 51).

**5. Shire of Peppermint Grove Activities in Thoroughfares and Public Places and Trading Local Law 2021 — Disallowance**

Moved *pro forma* (SO 67(3)) 23 June 2021 on the motion of Hon Lorna Harper (Days remaining 3 after today (Indicative date — 14 September 2021))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Peppermint Grove Activities in Thoroughfares and Public Places and Trading Local Law 2021* published in the *Gazette* on 22 April 2021 and tabled in the Legislative Council on 4 May 2021 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 57).

**6. Shire of Peppermint Grove Fencing Local Law 2021 — Disallowance**

Moved *pro forma* (SO 67(3)) 23 June 2021 on the motion of Hon Lorna Harper (Days remaining 3 after today (Indicative date — 14 September 2021))

That, pursuant to recommendation of the Joint Standing Committee on Delegated Legislation, the *Shire of Peppermint Grove Fencing Local Law 2021* published in the *Gazette* on 22 April 2021 and tabled in the Legislative Council on 4 May 2021 under the *Local Government Act 1995*, be and is hereby disallowed. (Tabled Paper 57).

**7. Weapons Amendment Regulations 2021 — Disallowance**

Moved *pro forma* (SO 67(3)) 10 August 2021 on the motion of Hon Dr Brian Walker (Days remaining 8 after today (Indicative date — 14 October 2021))

That the *Weapons Amendment Regulations 2021* published in the *Gazette* on 2 July 2021 and tabled in the Legislative Council on 3 August 2021 under the *Weapons Act 1999*, be and are hereby disallowed. (Tabled Paper 389).

**8. Conservation and Land Management Amendment Bill 2021 [LA 7–1] Minister for Mental Health representing the Minister for Environment**

Second reading adjourned (Thursday, 24 June 2021).

**9. Courts Legislation Amendment (Magistrates) Bill 2021 [LA 27–1] Parliamentary Secretary to the Attorney General**

Second reading adjourned (Wednesday, 4 August 2021).

**10. Transfer of Land Amendment Bill 2021 [LA 16–1] Minister for Regional Development representing the Minister for Lands**

Second reading adjourned (Thursday, 5 August 2021).

**11. \*Fair Trading Amendment Bill 2021 [LC 19–1] Minister for Regional Development representing the Minister for Commerce**

Second reading adjourned (Wednesday, 23 June 2021).

See *Standing Committee on Uniform Legislation and Statutes Review Report No. 133* (Tabled 10 August 2021).

cf *SNP 19 Issue 1* — 10 August 2021.

**12. \*Transport Legislation Amendment (Identity Matching Services) Bill 2021 [LC 26–1] Leader of the House representing the Minister for Transport**

Second reading adjourned (Wednesday, 23 June 2021).

See *Standing Committee on Uniform Legislation and Statutes Review Report No. 134* (Tabled 10 August 2021).

**13. Children and Community Services Amendment Bill 2021 [LA 20–2] Parliamentary Secretary to the Minister for Child Protection**

Second reading continuation of remarks Hon Nick Goiran — 25 mins (Thursday, 2 September 2021).

**14. \*Dog Amendment (Stop Puppy Farming) Bill 2021** [LA 22–1] *Leader of the House representing the Minister for Local Government*

Second reading continuation of remarks Hon Dr Steve Thomas — 45 mins (Thursday, 2 September 2021).

*cf SNP 22 Issue 1 – 3 September 2021.*

**15. \*Statutes (Repeals and Minor Amendments) Bill 2021** [LC 2–1] *Parliamentary Secretary to the Attorney General*

Second reading adjourned (Thursday, 6 May 2021).

*See Standing Committee on Uniform Legislation and Statutes Review Report No. 135 (Tabled 31 August 2021).*

**16. Standing Committee on Procedure and Privileges — Report 61 — Progress Report: Supreme Court proceedings and matters of privilege raised in the 40<sup>th</sup> Parliament** (Tabled 13 May 2021)

Consideration on the motion of Hon Simon O'Brien (Thursday, 13 May 2021) as follows —

That Recommendation 1 contained in Report 61 of the Standing Committee on Procedure and Privileges, *Progress Report: Supreme Court proceedings and matters of privilege raised in the 40<sup>th</sup> Parliament*, be adopted and agreed to.

