CONSUMER PROTECTION LEGISLATION AMENDMENT BILL 2018

Third Reading

MR D.A. TEMPLEMAN (Mandurah — Leader of the House) [12.51 pm]: On behalf of Mr J.R. Quigley (Minister for Commerce), I move —

That the bill be now read a third time.

MS J.M. FREEMAN (Mirrabooka) [12.51 pm]: I rise to contribute to the third reading debate on the Consumer Protection Legislation Amendment Bill 2018. I sat through the consideration in detail stage and found it a very amiable debate in terms of the questions raised. The discussion was very detailed and very worthwhile. Often, the consideration in detail stage takes quite an extensive time. The consideration in detail stage ensured that this bill—as the member for Hillarys said, it is a small "O" omnibus bill—had the scrutiny and integrity that we need in consumer protection legislation.

I take a short moment to acknowledge that on Friday night I went to the Consumer Credit Legal Service WA launch of CCLSWA Supporters. The Consumer Credit Legal Service is a very important contributor in this space of consumer protection legislation, in particular, in assisting many people who would not be able to afford legal assistance to navigate some of their financial problems or other difficulties that they are having. The service has launched CCLSWA Supporters, which people can sign up to online. It seeks people who can assist in many different ways. The organisation has volunteers who sit on their phone line and paralegals who assist. I encourage any members, particularly metropolitan members—I note that the organisation's phone line is open to regional members—to support this really great legal service.

[Quorum formed.]

Ms J.M. FREEMAN: I am pleased that there are more members in the house to hear me extol the virtues of the Consumer Credit Legal Service and its recent initiative to attract more supporters to assist them.

I am just getting the Deputy Speaker's attention to assure myself that she and the member for Forrestfield are travelling well.

The DEPUTY SPEAKER: It is absolutely fine, but thank you for inquiring.

Ms J.M. FREEMAN: I should direct my attention to the Deputy Speaker, in any event. This bill amends 10 acts under the portfolios of the Minister for Commerce, the Minister for Industrial Relations and the Minister for Mines and Petroleum. The Minister for Commerce is now the Attorney General. The bill makes changes to industrial relations and Department of Mines, Industry Regulation and Safety legislation. I was particularly interested in the amendment and the contribution by the Attorney General. Despite the fact that he did not introduce or second read the bill to the house, he took an active role in ensuring that throughout the consideration in detail stage, many of the issues were well canvassed. He particularly showed his keen eye in ensuring that the intentions of our legislation deliver the outcomes that this Parliament hopes to achieve. He did that through introducing an amendment to the bill to assist further in achieving the intentions of the bill around affixing furniture to walls in rental properties. Many members contributed to this debate and know that the changes around affixing furniture to walls come from a great tragedy and a loss of life, when a young child pulled a piece of furniture onto himself. If the furniture had been anchored to the wall, it would not have caused fatal injuries. The intention of one of these amendments to the Residential Tenancies Act is to ensure the safety of tenants through requiring pieces of furniture to be affixed to walls. The member for Belmont gave a very good summation of the issues and some of the recommendations that came from the coroner and other organisations.

What really came out during the consideration in detail stage that needs to be recognised and applauded was that the Attorney General, with his keen eye to ensure that the bill meets its intended purpose, looked at the three grounds on which landlords could refuse permission for furniture to be anchored. In particular, he wanted to ensure that refusal was not another way of delaying or preventing it. Indeed, during consideration in detail, he outlined that the three grounds for refusal were that the wall contained asbestos, the wall was in a heritage building or something in a body corporate agreement between all owners prohibited furniture being affixed to a wall. His concern was that the three grounds for refusal could also be grounds for delay if there was no time limit in which refusal had to be given to the tenant, so he put in a time limit—a very considered amendment—to ensure that there was a seven-day period for the decision to refuse to allow furniture to be affixed. The amendment gives the landlord a seven-day period in which to invoke any of those three grounds for refusing permission to anchor furniture. That is an extremely important aspect and is an extraordinarily good demonstration of how the Attorney General came into the consideration in detail stage of this bill not just to take on a piece of legislation that he had carriage of through a change in portfolio, but to illustrate how he has taken on this portfolio with great interest and the same enthusiasm that he has in his role as Attorney General.

