

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 160

TUESDAY, 8 SEPTEMBER 2015, 2.00 p.m.

Prayers *

Petitions

Papers

Giving Notices of Motion

Brief Ministerial Statements *

Questions Without Notice – approximately 2.00 p.m. each day

Matter of Public Interest – one per week on any day

Private Members' Business – 4.00 p.m. to 7.00 p.m. Wednesdays

Grievances – approximately 9.00 a.m. Thursdays

Private Members' Statements – 12.50 p.m. Thursdays

* Note: On days when the Assembly meets at 2.00 p.m. Brief Ministerial Statements and Questions Without Notice will follow immediately after Prayers.

Memorandum: An electronic version of the Assembly's Questions on Notice booklet is available on the Parliament's Internet site at www.parliament.wa.gov.au.

GOVERNMENT BUSINESS – ORDERS OF THE DAY

1. **Revenue Laws Amendment Bill 2015** (Minister for Finance) (No. 146, 2r. – 12/8/15)

Second reading. Adjourned debate (Mr D.A. Templeman).

2. ***Rail Safety National Law (WA) Bill 2014** (Minister for Transport) (No. 85, 2r. – 17/9/14)

Consideration in detail of Legislative Council Message No. 97.

3. ***Conservation and Land Management Amendment Bill 2015** (Minister for Environment)
(No. 107, 2r. – 12/3/15)

Consideration in detail.

4. ***Western Australian Health Promotion Foundation Bill 2015** (Minister for Health)
(No. 139, 2r. – 20/5/15)

Further consideration in detail – Clause 31.

5. **Railway (Forrestfield-Airport Link) Bill 2015** (Minister for Transport)
(No. 129, 2r. – 22/4/15)

Second reading. Adjourned debate (Ms R. Saffioti).

- 6. Election of Senators Amendment Bill 2015** (Premier) (LC No. 122, 2r. – 20/8/15)
Second reading. Adjourned debate (Ms S. McGurk).
- 7. City of Perth Bill 2015** (Minister for Local Government) (No. 135, 2r. – 21/5/15)
Second reading. Adjourned debate (Ms S. McGurk).
- 8. Local Government Legislation Amendment Bill 2014** (Minister for Local Government) (No. 108, 2r. – 27/11/14)
Second reading. Adjourned debate (Mr D.A. Templeman).
- 9. Sentencing Amendment Bill 2014** (Minister for Police) (LC No. 88, 2r. – 24/2/15)
Second reading. Adjourned debate (Leader of the House).
- 10. *Public Health Bill 2014** (Minister for Health) (No. 103, 2r. – 26/11/14)
Further consideration in detail – Clause 3.
- 11. ‡*Public Health (Consequential Provisions) Bill 2014** (Minister for Health) (No. 104, 2r. – 26/11/14)
Second reading. Adjourned debate.
- 12. Alumina Refinery (Mitchell Plateau) Agreement (Termination) Bill 2015** (Minister for State Development) (No. 113, 2r. – 25/3/15)
Second reading. Adjourned debate (Mr M. McGowan).
- 13. *Aboriginal Heritage Amendment Bill 2014** (Deputy Premier) (No. 81, 2r. – 27/11/14)
Second reading. Adjourned debate (Mr D.A. Templeman).
- 14. Integrity (Lobbyists) Bill 2014** (Premier) (No. 98, 2r. – 26/11/14)
Second reading. Adjourned debate (Ms R. Saffioti).
- 15. Land Acquisition Legislation Amendment (Compensation) Bill 2014** (Premier) (No. 100, 2r. – 27/11/14)
Second reading. Adjourned debate (Mr D.A. Templeman).
- 16. Appropriation (Capital 2010-11 to 2013-14) Supplementary Bill 2014** (Treasurer) (No. 106, 2r. – 27/11/14)
Second reading. Adjourned debate (Mr D.A. Templeman).
- 17. Appropriation (Recurrent 2010-11 to 2013-14) Supplementary Bill 2014** (Treasurer) (No. 105, 2r. – 27/11/14)
Second reading. Adjourned debate (Mr D.A. Templeman).
- 18. *Joint Standing Committee on Delegated Legislation – Application of Standing Orders** (Leader of the House)
Consideration in detail of Legislative Council Message No. 67.
- 19. Premier’s Statement**
Adjourned debate (Leader of the House) on the question, That the Premier’s Statement be noted.
- 20. *Aquatic Resources Management Bill 2015** (Deputy Premier) (No. 52, 2r. – 24/2/15)
Second reading. Adjourned debate (Mr D.A. Templeman).
- 21. Aquatic Resources Legislation Amendment Bill 2015** (Deputy Premier) (No. 51, 2r. – 24/2/15)
Second reading. Adjourned debate (Mr D.A. Templeman).
- 22. *Mining Legislation Amendment Bill 2015** (Minister for Mines and Petroleum) (No. 128, 2r. – 22/4/15)
Second reading. Adjourned debate (Ms S. McGurk).