*See Tabled Paper 191 (Tabled 13 May 2021).*

Recommendation 1 states —

A standing memorandum of understanding relating to the compulsory production of evidence and determinations as to material that is subject to parliamentary privilege be advanced between the Legislative Council and relevant investigative agencies, in accordance with the resolution of the Legislative Council of 5 September 2019.

**17. Standing Committee on Procedure and Privileges — Report 61 — Progress Report: Supreme Court proceedings and matters of privilege raised in the 40<sup>th</sup> Parliament** (Tabled 13 May 2021)

Consideration on the motion of Hon Simon O'Brien (Thursday, 13 May 2021) as follows —

That Recommendation 2 contained in Report 61 of the Standing Committee on Procedure and Privileges, *Progress Report: Supreme Court proceedings and matters of privilege raised in the 40<sup>th</sup> Parliament*, be adopted and agreed to.

*See Tabled Paper 191 (Tabled 13 May 2021).*

Recommendation 2 states —

The Committee recommends that the following matters be re-referred to the Procedure and Privileges Committee for inquiry and report:

In relation to the refusal by Ms Emily Roper, the Acting Director General of the Department of the Premier and Cabinet, to comply with a summons to attend and produce documents at 9.00am on Friday, 9 August 2019, issued by the Legislative Council Standing Committee on Procedure and Privileges, and the events leading up to that non-compliance:

- (1) Did Ms Emily Roper, or any other person or body, commit a contempt of the Legislative Council or any breach of its privileges?
- (2) If the Committee so finds that any contempt of the Legislative Council has been committed, or that any of the privileges of the

Legislative Council have been breached, then what penalty, if any, should the Legislative Council impose for each contempt or breach?

**18. Standing Committee on Procedure and Privileges — Report 61 — Progress Report: Supreme Court proceedings and matters of privilege raised in the 40<sup>th</sup> Parliament**  
(Tabled 13 May 2021)

Consideration on the motion of Hon Simon O'Brien (Thursday, 13 May 2021) as follows —

That Recommendation 3 contained in Report 61 of the Standing Committee on Procedure and Privileges, *Progress Report: Supreme Court proceedings and matters of privilege raised in the 40<sup>th</sup> Parliament*, be adopted and agreed to.

See Tabled Paper 191 (Tabled 13 May 2021).

Recommendation 3 states —

The Committee recommends that the following matters be re-referred to the Procedure and Privileges Committee for inquiry and report:

In relation to the actions of Mr Darren Foster, the Director General of the Department of the Premier and Cabinet, in producing documents to the Corruption and Crime Commission relating to former Members of the Legislative Council without following a procedure that the Legislative Council or the Legislative Council Standing Committee on Procedure and Privileges had authorised for determining issues of parliamentary privilege:

- (1) Did Mr Darren Foster, or any other person or body, commit a contempt of the Legislative Council or any breach of its privileges?
- (2) If the Committee so finds that any contempt of the Legislative Council has been committed, or that any of the privileges of the Legislative Council have been breached, then what penalty, if any, should the Legislative Council impose for each contempt or breach?

**19. Standing Committee on Procedure and Privileges — Report 64 — Review of the Standing Orders** (Tabled 2 September 2021)

Consideration on the motion of Hon Dan Caddy (Thursday, 2 September 2021) as follows —

That Recommendations 1 to 38 contained in Report No. 64 of the Standing Committee on Procedure and Privileges, *Review of Standing Orders*, be adopted and agreed to.

See Tabled Paper 505 (Tabled 2 September 2021).

Recommendation 1 states —

That recommendations 2 to 8, 13 to 17 and 19 to 38 come into effect on the first sitting day of the week following their adoption.

