

Hon Sue Ellery; Hon Peter Collier; Hon Jacqui Boydell; Hon Aaron Stonehouse; Hon Rick Mazza; Hon Robin Scott; Hon Alison Xamon; Hon Nick Goiran; President; Hon Martin Aldridge; Hon Charles Smith

CORONAVIRUS — BUSINESS OF THE HOUSE — TEMPORARY ORDER

Motion

HON SUE ELLERY (South Metropolitan — Leader of the House) [2.14 pm] — without notice: I move —

If, following agreement with the party leaders or members deputed, the Leader of the House or the member deputed by the leader advises the house that it is necessary to introduce a government bill or undertake any other immediate business arising from or in connection to COVID-19, the following temporary order shall apply in respect of those matters —

- (1) any business then before the house, other than formal business, a matter of privilege, or a motion subject to standing order 67 shall be adjourned to a later hour;
- (2) any such bill may be introduced without notice and shall proceed through its stages at dates and times determined by the house;
- (3) any such bill the subject of a message from the Legislative Assembly may be taken into consideration on the day on which it is received;
- (4) on any sitting day, and after first consulting with the party leaders or members deputed, the President may order that one or more of the following items of business in the order of business for that day be dispensed with —
 - (a) non-government business;
 - (b) private members' business; and
 - (c) consideration of committee reports;
- (5) if ordered, the Council shall sit beyond the following times on the days specified until members' statements are called by the President and, in such case, standing order 5(5) applies —

Tuesday	9.45 pm;
Wednesday	6.20 pm; and
Thursday	5.20 pm;
- (6) after first consulting with the party leaders or their representatives, the Leader of the House or a member deputed may set maximum time limits for each stage of a bill or a motion and on the expiry of that maximum time limit, all questions relating to the stage of a bill or motion, including any amendment, shall be put and determined *seriatim*;
- (7) a requirement for notice to be given in respect of any motion to be moved by the Leader of the House or a minister is dispensed with;
- (8) that, in the event that a scheduled sitting day of the house does not take place, the usual process for questions on notice that would have occurred on that day shall still occur;
- (9) standing orders are suspended accordingly to the extent necessary to effect these arrangements; and
- (10) this temporary order to apply until 27 November 2020 or the lifting of the state of emergency declared in Western Australia arising from the COVID-19 pandemic, whichever occurs first.

Madam President, we are in extraordinary times. On 15 March, following the agreement at the national cabinet, the state government invoked the emergency powers under section 56 of the Emergency Management Act 2005 to declare a state of emergency, and a public health emergency in the name of the Public Health Act 2016, to deal with COVID-19 and its potentially devastating impact on our community. These powers are wide-ranging and have been used in the days since they were invoked to issue orders across many elements of our community. Our movements are restricted and, as a nation, we have shut down many businesses, and others have had to shut themselves as a direct consequence of less economic and social activity. There have been significant job losses and there will be more. Behind each one of those job losses is a person with a family, responsibilities and financial obligations. I know that each one of us in here is related to, knows personally, lives next door to and represents those people. In addition to the emergency and public health powers, there are now, and will be in the days and months ahead, greater flexibilities required in a range of areas and some specific changes to some laws to assist agencies to be nimble in their responses, provide certainty about the delivery of key public services, prepare for and be ready for when recovery begins, keep people safe, keep people in jobs, and enable business to be able to innovate and quickly get new business models in place. There has never been a more important time to be of service to the public of Western Australia. That is what Parliament is. That is what we are.

The motion I have just moved temporarily alters and suspends some elements of our existing standing orders, which are long held, closely protected and guarded by this chamber. I ask for members' support for these temporary arrangements as a direct result of the crisis facing our state. These are not measures for ordinary, normal times; we

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are not in ordinary, normal times. There is no intention by government to continue, and I give my personal commitment that I will not seek to continue, these temporary arrangements beyond the COVID-19 crisis. I also want to make it clear to members that the government's intention is for these orders to deal only with legislation responding to the COVID-19 crisis.

Each bill listed will assist in responding to the COVID-19 crisis, either because it goes to the financial capacity to continue government services, it goes to the safety of the community and frontline staff, it goes to those businesses and services that have been disrupted or it goes to a health response to the virus. I cannot give members a specific deadline beyond that which is included in the motion, because we do not know how long this will last. There are bills being considered and drafted now beyond those that are listed and have been discussed. It may be necessary to reconvene the Parliament between now and our next scheduled sitting date to deal with those. There will be discussions with the opposition and other parties about that. None of us want to be here together longer than we need to be. Our agencies need the changes they seek to do their part to continue to serve the public in this time of crisis. The public looks to us to serve its interests by doing our job efficiently and calmly. Overall, this motion essentially provides for the house to move through debate on business related to COVID-19 efficiently and without having to suspend standing orders at multiple points.

I will take members through the clauses in the temporary order. Paragraph (1) will allow for the business of the house, other than formal business, a matter of privilege or a motion subject to standing order 67, which is disallowances, to be adjourned so that the house can deal with urgent business related to COVID-19. A question was asked about its capacity to change the time of question time. It does give the house the capacity to change question time. There is no intention by me to do that; however, party leaders may agree, for example, on Thursday, depending on progress, that we might want to bring forward question time. I will not seek to change anything about question time without the agreement of party leaders.

Paragraphs (2) and (3) will essentially allow the legislation related to COVID-19 to be dealt with in an expedited manner. As members know, on a normal basis a bill arriving from the Assembly is introduced and then sits on our notice paper for a certain number of days before it can be debated, and only by separate motion of the house can it proceed through all stages. This motion allows for COVID-19 legislation to move to all stages of debate on a single sitting day.

Paragraph (4) allows for some elements of the business program to be dispensed with. During a meeting of party leaders last week, this particular paragraph was discussed. I have been advised by the Leader of the Opposition, for example, that the Liberal Party will dispense with its non-government business on Thursday, and I advise that government MPs will dispense with private members' business. We have yet not made a decision, but this may be the case with committee reports. Members will note that motions on notice and members' statements do not form part of this paragraph and they will proceed. That is as a result of discussions with party leaders.

Paragraph (5) allows for sitting hours to be extended, and that is likely to be the case. Discussions have already begun on how that might be accommodated—for example, starting earlier and sitting later tomorrow, and starting earlier and sitting later on Thursday. It will be done by agreement with the party leaders. I acknowledge that the agenda for this week is large. The government has several bills that we will seek to pass to assist us to deal with this crisis. The Legislative Council would not normally be asked to pass this number of bills, but this is a state of emergency, and that is what we are asking.

