

**WESTERN AUSTRALIAN FUTURE FUND AMENDMENT
(FUTURE HEALTH RESEARCH AND INNOVATION FUND) BILL 2019**

Returned

Bill returned from the Council with amendments.

As to Consideration in Detail

On motion by **Mr R.H. Cook (Minister for Health)**, resolved —

That the Council's amendments be considered in detail forthwith.

Council's Amendments — Consideration in Detail

The amendments made by the Council were as follows —

No 1

Clause 7, page 4, after line 19 — To insert —

- (iii) if, the budget papers for the financial year have not been tabled in the Legislative Assembly before the commencement of the financial year — the statement tabled under section 9(B);

No 2

Clause 9, page 8, after line 2 — To insert —

- (3A) Subsections (1) to (3) are subject to section 4CA.

No 3

Clause 9, page 9, after line 5 — To insert —

- (9) When deciding the following matters, the Minister for Health must, as the Minister for Health considers appropriate, give priority to qualifying activities that relate to human coronaviruses with pandemic potential —
- (a) what arrangements to make or approve under subsection (1) for operation during the financial year beginning on 1 July 2020;
- (b) how money standing to the credit of the FHRI Account is to be applied during that financial year.

No 4

Clause 9, page 9, after line 5 — To insert —

4CA. Requirements to be met before FHRI Account applied

- (1) Before making or approving arrangements under section 4C(1) that will operate during a financial year, or applying during a financial year money standing to the credit of the FHRI Account under section 4C, the Minister for Health must —
- (a) direct the advisory group to make a recommendation on how money standing to the credit of the FHRI Account should be applied during the financial year under section 4C; and
- (b) consider the advisory group's recommendation.
- (2) A direction under subsection (1)(a) may —
- (a) include proposals for how money standing to the credit of the FHRI Account is to be applied during the financial year under section 4C; and
- (b) require the advisory group's recommendation to state 1 of the following —
- (i) that money standing to the credit of the FHRI Account should be applied during the financial year in accordance with the proposals;
- (ii) that money standing to the credit of the FHRI Account should not be applied during the financial year in accordance with the proposals;
- (iii) that money standing to the credit of the FHRI Account should be applied during the financial year in accordance with the proposals as the proposals are modified as specified in the recommendation.
- (3) Within 14 days after the day on which the Minister for Health receives a recommendation for the purposes of subsection (1)(a), the Minister for Health must cause the following documents to be laid before each House of Parliament —

- (a) a copy of the Minister for Health's direction to the advisory group to make the recommendation;
- (b) a copy of the recommendation.
- (4) Subsection (5) applies if —
 - (a) at the beginning of the 14-day period referred to in subsection (3), a House of Parliament is not sitting; and
 - (b) in the Minister for Health's opinion, the House will not sit before the end of the period.
- (5) If this subsection applies —
 - (a) the Minister for Health must, before the end of the period, send the documents to the Clerk of the House; and
 - (b) when a document is sent to the Clerk it is taken to have been laid before the House; and
 - (c) the laying of a document that is taken to have occurred under paragraph (b) must be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after the Clerk receives the document.

No 5

Clause 9, page 10, line 29 to page 11, line 8 — To delete the lines and substitute —

- (2) The function of the advisory group is as follows —
 - (a) as and when directed by the Minister for Health, to make a recommendation for a financial year for the purposes of section 4CA(1)(a);
 - (b) as and when directed by the Minister for Health or the FHRI Account Department, to provide other advice or assistance in relation to 1 or both of the following —
 - (i) furthering, or facilitating the furthering of, the purpose referred to in section 4A(1);
 - (ii) other matters relating to any function of the Minister for Health under section 4A or section 4C (including any regulations made for the purposes of section 4C(3)).

No 6

Clause 9, page 13, lines 1 to 4 — To delete the lines.