This legislation also allows many regulations to be updated to make them fairer. It increases the penalties in the Auction Sales Act, the Charitable Collections Act, the Debt Collectors Licensing Act, the Employment Agents Act, the Land Valuers Licensing Act, the Real Estate and Business Agents Act and the Settlement Agents Act. That is a small number of acts. Fifty acts administered by the Consumer Protection division were looked at. In fact, a very considerable review of the penalties was done some years ago. The 50 acts administered by the Consumer Protection division were classified into acts that had no penalty changes, acts that had penalty changes that were not justified, acts that did not contain penalties and acts that had penalties. From those 50 acts, 14 acts fell within the category of acts with penalty changes, and those acts were gone through. There were some acts with adequate penalties and there were some that had corresponding legislation that changed the penalties. It was a really considered process. Although the member for Hillarys mentioned the increases, it needs to be clear that those increases were well considered and confined to only those that were necessary. Only seven acts needed to be changed to make the penalties contemporary and realistic. In doing so, there was an assessment of the penalties in other states, the penalties at the time and what was recommended.

I note that there are some penalties that I am always interested in, and that shows the city aspect of my constituency, but I probably will not come across the provision in the Auction Sales Act 1973 for the sale of cattle, sheep, pigs or goats whereby the licensee, employee or clerk of an auctioneer cannot purchase stock without the vendor's consent. This will ensure that the auctioneer does not act in a manner that is, frankly, slightly fraudulent if they auction the stock and are also involved in the purchase. That seems to be a perfectly reasonable restriction on the person undertaking the auction. A cost–benefit analysis of the current penalty of $1 000 shows that if the auctioneer could make $5 000 by purchasing the stock for themselves, the penalty would not be a disincentive, as they could afford to pay the penalty after they had assessed whether it was worthwhile doing it for gain. Increasing the penalty to $100 000 shows the severity of such actions. An auctioneer is to act in good faith and appropriately as required.

It is always interesting to look at why penalties are increased. Primarily, penalties act as an appropriate deterrent to bad conduct—for example, an auctioneer selling goods to themselves for gain. Penalties also ensure that there is greater compliance with legislation and that the legislation operates in a more effective manner. As I have said previously, with higher penalties, there is a significant risk for people, whereas with lower penalties, it can just be an inconvenience or the cost of doing business for them. They can make a decision to pay the penalty and absorb it as a cost of doing business when they cut corners or act inappropriately.

When a penalty is set, there is always the consideration that the penalty is not effective if the profit from a breach is greater than the penalty. Under the Employment Agents Act, the Land Valuers Licensing Act or the Settlement Agents Act, it is imperative that people operate with a licence. If they are licensed, their information is collected by the department and they have to meet licence provisions. They have to show that they are a fit and proper person to obtain a licence. However, if being without a licence breach is not enough and the profit due to a breach is greater than the penalty, the purpose of penalties is undermined; for example, the Employment Agents Act 1976 will be amended, so that employment agents must be licensed. The penalty for not being licensed is currently $500 and the recommended penalty is $100 000. We can see that $500 would not act as much of a disincentive to not be licensed. The penalty for valuers not being licensed is $50 000, a relatively high amount, but it will increase to $100 000. Higher penalties are often noticed by senior managers, so they are more likely to take them into account when considering the risk analysis of their business. If the penalties are small, they will not be taken into account; the business operations will not be monitored; and agents will not be too careful about managing the role and performance of their employees. They are really good reasons for imposing penalties that reflect that.

