

STANDARDISATION OF FORMATTING BILL 2009

Introduction and First Reading

Bill introduced, on motion by **Hon Michael Mischin (Parliamentary Secretary)**, and read a first time.

Second Reading

HON MICHAEL MISCHIN (North Metropolitan — Parliamentary Secretary) [4.47 pm]: I move —

That the bill be now read a second time.

As a result of the Parliamentary Counsel's Office's legislative drafting and database system project, the new Western Australian legislation and legislative information database came online in October 2007. The database is available through the State Law Publisher's website and significantly improves access to Western Australian legislation. The primary purpose of the database is to make Western Australian legislation as accessible as possible. Consolidated versions of all acts and regulations that are of ongoing effect are now available through the website in Microsoft Word, portable document format and hypertext mark-up language formats. All acts "as passed" since 1856 are also available and the Parliamentary Counsel's Office is working to back-capture all acts passed by this Parliament since its inception. The searching capabilities of the new database are far superior to those previously available. The database also makes available a large amount of legislative information such as commencement dates, details of amendments and repeals, subsidiary legislation made under each act and the relevant administering portfolio and agency for each act. The legislation database is used by all sectors of government, members of Parliament, the courts, the legal profession, business and the general public. It is in the best interests of all those groups for the database to be as reliable as possible and have the best possible searching and useability capabilities. To this end, the Parliamentary Counsel's Office is continuing its work to improve the database.

Drafting standards currently exist in the Parliamentary Counsel's Office for the layout, style and formatting to be used in bills and regulations drafted in that office. However, as members would be well aware, the appearance of legislation has changed enormously since this Parliament enacted the state's first legislation. The efficacy of any database is dependent on the quality of the data stored in it. To ensure that the state's legislation database is of the highest possible quality and functionality, considerable work has gone into bringing the layout, style and formatting of the state's legislation into line, as far as practicable, with current drafting standards. Much of this work has been done administratively. Some further changes have been effected through the exercise of the powers available under the Reprints Act 1984. However, some structural and formatting matters can be changed only by legislative amendment. The purpose of this bill is to effect some of those changes.

Uniformity of layout, style and formatting across the legislation database will improve the readability of legislation; increase the ability to search and manipulate the data on the database by improving its structural consistency; enable additional functionality to be incorporated into the database, such as the hyperlinking of references both within a document and between documents; and reduce the complexity of the database, thus simplifying its maintenance and reducing the likelihood of technical problems. With the rapid advances being made in information technology, it is likely to become possible in future to further improve the functionality of the database. Uniformity of layout, style and formatting will be essential to enable those improvements to be made.

The amendments proposed in the bill relate to two broad issues—headings to various legislative components, and the structure of subsections and paragraphs within legislation. In addition to those amendments, the opportunity is being taken to repeal schedules to acts and certain other provisions because those schedules or provisions are redundant, spent or exhausted by the effluxion of time—for example, clauses 6 and 10; clause 13, which repeals long-obsolete provisions in the Constitution Act 1889; and clauses 49 and 63. Some amendments are corrections to incorrect citations, such as clause 7, and some are designed to improve citations, such as clause 38, for which references to schedule 9A of the Transfer of Land Act 1893 are renumbered as schedule 10 because there is currently no schedule 10 and all the other schedules are identified by ordinal numbers.

These amendments are otherwise changes only to layout, style and formatting. The amendments are not changes to the substantive law. Given the non-substantive nature of the amendments, the bill may appear to be of little or no consequence. That is not the case. Every Western Australian is taken to know the law; they are obliged to comply with it. It is therefore important for us to ensure that every Western Australian has the best possible access to the laws that they are obliged to comply with. This bill will help ensure that the state's legislation database is of the highest possible quality and functionality, thus providing every Western Australian with the best possible access to the state's legislation. I commend this bill to the house.

Debate adjourned, pursuant to standing orders.