

WESTERN AUSTRALIA

# LEGISLATIVE ASSEMBLY

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## VOTES AND PROCEEDINGS

No. 61

FIRST SESSION OF THE THIRTY-EIGHTH PARLIAMENT

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THURSDAY, 12 NOVEMBER 2009

### 1. Meeting of Assembly

The Assembly met at 9.00 a.m. pursuant to adjournment.

The Speaker took the Chair.

Prayers were read.

### 2. Petitions

School Support Staff - Mrs M.H. Roberts presented a petition from 576 persons requesting issues facing Western Australian schools and their support staff be addressed by acting on the recommendations of the Twomey Taskforce(P. 173).

Shack Site Communities - Mr T.R. Buswell presented a petition from 54 persons requesting that Shack Site communities be preserved so Western Australians have affordable coastal holiday destinations for future generations (P. 174).

Liquor Control Act 1988 - Mrs C.A. Martin presented a petition from 368 persons requesting that the Act be amended to ensure a more consultative process regarding the prohibition of alcohol (P. 175).

West Beechboro Primary School - Mr M.P. Whitely presented a petition from 10 persons requesting that the fencing of West Beechboro Primary School be addressed (P. 176).

### 3. Papers

The following papers were presented and ordered to lie upon the Table of the House –

By the Clerk –

Official Travel - Report of Interstate and Overseas Travel Undertaken by Ministers, Members of Parliament and Officers on Official Business for the three months ended 31 March 2009 (1624).

Consultants Engaged by Government - Report for six months ended 30 June 2009 (1625).

Workers' Compensation and Injury Management Act 1981 - Rules (Workers' Compensation (DRD) Amendment Rules 2009 G.G. 06/11/2009) (1626).

#### **4. Brief Ministerial Statements**

Brief Ministerial Statements were made by –

The Treasurer on the implementation of shared corporate services across the Western Australian public sector.

The Minister for Lands on the future development plans for Broome, particularly the availability of land in the town.

The Minister for Citizenship and Multicultural Interests on the Ethnic Organisation Fund and his visit to the three funding recipients.

#### **5. Grievances**

The Speaker called for grievances which were then made.

#### **6. Joint Standing Committee on the Corruption and Crime Commission**

Mr J.N. Hyde, as Deputy Chairman, presented the following report which was ordered to lie upon the Table of the House –

Corruption and Crime Commission Joint Standing Committee on the - Parliamentary Inspector's Report into an Alleged Unauthorised Disclosure by the Corruption and Crime Commission, Report No. 6 (1627).

Mr J.N. Hyde spoke on the report.

#### **7. Variation to the Order of Business**

Ordered, That Bills Notice of Motion No. 1 be postponed to a later stage of the sitting.

#### **8. Variation to the Order of Business**

Ordered, That Government Business Notice of Motion No. 1 be postponed to a later stage of the sitting.

#### **9. Criminal Investigation Amendment Bill 2009**

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

#### *CONSIDERATION IN DETAIL*

Clauses 1 to 3.

Clauses put.

The Assembly divided.

## Ayes (51)

Mr P. Abetz  
 Mr F.A. Alban  
 Ms L.L. Baker  
 Mr C.J. Barnett  
 Mr I.C. Blayney  
 Mr J.J.M. Bowler  
 Mr I.M. Britza  
 Mr T.R. Buswell  
 Mr G.M. Castrilli  
 Mr V.A. Catania  
 Mr R.H. Cook  
 Mr M.J. Cowper  
 Mr J.H.D. Day  
 Mr J.M. Francis  
 Ms J.M. Freeman  
 Mr B.J. Grylls  
 Mrs L.M. Harvey

Mr J.N. Hyde  
 Mr A.P. Jacob  
 Dr G.G. Jacobs  
 Mr R.F. Johnson  
 Mr W.J. Johnston  
 Mr J.C. Kobelke  
 Mr A. Krsticevic  
 Mr F.M. Logan  
 Ms A.J.G. MacTiernan  
 Mr M. McGowan  
 Mr W.R. Marmion  
 Mrs C.A. Martin  
 Mr P.T. Miles  
 Ms A.R. Mitchell  
 Mr M.P. Murray  
 Dr M.D. Nahan  
 Mr A.P. O’Gorman

Mr P. Papalia  
 Mr C.C. Porter  
 Mr J.R. Quigley  
 Ms M.M. Quirk  
 Mr D.T. Redman  
 Mr E.S. Ripper  
 Mrs M.H. Roberts  
 Ms R. Saffioti  
 Mr A.J. Simpson  
 Mr T.G. Stephens  
 Mr M.W. Sutherland  
 Mr C.J. Tallentire  
 Mr A.J. Waddell  
 Mr T.K. Waldron  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Mr J.E. McGrath (*Teller*)

## Noes (1)

Ms A.S. Carles (*Teller*)

Question thus passed.

