

**STATUTES (REPEALS) BILL 2016**

*First Reading*

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

Explanatory memorandum presented by the minister.

*Second Reading*

**MRS L.M. HARVEY (Scarborough — Minister for Police)** [1.21 pm]: I move —

That the bill be now read a second time.

The Statutes (Repeals) Bill 2016 will remove from the statute book obsolete and redundant legislation, including one imperial act. In total, the bill will repeal five redundant acts from across four portfolios—those of Commerce, Police, Transport and the Attorney General. This bill forms part of Repeal Week and, together with the Licensing and Other Authorisations Amendment Bill 2016, supports the government's goal of modernising the statute book and reducing red tape. The two bills demonstrate the government's continuing commitment to ensure that legislation remains in force only as long as necessary, and that legislation currently in force operates effectively and efficiently. Cleaning up the statute book will assist with the government's legislative program and parliamentary business generally, by helping it remain current and relevant and by reducing the number of consequential amendments that must be considered when undertaking legislative change. A similar package of legislation was introduced into Parliament during Repeal Week 2015, which also sought to reduce the regulatory burden associated with some licences and to repeal obsolete legislation.

This bill, in particular, continues the government's program of repealing obsolete and out-of-date legislation. One of the acts to be repealed by this bill is the Coal Industry Tribunal of Western Australia Act 1992. This act is obsolete as a result of commonwealth industrial laws, which have exclusively regulated industrial relations matters since 2006 in respect of employers that are constitutional corporations, meaning trading or financial corporations. The two coalmining employers operating in Western Australia are both regulated under the commonwealth Fair Work Act 2009, rendering the Coal Industry Tribunal of Western Australia 1992 redundant. Accordingly, it can be repealed.

The Labour Relations Reform Act 2002 is now also redundant and can be removed from the statute book as it has already achieved its stated purpose of amending various items of employment legislation and repealing Western Australian workplace agreements. The amendment provisions have already been implemented, and the remaining provisions relating to statutory contracts of employment no longer serve any purpose as this area is regulated by modern awards and industrial agreements.

The Spear-guns Control Act 1955 regulates the use of spear guns to ensure public safety. Spear guns are also identified as controlled weapons under the more modern Weapons Act 1999. As such, the Spear-guns Control Act 1955 has not been used in over 10 years. Police have adequate powers under the Weapons Act 1999 to deal with people possessing or carrying a spear gun in a manner that could cause harm to another. Therefore, the outdated Spear-guns Control Act 1955 can be repealed.

The Western Australian Marine (Sea Dumping) Act 1981 came into operation on 19 April 1984 to regulate the dumping of waste and certain objects into the sea. However, in practical terms, the Western Australian Act has never been utilised as there is commonwealth legislation that adequately regulates these issues. Therefore, the Western Australian Marine (Sea Dumping) Act 1981 can be repealed.

Finally, the bill will also repeal one imperial act that is no longer relevant because there is no case that now relies upon the Escheat and Forfeiture of Real and Personal Property Act 1834 as it currently stands. Its purposes are addressed by more contemporary legislation, and so the act is now obsolete and can be dispensed with, not before good time.

In November 2012, the Legislative Council's Standing Committee on Uniform Legislation and Statutes Review tabled its interim report on the "Inquiry into the Form and Content of the Statute Book", which identified obsolete acts suitable for repeal. I acknowledge the important work of that standing committee and note that this bill continues to implement the committee's recommendations. All five obsolete acts being repealed in this bill were identified as suitable for repeal by the committee. The various amendments are explained in detail in the explanatory memorandum. I commend the bill to the house.

Debate adjourned, on motion by **Ms R. Saffioti**.