Paragraph (6) provides for maximum time limits for each stage of a bill related to COVID-19. The proposed change to time limits is to allow me as Leader of the House, in consultation with party leaders—I will do that—to set maximum times to deal with each stage of a bill or motion. This is not a limit on the time in which an individual member may speak. It is the same way that this house has dealt with disallowance motions for the entire 19 years I have been here. That is probably the easiest example to give members; that is, the Leader of the House seeks an indication from party leaders of how much time their party members need to speak on a matter and then does a calculation working backwards to ensure that there is enough time to accommodate all parties before the question must be put. This does and will require cooperation both within and across parties to ensure that those who it is agreed will have time to speak get to speak.

Paragraph (7) dispenses with the need for me as Leader of the House to procedurally provide notice of motion the day before I move it, but I do and will continue to provide party leaders with a copy of any motion I intend to move in advance.

Paragraph (8) allows for questions on notice to occur if Parliament is suspended. This was moved in the Legislative Assembly by the Nationals WA. It was discussed with party leaders in this house, and I thank them for raising it.

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Paragraphs (9) and (10) allow for the suspension of normal standing orders and places a time limit on that suspension, which is set at 27 November or the lifting of the state of emergency in WA.

We are at the point of passing this motion due to the goodwill of all those who have been involved in the discussions over the last week. Madam President convened a meeting of party leaders last week. I thank her, the Clerk and everyone involved in those discussions for the cooperation and willingness to work together in these extraordinary circumstances. For the purposes of the legislation this house needs to deal with COVID-19, we are all acting in the interests of Western Australians. My observation of the way that the logistics of this sitting of the Parliament has been managed and the cooperation of the parties to do things differently is that WA can be assured that the Legislative Council of the Parliament of Western Australia will, just as the majority of our citizens are doing, appreciate the severity of the situation we are dealing with and work together to come through it. The work that we do here in this chamber this week will assist businesses that have been devastated. It could save businesses, it could save industries and it could save lives. I want to thank the President and party leaders again for their assistance in shaping this motion. I want to thank their respective members, because I know these discussions have been difficult. I want to thank everybody for their flexibility, their understanding and their leadership in our collective response to this crisis.

HON PETER COLLIER (North Metropolitan — Leader of the Opposition) [2.27 pm]: I stand on behalf of the opposition to say that the Liberal Party will support the motion. Having said that, in normal circumstances we would not. In normal circumstances the government would not be moving this motion. If the situation were reversed, the identical situation would exist. As we all know, these are not normal circumstances. So much uncertainty is out there in the community at the moment, with so many vulnerable people who are really, really struggling, and we have got to do all that we can to calm them. We have got to do all that we can to make them feel that their leaders have got their backs and are looking after them. That is why we will support this motion.

The legislation before the chamber will be fluid, as the Leader of the House has said. More legislation will come up. There will be chops and changes, and we have to be flexible. We simply have to be sympathetic to the fact that we are representing the people of Western Australia, who require that certainty. With that in mind, the uncertainty has been calmed at the national level because of the tremendous effort of national cabinet. I look at what we are doing as a nation in awe, in that we have our Prime Minister working with the leaders of all the other jurisdictions collectively, and it has had a magnificent, positive impact on the cultural attitude of Australians as a direct result. Australians are now looking to their leaders in Canberra and seeing them singing from the same song sheet and they know that there is no bickering, no nonsense or sniping from the trenches. They are working collectively for the common good of the Australian people, and that is really, really powerful. That is what this motion is all about. As I said, we would not normally support it, and the government would not normally move it, but these times are not normal; they are very uncertain.

The Leader of the House alluded to a meeting last Thursday, and, as I mentioned, without divulging any of our party confidences in our party room today, it was an extraordinarily positive meeting; it really was. I thank the President, the Clerk, Hon Stephen Dawson, who was representing the Leader of the House at that stage, and other party members who took part in that meeting. A collective unity of purpose existed with those individuals at the time. We put away our political colours for two hours and tried to work towards an end that was going to be collectively agreed to that was conducive to a positive outcome, and, amongst other things, part of that end was these temporary orders. We needed to get to a point at which we could say, “Yes, we can expedite the legislation while, at the same time, provide an avenue for all members to have their legitimate say when appropriate.” I think that where we have landed is pretty much right and pretty much captures what we discussed on Thursday. Therefore, once again, I would like to thank Madam President, the Clerk and the leaders from all the parties for that—dare I say—unity of purpose that we achieved last Thursday.

It is going to be a testing time this week; I can sense it. It will be a testing time not just because, of course, that great, big, black cloud that we, across the globe, have hanging over all us at the moment that is called COVID-19, and we so desperately want that to evaporate. But one of the ways that we can do that, as leaders of Western Australia, is to work cooperatively and collaboratively, and to provide security and comfort to the community. That is what it will be looking for. It will not just be looking to the government; it will be looking to every single one of us, because every time we open our mouths, it will be reported. It is very important that we sing from the same song sheet, that we show that we have unity and purpose, and that when it comes to the community’s welfare, we are working with collective purpose.

Having said all of that, like the national cabinet, I would like to think that we can get to a point at which we get these bills passed, while, at the same time, still provide every member an opportunity to have his or her say so that they do not feel they are diminished in the process. Therefore, the Liberal Party will support the motion.

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HON JACQUI BOYDE (Mining and Pastoral) [2.32 pm]: I also rise to indicate that on behalf of the Nationals WA we will absolutely support the temporary standing orders moved by the Leader of the House. I also want to recognise the work of the national cabinet and the Premier of our state, Hon Mark McGowan, in representing the interests of Western Australia at the national cabinet. It has created unity for the state, and indeed the country, to work together, and has allowed for each state to be able to implement the changes necessary. Bringing it down to a state level, last week it became clear pretty quickly that we as a Parliament needed to unite in the way that we deal with any potential legislation that we would be faced with, and to find a way to work collectively in a dynamic environment. I think we have done that. Although this week will be testing for us in the house, there are many more people in our communities being tested in a greater way than we are in the house today and will be in the days to come. From my perspective, as the Leader of the House outlined, it is our job this week to ensure the safety of the community and to ensure that there is economic support through legislation that allows the community to not only deal with the issues it is facing at the moment, but also extend it to a recovery period that we hope is going to be sooner rather than later. Of course, underlying all of that is the health of our citizens of Western Australia. Therefore, from our perspective, the National Party will do anything it can do to expedite that process and allow the government to respond, as it should, to the community's expectation, with due consideration and scrutiny. Of course, as members, we do that all the time, and we understand the responsibility that we have in those cases, and I am sure that will play out during the course of this week's sitting.

I want to thank Madam President, the Clerk, the parliamentary staff, the Leader of the House and Hon Stephen Dawson, who represented the government in the discussions we had behind the Chair and I know that will continue as we try to manage this. Hopefully, we can get to the end of this with maybe a few new paradigms of how we do things in the house. That would be a good thing. We support the temporary orders; we have a job ahead of us; and we need to get on and do that job.

