

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 154

FIRST SESSION OF THE FORTIETH PARLIAMENT

THURSDAY, 19 SEPTEMBER 2019

1. Meeting of Assembly

The Assembly met at 9.00 am pursuant to adjournment.

The Speaker took the Chair.

An Acknowledgement of Country and Prayers were read.

2. Papers

The following papers were presented and ordered to lie upon the Table of the House –

By the Clerk –

Auditor General, Office of the – Annual Report 2018–2019 (2741).

Corruption and Crime Commission – Report on misconduct risks in Health Support Services and North Metropolitan Health Service (2742).

Country Housing Authority – Annual Report 2018–2019 (2743).

Economic Regulation Authority – Annual Report 2018–2019 (2744).

Government Employees Superannuation Board – Annual Report 2018–2019 (2745).

Land Administration Act 1997 – Proposal: Submission No. 7/2019 under the Act for amendment of Class A Reserve 17098 to facilitate telecommunication site at Hartfield Park, City of Kalamunda (2746).

Parliamentary Commissioner for Administrative Investigations [Ombudsman] – Annual Report 2018–2019 (2747).

Parliamentary Inspector of the Corruption and Crime Commission – Annual Report 2018–2019 (2748).

Western Australian Treasury Corporation – Annual Report 2018–2019 (2749).

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Emergency Services on the deployment of Western Australian volunteer and career firefighters to Queensland.

The Minister for Heritage on the appointment of the new Heritage Council of Western Australia.

4. Grievances

The Speaker called for grievances which were then made.

5. Community Development and Justice Standing Committee

Mr P.A. Katsambanis, as Chair, presented the following report which was ordered to lie upon the Table of the House –

Community Development and Justice Standing Committee – Annual Report 2018–19, Report No. 7 (2750).

Mr Z.R.F. Kirkup and Mr A. Krsticevic spoke on the report.

6. Education and Health Standing Committee

Mr W.R. Marmion, as Deputy Chair, presented the following report which was ordered to lie upon the Table of the House –

Education and Health Standing Committee – Annual Report 2018–19, Report No. 7 (2751).

7. Voluntary Assisted Dying Bill 2019

The Order of the Day for the further consideration in detail of the bill was read.

CONSIDERATION IN DETAIL

Clauses 115 to 117 agreed to.

New Clause 117A.

Ms M.M. Quirk moved,

Page 77, after line 18 – To insert:

“

117A. Notice of no objection

- (1) This section applies if a patient makes an administration decision.
- (2) The coordinating practitioner for the patient must apply within two days to the Board for a notice (a *notice of no objection*) under this section for the administration decision.
- (3) The Board must give the coordinating practitioner a notice of no objection unless the Board considers there is a problem with what has occurred, including, for example —
 - (a) the patient has not acted voluntarily and without coercion; or
 - (b) the patient has been subject to abuse; or
 - (c) the patient has not been given adequate support in coming to the decision to access voluntary assisted dying; or
 - (d) a provision of this Act has not been complied with.
- (4) If the Board refuses to give the coordinating practitioner a notice of no objection under subsection (3), the Board must give the coordinating practitioner a notice stating its refusal.

”.

On the question, That New Clause 117A be agreed to,

New Clause put.

The Assembly divided.

Ayes (7)

Dr D.J. Honey
Mr P.A. Katsambanis
Mr A. Krsticevic

Mr S.K. L'Estrange
Dr M.D. Nahan
Ms M.M. Quirk

Mrs A.K. Hayden (*Teller*)

Noes (41)

Ms L.L. Baker
Dr A.D. Buti
Mr J.N. Carey
Mrs R.M.J. Clarke
Mr R.H. Cook
Ms M.J. Davies
Mr M.J. Folkard
Ms J.M. Freeman
Ms E.L. Hamilton
Mrs L.M. Harvey
Mr T.J. Healy
Mr M. Hughes
Mr D.J. Kelly
Mr F.M. Logan

Mr W.R. Marmion
Mr M. McGowan
Mr J.E. McGrath
Ms S.F. McGurk
Ms L. Mettam
Mr D.R. Michael
Mr S.A. Millman
Mr Y. Mubarakai
Mr K.M. O'Donnell
Mrs L.M. O'Malley
Mr P. Papalia
Mr S.J. Price
Mr D.T. Punch
Mr J.R. Quigley

Mr D.T. Redman
Ms C.M. Rowe
Mr P.J. Rundle
Ms R. Saffioti
Ms J.J. Shaw
Mrs J.M.C. Stojkovski
Mr C.J. Tallentire
Mr D.A. Templeman
Mr P.C. Tinley
Mr R.R. Whitby
Ms S.E. Winton
Mr B.S. Wyatt
Ms A. Sanderson (*Teller*)

New Clause 117A thus negatived.

Clauses 118 to 148 agreed to.

Clause 149.

Ms M.M. Quirk moved,

Page 86, after line 21 – To insert:

“

- (1A) A person must comply with a request under subsection (1) within the time,
and in the manner, required by the Board.

Penalty for this subsection: a fine of \$10 000.

”.

Amendment put and negatived.

Clause 149 agreed to.

Clause 150 agreed to.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

8. Members' Statements

The Acting Speaker called for members' statements which were then made.

9. Speaker's Statement – Antony Green AO

The Speaker advised members that Antony Green was scheduled that night to give a presentation to the Australasian Study of Parliament Group on the topic: 'Recent Federal Electoral Reforms: Lessons for Western Australia'.

10. Questions

Questions without Notice were taken.

Questions on Notice Nos 5484 to 5486 were asked.

Questions on Notice Nos 5311, 5312, 5314, 5329, 5341, 5357, 5363, 5365 to 5367, 5369, 5391, 5392, and 5394 to 5398 were answered.

Papers tabled by the Minister for Health –

Question on Notice No. 5314 – Details of vacant registered nurse positions in the Department of Health and the West Australian Country Health Service (2752).

Question on Notice No. 5357 – Head counts for various full-time equivalent occupations at Western Australian hospitals between 1 July 2017 and 1 July 2019 (2753).

11. Additional Information

The Minister for Water provided additional information relating to Question without Notice No. 780 from Mr D.T. Redman.

12. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

13. Voluntary Assisted Dying Bill 2019

The Order of the Day for the further consideration in detail of the bill was read.

CONSIDERATION IN DETAIL

Clauses 151 to 184 agreed to.

Title agreed to.

Consideration in detail concluded.

Leave was granted to proceed forthwith to the third reading of the bill.

The Minister for Health moved, That the bill be now read a third time.

Debate ensued.

Mr D.R. Michael moved, That the debate be adjourned.

Question put and passed.

14. Reserves (Marmion Marine Park) Bill 2019

Message No. 96 dated 19 September 2019 from the Legislative Council was reported forwarding for concurrence a bill for “An Act to excise an area from Marmion Marine Park to facilitate the development of the Ocean Reef Marina.”

Ordered, That the first reading of the bill be made an Order of the Day for the next sitting of the Assembly.

15. Adjournment

The Leader of the House moved, That the House do now adjourn.

Question put and passed.

The Assembly adjourned accordingly at 3.50 pm until Tuesday, 24 September 2019 at 2.00 pm.

Members present during any part of the day's proceedings – All the members except Mr V.A. Catania, Ms J. Farrer, Mr W.J. Johnston, Mr R.S. Love and Mr M.P. Murray.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. PETER WATSON
Speaker of the Legislative Assembly