On the increase to penalties under Australian Consumer Law recently, the Australian Competition and Consumer Commission chairman Rod Sims stated —

> "If you want your share price to keep rising and if you want to keep distributing dividends, then you better take this seriously,"

That is a really important aspect of what he was saying to boards in particular. In other words, if managers are not paying attention to what employees are doing when they act inappropriately in the marketplace and breach regulations and legislation—reputational risk aside—it is probably because it is not a risk because the business can bear the cost. That is probably because the penalties, frankly, are just not high enough. Changes of a much greater magnitude to the Australian Consumer Law came before the legislation before us; nonetheless, the increases in the bill before us are significant. The increases will be attached to the consumer price index but more importantly, they will be consistent across licensing areas. For example, when I talked earlier about the need for employment agents, valuers, settlement agents and real estate agents to be licensed, penalties for not being licensed differed. Employment agents faced a penalty of $500; valuers, $50 000; and real estate and settlement agents, $20 000. Now all the penalties will sit at the $100 000 mark so that there is consistency. The purpose of the legislation is also to cut red tape so that people can be pretty clear that licensing fees across a range of occupations and jurisdictions are consistent, and that is really important.

I also want to talk about the change to the Charitable Collections Act 1946. The amendments will reflect the current reporting practices. The intention is to streamline reporting requirements to ensure that the Commissioner for Consumer Protection can have ownership of their investigative powers under the Fair Trading Act. The Attorney General and the Minister for Commerce used the term "to enliven the powers of the Fair Trading Act". I think that is a really important aspect of what was previously limited. The amendments will give the commissioner other options. Without this Consumer Protection Legislation Amendment Bill, the only option was the cancellation of a licence when an agent failed to comply with reporting requirements. That meant there was no capacity or flexibility to take other action under the charitable collections legislation.

Consultation was undertaken with the Charitable Collections Advisory Committee, particularly the changes in reporting. The changes in reporting are really important; they mean that the commissioner needs only to require a firm to undertake audits. The commissioner has discretion to require a charitable collection and licence holder to audit annually. It is a flexible response to the fact that 85 per cent of charities in Western Australia, as I understand, are registered federally with the Australian Charities and Not-for-profits Commission and, therefore, come under Australian taxation law auditing requirements. That issue was raised by the member for Hillarys. He asked: when the requirements for an annual audit was removed, was any consideration given to the complexity and broad nature of charities, because there are small and large charities? The Attorney and the Minister for Commerce rightly pointed out that because large charities are predominantly registered with the Australian Charities Not-for-profits Commission, they will have to fulfil federal law requirements to undertake an annual audit reporting regime. I thought it was really interesting that many of the charities that are licensed in Western Australia are cross-jurisdictional, so they would be registered under the Australian Charities and Not-for-profits Commission as well as the Charitable Collections Act 1946. I think that following two legislative frameworks seems quite bureaucratic and onerous. The reality is that in most instances, in all its intents and purposes, the Charitable Collections Act 1946 applies only to small charities because most of the large charities are with the ACNC. That has certainly been recognised in the ACT and South Australia where registered charities under the ACNC are exempt from requiring a licence to fund raise. But in Western Australia they would be required to get those licences through both the Australian Charities and Not-for-profits Commission and Western Australia licensing agency. It is interesting that the Australian Capital Territory and New South Wales have exemptions from licensing for charities that raise under $15 000 in a financial year. In Victoria they have to be licensed only if they raise over $10 000 a year. Organisations are exempt from licensing if they are a state school, a council, a registered school under the Education Act, a university, a TAFE college or other tertiary educational institution, a hospital, a religious organisation, a registered political party, or a kindergarten. We still have some way to go in terms of assisting organisations in this space, with the Charitable Collections Act. We still have issues with selling raffle tickets. Like other jurisdictions, licences for street collection are separate from the Charitable Collections Act. An article published on The Conversation website on 16 March 2017 by Krystian Seibert, an adjunct industry fellow at the Centre for Social Impact Swinburne, titled, "Australian charities are well regulated, but changes are needed to cut red tape" states —

> Effective regulation is therefore needed to preserve and enhance the community's trust and confidence in charities.