HON AARON STONEHOUSE (South Metropolitan) [2.34 pm]: I echo the sentiments of some of the previous speakers in that I welcome the goodwill in which this process has been engaged in by the government and the opposition, but I would be remiss if I did not put some of my concerns on the record. I hate to be a nuisance, but I am concerned about paragraph (6) of the temporary order suspending the standing orders that limits the amount of time this chamber has to debate bills and motions. I am concerned because we have been given four urgent bills that I have received briefings on that are not finished yet. They have not been tabled in the Legislative Assembly. I am turning up to briefings with empty folders to be briefed on legislation that I have not seen.

I am sure that those bills will be tabled in due course and we will have a chance to read and digest them, but I think we all hold the sentiment that it is time for us to do our jobs and serve the community, and to make sure that we are here doing what needs to be done to pass the emergency legislation. But I do not think that that means we should abdicate our responsibility to properly scrutinise legislation. I am sure that it will not happen, but the limitation of the time for debates and motions may lead to a certain corners being cut that may have very serious impacts on the community—I refer to the same level and scrutiny that we would give other legislation, not that level of scrutiny being given to the so-called emergency legislation that we are to consider this week. I am willing, as I am sure most of the rest of us are willing, to sit beyond normal sitting hours, to stay here all night if need be, to make sure that we get legislation passed that will potentially save lives or livelihoods. I would rather see that circumstance, and I know that may make me a little unpopular around the chamber, but I would rather sit here all night and do my job properly than limit the debate and cut corners and not give this legislation the full level of scrutiny that it deserves. I am sure that once I sit down, I will get a reassurance that that will not be the case. Paragraph (5) is a provision in which the Council may sit beyond its normal times and it really makes me think that paragraph (6) is unnecessary. In any case, I would also like to highlight paragraph (10) —

This Temporary Order to apply until 27 November 2020 or the lifting of the state of emergency declared in Western Australia ...

Again, I do not want to be nitpicky but “lifting” is an interesting choice of word, because a state of emergency may merely expire, as a renewal is applied for for 14 days. It is not that the state of emergency is necessarily lifted. If the minister does nothing and sits on his hands, it will merely expire. In that case, the temporary standing order would potentially continue until 27 November, long after the state of emergency has ended. Perhaps a reassurance could be given that if that were the case, we could have another motion to put an end to the temporary order. But I will leave it at that for now, as I do not want to take up everyone's time, because I am sure that we have more important things to get onto.

HON RICK MAZZA (Agricultural) [2.38 pm]: I rise to say that I also support the temporary order moved by the Leader of the House. It is unusual that we have a temporary order of this nature; however, right now, we are in extraordinary times with this wretched virus that is affecting our lives and everybody's lives out in the community. Tonight there will be orders that will put strict restrictions on movements around the state. That is how serious it is. I have never seen this in my entire lifetime in that anyone who lives in the metropolitan region cannot go into

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the south west region without a reasonable excuse. This is a very serious time that we are in, hence the temporary order before us.

As has been expressed earlier, of course, we still have an obligation to scrutinise this legislation as it comes through as diligently and prudently as we can, given the time before us. We have nine bills to deal with this week. To get through those bills, some of which have not even been completely drafted yet, is going to be a bit of a job for us. Certainly, some of the bills are also about the recovery stage. We have talked about lives and livelihoods; we have seen it on the news and heard it expressed often by those in the national cabinet, particularly the Prime Minister. Measures such as payroll and other tax relief are being taken to get the economy up and running as quickly as we can once we get past the stage we are in now, in which pretty much everybody is in lockdown.

With those words, I will support the temporary order, but I will certainly, like others, make sure that I review this legislation as best I can within the time that is available to us. Hopefully, the government will be able to answer questions raised by members about the consequences, unintended or otherwise, that may occur later on. Given that the purpose of some of this legislation is to deal with the COVID-19 state of emergency that we have before us, I flag that maybe sunset clauses should be put in that legislation. Then, once this emergency is finished and we no longer have this crisis ahead of us, if some of this legislation does not do what we want for our community, or has not been properly scrutinised through the usual consultation process that we have—sometimes it takes years to get to the point at which legislation can come into this place—those parts of the legislation will cease. With that, I will support the temporary order.

HON ROBIN SCOTT (Mining and Pastoral) [2.41 pm]: I rise to inform members that the One Nation party will be supporting this temporary standing order. It has been really encouraging to see how the government and the opposition have cooperated. We are in a very, very dangerous time at the moment. We have a responsibility to ensure that the safety of the public is utmost. Every member of this chamber has only one concern—to make sure that they stay healthy—whereas the majority of the public have to stay healthy and also feed their families. That is going to be difficult for someone who has lost their job. We are discussing nine bills this week. I hope that we will be able to discuss them sensibly and get through them all, even if it requires working a few extra hours of overtime. From what I have seen so far in the chamber this afternoon, I am sure that everybody will be working together.

HON ALISON XAMON (North Metropolitan) [2.42 pm]: I rise on behalf of the Greens to indicate that we will also be supporting this temporary order. However, I will state that it is not without some reservations about how the debates may potentially unfold. As members have already said, we are, of course, in extraordinary times, and, for many, quite devastating times as well. It is with that heavy heart that I and my colleagues recognise that we also have to look at extraordinary measures within this chamber in order to ensure that we are urgently addressing legislation that is most likely to ensure that lives, businesses and livelihoods are saved, and we can best set ourselves up to move forward.

Nevertheless, I want to indicate that even though we are looking at truncated debate times, and in many instances will not have had the opportunity to give the bills the full scrutiny that they would otherwise require, it means that, of course, we need to ensure that we are very careful and sober in our thinking about the bills before us—that we are dealing with issues that genuinely need to be dealt with around COVID-19, but are not necessarily putting in place regimes that are not intended as we go into the future.

I am mindful that we still have an onerous responsibility in this chamber to ensure that we are crafting and passing legislation that has been comprehensively considered, and I am expressing concern to make sure that we are able to do that to the best of our ability, even within the limited debate periods that are going to be made available to us, because we still have to ensure that we are meeting our responsibilities as the people who create the statutes that define this state.

HON NICK GOIRAN (South Metropolitan) [2.44 pm]: I rise to indicate that I cannot support the motion.

The PRESIDENT: Member, I am sorry. It is a work in progress today. Only those members who are ministers, leaders of their parties or the Whips are going to be able to speak from their seats, as I have already referenced in my statement earlier. If members are sitting in a different seat—a non-designated seat—then you will need to seek the call from that seat. You will be given the call, then you will move to the lectern in the middle of the room and make your speech from that lectern, or ask questions from that lectern in due course. I have given the call to Hon Nick Goiran.

