



LEGISLATIVE COUNCIL

SESSION OF 2019

(SECOND SESSION OF THE FORTY-NINTH PARLIAMENT)

VOTES AND PROCEEDINGS

No. 34

THURSDAY, 19 SEPTEMBER 2019

1 COUNCIL MEETS.— The Council met at 11.00 o'clock in the forenoon and the President read Prayers.

2 PAPER.— The Clerk of the Council laid upon the Table the Report of the Auditor-General No. 1 of 2019-20. Procurement in Local Government. Dated September 2019.

3 MOTION WITHOUT NOTICE.— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice.

4 LEAVE OF ABSENCE.— *Ordered*, That the Honourable Member for Murchison, (Ms *Forrest*) be granted leave of absence from the service of the Council for this day's sitting. (Mrs *Hiscutt*)

5 BILL NO. 30.— The Civil Liability Amendment Bill 2019 was read the Third time and passed.

6 BILL NO. 30.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled 'A Bill for an Act to amend the *Civil Liability Act 2002*'.

Legislative Council, 19 September 2019

C.M. FARRELL, *President*

7 BILL NO. 5.— The Criminal Code Amendment (Bullying) Bill 2019 was read the Third time and passed.

8 BILL NO. 5.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled 'A Bill for an Act to amend the *Criminal Code Act 1924*, the *Community Protection (Offender Reporting) Act 2005*, the *Family Violence Act 2004* and the *Justices Act 1959*'.

Legislative Council, 19 September 2019

C.M. FARRELL, *President*

9 BILL NO. 6.— The Fruit and Nut Industry (Research, Development and Extension Trust Fund) Repeal Bill 2019 was read the Third time and passed.

10 BILL NO. 6.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled 'A Bill for an Act to wind up the Fruit and Nut Research, Development and Extension Trust Fund and to repeal the *Fruit and Nut Industry (Research, Development and Extension Trust Fund) Act 2012*'.

Legislative Council, 19 September 2019

C.M. FARRELL, *President*

11 BILL NO. 31.— The Historic Cultural Heritage Amendment Bill 2019 was read the Third time and passed.

12 BILL NO. 31.— A Message to the House of Assembly:—

MADAM SPEAKER,

The Legislative Council has this day agreed, without Amendment, to a Bill intituled ‘A Bill for an Act to amend the *Historic Cultural Heritage Act 1995*’.

Legislative Council, 19 September 2019

C.M. FARRELL, *President*

13 BILL NO. 19.— The Order of the Day was read for the Second reading of the *Vehicle and Traffic Amendment Bill 2019*.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Ratray* in the Chair.

Clauses 1 to 5 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The Council being resumed, Ms *Ratray* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

Ordered, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

14 BILL NO. 26.— The Order of the Day was read for the Second reading of the Roads and Jetties Amendment (Works in Highways) Bill 2019.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Ratray* in the Chair.

Clauses 1 to 6 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The Council being resumed, Ms *Ratray* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

Ordered, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

15 MOTION WITHOUT NOTICE.— *Ordered*, That Mrs *Hiscutt* have leave to move a Motion without Notice.

16 SUSPENSION OF STANDING ORDER 261.— *Ordered*, That so much of Standing Order No. 261 be suspended in respect of the Roads and Jetties Amendment (Validation) Bill 2019 (Bill No. 25) as would prevent the Bill being read the second time without an endorsed second print. (Mrs *Hiscutt*)

17 BILL NO. 25.— The Order of the Day was read for the Second reading of the Roads and Jetties Amendment (Validation) Bill 2019.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

And the Bill was, accordingly, read the Second time and committed to a Committee of the Whole Council.

And the President having left the Chair, the Council resolved itself into the said Committee.

(In the Committee)

Ms *Ratray* in the Chair.

Clauses 1 to 15 agreed to.

Title agreed to.

Bill to be reported without Amendment.

The Council being resumed, Ms *Ratray* reported that the Committee had gone through the Bill, and directed her to report the same to the Council without Amendment.

Ordered, That the Third reading of the Bill be made an Order of the Day for tomorrow. (Mrs *Hiscutt*)

18 BILL NO. 27.— The Order of the Day was read for the Second reading of the Magistrates Court (Criminal and General Division) Bill 2019.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

19 SITTING SUSPENDED.— It being 1.00 o'clock p.m. the Sitting of the Council was suspended.

The Council resumed the Sitting at 2.30 o'clock p.m.

20 QUESTION TIME.— The President called for Questions without Notice. There were five Questions asked.

21 SITTING SUSPENDED.— *Resolved*, That the Sitting of the Council be suspended until the ringing of the Division bells. (Mrs *Hiscutt*)

The Sitting was suspended at 2.47 o'clock p.m. and resumed at 3.30 o'clock p.m.

22 LEAVE TO GIVE NOTICE OF QUESTIONS.— *Ordered*, That Ms *Webb* have leave to give Notice of Questions.

23 BILL NO. 27.— The Council resumed the Debate on the Question, That the Magistrates Court (Criminal and General Division) Bill 2019 (No. 27) be now read the Second time.

Ordered, That the Debate be adjourned. (Ms *Rattray*)

24 BILL NO. 28.— The Order of the Day was read for the Second reading of the Magistrates Court (Criminal and General Division) (Consequential Amendments) Bill 2019.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

Ordered, That the Debate be adjourned. (Mrs *Hiscutt*)

25 BILL NO. 29.— The Order of the Day was read for the Second reading of the Restraint Orders Bill 2019.

A Motion was made (Mrs *Hiscutt*), and the Question was proposed, That the Bill be now read the Second time.

A Debate arose thereupon.

Ordered, That the Debate be adjourned. (Ms *Rattray*)

26 ADJOURNMENT.— A Motion was made (Mrs *Hiscutt*) and the Question was proposed, That the Council will at its rising adjourn until 9.00 o'clock am on Friday, 27 September 2019.

A Debate arose thereupon.

And the Question being put,

It was resolved in the Affirmative.

Resolved, That the Council do now adjourn. (Mrs *Hiscutt*)

The Council adjourned at 4.52 o'clock p.m.

D.T. PEARCE, *Clerk of the Council.*

Briefings:

- *Under 16 Homeless Taskforce.*
- *Roads and Jetties Amendment (Works in Highways) Bill 2019 and Roads and Jetties Amendment (Validation) Bill 2019.*
- *Legal Profession Amendment (Validation) Bill 2019.*