Recommendation 2 states —

That the words "6.00pm to 7.30pm" be deleted in Standing Order 5(2) and the following words be inserted in their place —

6.00pm to 7.00pm

Recommendation 3 states —

1. That the following words be deleted in Standing Order 5(2) —

Wednesday 4.15pm to 4.30pm

Thursday 1.00pm to 2.00pm

4.15pm to 4.30pm



2. That the following words be inserted in their place —

Thursday      1.00pm to 2.00pm

Recommendation 4 states —

That Standing Order 169 be deleted and the following be inserted in its place —

**169. Scheduling of Meetings**

- (1) A Committee may meet during a suspension or adjournment of the Council.
- (2) A Committee may seek permission in writing from the President to meet to deliberate in private session between 4.15pm and 4.30pm on a sitting day.
- (3) If the President grants permission to a request in accordance with (2), the President must advise the Council at the earliest opportunity.
- (4) A Committee cannot conduct its meeting until the Council has been advised under (3).
- (5) Only one Committee can be authorised to meet in accordance with (2) on any sitting day.

Recommendation 5 states —

That the following words be inserted after Standing Order 125 —

**125A. Urgent Bills**

- (1) At any time after the moving of the Second Reading of a Bill a Minister may declare that a Bill is an urgent Bill.
- (2) After a Bill has been declared an urgent Bill, a Minister may move a motion specifying the maximum debate time to apply to each stage of the Bill. At the conclusion of the maximum debate time prescribed in Standing Order 23(1)(e), the Presiding Officer must interrupt debate and put to the vote all questions as are necessary to dispose of the motion.
- (3) If the motion is agreed, when the maximum debate time for a stage of the Bill has expired, the Presiding Officer must interrupt the debate and put to the vote all questions as are necessary for the Bill to complete that stage, including all amendments standing on the Supplementary Notice Paper. Except by leave, the question on each clause, schedule, preamble, title or amendment must be put as a separate question.
- (4) A Minister or Parliamentary Secretary may commence or complete a second reading reply speech notwithstanding the operation of (3).
- (5) A further motion under (2) can be moved at any time including, notwithstanding (3), immediately after the expiry of a maximum debate time.
- (6) The motion that the question be now put (closure) shall not be moved in any proceedings in respect of which time has been allotted under this Standing Order.
- (7) For the purposes of this Standing Order a stage of a Bill means a vote on a reading or the completion of the Committee of the Whole stage.

Recommendation 6 states —

That Standing Order 21 be amended by inserting after the section headed  
**“Matter of Privilege (SO 93)”** —

**Motion to allocate time for urgent Bill (SO 125A)**

All Members 5 minutes

*Amendments to the motion*

All Members 2 minutes

Recommendation 7 states —

That Standing Order 23 be amended by inserting after item (1)(d) —

(d) Allocation of time for urgent Bill (SO 125(A)) 30 minutes

Recommendation 8 states —

That Standing Order 65 be amended as follows —

At the relevant place in the list of items, insert —

SO 125A Motion to allocate time for urgent Bill

Recommendation 9 states —

That Standing Order 66 should be repealed and replaced with the following to  
 have effect from 1 January 2022 —

**66. Motions on Notice**

**Definitions**

- (1) For the purposes of this Standing Order a Private Member means a member who is not —
- (a) a Minister;
  - (b) a Parliamentary Secretary; or
  - (c) the President.

**Quota**

- (2) Subject to (3), the number of opportunities available to members of a political group in each calendar year of sittings shall be a quota calculated as the sum of —

$$\left( \frac{\text{Number of Private Members of political group}}{\text{Total Private Members}} \times 100 \right) \times \left( \frac{\text{Number of sitting weeks}}{100} \right)$$

rounded to the nearest whole number.

- (3) Where the sum of quotas exceeds sitting weeks or a political group has a quota of zero, the quota of the political group comprising the greatest number of members supporting the Government shall be reduced so that as the case requires —
- (a) the sum of quotas equals sitting weeks; and
  - (b) each other political group has a minimum quota of one.
- (4) As each item of business is disposed of, the quota of the relevant political group reduces accordingly.