Point of Order

Hon NICK GOIRAN: The motion passed earlier this afternoon indicates that when called to speak, a member may speak from a place in the chamber other than the member's own.

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The PRESIDENT: Member, as I outlined earlier, and I ask for your flexibility and cooperation with this, to ensure that we comply with social distancing and to make things function in the chamber, the agreement that I had with the leaders and the leaders of the parties was that the leaders, the ministers and the Whips who are currently placed in their designated seats this week may speak from their seats. Given that we have agreed to suspend standing order 35, anyone else in the chamber who is in a different seat—a non-designated seat—or a member who happens to be sitting in the President’s gallery and seeks the call will be given the call and then will come and stand at the lectern in the middle of the chamber. That is the agreement that was sought and agreed to, that is the statement I have made, and that is the way I would like business to be conducted in the house. Member, I will give you the call and I would ask you to stand at the lectern and deliver your words. Thank you.

Debate Resumed

Hon NICK GOIRAN: Madam President, I am pleased to contribute to the motion that is currently before the house and I am pleased to do so from this position, in accordance with your direction. I indicate to members that I cannot support the motion in its current form. I accept that members have indicated that this is an extraordinary time. What I cannot accept is that it requires an extraordinary response in the abolition of our normal standing orders. In particular, for most of the past week, I have been seeking an explanation of why the motion before us is necessary. As is always the case, whether it is a motion or a change in the law, the onus is on the individual moving for the change to explain why it is necessary. The explanation that has been provided today is that we are in extraordinary times. That is a statement of fact. That is not an explanation about why our current standing orders are inadequate to deal with the situation.

The Leader of the House put to us earlier that the state of emergency began on 15 March. I remind members that three full ordinary sitting days have transpired since the date of 15 March that the Leader of the House has drawn to our attention. The simple question I put to members is: what was the deficiency in the passage of the Supply Bill 2020 that demonstrates a need for this? That bill passed through both houses of the Parliament. It passed through the other place on the Tuesday and passed through this place the following day. All members here will know that that happened in circumstances of consensus and agreement, and various discussions took place behind the Chair. That indicates to me that the current standing orders were more than adequate to deal with an emergency bill like the Supply Bill 2020.

In the absence of a more cogent explanation about why it is necessary, it makes it impossible for me to support an extraordinary change to our standing orders. In fact, I see nothing positive that comes from the motion before us, but I can see plenty of negative consequences. I accept, as the Leader of the House reiterated today in her contribution, that it is not the intention of the government, in essence—I am paraphrasing her—for anything negative to arise. Once again, if that is not the intention, it calls into question why it is necessary at all.

Earlier this afternoon, I heard the Leader of the House, when moving this motion, make the valid observation that, in accordance with my notes, “Our movements are being restricted.” Indeed, they are. I remind members that yesterday the Premier indicated that some of his measures were, to use his words, “extreme and draconian”. If that is the case, if the Leader of the House says that movements are being restricted and if the Premier of Western Australia is saying that what is taking place in certain circumstances is extreme and draconian, it means that the Parliament needs to oversee what the government is doing. That does not mean that the government is necessarily doing anything wrong, but the very reason that we have been elected to this place—all of us—is to oversee the activities of the government. That is one of the defining features of what separates the Parliament from the government. Somebody needs to keep the government to account, and the people of Western Australia are relying on us and, I remind members, are paying us to do that.

Although many people in our community have lost their wage, have lost their business, and are doing it extremely tough and are having to line up in front of Centrelink, that is not the case for members of Parliament. We are in the privileged position of continuing to be paid by the taxpayer and we should fulfil our duty, number one of which is to hold the government to account.

The feature of the motion before the house that most disturbs me is paragraph (6). I was heartened to hear the contribution of Hon Aaron Stonehouse, who expressed some disquiet about that paragraph. It is an extraordinary paragraph of the motion. It is entirely unnecessary and the explanation that has been provided that somehow it is comparable to a disallowance motion is incorrect. When we have a motion on a disallowance, there is no Committee of the Whole stage. It is one thing for the Leader of the House, presumably over the course of this week, to consult with other members and ask them how long their second reading contribution might be and how long their third reading contribution might be. However, how would the Leader of the House propose that members answer a question as to how long Committee of the Whole will take? The problem is that Committee of the Whole will take as long as it takes, depending on the answers provided to the questions asked, and it is an impossible task for a member to estimate how long that might be. They might be able to indicate a list of questions that they propose to ask.

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I return to the Supply Bill 2020. What was deficient in the passage of that bill that demonstrates a need for this extraordinary measure? By way of context, I note that the weekly bulletin that has been provided to us lists four bills to be considered by the house this week. Yet in the debate that has already transpired this afternoon, I have heard reference to the desire of the government to pass nine bills. I am aware of the proposed nine bills, but once again it demonstrates that at one moment we are being told that there are four bills; then there will be nine bills. In fact, I recall a stage last week when I was told that two bills would be considered. I do not know whether nine is the limit of it because, as most members will appreciate, this seems to be changing on an hour-by-hour basis. I do not criticise the government for that. In fact, if the government wants to pass 20 bills this week, it is entitled to propose that. Equally, as legislators, as people being paid by the taxpayers of Western Australia, we are entitled to scrutinise them in accordance with the normal customs of practice of the house. I concur with Hon Aaron Stonehouse that I for one am prepared to stay as long as is necessary. In fact, I would encourage the government to contemplate extra sittings. If that means that we need to come back on Friday or even next week, then so be it.

I note—it is not anybody's fault—that at the end of last year when this house agreed to the sitting schedule for 2020, we agreed, unknowingly at the time, that we would allow a five-week adjournment of the house in circumstances in which the COVID-19 crisis was taking place. No-one could possibly have known that at the time, so it is not anybody's fault, but the fact that we will now have ordinarily a five-week adjournment of the house at this stage very much disturbs me when we consider that the government is bringing in extreme and draconian restrictions on people's movements—not my words, but the words of the two most senior leaders in the government.

Lastly, I will deal with a couple of technical matters in the motion before the house. I note that paragraph (1) indicates that a motion subject to standing order 67 is no longer capable of being adjourned to a later hour, notwithstanding that we routinely do that almost every day. As I understand it, a motion subject to standing order 67 is a disallowance motion. I cannot count how many times such a motion has been adjourned to a later hour of the day, but if that is no longer going to be the case and a disallowance motion will take precedence over the COVID-19 bills, and that is the desire of the government, then so be it.