No 7

Clause 9, page 14, after line 15 — To insert —

4H. Conflicts of interest

- (1) For each member of the advisory group under section 4F(3)(c) to (f), the conditions referred to in section 4G(1)(d) must include a condition that does the following —
 - (a) requires the member to disclose any actual, or potential, material conflict of interest that the member has arising out of the advisory group's function;
 - (b) specifies when, how and to whom the disclosure must be made;
 - (c) specifies any other steps that the member must take in relation to the conflict of interest.
- (2) The Minister for Health must ensure that a condition of the kind described in subsection (1) applies to any alternate member appointed under section 4G(6).
- (3) In cases where the Minister for Health considers it appropriate for a condition to apply, the Minister for Health must ensure that a condition similar to that described in subsection (1) applies to any person, other than a public service officer, who has a role of providing assistance to the advisory group.
- (4) The CEO must do the following —
 - (a) keep a record of —
 - (i) each disclosure that is made by a member of the advisory group, or another person, under a condition that applies to the member or person as required under subsection (1), (2) or (3); and
 - (ii) any other steps that are taken in relation to any actual, or potential, conflict of interest that is disclosed;

- (b) make a summary of the record available, on request, for inspection.
- (5) The regulations may prescribe how a summary of the record is to be made available under subsection (4)(b).

No 8

Clause 14, page 17, after line 26 — To insert —

9B. Estimate of income to be laid before each House of Parliament in certain circumstances

- (1) If the budget papers for a financial year will not be tabled in the Legislative Assembly before the commencement of the financial year, the Treasurer must, before the commencement of the financial year, cause a statement setting out an estimate of the income that will be derived during the financial year from the investment of money standing to the credit of the FHRI Fund, to be laid before each House of Parliament.
- (2) If subsection (1) requires the Treasurer to cause a document to be laid before a House of Parliament and the House is not sitting, the Treasurer may give the document to the Clerk of the House.
- (3) A document given to the Clerk of a House under subsection (2) is taken to have been laid before the House.
- (4) The laying of a document before a House that is taken to have occurred under subsection (3) must be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after the Clerk receives the document.

No 9

New Clause 16A, page 18, after line 24 — To insert —

16A. Section 10A inserted

After section 10 insert:

10A. Governance framework

- (1) In this section —

FHRI scheme means the scheme of this Act for supporting, and facilitating support for, qualifying activities through —

- (a) the operation of the FHRI Account and the FHRI Fund; and
- (b) the exercise and performance of related functions by the Minister for Health, the Treasurer, the advisory group and others;

governance framework means the framework referred to in subsection (2);

priorities means the priorities referred to in subsection (3)(b);

strategic arrangement means an arrangement that is made or approved under section 4C(1) and that the Minister for Health considers to be of strategic importance to the operation of the FHRI scheme;

strategic document means a document, other than the strategy or priorities, that is prepared under the governance framework and that the Minister for Health considers to be of strategic importance to the operation of the FHRI scheme;

strategy means the strategy referred to in subsection (3)(a).

- (2) The Minister for Health must prepare and maintain a framework for the governance of the FHRI scheme.
- (3) The governance framework must (without limitation) do the following —
 - (a) provide for the preparation and maintaining of a strategy for the operation of the FHRI scheme;
 - (b) provide for the setting of priorities for the operation of the FHRI scheme;
 - (c) include a framework for the making and approving of arrangements under section 4C(1) and the administration of arrangements made or approved.
- (4) The Minister for Health must cause the following to be laid before each House of Parliament —
 - (a) a copy of each of the following —

- (i) the governance framework;
- (ii) the strategy;
- (iii) the priorities;
- (iv) if a document listed in subparagraphs (i) to (iii) is modified or replaced — the modified or new document;
- (b) a copy of each strategic document and, if a strategic document is modified, a copy of the modified document;
- (c) details of each strategic arrangement and, if a strategic arrangement is modified, details of the modified arrangement.
- (5) The CEO must ensure that the current version of each of the following is publicly available on a website maintained by, or on behalf of, the FHRI Account Department —
 - (a) the governance framework;
 - (b) the strategy;
 - (c) the priorities;
 - (d) each strategic document;
 - (e) the details of each strategic arrangement.