- (5) No political group shall in any calendar year exceed its quota unless provided for in this Standing Order or the Council otherwise orders on motion without notice.

**Annual schedule of allocation**

- (6) There shall be an Annual Schedule of Allocation of Motions on Notice for business taken under Standing Order 15(2) which sets out the pro rata allocation of dates between political groups in accordance with their respective quota.
- (7) The President shall table the Annual Schedule of Allocation of Motions on Notice —
- (a) following the tabling of a schedule of dates for sittings of the Council under Standing Order 6, which is to apply for the forthcoming calendar year;
  - (b) following a general election when members of the Council are declared elected, which is to apply to the calendar year from when those members take their seats; or
  - (c) otherwise as required.
- (8) The Annual Schedule of Allocation of Motions on Notice tabled under (7), and any subsequent variations to the Schedule under (9), shall be published in the Weekly Bulletin.
- (9) Subject to (13), the Annual Schedule of Allocation of Motions on Notice shall only be varied —
- (a) to take into account any change to the Business Program ordered by the Council under Standing Order 17; or
  - (b) by an agreement to exchange allocated dates that is communicated in writing to the Clerk by each of the parties to the exchange by 4.00pm on the Wednesday prior to the earliest allocated date that is the subject of the exchange agreement.
- (10) If the Council resolves to sit on additional Wednesdays not provided for in the Annual Sitting Schedule, Motions on Notice on those days shall be allocated in the following order of priority —
- (a) To any political grouping who, during that calendar year, forewent a scheduled opportunity to move a Motion on Notice due to the Council not sitting on a scheduled Wednesday; and
  - (b) By way of the Clerk drawing lots that represent the proportion of Private Members from political groups.
- (11) Subject to (12), at the time for publication of the Weekly Bulletin on the Friday preceding the sitting week, the Clerk shall publish the first mentioned notice of motion listed on the Notice Paper in the name of the Member of the political group allotted the business under SO 15(2) in the Annual Schedule of Allocation of Motions on Notice.
- (12) Where multiple notices of motion in the names of Members of the political group allotted the business under SO 15(2) are listed on the Notice Paper

and the leader of that political group advises the Clerk in writing by 10.00am on the Friday preceding the sitting week of an alternative listed notice of motion, the Clerk shall publish that notice of motion in the Weekly Bulletin.

- (13) If no notice of motion in the name of a Member of the political group allotted the business under SO 15(2) is listed on the Notice Paper by 10.00am on the Friday prior to the allocated date, unless the Council otherwise orders on motion without notice —
- (a) business to be taken under Standing Order 15(2) for the following week shall be vacated and the Council is to proceed to other business; and
  - (b) the political group listed on the Annual Schedule of Allocation of Motions on Notice for the following week shall have its total quota allocation in the Schedule reduced as if the allocated session for Motions on Notice had proceeded.
- (14) The consideration of notices taken under Standing Order 15(2) for the period from the opening day to when members elected at the general election take their seats shall be selected by lot drawn by the Clerk on the adjournment of the opening day.
- (15) Any notice of motion that has not been moved after one year will be automatically discharged from the Notice Paper.

#### **Reply and disposal of business**

- (16) When an item is not earlier disposed of, at 5 minutes before the end of the time provided for the consideration of the item, the President is to interrupt proceedings to allow the mover of the motion to speak in reply for not more than 5 minutes. If the mover elects not to make a reply the member interrupted may continue their speech.
- (17) At the close of debate or at the expiry of the maximum time limit, the President is to put every question necessary to dispose of the motion forthwith and successively without further amendment or debate, unless the motion is withdrawn as provided by the Standing Orders.
- (18) When an item is disposed of prior to the expiry of the maximum time limit the period for motions on notice concludes and the Council is to proceed to other business.

