

LEGISLATIVE ASSEMBLY

NOTICES AND ORDERS OF THE DAY

No. 152

WEDNESDAY, 8 NOVEMBER 2023, 12.00 noon

Acknowledgement of Country

Prayers

Petitions

Papers

Giving Notices of Motion

Brief Ministerial Statements

Questions Without Notice

– approximately 2.00 pm each day

Matter of Public Interest

– one per week on any day

Private Members' Business

– 4.00 pm to 7.00 pm Wednesdays

Grievances

– approximately 9.00 am Thursdays

Private Members' Statements

– 12.50 pm Thursdays

BILLS – NOTICES OF MOTION

1. **State Superannuation Amendment Bill 2023** (Notice given – 7/11/23)

The Treasurer: To move –

That a Bill for “An Act to amend the *State Superannuation Act 2000*.” be introduced and read a first time.

GOVERNMENT BUSINESS – ORDERS OF THE DAY

1. ***Western Australian Marine Amendment Bill 2023**

(Minister Assisting the Minister for Transport) (No. 135, 2r. – 18/10/23)

Second reading. Adjourned debate (Mr P.J. Rundle).

2. **Planning and Development Amendment Bill 2023** (Minister for Planning)

(No. 132, 2r. – 18/10/23)

Second reading. Adjourned debate (Mr P.J. Rundle).

3. **Health Practitioner Regulation National Law Application Bill 2023**

(Minister for Health) (No. 131, 2r. – 11/10/23)

Second reading. Adjourned debate (Minister for Ports).

4. **Mining Amendment Bill 2023** (Minister for Mines and Petroleum)

(LC No. 107, 2r. – 22/6/23)

Second reading. Adjourned debate (Ms M. Beard).

5. Criminal Investigation Amendment (Protection of Law Enforcement Animals) Bill 2023 (Minister for Police) (No. 128, 2r. – 30/8/23)

Second reading. Adjourned debate (Mr P.J. Rundle).

6. Statutes (Repeals and Minor Amendments) Bill 2021 (Attorney General) (LC No. 2, 2r. – 24/11/22) (last debated – 19/10/23)

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

7. Legal Deposit Amendment Bill 2023 (Minister for Culture and the Arts) (LC No. 104, 2r. – 22/6/23)

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

8. Guardianship and Administration Amendment (Medical Research) Bill 2023 (Attorney General) (LC No. 102, 2r. – 23/3/23)

Second reading. Adjourned debate (Ms M.J. Hammat – continuation of remarks).

9. Electricity Industry Amendment (Alternative Electricity Services) Bill 2023 (Minister for Energy) (No. 126, 2r. – 16/8/23)

Second reading. Adjourned debate (Mr P.J. Rundle).

10. Vocational Education and Training Amendment Bill 2023 (Minister for Training) (No. 129, 2r. – 30/8/23)

Second reading. Adjourned debate (Mr P.J. Rundle).

11. Public Education Endowment Repeal Bill 2023 (Minister for Education) (No. 133, 2r. – 11/10/23)

Second reading. Adjourned debate (Mr P.J. Rundle).

12. Premier's Statement

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

PRIVATE MEMBERS' BUSINESS – NOTICES OF MOTION

1. Western Australian Housing (Notice given – 7/11/23)

Mr R.S. Love: To move –

That this House condemns the WA Labor Government for failing to prevent the worsening housing crisis, with record numbers of builders and construction businesses folding each week, and West Australians struggling to keep a roof over their heads, despite having seven years to take action.

PRIVATE MEMBERS' BUSINESS – ORDERS OF THE DAY

1. Referral to the Public Accounts Committee (Moved – 16/11/22)

Adjourned debate (Ms C.M. Rowe) on the motion moved by Mr P.J. Rundle –

That this House requests the Public Accounts Committee to inquire into and report by 31 May 2023 on the Public Trustee's administration of trusts and deceased estates, including –

- (1) inviting submissions from the public regarding experiences with the Public Trustee;
- (2) reviewing the implications of a self-funded model of delivery on estates and trusts under the responsibility of the Public Trustee;

- (3) reviewing the fees and charges of the Public Trustee together with the communication protocols used for informing clients of the statements of their estates and trusts;
- (4) reviewing level of fee subsidisation across estates and trusts; and
- (5) reviewing supplier policies and procedures.

