

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 110

WEDNESDAY, 13 OCTOBER 2010, 12 noon

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.*

BILLS – NOTICE OF MOTION

1. Franchising Bill 2010 (Notice given – 12/10/10)

Mr P. Abetz: To move –

That a Bill for “An Act to regulate the conduct of people who are about to enter or who are parties to franchise agreements and for related matters.” be introduced and read a first time.

GOVERNMENT BUSINESS – ORDERS OF THE DAY

1. ***Liquor Control Amendment Bill 2010** (Minister for Racing and Gaming) (No. 146, 2r. – 18/8/10)

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

2. **Approvals and Related Reforms (No. 1) (Environment) Bill 2009** (Minister representing the Minister for Environment) (LC No. 094, 2r. – 16/9/10)

Consideration in detail.

3. ***Telecommunications (Interception) Western Australia Amendment Bill 2010** (Minister for Police) (No. 145, 2r. – 11/8/10)

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

4. ***Criminal Code Amendment (Infringement Notices) Bill 2010** (Minister for Police) (No. 151, 2r. – 8/9/10)

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

5. ***Cannabis Law Reform Bill 2009** (Minister for Police) (No. 087, 2r. – 14/10/09)

Consideration in detail of Legislative Council Message No. 111.

6. **Building and Construction Industry Training Fund and Levy Collection Amendment Bill 2010** (Minister representing the Minister for Training and Workforce Development) (LC No. 135, 2r. – 15/9/10)

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

7. **Perry Lakes Redevelopment Amendment Bill 2010** (Minister for Planning) (No. 150, 2r. – 8/9/10)

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

8. **Health, Safety and Civil Liability (Children in Schools and Child Care Services) Bill 2010** (Minister for Health) (No. 126, 2r. – 16/6/10)

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

9. ***Royal Perth Hospital Protection Bill 2008** (Minister for Health) (No. 008, 2r. – 11/11/08)

Further consideration in detail – Clause 1.

10. **Premier's Statement**

Adjourned debate (Leader of the House) on the question, That the Premier's Statement be noted.

11. **Professional Combat Sports Amendment Bill 2009** (Minister for Sport and Recreation) (No. 074, 2r. – 14/10/09)

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

12. **Misuse of Drugs Amendment Bill (No. 2) 2010** (Minister for Police) (No. 156, 2r. – 22/9/10)

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

13. **Fair Trading Bill 2010** (Minister for Commerce) (No. 158, 2r. – 22/9/10)

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

14. **Acts Amendment (Fair Trading) Bill 2010** (Minister for Commerce) (No. 159, 2r. – 22/9/10)

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

15. **Road Traffic Legislation Amendment (Disqualification by Notice) Bill 2010** (Minister for Police) (No. 157, 2r. – 23/9/10)

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

16. Child Support (Adoption of Laws) Amendment Bill 2009 (Attorney General) (No. 098, 2r. – 25/11/09)

Consideration in detail.

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

1. Genetically Modified Crops Free Areas Exemption Order (No. 3) 2009 (Notice given – 17/6/09, renewed – 23/2/10)

Mr M.P. Murray: To move –

That the *Genetically Modified Crops Free Areas Exemption Order (No. 3) 2009* under the *Genetically Modified Crops Free Areas Act 2003*, a copy of which was laid upon the Table of the House on 9 June 2009, is hereby disallowed.

2. Burmese Constitution and Planned 2010 Elections (Notice given – 25/11/09, renewed – 11/8/10)

Mr J.N. Hyde: To move –

That this House rejects the Burmese junta's newly adopted Constitution and planned 2010 elections and notes:

- (1) The Constitution was designed to institutionalise military rule; was drafted by the junta's hand-picked delegates rather than elected representatives; and was approved by coercion in a sham referendum held in the midst of devastation caused by Cyclone Nargis in May 2008.
- (2) The 2010 elections will be held only in accordance with the catastrophically flawed 2008 Constitution; will go ahead with the strict intention to nullify the 1990 democratic general elections, which Aung San Suu Kyi's party won by a landslide; and will guarantee a military-dominated parliament and military-controlled government.