He mentioned the several reporting regimes that come from that cross-jurisdictional situation.

I want to end by talking about the ways that sometimes people can get caught out with charitable collections. On 17 February 2017, the ABC online news published an article titled, "How to avoid getting into trouble when collecting for charity", which states —

> Recently, a woman selling t-shirts online to raise money for children in Syria found herself in hot water after PayPal asked for proof of her charity licence.
>
> When she was not able to provide a licence, PayPal reversed the payments already made to her, leaving her out of pocket.

That article suggests that people go through a central charity to ensure that they are safe from that occurring. The communities that I represent often want to raise funds for things that are happening in their countries of birth—which are often affected by civil war—often for educational institutions. I have to remind them that there is a good and proper process to ensure that these things are not corrupted.

DR A.D. BUTI (Armadale) [1.22 pm]: I rise to contribute to the third reading debate on the Consumer Protection Legislation Amendment Bill 2018. This bill has an interesting history because it was introduced by the Minister for Commerce on 10 October 2018 when the Minister for Commerce was Hon Bill Johnston, member for Cannington.

Mr W.J. Johnston: The quality has gone downhill remarkably!

Dr A.D. BUTI: I do not know whether Hansard picked that up!

The Attorney General is now the Minister for Commerce, but the bill is the bill.

Mr W.J. Johnston: It was Bill's bill, now it's John's bill.

Dr A.D. BUTI: Yes, once it was Bill's bill, now it is John's bill.

This can be described as an omnibus bill. It seeks to amend a number of pieces of legislation including the Auction Sales Act, the Charitable Collections Act, the Debt Collectors Licensing Act, the Fair Trading Act, the Home Building Contracts Act, the Land Valuers Licensing Act, the Real Estate and Business Agents Act, the Residential Tenancies Act, the Settlement Agents Act, and the Street Collections (Regulations) Act. I am sure that most members of the public, and of this chamber, would not even have heard of most of those pieces of legislation or be well aware of them.

Legislation is incredibly important in the functioning of any community. It provides a framework for how people should behave and for the rights they have. It also determines the powers of ministers and the government. Legislation is the dominant order of law in a state and has a greater dominance than the common law. Judges always have to make sure that they follow the intent and purpose of the acts passed by Parliament.

This bill seeks to amend a number of pieces of legislation, but I will probably only talk about two of the acts that this bill seeks to amend—the Residential Tenancies Act 1987 and the Charitable Collections Act. The amendment to the RTA comes from a tragic death of two-year-old Reef Kite. There was a state coroner's report into the death of Reef. He was a toddler who was killed by a falling chest of drawers at his home in 2015. Evidence given at the inquest was that the chest of drawers had not been secured to the rental premises because of a lack of permission from the landlord. As members know, when something is affixed to a structure, it becomes a fixture and could damage the structure of the building so, of course, tenants need permission from landlords to do that. The coroner recommended that the state government give consideration to amending the act to ensure that a residential tenancies agreement does not preclude a tenant from affixing furniture for the purpose of child safety. That is what this bill seeks to do with its amendment to the Residential Tenancies Act. The former and current Minister for Commerce should be congratulated for progressing that amendment through this chamber. That is one of the most significant amendments to improve child safety in Western Australia. I am sure that all members of the chamber would agree with that.

The other act I wish to focus on is the Charitable Collections Act 1946. This bill seeks to amend that act to provide the Commissioner for Consumer Protection with a range of investigative powers that are consistent with powers that already apply under the Fair Trading Act to other licensing legislation administered by the Commissioner for Consumer Protection. Basically, the Consumer Protection office has been making increased use of online transactions in the performance of its licensing functions. This bill will facilitate the online lodgement of information. The government should be congratulated that this will take place, because it is very important to make the system as easy as possible to administer to fulfil the purpose of the act.