2. Western Australia's Education System (Moved – 16/11/22)

Adjourned debate (Parliamentary Secretary to the Minister for Education and Training – continuation of remarks) on the motion moved by Mr P.J. Rundle –

That this House calls on the McGowan Labor Government to take responsibility for the mess of Western Australia's education system and take immediate action to address systemic issues impacting students and staff.

3. Management of the Health System in Western Australia (Moved – 23/11/22)

Adjourned debate (Mr S.A. Millman – continuation of remarks) on the motion moved by Ms L. Mettam –

That this House condemns the Minister for Health and the McGowan Government for their shambolic management of the health system which has a series of failings and continues to put health workers and WA families across the state at risk.

4. Pressures impacting WA Households (Moved – 30/11/22)

Adjourned debate (Ms J.J. Shaw – continuation of remarks) on the motion moved by Ms M.J. Davies –

That this House condemns the McGowan Labor Government's failure to address the rising crises across multiple portfolios, including the failure to respond to the pressures impacting Western Australian households, despite sitting on a massive \$6 billion surplus.

5. Crime and Crucial Services (Moved – 22/2/23)

Adjourned debate (Minister for Police – continuation of remarks) on the motion moved by Mr R.S. Love –

That the House condemns the McGowan Labor Government for their gross neglect of crucial services which has allowed crime to run rampant and exposed communities to unprecedented levels of criminality.

6. Western Australia's Health System (Moved – 15/3/23)

Adjourned debate (Minister for Health – continuation of remarks) on the motion moved by Ms L. Mettam –

That the House condemns the McGowan Government for its failure to implement key recommendations from the three different inquiries into Aishwarya Aswath's death at Perth Children's Hospital and its ongoing failures to understand, acknowledge and manage the challenges facing the health system, putting patients and staff at risk.

7. Housing Crisis (Moved – 22/3/23)

Adjourned debate (Mr D.A.E. Scaife – continuation of remarks) on the motion moved by Mr R.S. Love –

That the House implores the McGowan Labor Government take a state-wide, holistic look at the housing crisis and consider innovative solution to prevent the housing crisis from worsening.

8. Cost of Living Pressures on West Australian Households (Moved – 29/3/23)

Adjourned debate (Minister for Early Childhood Education – continuation of remarks) on the motion moved by Mr R.S. Love –

That this House decries the McGowan Labor Government for its failure to deliver key services and meet budget commitments, compounding cost of living pressures on West Australian households.

9. Western Australian Families and Households (Moved – 10/5/23)

Adjourned debate (Ms M.J. Hammat – continuation of remarks) on the motion moved by Mr R.S. Love –

That this House calls upon the McGowan Labor Government to use the upcoming 23/24 State Budget to address the many failures impacting Western Australian families and households.

10. Regional Communities (Moved – 17/5/23)

Adjourned debate (Ms J.L. Hanns – continuation of remarks) on the motion moved by Mr R.S. Love –

That this House condemns the out-of-sight out-of-mind approach of this McGowan Labor Government to regional communities, which deserve better than six years of harmful neglect and systematic disenfranchisement from this Labor Government.

11. Ministerial Portfolios (Moved – 14/6/23)

Adjourned debate (Minister for Ports – continuation of remarks) on the motion moved by Mr R.S. Love –

That this House laments the failure of the Premier to put in place a refreshed Cabinet in the recent reshuffle, given the multiple failures across a range of portfolios.

12. WA Health System (Moved – 21/6/23)

Adjourned debate (Dr J. Krishnan – continuation of remarks) on the motion moved by Ms L. Mettam –

That the House condemns the six years of mismanagement of the WA health system by the WA Labor Government, with dangerous staffing levels, unacceptable elective surgery wait times, and a shocking range of issues across our health system putting patients lives and healthcare workers at risk.