23. Cement Works (Cockburn Cement Limited) Agreement Amendment Bill 2015 (Minister for State Development) (No. 125, 2r. – 17/6/15)

Second reading. Adjourned debate (Mr D.A. Templeman).

24. Building and Construction Industry Training Fund and Levy Collection Amendment Bill 2015 (Minister for Training and Workforce Development) (No. 137, 2r. – 18/6/15)

Second reading. Adjourned debate (Mr D.A. Templeman).

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

1. Seniors in Western Australia (Notice given – 17/3/15)

Ms M.M. Quirk: To move –

That this House condemns the Barnett Government for its lack of leadership and planning for the increase in Western Australia's ageing population, for its failure to consult seniors in the course of its concession review and for a range of decisions which disproportionately impact on seniors.

2. Select Committee on State Debt (Notice given – 16/9/14, renewed – 17/3/15)

Mr B.S. Wyatt: To move –

That this House appoints a select committee to inquire into and report on the level of increases to the State debt since 2000, particularly borrowings, which are growing State debt to extraordinary levels, and the effects that these and other borrowings may have on the future financial management of Western Australia, and in particular to –

- (a) ascertain the overall level of debt of the State, its agencies and business enterprises, and the amount of its increase since 2000;
- (b) estimate the level of likely borrowings over the next six years that will be needed to cover existing or foreseeable liabilities;
- (c) identify any contingent liabilities which may require borrowings during the next six years;
- (d) identify the contributions of individual Government departments, agencies and business enterprises to this level of debt and future or contingent liabilities;
- (e) ascertain whether the debt of individual Government departments, agencies or business enterprises is fully, partially or not matched by realistically valued assets;
- (f) assess the impact of the debt on the revenue and expenditure of the State over the next six years;
- (g) recommend strategies for management of the debt over the next six years, which will minimise the adverse effect of the debt on the revenues and expenditures of the State and on the taxpayers of the State; and
- (h) recommend a long-term policy approach to the management and reporting of Government debt.

3. Marriage Equality (Notice given – 24/3/15)

Ms L.L. Baker: To move –

That this House:

- (a) supports marriage equality; and
- (b) calls on the Parliament of the Commonwealth of Australia to amend the *Commonwealth Marriage Act 1961* to provide for marriage equality.

4. Anti-Methamphetamine Advertising (Notice given – 22/4/15)

Mr M. McGowan: To move –

That this House supports the use of funds designated for the Bigger Picture advertising campaign to be transferred to the creation and implementation of an anti-methamphetamine advertising and public education campaign.

5. Nepal Earthquake (Notice given – 5/5/15)

Mr M. McGowan: To move –

That this House conveys its sympathy and condolences to the people of Nepal through the ambassador to Nepal in Australia and to the many Nepalese Western Australians following the devastating loss of life and destruction caused by the recent earthquake and urges the Commonwealth government to provide all possible assistance in the long road to recovery and reconstruction.

6. RSPCA (Notice given – 7/5/15)

Mr M. McGowan: To move –

That this House endorses the good work of the RSPCA and supports its continued government funding and role in handling prosecutions. Further, that this House rejects Liberal Party calls for an inquiry into this worthy organisation.

7. Select Committee to Review the Electoral Act 1907 (Notice given – 11/11/14, renewed – 12/5/15)

Ms M.M. Quirk: To move –

That this House establishes a select committee to review the Electoral Act 1907 with a focus on campaign donations, campaign donation disclosure, capturing all formal and non-formal organisations that currently are able to avoid disclosure reporting and assess the filing of electronic disclosure returns on a more regular basis to be accessible by the public.