3. Pilbara Water Supply (Notice given – 10/8/10)

Mr F.M. Logan: To move –

That this House condemn the Minister for Water for the failure to provide an adequate future water supply for Pilbara communities.

4. Referral to Community Development and Justice Standing Committee (Notice given – 18/8/10)

Mr E.S. Ripper: To move –

- (1) That this House refer the issue of the 29 December 2009 Toodyay bushfires which destroyed significant homes and property to the Community Development and Justice Standing Committee for investigation.
- (2) That the Committee specifically investigate:
 - (a) compensation for affected land owners who have lost property;
 - (b) liability in relation to the damage caused; and
 - (c) the actions of Western Power prior to and after the fire.

5. Heritage Act Amendments (Notice given – 15/9/10)

Mr J.N. Hyde: To move –

That this House condemns the Minister for Heritage for failing to:

- (a) introduce his own promised Heritage Act amendments; and
- (b) support Labor's proposed legislation to fix ongoing problems with demolition of valued heritage by neglect.

6. Minister for Tourism (Notice given — 12/10/10)

Mr J.N. Hyde: To move —

That this House expresses its lack of confidence in the Minister for Tourism due to her lack of real action to tackle plummeting tourism arrivals and remedy a lack of vision in Western Australia tourism and events.

7. Maintenance of Homeswest Properties (Notice given — 12/10/10)

Mr P.C. Tinley: To move —

That the House condemns the Barnett Government for its many failures in the area of housing, especially in the area of maintenance of Homeswest properties.

PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY

1. Commercial Tenancy (Retail Shops) Amendment Bill 2009 (Mr F.M. Logan) (No. 081, 2r. — 14/10/09)

Second reading. Adjourned debate (Mr J.E. McGrath).

2. Directions 2031 Planning Document (Moved — 14/10/09)

Adjourned debate (Ms A.S. Carles — continuation of remarks) on the motion moved by Mr M. McGowan —

That this House calls on the Minister for Planning to reconsider key elements of the Directions 2031 Planning Document, and the draft Activities Centres policy, with particular reference to:

- (a) the unreliable demographic data underpinning the plan;
- (b) the downgrading of the Armadale and Midland Regional Centres; and
- (c) the miscalculation of opportunities to implement growth strategies in the Peel.

3. South-West Infrastructure Projects (Moved — 21/10/09)

Adjourned debate (Mr W.J. Johnston — continuation of remarks) on the motion moved by Ms A.J. MacTiernan —

That this House acknowledges the importance of infrastructure projects such as the Perth to Bunbury Highway for the development of the South-West and calls on the Barnett Government to continue work on Labor's initiatives for strategic infrastructure development in the South-West.

4. Criminal Code (Rock Throwing and Laser Pointing) Amendment Bill 2009 (Mr J.R. Quigley) (No. 99, 2r. — 11/11/09)

Second reading. Adjourned debate (Premier).

5. Criminal Code (Identity Theft) Amendment Bill (No. 2) 2009 (Mr J.R. Quigley) (No. 92, 2r. — 14/10/09) (last debated — 11/11/09)

Second reading. Adjourned debate (Attorney General — continuation of remarks).

6. *Matter of Public Interest – Government Wages and Funding Cuts (Moved — 18/11/09)

On the question, That the words be inserted, in the amendment moved by the Minister for Police to the motion moved by Mr E.S. Ripper.

7. Public Funding of the State's Critical Port Infrastructure (Moved — 18/11/09)

Adjourned debate (Premier — continuation of remarks) on the motion moved by Ms A.J. MacTiernan —

That this House calls upon the Premier to explain:

- (a) his contradictory position on public funding of the State's critical port infrastructure;

- (b) his Government's clear intention not to proceed with the publicly owned Fremantle Outer Harbour container facility – a decision which imposes unsustainable traffic burden on the local communities and jeopardises the State's economic growth.

