AGRICULTURAL PRACTICES (DISPUTES) REPEAL BILL 2011

Consideration in Detail

Resumed from an earlier stage of the sitting.

Clause 4: *Environmental Protection Act 1986* amended —

Debate was interrupted after the amendment moved by Mr C.J. Tallentire had been partly considered.

Mr C.J. TALLENTIRE: I will continue my remarks. The amendment that is in my name is very important because it maintains the status quo of the Environmental Protection Act, whereas the Agricultural Practices (Disputes) Repeal Bill 2011 seeks to amend the Environmental Protection Act by a consequential amendment. I think it is important to look at the EP act and read it. I know that the minister is still digesting the implications of what his bill will mean to the EP act. I will read section 74B of the Environmental Protection Act, "Other defences to environmental harm offences". It begins —

> (1) It is a defence to proceedings under this Part for causing serious environmental harm or material environmental harm if the person charged with that offence proves that the environmental harm was, or resulted from, an authorised act which did not contravene any other written law.
>
> (2) For the purposes of subsection (1) an act was authorised if it was —

It lists the different areas that can make an authorised act.

Subsection (2)(a) is retained, and reads —

> done in accordance with an authorisation, approval, requirement or exemption given in the exercise of a power under another written law;

Subsection (2)(b) is retained, and reads —

> done in the exercise by a public authority, or a member, officer or employee of a public authority, of a function conferred under another written law;

The Agricultural Practices (Disputes) Repeal Bill 2011 proposes the insertion of subsection (2)(c), which reads —

> an act of a kind that the chief executive officer of the department of the Public Service principally assisting in the administration of the *Biosecurity and Agriculture Management Act 2007* has specified, by order published in the *Gazette*, to be a normal agricultural activity for the purposes of this paragraph; or

I am happy that is retained, and it is followed by paragraph (d), which reads —

> an agricultural activity (including the management or harvesting of a plantation) done in compliance with a code of practice relating to an activity of that kind …

I am saying that "including" broadens the scope for the authorisation of acts that will enable a charge of environmental harm to be avoided. It will broaden what can come within an act that can avoid an environmental harm offence. That is why I am suggesting we delete the word "including" in some way. Hence my amendment. There may be other ways of doing it, but we must remove the word "including"; otherwise, it will be a bit like saying, "I like to eat food, including fruit and vegetables." We could just say, "I like to eat food", or we could say "I like to eat just meat." That is a more specific use of language. We must remove "including" because it broadens things in a dangerous fashion.

Mr D.T. REDMAN: I thank the member for his commentary on that. On my reading of the current Environmental Protection Act provision that the member for Gosnells just described, there are two subparagraphs in section 74B(2)(d). One refers to a defence of an agricultural practice within the meaning of the current Agricultural Practices (Disputes) Act. That is followed by "and in compliance with a code of practice relating to an act of that kind issued under" another section; "or in the management or harvesting of a plantation", which is also in compliance with a code of practice. The point is that there are two references there to agricultural practices and in the management or harvesting of a plantation. As long as they are done in conjunction with a relevant code of practice, that is a defence in a dispute. The clause in the repeal bill says exactly the same thing —

> an agricultural activity (including the management or harvesting of a plantation) …

There is no differentiation in the EP act from what is in this repeal bill; it is to be "done in compliance with a code of practice". I am assuming the member is saying that, currently, plantation harvesting is a defence only if carried out under a code of practice, and it does not relate to any other agricultural practice. In fact, that point is wrong as a point of legality under the act. It is not only about management or harvesting of the plantation. It also includes "agricultural practice within the meaning of the Agricultural Practices (Disputes) Act". The repeal bill does not change the intent of the Environmental Protection Act; in fact, it has the sanction of the Department of Environment and Conservation.

Mr C.J. TALLENTIRE: The minister is claiming that the word "including" in the bill will not broaden things. I do not see how that can be the case. He is suggesting that in the Agricultural Practices (Disputes) Act 1995 things are broader. The whole point of this debate is that we are repealing that act. I do not think the minister can fall back on that argument. The fact is the minister wants to enlarge the range of activities that will be exempt from environmental harm offences. Until he can prove otherwise, I do not think he can escape the charge that he is seeking to weaken the Environmental Protection Act. He may claim to have advice from the Department of Environment and Conservation, but I think he needs to table that advice and point it out.

