SCHOOL EDUCATION AMENDMENT BILL 2014

Consideration in Detail

Clauses 1 to 3 put and passed.

Clause 4: Section 150 amended —

Dr A.D. BUTI: Before I start, Mr Speaker, I would like to acknowledge the generosity of the Leader of the House in adjusting the business program so that I could be here for the debate.

Ms R. Saffioti interjected.

Dr A.D. BUTI: It is all about self-interest. Thank you very much. Hopefully, we can ensure that we get through the consideration in detail stage in a timely fashion.

Ms R. Saffioti interjected.

The SPEAKER: Member for West Swan, you are getting as bad as the Minister for Corrective Services.

Dr A.D. BUTI: I refer to "student record" on page 4. This question does not go to the bill, but as the minister will know, there was a case quite recently in a private school where student records were hacked and some confidential information was released. Can the minister inform us how student records are kept confidential in the state government system?

Mr J.H.D. DAY: I am advised that, under section 242 of the School Education Act, there is a requirement for the minister, the director general and all staff in the Department of Education to ensure that student records are kept confidential. Obviously, I am not familiar with how that is done in practical and detailed terms, but I am sure there will be well-established procedures that cover the fact that most of this information is now kept in electronic form. I will not read it all out, but section 242 of the act reads in part —

> (1) A person must not disclose or make use of information to which this section applies except —

It gives a range of exceptions and there is a fine of up to $5 000 for not complying with that section. Section 242(2) states —

> This section applies to information contained in any register or document of or in the possession or under the control of —
>
> (a) the Minister …
>
> (b) the chief executive officer …
>
> (c) the department … or
>
> (d) the principal of a … school; or
>
> (e) a panel appointed for the purposes of this Act.

I am slightly familiar, from what I have read in the media, with the case the member referred to. As I said, it was in a non-government school, but I am not aware of any instances in which there has been a breach of confidentiality, certainly in recent times, in relation to government schools.

Clause put and passed.

Clause 5: Section 153 amended —

Dr A.D. BUTI: Clause 5 refers to the minister giving a direction to the CEO. In respect of the insertion at the end of proposed section 153, proposed subsection (3) states —

> A copy of a direction given under subsection (1) must —
>
> (a) within 14 days after the direction is given, be laid before each House of Parliament …

Over the page it states that if Parliament is not sitting, the direction is to be given to the Clerk of a house of Parliament. When does the direction take effect? Does it take effect from the time the direction is actually made or given, or does it take effect after the 14 days have passed? If we are not sitting and it is just given to the Clerk, when does it take effect?

Mr J.H.D. DAY: The direction would take effect from when the order is given. Parliament needs to be notified within 14 days, as the member said, but the taking effect of the order does not wait until it is tabled in Parliament. That is simply a requirement and is probably in accordance with the practice under a lot of acts of Parliament when ministerial orders are given in a range of areas. Parliament needs to be notified when they take effect from the time they are given.

Dr A.D. BUTI: If those requirements are not followed—I am sure 99.99 per cent of the time they will be—does the direction still remain valid?

Mr J.H.D. DAY: Yes, it would. Obviously, if Parliament is not notified within the required time, that would not be complying with the act. I do not see a penalty provided for there. I guess there might be a political penalty in a sense, particularly if there is wilful intention not to advise Parliament, but I could not foresee a circumstance in which that would really be the case. It would be pretty foolhardy for anybody to adopt that course of action. If it is a few days late or a week or so late, maybe Parliament is advised, but I am not sure that that is necessarily the case. However, generally departments ensure that ministers comply with these requirements when they exist in a range of acts of Parliament.

Clause put and passed.

Clauses 6 and 7 put and passed.

Clause 8: Sections 155 to 162 replaced —

Dr A.D. BUTI: I refer the minister to pages 8 and 9 of the bill and the amendment to section 156B, "Notice to be given to CEO about changes to governing bodies of schools". Proposed section 156B(2) states —

> Notice is to be given no later than 30 days after the change is made and is to be accompanied by —

I have a similar question to my previous question. Does the change take effect from the time the change is announced or does it take effect only once the approval is given?

Mr J.H.D. Day: It takes effect from the time notice is given.