8. Administration of Education and Tourism Portfolios (Moved – 25/11/09)

Adjourned debate (Mr J.M. Francis – continuation of remarks) on the motion moved by Mrs M.H. Roberts –

That this House condemns the Minister for Education; Tourism for the poor administration of her portfolios and her failure to stand up for democratic principles in the House.

9. Uranium Mining Prohibition (Keeping WA free from the Nuclear Fuel Chain) Bill 2009 (Ms A.S. Carles) (No. 112, 1r. – 23/2/10)

To be read a second time.

10. Logging of Native Forests under the Existing Management Plan in South West Region of Western Australia (Moved – 17/3/10)

Adjourned debate (Dr J.M. Woollard – continuation of remarks) on the motion moved by Dr J.M. Woollard –

- (1) That this House refers to the Standing Committee on Economics and Industry for consideration and report by 30 November 2010 the following:

To inquire into and report on the costs and benefits, including the broader community costs and considerations, of logging of native forests under the existing Forest Management Plan in the South West region of Western Australia.

- (2) That this House calls on the Government to place a moratorium on any further logging of those native forests until the Government has reported to the Assembly its response to the report of the Committee.

11. Perth Theatre Trust Amendment Bill 2009 (Mr J.N. Hyde) (No. 35, 1r. – 11/3/09) (restored – 18/3/10)

To be read a second time.

12. No Privatisation of Hospitals and Schools Bill 2010 (Mr R.H. Cook) (No. 127, 2r. – 21/4/10)

Second reading. Adjourned debate (Mr A.J. Simpson).

13. Equal Opportunity (Members of Parliament) Amendment Bill 2010 (Mr M.P. Whitely) (No. 124, 2r. – 21/4/10)

Second reading. Adjourned debate (Mr A.J. Simpson).

14. Household Fees and Charges, 2010–2011 Budget and Forward Estimates (Moved – 5/5/10)

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

That the House demands that the Premier:

- (a) limit further increases in household fees and charges after the record increases contained in the 2009 – 2010 Budget;
- (b) ensure that the 2010 – 2011 Budget is an honest reflection of the State's finances; and
- (c) ensure that the forward estimates contain all of the projects announced by the Liberal-National Government.

15. Schools of Isolated and Distance Education Courses for Years 11 and 12 Students
(Moved – 26/5/10)

Adjourned debate (Minister for Agriculture and Food – continuation of remarks) on the motion moved by Mrs M.H. Roberts –

That the Government immediately cancel all bills sent to secondary schools for Year 11 and 12 students doing courses through Schools of Isolated and Distance Education (SIDE).

16. Justice Reinvestment Strategy (Moved – 16/6/10)

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

That this House calls on the Barnett Government to implement a ‘justice reinvestment’ strategy to lower the rate of re-offending and make our communities safer.

17. Industrial Relations Amendment Bill 2010 (Mr V.A. Catania) (No. 147, 1r. – 11/8/10)

To be read a second time.

18. Increases to Family Bills in Western Australia (Moved – 18/8/10)

Adjourned debate (Dr M.D. Nahan – continuation of remarks) on the motion moved by Mr E.S. Ripper –

That this House condemns the Barnett Government for its continued savage increases to family bills in Western Australia.

19. Appointment of a Select Committee into the Increases to State Debt Since 2000 (Moved – 15/9/10) (last debated – 22/9/10)

Adjourned debate (Dr M.D. Nahan – continuation of remarks) on the motion moved by Mr B.S. Wyatt –

That a Select Committee be appointed 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 which 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.

20. Butane Products Control Bill 2009 (Mr R.H. Cook) (No. 041, 2r. – 16/9/09) (restored – 23/9/10)

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

21. *Acts Amendment (Safety and Human Rights of Persons in Custody) Bill 2009
(Mr E.S. Ripper) (No. 072, 2r. – 16/9/09) (restored – 23/9/10)

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

COMMITTEES TO REPORT

Public Accounts Committee:

Inquiry into Project Planning and Funding Applications for Major Western Australia Infrastructure Projects – 21 October 2010

Education and Health Standing Committee:

Inquiry into the Adequacy and Appropriateness of Prevention and Treatment Services for Alcohol and Illicit Drug Problems in Western Australia – 25 November 2010