Mr R.H. COOK — by leave: I move —

That the amendments made by the Council be agreed to.

The Western Australian Future Fund Amendment (Future Health Research and Innovation Fund) Bill 2019 has now been considered by the Legislative Council—some would say in great detail; I think we clocked up 8.5 hours on clause 1. It has been considered in great detail and I commend the Legislative Council for its diligence. I am at least relieved that it has come before us at this point in time. I seek the support of members for amendments 1 to 9. These were put up during debate and are a combination of amendments from Hon Martin Aldridge, Hon Alison Xamon and the parliamentary secretary, Hon Alanna Clohesy, who moved one amendment on behalf of the government. With the indulgence of the Deputy Speaker, I will just go through these amendments.

Amendments 1 and 8 were moved by Hon Martin Aldridge. Those two amendments relate to new section 9B, which extends the definition of “forecast investment income”. New section 9B(1) states —

If the budget papers for a financial year will not be tabled in the Legislative Assembly before the commencement of the financial year, the Treasurer must, before the commencement of the financial year, cause a statement setting out an estimate of the income that will be derived during the financial year from the investment of money standing to the credit of the FHRI Fund ...

The statement must be made and tabled in both houses of Parliament. If neither house is sitting, alternative arrangements for tabling may be made under proposed section 9B(2) to (4). That includes the submission to the Clerk in the other place and so on.

This, obviously, would be a fairly specific set of circumstances, such as this year’s late budget. I do not expect this clause to be utilised that often because it goes to the issue of providing Parliament with good notice about the funds that would be dedicated to the account in the event that they do not have the usual budget papers in May each year. It was a reasonable request and that is why we were very happy to support it. Pandemics allowing, let us hope that we do not have late budgets all that often.

Ms M.J. Davies: In election years.

Mr R.H. COOK: That is a good point, member for Central Wheatbelt. Budgets are often late in election years, so maybe that will be utilised once every four years.

Amendments 2, 4 and 5 will enshrine in legislation the role of the advisory group. Members will recall that during debate I tabled the governance structure for the future health research and innovation fund. The actual role of the advisory group will now be in the legislation. The government does not oppose these amendments. A range of amendments give effect to that idea.

Amendment 3 will amend clause 9. It requires the Minister for Health to prioritise the funding of research and innovation, including commercialisation of human coronaviruses with pandemic potential, from the future health research and innovation fund for the financial year commencing 1 July 2020. This amendment was moved by the government.

Mr D.A. TEMPLEMAN: I want to speak about the amendments, but I rise now to alert the house that I have been told by the Clerk that we need an absolute majority present in the house before we put the amendments to ensure that we comply with the standing orders. The Clerk explained to me that an absolute majority will sanction the process. Whilst I am speaking and members are gathering, these amendments are important for consideration. When we have an absolute majority, I assume the Deputy Speaker will be able to note that, and that will then ensure that we comply with the passing of these amendments once debate on them has concluded.

The DEPUTY SPEAKER: That was an extremely valuable contribution! Thank you.

Mr R.H. COOK: I have never heard him talk so slowly, I must say! Thank you, Leader of the House. I note that there will be some questions. It will take a little while, members, so please bear with us.

Amendment 3 was moved by the government. Obviously, we expect coronaviruses to be an important focus in the first instance in relation to the operation of this bill. For that purpose, we moved this amendment. Proposed section 4C(9)(a) and (b) is intended to enable the minister to make funding decisions outside the recommendations of the advisory group, and the governance framework is intended to apply to the future health research and innovation fund.

The DEPUTY SPEAKER: Members, please be quiet.