Recommendation 10 states —

That Standing Order 21 be amended, to have effect from 1 January 2022, by inserting after the section headed "**Motions**" —

#### **Motions on Notice (SO 15(2))**

All Members	20 minutes
Mover in Reply	5 minutes
<i>Amendments to Motions on Notice</i>	
All Members	5 minutes

Recommendation 11 states —

That Standing Order 23 be amended, to have effect from 1 January 2022, by deleting clause (1)(a) and inserting in its place —

- (a) Motions on Notice (SO 15(2)) 120 minutes

Recommendation 12 states —

That the Temporary Order on Motions on Notice adopted by the Council on 23 June 2021 be rescinded, to have effect from 31 December 2021.

Recommendation 13 states —

That Standing Order 110 is amended by inserting the following after (2) —

- (2A) Where the debate on an order of the day listed under (2) has reached one hour of consideration and further orders of the day are listed on the Notice Paper, the debate on the order of the day shall be postponed.
- (2B) An order of the day postponed under (2A) shall be listed for further consideration after the orders of the day for the consideration of committee reports listed on that day's Notice Paper and not disposed of.
- (2C) After an order of the day listed under (2) has been debated for the maximum period prescribed in Standing Order 23(1)(b), the question must be put that the report be noted unless, immediately before that question is put, a Member moves that the report be further considered. If such a motion is agreed by the Committee and adopted by the Council, the order of the day will remain on the Notice Paper and be postponed as if it was postponed under (2B).
- (2D) A motion to further consider a report under (2C) can be moved after the expiry of further maximum periods prescribed in Standing Order 23(1)(b).

Recommendation 14 states —

That Standing Order 21 be amended as follows —

1. Delete the following words under the heading "**Consideration of Committee Reports**"—

All Members one period of 10 minutes per report

At the discretion of the Chair of Committees and when no other Member wishes to speak, a Member may be allocated a second period of 5 minutes per report.

2. Insert the following words in their place —

All Members unlimited periods of 10 minutes per report

Recommendation 15 states —

That Standing Order 23(1)(b) be amended by deleting "60 minutes" and inserting in its place "240 minutes".

Recommendation 16 states —

That Standing Order 53 be amended as follows —

At the relevant place in the list of items, insert —

SO 110(2C) Further consideration of a Committee Report

Recommendation 17 states —

That Standing Order 65 be amended as follows —

At the relevant place in the list of items, insert —

SO 110(2C) Further consideration of a Committee Report

Recommendation 18 states —

That the Council adopt the following temporary order to be in operation from 1 January 2022 until 31 March 2023.

### **E-Petitions**

- (1) An e-petition is a petition —
  - (a) in the correct form prescribed by Standing Order 101;
  - (b) facilitated by a Member and lodged with the Clerk for publication on the Parliament’s website for a nominated period (“posted period”);
  - (c) by which persons must indicate their support of (“join the petition”) by electronically providing their name, address (including postcode) and email address, and signifying their intention to join the petition.
- (2) The posted period for an e-petition is to be a minimum of one week and a maximum of six months from the date of publication on the Parliament’s website.
- (3) The Member facilitating the e-petition must provide the Clerk with the details of the petition in the correct form, the posted period and a signed acknowledgment that they are prepared to facilitate the e-petition.
- (4) Once published on the Parliament’s website an e-petition cannot be altered other than by order of the President.
- (5) Only one e-petition dealing with substantially the same grievance and requesting substantially the same action by the Council shall be published on the Parliament’s website at the same time.
- (6) Only residents of Western Australia will be eligible to join an e-petition.
- (7) Once the posted period for an e-petition has elapsed, a paper copy of the petition shall be printed by the Clerk in full (including the details of the persons who joined the petition) and presented to the Council by the Member that facilitated the e-petition.
- (8) An e-petition published on the Parliament’s website, but not presented to the Council prior to the prorogation of the Parliament or the dissolution of the Legislative Assembly, may be presented to the subsequent Parliament and become a petition of the subsequent Parliament.