Community Development and Justice Standing Committee:

Inquiry into the Efficiency and Effectiveness of Prisoner Education, Training and Employment Strategies – 25 November 2010

Community Development and Justice Standing Committee:

Inquiry into the Adequacy and Future Directions of Social Housing in Western Australia – 7 April 2011

Joint Standing Committee on the Corruption and Crime Commission:

Inquiry into the Use of Controlled Operations and Informants by Anti-Corruption and Law-Enforcement Agencies with Particular Emphasis on the Risks of Misuse of Power, Corruption, and Threat to Public Safety – 21 April 2011

REFERENCES TO COMMITTEES

<i>Committee</i>	<i>Reference</i>	<i>Date Due</i>
Joint Standing Committee on the Review of the Racing and Wagering WA Acts	Review of the Racing and Wagering WA Acts	15 October 2010
Procedure and Privileges Committee	Comments made by Member for Cannington	21 October 2010
Economics and Industry Standing Committee	Domestic Gas Prices for Industry and Consumers	28 February 2011

GOVERNMENT RESPONSES TO COMMITTEE RECOMMENDATIONS

<i>Committee</i>	<i>Ministers to Respond</i>	<i>Date Due</i>
Education and Health Standing Committee: Invest Now or Pay Later: Securing the Future of Western Australia's Children	Minister for Health	11 June 2010 (Non compliance reported 16/6/10)

Education and Health Standing Committee: Destined to Fail: Western Australia's Health System	Premier; Minister for Health; Minister for Indigenous Affairs; Minister for Mental Health; and Treasurer	6 August 2010 (Non compliance reported 11/8/10)
Community Development and Justice Standing Committee: Interim Report, Inquiry into the Efficiency and Effectiveness of Prisoner Education, Training and Employment Strategies	Minister for Corrective Services	24 September 2010
Economics and Industry Standing Committee: Inquiry into the Department of Environment and Conservation's Management of Former Pastoral Leases	Minister representing the Minister for Environment	19 November 2010
Joint Standing Committee on the Corruption and Crime Commission: Inquiry into How the Corruption and Crime Commission Can Best Work Together with the Western Australian Police Force to Combat Organised Crime	Attorney General	9 December 2010

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- * Denotes amendments appear in the Notices and Amendments section of the Notice Paper.
- † Denotes time allocated for Bill appears in the Notices and Amendments section of the Notice Paper.
- ‡ Denotes second reading debate on the Bill was undertaken cognately with a principal Bill, and no further second reading debate will occur.
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NOTICES AND AMENDMENTS

Acts Amendment (Safety and Human Rights of Persons in Custody) Bill 2009 (No. 072—1)

Clause 4.

Ms M.M. Quirk: To move –

Page 3, line 9 – To delete “**Show Cause Notice**” and substitute:

“ **Enforcement notices** ”.

Ms M.M. Quirk: To move –

Page 3, lines 27 to 30 – To delete the lines and substitute:

“

the Inspector may issue either an improvement notice under subsection (2) or a prohibition notice under subsection (3).

- (2) An improvement notice shall –
 - (a) state that the Inspector has reasonable grounds to suspect that a person –
 - (i) is contravening a provision referred to in subsection (1); or
 - (ii) has contravened a provision referred to in subsection (1) in circumstances that make it likely that the contravention will continue or be repeated;
 - (b) state reasonable grounds for forming that suspicion;
 - (c) specify the provision referred to in subsection (1) in respect of which that suspicion is held;
 - (d) state that the CEO is required by the notice to remedy the contravention or likely contravention or the matters or activities occasioning the contravention or likely contravention before a specified time; and
 - (e) be in the prescribed form.
- (3) A prohibition notice shall –
 - (a) state that the Inspector has reasonable grounds to suspect that there is occurring or may occur an activity which involves or will involve a contravention of a provision referred to in subsection (1);
 - (b) state reasonable grounds for forming that suspicion;
 - (c) specify the activity which in the Inspector’s opinion involves or will involve the contravention;

- (d) state that the activity is prohibited until the Inspector is satisfied that the matters which give or will give rise to the contravention are remedied; and
- (e) be in the prescribed form.

