

LEGAL PROFESSION UNIFORM LAW APPLICATION (LEVY) BILL 2021

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Matthew Swinbourn (Parliamentary Secretary)**, read a first time.

Second Reading

HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary) [7.10 pm]: I move —

That the bill be now read a second time.

In 2016, the Western Australian Legal Profession Act 2008 was amended by the Western Australian Legal Profession Amendment Act 2016 to amalgamate the law library of the Supreme Court with the law library of the then Department of the Attorney General and to impose an obligation upon the Legal Practice Board to pay the state an annual amount as a contribution towards the cost of providing and maintaining the law library. The amalgamated law library is currently situated at the David Malcolm Justice Centre and is operated by the Department of Justice on behalf of the state. The law library is for the use of the judiciary, local lawyers and other prescribed persons.

Under clause 243 of the Legal Profession Uniform Law Application Bill 2021, the state may establish and manage a law library for the use of the judiciary, local lawyers and other prescribed persons. A transitional provision contained in clause 325 of the Legal Profession Uniform Law Application Bill 2021 continues the law library established under the Legal Profession Act 2008 as the law library that may be established under clause 243.

Clause 244 of the Legal Profession Uniform Law Application Bill 2021 provides for the board to pay to the state an annual amount as a contribution towards the cost of providing and maintaining the law library. The amount of the contribution will be calculated in accordance with regulations. This contribution will be credited to the law library fund, an agency special purpose account established under the Western Australian Financial Management Act 2006. The funds credited to that account may be used to provide and maintain the law library, to provide library services and for other prescribed purposes relating to the law library.

The Legal Profession Uniform Law Application (Levy) Bill 2021 will amend section 244 of the Western Australian Legal Profession Uniform Law Application Act 2021, once passed, by the addition of a new subsection (9), providing for a levy to be imposed by section 244, or regulations made thereunder. This second and separate bill is necessitated by section 46(7) of the Western Australian Constitution Acts Amendment Act 1899, which provides that bills imposing taxation must deal only with the imposition of the tax.

Pursuant to standing order 126(1), I advise that this bill is a uniform legislation bill. It is a bill that ratifies or gives effect to an intergovernmental or multilateral agreement to which the government of the state is a party.

I commend the bill to the house and I table the explanatory memorandum.

[See paper [429](#).]

Debate adjourned and bill referred to the Standing Committee on Uniform Legislation and Statutes Review, pursuant to standing orders.