Clauses 1 to 3 thus agreed to.

New clause.

Ms M.M. Quirk moved,

Page 2, after line 9 – to insert:

“

**4. Section 10 amended**

(1) Before “ If under ” insert:

(1)

(2) At the end of section 10 insert:

(2) For the purposes of exercising powers under section 70A in the event that it is not practicable to secure the services of an interpreter an officer must hand to the person about to be searched and who the officer believes on reasonable grounds is unable to understand English a notice in a form prescribed by regulation and setting out in a number of languages that person’s rights and explaining the purpose and nature of the search about to be conducted.

”.

Mr J.E. McGrath moved, That the question be now put.

Question put.

The Assembly divided.

## Ayes (30)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr C.J. Barnett  
 Mr I.C. Blayney  
 Mr J.J.M. Bowler  
 Mr I.M. Britza  
 Mr T.R. Buswell  
 Ms A.S. Carles  
 Mr G.M. Castrilli  
 Mr V.A. Catania

Mr M.J. Cowper  
 Mr J.H.D. Day  
 Mr J.M. Francis  
 Mr B.J. Grylls  
 Mrs L.M. Harvey  
 Mr A.P. Jacob  
 Dr G.G. Jacobs  
 Mr R.F. Johnson  
 Mr A. Krsticevic  
 Mr W.R. Marmion

Mr P.T. Miles  
 Ms A.R. Mitchell  
 Dr M.D. Nahan  
 Mr C.C. Porter  
 Mr D.T. Redman  
 Mr A.J. Simpson  
 Mr M.W. Sutherland  
 Mr T.K. Waldron  
 Dr J.M. Woollard  
 Mr J.E. McGrath (*Teller*)

## Noes (23)

Ms L.L. Baker  
 Mr R.H. Cook  
 Ms J.M. Freeman  
 Mr J.N. Hyde  
 Mr W.J. Johnston  
 Mr J.C. Kobelke  
 Mr F.M. Logan  
 Ms A.J.G. MacTiernan

Mr M. McGowan  
 Mrs C.A. Martin  
 Mr M.P. Murray  
 Mr A.P. O’Gorman  
 Mr P. Papalia  
 Mr J.R. Quigley  
 Ms M.M. Quirk  
 Mr E.S. Ripper

Mrs M.H. Roberts  
 Mr T.G. Stephens  
 Mr C.J. Tallentire  
 Mr A.J. Waddell  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Ms R. Saffioti (*Teller*)

Question thus passed.

On the question, That the new clause be inserted,

Amendment put.

The Assembly divided.

## Ayes (23)

Ms L.L. Baker  
 Mr R.H. Cook  
 Ms J.M. Freeman  
 Mr J.N. Hyde  
 Mr W.J. Johnston  
 Mr J.C. Kobelke  
 Mr F.M. Logan  
 Ms A.J.G. MacTiernan

Mr M. McGowan  
 Mrs C.A. Martin  
 Mr M.P. Murray  
 Mr A.P. O’Gorman  
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 Ms M.M. Quirk  
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 Mrs L.M. Harvey  
 Mr A.P. Jacob  
 Dr G.G. Jacobs  
 Mr R.F. Johnson  
 Mr A. Krsticevic  
 Mr W.R. Marmion

Mr P.T. Miles  
 Ms A.R. Mitchell  
 Dr M.D. Nahan  
 Mr C.C. Porter  
 Mr D.T. Redman  
 Mr A.J. Simpson  
 Mr M.W. Sutherland  
 Mr T.K. Waldron  
 Dr J.M. Woollard  
 Mr J.E. McGrath (*Teller*)

Amendment thus negatived.

Clause 4.

Clause put.

The Assembly divided.

