

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 116

FIRST SESSION OF THE FORTY-FIRST PARLIAMENT

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TUESDAY, 28 MARCH 2023

### 1. Meeting of Assembly

The Assembly met at 1.00 pm 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 – Opinions on Ministerial Notifications – Tourism WA's Campaign Expenditure, Report No. 18, 27 March 2023 (Received by the Clerk of the Legislative Assembly and deemed tabled on 27 March 2023) (1875).

Local Government Act 1995 – Local Laws (Shire of Augusta Margaret River Cat Local Law 2023 G.G. 24/03/2023) (1876).

Local Government Act 1995 – Local Laws (Shire of Waroona Health Amendment Local Law 2023 G.G. 21/03/2023) (1877).

Mental Health Act 2014 – Regulations (Mental Health Amendment Regulations 2023 G.G. 24/03/2023) (1878).

Work Health and Safety Act 2020 – Regulations (Work Health and Safety Regulations Amendment Regulations 2023 G.G. 24/03/2023) (1879).

### 3. Notices of Motion

### 4. Removal of Order of the Day

The Speaker advised that Private Members' Business Order of the Day, State-Owned Electricity Networks, had not been debated for more than 12 calendar months and had been removed from the Notice Paper.

## 5. Expiration of Notices of Motion

The Speaker advised that Private Members' Business Notices of Motion Nos 1 and 2, given on 22 February 2022 and renewed for a further 30 sitting days on 13 September 2022, would not appear on the next Notice Paper.

## 6. Suspension of Standing Orders

The Leader of the House, without notice, moved, That so much of the Standing Orders be suspended as is necessary to enable the Criminal Investigation Amendment (Validation) Bill 2023 to be introduced forthwith without notice and to proceed through all stages without delay between the stages.

Debate ensued.

Question put.

The Speaker having counted the House, and an absolute majority being present and there being no dissentient voice, declared the motion to be carried with the concurrence of an absolute majority of the whole number of members of the House.

## 7. Criminal Investigation Amendment (Validation) Bill 2023

The Minister for Police, pursuant to the foregoing motion, moved,

That a bill for "An Act to amend the *Criminal Investigation Act 2006*." be introduced and read a first time.

Question put and passed.

The Minister for Police presented an explanatory memorandum and bill read a first time.

The Minister for Police moved, That the bill be now read a second time.

Debate ensued.

Question put and passed.

Bill read a second time.

### *CONSIDERATION IN DETAIL*

Clauses 1 to 5 agreed to.

Title agreed to.

Consideration in detail concluded.

The Minister for Police 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.

## 8. Nickel (Agnew) Agreement Amendment Bill 2023

The Minister for State Development, Jobs and Trade, pursuant to notice, moved,

That a bill for "An Act to amend the *Nickel (Agnew) Agreement Act 1974*." be read a first time.

Question put and passed.

The Minister for State Development, Jobs and Trade presented an explanatory memorandum and bill read a first time.

The Minister for State Development, Jobs and Trade moved, That the bill be now read a second time.

Mr P.J. Rundle moved, That the debate be adjourned.

Question put and passed.

## 9. Questions

Questions without Notice were taken.

## 10. Additional Information

The Minister for Aboriginal Affairs provided additional information relating to Question without Notice No. 199 from Ms M.J. Davies.

## 11. Directors' Liability Reform Bill 2022

The Order of the Day for the consideration in detail of Legislative Council Message No. 91 was read.

The Message was as follows –

The Legislative Council acquaints the Legislative Assembly that it has agreed to the *Directors' Liability Reform Bill 2022* 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 Directors' Liability Reform Bill 2022*

### No. 1

Clause 2, page 3, after line 24 — To insert:

- (ha) section 145A —
  - (i) if the *Swan and Canning Rivers Management Act 2023* section 7 comes into operation on or before assent day — immediately after section 145 of this Act comes into operation; or
  - (ii) otherwise — when the *Swan and Canning Rivers Management Act 2023* section 7 comes into operation;

### No. 2

New Clause 145A, page 56, after line 2 — To insert:

#### 145A. Section 121A amended

In section 121A in the Table delete “s. 32(5)” and insert:

s. 32B(2)

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*Speaker's Statement – Typographical error in Legislative Council Message No. 91*

The Deputy Speaker advised members that the Speaker received today a letter from the Acting Clerk of the Legislative Council in the following terms:

I refer to Legislative Council Message No. 91, in which the Council seeks the Legislative Assembly's concurrence with an attached schedule of amendments to the Directors' Liability Reform Bill 2022.

Please note that in Amendment No. 1 of the Schedule, an identical error has been made in two separate places to the title of the Swan and Canning Rivers Management Amendment Act 2023.

Specifically, the word "Amendment" has been accidentally omitted.

In the Acting Clerk's opinion in both cases this is an obvious typographical error which, in the event that the Assembly agrees to the Council's Amendment No. 1 as passed by the Council, shall be corrected during preparation of the Bill for assent.

Accordingly, the Speaker advises that if the amendments are agreed to by the Assembly, the typographical errors will be corrected as part of the preparation of the Bill for Assent.

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*CONSIDERATION IN DETAIL*

The Attorney General moved, That amendment Nos 1 and 2 be agreed to.

Amendments agreed to.

Consideration in detail concluded and the Legislative Council acquainted accordingly.

**12. Workers Compensation and Injury Management Bill 2023**

**Workers Compensation and Injury Management Amendment Bill 2023**

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

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*Cognate Debate*

Leave was granted to debate the Workers Compensation and Injury Management Amendment Bill 2023 in conjunction with the Workers Compensation and Injury Management Bill 2023.

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Debate resumed.

The Leader of the House moved, That the debate be adjourned.

Question put and passed.

**13. Criminal Investigation Amendment (Validation) Bill 2023**

Message No. 96 dated 28 March 2023 from the Legislative Council was reported agreeing to the bill without amendment.

**14. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly at 6.44 pm until Wednesday, 29 March 2023 at 12.00 noon.

*Members present during any part of the day's proceedings* – All the members except Ms L. Dalton, Ms D.G. D'Anna, Ms M.J. Davies and Mr M. Hughes.

**KIRSTEN M. ROBINSON**  
Clerk of the Legislative Assembly

**HON. MICHELLE H. ROBERTS**  
Speaker of the Legislative Assembly