- (9) An e-petition may be facilitated during any adjournment of the Legislative Council and during any period of prorogation.
- (10) Persons must join an e-petition by filling out their correct details and personally agreeing to join the e-petition, and by no one else, except in the case of incapacity from sickness or disability.
- (11) A person cannot sign or join an e-petition more than once.
- (12) Only the name and address of the Principal Petitioner shall be made public on the Legislative Council's website.
- (13) The Clerk may decline to publish an e-petition on the website not in conformity with these Orders and shall advise the facilitating Member accordingly.
- (14) The Clerk or any Member may seek a ruling from the President of the Legislative Council relating to the conformity or otherwise of any e-petition with these Orders.
- (15) The Clerk is authorised to create and maintain an appropriate website on which to publish e-petitions and other explanatory information and do all things necessary in order to give effect to these Orders.
- (16) The Clerk must dispose of all electronic personal data relating to the posting and joining of an e-petition within six months after an e-petition is printed and presented to the Legislative Council.
- (17) The Standing Orders for petitions have application to e-petitions insofar as they can be applied.

Recommendation 19 states —

That the definition of "strangers" in Schedule 3 be deleted with the following definition inserted in its place —

**"strangers"** means all persons other than Members of the Legislative Council, parliamentary officers and Members' infants requiring immediate care.

Recommendation 20 states —

- 1. That item 1(h) in Standing Order 14 be deleted and the subsequent items renumbered accordingly.
- 2. That Standing Order 107 be deleted and the following be inserted in its place —

**107. Questions on Notice**

- (1) Members may lodge written questions on notice, signed by or on behalf of the Member, for any sitting day with the Clerk not later than midday on that day.
- (2) Questions lodged shall be published in a Supplementary Notice Paper in the order in which the questions were received by the Clerk.

Recommendation 21 states —

That Standing Order 21 is amended as follows —

1. Delete the following words under the heading "**Statement on Tabling of Committee Report (SO 189)**" —

Chair (or nominated Member)                      3 minutes

2. Insert the following words in their place —

Chair (or nominated Member)                      5 minutes

Recommendation 22 states —

That Standing Order 21 be amended by inserting after the section headed "**Statement on Tabling of Committee Report (SO 189)**" —

**Statements by Ministers and Parliamentary Secretaries (SO 103)**

All Ministers and Parliamentary Secretaries                      5 minutes

Recommendation 23 states —

That Standing Order 42 is deleted.

Recommendation 24 states —

That Standing Order 44 be deleted and the following be inserted in its place —

**44. Offensive Words**

A Member shall not use offensive words in debate, including offensive words against the Sovereign, the Governor, either House of Parliament, any Member of either House or a judicial officer.

Recommendation 25 states —

That Standing Order 45 be deleted and the following be inserted in its place —

**45. Imputations and Personal Reflections**

All imputations of improper motives on the Sovereign, the Governor, any Member of either House of Parliament or a judicial officer, are disorderly other than by substantive motion.

Recommendation 26 states —

That Standing Order 108(2) be amended by deleting "9 sitting days" and insert in its place "one calendar month".

Recommendation 27 states —

That Standing Order 122 is deleted and the following inserted in its place —

**122. Contents of a Bill**

- (1) No clause shall be included in any Bill that does not come within its title.
- (2) Such matters as have no proper relationship to each other shall not be included in one and the same Bill.
- (3) An omnibus Bill to amend more than one Act may be introduced if —
  - (a) the amendments deal with an interrelated topic that can be regarded as a single broad policy; or



- (b) the amendment to each Act are of a similar nature in each case; or
  - (c) the Bill is referred to a committee.
- (4) Any Bill that the President determines —
- (a) does not conform to the Standing Orders; or
  - (b) in the case of a Council Bill, cannot be introduced in the Council in accordance with any constitutional or statutory provision
- shall be withdrawn by order of the President.

Recommendation 28 states —

That Standing Order 128(2) is amended by deleting "Bill." and inserting —  
Bill and may only recommend amendments to the Bill that are consistent with the policy of the Bill.

Recommendation 29 states —

That Schedule 1, item 4.4 be deleted.

Recommendation 30 states —

That Standing Order 171 be amended by deleting the words "The Clerk" and inserting in their place "A parliamentary officer".

