

REVENUE LAWS AMENDMENT BILL 2011

Second Reading

Resumed from 14 August.

HON KEN TRAVERS (North Metropolitan) [7.50 pm]: I rise to indicate that the opposition will support the Revenue Laws Amendment Bill 2011. This bill seeks to amend a range of acts with respect to the revenue of the state of Western Australia; namely, the Duties Act 2008, the First Home Owner Grant Act 2000, the Land Tax Assessment Act 2002, the Pay-roll Tax Assessment Act 2002, the Rates and Charges (Rebates and Deferments) Act 1992, the Stamp Act 1921 and the Taxation Administration Act 2003. I am sure members will be amused that we are still making changes to the Stamp Act 1921, even though the Duties Act 2008 has replaced it. I considered whether I could work into my speech comments about grain rail freight so that we could continue that debate into the evening, but I suspect I would stretch the patience of the Chair if I did!

Hon Simon O'Brien: There are lots of other good provisions in this bill.

Hon KEN TRAVERS: It is only through these revenue laws that we can fund the rescue of the 700 kilometres of wheatbelt rail line!

In all seriousness, I do not intend to detail all the amendments. I think it is fair to say that many of them are mechanical or housekeeping amendments. The Duties Act 2008 significantly changed the structure of legislation in Western Australia. As a result, a number of issues have been picked up. Even more of those sorts of amendments are picked up in the Revenue Laws Amendment Bill 2012, the next revenue bill we will deal with. It is fair to say that this bill is about removing anomalies; it is about changing some of the time lines and streaming time lines for appeals. It is about adjusting the WA legislation to reflect the commonwealth legislation in various areas, and in a number of areas it is about extending concessions to people. I think it can be argued that it is generally favourable to taxpayers, in that most of the changes are aimed at assisting them in their appeal rights and the like. I think we should recognise that that is a good thing, and that is why the opposition will support it.

As I say, the bill makes a number of changes to put it in line with commonwealth legislation. It is interesting that some of those bills may have changed some time before and it is only now that we are in a position to make the changes to our legislation. This bill, by its own title, highlights how long it has been sitting within the parliamentary processes—it was introduced in 2011. Obviously it is now August 2012, and the delay is more about the government's lack of ability to manage its legislative program in the other place than about the way in which legislation is dealt with in this house.

I am advised that this bill will have limited impact on state revenue. The one thing I seek the minister to confirm tonight for the record is that it is the government's view that all the amendments contained in the bill will have a limited impact on state revenue. It is housekeeping legislation aimed at improving the equity and efficiency of the state's taxation and grants and subsidy schemes. For those reasons, the opposition will support the legislation.

HON GIZ WATSON (North Metropolitan) [7.55 pm]: I indicate that the Greens (WA) will also support this bill. I thank the minister for the briefing with which we were provided; it was very thorough. Generally these are tidy-up matters. We do not see anything controversial; therefore, we are happy to support the bill.

HON SIMON O'BRIEN (South Metropolitan — Minister for Finance) [7.55 pm] — in reply: I would like to thank members for their contribution to the debate in all its aspects—its wisdom, its brevity—and also for the courtesy expressed by members in acknowledging the quality and digestibility of the briefings that were offered. I will relay that to both my ministerial office advisers and, most particularly, departmental staff. In my current portfolios it seems I do have a substantial legislative program, and I go to some trouble to ensure that the courtesy of proper and timely briefings or other assistance is provided to members, whether the bills be controversial or relatively straightforward ones, as in this case.

Hon Ken Travers pointed out that the provisions in this bill cover a wide range of matters. He went through a number of the acts that we will be amending by this bill. It is quite a long list. Hon Ken Travers made the observation that, although most of these measures are of an almost mechanical nature—they become necessary as a consequence of something taking place in a related federal law or in a related activity or they owe their existence to the necessity of some finetuning that has arisen—the totality of them is a quite substantial bill that collectively introduces measures that will be to the benefit of the people of Western Australian, and I am very pleased to be the sponsor of this bill.

There will be some changes to the first home owner grants arrangements to provide some discretion to the commissioner to make sure that a fair go can be accorded to people who are in peculiar circumstances in relation to their residence requirements. Members have possibly had this come to their notice when dealing with their own constituents. The present legislation has been quite inflexible. We are going to introduce some flexibility to make sure that the law works as it is intended and in the spirit in which it is intended, as well as within the discipline of the black-and-white letter of the law. The question was then raised by Hon Ken Travers about the total effect of these measures on the revenue. I do not know that I can put a figure on it.

However, from the point of view of overall revenue, the advice that I have from the Commissioner of State Revenue is that each of the measures is negligible in the scheme of things. By that I mean that each of the measures has not required a separate appropriation or a change to a line item in the budget or anything like that. Therefore, for example, although whether a person will be allowed to access the first home owner grant may be a substantial revenue issue for the individual applicant, it is not a big issue in the scheme of things for the state. Indeed, there will not be many applicants who will be in a position in which they will be affected by this new measure. Therefore, the answer to the member's question is: individually, no; there will be negligible impact on state revenue. However, if we were to add up all the measures, I am sure we could come up with a sum that, although not colossal, would be a six or seven figure sum over a period of years. However, again, in the context of overall state revenue, it would probably be negligible.

Hon Ken Travers: I want to make it clear that this is a housekeeping bill. It is not an appropriation bill for raising revenue. There will be variations, but it is not about raising money; it is about getting the housekeeping in order.

Hon SIMON O'BRIEN: Yes, it is not an appropriation bill.

The other thing I would point out—members will find a lot to agree with in this, I am sure—is that these measures by and large are intended to make it easier for people to avoid unexpected or unintended consequences whereby they are not able to access some of the benefits that are available. So I do not think anyone will be particularly disadvantaged by any of the measures that are clarified in this bill. We will probably find that the same can be said in part about a future revenue laws bill that we will come to on another day. But as this bill does not attract any controversy, I will simply conclude by thanking members again for their support and commending the second reading to the house.

Question put and passed.

Bill read a second time.

Leave granted to proceed forthwith to third reading.

Third Reading

Bill read a third time, on motion by **Hon Simon O'Brien (Minister for Finance)**, and passed.