8. Acknowledgement of Fire-fighters (Notice given – 17/2/15, renewed 23/6/15)

Ms M.M. Quirk: To move –

That this House records its appreciation and acknowledgement of volunteer and career fire-fighters who have tirelessly fought a succession of large fires in recent weeks. Without those extraordinary efforts the property losses would have been considerably larger and more lives put at peril. This House also expresses our thanks to interstate fire-fighters from New South Wales and Victoria who travelled to Western Australia to relieve weary local fire-fighters.

9. Unemployment Rates in Western Australia (Notice given – 11/8/15)

Mr M. McGowan: To move –

That this House condemns the Barnett Government for the increasing rate of unemployment, and failing to diversify the economy to create more jobs for the more than 94,000 unemployed West Australians.

PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY

1. Council Amalgamations (Moved – 10/9/14)

Adjourned debate on the motion, as amended, moved by Mr D.A. Templeman –

That this House –

- (1) notes the various inquiries and reports over the past 50 years which recommend reforms to the structure of local government in Western Australia, so as to ensure higher capacity and more sustainable local governments, including:
 - (a) *Metropolitan Local Government Review*, undertaken by the independent Metropolitan Local Government Review Panel (Robson Report); and
 - (b) *In Your Hands: Shaping the future of Local Government in Western Australia*, undertaken by the Systemic Sustainability Study Panel led by the WA Local Government Association (SSS Report);
- (2) notes that a range of proposals for reform in the metropolitan area are being considered by the Local Government Advisory Board;
- (3) supports the cooperative discussions which have been underway by local governments in the metropolitan area; and
- (4) supports the Minister for Local Government giving due consideration to the recommendations of the Local Government Advisory Board.

2. Local Government Amendment (Regional Subsidiaries) Bill 2014 (Mr S. Love) (No. 83, 2r. – 11/9/14)

Second reading. Adjourned debate (Dr A.D. Buti).

3. Kimberley Juvenile Justice Report (Moved – 17/9/14)

Adjourned debate (Leader of the House) on the motion moved by Ms J. Farrer –

That this House calls on the Government to adopt the Kimberley Juvenile Justice Report and implement its recommendations.

4. Public Secondary Schools (Moved – 17/9/14)

Adjourned debate (Mr C.D. Hatton – continuation of remarks) on the motion moved by Dr A.D. Buti –

That this House condemns the Barnett Government's decision to rip yet more money from public secondary schools.

5. State Budget Impact on Seniors and Vulnerable People (Moved – 15/10/14) (last debated – 22/10/14)

Adjourned debate (Mr P. Papalia – continuation of remarks) on the motion moved by Ms M.M. Quirk –

That this House condemns the Barnett Government for the impact its mismanagement of the State Budget is having on Seniors and vulnerable people in our community.

6. Constitution Amendment (Recognition of Aboriginal People) Bill 2014 (Ms J. Farrer) (No. 77, 2r. – 11/6/14) (last debated – 19/11/14)

Second reading. Adjourned debate (Mr P. Papalia).

7. Council Amalgamation Process (Moved – 13/11/13) (last debated 19/11/14)

Adjourned debate (Mr D.J. Kelly – continuation of remarks) on the motion moved by Mr D.A. Templeman –

That this House condemns the Barnett Government for creating chaos and confusion amongst Local Governments with its shambolic and dysfunctional Council amalgamation process.

8. Major Events (Ticket Scalping) Bill 2014 (Mr M. McGowan) (No. 111, 1r. – 26/11/14)

To be read a second time.

9. Radiation Safety Amendment Bill 2014 (Mr R.H. Cook) (No. 110, 2r. – 26/11/14)

Second reading. Adjourned debate (Leader of the House).

10. Polling on Council Amalgamation Processes (Moved – 26/11/14)

Adjourned debate (Minister for Local Government – continuation of remarks) on the motion moved by Mr D.A. Templeman –

That this House:

- (a) condemns the Premier and the Minister for Local Government for allowing, through its forced amalgamation process, some communities in the metropolitan area an opportunity to have a poll under the Dadour Provisions in the *Local Government Act 1995* about their local council's future, while others have not been given that democratic right; and
- (b) further supports all affected communities having a right to a poll on their council's future.

