

WESTERN AUSTRALIA

LEGISLATIVE ASSEMBLY

VOTES AND PROCEEDINGS

No. 157

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

THURSDAY, 16 NOVEMBER 2023

1. Meeting of Assembly

The Assembly met at 9.00 am pursuant to adjournment.

The Deputy 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 –

Architects Board of Western Australia – Annual Report 2022–2023 (2523).

Commissioner for Children and Young People – Stand Up, Be Heard (2524).

Commissioner for Children and Young People – The health and wellbeing of children and young people with disability and complex needs: Insights from the Speaking Out Survey 2021 (2525).

3. Brief Ministerial Statements

Brief Ministerial Statements were made by –

The Minister for Transport on the support for regional school bus services.

The Minister for Transport on the Swan River Crossings project.

The Attorney General on the work of the Family Court of Western Australia in response to family violence.

The Minister for Mines and Petroleum on the name change of the Department of Mines, Industry Regulation and Safety to the new name of the Department of Energy, Mines, Industry Regulation and Safety .

The Minister for Local Government on the Perth CBD activation program.

The Minister for Local Government on the review of the *Cemeteries Act 1986* and the *Cremation Act 1929*.

Paper

The following paper was presented and ordered to lie upon the Table of the House –
By the Minister for Local Government –

Local Government, Sport and Cultural Industries, Department of – Review of the
Cemeteries Act 1986 and Cremation Act 1929 – Discussion Paper (2526).

The Minister for Seniors and Ageing on WA Seniors Week 2023.

The Minister for Disability Services on International Day of People with Disability.

The Minister for Prevention of Family and Domestic Violence on the upcoming 16 Days in WA campaign.

The Minister for Child Protection on the awarding of the Youth Focus Sector Collaboration Award at the WA Youth Awards to Home Stretch WA Community Practice

4. Grievances

The Deputy Speaker called for grievances which were then made.

5. Joint Standing Committee on Delegated Legislation

Mr G. Baker, as Chair, presented the following report which was ordered to lie upon the Table of the House –

Delegated Legislation, Joint Standing Committee on – City of Gosnells Bush Fire Brigade Local Law 2023, Report 4 (2527).

6. Joint Standing Committee on the Commissioner for Children and Young People

Mrs R.M.J. Clarke, as Chair, presented the following report which was ordered to lie upon the Table of the House –

Commissioner for Children and Young People, Joint Standing Committee on the – Annual Report 2022–2023, Report 7 (2528).

7. Suspension of Standing Orders – Stolen Wages Apology

The Leader of the House, pursuant to notice, moved,

That so much of the Standing Orders be suspended as is necessary to enable the Premier to move the following motion immediately after Prayers on Tuesday, 28 November 2023 –

That this House formally acknowledges and apologises to Aboriginal and Torres Strait Islander people who worked in Western Australia, between 1936 and 1972, for little or no wages.

Debate ensued.

Question put and passed.

8. Health Practitioner Regulation National Law Application Bill 2023

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

CONSIDERATION IN DETAIL

Clauses 1 to 32 agreed to.
 Clause 33 put and negatived.
 New Clause 33.
 The Minister for Health moved,

Page 17, after line 13 — To insert:

33. Section 242 replaced

Delete section 242 and insert:

242. Proceedings for offences

- (1) A proceeding for an offence against this Law is to be by way of summary proceeding before a court of summary jurisdiction.
- (2) A proceeding for an offence against a provision of Division 10 of Part 7 or section 196A(1) may be commenced at any time.

New Clause 33 agreed to.
 Clauses 34 to 54 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.

9. Electricity Industry Amendment (Alternative Electricity Services) Bill 2023

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 (Ms C.M. Rowe speaking) and adjourned until a later stage of the sitting.

10. Members' Statements

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

11. Distinguished Visitor

The Speaker noted the presence in the Speaker's Gallery of the Consul General of Malaysia, Mr Ahmad Fikri Zakian.

12. Questions

Questions without Notice were taken.

13. Main Roads Amendment Bill 2023

Message No. 114 dated 15 November 2023 from the Legislative Council was reported agreeing to the bill without amendment.