Ayes (29)

Mr P. Abetz  
Mr F.A. Alban  
Mr C.J. Barnett  
Mr I.C. Blayney  
Mr J.J.M. Bowler  
Mr I.M. Britza  
Mr T.R. Buswell  
Mr G.M. Castrilli  
Mr V.A. Catania  
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Mr P.T. Miles

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Mr T.K. Waldron  
Dr J.M. Woollard  
Mr J.E. McGrath (*Teller*)

Noes (24)

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Mr F.M. Logan

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Mr M. McGowan  
Mrs C.A. Martin  
Mr M.P. Murray  
Mr A.P. O’Gorman  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk

Mr E.S. Ripper  
Mrs M.H. Roberts  
Mr T.G. Stephens  
Mr C.J. Tallentire  
Mr A.J. Waddell  
Mr P.B. Watson  
Mr M.P. Whitely  
Ms R. Saffioti (*Teller*)

Clause thus agreed to.

Clause 5.

Ms M.M. Quirk moved,

Page 2, line 24 – To delete “12” and substitute:

“ 6 ”.

Amendment put.

The Assembly divided.

Ayes (24)

Ms L.L. Baker  
Mr R.H. Cook  
Ms J.M. Freeman  
Mr J.N. Hyde  
Mr W.J. Johnston  
Mr J.C. Kobelke  
Mr F.M. Logan  
Ms A.J.G. MacTiernan

Mr M. McGowan  
Mrs C.A. Martin  
Mr M.P. Murray  
Mr A.P. O’Gorman  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk  
Mr E.S. Ripper

Mrs M.H. Roberts  
Mr T.G. Stephens  
Mr C.J. Tallentire  
Mr A.J. Waddell  
Mr P.B. Watson  
Mr M.P. Whitely  
Dr J.M. Woollard  
Ms R. Saffioti (*Teller*)

## Noes (29)

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 Mr F.A. Alban  
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 Mr A. Krsticevic  
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Mr P.T. Miles  
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 Dr M.D. Nahan  
 Mr C.C. Porter  
 Mr D.T. Redman  
 Mr A.J. Simpson  
 Mr M.W. Sutherland  
 Mr T.K. Waldron  
 Mr J.E. McGrath (*Teller*)

Amendment thus negatived.

Ms M.M. Quirk moved,

Page 3, before line 1 – To insert:

“

- (4) The regulations referred to in (3) do not come into effect until the first day after the expiration of the period permitted for disallowance by Parliament of said regulations.

”

Mr J.E. McGrath moved, That the question be now put.

Question put.

The Assembly divided.

## Ayes (27)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr C.J. Barnett  
 Mr I.C. Blayney  
 Mr J.J.M. Bowler  
 Mr I.M. Britza  
 Mr T.R. Buswell  
 Mr G.M. Castrilli  
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 Ms A.R. Mitchell  
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 Mr C.C. Porter  
 Mr D.T. Redman  
 Mr A.J. Simpson  
 Mr M.W. Sutherland  
 Mr J.E. McGrath (*Teller*)

## Noes (25)

Ms L.L. Baker  
 Ms A.S. Carles  
 Mr R.H. Cook  
 Ms J.M. Freeman  
 Mr J.N. Hyde  
 Mr W.J. Johnston  
 Mr J.C. Kobelke  
 Mr F.M. Logan  
 Ms A.J.G. MacTiernan

Mr M. McGowan  
 Mrs C.A. Martin  
 Mr M.P. Murray  
 Mr A.P. O’Gorman  
 Mr P. Papalia  
 Mr J.R. Quigley  
 Ms M.M. Quirk  
 Mr E.S. Ripper  
 Mrs M.H. Roberts

Mr T.G. Stephens  
 Mr C.J. Tallentire  
 Mr A.J. Waddell  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Dr J.M. Woollard  
 Ms R. Saffioti (*Teller*)

Question thus passed.

Debate interrupted by the Chair and adjourned until a later stage of the sitting.

## **10. Members' Statements**

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

## **11. Speaker's Statement - Objects in the Chamber for Purposes for Debate**

The Speaker advised members that if members wanted to bring certain items into the House for the purposes of debate, that there was a process all members must adhere to and that the Speaker's permission must be sought before any items are brought into the Chamber.

## **12. Questions**

Questions without Notice were taken.

Questions on Notice Nos 1894 to 1897 were asked.