Recommendation 31 states —

That Standing Order 186(3) is amended by inserting after "sign" —  
, or authorise the application of their electronic signature to,

Recommendation 32 states —

That Standing Order 188(2)(b) is deleted and the following inserted in its place —

- (b) except for reports —
  - (i) giving notice of a committee-initiated inquiry under Standing Order 179;
  - (ii) seeking an extension of time on an inquiry referred by the Council;
  - (iii) on a motion for disallowance; or
  - (iv) on a Bill,

listed for consideration by the Council in accordance with Standing Order 110.

Recommendation 33 states —

1. That Standing Order 211 be amended to insert after (4) —
  - (5) For the avoidance of doubt, a vote is a ballot paper with the name of the candidate for election to that office that a Member chooses to be President.
2. That Standing Order 212 be amended to insert after (8) —

- (9) For the avoidance of doubt, a vote is a ballot paper with the name of the candidate for election to that office that a Member chooses to be President.

Recommendation 34 states —

That Standing Order 30 be amended as follows —

1. To delete item (b).
2. To insert after item (e) —
  - (f) is otherwise disorderly,
3. To renumber the items accordingly.

Recommendation 35 states —

That in Standing Order 67(3) the words "*pro forma*" be deleted.

Recommendation 36 states —

That Standing Order 101(1)(c) is amended by deleting, "whether by insertion or deletion or inter-lineation".

Recommendation 37 states —

That Standing Order 126 is amended as follows —

1. In (5) by deleting "working" and inserting "business" in its place.
2. In (7) by inserting after "45" —
 

calendar

Recommendation 38 states —

That Standing Order 161(1) be deleted and replaced with the following —

- (1) Subject to (5), at any Committee meeting, a majority of Members is a quorum.

**20. Standing Committee on Uniform Legislation and Statutes Review — Report No. 133 — Fair Trading Amendment Bill 2021** (*Tabled 10 August 2021*)

Continuation of introductory remarks Hon Donna Faragher (Tuesday, 10 August 2021) in moving the following motion —

That Recommendation 1 of the Standing Committee on Uniform Legislation and Statutes Review contained in its Report 133, *Fair Trading Amendment Bill 2021*, be adopted and agreed to.

**21. Misuse of Drugs Amendment Bill 2021** [*LC 23–1*] *Hon Dr Brian Walker*

Second reading adjourned (Thursday, 3 June 2021).

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## BILLS REFERRED TO COMMITTEES

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**1. Legal Profession Uniform Law Application (Levy) Bill 2021 [LA 32–1] Parliamentary Secretary to the Attorney General**

Now stands referred to the Standing Committee on Uniform Legislation and Statutes Review. (SO 126 applies until 17 September 2021).

Second reading adjourned (Wednesday, 4 August 2021).

**2. Legal Profession Uniform Law Application Bill 2021 [LA 31–2] Parliamentary Secretary to the Attorney General**

Now stands referred to the Standing Committee on Uniform Legislation and Statutes Review. (SO 126 applies until 17 September 2021).

Second reading adjourned (Wednesday, 4 August 2021).

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## COMMITTEE INITIATED INQUIRIES

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**1. Standing Committee on Public Administration — Terms of Reference: Inquiry into the delivery of ambulance services in Western Australia (Notice given 22 June 2021)**

Resolution of the Committee on 17 June 2021 to commence an Inquiry into the delivery of ambulance services in Western Australia with the following terms of reference —

- (a) how 000 ambulance calls are received, assessed, prioritised and despatched in the metropolitan area and in the regions;
- (b) the efficiency and adequacy of the service delivery model of ambulance services in metropolitan and regional areas of Western Australia;
- (c) whether alternative service delivery models in other jurisdictions would better meet the needs of the community; and
- (d) any other matters considered relevant by the Committee.

The Committee intends to table its report by March 2022.

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

Ω Note: Legislative Assembly Standing Orders apply.

For a list of all Petitions tabled see cumulative Tabled Paper list.

**NIGEL PRATT**

Clerk of the Legislative Council