

# Legislative Council



MEDIA RELEASE

26 June 2019

## Public Administration Committee: New Inquiry into Private Property Rights

The Standing Committee on Public Administration today announced the commencement of an Inquiry into Private Property Rights.

The Legislative Council referred the inquiry to the Committee on 12 June 2019 on the following Motion:

*That the House —*

- (a) recognises the fundamental proprietary right of private property ownership that underpins the social and economic security of the community;*
- (b) recognises the threat to the probity of the Torrens title system, which guarantees disclosure, and re-establishes the necessity for registration of all encumbrances that affect land including environmentally sensitive areas, bushfire-prone areas and implied easements for Western Power that currently sit behind the certificate of title;*
- (c) recognises the property rights of government-issued licences and authorities including commercial fishing;*
- (d) asserts that fair and reasonable compensation must be paid to the owner of private property if the value of the property is diminished by a government encumbrance or resumption in order to derive a public benefit;*
- (e) directs the Standing Committee on Public Administration to conduct an inquiry into the matters described above — with them as its terms of reference — and to report to the house within nine months of the date of the referral.*

Hon Adele Farina MLC, Chair, said *'Parliament has on a number of occasions considered issues around private property rights. The House has instructed the Committee to further consider the issue of private property rights, in particular whether government issued licences and*

*authorities including commercial fishing give rise to a property right, whether government imposed restrictions should be registered on the certificate of title and licences and what constitutes fair and reasonable compensation where private property rights are diminished by government restrictions or resumptions. The inquiry provides an opportunity for those with a view on these matters to be heard.'*

The Committee has today called for public submissions, and will also be contacting stakeholders to provide a submission to this inquiry. Submissions will close at 5pm on 31 July 2019.

For further information on the inquiry, and information on how to provide a submission, visit the Committee's webpage at [www.parliament.wa.gov.au/pub](http://www.parliament.wa.gov.au/pub).

For media inquiries, contact Hon Adele Farina MLC, Chair, on 0438 763 783.

Other inquiries to Ms Kristina Crichton, Committee Clerk on (08) 9222 7207.

**Hon Adele Farina MLC**  
**Chair**