Questions on Notice Nos 1629, 1634, 1636 and 1814 were answered.

## **13. Education and Health Standing Committee - Terms of Reference**

The Speaker advised members that he had received a letter dated 11 November 2009 from Dr J.M. Woollard, MLA, Chairman of the Education and Health Standing Committee, advising that under Standing Order 255 (1), the Committee had determined for itself terms of reference in relation to an inquiry into Education Support for Students on 457 Visas in Western Australia.

The letter read as follows –

“

Dear Mr Speaker,

Pursuant to Standing Order 255 (1), I advise that the Education and Health Standing Committee resolved on Wednesday 11 November 2009 to conduct an inquiry into Education Support for Students on 457 Visas in Western Australia. The Committee also resolved that the inquiry be conducted with the following terms of reference:

- (1) The level and type of educational support given to children of Subclass 457 visa holders.
- (2) How funding for school children who have English as a Second Language (ESL) can affect a child's social and educational development.
- (3) To report to the Legislative Assembly by 19 November 2009.

”.

In accordance with the same Standing Order, the Speaker had arranged for the Committee's terms of reference to be placed on the notice board of the Legislative Assembly.

## **14. Additional Information under Standing Order No. 82A**

In accordance with Standing Order No. 82A, the Minister for Emergency Services provided additional information relating to Question without Notice No. 879 from Mr E.S. Ripper in relation to the Fire and Emergency Services Authority seeking advice from the State Solicitor.

In accordance with Standing Order No. 82A, the Premier provided additional information relating to Question without Notice No. 883 from Ms A.J.G. MacTiernan in relation to the Geraldton Port and the Oakajee Port facility.

## **15. Variation to the Order of Business**

Ordered, That consideration of Government Business Order of the Day No. 1 be resumed.

**16. Criminal Investigation Amendment Bill 2009**

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

*CONSIDERATION IN DETAIL*

Clause 5.

Ms M.M. Quirk had moved,

Page 3, before line 1 – To insert:

“

- (4) The regulations referred to in (3) do not come into effect until the first day after the expiration of the period permitted for disallowance by Parliament of said regulations.

”.

On the question, That the words be inserted,

Amendment put.

The Assembly divided.

*Ayes (23)*

Ms L.L. Baker  
Mr R.H. Cook  
Ms J.M. Freeman  
Mr J.N. Hyde  
Mr W.J. Johnston  
Mr J.C. Kobelke  
Mr F.M. Logan  
Ms A.J.G. MacTiernan

Mr M. McGowan  
Mrs C.A. Martin  
Mr M.P. Murray  
Mr A.P. O’Gorman  
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Ms M.M. Quirk  
Mr E.S. Ripper

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Mr C.J. Tallentire  
Mr A.J. Waddell  
Mr P.B. Watson  
Mr M.P. Whitely  
Ms R. Saffioti (*Teller*)

*Noes (29)*

Mr P. Abetz  
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Mr A. Krsticevic  
Mr W.R. Marmion

Mr P.T. Miles  
Ms A.R. Mitchell  
Dr M.D. Nahan  
Mr C.C. Porter  
Mr D.T. Redman  
Mr A.J. Simpson  
Mr M.W. Sutherland  
Mr T.K. Waldron  
Mr J.E. McGrath (*Teller*)

Amendment thus negatived.

Ms M.M. Quirk moved,

Page 4, lines 1 to 28 – To delete the lines and substitute:

“

**70B. Manner in which powers of police officers are to be exercised to be prescribed**

- (1) In addition to the compliance with sections 70, 71 and 10, guidelines setting out the obligations, responsibilities and manner in which powers are to be exercised by police officers under section 70A are to be prescribed by regulation.

- (2) The regulations referred to in (1) must include procedures for the handling of complaints by members of the public subjected to a search under section 70A.

”.

Mr J.E. McGrath moved, That the question be now put.

Question put.

The Assembly divided.