Mr R.H. COOK: A point of interest is that this refers to “human coronaviruses with pandemic potential” to allow for any mutations of COVID-19.

Amendments 6 and 7 also relate to clause 9. These amendments were moved by Hon Alison Xamon and deal with conflicts of interest in the operation of the advisory group. They are straightforward and enshrine principles that were already important.

Amendment 9 relates to the governance framework. The government supports this amendment as it inserts a new section 10A that requires the Minister for Health to prepare and maintain a governance framework for the future health research and innovation scheme. This amendment also requires the minister to table the governance framework and a number of supporting documents in both houses of Parliament. There is a requirement to also table modifications and replacements to these documents; however, this does not include minor changes that are made to address such matters as formatting or spelling errors.

That is the effect of amendments 1 to 9. The amendments have the government’s support; indeed, the government sponsored one of them. They go to important matters that were considered at some length by members in the other place.

Ms M.J. DAVIES: My understanding is that we are dealing with these amendments en bloc. Do we have the opportunity to provide notice to government members so that we are adhering to the requirements of the house prior to calling for a vote?

The DEPUTY SPEAKER: Yes, that is a good assumption.

Ms M.J. DAVIES: Thank you. The majority of amendments, as the minister has laid out, came from the National Party in the Legislative Council. I note that although those amendments were supported, the National Party does not ultimately support the bill. We still do not believe that the intent is correct. However, we think the amendments improve the bill, understanding that it will be passed in this place. We thank those members who participated. The government has indicated that it will be supporting those amendments in this place.

Hon Martin Aldridge, the Nationals’ health spokesperson, worked through these amendments in great detail. He bundled together that late-budget provision, as the minister outlined, which related to the initiation of this bill, but then also contemplated that there would be provision for the potential for late budgets in state election years. This issue was identified in an exchange between the Parliamentary Secretary to the Minister for Health and Hon Martin Aldridge during Committee of the Whole. The amendment to clause 7 did not anticipate the occurrence of a late budget being delivered. Hon Martin Aldridge’s assumption was that if there were no budget papers, no cash would be available to the future health research and innovation account. He quite rightly noted that that will occur this year as a result of the state emergency and the budget being pushed back to October and also every other year in which a general election occurs. That has been the case since the advent of fixed-term elections since 2013. That problem would be faced in the very first two years of the account’s operation. I understand that during the debate in the Legislative Council, the government said that it had a workaround for that and would be able to manage it. That was not acceptable to the Nationals. This amendment strengthens the bill and makes sure that it will operate as intended, because we will face that situation this year and in every year when there is a general election. From that perspective, I can see that the government argued in the other place for a 30-day discretion, post 1 July, to allow the tabling of a statement on the special purpose account so that financial obligations on the contracts could be staggered to avoid payments between 1 July and the late state budget. We did not agree with that, and this amendment makes that completely avoidable. We thank the government for accepting the amendment because we think it strengthens the bill.

Hon Martin Aldridge moved quite an extensive amendment to clause 9 on the governance framework relating to the advisory group and the requirements to be met before the future health research and innovation fund is applied. In the Nationals' view, the amendment strengthens the governance provisions by providing transparency in the decision-making process. Whilst the government argued in this place that the legislation provided for a rigorous and robust governance framework, it was not until the Greens moved an amendment with the words "governance framework" in the other place that we saw that addressed specifically in the bill.

Mr D.T. REDMAN: I would like to hear more from Leader of the National Party.