Mr D.T. REDMAN: Lines 17 and 18 of this repeal bill are the lines in question by the member. Because "agricultural activity" is not defined in the EP act, to ensure that the amendments we are making are consistent with the Environmental Protection Act, we are including the words "including the management or harvesting of a plantation". We could make the argument that "agricultural activity" includes that, but to make sure it is consistent with the EP act, it is included in the Agricultural Practices (Disputes) Repeal Bill. There is no intent to broaden it. There is no intent to change the desired outcomes from the EP act with this repeal bill.

Mr C.J. TALLENTIRE: I can accept from the minister that he has no intent to do it but I am saying that, in effect, that is what he will do.

Mr D.T. Redman: It is not being done.

Mr C.J. TALLENTIRE: I am saying the effect will be to broaden it. All he has to do is remove the word "including". In so doing he can take out "agriculture".

Mr D.T. Redman: Can you explain to me what is being broadened?

Mr C.J. TALLENTIRE: The minister is saying that a range of activities will be exempted from an environmental harm charge but that other things will be included. The word "other" is not in the legislation, but he is saying "including the management". He is implicitly saying that other things can be a defence to environmental harm.

Mr D.T. Redman: Which is in the current EP act. It says "as an agricultural practice within the meaning of the act". In other words, it refers to an agricultural practice.

Mr C.J. TALLENTIRE: Which clause is the minister reading from?

Mr D.T. Redman: I am reading from section 74B(2)(d)(i) of the EP act. That is in existence.

Mr C.J. TALLENTIRE: That is being removed.

Mr D.T. Redman: We are not removing that. We are replacing it with (d) "an agricultural activity", which is consistent with subsection (2)(d)(i) in the act, and ensuring that includes proposed subsection (2)(d) of the repeal bill by including the words "including the management or harvesting of a plantation". It is consistent.

Mr C.J. TALLENTIRE: No, it is not. Subsection (2)(d)(i) is no longer relevant because the act referred to in (2)(d)(i) is being repealed.

Mr D.T. Redman: No. The whole idea is to take out the reference to the act because the Agricultural Practices (Disputes) Act is being repealed. It does not mean we will be taking out the intent of what the EP act is trying to achieve.

Mr C.J. TALLENTIRE: The intent of the EP act at the moment is to avoid an offence of environmental harm if we can say that what we are doing is consistent with a code of practice relating to the management or harvesting of a plantation. I am accepting that we are maintaining that; I am prepared to agree to that. But the minister is adding that a person can avoid a charge of environmental harm if he is claiming to do an agricultural activity that might include the management or harvesting of a plantation but that it might include other things as well. A whole new area of exemptions from environmental harm is being opened up.

Mr D.T. Redman: Consistent with the current act.

Mr C.J. TALLENTIRE: With respect, the minister really needs to get legal advice from people who work on the Environmental Protection Act. This is not the right way to amend the Environmental Protection Act. This is a backdoor amendment to the Environmental Protection Act; it is totally unacceptable.

Mr D.T. REDMAN: The member's argument beggars belief. In the first instance, there is consultation with the Department of Environment and Conservation and the Environmental Protection Authority.

Mr C.J. Tallentire: Those people are not here now, and if they were, they might see things differently.

Mr D.T. REDMAN: Member, the point is that it is actually a matter of fact and a matter of law that what we put in the repeal bill is consistent with the intent of the Environmental Protection Act. The current Environmental Protection Act has a reference, and its reference, in italics, is to the Agricultural Practices (Disputes) Act. As a consequential amendment to the repeal of this bill, we need to change all those other references. This simply takes out that reference without taking out or changing the intent of the Environmental Protection Act. The way the amendment is written now, which will be amended in that act consequentially, it captures the same intent as exists in the Environmental Protection Act with the reference to the act that will be repealed. The intent that exists now is to defend an agricultural practice that is carried out in compliance with a code of practice, because that also refers to both those points, or the harvesting of plantations in compliance with the code of practice. That intent has not been changed. All we are simply doing is taking out the reference to the Agricultural Practices (Disputes) Act because that act will be repealed.