Ayes (29)

Mr P. Abetz  
Mr F.A. Alban  
Mr C.J. Barnett  
Mr I.C. Blayney  
Mr J.J.M. Bowler  
Mr I.M. Britza  
Mr T.R. Buswell  
Mr G.M. Castrilli  
Mr V.A. Catania  
Mr M.J. Cowper

Mr J.H.D. Day  
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Mr R.F. Johnson  
Mr A. Krsticevic  
Mr W.R. Marmion  
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Mr C.C. Porter  
Mr D.T. Redman  
Mr A.J. Simpson  
Mr M.W. Sutherland  
Mr T.K. Waldron  
Dr J.M. Woollard  
Mr J.E. McGrath (*Teller*)

Noes (24)

Ms L.L. Baker  
Ms A.S. Carles  
Mr R.H. Cook  
Ms J.M. Freeman  
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Mr J.C. Kobelke  
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Ms A.J.G. MacTiernan  
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Mr A.P. O’Gorman  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk

Mr E.S. Ripper  
Mrs M.H. Roberts  
Mr T.G. Stephens  
Mr C.J. Tallentire  
Mr A.J. Waddell  
Mr P.B. Watson  
Mr M.P. Whitely  
Ms R. Saffioti (*Teller*)

Question thus passed.

On the question, That the words be deleted,

Amendment put.

The Assembly divided.

Ayes (23)

Ms L.L. Baker  
Mr R.H. Cook  
Ms J.M. Freeman  
Mr J.N. Hyde  
Mr W.J. Johnston  
Mr J.C. Kobelke  
Mr F.M. Logan  
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Mr E.S. Ripper

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Mr T.G. Stephens  
Mr C.J. Tallentire  
Mr A.J. Waddell  
Mr P.B. Watson  
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Ms R. Saffioti (*Teller*)

## Noes (30)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr C.J. Barnett  
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 Mr R.F. Johnson  
 Mr A. Krsticevic  
 Mr W.R. Marmion

Mr P.T. Miles  
 Ms A.R. Mitchell  
 Dr M.D. Nahan  
 Mr C.C. Porter  
 Mr D.T. Redman  
 Mr A.J. Simpson  
 Mr M.W. Sutherland  
 Mr T.K. Waldron  
 Dr J.M. Woollard  
 Mr J.E. McGrath (*Teller*)

Amendment thus negatived.

Dr J.M. Woollard moved,

Page 4, after line 29 – To insert:

“

**70C. Record of stops**

- (1) When any person is stopped and searched under section 70A, the officer will record the location of the search, the self-defined ethnicity of the person searched, and whether anything was seized as a result.
- (2) The person who has been searched will be given at the time a written record of the name and rank of the principal officer involved in that search.

”.

Mr J.E. McGrath moved, That the question be now put.

Question put.

The Assembly divided.

## Ayes (27)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr C.J. Barnett  
 Mr I.C. Blayney  
 Mr I.M. Britza  
 Mr T.R. Buswell  
 Mr G.M. Castrilli  
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 Mr A.J. Simpson  
 Mr M.W. Sutherland  
 Mr T.K. Waldron  
 Mr J.E. McGrath (*Teller*)

## Noes (25)

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Mr M. McGowan  
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 Mr P. Papalia  
 Mr J.R. Quigley  
 Ms M.M. Quirk  
 Mr E.S. Ripper  
 Mrs M.H. Roberts

Mr T.G. Stephens  
 Mr C.J. Tallentire  
 Mr A.J. Waddell  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Dr J.M. Woollard  
 Ms R. Saffioti (*Teller*)

Question thus passed.

Amendment put and negatived.

On the question, That Clause 5 be agreed to,  
 Mr J.E. McGrath moved, That the question be now put.  
 Question put.  
 The Assembly divided.

## Ayes (26)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr C.J. Barnett  
 Mr I.C. Blayney  
 Mr I.M. Britza  
 Mr T.R. Buswell  
 Mr G.M. Castrilli  
 Mr V.A. Catania  
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 Mr M.W. Sutherland  
 Mr T.K. Waldron  
 Mr J.E. McGrath (*Teller*)

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 Ms A.J.G. MacTiernan

Mr M. McGowan  
 Mrs C.A. Martin  
 Mr M.P. Murray  
 Mr A.P. O’Gorman  
 Mr P. Papalia  
 Mr J.R. Quigley  
 Ms M.M. Quirk  
 Mr E.S. Ripper  
 Mrs M.H. Roberts

Mr T.G. Stephens  
 Mr C.J. Tallentire  
 Mr A.J. Waddell  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Dr J.M. Woollard  
 Ms R. Saffioti (*Teller*)

Question thus passed.  
 On the question, That Clause 5 be agreed to,  
 Clause put.  
 The Assembly divided.