Ms M.J. DAVIES: Thank you, member. This amendment mirrors similar provisions that have been built into the Road Safety Council Act 2002, which administers the road trauma trust account. It does not in any way diminish the ministerial decision-making power or ministerial discretion. However, it requires the minister of the day to seek the advice of and consider the recommendations made by the independent expert advisory group. That was not part of the process prior to this amendment being agreed to. Otherwise, the sole function of the advisory group, which can be found at proposed section 4F(2), was that it only provide advice that the minister requested for the purpose of the fund. The amendment means that the advice of the advisory group has to be sought and the minister of the day has to take that advice into consideration. In practice, if the minister of the day did not seek advice from the advisory group, which I am sure would not happen, but this is about putting belt and braces on this type of legislation, the advisory group would have no role to play. That did not seem to us to be the intention of what the government put forward and it would not have been good governance. From our perspective, this amendment has strengthened the role of the advisory group and will ensure that future governments will take the advisory group's advice. There is precedence for this in the provision relating to the road trauma trust account in the Road Safety Council Act. A very reasonable example was provided in the other place about how the decision was made to purchase a \$20 million helicopter for the police using funds from the road trauma trust account. The decision-making process was very murky and I do not think that the advice that would have been provided at the time by the group that was responsible for administering that fund would have been adhered to. Without this provision, the minister could deliberately ignore the advice simply by not asking for it. That is a very circuitous way of explaining why the provision is there, but there are examples of how it has been utilised in other bills with other funds.

On behalf of the Nationals, Hon Martin Aldridge moved an amendment to clause 9 to avoid short-term cost shifting. The minister very graciously provided an undertaking in the other place that any of the programs that are being funded will not be subsumed by this funding in the short term. As I understand it—the Minister for Health can clarify it for me—the Department of Health will continue to fund those programs in the short term. Obviously, once we get through the program—this is much like royalties for regions; what is believed to be cost shifting and what is not becomes discretionary—the programs that are embedded and are being funded by the Department of Health will continue to be funded by the Department of Health and that, going forward, the decisions will follow the processes set out in this bill. I think the member has made a very sensible recommendation and we appreciate that the minister has agreed to ensure that it will be undertaken. Sorry, that was not an amendment. My apologies to the minister for confusing the house. It was discussed but we did not want to embed it in the legislation. We appreciate that the minister gave an undertaking in writing to ensure that would not happen. For the purposes of *Hansard*, I clarify my remarks. I have an abandoned amendment on the last page of my notes from Hon Martin Aldridge. Members will appreciate that there were a number of amendments. Members of the Legislative Council worked very diligently through this legislation to strengthen it.

Mr D.T. REDMAN: I am still very keen to hear more comments from the Leader of the National Party.

Mr D.A. Templeman: She is losing me a bit!

Ms M.J. DAVIES: I just lost myself, Leader of the House! I appreciate that; I am sorry. As the minister noted in his preamble to these amendments, this has been played out over a number of days in some detail in the other house. As I said, the amendments have strengthened the bill and I commend Hon Martin Aldridge for working his way through this legislation.

Ultimately, I have to say that the Nationals do not support the repurposing of this account. We made that very clear in the debate in this place in the first instance, but that has not stopped us from engaging with the minister and those who were responsible for putting this legislation together. It is very disappointing—this has been canvassed on a number of occasions—that there was strong disagreement from those on the other side, particularly the Treasurer, when we created the future fund. It was seeded by royalties for regions funding and its purpose was to ensure that future generations would benefit from what we are doing now by mining our very valuable resources. I will concede that it is hard to argue that most people in Western Australia would not support research into health and what this funding will be directed to, but that sets aside the fact that the future fund had a purpose and that it was not supposed to come into play until 2032. When it was created, it was designed to deliver ongoing funding for future generations from non-renewable resources. I hope that the research that is undertaken as a result of being able to direct these funds into it, as we argued but ultimately failed in this place, benefits people in regional Western Australia. We have serious issues in regional communities that will benefit from having a light shone on

them and from receiving funding from the creation of accounts such as this one. If the advisory group and the minister take that on board as we work through this, through the governance process and through the strengthened amendments, it will be very much appreciated, because I think this is a once-in-a-lifetime opportunity to deal with some of those vexatious and wicked problems that we face in regional Western Australia, bearing in mind that this fund was created using royalties for regions funding from non-renewable resources and, ultimately, has been repurposed by this Labor government.