13. Regional Representation in the Legislative Assembly (Moved – 9/8/23)

Adjourned debate (Ms C.M. Rowe) on the motion moved by Ms M.J. Davies –

That the House calls upon the WA Labor Government to amend the *Electoral Act 1907* to raise the calculation metric of the Large District Allowance from 1.5 percent to 3 percent thereby providing assurance of continued regional representation in this House, which Western Australian communities deserve.

14. Women's and Babies Hospital (Moved – 9/8/23)

Adjourned debate (Parliamentary Secretary to the Minister for Health – continuation of remarks) on the motion moved by Ms L. Mettam –

That this House condemns the WA Labor Government's decision to abandon the new Women's and Babies Hospital at QEII in Nedlands in favour of Fiona Stanley in Murdoch 20kms south of the city and not co-located with the Perth Children's Hospital, and calls on the Health Minister to listen to medical experts and family advocacy groups and rethink her Captain's call.

15. The Future of Energy in Western Australia (Moved – 16/8/23)

Adjourned debate (Minister for Energy – continuation of remarks) on the motion moved by Dr D.J. Honey –

This House condemns the WA Labor Government’s neglect of the State’s future of energy and its inability to safeguard a dependable energy supply, enable development, process approvals, and thereby risks Western Australia’s energy security and the economic development of our State.

16. Workforce and Industries Skills Supply in Western Australia (Moved – 30/8/23)

Adjourned debate (Mr T.J. Healy – continuation of remarks) on the motion moved by Mr R.S. Love –

That this House condemns the WA Labor Government’s stark failure to adequately address the ongoing skills crisis plaguing our State, failure to properly prioritise the fundamental needs of our workforce and industries, and inability to work with the Federal Labor Government to bolster our skills supply.

17. Prioritising Student needs in the WA Education System (Moved – 13/9/23)

Adjourned debate (Mr T.J. Healy – continuation of remarks) on the motion moved by Mr P.J. Rundle –

That this House condemns the WA Labor Government’s continued neglect of the State’s education system and acknowledges its failure to prioritise the needs of students throughout the entire State.

18. Primary Industries in WA (Moved – 20/9/23)

Adjourned debate (Ms J.L. Hanns – continuation of remarks) on the motion moved by Mr P.J. Rundle on behalf of Mr R.S. Love –

This House condemns the WA Labor Government for its blatant disregard for primary industries, as evidenced by the ill-considered fishing policies, its abrupt ban of native forest harvesting, and its failure to stand against Federal Labor’s devastating live sheep export ban, weakening the foundation of Western Australia’s economy and betraying the livelihoods of regional Western Australians.

19. WA Cook Labor Government (Moved – 11/10/23)

Adjourned debate (Deputy Premier – continuation of remarks) on the motion moved by Mr R.S. Love –

That this House condemns the WA Labor Government for its actions in the first 100 days of Premier Cook’s leadership – a leadership marked by government overreach and of arrogant dismissal of the concerns of West Australians, underscoring the urgent need for a change in government.

20. The Management of WA’s Health System (Moved – 18/10/23)

Adjourned debate (Ms H.M. Beazley – continuation of remarks) on the motion moved by Ms L. Mettam –

That this House condemns WA Labor’s years of neglect and mismanagement of the WA health system and its failure to prioritise patient safety and support our hardworking health workers.

* Denotes amendments appearing in the Notices and Amendments section of the Notice Paper.

‡ Denotes second reading debate on the bill is being undertaken cognately with a principal bill, and no further second reading debate will occur.

