

40TH PARLIAMENT



Report 114

STANDING COMMITTEE ON UNIFORM LEGISLATION AND STATUTES REVIEW

Fair Trading Amendment Bill 2018 - Extension of time

Presented by
Hon Michael Mischin (Chairman)

June 2018

Standing Committee on Uniform Legislation and Statutes Review

Date first appointed:

17 August 2005

Terms of Reference:

The following is an extract from Schedule 1 of the Legislative Council Standing Orders:

"6. Uniform Legislation and Statutes Review Committee

- 6.1 *A Uniform Legislation and Statutes Review Committee is established.*
- 6.2 The Committee consists of 4 Members.
- 6.3 The functions of the Committee are –
 - (a) to consider and report on Bills referred under Standing Order 126;
 - (b) on reference from the Council, to consider or review the development and formulation of any proposal or agreement whose implementation would require the enactment of legislation made subject to Standing Order 126;
 - (c) to examine the provisions of any treaty that the Commonwealth has entered into or presented to the Commonwealth Parliament, and determine whether the treaty may impact upon the sovereignty and law-making powers of the Parliament of Western Australia;
 - (d) to review the form and content of the statute book; and
 - (e) to consider and report on any matter referred by the Council.
- 6.4 In relation to function 6.3(a) and (b), the Committee is to confine any inquiry and report to an investigation as to whether a Bill or proposal may impact upon the sovereignty and law-making powers of the Parliament of Western Australia."

Fair Trading Amendment Bill 2018

Extension of time

On 27 June 2018, the Legislative Council referred the Fair Trading Amendment Bill 2018 (Bill) to the Standing Committee on Uniform Legislation (Committee) for consideration and report. The reporting date is 14 August 2018, being the next sitting day after the 45 day period mandated by Standing Order 126.

The Bill proposes to amend the *Fair Trading Act 2010* to bring the Australian Consumer Law in Western Australia into alignment with the Australian Consumer Law in other jurisdictions.

On 27 June 2018 the Committee resolved to seek an extension of time in which to report on any Bill referred to it on the 27 June 2018 or 28 June 2018. This extension of time is requested to enable the Committee to properly discharge its reporting obligations to the House due to the:

- complexity of the proposed changes to the legislative scheme
- need to consider the significant Parliamentary sovereignty issues raised by the Bill
- Committee's reporting requirements in relation to the Education and Care Services National Law (WA) Amendment Bill 2018
- commitments of Committee Members over the winter recess.

The Committee therefore requests an extension of time in which to report on the Bill from 14 August 2018 to 18 September 2018.

A handwritten signature in blue ink that reads "Michael Mischin". The signature is stylized and cursive.

Hon Michael Mischin MLC
Chairman



Standing Committee on Uniform Legislation and Statutes Review

Members as at the time of this inquiry:

Hon Michael Mischin MLC (Chairman)

Hon Pierre Yang MLC (Deputy Chairman)

Hon Laurie Graham MLC

Hon Robin Scott MLC

Staff as at the time of this inquiry:

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