11. Environment Protection (Clearing of Native Vegetation) Amendment Regulations (No. 2) 2013 (Moved – 11/3/15)

Adjourned debate (Mr D.A. Templeman) on the motion moved by Mr C.J. Tallentire –

That the *Environment Protection (Clearing of Native Vegetation) Amendment Regulations (No. 2) 2013* under the *Environmental Protection Act 1986*, a copy of which was laid upon the table of the House on Tuesday, 18 February 2014, are hereby disallowed.

12. TAFE Course Fees (Moved – 25/2/15) (last debated – 11/3/15)

Adjourned debate (Ms S. McGurk – continuation of remarks) on the motion moved by Mr F.M. Logan –

That this House condemns the Barnett Government for its massive increase in TAFE course fees and its sustained undermining of TAFE.

13. Remote Aboriginal Communities (Moved – 25/3/15)

Adjourned debate (Premier – continuation of remarks) on the motion moved by Mr B.S. Wyatt –

That the House condemns the Premier for the ongoing uncertainty, confusion and fear that he has created in remote Aboriginal communities since stating that he would close 150 remote communities and calls on the Premier to immediately:

- (a) seek to have the Commonwealth Government reverse or delay its decision to cease funding remote Aboriginal communities;
- (b) clarify on what basis the Government will base its decision on which communities are worthy of future Government investment;
- (c) outline the base line data that the Government has collected to justify the Premier's statement that remote communities have failed; and

outline the Government support that will be provided to those people currently living on remote communities to ensure that their closure will result in better social outcomes.

14. Criminal Code Amendment (Interference with War Memorials) Bill 2015 (Mr P.B. Watson) (No. 130, 2r. – 22/4/15)

Second reading. Adjourned debate (Mr R.F. Johnson).

15. Unemployment in Western Australia (Moved – 18/3/15) (last debated – 6/5/15)

Adjourned debate (Mr F.M. Logan – continuation of remarks) on the motion moved by Ms J.M. Freeman –

That this House calls on the Barnett Government to immediately tackle the rising unemployment rate in Western Australia, with particular focus on those suburbs and towns of significantly high unemployment, which the Barnett Government has failed to address.

16. Criminal Code Amendment (Criminal Damage to Places of Worship) Bill 2015 (Ms M.M. Quirk) (No. 120, 2r. – 18/3/15) (last debated – 13/5/15)

Second reading. Adjourned debate (Mr W.J. Johnston – continuation of remarks).

17. Suburban Planning (Moved – 17/6/15) (Amendment moved – 17/6/15)

Adjourned debate (Ms E. Evangel – continuation of remarks) on the amendment moved by the Minister for Planning –

To delete all words after “House” with the view to inserting:

“

- (1) acknowledges the population growth pressures and demographic changes which are occurring in Western Australia, including an aging population and an increasing number of single and two person households;
- (2) acknowledges that issues which need to be addressed through the planning system include:
 - (a) increasing the effective use of existing infrastructure;
 - (b) housing diversity and affordability; and
 - (c) transport costs; and
- (3) supports actions being taken by the Government to ensure increases in housing density and diversity occur in appropriately targeted areas, including a review of the changes which were made to the Residential Design Codes regarding multi-unit housing developments in 2010.

”.

on the motion moved by Ms R. Saffioti –

That this House calls on the Barnett Government to implement a more strategic approach to planning our suburbs to regain public confidence in density and to ensure local communities are heard.

18. Natural Resource Management Groups Funding (Moved – 24/6/15)

Adjourned debate (Minister for Environment – continuation of remarks) on the motion moved by Mr C.J. Tallentire –

That this House condemns the Barnett Government for its failure to fund natural resource management groups in a timely and adequate manner.

19. Peel-Harvey Catchment Management Bill 2014 (Mr C.J. Tallentire) (No. 82, 2r. – 25/6/14) (Restored – 13/8/15)

Second reading. Adjourned debate (Mr M. McGowan).

20. Taking of Property on Just Terms Bill 2014 (Mr M.J. Cowper) (No. 78, 2r. – 25/6/14) (Restored – 13/8/15)

Second reading. Adjourned debate (Mr M.J. Cowper – continuation of remarks).

* Denotes amendments appearing in the Notices and Amendments section of the Notice Paper.

‡ Denotes second reading debate on the Bill is being undertaken cognately with a principal Bill, and no further second reading debate will occur.