Dr A.D. BUTI: I am a bit confused about the term "significant registration change" in proposed section 156, "What is a school planning proposal". It states —

> A ***school planning proposal*** is a proposal —
>
> (a) to establish a non-government school; or
>
> (b) to make a registration change to a registered school that is of a kind prescribed by the regulations (a ***significant registration change***).

Is the legislation stating that only registration changes prescribed by regulations can be a significant registration change?

Mr J.H.D. Day: Yes.

Dr A.D. BUTI: I will stay on my feet; I said we might get through this quickly!

I refer to proposed section 157A, "Application for advance determination". Proposed section 157A(2) states —

> (2) An application is to —
>
> (a) be made in writing at least 18 months, or such shorter period as may be approved by the Minister …

I wonder what criteria would influence the minister in allowing a shorter period.

Mr J.H.D. DAY: I am advised that it is at the minister's discretion, of course, but the sort of situation that is contemplated is if a school is contemplating adding an additional year to the education it provides, rather than a more dramatic change for a school. More of an incremental change, I guess, would be the sort of thing contemplated by allowing a shorter period as provided for here.

Dr A.D. BUTI: I refer the minister to proposed section 157C, "Policy direction for advance determinations", on page 11. It states —

> (1) The Minister is to issue a policy direction in respect of the making of advance determinations.

Then it states that in preparing a policy direction the minister is to consider a number of factors. In forming an opinion or making a determination, does the minister seek submissions from interested parties? I think I read in the explanatory memorandum about whether the setting up of the school would have a detrimental effect on another established school. I wonder how the minister would obtain information to inform themselves before they make their determination.

Mr J.H.D. DAY: I am advised that the minister has a panel established to provide advice on such applications. Amongst others, the panel includes a representative from the Department of Planning to ensure that there is the best possible information provided about expected population growth and demographic changes within a particular area. Consideration is also given to the impact on other schools in the area as part of that decision-making.

Dr A.D. Buti: Is there a chance that the general public would be involved?

Mr J.H.D. DAY: I understand that general advertising is not normally provided. People who do have an interest would normally be aware. Obviously, there is a body of people who are keen for a new school to be established and they make representations. The members of the panel would ensure that the impact on adjacent schools is taken into account. In opposition, I dealt with education for a while, and it would be pretty unlikely that other schools that currently exist would not be aware that there is an application. In fact, they are told; they are notified and asked to make a submission. It is probably a better approach than the general public advertising that occurs, for example, through planning scheme amendments with which I am familiar.

Dr A.D. BUTI: Proposed subsection (2) of proposed section 157, "Notice to be given about decisions on advance determinations", reads —

> Notification is to be given as soon as is practicable after the decision is made, but in any event not later than 6 months after the application is made.

That is fine, but I would have thought that a time period should be prescribed when the notification is made after the decision. I know that the bill says "as soon as is practicable", but a decision could be made in the first month after the application and, for whatever reason, the minister may decide to hold off until the sixth month to give notification. Should there not be a prescribed period for the notification after the decision is made? Surely, notification is a pretty simple process, so I am not sure why we cannot prescribe a period of time.

Mr J.H.D. DAY: I point out that the proposed subsection includes the words "Notification is to be given as soon as is practicable after the decision is made," with a maximum of six months after the application is made. The intention is that applicants be advised as soon as is reasonably possible, and that would generally be complied with. That is the usual practice. It is appropriate to have a maximum period to ensure it cannot drag on forever.

Dr A.D. BUTI: I seek your guidance, Mr Speaker. The amendments on the notice paper that I will move deal with corporal punishment. Is there any chance that I can move those two amendments together?

The SPEAKER: It can be done with leave.

Dr A.D. BUTI — by leave: I move —

> Page 16, after line 26 — To insert —
>
> (la) the arrangements for prohibiting any form of corporal punishment at schools;
>
> Page 19, after line 2 — To insert —
>
> (ha) the school will ensure that no child is subjected to any form of corporal punishment; and

I raised this issue in the second reading debate, and the minister addressed it in his reply by stating that the government was formulating regulations and did not see any need to support the amendments that I was proposing. That is the wrong approach for the government to take, and I will elaborate on that in my contribution. Many people will be surprised to learn that corporal punishment is allowed at all in schools in Western Australia. We know that it is permitted in certain non-government schools. People would be surprised, particularly when we look at the definition of corporal punishment. The Australian Institute of Family Studies released a fact sheet on corporal punishment, which reads —

> **What is corporal punishment?**
>
> Corporal punishment is defined as the use of physical force towards a child for the purpose of control and/or correction, and as a disciplinary penalty inflicted on the body with the intention of causing some degree of pain or discomfort, however mild. Punishment of this nature is referred to in several ways, for example: hitting, smacking, spanking, and belting ...