Mr C.J. TALLENTIRE: I can accept that as a consequential amendment we would remove from another act reference to the repealed act, in this case the Agricultural Practices (Disputes) Act. But I cannot accept that in repealing legislation in the Minister for Agriculture and Food's portfolio we will make a change, which I think is very substantial, to the Environmental Protection Act, an area of legislation well outside of the powers of the Minister for Agriculture and Food. This is a significant change; it opens up many, many other areas for exemption from environmental harm offences. I think that that is a dramatic change to the Environmental Protection Act. I think the minister needs to get legal advice from people who are specialists in this area of environmental law. It is totally unacceptable that we are risking changing the Environmental Protection Act because of something that the minister believes, and his advisers might believe, is a consequential amendment. That is just totally unacceptable.

Mr M.P. MURRAY: Listening to both the questions and the answers in this debate very intently has certainly given me some concerns. I am not too sure whether some further discussion is needed, but if there is, I will give the member the chance.

Mr C.J. TALLENTIRE: I ask that the minister provide the legal advice that he claims to have from the Department of Environment and Conservation on this matter, because so far, we have just had some general references to some suggestions that legal advisers in that department have agreed to these amendments. We have not seen anything of that, and when we talk about enabling a range of codes of practice to be drawn up that would then be used by people as a defence for an environmental harm offence, I think it is very serious. It was a long-fought battle to ensure that we defined environmental harm, and I acknowledge the contribution made by Hon Judy Edwards when she was a member of this place in bringing about those environmental harm amendments to the Environmental Protection Act. There were many others who worked on that issue; it was an amendment to the Environmental Protection Act that was recognised as necessary. The need had been recognised for many years, but it took a long time for the amendments to actually come into effect; therefore, I think it is just terrible that in this bill before us we have a means of opening things up so that people can develop these codes of practice. The experience has been that codes of practice are initially weak; they do not deliver what is necessarily intended. They eventually get to what the community expectation might be, but that is not the case here. Therefore, I am very concerned about opening this potential for a range of codes of practice to be developed that could be used as a defence for an environmental harm offence. I think the minister really needs to explain where his legal advice comes from. I do not think it is adequate if the advice comes from only the Department of Agriculture and Food, because this is not a consequential amendment; this is a substantial amendment that cuts to the core of the environmental harm provisions in the Environmental Protection Act. The most powerful penalties in the Environmental Protection Act relate to environmental harm. The minister claims that amendments to that part of the legislation are consequential; that is not the case at all. From memory, the penalties for some of the offences of environmental harm start at $250 000. These are major offences and the minister will enable people to develop codes of practice that would then be used as a form of defence against an environmental harm charge. That is just totally wrong and I think it is wrong that this Parliament is being used in this way—that something is being cloaked as a consequential amendment when it is not. This is a substantial amendment to another piece of legislation that is not within the minister's portfolio responsibilities.

Mr D.T. REDMAN: I will have one more go at this. In presenting this bill, there is no intent or practice whatsoever to change the Environmental Protection Act. We are not changing the intent of the Environmental Protection Act through what is in the bill before us.

Mr M.P. Murray: Minister, just briefly, the word "intent" is okay, but intent does not mean that something will not happen. The minister says that there is no intent, but as has been well explained, is there a possibility of something happening?

Mr D.T. REDMAN: Interestingly, the drafting of this bill probably began when the Labor Party was in government, and as I understand it, it is pretty much the same bill that was there under Labor. There were discussions with Department of Environment and Conservation about this bill. The EPA had input into it. Those agencies would be running the flag up the pole if there was any move by the government in repealing this agricultural disputes act to change the intent of their Environment Protection Act. In the current Environmental Protection Act, there is reference to there being a defence of engaging in an agricultural practice as long as it is in compliance with the code of practice. There is reference to the defence of managing or harvesting a plantation as long as it is in compliance with a code of practice. That is in the current act. The only thing in the current act that we need to change is the reference to another act that we now want to repeal. Therefore, we are trying to hold to the original intent of the Environmental Protection Act, which is being done by the consequential amendments in this bill; there is actually no change to that act. I can only say once more that we have very competent people doing this; we have very competent people in the Department of Environment and Conservation who advise us and there are competent people in Department of Environment and Conservation.

Mr C.J. Tallentire: They are not here now.

Mr D.T. REDMAN: But hang on, that work is done. This is a bill that I have carriage of through the Department of Agriculture and Food. But the work has already been done to ensure that the other agencies are happy with the consequential amendments that affect the other acts and that their people have looked at them. That is a process that happens; it happens with all bills that go through Parliament, and the member would understand that that is the process that occurs. There is no change to the intent. The member may not be happy with the intent of what is there —

Mr C.J. Tallentire interjected.