The final matter I raise is the sunset clause for this temporary order. I note that paragraph (10) indicates that it will apply until 27 November 2020. Once again, I have not been provided with an explanation as to why at the start of each sitting week between now and the end of the year we cannot have an indication by the government of whether we will be operating under temporary orders or normal orders. I thought that that would be appropriate, but instead there is a desire to leave this extraordinary measure hanging until the end of the year. As I have indicated, that is something that I cannot and will not support.

HON MARTIN ALDRIDGE (Agricultural) [2.57 pm]: I rise to offer some comments and concerns about the proposal put before us by the Leader of the House. From the outset, I note that the genesis of this matter commenced in the other place, the Legislative Assembly, when it last sat. I understand it was quite late in the sitting week. The problem that the other place sought to address was a situation in which the house might sit with a quorum but with not an absolute majority and, therefore, an inability to suspend standing orders. I obviously address this motion as a matter of caution, particularly given that it has been acknowledged that it is modelled on a similar order passed by the Legislative Assembly.

We also heard from the Leader of the House today that there are some practical concerns with having to suspend standing orders, but I understand that the genesis is that we need to address the issue of an absolute majority. If we do not have an absolute majority, we therefore cannot suspend standing orders and cannot progress bills of an urgent nature. That does not dispense with the fact that the house must maintain a quorum of 12 members. That is a constitutional requirement on the Legislative Council. The very limited circumstances in which I envisage this temporary order would be of benefit to this house are when the membership of this chamber, able and present, is more than 12, but fewer than 19 members—more than 12 meaning that we must have a quorum to sit, and fewer than 19 meaning that we do not have enough members to form an absolute majority and, therefore, to be able to suspend standing orders. Obviously, on all other occasions we either cannot sit, because we do not have a quorum, or we have an absolute majority and, therefore, we can suspend, with the agreement of the members present, whichever standing order is inconvenient to the mission we seek.

I must draw members' attention to standing order 3, which relates to the suspension of standing orders, which states that an absolute majority is only needed to suspend standing orders when no notice is provided. So that members are crystal clear, notice can be given today that there is an intention to suspend standing orders tomorrow and only a simple majority of the house is required. Even in the event that this temporary order does not apply and we fall below an absolute majority, then a simple majority of the house can still form and meet and give notice of a suspension and then one day later—just 24 hours later—suspend those standing orders. As other members have reflected, we are about to enter an extraordinary five-week recess, which will then be followed, in July and August, by a more usual and typical six-week winter recess. I think the Leader of the House even indicated today the

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likelihood of a recall being required during those periods of recess. The recall itself will take longer to get the chamber back in operation than it would in any event to suspend standing orders with or without an absolute majority.

I want to talk about the motion specifically. I have no problem with a few aspects of the motion, but I want to comment on and raise concern about a few other aspects. The first is the preamble to the motion. The first thing that strikes me from my reading of the preamble is that the temporary order will apply only with the agreement of party leaders. Members will be aware that 35 out of the 36 members of the Legislative Council belong to a parliamentary party with a recognised leader in this place. One member of the Legislative Council, the thirty-sixth member, Hon Charles Smith, MLC, is an independent member. This trigger requires party leaders to agree, but not the thirty-sixth member of the Legislative Council to even be consulted on, let alone agree to, the application of the temporary order. I do not know if that is intentional or an oversight. The other point I make is that it is obviously assumed that agreement will exist after consultation with party members. However, on other occasions when we have debated motions on the suspension of standing orders, it has been purported that there has been agreement between party leaders, but then, as party leaders rise to speak, that agreement appears not to be consistent with what is presented to the chamber; in fact, I recall on some occasions party leaders opposing a suspension of standing orders motion when it had been suggested that there had been agreement. I will be interested to know how that agreement will be portrayed to the house, because that is the trigger for which this temporary order will be applied.

The other matter is that these temporary orders are restricted to government bills or, rather, immediate business arising from the COVID-19 pandemic. The first thing that will be interesting to see this week is that although an absolute majority is clearly present today, because we have already suspended standing orders twice with an absolute majority, whether this temporary order is put in place as of today, when we have an absolute majority and we can suspend standing orders at any stage, or whether it is the intention, as I believe it is, to apply whether an absolute majority is present or not. Obviously, there needs to be agreement from party leaders on the bills. I understand all nine bills that have been suggested are COVID-19-related despite the fact that a number of them have been listed on the notice paper for some months. It will be interesting to see how that transpires today and whether this temporary order is agreed to and whether there is agreement that all nine bills are COVID-19-related. I draw members' attention to the Electricity Industry Amendment Bill 2019. This bill has existed since 27 November 2019 when it was introduced into the Assembly, and since 18 March 2020 when it was introduced into the Council. This bill predates the existence of COVID-19 on planet Earth. It is interesting that the government in its explanation to us has said that this bill is a COVID-19 bill because it will make the electricity system in the Pilbara more efficient and reliable, which will aid the economic recovery after the COVID-19 crisis. If members and party leaders agree that that is the threshold for designating a bill a COVID-19 bill, I put to the house that every bill and matter listed on the notice paper could be designated as a COVID-19 matter in some way, shape or form. It is quite a stretch of the imagination in my view that such a matter could be brought forward as an urgent COVID-19 matter under this proposed temporary order.

I am also concerned about paragraph (1) and the way in which it will adjourn all other business before the house other than formal business, a matter of privilege and a motion subject to standing order 67—which, as the leader suggested, is a disallowance motion—to a later hour. I understand it is the intention of this temporary order to designate all nine bills this week as urgent COVID-19 bills. Paragraph (1) will dispense with all other business until after those nine bills are dealt with by the Council. Just so that members are crystal clear, that will include questions without notice at 4.30 pm today, Wednesday and Thursday. It will also deal with motions on notice on Wednesday. I understand there will be a good motion in the name of Hon Alison Xamon, if I am not mistaken, on the notice paper on Wednesday about this very issue of the COVID-19 pandemic and the government's response to it. If we agree to this temporary order as it currently stands, and all nine bills are classified COVID-19 urgent bills and the temporary order shall apply, questions without notice and motions on notice will be adjourned to a later hour. My understanding is that it does not allow the Leader of the House or another member to stand and say, "I move now that questions without notice be now taken" while we are mid-bill free, because we still have urgent business before the house to deal with in accordance with the temporary order. It would require a suspension of the temporary order to allow questions without notice to be taken at 4.30 pm every day as well as motions on notice on Wednesday. Just so members are crystal clear, if they support this motion as it stands under the name of the Leader of the House, that is the circumstance we will arrive at. If we do not have an absolute majority down the track, keeping in mind that this applies until November, then there will be no ability to suspend that temporary order without notice, so question time and motions on notice will not be taken.