People would be surprised that in Western Australia in 2014 certain schools in our education system allow physical force to be used towards a child that will, of course, cause some degree of pain and discomfort. It does not matter what assurance we take about the severity of that physical force; there will be some degree of pain or discomfort. As a modern contemporary society, we should definitely not condone such behaviour. On the issue of the effect that corporal punishment has on children, I grant that the report by the Australian Institute of Family Studies mentions that research findings are inconclusive, but it also states that there are research findings that the use of corporal punishment towards children has shown adverse child outcomes. During the second reading debate I referred to a study in South Africa, where there was strong support for corporal punishment, but the conclusion in this study titled "The Effects of Abolishing Corporal Punishment on Learner Behaviour in South African High Schools", published in the *Mediterranean Journal of Social Sciences*, which I am sure every member of this house regularly reads, was that corporal punishment had a negative effect and should not be advocated, and that it showed no positive effects in controlling behaviour in the long term. If we look at corporal

punishment in Australia, it raises issues such as whether it is allowed either by parents or in early education and childcare settings, and primary and secondary schools. That provides some interesting reading.

Mr W.J. JOHNSTON: I am very interested in the words of the member for Armadale and would appreciate hearing further.

Dr A.D. BUTI: The study by the Australian Institute of Family Studies states —

> In relation to corporal punishment by parents, it remains lawful for parents in all jurisdictions to use "reasonable" corporal punishment to discipline their children. New South Wales is the only state to have made legislative amendments concerning corporal punishment by parents. In 2001, New South Wales introduced the *Crimes Amendment (Child Protection Physical Mistreatment) Act*, which states that physical punishment should not harm a child "more than briefly" and specifies the parts of a child's body that can be subject to force.

The report also refers to Western Australia and states —

> Under the *Criminal Code Act 1913* (WA) … Section 257 … states that:
>
> It is lawful for a parent or a person in the place of a parent … to use, by way of correction, toward a child or pupil under his care, such force as is reasonable under the circumstances.

Some allowance is given for a parent to engage in corporal punishment. National laws were enacted on corporal punishment in early education and childcare centres. Western Australia follows those laws, and corporal punishment is prohibited by providers, nominators, supervisors, staff members, volunteers and family care providers of an approved education or care service. Now we get to primary and secondary schools, which is where the interest in this bill lies.

The Australian Institute of Family Studies states —

> There has been considerable uniformity across Australian states and territories in either explicitly banning the use of corporal punishment in schools or removing provisions in education Acts that provided a defence to the use of reasonable chastisement by people acting in the place of a parent … Legislation in Queensland and South Australia does not explicitly state that corporal punishment is banned in schools. However, the provisions that previously allowed for the use of corporal punishment in schools have been removed from the relevant education legislation. There remains some ambiguity in the Northern Territory, Queensland and Western Australian law, where amendments have been made to education legislation that previously allowed for the use of physical punishment, but not to criminal codes …

As we know, corporal punishment is banned in Western Australian state schools under regulations passed in 2000, which I think was the right move, obviously, and it has been banned by policy in the Catholic education system, but there is no legislation in Western Australia at this stage that bans corporal punishment in non-government non-Catholic schools.

The minister mentioned that there is no need for the government to support these amendments. I have two things to say about that. First, this seems to be a repeat of the Premier's position last week when we introduced the Constitution Amendment (Recognition of Aboriginal People) Bill 2014. He seemed to have the view that if the bill was not introduced by the government, it would not support it, although I believe that situation has changed and we may see a positive outcome this afternoon. That seems to me to be a silly way to operate public policy—to determine that a bill is appropriate only if it is brought on by the government. Second, I wish to highlight the severity of the issue. We are a laughing stock in the world if we say that we will allow corporal punishment today. I know that one of the minister's advisers would be very au fait about international human rights law. It is very well established in international human rights law that corporal punishment of children is against a number of human rights instruments that Australia is a party to. For instance, it has been stated that —

> Corporal punishment of children breaches fundamental human rights principles; the right of everyone to respect for their human dignity and their physical integrity …

It is a legality in almost every state worldwide. Its legality is questionable in almost all countries that are signatory to certain human rights instruments. It is interesting to note the number of countries that have banned corporal punishment of children in school situations. It seems absurd that in Western Australia, this matter has been brought on today to change the situation.