COMMITTEES TO REPORT

<i>Committee</i>	<i>Date Due</i>
<i>Joint Standing Committee on Audit:</i> Inquiry into the Budget, Organisational Structure and Resourcing Needs of the Office of the Auditor General	
<i>Joint Standing Committee on Delegated Legislation:</i> Inquiry into Access to Australian Standards Adopted in Delegated Legislation	
<i>Education and Health Standing Committee:</i> Inquiry into the Transition and Operation of Services at Fiona Stanley Hospital	24 September 2015
<i>Community Development and Justice Standing Committee:</i> Inquiry into the Methods Employed by Western Australia Police to Evaluate Performance	26 November 2015
<i>Joint Standing Committee on the Commissioner for Children and Young People:</i> Review of the Functions Exercised by the Commissioner for Children and Young People	7 April 2016
<i>Economics and Industry Standing Committee:</i> Inquiry into Technological and Service Innovation in Western Australia	30 June 2016
<i>Public Accounts Committee:</i> Inquiry into Information and Communications Technology (ICT) Procurement and Contract Management	25 August 2016

GOVERNMENT RESPONSES TO COMMITTEE RECOMMENDATIONS

<i>Committee</i>	<i>Ministers to Respond</i>	<i>Date Due</i>
Joint Standing Committee on the Corruption and Crime Commission – Parliamentary Inspector’s Report on Misconduct and Related Issues in the Corruption and Crime Commission	Minister representing the Attorney General	17 September 2015
Education and Health Standing Committee – Inquiry into Mental Health Impacts of FIFO Work Arrangements	Minister for Mines and Petroleum; Minister representing the Attorney General; Parliamentary Secretary to the Minister for Mental Health; Minister for State Development	18 September 2015
Joint Standing Committee on the Corruption and Crime Commission – Recent Amendments to the <i>Corruption and Crime Commission Act 2003</i> : Some Implications for Western Australia’s Integrity Framework	Minister representing the Attorney General	18 September 2015
Community Development and Justice Standing Committee – Are We There Yet? How WA Police Determines Whether Traffic Law Enforcement is Effective	Minister for Police; Road Safety	25 September 2015

NOTICES AND AMENDMENTS

Aboriginal Heritage Amendment Bill 2014 (No. 81-1)

Clause 18.

The Deputy Premier: To move –

Page 19, lines 16 to 20 – To delete the lines and substitute:

“

(3) In section 28(4):

(a) delete “Subject to subsection (3), the” and insert:

The

(b) delete “Minister from a panel of names submitted for the purposes of this Act by the Registrar.” and insert:

Minister.

”.

Clause 43.

The Deputy Premier: To move –

Page 34, line 13 – To delete “5” and substitute:

“ 6 ”.

=====

Aquatic Resources Management Bill 2015 (No. 52-1)

Clause 145.

The Deputy Premier: To move –

Page 105, Table item 5 in the 3rd column – To insert after “who”:

“ holds an aquaculture licence and ”.

=====

Conservation and Land Management Amendment Bill 2015 (No. 107-1B)

Clause 5.

Mr C.J. Tallentire: To move –

Page 4, after line 22 – To insert:

“

Scientific Advisory Committee means the Conservation and Parks Scientific Advisory Committee established by section 26F.

”.

Clause 23.

Mr C.J. Tallentire: To move –

Page 26, lines 1 to 15 – To delete the lines.

Clause 24.

Mr C.J. Tallentire: To oppose the clause.

Clause 27.

Mr C.J. Tallentire: To move –

Page 28, lines 1 to 11 – To delete the lines.

Clause 38.

Mr C.J. Tallentire: To move –

Page 32, line 8 – to delete “**and 3B deleted**”.

Mr C.J. Tallentire: To move –

Page 32, line 9 – to delete “and 3B”.

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Joint Standing Committee on Delegated Legislation – Application of Standing Orders

Legislative Council Message No. 67.

The Legislative Council acquaints the Legislative Assembly that it has passed the following resolution and invites the Legislative Assembly to agree to same –

In relation to the constitution, powers and procedure of the Joint Standing Committee on Delegated Legislation –

- (1) The Standing Orders applicable to committees of the Legislative Council will apply to the Committee's proceedings except to the extent that they impinge upon the functioning of the Committee.
- (2) Legislative Assembly Standing Orders 249(1), (2) and (3), 252, 254, 262, 263 and 264 will apply to the Legislative Assembly Members of the Committee.
- (3) Any Member of the Legislative Council or Legislative Assembly may participate in the taking of oral evidence by the Committee, and by leave of the Committee, its deliberations and proceedings but may not vote, move any motion, or be counted for the purpose of a quorum.
- (4) Leave under (3) may be given only for a specific inquiry, but any Member of the Legislative Council or Legislative Assembly may be given leave in relation to more than one inquiry.

