

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## NOTICES AND ORDERS OF THE DAY

No. 6

THURSDAY, 25 MAY 2017, 9.00 am

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Prayers \*

Petitions

Papers

Giving Notices of Motion

Brief Ministerial Statements \*

Questions Without Notice – approximately 2.00 pm each day

*\* Note: On days when the Assembly meets at 2.00 pm Brief Ministerial Statements and Questions Without Notice will follow immediately after Prayers.*

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**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](http://www.parliament.wa.gov.au).*

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### BUSINESS OF THE ASSEMBLY – ORDERS OF THE DAY

**1. \*Joint Standing Committee on Delegated Legislation**

(Leader of the House)

Consideration in detail of Legislative Council Message No. 1.

**2. \*Joint Standing Committee on Audit**

(Leader of the House)

Consideration in detail of Legislative Council Message No. 2.

**3. \*Joint Standing Committee on the Corruption and Crime Commission**

(Leader of the House)

Consideration in detail of Legislative Council Message No. 3.

**4. \*Joint Standing Committee on the Commissioner for Children and Young People**

(Leader of the House)

Consideration in detail of Legislative Council Message No. 4.

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### GOVERNMENT BUSINESS – ORDERS OF THE DAY

**1. Address-in-Reply**

Adjourned debate (Leader of the House).

- 2. Local Government Amendment (Auditing) Bill 2017** (Minister for Local Government)  
(No. 3, 2r. – 16/05/17)

Second reading. Adjourned debate (Ms L. Mettam).

- 3. Misuse of Drugs Amendment (Methylamphetamine Offences) Bill 2017**  
(Minister for Police) (No. 6, 2r. – 16/05/17)

Second reading. Adjourned debate (Ms L. Mettam).

- 4. Sentence Administration Amendment Bill 2017** (Attorney General) (No. 8, 2r. – 17/05/17)

Second reading. Adjourned debate (Ms L. Mettam).

- 5. Supply Bill 2017** (Treasurer) (No. 2, 2r. – 17/05/17)

Second reading. Adjourned debate (Ms L. Mettam).

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## NOTICES AND AMENDMENTS

### *Joint Standing Committee on Delegated Legislation*

Legislative Council Message No. 1.

The Legislative Council acquaints the Legislative Assembly that it has passed the following resolution and invites the Legislative Assembly to concur with the resolution –

*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.*

A copy of the proposed Standing Orders Clause 10 of Schedule 1 is attached.

### 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.
- 10.4 (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 In relation to the constitution, powers and procedure of the Joint Standing Committee on Delegated Legislation —

- (a) The Standing Orders applicable to committees of the Legislative Council will apply to the Committee's proceedings except to the extent that they impinge upon the functioning of the Committee;
- (b) Legislative Assembly Standing Orders 249(1), (2) and (3), 252, 254, 262, 263 and 264 will apply to the Legislative Assembly Members of the Committee;
- (c) Any Member of the Legislative Council or Legislative Assembly may participate in the taking of oral evidence by the Committee, and by leave of the Committee, its deliberations and proceedings but may not vote, move any motion, or be counted for the purpose of a quorum;
- (d) Leave under (c) may be given only for a specific inquiry, but any Member of the Legislative Council or Legislative Assembly may be given leave in relation to more than one inquiry.

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*.

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***Joint Standing Committee on Audit***

Legislative Council Message No. 2.

The Legislative Council acquaints the Legislative Assembly that it has passed the following resolution and invites the Legislative Assembly to concur with the resolution -

*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.*

A copy of Standing Orders Clause 7 of Schedule 1 is attached.

**EXTRACT FROM LEGISLATIVE COUNCIL STANDING ORDERS**

**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.

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***Joint Standing Committee on the Corruption and Crime Commission***

Legislative Council Message No. 3.

The Legislative Council acquaints the Legislative Assembly that in response to Legislative Assembly Message No. 2, the Legislative Council agrees to the Legislative Assembly's resolution and appoints the following Members to the Joint Standing Committee on the Corruption and Crime Commission —

Hon Jim Chown; and

Hon Alison Xamon.

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***Joint Standing Committee on the Commissioner for Children and Young People***

Legislative Council Message No. 4.

The Legislative Council acquaints the Legislative Assembly that in response to Legislative Assembly Message No. 3, the Legislative Council agrees to the Legislative Assembly's resolution and appoints the following Members to the Joint Standing Committee on the Commissioner for Children and Young People —

Hon Dr Sally Talbot; and

Hon Donna Faragher.

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**KIRSTEN M. ROBINSON**

Clerk of the Legislative Assembly