

LEGAL PROFESSION AMENDMENT (LEVY) BILL 2016

Introduction and First Reading

Bill introduced, on motion by **Mrs L.M. Harvey (Minister for Police)**, and read a first time.

Explanatory memorandum presented by the minister.

Second Reading

MRS L.M. HARVEY (Scarborough — Minister for Police) [1.26 pm]: I move —

That the bill be now read a second time.

The Department of the Attorney General provides and maintains a law library for members of the judiciary and officers of the department and associated agencies. Under section 548 of the Legal Profession Act 2008, the Legal Practice Board is responsible for providing and maintaining the law library at the Supreme Court of Western Australia. This law library is primarily used by members of the judiciary and legal practitioners and is funded from moneys received by the Legal Practice Board under the Legal Profession Act 2008 and, in particular, from fees charged to grant or renew local practising certificates.

In 2012, the State Solicitor was asked to undertake a project to amalgamate the two law libraries. The impetus behind the project was twofold. First, the Legal Practice Board had indicated that it no longer wished to have any involvement with the law library at the Supreme Court. Second, it was recognised that there was a need to provide a law library for the judiciary, members of the legal profession and government legal officers in the new justice complex at the Old Treasury Building, while at the same time reducing the inefficiency and duplication occasioned by supporting two law libraries.

The steering committee for the project to amalgamate the two law libraries consisted of representatives from the Supreme Court, the Legal Practice Board, the Law Society of Western Australia, the Western Australian Bar Association, the State Solicitor's Office, the Director of Public Prosecutions and the Parliamentary Counsel's Office. Consolidating the two law libraries requires an amendment to the Legal Profession Act 2008. This is to be effected by the Legal Profession Amendment Bill 2016 and the Legal Profession Amendment (Levy) Bill 2016.

Under proposed section 548A, introduced by the Legal Profession Amendment Bill 2016, the Legal Practice Board will be required to make an annual contribution to the state towards the cost of providing and maintaining the amalgamated law library. The amount of the contribution will be calculated in accordance with regulations. This contribution will be credited to the law library fund, an agency special-purpose account established under the Financial Management Act 2006. The funds credited to that account may be used to provide and maintain the law library, to provide library services, and for other prescribed purposes relating to the law library.

The Legal Profession Amendment (Levy) Bill 2016 amends section 548A of the Legal Profession Act 2008 by the addition of a new subsection (8), providing for a levy to be imposed by section 548A or regulations made thereunder. The second, separate, bill is necessitated by section 46(7) of the Constitution Acts Amendment Act 1899, which provides that bills imposing taxation must deal only with the imposition of the tax.

I commend the bill to the house.

Debate adjourned, on motion by **Mr D.A. Templeman**.