Mr D.T. REDMAN: The member has made reference to codes of practice and to not being happy about the codes of practice and what they achieve. The codes of practice are already referred to in the Environmental Protection Act.

Mr C.J. Tallentire: So you are admitting that the intent is to enable a range of codes of practice to be developed that will be a defence against environmental harm.

Mr D.T. REDMAN: No; it is exactly the same as what is in the current act.

Mr C.J. Tallentire: At the moment, only one code of practice is permitted, and that is the code of practice that relates to the harvesting of a plantation. Can you show me where we have that opportunity for other codes of practice to be used currently?

Mr D.T. REDMAN: In the second part of the current act, the lower part of section 74B(2)(d) states —

> and in compliance with a code of practice relating to an act of that kind issued under section 122A or made or approved under any other written law …

Therefore, there is a —

Mr C.J. Tallentire: That is an "and". Therefore, it must begin, "the management of the harvesting of a plantation, and in compliance with the code of practice". The only way someone could escape an environmental harm charge offence is by saying, "Oh sorry, but I'm doing this in the management of the harvesting of a plantation and I am in compliance with the code of practice." That is what it says.

Mr D.T. REDMAN: But the reason that "and" is there is that it needs to capture those two points that are referenced in the current bill. We have simply amalgamated those two into one clause.

Mr C.J. Tallentire: That is where the mistake has been made.

Mr D.T. REDMAN: But it does not change the intent.

Mr C.J. Tallentire: Of course it does, because what you are trying to do will allow a whole lot of other things that are not currently allowed.

Mr D.T. REDMAN What is currently allowed in section 74B(2)(d)(i) and (ii) of the Environmental Protection Act is allowed in the amendment that is contained in proposed new subsection (2)(d); namely —

> (d) an agricultural activity (including the management or harvesting of a plantation) done in compliance with a code of practice relating to an activity of that kind —

That is followed by new subparagraphs (i) and (ii), which are also referenced in the act. In this amendment there is no intent to change what the current act provides for. It has the support of DEC and it has the support of the EPA, as is the normal practice when dealing with other bills that have to be amended outside of the current act that is being repealed.

Mr C.J. TALLENTIRE: I think that in the last few moments when the minister was on his feet, we have really gotten to the point of where this error has been made. It is because the minister and others in his agency have perhaps misread it. The wording is very clear —

> (ii) in the management or harvesting of a plantation,
>
> and in compliance with a code of practice …

That is the only way a person could defend himself against a charge of causing environmental harm. The person would have to be able to say, "I am doing this in the management or harvesting of a plantation, and I am in compliance with a code of practice." So, those two are combined.

Mr D.T. Redman: The issue that you have, it seems to me, is an issue with the current act. You actually do not have an issue with what we are putting up here in our repeal bill. You actually have an issue with the current act, because that is what it says.

Mr C.J. TALLENTIRE: Not at all. I want that to be maintained. The minister is taking that provision and he is trying to expand it, because he had misread that "and". That is the problem. The minister is trying to say that a charge of causing environmental harm can be avoided by saying, "I am doing this in the management or harvesting of a plantation, and I might be doing something else, and I am in compliance with a code of practice." The minister is actually misunderstanding it. The minister is the one, as I have been saying all along, who is broadening this. That is not the minister's intent—I understand that—but that is what the minister is doing with the wording. That is why I maintain that the amendment that I have moved is a better set of words, because it actually meets the intent of what the minister wants to achieve. I will go back to my other point, though, that I think it is absolutely perverse that we are making amendments to the Environmental Protection Act while we are discussing the repeal of the Agricultural Practices (Disputes) Act.

Mr D.T. Redman: I can only make the point so many times.

