

STATUTORY BOARDS AND AUTHORITIES, REVIEW

71. Mrs C.L. Edwardes to the Attorney General

I refer to the review of statutory boards and authorities being undertaken by the State Government and ask -

- (a) is the Attorney General going to establish an appeals tribunal that will deal with matters currently dealt with by statutory boards and authorities eg the builders registration board;
- (b) if so, what are the Attorney General's recommendations relating to the proposal;
- (c) which statutory authorities will be affected by the proposal;
- (d) have these statutory authorities been consulted on the changes and are they in agreement with the changes;
- (e) will the Attorney General table correspondence between his office and the statutory authorities regarding this issue;
- (f) in line with the Government's commitment to openness, has or will public opinion be sought for the proposed changes;
- (g) what will be the funding for the proposed tribunal;
- (h) will the tribunal have original jurisdiction to deal with complaints; and
- (i) will the tribunal have an appellant jurisdiction?

Mr J.A. McGINTY replied:

- (a) Yes.
- (b) Cabinet has endorsed in principle most of the recommendations contained within the Western Australian Civil and Administrative Review Tribunal Taskforce Report, which sets out a model for a State Administrative Tribunal. The Report has been released for public feedback.
- (c) The following statutory authorities will be affected by the proposal:
  - Architects' Registration Board
  - Building Disputes Tribunal
  - Builders Registration Board
  - Chiropractors Registration Board
  - Commercial Tribunal
  - Dental Board of Western Australian
  - Electrical Licensing Board
  - Equal Opportunity Tribunal
  - Finance Brokers Supervisory Board
  - Fisheries Objections Tribunal
  - Hairdressers Registration Board of Western Australia
  - Land Surveyors Licensing Board
  - Land Valuation Tribunal
  - Legal Practitioners Disciplinary Tribunal
  - Medical Board of Western Australia
  - Motor Vehicle Dealers Licensing Board
  - Nurses Board of Western Australia
  - Occupational Therapists Registration Board of Western Australia
  - Optometrists Registration Board
  - Osteopaths Registration Board
  - Painters Registration Board Pharmaceutical Council of Western Australia
  - Physiotherapists Registration Board
  - Plumbers Licensing Board
  - Podiatrists Registration Board
  - Psychologists Board of Western Australia
  - Racing Penalties Appeals Tribunal
  - Real Estate and Business Agents Supervisory Board
  - Retirement Villages Tribunal
  - Settlement Agents Supervisory Board
  - Strata Titles Referee
  - Town Planning Appeals Tribunal

- Veterinary Surgeon's Board
- Water Resources Appeals Tribunal
- Western Australian Gas Review Board

(d) Thorough consultation with stakeholders had been undertaken during the course of the following reviews conducted since 1992, which all recommended the establishment of a civil and administrative tribunal:

- o Report on Judicial Review of Administrative Decisions: Appeals: Western Australian Law Reform Commission (1992);
- o Report on Judicial Review of Administrative Decisions: Procedural Aspects and the Right to Reasons (1992);
- o The Commission on Government Report No 4 (1996);
- o Report of Tribunals Review to the Attorney General (the Gotjjamanos Report 1996);
- o Review of the Criminal and Civil Justice System in Western Australia (1999); and
- o Report of the Gunning Committee of Inquiry into Fair Trading Boards and Committees.

A consultation draft copy of the Western Australian Civil and Administrative Review Tribunal Taskforce Report was distributed to Government Ministers and relevant heads of Departments in December 2001 inviting their comments and submissions, which were all supportive of the proposal to establish a State Administrative Tribunal.

A final copy of the Western Australian Civil and Administrative Review Tribunal Taskforce Report was recently distributed for public feedback. This process is ongoing, but feedback received to date indicates general acceptance of the proposal to establish the Tribunal.

- (e) No.
- (f) The Western Australian Civil and Administrative Review Tribunal Taskforce Report was recently distributed for public feedback.
- (g) Funding is presently being considered by government.
- (h) Yes.
- (i) Yes.