## Ayes (26)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr C.J. Barnett  
 Mr I.C. Blayney  
 Mr I.M. Britza  
 Mr T.R. Buswell  
 Mr G.M. Castrilli  
 Mr V.A. Catania  
 Mr M.J. Cowper

Mr J.M. Francis  
 Mr B.J. Grylls  
 Dr K.D. Hames  
 Mrs L.M. Harvey  
 Mr A.P. Jacob  
 Dr G.G. Jacobs  
 Mr R.F. Johnson  
 Mr A. Krsticevic  
 Mr W.R. Marmion

Mr P.T. Miles  
 Ms A.R. Mitchell  
 Dr M.D. Nahan  
 Mr D.T. Redman  
 Mr A.J. Simpson  
 Mr M.W. Sutherland  
 Mr T.K. Waldron  
 Mr J.E. McGrath (*Teller*)

## Noes (25)

Ms L.L. Baker  
 Ms A.S. Carles  
 Mr R.H. Cook  
 Ms J.M. Freeman  
 Mr J.N. Hyde  
 Mr W.J. Johnston  
 Mr J.C. Kobelke  
 Mr F.M. Logan  
 Ms A.J.G. MacTiernan

Mr M. McGowan  
 Mrs C.A. Martin  
 Mr M.P. Murray  
 Mr A.P. O’Gorman  
 Mr P. Papalia  
 Mr J.R. Quigley  
 Ms M.M. Quirk  
 Mr E.S. Ripper  
 Mrs M.H. Roberts

Mr T.G. Stephens  
 Mr C.J. Tallentire  
 Mr A.J. Waddell  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Dr J.M. Woollard  
 Ms R. Saffioti (*Teller*)

Clause thus passed.

Clause 6.

Ms M.M. Quirk moved,

Page 5, line 8 – To delete “5” and substitute:

“ 1 ”.

Mr J.E. McGrath moved, That the question be now put.

Question put.

The Assembly divided.

## Ayes (26)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr C.J. Barnett  
 Mr I.C. Blayney  
 Mr I.M. Britza  
 Mr T.R. Buswell  
 Mr G.M. Castrilli  
 Mr V.A. Catania  
 Mr M.J. Cowper

Mr J.H.D. Day  
 Mr J.M. Francis  
 Mr B.J. Grylls  
 Mrs L.M. Harvey  
 Mr A.P. Jacob  
 Dr G.G. Jacobs  
 Mr R.F. Johnson  
 Mr A. Krsticevic  
 Mr W.R. Marmion

Mr P.T. Miles  
 Ms A.R. Mitchell  
 Dr M.D. Nahan  
 Mr D.T. Redman  
 Mr A.J. Simpson  
 Mr M.W. Sutherland  
 Mr T.K. Waldron  
 Mr J.E. McGrath (*Teller*)

## Noes (24)

Ms L.L. Baker  
 Ms A.S. Carles  
 Mr R.H. Cook  
 Ms J.M. Freeman  
 Mr J.N. Hyde  
 Mr W.J. Johnston  
 Mr J.C. Kobelke  
 Mr F.M. Logan

Ms A.J.G. MacTiernan  
 Mr M. McGowan  
 Mrs C.A. Martin  
 Mr M.P. Murray  
 Mr A.P. O’Gorman  
 Mr P. Papalia  
 Mr J.R. Quigley  
 Ms M.M. Quirk

Mr E.S. Ripper  
 Mrs M.H. Roberts  
 Mr C.J. Tallentire  
 Mr A.J. Waddell  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Dr J.M. Woollard  
 Ms R. Saffioti (*Teller*)

Question thus passed.

On the question, That the words be deleted,

Amendment put.

The Assembly divided.