Charities are quite important in our system of law and our society. I think it is important that we fully understand what we mean by charities and charitable collections because they can receive tax exemptions under federal taxation legislation. I want spend a bit of time talking about the definition of charity in trust law. The current definition of charity can always of course be amended and modified by legislation, but the evolutionary nature of what we mean by charity comes about over 400 years of the common law, and has largely been based on the preamble of the Statute of Charitable Uses 1601, also known as the statute of Elizabeth I. I got the member for Dawesville's attention when I mentioned Elizabeth. The statute was enacted by the United Kingdom's Parliament in 1601. It was given some clarification by the 1891 case, the Commissioner for Special Purposes of Income Tax v Pemsel. As a result, we have come to four heads of charity: for the relief of poverty; the advancement of education; the advancement of religion; and, for other purposes, beneficial to the community not falling under any of the preceding heads. When we talk about charity, often it is synonymous with charitable trusts. The whole idea of a trust, which is used in society for a number of reasons, is to separate the legal owner of property from the equitable or beneficial owner of the property. A trust needs to have a trustee, which is a person who administers the trust, it needs to have a beneficiary, and of course it needs trust property. A beneficiary is for a private trust. If it is a charitable trust, it is different in a sense that with a private trust, the reason it needs to identify the person or person who is a beneficiary of that private trust is that they have to have standing to enforce the trust. The issue with a charitable trust is that that can be enforced or administered usually by the Attorney General or the delegate to the Attorney General. I mentioned the statute of Elizabeth, which, as I mentioned, the member for Dawesville is very interested in. That sought to improve the ability of a charitable trust to provide relief to the poor. The seminal preamble to the statute of Elizabeth basically sets out the meaning of charity. It is rather lengthy, but it states —

> … Lands, Tenements, Rents, … Profits, … Goods, Chattels, Money and Stocks of Money, … given, limited, appointed and assigned, as well by the Queen's most excellent Majesty, and her most noble Progenitors, as by sundry other well disposed Persons: some for Relief of aged, impotent and poor People, some for Maintenance of sick and maimed Soldiers and Mariners, Schools of Learning, Free Schools, and Scholars in Universities, some for repair of Bridges, Ports, Havens, Causeways, Churches, Sea-Banks and Highways, some for Education and Preferment of Orphans, some for or towards Relief, Stock or Maintenance for Houses of Correction, some for marriages of Poor Maids, some for Supportation, Aid

> and Help of young Tradesmen, Handicraftsmen and Persons decayed, and others for any poor Inhabitants concerning payments of Fifteens, setting out of Soldiers and other Taxes; which lands Tenements, Rents, Annuities, Profits, … Goods, Chattels, Money, … nevertheless have not been employed according to the charitable intent of the givers and Founders thereof, by reason of Frauds, Breaches of Trust, and Negligence in those that should pay, deliver and employ the same.

That is very lengthy. What happened in the Pemsel case of 1891 was the famous speech by Lord Macnaghten, who sought to define the concept of charity. He tried to tackle that very long preamble in the statute of Elizabeth and provide some clarification. In his very much quoted milestone speech in Pemsel's case he said —

> 'Charity' in its legal sense comprises four principal divisions: trusts for the relief of poverty; trusts for the advancement of education; trusts for the advancement of religion; and trusts for other purposes beneficial to the community, not falling under any of the preceding heads.

That is what is charitable of course, but case law has defined what we mean by those various heads of charity. As I mentioned, the charitable trusts are public trusts, not private trusts. If private trusts are enforceable by the beneficiary, the charitable trust is normally enforced by a public officer, normally the Attorney General. But if we look at those four charitable heads, which have been succinctly phrased by Lord Macnaghten in the Pemsel case, we can see the issue for the relief of poverty. That is the one head that provides an exemption from the need for a trust to benefit a number of individuals, because to be a charitable trust, it has to not only benefit under one of those four heads, but also be for public benefit. Obviously, if it is going to be for a public benefit it generally has to be for a number of people, but a charitable trust for the relief of poverty is an exemption to that; that is, if it relieves poverty for one person, it will be sufficient.