COMMITTEES TO REPORT

Committee	Date Due
Joint Standing Committee on the Corruption and Crime Commission: What happens next? Beyond a finding of serious misconduct.	30 November 2023
Education and Health Standing Committee: Inquiry into support for autistic children and young people in schools.	21 March 2024
Economics and Industry Standing Committee: Inquiry into matters relating to the WA Domestic Gas Policy.	30 May 2024
Community Development and Justice Standing Committee: Inquiry into the options available to survivors of institutional child sexual abuse in Western Australia who are seeking justice	20 June 2024
Public Accounts Committee: Inquiry into how the Western Australian Government's progress towards achieving Environmental, Social and Governance (ESG) outcomes is assisting to secure international investment	31 August 2024

GOVERNMENT RESPONSES TO COMMITTEE RECOMMENDATIONS

Committee	Ministers to Respond	Date Due
Economics and Industry Standing Committee: Report No. 5: A Long-term Partnership: Developing Stronger Ties with Indonesia	Premier; Minister for State and Industry Development; Public Sector Management; Federal-State Relations	17 November 2023
Joint Standing Committee on the Corruption and Crime Commission: Report No. 10: Annual Report 2022–23	Minister for Police	12 January 2024

NOTICES AND AMENDMENTS***Western Australian Marine Amendment Bill 2023 (No. 135 – 1)*****New Clause 4A**

The Minister Assisting the Minister for Transport — To move:

Page 5, after line 10 — To insert:

4A. Section 3A amended

- (1) In section 3A(1) delete “masters” and insert:

masters, pilots

- (2) In section 3A(2) delete “is connected with the State if the vessel is —” and insert:

connected with the State includes a vessel that is —

New Clause 4B

The Minister Assisting the Minister for Transport — To move:

Page 5, after line 10 — To insert:

4B. Section 6 amended

In section 6(1) in the definition of *official details* delete paragraph (b) and insert:

- (b) of an inspector — means the inspector’s full name and official title;

New Clause 4C

The Minister Assisting the Minister for Transport — To move:

Page 5, after line 10 — To insert:

4C. Part 2 Division 2 Subdivision 4 inserted

At the end of Part 2 Division 2 insert:

Subdivision 4 — Obtaining business records

18A. Terms used

In this Subdivision —

business means any business, including a business of a governmental body or instrumentality or of a local government, or any occupation, trade or calling;

business record means a record prepared or used in the ordinary course of a business for the purpose of recording any matter related to the business;

order to produce means an order issued under section 18D.

18B. Application of this Subdivision

- (1) An order to produce must not be issued under this Subdivision to a person in relation to a business record that relates or may relate to an offence that the person is suspected of having committed.
- (2) This Subdivision does not prevent an inspector from applying for a warrant in relation to a business record, whether before or after the issue of an order to produce.

18C. Application for order to produce

- (1) An inspector may apply for an order to produce a business record for the purpose of investigating a suspected contravention of this Act.
- (2) An application for an order to produce must be made in person to a JP.
- (3) An application for an order to produce a business record must —
 - (a) state the applicant's official details; and
 - (b) state the suspected contravention of this Act in relation to which the order is required; and
 - (c) state the grounds on which the applicant suspects that the contravention has occurred; and
 - (d) set out the prescribed information (if any); and
 - (e) state the name of the person to whom the order will apply; and
 - (f) state that the person is not suspected of having committed an offence under this Act to which the business record relates; and
 - (g) describe with reasonable particularity the business record or class of business record that the applicant wants the person to produce; and
 - (h) state the grounds on which the applicant suspects the business record or class of business record is relevant to the investigation; and
 - (i) state whether the original or a copy of the business record or class of business record is required.

18D. Issue of order to produce

- (1) On an application made under section 18C, a JP may issue an order to produce a business record if satisfied, by information on oath and in respect of each of the matters in section 18C(3) that the applicant suspects, that there are reasonable grounds for the applicant to have that suspicion.
- (2) However, the JP must not issue the order to produce unless the applicant or some other person has given the JP, either orally or by affidavit, any further information that the JP may require concerning the grounds on which the issue of the order to produce is sought.
- (3) An order to produce must contain the following information —
 - (a) the applicant's official details;
 - (b) the name of the person to whom the order applies;
 - (c) a reasonably particular description of the business record or class of business record to be produced by the person;
 - (d) an order that the person produce the record or records;
 - (e) whether the original or a copy of the record or records is required;
 - (f) whether a paper, electronic or other version of the record or records is required;
 - (g) the place where the record or records are to be produced;
 - (h) the date on or before which the order must be obeyed, which must allow a reasonable period for the person to obey the order;
 - (i) the name of the JP who issued the order;
 - (j) the date and time when the order was issued.
- (4) An order to produce must be in the prescribed form.
- (5) If a JP refuses to issue an order to produce, the JP must record on the application the fact of, the date and time of, and the reasons for, the refusal.