Mr Z.R.F. KIRKUP: I follow my good friends in the Nationals WA and the Leader of the Nationals in speaking to these amendments that have been brought down from the Legislative Council. I have a couple of comments. I appreciate that we are dealing with the amendments en bloc. The point of dealing with them en bloc is that the government does not have to maintain an absolute majority when each amendment is moved. I am glad that we will do that only once rather than a number of times.

I would like to thank the minister and his advisers, particularly Gino Marinucci, for the work done in liaising on the Western Australian Future Fund Amendment (Future Health Research and Innovation Fund) Bill, which was debated and amended in the Legislative Council, and the negotiations thereafter. I thank the minister and his team in particular for that work. I thank my Legislative Council colleague Hon Nick Goiran for holding the floor as the Legislative Council lead speaker on health and the work he did there to go through this very extensive bill, which was introduced by the government in this place in 2019. Of course, as the Leader of the Nationals rightly pointed out, the Western Australian Future Fund was established by the Liberal–National government for a completely different purpose from what this bill is now seeking to achieve and will undoubtedly achieve once it passes both houses and is granted assent. Ultimately, I feel that the Liberal Party supports this new purpose in light of the health and medical research outcomes, although it may not have been the intent of what we anticipated. We note that it was an election commitment of the government and, as such, we have certainly provided no resistance. I was very keen for this bill to be supported to ensure investment into medical research in Western Australia. It is important to note that our medical research teams and specialist institutions in Western Australia do an amazing job. We have seen that with the DETECT program in schools and the like and the research subsequently undertaken as a result of the COVID pandemic.

I will quickly go through some of the clauses. I do not anticipate speaking again unless the minister raises something that I want to question. We will let the minister run out the clock for five and then let members back in, if that makes sense. That will be the extent of my contribution unless the minister comes up with something I believe needs questioning further. The Leader of the Nationals WA outlined all the amendments moved by Hon Martin Aldridge in the other place. There is no point in my rehashing them. Hon Martin Aldridge has done an extensive job with the number of amendments moved. I note that the National Party moved an amendment on the floor of the Legislative Assembly during the consideration in detail debate and that a range of refinements were effectively made to that intent in the upper house. The National Party has taken a relatively consistent approach to that.

Ms M.J. Davies interjected.

Mr Z.R.F. KIRKUP: I was with the Leader of the Nationals the whole way, as the Liberal Party always will be with the National Party. The amendments I am very keen to talk about were those moved by Hon Alison Xamon about conflicts of interest. These amendments are of particular note, because this was raised during our contribution to the debate. A number of concerns were raised about large sums of money being expended by the government and I think there is a need to make sure we focus on potential conflicts of interest. The member for Nedlands talked about the development of Infrastructure Western Australia and the need to ensure that there is a rigorous regime to deal with perceived conflicts of interest. When we contributed to the debate on the bill on 13 November, we were very keen to ensure that there was a better way to manage potential conflicts of interest around this fund. There will be significant expenditure. Perth is a very small town and the medical research community is undoubtedly also small. The ability for us to manage disclosure requirements and to ensure steps are taken to identify any potential conflicts of interest —

Mr W.R. MARMION: I would like to hear more from the member for Dawesville.

Mr Z.R.F. KIRKUP: Thank you very much, member for Nedlands. There is a need for records to be kept of disclosure made by members of the advisory group. Steps also need to be taken to ensure that any potential conflicts of interest and how they are handled are disclosed. We also need to ensure that a summary of the records is available on request for inspection. That is a key part of any opposition as we look to any expenditure required to be spent by a government through whatever process. It is important that conflict-of-interest registers are maintained and can be accessed publicly. Of course, the opposition can ask questions during question time and submit freedom of information applications, but they might go only so far, especially with respect to FOI. The Freedom of Information Act 1992 contains safeguards for commercial interests and personal information in some respects. I appreciate that the government has accepted this amendment by Hon Alison Xamon to ensure that a record is maintained and can be available on request for inspection. I think that is a good thing. The other point made a number of times is that

