

**JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION**

*Thirty-third Report — “State Administrative Tribunal Rules Amendment (No. 2) 2008” — Tabling*

**MR J.M. FRANCIS (Jandakot)** [11.00 am]: I present for tabling the thirty-third report of the Joint Standing Committee on Delegated Legislation, entitled “State Administrative Tribunal Rules Amendment (No. 2) 2008”.

[See paper 918.]

**Mr J.M. FRANCIS:** This report raised various concerns about the State Administrative Tribunal rules amendments, the majority of which were resolved through correspondence. However, amendment rule 5 remains contentious, with the State Administrative Tribunal refusing to provide an undertaking to repeal the offending provision and not rely on it in the interim. The committee is of the view that amendment rule 5 is not contemplated by the State Administrative Tribunal Act 2004, and offends the committee’s terms of reference. The rule deals with the Security and Related Activities (Control) Act 1996, which licenses persons engaged in work relating to property protection, investigation or surveillance, and crowd control. It also licenses the agents who supply the services of the persons who carry out such work. The committee is concerned that the removal of the requirements for personal service in respect of the application—that is, hand delivering the notices—may result in a licensee not receiving notice of an application that could threaten his livelihood. For example, if the licensee is absent from his home address for a temporary period, such as a holiday or hospital stay—for neither of which is notification of change of address required—he would be left out. The committee finds that the amendment to rule 5 is not contemplated by the State Administrative Tribunal Act 2004, and has adverse effects on the existing rights of persons licensed under the Security and Related Activities (Control) Act 1996. In conclusion, I thank all the committee staff, and former and current members of the committee, for their work and I commend this report to the house.