18E. Order to produce applied for remotely

- (1) An inspector may apply, by remote communication, to a JP for an order to produce under section 18C —
 - (a) in an urgent case; or
 - (b) if the inspector believes on reasonable grounds that a JP is not available within a reasonable distance of the inspector.
- (2) The JP must not issue the order to produce unless satisfied as to the matter in subsection (1)(a) or (b) (whichever is relevant).
- (3) The *Criminal Investigation Act 2006* section 13(5) to (8) apply in relation to an application under this section.

18F. Service of order to produce

- (1) An order to produce must be served on the person to whom it applies as soon as practicable after it is issued.

- (2) An order to produce may be served —
 - (a) by personal service or by post; or
 - (b) with the consent of the person to be served, by email or fax or in another agreed way.

18G. Effect of order to produce

- (1) An order to produce has effect according to its contents.
- (2) A person who is served with an order to produce and who, without reasonable excuse, fails to comply with it commits an offence.
Penalty for this subsection: a fine of \$5 000.

18H. Powers in relation to order to produce

- (1) An inspector to whom a business record is produced under an order to produce may retain it for a reasonable time to determine its evidentiary value.
- (2) An inspector to whom a business record is produced may, if necessary to preserve the evidentiary value of the document or to subject it to forensic analysis —
 - (a) seize the document; and
 - (b) whether or not the document is seized, inspect, examine, take measurements of or conduct tests on it; and
 - (c) make and retain a copy of it.
- (3) Section 40(1)(c) does not apply in relation to a thing seized under subsection (2)(a).
- (4) A person who produces a business record in compliance with an order to produce is not liable to any action or remedy by any person at common law for producing that document.

New Clause 4D

The Minister Assisting the Minister for Transport — To move:

Page 5, after line 10 — To insert:

4D. Section 38 amended

- (1) Delete section 38(2) and insert:
- (2) The following persons may request the inspector to give a copy of the thing or the information to that person —
 - (a) if the inspector seized the thing or information under section 18H(2)(a) — the person who produced the thing or the information to the inspector;

(b) otherwise — the occupier of the premises.

(2) In section 38(4) after “by the” insert:

person or

New Clause 5A

The Minister Assisting the Minister for Transport — To move:

Page 5, after line 12 — To insert:

5A. Section 64 amended

(1) In section 64 delete “64A and 64B —” and insert:

64A, 64B and 64D —

(2) In section 64 in the definition of *marine incident* paragraph (a) delete “pleasure vessel or a prescribed”.

New Clause 5B

The Minister Assisting the Minister for Transport — To move:

Page 5, after line 12 — To insert:

5B. Section 64A amended

(1) In section 64A(1):

(a) delete “pleasure vessel or a prescribed vessel is involved in a marine incident, the master of the vessel must,” and insert:

vessel is involved in a marine incident, the master of the vessel must do each of the following,

(b) in paragraph (a) delete “assistance; and” and insert:

assistance;

(c) in paragraph (b) delete “incident; and” and insert:

incident;

(2) Delete section 64A(2) and (3) and insert:

- (2) The master of a vessel commits a crime if —
- (a) the vessel is involved in a marine incident that occasions the death of, or grievous bodily harm or bodily harm to, a person; and
 - (b) the master, without reasonable excuse, fails to comply with subsection (1)(a) or (b) in relation to the incident.

Penalty for this subsection:

- (a) if the marine incident occasions the death of a person — imprisonment for 20 years;
- (b) if the marine incident occasions grievous bodily harm to a person — imprisonment for 14 years;
- (c) if the marine incident occasions bodily harm to a person — imprisonment for 10 years.

Summary conviction penalty for this subsection in a case in which the marine incident does not occasion the death of, or grievous bodily harm to, a person: imprisonment for 3 years.