”.

Clause 8.

Ms M.M. Quirk: To move –

Page 6, line 9 – After “treatment” insert:

“

; and

- (c) must be treated in accordance with such other basic standards as are prescribed by regulations

”.

Ms M.M. Quirk: To move –

Page 6, after line 28 – To insert:

“

- (5) The Inspector of Custodial Services must audit the compliance by persons exercising authority under this Act or implementing or enforcing this Act with subsection (1) with respect to at least 10% of the total population of persons notified under section 7A(1) in each calendar year.

”.

Clause 12.

Ms M.M. Quirk: To move –

Page 8, line 9 – After “treatment” insert:

“

; and

- (c) must be treated in accordance with such other basic standards as are prescribed by regulations

”.

Mr E.S. Ripper: To move –

Page 8, line 13 – To delete “prisoner’s imprisonment” and substitute:

“ person in custody ”.

Ms M.M. Quirk: To move –

Page 8, after line 28 – To insert:

“

- (5) The Inspector of Custodial Services must audit the compliance by persons exercising authority under this Act or implementing or enforcing this Act with subsection (1) with respect to at least 10% of the total population of persons notified under section 29A(1) in each calendar year.

”.

Clause 15.

Mr E.S. Ripper: To move –

Page 9, line 21 – To delete “held in custody or”.

Clause 16.

Ms M.M. Quirk: To move –

Page 10, line 9 – After “treatment” insert:

“

; and

(c) must be treated in accordance with such other basic standards as are prescribed by regulations

”.

Ms M.M. Quirk: To move –

Page 10, after line 27 – To insert:

“

(5) The Inspector of Custodial Services must audit the compliance by persons exercising authority under this Act or implementing or enforcing this Act with subsection (1) with respect to at least 10% of the total population of persons notified under section 24A(1) in each calendar year.

”.

Clause 20.

Ms M.M. Quirk: To move –

Page 12, line 9 – After “treatment” insert:

“

; and

(c) must be treated in accordance with such other basic standards as are prescribed by regulations

”.

Ms M.M. Quirk: To move –

Page 12, after line 27 – To insert:

“

(5) The Inspector of Custodial Services must audit the compliance by persons exercising authority under this Act or implementing or enforcing this Act with subsection (1) with respect to at least 10% of the total population of persons notified under section 9A(1) in each calendar year.

”.

Cannabis Law Reform Bill 2009 (No. 87—1)

Legislative Council Message No. 111.

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Cannabis Law Reform Bill 2009* 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 Cannabis Law Reform Bill 2009

No. 1

Page 4, lines 7 to 13 — To delete the lines and insert —

child means a person who is under 18 years of age;

No. 2

Page 4, after line 21 — To insert —

adult means a person who is not a young person;

No. 3

Page 5, after line 25 — To insert —

young person means a person who —

- (a) is under 18 years of age; or
- (b) in relation to the commission, or alleged commission, of a minor cannabis related offence, was under 18 years of age when the offence was committed, or allegedly committed.

No. 4

Page 11, lines 17 and 18 — To delete “by the regulations”.

No. 5

Page 11, after line 19 — To insert —

but does not include anything prescribed, or belonging to a class prescribed, as excluded from this definition.

No. 6

Page 11, lines 20 to 29 — To delete the lines and insert —

- (2) A person who sells, or offers to sell, cannabis smoking paraphernalia to a child commits a simple offence.
Penalty: a fine of \$24 000 or imprisonment for 2 years or both.
- (3) A person —
- (a) who sells, or offers to sell, cannabis smoking paraphernalia to an adult; or
 - (b) who displays cannabis smoking paraphernalia, or authorises or allows cannabis smoking paraphernalia to be displayed, for sale in a shop or other retail outlet,
- commits a simple offence.
Penalty: a fine of \$10 000.

No. 7

Page 16, after line 27 — To insert —

Part 6 — Working with Children (Criminal Record Checking) Act 2004 amended

14. Act amended

This Part amends the *Working with Children (Criminal Record Checking) Act 2004*.