Amendment put and a division taken with the following result —

Ayes (22)

Ms L.L. Baker	Mr J.C. Kobelke	Ms M.M. Quirk	Mr A.J. Waddell
Ms A.S. Carles	Mr F.M. Logan	Mr E.S. Ripper	Mr P.B. Watson
Mr R.H. Cook	Mr M. McGowan	Mrs M.H. Roberts	Mr B.S. Wyatt
Ms J.M. Freeman	Mr M.P. Murray	Mr T.G. Stephens	Mr D.A. Templeman *(Teller)*
Mr J.N. Hyde	Mr A.P. O'Gorman	Mr C.J. Tallentire	
Mr W.J. Johnston	Mr P. Papalia	Mr P.C. Tinley	

Noes (26)

Mr F.A. Alban	Mr J.H.D. Day	Mr A. Krsticevic	Mr D.T. Redman
Mr C.J. Barnett	Mr J.M. Francis	Mr J.E. McGrath	Mr M.W. Sutherland
Mr I.C. Blayney	Mr B.J. Grylls	Mr W.R. Marmion	Mr T.K. Waldron
Mr I.M. Britza	Dr K.D. Hames	Mr P.T. Miles	Dr J.M. Woollard
Mr T.R. Buswell	Mrs L.M. Harvey	Ms A.R. Mitchell	Mr A.J. Simpson *(Teller)*
Mr G.M. Castrilli	Mr A.P. Jacob	Dr M.D. Nahan	
Dr E. Constable	Mr R.F. Johnson	Mr C.C. Porter	

Pairs

Mr J.R. Quigley	Mr M.J. Cowper
Mr M.P. Whitely	Mr P. Abetz
Ms R. Saffioti	Mr V.A. Catania
Dr A.D. Buti	Dr G.G. Jacobs
Mrs C.A. Martin	Mr J.J.M. Bowler

Amendment thus negatived.

Clause put and passed.

Clause 5 put and passed.

Title put and passed.

Leave granted to proceed forthwith to third reading.

Third Reading

MR D.T. REDMAN (Blackwood–Stirling — Minister for Agriculture and Food) [3.22 pm]: I move —

That the bill be now read a third time.

MR M.P. MURRAY (Collie–Preston) [3.22 pm]: As we move into the third reading debate, I have to say that I think the minister has missed an ideal opportunity with the Agricultural Practices (Disputes) Repeal Bill 2011. Instead of just repealing the Agricultural Practices (Disputes) Act 1995, he could have, if he had gone one step further, enhanced it and really made it relevant to the communities that he professes to represent. Emphasis could have been put back on mediation, so that people could have been brought together before having to go through either the court or civil system, and this was the opportunity, with some small changes, to do that. That is very, very disappointing. Yes, I agree that mediation has not been used for a while and it has not been overly used in the past, but I really believe that is because it was not promoted or funded that well. The minister had this opportunity. Just because something has been lying there, it should not be just discarded. During the second reading debate I spoke about how people could come together when there is a community problem around urbanisation versus farmlands, such as plantations that are planted too close to communities. More effort should have been put in over time to promote this dispute resolution method. I am applying that across the board, not to just one side of politics.

We are now seeing the onus being shifted onto local governments. We spoke earlier about the issue of lot feeding in Donnybrook shire. Because of the number of cattle in a lot feeding yard—it was on the 500 mark—it did not come under the regulation of the Environmental Protection Authority. Consequently, the Shire of Donnybrook–Balingup had to get legal advice at a cost to all the ratepayers in that area. It had to get legal advice to find out whether it had some control over the number of cattle in that area. Because there were fewer than 500, I believe it did have some control over it. I do not think that dispute has been settled yet. It was neighbours against neighbours, and that situation really, really concerns me. That is an example of how we have just let an opportunity slip by; it is very disappointing. That is only one example around cattle; I could have used many different examples—I will not run through them again. The minister himself talked about some issues that could have been dealt with by mediation, and he was right—they probably should have been. This bill could have enhanced the system, instead of repealing it.

The major concern that was voiced—the member for Gosnells put it very well—was the overlapping of the legislation. I do not think the minister really worked through that and, to be quite honest, I am not overly convinced, even at this stage, that there will not be some changes. I would like to hear the minister, during his wrap-up, saying along the lines that he guarantees that if it did impact on other legislation, he would certainly come back into this house and move an amendment to adjust that. I think if he has the power of his own convictions, he will do that. I am hopeful, because of the debate that was held across the table and his stated position, that if it does not work or it impacts on other legislation, he will be man enough to come back and make an amendment. But he did not do that with the genetically modified crops issue. He gave guarantees around the place, but in the end he did not tidy it up. We were never given the maps—as was discussed in this place—that showed who was growing GM crops, so his reputation of honouring his word is a bit shaky, to say the least. This is a chance for him to put that on *Hansard*, so that, in the future, he is bound by what he says in this place, and so that he cannot come out and say one thing and do another when he gets out in the open. I really cannot put to the minister strongly enough that his reputation has taken a beating. The minister's views are certainly different from mine on that issue, but I think that once a person says they are going to do something, they should do it, and I have seen the minster fail to do that on several occasions. I am concerned. I am making sure that the minister understands that if he does not give a commitment in this place today, we will know that he is not really serious about this, and that there is some shonky business going on about which bill or which act will be impacted. The minister can laugh.

