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Daily Notice Paper

LEGISLATIVE COUNCIL

TUESDAY, 11 MAY 2021
2.00pm

ORDER OF BUSINESS

Petitions, Statements by Ministers and Parliamentary Secretaries, Papers for Tabling, Notices of Questions, Notices of Motions for Disallowance, Notices of Motions to Introduce Bills, Notices of Motions, Questions without Notice, Motions Without Notice, Motions and Orders of the Day.

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MOTIONS

1. Select Committee into the Transparency and Accountability of Government — Establishment *(Notice given 29 April 2021)*

Continuation of remarks Minister for Regional Development 45 mins (Wednesday, 5 May 2021) on the motion of Hon Nick Goiran as follows —

(1) That a Select Committee into the Transparency and Accountability of Government is established.

(2) The Select Committee is to —

(a) inquire into the partial non-compliance by Hon Sue Ellery with an order of the Council made on 4 November 2020;

(b) identify and inquire into other instances of non-compliance during the 40th Parliament by Ministers with laws and conventions pertaining to transparency and accountability, including but not limited to compliance with section 82 of the *Financial Management Act 2006*;

(c) monitor compliance with such laws and conventions for the duration of the 41st Parliament and inquire into any instances of non-compliance;

(d) identify new proposals, initiatives and reforms that may enhance transparency and accountability of Ministers and the departments and agencies for which they are responsible; and

(e) consider any other relevant matter.

(3) The Select Committee shall consist of 5 members and comprise a majority of non-government members which is to include at least three members of the official opposition.

(4) The Chair of the Select Committee shall be a member of the official opposition.

(5) The Select Committee shall report from time to time on its progress and table its final report by no later than 28 November 2024.

Total time remaining on motion – 2hrs.

2. Cyclone Seroja and recent bushfires *(Notice given 29 April 2021)*

The Leader of the House: To move —

That this House acknowledges the devastating impact that cyclone Seroja and the recent bushfires have had on Western Australian communities and commends our emergency services for putting themselves in danger to protect Western Australians and to ensure the recovery of those communities.

3. Standing Committee on Environment and Public Affairs – Terms of Reference *(Notice given 29 April 2021)*

Hon Simon O'Brien: To move —

That with reference to Recommendation 5 of the *Final Report of the Select Committee into Local Government*, the Terms of Reference of the Standing Committee on Environment and Public Affairs be amended as follows —

(1) To insert after Term of Reference 2.3(a) —

(a) matters relating to local government;

(2) To renumber the paragraphs that follow accordingly.

ORDERS OF THE DAY

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1. Address-in-Reply

Resumption of debate adjourned Hon Colin de Grussa^ (Thursday, 6 May 2021), on the motion of Hon Pierre Yang as follows —

To His Excellency, The Honourable Kim Beazley, Companion of the Order of Australia, Governor in and over the State of Western Australia and its dependencies in the Commonwealth of Australia.

May it please Your Excellency: We, the Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled, beg to express our loyalty to our most gracious sovereign and thank Your Excellency for the speech you have been pleased to deliver to Parliament.

(^Hon Martin Pritchard — 29 mins (*by leave*))

2. Joint Standing Committee on Delegated Legislation — Establishment *(Notice given 29 April 2021)*

The Leader of the House to move —

That the Legislative Assembly be invited to agree to the rules and orders of the Legislative Council contained in the Schedule for the constitution, powers and procedure of a Joint Standing Committee on Delegated Legislation.

SCHEDULE

10. Joint Delegated Legislation Committee

10.1 A *Joint Delegated Legislation Committee* is established.

10.2 The Committee consists of 8 Members, 4 of whom are appointed from each House. The Chair must be a Member of the Committee who supports the Government.

10.3 A quorum is 4 Members of whom at least one is a Member of the Council and one a Member of the Assembly.

10.4 (a) A report of the Committee is to be presented to each House by a Member of each House appointed for the purpose by the Committee.

(b) Where a notice of motion to disallow an instrument has been given in either House pursuant to recommendation of the Committee, the Committee shall present a report to both Houses in relation to that instrument prior to the House's consideration of that notice of motion. If the Committee is unable to report a majority position in regards to the instrument, the Committee shall report the contrary arguments.

10.5 Upon its publication, whether under section 41(1)(a) of the *Interpretation Act 1984* or another written law, an instrument stands referred to the Committee for consideration.

10.6 In its consideration of an instrument, the Committee is to inquire whether the instrument –

(a) is within power;

(b) has no unintended effect on any person's existing rights or interests;

(c) provides an effective mechanism for the review of administrative decisions; and

(d) contains only matter that is appropriate for subsidiary legislation.

10.7 It is also a function of the Committee to inquire into and report on –

(a) any proposed or existing template, *pro forma* or model local law;

(b) any systemic issue identified in 2 or more instruments of subsidiary legislation; and

(c) the statutory and administrative procedures for the making of subsidiary legislation generally, but not so as to inquire into any specific proposed instrument of subsidiary legislation that has yet to be published.

10.8 The Standing Orders of the Legislative Council relating to Standing Committees will be followed as far as they can be applied.

10.9 In this order –

"instrument" means –

(a) subsidiary legislation in the form in which, and with the content it has, when it is published;

(b) an instrument, not being subsidiary legislation, that is made subject to disallowance by either House under a written law;

"subsidiary legislation" has the meaning given to it by section 5 of the *Interpretation Act 1984*.

3. Joint Standing Committee on Audit — Establishment *(Notice given 29 April 2021)*

The Leader of the House: To move —

That the Legislative Assembly be invited to agree to the rules and orders of the Legislative Council contained in the Schedule for the constitution, powers and procedure of a Joint Standing Committee on Audit.

SCHEDULE

7. Joint Audit Committee

7.1 A *Joint Audit Committee* is established.

7.2 The Committee consists of the Members of the Legislative Council Standing Committee on Estimates and Financial Operations and the Members of the Legislative Assembly Public Accounts Committee.

7.3 The Chair of the Standing Committee on Estimates and Financial Operations will be the Chair of the Joint Audit Committee.

7.4 The Standing Orders of the Legislative Council relating to Standing Committees will be followed as far as they can be applied.

BILLS REFERRED TO COMMITTEES

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1. Statutes (Repeals and Minor Amendments) Bill 2021 *[LC 2–1] Parliamentary Secretary to the Attorney General*

Now stands referred to the Standing Committee on Uniform Legislation and Statutes Review.

Second reading adjourned (Thursday, 6 May 2021).

* For amendments see Supplementary Notice Paper and/or Committee Report

Ω Note: Legislative Assembly Standing Orders apply.

For a list of all Petitions tabled see cumulative Tabled Paper list.

NIGEL PRATT
Clerk of the Legislative Council