14. Electoral Amendment (Finance and Other Matters) Bill 2023

Message No. 115 dated 16 November 2023 from the Legislative Council was reported as follows –

Madam Speaker

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Electoral Amendment (Finance and Other Matters) Bill 2023* 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 Electoral Amendment (Finance and Other Matters) Bill 2023

No. 1

Clause 61, Page 71, line 21 — To delete “Friday” and insert:

Thursday

No. 2

Clause 78, Page 97, lines 1 to 6 — To delete the lines and insert:

- (j) in paragraph (c) delete “or deputy returning officer, who shall forthwith,” and insert:

for the whole of State electorate or returning officer for a district who must,

No. 3

Clause 128, Page 244, after line 20 — To insert:

eligible SCA nominee, in relation to a political entity, means —

- (a) for an endorsed candidate — the political party that endorsed the candidate; or
- (b) for a candidate included in a group — the group; or
- (c) for an elected member —
 - (i) if the elected member is a member of a political party — the political party; or
 - (ii) if the member is a member of a group — the group;
 or
- (d) for an associated entity — a political party, or the party group of a political party, to which the associated entity relates;

No. 4

Clause 128, Page 245, line 25 — To delete the line and insert:

Penalty for this subsection:

No. 5

Clause 128, Page 245, after line 28 — To insert:

- (2) Subsection (1) does not apply if —
- (a) a political entity (the *relevant political entity*) who or which is not a group, political party or third-party campaigner, does not have a State campaign account because the relevant political entity intends to make use of the State campaign account of another political entity; and
 - (b) the other political entity is an eligible SCA nominee in relation to the relevant political entity; and
 - (c) the other political entity consents to make payments for electoral expenditure on behalf of the relevant political entity out of the other political entity's State campaign account; and
 - (d) the responsible person for the relevant political entity lodges a notice under section 175LN(1).

No. 6

Clause 128, Page 246, lines 5 and 6 — To delete the lines and insert:

- (a) that the political entity —
 - (i) has a State campaign account; or
 - (ii) intends to make use of the State campaign account of another political entity named in the notice that is an eligible SCA nominee in relation to the political entity and has given the consent mentioned in section 175LM(2)(c);
 and

No. 7

Clause 128, Page 246, line 12 — To delete “subsection (1)(b) or (c)” and insert:

this section

No. 8

Clause 128, Page 246, lines 16 to 18 — To delete “stating the changes within the period of 5 business days after the day on which the change occurs.” and insert:

stating, within the period of 5 business days after the day on which the change occurs, details about the changes to the information, including —

- (a) if the change is that a new State campaign account is established — the information about that State campaign account mentioned in subsection (1)(b) and (c); and
- (b) if the change is that the political entity intends to make use of the State campaign account of another political entity — that the other political entity is an eligible SCA nominee in relation to the relevant political entity and has given the consent mentioned in section 175LM(2)(c).

No. 9

Clause 180, Page 352, after line 11 — To insert:

- (2A) For the purposes of sections 175LM, 175LN and 175U(1) and this section, the first participation day of a person who is, on commencement day, an elected member is the day on which the elected member was nominated for election at the most recent election for which they were a candidate.

No. 10

Clause 180, Page 352, after line 31 — To insert:

- (aa) the responsible person for the political entity complies with section 175LM(2) by the end of the period of 5 business days after commencement day; or

Ordered, That consideration in detail of Legislative Council Message No. 115 be made an Order of the Day for the next sitting of the Assembly.

15. Reserves Bill 2023

Message No. 116 dated 16 November 2023 from the Legislative Council was reported agreeing to the bill without amendment.

16. Variation to the Order of Business

Ordered, That consideration of Government Business Order of the Day No. 2 be resumed.

17. Electricity Industry Amendment (Alternative Electricity Services) Bill 2023

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 25 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 Energy moved, That the bill be now read a third time.

Debate ensued.

Question put and passed.

Bill read a third time and forwarded to the Legislative Council for concurrence.

18. Special Adjournment

The Leader of the House moved, That the House at its rising adjourn until Tuesday, 28 November 2023 at 1.00 pm.

Question put and passed.

19. Adjournment

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

Question put and passed.

The Assembly adjourned accordingly at 3.53 pm until Tuesday, 28 November 2023 at 1.00 pm.

Members present during any part of the day's proceedings – All the members except Mr S.N. Aubrey, Dr A.D. Buti, Ms L. Dalton, Ms M.J. Davies, Ms J.L. Hanns, Ms A.E. Kent, Mr S.A. Millman, Ms R.S. Stephens, Mr P.C. Tinley and Ms C.M. Tonkin.

KIRSTEN M. ROBINSON
Clerk of the Legislative Assembly

HON. MICHELLE H. ROBERTS
Speaker of the Legislative Assembly