Paragraph (4), again, is interesting. Why do we need paragraph (4), which allows the President to dispense with non-government business, private members' business and consideration of committee reports after consultation, when paragraph (1) adjourns all other business before the house whilst the house is dealing with an urgent COVID-19 matter? I think there is a conflict between paragraph (4) and paragraph (1), because paragraph (4) is redundant if paragraph (1) applies. Beyond that, my concern with paragraph (4) as it is drafted is that, again, the thirty-sixth

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member of the Legislative Council, the Independent member Hon Charles Smith, is not reflected in the motion in terms of the people that the President needs to consult with; indeed, with respect to subparagraph (a), non-government business, he could well be the member who ought to be consulted in dispensing with that matter before the house.

I think these matters are usually best dealt with as they are currently dealt with by mutual understanding. I certainly have had an indication this week that private members' business and non-government business will be vacated by mutual understanding. Often during other times, ahead of winter recesses and summer recesses, and when we are dealing with matters of urgency, movers of motions on notice will not move a motion to allow the government that extra two hours to deal with a matter of urgency. I much prefer that approach to the one that is being taken in this motion without notice moved by the Leader of the House.

I now turn to paragraph (6). Paragraph (6) is the part of the motion without notice that I cannot support without some amendment, certainly not as it remains. My preference is that paragraph (6) be deleted. That would be my ultimate preference, but noting the views of the party leaders who have spoken, some modification could be made to not only reflect the intent of the leadership group, but also protect the role that all 36 of us have in holding the government to account and adequately scrutinising legislation. Again, I think these things are best dealt with by agreement behind the Chair; indeed, on every other occasion, the house has demonstrated its maturity to deal with these things without the need for paragraph (6). We have seen that, as I said before, for recesses and during debates, such as the Voluntary Assisted Dying Bill 2019, in which parties really moved heaven and earth to make sure that the government had as much time as was humanly possible to allow for matters of urgency to be dealt with. What I cannot support in paragraph (6) as it is currently drafted is empowering the Leader of the House at this point in time to make future decisions from here on after until November this year. The Leader of the House could simply stand and say, "I'm not happy with the progress of this matter. I'm putting a time limit on this debate and we will put all questions to the house in 10 minutes"—or 10 hours or 10 days. Certainly, the provision requires the Leader of the House to consult with party leaders—not Independent members—but does not require agreement to be reached between those people. I certainly have concerns about whether paragraph (6) is needed at all and, in any event, I think it could be improved to require such agreement, which, I think, is the intention of paragraph (6). The Leader of the House said earlier, "This motion will not limit people's ability to speak." Setting maximum times for each stage of a bill or a motion does exactly that. It could well curtail the ability for a member to speak during a second or third reading contribution or the interrogation of a bill through the Committee of the Whole stage. It could be counterproductive as well in that if time limits are set, it could result in the house legislating to those time limits rather than perhaps allowing for the more expedient passage of legislation.

Yesterday, I had briefings on bills that I have not seen. My first question before they got to the tenth word was, "Can I see a copy of the bill?" They said, "Can we send it to you afterwards?" I said, "No, you can't send it me afterwards. If you're briefing me on the bill, I need the bill now." I understand that even overnight, since briefings have occurred, non-government members have identified drafting errors in the guardianship bill and the emergency management bill and the Parliamentary Counsel's Office is now redrafting those bills ready for introduction in the Assembly. We are not starting from a good position in progressing some of these matters with the constraints that are being applied. Certainly, I would not want to see a matter constrained by purely a time limit that is set by the Leader of the House with no agreement, no debate and no vote. If members do nothing else today, pick up a copy of the motion without notice and read paragraph (6). It does not require any of those things to occur. As other members have said, I am prepared to stay here as long as it takes this week and next week to make sure that the government can deal with genuine emergency legislation to address the pandemic that is affecting this state and indeed our nation.

As the Leader of the House said, paragraph (8) reflects an agreement that was sought by the Nationals in the other place with respect to the operation of questions on notice. I assume that it will apply in both the answering of questions as well as giving notice of such questions. I think that questions on notice and questions without notice are incredibly important. This paragraph will deal with a situation in which the Leader of the House requests the President under the current standing order to vary the next sitting of the house during an adjournment to postpone a sitting of the house. As we have seen, other Parliaments have gone into quite lengthy recesses. At this stage, we are sitting again in May and June, but if the situation changes and the house is not able to sit, it is important that those processes can continue although the house is not sitting.

I want to finish on a point about paragraph (10). I would not have drafted paragraph (10) in this way. I do not like linking our standing orders to an action of the executive government, which is effectively what we are doing. We are saying that the standing orders will rise or fall on when our state of emergency in Western Australia is lifted. Certainly, that is not something I would have done in drafting this motion. I would have preferred a fixed time to be provided or that the temporary order could be varied by order of the house to either shorten or lengthen the length of time in which the temporary order would apply. The government needs to give consideration to paragraph (10). This has only come to my attention just before we sat today when I did some research on this declaration of a state

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of emergency. Just so that members are aware—I am not sure whether the government is aware of this—currently two states of emergency have been declared in Western Australia under two different acts. A state of emergency has been declared under the Public Health Act 2016 by the Minister for Health and a state of emergency has been declared under the Emergency Management Act 2005 by the Minister for Emergency Services.

Hon Sue Ellery interjected.

Hon MARTIN ALDRIDGE: I did not hear the member say that, but I will check *Hansard*. Paragraph (10) states —
this temporary order to apply until 27 November 2020 or the lifting of the state of emergency declared in Western Australia arising from the COVID-19 pandemic, whichever occurs first.

Which state of emergency is the government referring to? Is it the Minister for Health's state of emergency or the Minister for Emergency Services' state of emergency? They are declared by different ministers under different statutes at different times with different extensions. If we are going to rely on an executive government instrument to determine when our standing orders or our temporary orders apply or do not apply, we need an explanation on this matter beyond a clarification by the Leader of the House because this needs amendment. Paragraph (10) needs amendment to reflect which state of emergency we are using as the trigger to end this temporary order. That cannot be dealt with by clarification; it has to be dealt with by a government amendment.