Mr D.T. Redman: It's not shonky at all. What we are presenting is transparent.

Mr M.P. MURRAY: I am just letting the minister know that he is making himself a little more vulnerable, and I can stay here for another 24 minutes and talk about that. Is the minister laughing about the request I have put before him to be genuine in what he said across the table and to be straightforward and forthright about the intent? Once someone starts to lose credibility in this house, and then in public, they will find that it will impact somewhere. Many ministers have gone before him who just got a little too smart and a little too big for their own shoes, and they ended up out on the street and are probably still looking for jobs. Some are in court at this time.

I am saying to the minister that there is relevance in what has been said today. I would like to see him back that up with some hard words such as, yes, if it does not work, he will come back into this house with amendments to make sure that the possible impact that has been suggested to him is addressed. To laugh it off and be laughing about it just brings this place into disrepute. It means that the minister is not serious about what he has said at the table. I am really saying that here is the minister's chance. His impact in this house will be measured. I am sure as time goes on—who knows how long we will all stay in politics?—that the minister's impact in this house will be regurgitated if he does not honour his position, as we have seen many times. As is shown in *Hansard* in 1941, all that stuff that we hear in this place comes out —

Mr D.T. Redman: A little bit before me!

Mr M.P. MURRAY: A little bit before me, too!

What I am trying to point out is that the onus is on the minister to make sure that he honours what he has said at the table. I now see that the minister is taking this matter a bit more seriously than previously.

The bill will go through Parliament because the minister has the numbers. I am more than a little disappointed that he did not take a little more time to deal with the bill instead of just going through his list and saying, "We'll knock that one over; we'll get rid of that one", instead of looking at what we can do to enhance some of the older legislation to make it relevant in today's terms. We are going to have those problems and we are not that far away from the next boom, I believe, in building and growth in areas such as Bunbury and around Collie—those areas where we will run up against the impact of a boom again. Harvey is an absolute classic. There are people in Harvey who have cows looking over their back fence; cows have their heads over their Super Six fence on the side of their property. Some people do not like that; others think it is really good. But there will be those sorts of impacts that should not have to go before the courts to be sorted out.

Another point that I do not like is handballing these matters to local government. Local governments are criticising me in many ways and saying, "Not another job we have to do! What is the government's job?" It is not up to local government to have the responsibility for everything that is just lumped on them, whether it be through health inspectors, noise or dust. Some members talked about noise earlier. Some local governments do not have noise monitors and have to hire them when people yell loud enough. It is a problem out there. I am asking the minister to back up the commitment he made across the table in this place today, to show a bit of integrity and to say, "If it does impact on other acts, I will be man enough to bring it back into this house."

MR D.T. REDMAN (Blackwood–Stirling — Minister for Agriculture and Food) [3.32 pm] — in reply: I will make a couple of closing remarks. I believe that this government has been effective in prosecuting the case that this Agricultural Practices (Disputes) Act is superfluous in practice, which is always the best measure of whether or not an act is being used. Clearly its activities have shown that it is an act that is not needed. I think it is good practice of government to check out these acts from time to time and to repeal them. This government is doing a good job on that. A range of issues have been discussed in this place in debating the bill and I appreciate the input from members opposite. There is no doubt that disputes will go on, whether they be between agricultural parties or parties on the fringe of urbanisation and agricultural areas. There will be challenges in those disputes. Some will result in legal action and some will be sorted out through neighbours having a good talk with each other. I maintain that the available robust formal processes, both legislative and in practice, are sufficient to deal with those challenges.

The main point here and the point that defends this government's position on repealing this bill is that in practice this act is not one that has been used. In fact, the last government was making steps to repeal the act. It had drafted legislation, probably the same legislation that is before the house today; it is just that we have taken the step in bringing it into the house. I thank members for their input and I commend the bill to the house.

Question put and passed.

Bill read a third time and passed.