## Ayes (23)

Ms L.L. Baker  
 Mr R.H. Cook  
 Ms J.M. Freeman  
 Mr J.N. Hyde  
 Mr W.J. Johnston  
 Mr J.C. Kobelke  
 Mr F.M. Logan  
 Ms A.J.G. MacTiernan

Mr M. McGowan  
 Mrs C.A. Martin  
 Mr M.P. Murray  
 Mr A.P. O’Gorman  
 Mr P. Papalia  
 Mr J.R. Quigley  
 Ms M.M. Quirk  
 Mr E.S. Ripper

Mrs M.H. Roberts  
 Mr C.J. Tallentire  
 Mr A.J. Waddell  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Dr J.M. Woollard  
 Ms R. Saffioti (*Teller*)

## Noes (27)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr C.J. Barnett  
 Mr I.C. Blayney  
 Mr I.M. Britza  
 Mr T.R. Buswell  
 Ms A.S. Carles  
 Mr G.M. Castrilli  
 Mr V.A. Catania

Mr M.J. Cowper  
 Mr J.H.D. Day  
 Mr J.M. Francis  
 Mr B.J. Grylls  
 Mrs L.M. Harvey  
 Mr A.P. Jacob  
 Dr G.G. Jacobs  
 Mr R.F. Johnson  
 Mr A. Krsticevic

Mr W.R. Marmion  
 Mr P.T. Miles  
 Ms A.R. Mitchell  
 Dr M.D. Nahan  
 Mr D.T. Redman  
 Mr A.J. Simpson  
 Mr M.W. Sutherland  
 Mr T.K. Waldron  
 Mr J.E. McGrath (*Teller*)

Amendment thus negatived.

On the question, That Clause 6 be agreed to,

Clause put.

The Assembly divided.

## Ayes (49)

Mr P. Abetz  
 Mr F.A. Alban  
 Ms L.L. Baker  
 Mr C.J. Barnett  
 Mr I.C. Blayney  
 Mr I.M. Britza  
 Mr T.R. Buswell  
 Mr G.M. Castrilli  
 Mr V.A. Catania  
 Mr R.H. Cook  
 Mr M.J. Cowper  
 Mr J.H.D. Day  
 Mr J.M. Francis  
 Ms J.M. Freeman  
 Mr B.J. Grylls  
 Mrs L.M. Harvey  
 Mr J.N. Hyde

Mr A.P. Jacob  
 Dr G.G. Jacobs  
 Mr R.F. Johnson  
 Mr W.J. Johnston  
 Mr J.C. Kobelke  
 Mr A. Krsticevic  
 Mr F.M. Logan  
 Ms A.J.G. MacTiernan  
 Mr M. McGowan  
 Mr W.R. Marmion  
 Mrs C.A. Martin  
 Mr P.T. Miles  
 Ms A.R. Mitchell  
 Mr M.P. Murray  
 Dr M.D. Nahan  
 Mr A.P. O’Gorman  
 Mr P. Papalia

Mr J.R. Quigley  
 Ms M.M. Quirk  
 Mr D.T. Redman  
 Mr E.S. Ripper  
 Mrs M.H. Roberts  
 Ms R. Saffioti  
 Mr A.J. Simpson  
 Mr M.W. Sutherland  
 Mr C.J. Tallentire  
 Mr A.J. Waddell  
 Mr T.K. Waldron  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Dr J.M. Woollard  
 Mr J.E. McGrath (*Teller*)

## Noes (1)

Ms A.S. Carles (*Teller*)

Clause thus agreed to.

New Clause.

Dr J.M. Woollard moved,

Page 5, after line 13 – To insert:

“

**7. Section 70 inserted**

**70C. Annual Report**

The Minister will ensure that the Annual Report of the Police Commissioner contains a record of stop and searches under section 70A.

”.

Amendment, by leave, withdrawn.

Title agreed to.

Consideration in detail concluded.

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

Debate ensued.

Mr J.E. McGrath moved, That the question be now put.

Question put.

The Assembly divided.

**Ayes (25)**

Mr P. Abetz  
Mr F.A. Alban  
Mr C.J. Barnett  
Mr I.C. Blayney  
Mr I.M. Britza  
Mr T.R. Buswell  
Mr G.M. Castrilli  
Mr V.A. Catania  
Mr M.J. Cowper

Mr J.H.D. Day  
Mr J.M. Francis  
Mrs L.M. Harvey  
Mr A.P. Jacob  
Dr G.G. Jacobs  
Mr R.F. Johnson  
Mr A. Krsticevic  
Mr W.R. Marmion  
Mr P.T. Miles

Ms A.R. Mitchell  
Dr M.D. Nahan  
Mr D.T. Redman  
Mr A.J. Simpson  
Mr M.W. Sutherland  
Mr T.K. Waldron  
Mr J.E. McGrath (*Teller*)