Mr W.J. Johnston interjected.

Dr A.D. BUTI: You probably could, yes. Although, because it is a trust, the legal and equitable interests need to be separated. It is a bit difficult.

Mr W.J. Johnston interjected.

Dr A.D. BUTI: We will work on that one, minister.

It could be for the relief of one person and that would be for the relief of poverty.

For the second category, the advancement of education, we have to look at what we mean by education. In the 1952 British case of Re Shaw, education was held to include the teaching of the arts of personal contact and social intercourse. Trusts could be set up to benefit fee-paying schools, universities, and to promote training for the law. The trust has to be set up for the advancement of education. There is an issue about whether research is for the advancement of education. If personal research was done for only oneself and the charity was set up for private research that will have no seminal flow of information to others, it is unlikely that someone would be able to argue that it is for the advancement of education.

Then we have charity for the advancement of religion. Most religions have tax exemption status, but if they also have charitable status, it allows them even greater financial benefits. If it is charity for the advancement of religion, we have to determine what religion is. The seminal case in Australia is the Victorian case that went to the High Court of Australia known as the Scientology case, of course in regard to the Church of Scientology. The case related to Victorian legislation about whether Scientology was a religion or not, because if it was a religion, it got an exemption under the under the payroll tax of Victoria. That went all the way to the High Court. The High Court basically determined that a religion has to have two characteristics. Firstly, it has to believe in a superior being, like a supernatural being or someone superior.

Mr W.J. Johnston: The member for Armadale.

Dr A.D. BUTI: Yes, like the member for Armadale; that is right.

For the Church of Scientology, it is L. Ron Hubbard. Secondly, it has to have canons of conduct. In other words, it has a belief in a supernatural being and some conduct is followed as result of that belief. Some people see the Church of Scientology as being quite a different religion. In some countries it is not considered a religion and it is banned. I think it is banned in Germany. In the seminal case in Australia it was held to be a religion. It would not be that difficult to set up a religion. We could probably all set up religions if we could prove that there was a belief in a supernatural being.

Mr P.A. Katsambanis: One starts tomorrow.

Dr A.D. BUTI: One starts tomorrow—the AFL; that is right.

Mr P.A. Katsambanis: It was a good article you wrote in WAtoday.

Dr A.D. BUTI: I thank the member for the free publicity for the article I wrote in WAtoday. I advise all members to read my predictions for the AFL season.

The religion has to be for a public benefit. It is interesting that the nexus cannot be private. If it were purely a family religion, it would not have a public benefit. That point is often argued in cases. Even if the religion is a family religion and members of that family do things that are good for the public, that is still not considered to have a charitable status aspect. People would not be able to donate to a purely familial religion, even if that family performed a wealth of good deeds.

The fourth area under the Pemsel category is community benefit. The RSPCA and other organisations set up for the benefit of animals—Madam Deputy Speaker, I am sure you are very interested in this—can have charitable status because they can be seen to be for community benefit. It would not come under the relief of poverty, the advancement of education or the advancement of religion. Actually, it does not have to be human, just a supernatural being, so it could be an animal. There needs to be certain conduct, so in the case of a vegan—this is very interesting—one could have a belief. Is it the Hindu religion that has the cow as a sacred animal? One could believe that the cow was a supernatural being and the code of conduct was to be a vegetarian, so one did not eat meat. That might have a possibility of being a religion. In my view, that would have as much commonsense as the Church of Scientology being a religion, but that is my personal view. I probably should not say that because now I am going to be a marked man. So be it.

Mr A. Krsticevic: You'll be beamed up pretty soon.

Dr A.D. BUTI: On the next segment of *The Two Tonys* the Church of Scientology will probably be ringing me up on 6PR!