15. Schedule 2 amended

In Schedule 2 after the item relating to the *Children and Community Services Act 2004* section 192 insert:

Misuse of Drugs Act 1981

s. 19A(2)	Selling, or offering to sell, cannabis smoking paraphernalia to a child
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No. 8

Page 1, after bullet point 2 — To insert —

- amend the *Working With Children (Criminal Record Checking) Act 2004*; and

Criminal Code Amendment (Infringement Notices) Bill 2010 (No. 151—1)

Clause 4.

Ms M.M. Quirk: To move –

Page 4, after line 3 — To insert –

“

723. Annual statistics to be tabled in Parliament

As soon as is practicable after the end of each financial year that this Chapter is in operation, the Minister shall cause to be tabled in each House of Parliament the following statistics with respect to the operation of this Chapter for the financial year:

- (a) the offences for which infringement notices were issued;
- (b) the total number of infringement notices issued;
- (c) the number of infringement notices for which fines were paid;
- (d) the number of infringement notices challenged in court; and
- (e) the number of infringement notices for which fines remained unpaid.

724. Review of Chapter

- (1) The Minister shall carry out a review of the operation of this Chapter as soon as is practicable after this Chapter has been in force for three calendar years.
- (2) The Minister shall prepare a report based on his or her review of this Chapter and shall, as soon as is practicable after its preparation, cause the report to be laid before each House of Parliament.

”.

Liquor Control Amendment Bill 2010 (No. 146—1B)

Clause 3.

The Minister for Racing and Gaming: To move –

Page 2, line 11 — To delete “This Act” and substitute:

“ This Act, except Part 6, ”.

Clause 30.

The Minister for Racing and Gaming: To move –

Page 30, line 20 — To delete “those” and substitute:

“ licensed ”.

The Minister for Racing and Gaming: To move –

Page 30, line 21 — To delete “violent, quarrelsome” and substitute:

“ violent ”.

The Minister for Racing and Gaming: To move –
 Page 31, line 7 — To delete “A” and substitute:
 “ Except as provided in subsection (7A), a ”.

The Minister for Racing and Gaming: To move –
 Page 31, after line 9 — To insert:
 “

(7A) A person does not commit an offence under subsection (6) if the person enters the premises solely for the purpose of performing duties relating to the person’s work.

”.

The Minister for Racing and Gaming: To move –
 Page 32, after line 2 — To insert:
 “

(1A) In this section —

secure webpage means a page on a website that is accessible only by —

- (a) the licensee or occupier of licensed premises; or
- (b) a manager of licensed premises; or
- (c) a prescribed person or class of persons or a person in a prescribed circumstance.

”.

Mr M.P. Murray: To move –
 Page 32, line 3 — To insert after “on a” –
 “ secure ”.

The Minister for Racing and Gaming: To move –
 Page 32, line 3 — To delete “website” and substitute:
 “ secure webpage ”.

Mr M.P. Murray: To move –
 Page 32, after line 11 — To insert –
 “

Any person who discloses information from the website to the general public commits an offence.

Penalty: a fine of \$10 000.

”.

The Minister for Racing and Gaming: To move –
 Page 32, line 16 — To delete the line.

Mr M.P. Murray: To move –

Page 32, after line 18 — To insert –

“

Any person who publishes anything listed in this subsection commits an offence.

Penalty: a fine of \$10 000.

”.

Mr M.P. Murray: To move –

Page 32, lines 19 and 20 — To delete the lines.

The Minister for Racing and Gaming: To move –

Page 32, lines 19 and 20 — To delete the lines and substitute:

“

- (3) Except as provided in subsection (4), a person who discloses something that has been published under subsection (1) commits an offence.

Penalty: a fine of \$10 000.

- (4) A licensee or manager of licensed premises does not commit an offence under subsection (3) if —

- (a) he or she discloses information published under subsection (1) to a responsible person in relation to those premises; and
- (b) the disclosure is made for the purposes of enabling the responsible person to perform duties relating to the person's work on the licensed premises.

”.

