

FAIR TRADING AMENDMENT BILL — PROGRESS

**755. Mrs L.M. O'MALLEY to the Minister for Commerce and Industrial Relations:**

I refer to the Fair Trading Amendment Bill 2018. Can the minister please update the house on the progress of the bill, the benefits it will bring to Western Australian small businesses and why it has taken so long to bring these reforms to WA?

**Mr W.J. JOHNSTON replied:**

I thank the member for the question. I appreciate the opportunity to update the house on the progress of the bill. The Fair Trading Amendment Bill 2018 will bring Western Australia's fair trading regime up to date. The Fair Trading Act has not been amended since it was introduced and brought into law in 2013, so in Western Australia our fair trading system has missed out on a number of amendments that have been introduced in the federal system. The federal system provides additional protections for small business in dealing with other businesses, so unfair terms in contracts of up to \$300 000. I know that the member for Bateman, who used to represent big businesses when he worked for the ANZ bank, which has been shown to be criminally involved in stealing money from small businesses in this country, does not like it when the Labor Party advocates on behalf of small business.

Several members interjected.

**The SPEAKER:** Get back to the question, minister.

**Mr D.C. Nalder:** You used to like me to take you to the football. You loved the box.

**The SPEAKER:** Member for Bateman, I said do not bite.

**Mr D.C. Nalder:** He shouldn't talk about me in the past.

**The SPEAKER:** I will talk about you and I will call you to order for the first time. I gave you an opportunity.

**Mr D.C. Nalder:** He's out of order.

**The SPEAKER:** I call you to order for the second time.

**Mr W.J. JOHNSTON:** Thank you very much, Mr Speaker.

What has happened here is that because of the inefficiency and incompetence of the former government, it never updated Western Australia's Fair Trading Act to bring these benefits to small businesses into this state. One of the decisions of our government was to bring in the Fair Trading Amendment Bill 2018 to update our law so that small businesses can be given these protections under state law that are available to other businesses under federal law. That legislation is currently before the upper house. It is with the Standing Committee on Uniform Legislation and Statutes Review, and we look forward to the chair of that committee reporting, because he was the minister who did not implement the law when he was in power and failed to protect small businesses in this state.

We look forward to that legislation coming back from that committee and having a rapid and speedy passage through the other house so that we can deal with it in this house and bring those protections to small businesses. As I outlined in this chamber on Tuesday, the Labor Party is very interested in supporting small business. I know, indeed, as the Premier said a moment ago, every day in this Parliament the Labor government is trying to protect small business from the attitudes of the member for Vasse, who says that we need to tilt the playing field in favour of big business at the expense of small business, with her idea of having 24-hour-a-day, seven-day-a-week trading by large companies—that is, 24-hour-a-day, seven-day-a-week trading for the large supermarket retailers in this state protected, which is the protected time available to small business. But the member for Vasse wants those small businesses to have that unfair competition at those special times that are currently available just to small businesses. She wants to wreck the small businesses of this state, as does her friend the member for Riverton.

Several members interjected.

**The SPEAKER:** Members!