

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 40

FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

THURSDAY, 17 OCTOBER 2013

1. Meeting of Assembly

The Assembly met at 9.00 a.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

2. Paper

The following paper was presented and ordered to lie upon the Table of the House –

By the Speaker –

Inspector of Custodial Services, Office of the – Funeral Attendances by Incarcerated People in Western Australia (Received by the Clerk of the Legislative Assembly on 16 September 2013 and Held for a Period of Thirty Days) (1068).

3. Notice of Motion

4. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Road Safety on the Office of Road Safety display stand at the 2013 Perth Royal Show.

The Minister for Mines and Petroleum on the opening of the new Atlas Iron Abydos mine.

5. Grievances

The Speaker called for grievances which were then made.

6. Courts and Tribunals (Electronic Processes Facilitation) Bill 2013

Message No. 23 dated 16 October 2013 from the Legislative Council was reported forwarding for concurrence a bill for “An Act –

- to provide for the use of electronic technology in relation to court proceedings and certain other proceedings, and the record of court proceedings and certain other proceedings; and
- to make consequential and certain other amendments to various Acts; and

- to amend the *Fines, Penalties and Infringement Notices Enforcement Act 1994* so that the Fines Enforcement Registry is responsible for the management of the process for the enforcement of the payment of certain fines and other amounts as soon as the fines are imposed or the amounts are payable,
and for related purposes.”

The Deputy Premier moved, That the bill be read a first time.

Question put and passed.

The Deputy Premier presented an explanatory memorandum and bill read a first time.

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

The Deputy Premier moved, That the bill be now read a second time.

Ms S.F. McGurk moved, That the debate be adjourned.

Question put and passed.

7. Economics and Industry Standing Committee

Mr I.C. Blayney, as Chairman, presented the following report which was ordered to lie upon the Table of the House –

Economics and Industry Standing Committee – Annual Report 2012–2013, Report No. 1 (1069).

Mr P.C. Tinley spoke on the report.

8. Joint Standing Committee on the Corruption and Crime Commission

Mr S.K. L'Estrange presented the following report which was ordered to lie upon the Table of the House –

Corruption and Crime Commission, Joint Standing Committee on the – Annual Report 2012–2013, Report No. 6 (1070).

9. Joint Committee on Audit

Mr D.C. Nalder, as Deputy Chairman, presented the following report which was ordered to lie upon the Table of the House –

Audit, Joint Committee on – Review of the Auditor General Act – Appointment of Reviewer, Report 2 (1071).

10. Declared Places (Mentally Impaired Accused) Bill 2013

The Parliamentary Secretary representing the Minister for Disability Services, pursuant to notice, moved,

That a bill for “An Act to make provision for matters relating to places established by the Disability Services Commission for the detention, habilitation and rehabilitation of mentally impaired accused, and as a consequence to amend –

- the *Criminal Law (Mentally Impaired Accused) Act 1996*; and
- the *Disability Services Act 1993*; and

certain other Acts.” be introduced and read a first time.

Question put and passed.

The Parliamentary Secretary representing the Minister for Disability Services presented an explanatory memorandum and bill read a first time.

The Parliamentary Secretary representing the Minister for Disability Services moved, That the bill be now read a second time.

Ms S.F. McGurk moved, That the debate be adjourned.

Question put and passed.

11. Taxi Drivers Licensing Bill 2013

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.
Debate resumed.

Debate interrupted by the Chair (Mr R.S. Love speaking) and adjourned until a later stage of the sitting.

12. Members' Statements

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

13. Speaker's Statement – Questions and Answers

The Speaker reminded members about the Standing Orders as they related to questions and answers. Questions should not contain lengthy preambles or opinion, unless it was necessary to render the question intelligible. Answers needed to be relevant to the question and Ministers were asked for their cooperation and compliance in keeping their answers succinct. The Speaker also advised that a supplementary question should be a single question, precise in content and without preamble, which was directly relevant to the original question or answer that immediately preceded the supplementary question. Members were also reminded that while interjections were disorderly, the House had always tolerated occasional interjections. However, loud and repeated interjections which had the effect of drowning out the member on their feet were not acceptable.

14. Questions

Questions without Notice were taken.

Paper

The following paper was presented and ordered to lie upon the Table of the House –

By the Minister for Sport and Recreation –

Sport and Recreation, Minister for – Ministerial Media Statement: WA moves to ban live odds at sports venues (1072).

Questions on Notice Nos 1071, 1186 and 1246 were answered.

15. Messages from the Legislative Council

Messages from the Legislative Council were reported returning the following bills without amendment –

17 October 2013

Appropriation (Consolidated Account) Recurrent 2013–14 Bill 2013 (Message No. 24).

Appropriation (Consolidated Account) Capital 2013–14 Bill 2013 (Message No. 25).

16. Education and Health Standing Committee – Terms of Reference

The Speaker advised members that he had received a letter dated 16 October 2013 from the Chairman of the Education and Health Standing Committee, advising that the Committee had resolved to conduct an inquiry with the following terms of reference:

The Committee will inquire into and report on the organisational response within the Department of Health to the challenges associated with commissioning the Fiona Stanley Hospital.

In particular, the Committee will examine:

- (1) the arrangements made by the Department to plan for and manage the transition to and commissioning of the new facility;

- (2) the oversight and governance of the project, particularly with respect to the communication of important information about progress with the commissioning of the hospital within the Department and to external stakeholders and the Executive; and
- (3) any implications for the commissioning of the Midland Health Campus and the Perth Children's Hospital.

The Committee intends to present its report by 10 April 2014.

17. Variation to the Order of Business

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

18. Taxi Drivers Licensing Bill 2013

The Order of the Day for the resumption of the debate upon the second reading of the bill was read.

Debate resumed.

Question put and passed.

Bill read a second time.

CONSIDERATION IN DETAIL

Clauses 1 to 28 agreed to.

Clause 29.

The Minister for Transport moved,

Page 23, lines 17 to 24 – To delete the lines and substitute:

“

- (2) A code of conduct approved under subsection (1) is subsidiary legislation for the purposes of the *Interpretation Act 1984* and section 42 of that Act applies to and in relation to the code of conduct as if it were a regulation.

”.

Page 23, line 26 – To delete “varied” and substitute:

“ in force ”.

Amendments put and passed.

Clause, as amended, agreed to.

Clauses 30 to 90 agreed to.

Title agreed to.

Consideration in detail concluded.

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

19. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 3.42 p.m. until Tuesday, 22 October 2013 at 2.00 p.m.

Members present during any part of the day's proceedings – All the members except Mr G.M. Castrilli and Mr P. Papalia.

PETER J. McHUGH
Clerk of the Legislative Assembly

HON. MICHAEL SUTHERLAND
Speaker of the Legislative Assembly