Mining Legislation Amendment Bill 2015 (No. 128–1)

Clause 57.

The Minister for Mines and Petroleum: To move –

Page 60, lines 9 to 11 – To delete “proposal, within the meaning of the *Mining Act 1978*, and approved under Part IVAA of that Act; and” and substitute:

“

proposal approved under the *Mining Act 1978* Part IVAA after the coming into operation of the *Mining Legislation Amendment Act 2015* section 46; and

”.

Public Health Bill 2014 (No. 103–1)

Clause 35.

The Minister for Health: To move –

Page 31, lines 3 and 4 – To delete the lines.

Clause 90.

The Minister for Health: To move –

Page 74, line 25 – To delete “advocate” and substitute:

“ representative ”.

Clause 106.

The Minister for Health: To move –

Page 89, line 18 – To delete “advocate” and substitute:

“ representative ”.

Clause 146.

The Minister for Health: To move –

Page 120, line 6 – To delete “advocate” and substitute:

“ representative ”.

Clause 168.

The Minister for Health: To move –

Page 137, line 25 – To delete “advocate” and substitute:

“ representative ”.

Clause 174.

The Minister for Health: To move –

Page 141, after line 8 – To insert:

“

- (6) This section overrides the *Poisons Act 1964*, the *Medicines and Poisons Act 2014* and the *Misuse of Drugs Act 1981*.

”.

New Clause 187A.

The Minister for Health: To move –

Page 154, after line 20 – To insert:

“

187A. Chief Health Officer may authorise persons to administer, manufacture, supply or prescribe poisons

- (1) In this section —

poison —

 - (a) until the commencement of the *Medicines and Poisons Act 2014* section 3, has the meaning given in the *Poisons Act 1964* section 5(1); and
 - (b) after the commencement of the *Medicines and Poisons Act 2014* section 3, has the meaning given in that section.
- (2) For the purposes of emergency management during a public health state of emergency —
 - (a) the Chief Health Officer may authorise a person, or class of persons, to administer, manufacture, supply or prescribe a poison; and
 - (b) a person authorised under paragraph (a) may administer, manufacture, supply or prescribe a poison.
- (3) The Chief Health Officer may give directions in relation to the exercise of a power under subsection (2)(b).
- (4) When exercising a power under subsection (2)(b), a person must comply with —
 - (a) the terms and conditions of the authorisation (if any); and
 - (b) any directions of the Chief Health Officer given under subsection (3).
- (5) This section overrides the *Poisons Act 1964*, the *Medicines and Poisons Act 2014* and the *Misuse of Drugs Act 1981*.

”.

New Clause 187B.

The Minister for Health: To move –
Page 154, after line 20 – To insert:

“

187B. Further provisions relating to authority to administer, manufacture, supply or prescribe poisons

- (1) In this section —
 - authorisation* means an authorisation given under section 187A(2)(a);
 - direction* means a direction given under section 187A(3).
- (2) An authorisation —
 - (a) is subject to any limitation in a declaration under section 158(3)(b) or 160 or 161; and
 - (b) must state that it is given under section 187A; and
 - (c) must generally describe the public health state of emergency to which it relates; and
 - (d) must specify —
 - (i) the person, or class of persons, to whom it applies; and
 - (ii) the poison, or class of poisons, to which it applies; and
 - (iii) the terms and conditions (if any) to which it is subject.
- (3) The Chief Health Officer may vary or revoke an authorisation or a direction.
- (4) Authorisations and directions, and variations and revocations of authorisations or directions —
 - (a) may be given orally or in writing; but
 - (b) if given orally, must be put in writing as soon as is practicable.
- (5) A failure to put an authorisation or direction, or a variation of an authorisation or direction, in writing does not invalidate the authorisation, direction or variation or anything done under the authorisation or direction.
- (6) The powers that an authorisation confers on a person are in addition to, and do not limit, the powers that the person may have under another written law or other law.

”.