Mr W.J. JOHNSTON: I am very interested to hear further from the member for Armadale.

Dr A.D. BUTI: I will try not to keep the minister much longer. Australia is a signatory to the International Covenant on Civil and Political Rights. Because we are a signatory to optional protocol 1, the covenant allows an individual to make a complaint to the Human Rights Committee. Would it not be an embarrassment to this

state if a child made a complaint—there would be no domestic remedy under our court system for this because it is not illegal—to the Human Rights Committee that the Western Australian government is allowing corporal punishment to still take place in non-government schools although the government has seen fit to ban it in government schools? I think that would be an embarrassing and absurd situation. It violates the UN Convention on the Rights of the Child, and some would say it also violates the UN Convention against Torture, to which Australia is a signatory. As a side note, it is interesting that the Australian government recently made a submission in New York that domestic violence does not violate the Convention against Torture, which I found quite absurd. That is another embarrassment for the Abbott government.

The minister is safe because I cannot find this list of all these countries that have banned corporal punishment, but I think it makes our situation today quite absurd. The minister has stated that his government believes that it should be banned and regulations will be passed, but it is before the house today. This bill, as the minister has stated, needs to pass the upper house this year. This is our chance to ensure that corporal punishment will be outlawed in any school in Western Australia when the 2015 school year starts. It is absurd that kids who go to a private independent school can be subject to corporal punishment but students who go to a government school will not be subject to corporal punishment.

Mr J.H.D. DAY: The government agrees with the intention of what the member is proposing. We do not agree with the method of achieving it, mainly because we do not think it is necessary and, in effect, it is already covered by the bill before us. As I said in the second reading debate last night, the government agrees, the minister agrees and I agree that the use of corporal punishment in contemporary society is not an appropriate form of discipline in schools, or elsewhere for that matter. We agree with the intent of what the member is seeking to achieve. I commend him for raising it in debate. He certainly raised an issue about which there has been quite a bit of public interest in the past. It probably is still of some public interest, albeit it is extremely rarely used in Western Australia these days. As I mentioned last night, it is prohibited in government schools. I understand that it is still in use in only one non-government school in Western Australia; that is, the Nollamara Christian Academy, which has an enrolment of approximately 23 students. The staff at that school do not administer the punishment; it is done by a child's parent under supervision at the school. I hope that this is extremely rare, if it occurs at all. As from 2015, the intention is to ensure that it will not be permitted in any case. I am further advised that corporal punishment is also referred to in the broad behaviour management policy of the five John Calvin Schools in WA that are operated by the Free Reformed School Association.

Dr A.D. Buti: There are two in my electorate, actually.

Mr J.H.D. DAY: Maybe the member needs to check out their current practices. I am advised that corporal punishment is not administered in these schools without parental approval. Inspection of records indicates that no such punishments have been administered in recent years. If corporate punishment is still used at all, it is extremely rare in Western Australia. We will soon be joining that list of countries that the member was looking for in ensuring that it does not exist in Western Australia at least.

Just to further explain, there is really no need to amend the bill in the way that the member is proposing because proposed new section 159(1) states —

> The Minister may determine standards for non-government schools…

In relation to —

> (n) any other matter prescribed by the regulations.

It is intended that the regulations will add the topic, policies and procedures in schools concerning the discipline of students. The minister will make a standard on minimising requirements for appropriate disciplinary measures, including ensuring that corporal punishment is an impermissible form of discipline in non-government schools. It is intended that this change will come into effect from 1 January 2015. There will need to be some action over the next six weeks to ensure that occurs. That is clearly the intention. The government agrees with the argument that the member for Armadale put forward that this is not an appropriate form of discipline in schools in Western Australia. Action is being taken to ensure that it is not permitted. Once again, I commend the member for raising the issue. He certainly ensured that it has been put on the wider radar, and action is being taken to achieve what he said.

