

LEGISLATIVE COUNCIL

Question Without Notice

Wednesday, 26 October 2022

C1153. Hon Nick Goiran to the Parliamentary Secretary representing the Attorney General

I refer to the concerns of the Joint Standing Committee on Delegated Legislation regarding the Public Trustee Scale of Fees 2022-23, and the advice to the House on 20 October 2022 that the concerns had been satisfied, and I ask:

1. Did the Attorney General, the Department or the Public Trustee provide any information to the Joint Standing Committee in relation to those concerns?
2. If yes to 1, was any person commissioned with the task of ensuring that no information provided was at odds with the damning findings of the Auditor General in the performance audit of 10 August 2022?
3. If no to 2, why not?
4. If yes to 2, who was given that task?

Answer

1-4 In relation to the Public Trustee Scale of Fees 2022/23, the Joint Standing Committee on Delegated Legislation corresponded with the Attorney General about a typographical error. An undertaking was given to the Committee to correct this typographical error. The Public Trustee advises that this typographical error will not have an impact on clients. I direct the member to the committee's departmental undertakings document published on the Parliament's website which is current as of 21 September 2022. I table the document to assist the Member.



DEPARTMENTAL UNDERTAKINGS 41st PARLIAMENT

Under its Terms of Reference, the Joint Standing Committee on Delegated Legislation scrutinises regulations and other legislative instruments made by government agencies, departments, local governments and statutory authorities. As part of that process the Committee may seek an undertaking to amend a regulation or other instrument. The following written undertakings were provided to the Committee in the 41st Parliament.

Document is current as at: **21 September 2022**

Instrument Title	Undertaking Given to Committee	Date Given	Date Amendment Gazetted/Satisfied
<u>Boxing Contest Rules 2020, Kickboxing Contest Rules 2020, MMA Contest Rules 2019, and the Muay Thai Contest Rules</u>	<p>The Minister for Sport and Recreation undertook that within the next three months:</p> <p>Boxing Contest Rules 2020</p> <ol style="list-style-type: none">1. references in paragraphs 24(1)(i), 52(1), 57(1) and 59(1) be corrected2. the full stop at the end of paragraph 37(3) be inserted and3. a defined terms section be inserted into the Boxing Rules which defines all capitalised terms in the Boxing Rules. <p>Kickboxing Contest Rules 2020</p> <ol style="list-style-type: none">1. a defined terms section be inserted into the Kickboxing Rules which defines all capitalised terms in the Kickboxing Rules; and2. section 20 subsections (h), (i), (j) and (k) be deleted. <p>MMA Contest Rules 2020</p> <ol style="list-style-type: none">1. a defined terms section be inserted into the MMA Rules which defines all capitalised terms in the MMA Rules.	28/06/2021	<p><u>GG 28/09/2021</u></p> <p>Committee reference 4120:08-11</p>

Instrument Title	Undertaking Given to Committee	Date Given	Date Amendment Gazetted/Satisfied
	<p><i>Muay Thai Contest Rules</i></p> <p>1. a defined terms section be inserted into the Muay Thai Rules which defines all capitalised terms in the Muay Thai Rules.</p> <p>Committee reference: 4101:05-08</p>		
<u>Prohibition on Commercial Fishing (Muiron Islands Marine Management Area) Amendment Order 2021</u>	<p>The Minister for Fisheries undertook:</p> <p>1. that, within six months, both the Order is amended to include a definition of 'live sand'.</p> <p>Committee reference: 4121:05</p>	30/11/2021	<p><u>GG 31/05/2022</u></p> <p>Committee reference 4131:06</p>
<u>Prohibition on Commercial Fishing (Ningaloo Marine Park) Amendment Order 2021</u>	<p>The Minister for Fisheries undertook:</p> <p>1. that, within six months, both the Order is amended to include a definition of 'live sand'.</p> <p>Committee reference: 4121:06</p>	30/11/2021	<p><u>GG 31/05/2022</u></p> <p>Committee reference 4131:05</p>
<u>Non-Coronial Post-Mortem Examinations Code of Practice 2021</u>	<p>The Minister for Health undertook:</p> <p>1. Within six months, the definition of tissue will be amended to ensure it is consistent with the definition of tissue in section 3 of the Act</p>	07/12/2021	<p><u>GG 02/08/2022</u></p> <p>Committee reference: 4136:06</p>

Instrument Title	Undertaking Given to Committee	Date Given	Date Amendment Gazetted/Satisfied
	<p>2. The Code of Conduct will not be applied contrary to undertaking 1</p> <p>3. Any consequential amendments arising from the undertaking will be made (i.e. deletion of subsections 19(2) and (3)).</p> <p>Committee reference: 4119:16</p>		
<u>Work Health and Safety (Mines) Regulations 2022</u>	<p>The Minister for Mines and Petroleum; Energy; Corrective Services; Industrial Relations undertook:</p> <p>1. Within six months, the references to <i>Work Health and Safety Regulations 2022</i> in regulations 94(2)(a) and (b) will be deleted and replaced with <i>Work Health and Safety (General) Regulations 2022</i>.</p> <p>Committee reference: 4128:05</p>	19/05/2022	
<u>Energy Regulations Amendment (Electricity Licensing) Regulations 2022</u>	<p>The Minister for Commerce undertook:</p> <p>1. Within six months, delete regulation 63C</p> <p>2. Regulation 63C will not be applied contrary to undertaking 1</p> <p>Committee reference: 4128:06</p>	24/05/2022	

Instrument Title	Undertaking Given to Committee	Date Given	Date Amendment Gazetted/Satisfied
<i>Public Trustee Scale of Fees 2022/23</i>	<p>The Attorney General undertook:</p> <ol style="list-style-type: none"> 1. Within six months, to correct the typographical error in clause 23. <p>Committee reference: 4133:15</p>	13/09/2022	