

DISPOSAL OF UNCOLLECTED GOODS AMENDMENT BILL 2015

Receipt and First Reading

Bill received from the Assembly; and, on motion by **Hon Michael Mischin (Minister for Commerce)**, read a first time.

Second Reading

HON MICHAEL MISCHIN (North Metropolitan — Minister for Commerce) [5.12 pm]: I move —

That the bill be now read a second time.

The Disposal of Uncollected Goods Amendment Bill 2015 will amend the Disposal of Uncollected Goods Act 1970 to raise the monetary threshold from \$300 to \$3 500. As I will set out shortly, this threshold value is important, as it determines what action needs to be taken before uncollected goods can be lawfully disposed of. This amendment will save businesses, such as motor vehicle repairers, time and money by streamlining the procedure involved in disposing of uncollected goods. The bill is an important part of the government's reinvigorated regulatory reform plan. It proposes non-controversial changes that will remove unnecessary or redundant legislation from the statute book and complements the measures taken in the Licensing Provisions Amendment Bill 2015, the Residential Tenancies Amendment Bill 2015 and the Obsolete Legislation Repeal Bill 2015. Together, the four bills demonstrate the government's continual commitment to deliver on red-tape reduction outcomes and ensure that legislation remains relevant and current.

The Disposal of Uncollected Goods Act 1970 sets out the procedures involved for the disposal of uncollected goods that have been taken to a business for such purposes as repair or storage and have remained uncollected by their lawful owner. The act has different requirements for the treatment of uncollected goods depending on their value. For example, the procedure for goods valued below \$300 is different from that for those valued above \$300. For goods valued above \$300, businesses are required to notify the owner of the goods that the goods may be collected; after six months, again notify the owner of the goods and furthermore place a notice in both a newspaper and the *Government Gazette* that they will be seeking a court order to dispose of the goods; and, one month later, seek an order from the Magistrates Court to allow them to lawfully sell or dispose of the uncollected goods.

Throughout this time, the business left holding the uncollected goods must store those goods. This process takes a lot of time and can cost a considerable amount of money if the goods are bulky. An example is when a motor vehicle repairer is left with a vehicle that an owner decides is too costly to repair and abandons the vehicle. The law is intended to ensure that goods that would be of real value to the lawful owner are not too easily disposed of. However, the \$300 threshold figure has not been revised since 1970 and therefore no longer reflects what the broader community would consider to be an item of value. It is entirely possible that the current cost of complying with this law would exceed the value of the goods in some instances.

To address this issue, the bill will raise the threshold value from \$300 to \$3 500. The figure of \$3 500 has been calculated by determining the value of \$300 in today's market, allowing for inflation. The amendment also allows for this figure to be amended in the regulations as the value of goods change within the community. This will ensure that this scenario, in which this legislation has fallen significantly out of step with community expectations and the marketplace, will not happen again. The amendments contained in the bill will alleviate the burden on industry when disposing of uncollected goods valued at less than \$3 500.

Pursuant to Legislative Council standing order 126(1), I advise that this bill is not a uniform legislation bill. It does not ratify or give effect to an intergovernmental or multilateral agreement to which the government of the state is a party—nor does this bill, by reason of its subject matter, introduce a uniform scheme or uniform laws throughout the commonwealth.

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

[See paper 4769.]

Debate adjourned, pursuant to standing orders.