Division

Amendments put and a division taken, the Acting Speaker (Ms L.L. Baker) casting her vote with the ayes, with the following result —

Ayes (18)

Ms L.L. Baker	Mr D.J. Kelly	Mr J.R. Quigley	Mr P.C. Tinley
Dr A.D. Buti	Mr F.M. Logan	Ms M.M. Quirk	Mr P.B. Watson
Mr R.H. Cook	Mr M. McGowan	Mrs M.H. Roberts	Mr D.A. Templeman *(Teller)*
Ms J.M. Freeman	Ms S.F. McGurk	Ms R. Saffioti	
Mr W.J. Johnston	Mr M.P. Murray	Mr C.J. Tallentire	

Noes (34)

Mr P. Abetz	Ms E. Evangel	Mr S.K. L'Estrange	Mr D.C. Nalder
Mr F.A. Alban	Mr J.M. Francis	Mr R.S. Love	Mr J. Norberger
Mr I.C. Blayney	Mrs G.J. Godfrey	Mr W.R. Marmion	Mr D.T. Redman
Mr I.M. Britza	Mr B.J. Grylls	Mr J.E. McGrath	Mr A.J. Simpson
Mr V.A. Catania	Dr K.D. Hames	Ms L. Mettam	Mr M.H. Taylor
Mr M.J. Cowper	Mr C.D. Hatton	Mr P.T. Miles	Mr T.K. Waldron
Ms M.J. Davies	Mr A.P. Jacob	Ms A.R. Mitchell	Mr A. Krsticevic *(Teller)*
Mr J.H.D. Day	Dr G.G. Jacobs	Mr N.W. Morton	
Ms W.M. Duncan	Mr R.F. Johnson	Dr M.D. Nahan	

Pairs

Mr P. Papalia	Mrs L.M. Harvey
Ms J. Farrer	Mr C.J. Barnett
Mr B.S. Wyatt	Mr G.M. Castrilli

Amendments thus negatived.

Clause put and passed.

Clauses 9 and 10 put and passed.

Clause 11: Sections 164 to 167 replaced —

Dr A.D. BUTI: I refer to page 27 of the bill and have what is really a very pedantic question to which the Minister for Planning probably does not even need to rise to respond. I note that proposed new section 167A, "No new enrolments while a direction is outstanding", states on the third line "accepted for enrolment". I understand that, but would it now be better to have "new enrolment"? It is all right; the minister does not need to stand up.

Mr J.H.D. Day: You are making an observation.

Dr A.D. BUTI: That is right; I am making an observation. However, I refer the minister to page 28 and 29 of the bill, "Cancelling registration". At the bottom of page 28, proposed new subsection (5) states —

> Subsection (4) does not apply if, in the opinion of the chief executive officer, the health or welfare of any person may be at risk if the registration is not cancelled immediately.

That is in the case in which it is considered an emergency—and health and welfare should be considered to be an emergency. I understand that and it is appropriate. Proposed new subclause (6) states —

> On cancelling the registration of a school, the chief executive officer is to give to the governing body of the school written notice stating —
>
> (a) that the registration of the school is cancelled and giving the reasons for the cancellation; and
>
> (b) the time when the cancellation takes effect.

I understand that the cancellation takes effect immediately if it concerns health and welfare; but what are we looking at in other instances? Are we going to determine the most appropriate administrative procedure to determine where the registration should take effect—for example, the end of term or the end of the year? What are some of the factors that will determine that?

Mr J.H.D. DAY: The essential consideration is that the children at a school subject to such a cancellation need to be found an alternative school where they can be educated and there needs to be time for that to occur. The minister would also take into account the fact that such a decision can be reviewed.

Clause put and passed.

Clause 12 put and passed.

Clause 13: Section 168 amended —

Dr A.D. BUTI: This is again a question about the School Education Act rather than this amending bill. At page 30, clause 13 amends sections 168(1) and (2) of the act and inserts proposed new subsections (1) and (2). Subsections (3) and (4) of the act remain. Section 168(4) of the School Education Act states —

> A Non-government School Registration Advisory Panel is to give the applicant the opportunity to be heard.

The minister does not have to answer my question because it is not relevant to the bill, but would rules of natural justice apply?

Mr J.H.D. DAY: Yes, they would.

Clause put and passed.

Clauses 14 to 28 put and passed.