- (2A) A court sentencing a person for an offence against subsection (2) must order that the person is disqualified from holding or obtaining a WA marine qualification as follows —
- (a) if the marine incident occasions the death of, or grievous bodily harm to, a person — for a period of not less than 2 years;
 - (b) if the marine incident occasions bodily harm to a person — for a period of not less than 12 months.
- (3) The master of a vessel commits an offence if the master, without reasonable excuse, fails to comply with subsection (1)(a), (b) or (c).

Penalty for this subsection: a fine of \$5 000.

New Clause 5C

The Minister Assisting the Minister for Transport — To move:

Page 5, after line 12 — To insert:

5C. Section 64B amended

- (1) In section 64B(1) delete “pleasure vessel or a prescribed”.
- (2) In section 64B(2):
 - (a) after “includes” insert:

each of
 - (b) delete the Penalty

(3) After section 64B(3) insert:

(3A) A person commits a crime if —

- (a) the person is the master or owner of a vessel; and
- (b) the vessel is involved in a marine incident that occasions the death of, or grievous bodily harm or bodily harm to, another person; and
- (c) the person, without reasonable excuse, fails to comply with subsection (2) in relation to the incident.

Penalty for this subsection:

- (a) if the marine incident occasions the death of, or grievous bodily harm to, a person — imprisonment for 10 years;
- (b) if the marine incident occasions bodily harm to a person — imprisonment for 12 months.

Summary conviction penalty for this subsection in a case in which the marine incident occasions the death of, or grievous bodily harm to, a person: imprisonment for 12 months.

(3B) A court sentencing a person for an offence against subsection (3A) must order that the person is disqualified from holding or obtaining a WA marine qualification for a period of not less than 12 months.

(3C) A person commits an offence if —

- (a) the person is the master or owner of a vessel; and
- (b) the person, without reasonable excuse, fails to comply with subsection (2).

Penalty for this subsection: a fine of \$2 000.

New Clause 5D

The Minister Assisting the Minister for Transport — To move:

Page 5, after line 12 — To insert:

5D. Section 64D inserted

After section 64C insert:

64D. Marine incidents: power to require responsible person to give information

(1) In this section —

responsible person, in relation to a vessel, means —

- (a) the master or owner of the vessel; or
- (b) another person who appears to be in possession or control of the vessel.

- (2) This section applies if a vessel is involved in a marine incident.
- (3) An inspector or police officer may require a responsible person for the vessel to give the inspector or police officer any information that —
 - (a) is in the responsible person's power to give; and
 - (b) may assist in identifying a person who was the master of the vessel, or operating or attempting to operate the vessel (as defined in section 75AA(1)), when the marine incident occurred.
- (4) A person who, without reasonable excuse, fails to comply with a requirement under subsection (3) commits an offence.

Penalty for this subsection:

- (a) if the marine incident occasions the death of, or grievous bodily harm or bodily harm to, a person — imprisonment for 12 months or a fine of \$3 000;
- (b) otherwise — a fine of \$3 000.

New Clause 7A

The Minister Assisting the Minister for Transport — To move:

Page 106, after line 14 — To insert:

7A. Section 79 amended

After section 79(2) insert:

- (3) The regulations referred to in subsection (1) may make provision for applying, adopting or incorporating, with or without modification, the Prevention of Collisions Convention.

New Clause 7B

The Minister Assisting the Minister for Transport — To move:

Page 106, after line 14 — To insert:

7B. Section 99 amended

- (1) Delete section 99(1)(k) and insert:

- (k) providing for the licensing of owners, masters, operators and crew of pleasure vessels and prescribed vessels, including —
 - (i) issuing licences; and
 - (ii) authorising the chief executive officer to grant exemptions in relation to licences; and

- (iii) assessing the competency of people to hold licences;
- (ka) providing for schemes for assessing the competency of people to hold licences in relation to owners, masters, operators and crew of pleasure vessels and prescribed vessels;

(2) After section 99(2) insert:

- (3) The *Interpretation Act 1984* section 43(8)(d) does not limit subsection (1)(k) or (ka).