I have identified a number of areas that need improvement in this temporary order. As I said, I would prefer that paragraph (6) be deleted altogether, but I have just listened to the contributions of every party leader and if I am not mistaken, they said that they support the formation of the temporary order in its current form. But to address my concerns, I will move an amendment to amend the motion moved by the Leader of the House with respect to a number of matters that I will now foreshadow. The first is to insert in the preamble after “party leaders”, “, Independent members” so that the trigger for the temporary order applying will be following the agreement with party leaders, Independent members or members deputed. The second amendment is to insert in paragraph (1) after “privilege,” “questions without notice and motions on notice” so that it is clear that those matters are not dispensed with and therefore we do not suspend the temporary order to take questions without notice on a daily basis, because that is an important part of our daily sitting schedule, particularly during this time of emergency in Western Australia. The third is to insert in paragraph (4)—I have already identified some concerns about its relevance in any event—after “party leaders”, “, Independent members”. Again, it will be consistent with the preamble that Independent members are part of the consulting process in paragraph (4). Fourth, at paragraph (6), I will move to delete the words “after first consulting with the party leaders or their representatives” and insert “if, following agreement with the party leaders, Independent members or their representatives”. It will not disable paragraph (6) from applying, which is clearly the intention of the party leaders who have stood before me here today, but will reflect the preamble that the application of these temporary orders ought to apply only when there is agreement between the party leaders in this house and extends that to our thirty-sixth member Hon Charles Smith, who is not represented by a party leader in this place.

Amendment to Motion

Hon MARTIN ALDRIDGE: I move —

- (1) To insert in the preamble after “party leaders” the following —
 , Independent members
- (2) To insert in paragraph (1) after “privilege,” —
 questions without notice and motions on notice,
- (3) To insert in paragraph (4) after “party leaders” the following —
 , Independent members
- (4) At paragraph (6) to delete “after first consulting with the party leaders or their representatives” and substitute the following —
 if, following agreement with the party leaders, Independent members or their representatives

The PRESIDENT: Members, Hon Martin Aldridge has moved an amendment to the motion and has canvassed a number of matters in this motion. The first three proposed amendments deal with inserting words, and the fourth amendment deals with deleting words. I am trying to work out how we can do this as a job lot, given that they are not all about inserting or deleting. I think the first question is that the words to be inserted be inserted, and the second question is that the words to be deleted be deleted. The question is that those motions be agreed. We will tidy up the mechanism later, for the purpose of the clerks.

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HON SUE ELLERY (South Metropolitan — Leader of the House) [3.22 pm]: For the purposes of the debate, I will make my comments now about the job lot of amendments that are before the house. I will make one contribution to the debate. Hon Martin Aldridge circulated an alternative proposal during the course of the last week. That was made available to party leaders. I indicated to party leaders—I think it was yesterday, but, forgive me, because the days are blurring—that the motion I have moved today is the motion that the government would be supporting. I was advised that the motion I was putting would be supported by the party leaders and, by implication, therefore, party leaders would not be supporting the alternative that has been put to us now. Just so that members understand, the matters that have been put before us in this amendment have been considered by party leaders and, effectively, rejected.

If I may, I want to use this opportunity to canvass some of the issues that the honourable member raised in his contribution to put some of the suggestions that he has made to one side. One notion is that there has not been adequate consultation because some members are not party leaders and are the single member of their party. They have been included as party leaders in all the discussions that have been held. No group or single entity is not involved in this process, and that has been the case all along. No-one has been excluded from the discussions or not had the opportunity to consider these matters.

I was not at the meeting last week, because some of us are trying to govern and deal with this situation, so Hon Stephen Dawson attended in my place. The advice that I got from him and the President—in fact, the comments of Hon Peter Collier and Hon Jacqui Boyde reflect this—was that there was a great willingness at that meeting to consider all the options and try to reach consensus on a motion that would be the most flexible and would take account of the most pressing issues for the greatest number of members. As a result of the discussion, the Clerk was asked to draft something that reflected the views that had been expressed at that meeting, and that is what the Clerk did. The Clerk's advice to us about how we could achieve the things that were agreed at that meeting is reflected in the motion that I have moved.

In my remarks in support of the motion, I said that although I appreciate that what we are either altering or suspending are matters that are long held, and deeply and vigorously defended and protected by this house, we are in extraordinary times. If we do not end up needing to use all the elements of this motion, that will be great. But it may be that we do need to. So we want, in a single move, to have the greatest amount of flexibility to deal with the matters that we need to deal with. At the very end of the honourable member's contribution, he asked which state of emergency we are referring to. I appreciate that he does not have the *Hansard* or a copy of my speech in front of him, so I will reiterate the first sentence. I said —

... we are in extraordinary times. On 15 March, following the agreement at the national cabinet, the state government invoked the emergency powers under section 56 of the Emergency Management Act 2005 to declare a state of emergency, and a public health emergency in the name of the Public Health Act 2016.

I thought I made that perfectly clear.

Hon Martin Aldridge: So, which one applies?

Hon SUE ELLERY: When we are referring to a state of emergency, it is named a state of emergency under section 56 of the Emergency Management Act 2005. The other power that is being exercised is a public health emergency, which is under a separate piece of legislation. In a way, that is not the essence; the essence is that the house is being asked to consider a set of extraordinary measures—undoubtedly—but we are being asked to deal with an extraordinary situation. People want us to do our job calmly, quickly and effectively. I ask members not to support this amendment, and to support the substantive motion that I put.

The PRESIDENT: Members, just before I give the call to the next person who wishes to speak, I think we will deal with the amendments to insert words, so people will be able to make their comments broadly about those three amendments. Once we have dealt with those, I will put each of those questions separately. Once we have completed those, we will deal with the fourth proposed amendment, which is the deletion of words and then insertion of words. The question in front of us right now is that the words to be inserted be inserted.

HON AARON STONEHOUSE (South Metropolitan) [3.28 pm]: Thank you, Madam President. Just to clarify, is the question before us at the moment that the words to be inserted in paragraph (1) of the motion to amend be inserted?

The PRESIDENT: Member, you can speak to any of the first three amendments proposed by Hon Martin Aldridge. Once we have completed the debate, I will put each question separately.

Hon AARON STONEHOUSE: Thank you. I will take that opportunity to address all three at once. To begin with, I would like to point out that this is the first time I have seen the amendments proposed by Hon Martin Aldridge. Until 30 minutes ago, I was aware of only one proposal on the table to suspend standing orders—that is, the one moved by the Leader of the House. That was the only one that I was aware of. Up until that point, about 30 minutes ago, my view was that the substantive motion seemed to go too far, and I expressed my concerns about that a moment

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ago when I rose to speak on it, but I was unaware of any alternative proposal. At that point, I had not turned my mind to amending the motion to suspend standing orders, as I was under the assumption that the line was that everybody had already agreed to it, that it would be pointless to frustrate the process and move an amendment, and I would merely put my complaints on the record and keep my mouth shut. Then, some excellent points were raised by Hon Nick Goiran and some further excellent points were raised by Hon Martin Aldridge. I would like to thank Hon Martin Aldridge for providing something of a deconstruction of this motion before us and for raising some very excellent points. The first three paragraphs of his motion do not seem in any way to undermine the intent for the purpose of the substantive motion moved by the Leader of the House. They would not in any way undermine the Leader of the House's ability to expedite the passage of urgent coronavirus-related legislation through this house. They would merely ensure that certain Independent members were included in the consultation that must take place, but that is already happening; that is already the practice. Hon Charles Smith is already included in those conversations, as I understand it, so spelling it out in the motion to suspend standing orders would not be anything unusual and would not be any more onerous. The point raised about what seems to be an unintended consequence of forgoing questions without notice and motions on notice would be addressed in paragraph (2) of the amendment. I think that is an unintended consequence, because until this point I was under the assumption that we would still carry on with questions without notice and motions on notice as usual despite the suspension of other regular practices of the house. In that case, I really cannot see that the first three paragraphs of this motion would in any way frustrate the process. I will have a little bit to say on paragraph (4) later on, but for the moment I support the amendment before us.