Clause 29: Section 97 amended —

Dr A.D. BUTI: Clause 29 can stand as printed. I just want to make the comment that in the upper house the opposition wanted to include a phase-in period for the charges in this clause, because it is a considerable increase. However, it is voluntary; I understand that. The position of the Western Australian Council of State School Organisations, which was supported by the opposition, would have been a better way to go, but the government has seen fit not to proceed that way. I am not inviting any comments; I am just making a statement.

Clause put and passed.

Clause 30: Section 213 amended —

Dr A.D. BUTI: On page 42, proposed paragraph (c) states —

> sharing the use of joint use property for the purposes of the arrangement and for the purposes of school education;

My question here is that the purposes of school education can be rather wide, but what about a local sporting club that wanted to use those facilities? It really does not have an educational purpose, but it would seem to be a very useful utilisation of resources. Would that come under this section? I think it probably would not, but I was just wondering.

Mr J.H.D. DAY: I am advised that allowing a sporting club to use school facilities would not be covered by this section. It would not be a joint arrangement, but it would be covered by proposed section 218, which is contained in clause 32 of this bill. Clearly, it makes sense that that should be able to occur. I think it occurs in practice at the moment. In a lot of cases, I think it is entirely appropriate that sporting clubs should be able to use school facilities as a community asset where that is appropriately managed. That is provided for in a later clause by proposed section 218.

Clause put and passed.

Clauses 31 to 33 put and passed.

Clause 34: Section 240 amended —

Dr A.D. BUTI: This clause contains a very sensible amendment to section 240, providing that a person can be excluded from school premises. Does this relate only to government schools? It would appear that that is the case. I know there is difficulty in the act applying to non-government areas, but it does, and it just seems to be absurd. From my understanding, this amendment came about because a teacher who was disciplined then went to another school with their grandchildren. Whether that is the case or not does not really matter. The reason for this amendment, which the government should be applauded on, is child safety, and we should be trying to ensure that a person whose presence on government school premises is not seen to be appropriate should not be able to be on any school premises. I am wondering whether this amendment allows for that.

Mr J.H.D. DAY: It is correct that this section would apply only to government schools. The reason for that is that it depends on the employment relationship. The director general of the Department of Education has responsibility and powers for dealing with employees of the department. Clearly, the director general does not have any responsibility or powers over teachers in non-government schools. There is no relationship there, apart from their being fellow Western Australians, and so on. However, a section 240 order is required to be notified to the Teacher Registration Board, and the board has the powers to act, including informing a non-government school. There is that ability to ensure that information is passed on to a non-government school, but I cannot see how the direct power could be transferred, because it depends on an employer–employee arrangement within the Department of Education.

Dr A.D. BUTI: I do not find that explanation completely satisfactory. Of course, while a teacher at a government school is employed by the Department of Education, this is a legislative provision that can override any employment relationship. I understand that it is easier in the context of an employment relationship, but whether there is an employment relationship or not, we can have legislative provisions stating that a certain person is not allowed to be at a school. The other issue here, which I have not thought about, is banning a teacher who is disciplined by a non-government school from attending a government school. I will not move an amendment, but this might be a matter the government would like to consider later, because it is very important.

Mr J.H.D. DAY: The comments that the member has made will be taken on board and considered, but I point out that under the section 240 order that I referred to, by which a government schoolteacher subject to a misconduct investigation is required to be notified to the Teacher Registration Board, that information can be passed on to a non-government school. Exactly the same situation can operate in reverse, so a non-government schoolteacher who is subject to suspension, investigation or dismissal in the circumstances that have been mentioned, is required to be notified to the Teacher Registration Board, and the board has the ability to pass that information on to the Department of Education.

Dr A.D. Buti: How would you actually ban someone from the premises of a non-government school? Is it legally done, if you do not take out a restraining order? Is that what you have to do?

Mr J.H.D. DAY: I agree. I think the time will be limited because I do not think we can provide for all those circumstances indefinitely into the future through the School Education Act; that needs to be provided for through other legislation. Presumably courts can issue orders that certain people do not go near schools, and there is the sexual offenders legislation under the Criminal Code and so on. I am sure the member for Armadale is more familiar with that than I am.

Clause put and passed.

Clauses 35 to 37 put and passed.

Title put and passed.

Leave granted to proceed forthwith to third reading.

Third Reading

Bill read a third time, on motion by **Mr J.H.D. Day (Minister for Planning)**, and passed.

[Quorum formed.]