New Clause 7C

The Minister Assisting the Minister for Transport — To move:

Page 106, after line 14 — To insert:

7C. Section 100 amended

In section 100(2)(b) after “64C,” insert:

64D,

New Clause 7D

The Minister Assisting the Minister for Transport — To move:

Page 106, after line 14 — To insert:

7D. Section 107 amended

In section 107 delete the definition of *marine qualification*.

New Clause 7E

The Minister Assisting the Minister for Transport — To move:

Page 106, after line 14 — To insert:

7E. Section 114 amended

Delete section 114(3)(b) and insert:

- (b) must not exceed —
 - (i) in relation to an offence under Part 3A or Part 3B or section 124GS(2) — \$2 000; or

- (ii) in relation to any other offence — 20% of the penalty specified for the offence.

New Clause 7F

The Minister Assisting the Minister for Transport — To move:

Page 106, after line 14 — To insert:

7F. Section 123 amended

Delete section 123(3) and insert:

- (3) The Minister, the chief executive officer, the Commissioner of Police, and the State are also relieved of any liability that any of them might otherwise have had for another person having done anything as described in subsection (1).

Clause 9

The Minister Assisting the Minister for Transport — To move:

Page 108, after line 12, the Table the 4th row — To delete the row and substitute:

s. 75DD(1)	Navigation of vessel while BAC is 0.08 or above and prescribed illicit drug present
s. 75HB(1)	Failure to comply with requirement: breath analysis, blood sample or stop vessel or navigate to specified place
s. 75HC(1)	Failure to comply with requirement: incident occasioning death, grievous bodily harm or bodily harm

The Minister Assisting the Minister for Transport — To move:

Page 109, lines 2 and 3 — To delete “75CA(1) or 75DA(1)” and substitute:

75CA(1), 75DA(1) or 75DD(1)

New Clause 11A

The Minister Assisting the Minister for Transport — To move:

Page 146, after line 5 — To insert:

11A. Section 133 amended

In section 133(5) delete the definition of *authorised person* and insert:

authorised person includes —

- (a) an inspector; and
- (b) in relation to a suspected offence under Part 3A or Part 3B or section 124GS(2) — a police officer;

Clause 14

The Minister Assisting the Minister for Transport — To move:

Page 150, line 2 — To delete “(a)” and substitute:

(a)(ii)

The Minister Assisting the Minister for Transport — To move:

Page 150, lines 5 and 6 — To delete “75BA(1), 75BA(2), 75BB(1) or 75BB(3); or” and substitute:

75BA(1) or 75BA(2); or

Clause 19

The Minister Assisting the Minister for Transport — To move:

Page 153, after line 7, before the row relating to s. 75B(1) — To insert:

s. 64A(2)	Failure of master to comply with render assistance duties in relation to marine incident occasioning death, grievous bodily harm or bodily harm
s. 64A(3)	Failure of master to comply with duties in relation to marine incident
s. 64B(3A)	Failure of master or owner to give report in relation to certain marine incidents occasioning death, grievous bodily harm or bodily harm
s. 64B(3C)	Failure of master or owner to give report in relation to certain marine incidents
s. 64D(4)	Failure of responsible person to give information in relation to marine incident

Clause 21

The Minister Assisting the Minister for Transport — To move:

Page 154, after line 12 — To insert:

- (1A) In Schedule 1 under the heading *The Criminal Code* in the rows relating to s. 284(3)(c) and s. 284(3)(d) delete “vehicle” and insert:

vehicle or vessel)

The Minister Assisting the Minister for Transport — To move:

Page 155, after line 3 — To insert:

- (2A) In Schedule 2 under the heading *The Criminal Code* in the rows relating to s. 284(3)(c) and s. 284(3)(d) delete “vehicle” and insert:

vehicle or vessel)

Clause 24

The Minister Assisting the Minister for Transport — To move:

Page 160, after line 3, before the row relating to s. 75B(1) — To insert:

s. 64A(2)	Failure of master to comply with render assistance duties in relation to marine incident occasioning death, grievous bodily harm or bodily harm
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KIRSTEN M. ROBINSON

Clerk of the Legislative Assembly