Clause 229.

The Minister for Health: To move –
Page 179, line 22 – To delete “subsection (3)(a)” and substitute:

“ subsection (3)(b) ”.

Clause 286.

The Minister for Health: To move –

Page 209, lines 13 to 16 – To delete the lines and substitute:

“

- (4) A person who, at the request or direction of an authorised officer or emergency officer or a person authorised under section 187A(2)(a), assists the officer or person to exercise a power under this Act is to be taken to be performing a function under this Act for the purposes of this section.

”



Public Health (Consequential Provisions) Bill 2014 (No. 104–1)

Clause 36.

The Minister for Health: To move –

Page 21, lines 9 to 17 – To delete the lines and substitute:

“

- (1) In section 335(1) delete “her,” and insert:

the midwife,

”

New Clause 89A.

The Minister for Health: To move –
Page 61, after line 11 – To insert:

“

89A. Section 360 amended

Delete section 360(2) to (5) and insert:

- (2) Local laws and regulations made under this Act may create offences with —
 - (a) a maximum penalty of not more than \$10 000; and
 - (b) if the offence is a continuing offence, a daily penalty of not more than \$1 000.
- (3) For the purposes of subsection (2) —
 - (a) local laws and regulations may provide for the imposition of a minimum penalty for an offence; and
 - (b) the level of the penalty for an offence (whether the maximum penalty or a minimum penalty) may be related to either or both of the following —
 - (i) the circumstances or extent of the offence;
 - (ii) whether the offender has committed previous offences and, if so, the number of previous offences that the offender has committed.

”.

Clause 99.

The Minister for Health: To move –
Page 74, after line 6, the Table the 15th row – To delete the 2nd column.

New Clause 174A.

The Minister for Health: To move –
Page 103, after line 22 – To insert:

“

174A. Section 157 deleted

Delete section 157.

”.

Clause 210.

The Minister for Health: To move –
Page 115, line 11 – To delete “sections 171, 173 and 174” and substitute:

“ sections 171, 173, 174 and 174A ”.

Clause 266.

The Minister for Health: To move –

Page 125, lines 11 to 17 – To delete the lines and substitute:

“ (6) In section 360(3)(a) delete “local laws and”. ”.

Rail Safety National Law (WA) Bill 2014 (No. 85–1)

Legislative Council Message No. 97

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Rail Safety National Law (WA) Bill 2014* subject to the amendments contained in the Schedule annexed; in which amendments the Legislative Council desires the concurrence of the Legislative Assembly.

Schedule indicating the amendments made by the Legislative Council in the Rail Safety National Law (WA) Bill 2014

No. 1

Clause 5, page 3, after line 11 — To insert —

(2) Delete section 7(3).

No. 2

Clause 8, page 6, lines 19 to 23 — To delete the lines and insert —

(1) Except as provided in subsection (2), the *Interpretation Act 1984* does not apply to the *Rail Safety National Law (WA)* or to the instruments made under that Law.

No. 3

Clause 8, page 6, after line 30 — To insert —

(ca) the *Freedom of Information Act 1992*;

No. 4

Clause 9, page 9, line 6 — To delete “prescribed illicit drugs” and insert —

alcohol

No. 5

Clause 48, page 30, line 19 — To delete “of”

No. 6

Clause 50, page 31, line 8 to page 32, line 6 — To delete the clause.

Western Australian Health Promotion Foundation Bill 2015 (No. 139-1)

Clause 43.

Mr R.H. Cook: To move –

Page 21, line 23 – To insert after “election”:

“ or by-election ”.

Mr R.H. Cook: To move –

Page 21, after line 25 – To insert:

“

(3A) A publication, pamphlet or advertisement that is paid for, wholly or in part, from the money from time to time standing to the credit of the Account is not to contain any picture of, statement by or reference to any Member of Parliament, other than any statement or reference of that kind —

(a) required by law; or

(b) necessary or desirable for a proper understanding of the subject matter of that publication, pamphlet or advertisement,

and no money is to be paid under this section in such a manner that any Member of Parliament is, or appears to be, associated with that payment.

”.

The Minister for Health: To move –

Page 22, after line 17 – To insert:

“

(4A) A decision of the Foundation to disburse any money from the Account must be approved by the Minister before the money is disbursed.

”.

PETER J. McHUGH

Clerk of the Legislative Assembly