The Minister for Racing and Gaming: To move –

Page 32, line 28 — To delete “3 months” and substitute:

“ one month ”.

The Minister for Racing and Gaming: To move –

Page 33, lines 6 and 7 — To delete “3 months or more” and substitute:

“ more than one month ”.

Clause 32.

The Minister for Racing and Gaming: To move –

Page 35, line 19 — To delete the line.

Clause 34.

The Minister for Racing and Gaming: To move –

Page 36, line 21 — To delete “prohibiting” and substitute:

“ regulating ”.

Clause 52.

The Minister for Racing and Gaming: To move –

Page 46, lines 3 to 7 — To delete the lines and substitute:

“

(4A) A licensee, or an employee or agent of a licensee (the *seller*), commits an offence if —

- (a) the seller sells liquor to another person (the *buyer*) whom the seller reasonably believes, or ought reasonably to believe, intends to sell the liquor in contravention of subsection (1); and
- (b) the buyer sells the liquor in contravention of subsection (1).

”.

New Part 6.

The Minister for Racing and Gaming: To move –

Page 57, after the Table — To insert:

“

Part 6 — *Criminal Investigation (Identifying People)* Act 2002 amended

70. Act amended

This Part amends the *Criminal Investigation (Identifying People) Act 2002*.

71. Section 73 amended

Before section 73(1)(n) insert:

- (nb) for the purposes of the *Liquor Control Act 1988* section 115AC or 152K;

”.

Matter of Public Interest – Government Wages and Funding Cuts (Moved – 18/11/09)

The Minister for Police moved,

To delete all words after “House” and insert:

“supports decent and fair pay rates for education assistants, gardeners and cleaners employed in cleaning government buildings and offices and also supports the fair and equitable distribution of the funds allocated for the original Redress WA scheme to all eligible applicants.”

on the motion moved by Mr E.S. Ripper:

That this House condemns the Barnett Government for its lack of care and compassion towards those Western Australians most in need including:

1. Its failure to support the state’s education assistants, gardeners and cleaners secure a fair pay increase; and

2. Its decision to cut Redress WA funding at a time when the Federal Government and opposition has apologised and recognised the struggle of those abused in care.

Royal Perth Hospital Protection Bill 2008 (No. 008—1)

Clause 1.

Mr R.H. Cook: To move –

Page 2, line 2 – To insert after “the”:

“ *Tertiary* ”.

Mr R.H. Cook: To move –

Page 2, line 2 – To delete “*Protection*” and substitute:

“ *Health Services* ”.

Clause 3.

Mr R.H. Cook: To move –

Page 2, after line 9 – To insert alphabetically:

“

continued operation means to remain in existence and provide ongoing health services at the current level at Royal Perth Hospital, other health institutions, hospitals and health services in Western Australia;

for the time being means at the time of the Act coming into operation;

Protection means the safeguarding of existing health services provided by Royal Perth Hospital and other health institutions, hospitals and health services in Western Australia;

tertiary means tertiary health care which may include but is not limited to, services provided by state-designated trauma centres, a burn centre, trauma surgery, neurosurgery, cardiothoracic surgery, organ transplant, paediatric surgery, magnetic resonance imaging and positron emissions tomography, and include secondary, primary and emergency care;

the entity means the Board of a public hospital;

”.

Mr R.H. Cook: To move –

Page 2, line 11 – To insert after “being”:

“ any of the following ”.

Mr R.H. Cook: To move –

Page 2, line 15 – To insert after “whole”:

“ or part ”.

Clause 6.

Mr R.H. Cook: To move –

Page 2, line 26 – To insert before “tertiary”:

“ 400 bed ”.

Mr W.J. Johnston: To move –

Page 3, after line 2 – To insert:

“

- (2) For the purpose of maintaining Royal Perth Hospital, future annual appropriations shall not be reduced to levels below the allocation to the hospital as at 6 September 2008.

”.

Clause 7.

Mr R.H. Cook: To move –

Page 3, after line 8 – To insert:

“

- (2) No development is to take place at Royal Perth Hospital to the extent that development will impact on proposed services, resources and scope of services at the Fiona Stanley Hospital.