HON CHARLES SMITH (East Metropolitan) [3.31 pm]: I would like to thank the mover of this motion for highlighting the omission, if you like, of my name, Hon Charles Smith, as an Independent. However, it is worth saying to the house that as an Independent member I have been involved in and been part of all leadership discussions, including the motion without notice moved today by the Leader of the House. In some respects, there is no need to insert "Independent members" in paragraph (3); however, in these extraordinary circumstances and with the need for clarification of what is happening, I would be of a mind to support the first three paragraphs of the amendment to make sure things are done absolutely correctly, and I thank the member for his notice of detail. To conclude, I support paragraphs (1) to (3) at this stage.

HON NICK GOIRAN (South Metropolitan) [3.33 pm]: Briefly, I indicate that I have no objection to these first three limbs of the amendment, essentially for the reasons that have just been articulated, particularly about paragraphs (1) and (3). If Hon Charles Smith has no problem with the amendment, I do not feel I am in any position to say otherwise. I think limb 2 is very important, and I reiterate what I said earlier; that is, questions without notice should not be adjourned. It is one of the most crucial elements of all members holding the government to account, and as limb 1 of the substantive motion currently reads, sitting could be adjourned to a later hour. I think I heard the Leader of the House indicate in her introductory remarks that it would potentially be useful on a Thursday to bring question time forward. Of course, that is not contemplated in paragraph (1) of the motion, because it talks about adjourning things to a later hour, not bringing things forward. The first three limbs of the amendment are supportable and I do not see the basis upon which they should be objected to.

The PRESIDENT: The question is that the words to be inserted be inserted. I will now deal with those first three paragraphs of the amendment moved by Hon Martin Aldridge.

Amendment (paragraphs (1) to (3)) put and negatived.

The PRESIDENT: Members, we are now going to deal with the fourth part of Hon Martin Aldridge's amendment, which reads —

- (4) At paragraph (6) to delete "after first consulting with the party leaders or their representatives" and substitute —
if, following agreement with the party leaders, Independent members or their representatives

The question is that the words to be deleted be deleted.

HON AARON STONEHOUSE (South Metropolitan) [3.36 pm]: I would like to briefly address this amendment, as it addresses a concern that I had not contemplated before—that is, subjecting the procedures and the practices of Parliament to the whim of the executive. It is actually a very serious matter. I understand these are extraordinary times, but Parliament still has an important role to play. We do not dissolve Parliament and establish a dictatorship every time there is an emergency. As was said earlier, every member here is willing and able to sit extended hours, to do their duty and to ensure that emergency legislation is passed quickly and swiftly, but with the level of scrutiny it deserves. Suspending the standing orders of Parliament and only returning them to their original state when and if the executive decides to lift a state of emergency—I have already highlighted the concern with that language; I am not sure that "lift" is the appropriate word there, as a state of emergency may expire on its own—or in November,

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and doing away with all the other functions of Parliament, including forgoing questions without notice, consideration of committee reports and other important matters, until the executive lifts a state of emergency is a real concern to me. Those are some of the only mechanisms we have to hold the government to account during a time that the government is taking extraordinary and, in some ways, unprecedented action—actions that could easily be described as draconian. They may perhaps be necessary. We may need to have quite harsh and serious restrictions on people's activities at a time like this, but there absolutely should be a level of scrutiny on those actions, perhaps a higher level of scrutiny than usual rather than less. It is really quite concerning that we would do without some of those accountability measures that Parliament provides to the public until the executive says otherwise or until 27 November, whichever comes first. That is quite a long way away.

There is also a question of what does and does not constitute a COVID-19 bill. There is no definition of what that is. Some of the examples we have been given so far are quite ridiculous. I mean, in what sense is the Small Business Development Corporation Amendment Bill 2019 a coronavirus bill? In what world is that a coronavirus bill? The information that I have been provided so far on why that is a coronavirus bill is laughable. Apparently, some businesses might resort to price gouging during this circumstance. If that is how loosely we are going to define a COVID-19 bill, as has been pointed out previously, that could apply to any piece of legislation that this house might consider. Therefore, on that basis, I am inclined to agree to amending paragraph (6), and I think the amendment proposed by Hon Martin Aldridge is uncontroversial. It would merely ensure that rather than “consulting”, which could mean anything—you tell somebody what you are going to do and then you do it—it would instead require that there is agreement with the party leaders and Independent members or their representatives.

So far, there has been a great willingness shown for members to expedite legislation to ensure that it has a speedy passage through this house, and there is no reason to think that that would not continue to be the case. That is certainly the view that I take. I am more than happy to do what is needed to make sure that the legislation is passed quickly, and I can assume that leaders of other respective parties would do the same. Members can imagine the amount of scrutiny that would be on us all right now if there were no such agreement; there would certainly be hell to pay.

I thank the mover of the amendment, and I absolutely support it.

HON NICK GOIRAN (South Metropolitan) [3.41 pm]: The question before the house is about the fourth limb of the amendment moved by Hon Martin Aldridge. My preference would be to see the sixth limb of the motion completely eliminated for the reasons that I outlined earlier, particularly because I hold the view that, if anything, the Parliament should be sitting more not less. All I can see that will potentially take place under paragraph (6) of the temporary order is a reduction of scrutiny, not an increase of it, in a time when the people of Western Australia should have the comfort that their lawmakers are doing everything possible to provide maximum oversight and scrutiny. That is not what the amendment says. The amendment indicates that limb 6 should remain, but, as I read it, it enhances that limb of the motion by seeking that there be an agreement between the party leaders, the Independent members and their representatives, rather than mere consultation. From the remarks made earlier by the Leader of the House, I understood that that was the intention anyway, so I do not see what is controversial about limb 4 of the amendment. It has my support, and I would encourage other members to support it likewise.

Amendment (paragraph (4)) put and negatived.

Motion Resumed

The PRESIDENT: Members, we are required to have an absolute majority in the house. Having counted the numbers in the house, there is an absolute majority and, with no dissenting voice, that motion is agreed.

Question put and passed with an absolute majority.