the involvement of the CEO of the Department of Health in this will undoubtedly allow rigorous oversight to be maintained of those disclosures and potential conflicts of interest. We must be aware that the pool of people required to oversee this will be very, very small. We have certainly indicated that we will look very closely at the selection of people who will be involved in that process to ensure that even at the ministerial–executive level, there is very little overlap within Western Australia, even in pre-existing relationships, that might develop as a result of people’s background in medical research. The ability for us to pull from a small pool of experts warrants a strengthened conflict-of-interest clause.

Mr W.R. Marmion: It would be difficult.

Mr Z.R.F. KIRKUP: I imagine it will be, member for Nedlands; it will be particularly difficult to find those experts when dealing with such a nuanced project. I appreciate the amendments moved by Hon Alison Xamon and supported by the Liberal Party in the other place.

The other amendment I would like to talk about—I am probably running through my time—is the COVID-19 amendment moved by the government. I have not had the opportunity to seek the minister’s counsel on why that amendment was warranted.

Mr R.H. Cook interjected.

Mr Z.R.F. KIRKUP: I think it is amendment 3 to clause 9 on page 9. Can the minister take the opportunity to explain to the chamber the relationship with COVID-19? I appreciate that it was explained by the minister’s representative in the other place, but given we are considering that amendment here, it is prudent that its relationship to COVID-19 is explained so that we can get a better understanding. When the amendment was moved, it was suggested that the government was seeking to attach some COVID urgency to it. Because of that, I am keen for the minister to provide some further explanation to the house about that amendment moved by the government in the other place.

Ultimately, I am pleased that this will provide investment in medical research in Western Australia, particularly during this time. I am always in awe of the ingenuity and entrepreneurship of Western Australians, particularly their ability to go above and beyond in the sense of a greater spirit of humanity. I think they do that often in medical research. What I love about Western Australia is that we name our hospitals after notable people. These people who are often talked about across the kitchen table are often medical researchers, medical scientists and doctors themselves. I think that is brilliant. It is a great reflection on the maturity of our society when we reflect on the contributions made by great Western Australians who are looking after us and the world as a whole. We are very lucky to have some Nobel laureates in Western Australia and outstanding contributions from great medical researchers such as Professor Wood and Professor Stanley. They are amazing people who continue to do great work and I think they should be supported. Although I appreciate that this was not the intent of the future fund at its inception, it is great that the government has been able to use the foresight the Liberal–National government had some years ago to make sure that we can invest these funds in medical research. Hopefully, it will make a great contribution, not just now in the short term while COVID is with us, but also into the long term.

On a final note, it is the intent of the government, and the legislation reflects this, that there should be a particular focus on Aboriginal health as much as possible. That is an important aspect of this bill and one that we all support. I hope that will be a significant part of the expenditure as part of these amendments and the bill itself.

Mr R.H. COOK: I thank members for their comments and questions on the Western Australian Future Fund Amendment (Future Health Research and Innovation Fund) Bill 2019. I will address briefly the questions of the member for Dawesville about the COVID-19 clause. The clause is about enshrining a clear legislative pathway to ensure funding can be allocated to COVID-19 research and innovation and other research and innovation associated with coronaviruses with pandemic potential. The member will recall that in the context of the bill, the government is limited to the recommendations of the advisory group, for very good reason. It is because we do not want this to be the plaything of a politician. We want this to be a bit like the Infrastructure Western Australia process. We want this to be about long-term, world-class, world-leading medical research and innovation. Like everyone on the globe, we recognise that at the moment the COVID-19 pandemic is front and centre and should be the absolute focus for us. In that context, this amendment relinquishes the obligation to be strapped to the advice of the advisory council for the first year alone because we recognise that the coronavirus is front and centre of everyone in medical research at the moment and should receive the full attention of our efforts. We therefore expected it to attract the agreement of all sides that this should be subject to the temporary orders to debate legislation with a COVID-19 focus. The member’s side ultimately was not agreeable to that. I found that extraordinary, but we persevered to ensure that we can move forward. I thought we should move forward a bit quicker; nevertheless, here we are.