”.

Mr A.P. O’Gorman: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Joondalup Health Campus.

”.

Mr W.J. Johnston: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Armadale-Kelmscott Hospital.

”.

Mr P. Papalia: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Rockingham General Hospital.

”.

Mrs M.H. Roberts: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the new Midland Health Campus.

”.

Mr D.A. Templeman: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Peel Health Campus.

”.

Mr M.P. Murray: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the South West Regional Health Campus and Associated South West Hospitals.

”.

Mrs C.A. Martin: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Broome Regional Health Campus.

”.

Mr T.G. Stephens: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not negatively impact on the services, resources and scope of services at the Hedland Hospital (Hedland’s Regional Resource Centre), Newman Hospital, Tom Price Hospital, and Paraburdoo Hospital.

”.

Mr J.C. Kobelke: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on services, resources and scope of services at the Osborne Park Hospital.

”.

Ms J.M. Freeman: To move –

Page 3, after line 8 – To insert:

“

- (2) Development that takes place at Royal Perth Hospital will not impact on the development of planned or anticipated health services in the Mirrabooka area.

”.

Mr R.H. Cook: To move –

Page 3, lines 9 to 11 – To delete the lines and substitute:

“

- (2) **Development** means improving and advancing the health facilities at Royal Perth Hospital in a manner which ensures its continued operation as a tertiary hospital without undue interruption to service.

”.

Clause 9.

Ms J.M. Freeman: To move –

Page 3, lines 17 to 20 – To delete all words after “prescribing” and substitute:

“ medical and support services for the purpose of Section 6 ”.

Long title.

Mr R.H. Cook: To move –

Page 1, line 10 – To insert after “**Hospital**”:

“ **and other associated Western Australian hospitals** ”.

=====

Telecommunications (Interception) Western Australia Amendment Bill 2010 (No. 145—1)

Clause 6.

Ms M.M. Quirk: To move –

Page 4, after line 4 – To insert:

“

- (4) In section 3(1) delete the definition **responsible Minister**.

”.

Clause 9.

Ms M.M. Quirk: To move –

To oppose the clause with a view to inserting in its place:

“

9. Section 6 deleted

Delete section 6.

”.

Clause 10.

Ms M.M. Quirk: To move –

Page 5, lines 9 to 14 – To delete the lines and substitute:

“

7. Documents to be given by Chief Officer to Commonwealth Minister

- (1) The Chief Officer is to give to the Commonwealth Minister —
 - (a) a copy of each warrant issued to the authority, and of each instrument under section 52 or 57 of the Commonwealth Act revoking such a warrant, as soon as practicable after the issue or revocation of the warrant;
 - (b) within 3 months after a warrant issued to the authority ceases to be in force, a written report about —
 - (i) the use made by the authority of information obtained by interceptions under the warrant; and
 - (ii) the communication of that information to persons other than officers of the authority; and
 - (c) as soon as practicable, and in any event within 3 months, after each 30 June, a written report that sets out the information that —
 - (i) Division 2 of Part IX of the Commonwealth Act requires to be set out in the Commonwealth Minister’s report under that Division relating to the year ending on that 30 June; and
 - (ii) can be derived from the authority’s records.
- (2) A report under subsection (1)(c) is to include a statement of the total expenditure (including expenditure of a capital nature) incurred by the eligible authority in connection with the execution of warrants during the year to which the report relates.

”.

New clauses.

Ms M.M. Quirk: To move –

Page 5, after line 15 – To insert:

“

11. Section 9 amended

Delete paragraph (b).

12. Section 11 amended

In section 11 delete wherever it appears “responsible Minister” and insert:

Commonwealth Minister

13. Section 12 amended

In section 12(b) delete “6(1)(a) or (b)” and insert:

7(1)(a) or (b)

14. Section 18 amended

In section 18(b) delete “responsible Minister” and insert:

Commonwealth Minister

- 15. Section 21 deleted**
Delete section 21.

”
.

PETER J. MCHUGH

Clerk of the Legislative Assembly