**Noes (23)**

Ms L.L. Baker  
Ms A.S. Carles  
Mr R.H. Cook  
Ms J.M. Freeman  
Mr J.N. Hyde  
Mr W.J. Johnston  
Mr J.C. Kobelke  
Mr F.M. Logan

Ms A.J.G. MacTiernan  
Mr M. McGowan  
Mrs C.A. Martin  
Mr M.P. Murray  
Mr P. Papalia  
Mr J.R. Quigley  
Ms M.M. Quirk  
Mr E.S. Ripper

Mrs M.H. Roberts  
Mr C.J. Tallentire  
Mr A.J. Waddell  
Mr P.B. Watson  
Mr M.P. Whitely  
Dr J.M. Woollard  
Ms R. Saffioti (*Teller*)

Question thus passed.

On the question, That the bill be read a third time,

Question put.

The Assembly divided.

## Ayes (26)

Mr P. Abetz  
 Mr F.A. Alban  
 Mr C.J. Barnett  
 Mr I.C. Blayney  
 Mr I.M. Britza  
 Mr T.R. Buswell  
 Mr G.M. Castrilli  
 Mr V.A. Catania  
 Mr M.J. Cowper

Mr J.H.D. Day  
 Mr J.M. Francis  
 Mrs L.M. Harvey  
 Mr A.P. Jacob  
 Dr G.G. Jacobs  
 Mr R.F. Johnson  
 Mr A. Krsticevic  
 Mr W.R. Marmion  
 Mr P.T. Miles

Ms A.R. Mitchell  
 Dr M.D. Nahan  
 Mr D.T. Redman  
 Mr A.J. Simpson  
 Mr M.W. Sutherland  
 Mr T.K. Waldron  
 Dr J.M. Woollard  
 Mr J.E. McGrath (*Teller*)

## Noes (22)

Ms L.L. Baker  
 Ms A.S. Carles  
 Mr R.H. Cook  
 Ms J.M. Freeman  
 Mr J.N. Hyde  
 Mr W.J. Johnston  
 Mr J.C. Kobelke  
 Mr F.M. Logan

Ms A.J.G. MacTiernan  
 Mr M. McGowan  
 Mrs C.A. Martin  
 Mr M.P. Murray  
 Mr P. Papalia  
 Mr J.R. Quigley  
 Ms M.M. Quirk  
 Mr E.S. Ripper

Mrs M.H. Roberts  
 Mr C.J. Tallentire  
 Mr A.J. Waddell  
 Mr P.B. Watson  
 Mr M.P. Whitely  
 Ms R. Saffioti (*Teller*)

Question thus passed.

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

#### 17. First Home Owner Grant Amendment Bill 2009

Message No. 46 dated 11 November 2009 from the Legislative Council was reported agreeing to the further amendments proposed by the Legislative Assembly.

#### 18. Fish Resources Management Amendment Bill 2009

Message No. 47 dated 12 November 2009 from the Legislative Council was reported forwarding for concurrence a bill entitled a bill for "An Act to amend the *Fish Resources Management Act 1994*."

The Leader of the House, on behalf of the Deputy Premier, presented an explanatory memorandum and bill read a first time.

The Leader of the House, on behalf of the Deputy Premier, moved, That the bill be now read a second time.

Ms R. Saffioti moved, That the debate be adjourned.

Question put and passed.

#### 19. Road Traffic Legislation Amendment (Registration Labels) Bill 2009

Message No. 48 dated 12 November 2009 from the Legislative Council was reported forwarding for concurrence a bill entitled a bill for "An Act to amend these Acts –

- the *Road Traffic Act 1974*;
- the *Road Traffic (Administration) Act 2008*."

The Parliamentary Secretary representing the Minister for Transport presented an explanatory memorandum and bill read a first time.

The Parliamentary Secretary representing the Minister for Transport moved, That the bill be now read a second time.

Ms R. Saffioti moved, That the debate be adjourned.

Question put and passed.

**20. Adjournment**

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

Question put and passed.

The Assembly adjourned accordingly, at 5.32 p.m. until Tuesday, 17 November 2009 at 2.00 p.m.

*Members present during any part of the day's proceedings* - All the members except Dr E. Constable, Mr D.A. Templeman and Mr B.S. Wyatt.

**PETER J. McHUGH**

Clerk of the Legislative Assembly

**HON. GRANT WOODHAMS**

Speaker of the Legislative Assembly