I acknowledge the important role that regional health will play in the future of the state. From that perspective, the member for Central Wheatbelt will recall from earlier debate that we have enshrined the role of a person with a regional health background, Aboriginal health background and community health background to be part of the advisory group. That is an important acknowledgment of not only the priority that regional health plays, and

obviously the role that royalties for regions played in the seed funding, but also that Western Australia is a world leader in remote health care. We should capitalise on that strength and make sure we can move forward. I am sorry that this falls short of the member's support. This was a central election commitment and I think it is worthy of at least grudging acknowledgement that we have done the right thing by the WA electorate. Nevertheless, I appreciate the focus the member's party has provided to the bill to improve it as best as she sees fit.

In conclusion, I thank members of those parties that are supporting the bill. In particular, I acknowledge the member for Dawesville, who has been helpful and supportive of getting this bill through.

A member interjected.

Mr R.H. COOK: I think he is almost becoming part of the health fraternity. He understands the importance of this. I appreciate his assistance, albeit limited that assistance can be when dealing with the upper house! Wow—it is extraordinary! It could watch the Legislative Assembly and really see how a proper house of review and legislation operates. Nevertheless, I thank members of the Legislative Council for their consideration as well.

I thank also Daphne, Michael, Leanne and Lita, who come from different departments, for their support and advice during this legislation.

[Member's time extended.]

Mr R.H. COOK: I think Leanne is from the Department of Treasury, so it has been great to bring together an eclectic team. I thank the Premier for his support on this policy. This was a key focus and key commitment for us during the election campaign and this legislation has the capacity to revolutionise the way medical research is done in Western Australia. It will improve patient care. It will ensure that we do not continue to diversify our economy. It will attract and retain the best and brightest we can in medical research expertise in the state and it will ensure that Western Australian patients experience the very latest in health care and technology and innovation. This is important legislation. It will not just double the amount of resources that are available for medical research, but it will attract the best researchers. It will revolutionise the way we do medical research and it will make Western Australia world-class and world-leading in medical research and innovation.

I have a final thank you before I conclude. I thank those members of the research community who have travelled with us on this journey, particularly Professor Bruce Robinson, who told me to go to Canada to look at the important role the heritage trust has played in making Alberta, a western-based isolated province in Canada, a world-leader in medical research. I thank him for that and for his ongoing guidance. I thank also Professor Barry Marshall and Professor Jonathan Carapetis for their original endorsement of this legislation; Professor Gary Geelhoed from the Western Australian Health Translation Network for his great work and the guidance it has played; Mr Ashley Reid from the Cancer Council WA; and, of course, Professor Fiona Stanley for her guidance and continued support. I thank the medical research community, championed by the Australian Medical Association in Western Australia. I thank the association for its ongoing support and continued vigilance to ensure that we did everything it wanted us to do! We have not done everything it wanted us to do, but I certainly appreciate its support. I thank also Mr Gino Marinucci from my office who has been an absolute stalwart in assisting me to get this legislation through. I thank all members for their support. This is perhaps the second most important piece of legislation I have managed to put through in this term and I am really pleased we got there. This is an important commitment to the WA people. It is an important commitment to our medical research community and to the Western Australian economy and it will make a huge contribution. I commend the amendments to the house.

I table the explanatory memorandum on these amendments, which I neglected to do beforehand.

The DEPUTY SPEAKER: To be cautious, I have counted the house and am satisfied an absolute majority is present.

[See paper [3400](#).]

Question put and passed with an absolute majority; the Council's amendments agreed to.

The Council acquainted accordingly.