The definition of charity and charitable trust is an interesting area. The kernel of the issue of charitable trusts, or being for charity, is that there must be a benefit to the public and it must come under one of those heads. The fourth category, that it has to have a community benefit, allows things that do not fall under poverty, education or religion to also be picked up. That is an interesting area. It is not 100 per cent germane to the Charitable Collections Act 1946, but it is of relevance to that.

Mr P.A. Katsambanis: Do you want to talk about the interaction between charitable trusts per se and the deductible gift recipient regime, which broadens the ability to collect beyond what was commonly known as common law charitable trusts?

Dr A.D. BUTI: That is right. As I mentioned, the issue with legislation is that it allows one to overrule, enhance or minimise the common law development. People often think that something is charitable, but obviously it must be defined as a charity by the Australian Taxation Office, and that does not always link in completely with the four heads of charity. As the member mentioned, the Income Tax Act allows a greater range of activities to be considered charitable.

I believe the member for Dawesville wishes to make a contribution. I am sure he would like to enhance on the Statute of Elizabeth.

MR Z.R.F. KIRKUP (Dawesville) [1.45 pm]: I thank the member for Armadale for his contribution to the debate on the Consumer Protection Legislation Amendment Bill 2018. I always appreciate the opportunity to learn more about the history of the United Kingdom and the British Parliament and the significant contribution the Crown has made to shape our laws in Australia and internationally. I am sure the member for Balcatta was pleased to hear such history. My contribution will be limited. I draw the attention of the house to what we saw during the consideration in detail stage between the member for Hillarys and the Attorney General. I think it was the member for Kingsley who noted yesterday that the Attorney General has dealt with 28 pieces of legislation. My count was around 30 or 31; nonetheless, the Attorney General has brought into this place a significant number of bills. In every instance the member for Hillarys has been the Liberal Party member going through the consideration in detail stage. Often, particularly during question time and in more recent debate, people lose faith because of the raucous behaviour that is sometimes demonstrated in this place. When I see the Attorney General and the member for Hillarys in consideration in detail, very studiously going through a bill line by line in a cordial and considered fashion, it reinforces to me the virtues of this chamber and the considered perspective we take working collaboratively on legislation. My comments are really just to suggest that and to offer my praise to the member for Hillarys, in particular, and the Attorney General and their respective teams as members in this place, irrespective of their parties and the work they do. I witnessed the consideration in detail discussion on this bill and it was very impressive to me. I have much to learn from the member for Hillarys and the way he goes about dealing with such immense pieces of legislation so often. I thank him for participating as part of the Liberal Party and the Attorney General for bringing those bills before this house.

MR J.R. QUIGLEY (Butler — Minister for Commerce) [1.48 pm] — in reply: I am perhaps a little more controversial than the member who preceded me. Of course, I endorse what he says about a collaborative approach. There are times in the other place when the approach is not collaborative and it descends to personality. That is regrettable. However, I do not want to spend too much time on that because that is a commentary on people getting

bogged down on personality and, in particular, my personality, which some people find difficult. My dog does not, but everyone else does.

Mr W.J. Johnston: Don't they say in politics that if you want a friend, you should get a dog?

Mr J.R. QUIGLEY: I took the member's advice and I got one—a miniature Schnauzer that I can stay on top of. He still will not listen to me as to where he should toilet, but that is another issue.

I have tried to approach most of the legislation that I have brought forward in a non-ideological way, and have tried to work through the legal issues that the chamber has before it. The Consumer Protection Legislation Amendment Bill 2018 was properly described as an omnibus bill because it will amend some 10 pieces of legislation in areas such as real estate, valuers, and charitable collections. We have been through it all in detail. They all needed updating.

I want to thank all members for their contributions. I particularly thank my shadow, the member for Hillarys, for his thoughtful yet cooperative approach in dealing with the bill in the second reading stage. The member for Dawesville was correct in saying that the bill was subject to close examination, but the member for Hillarys, to keep things moving and keep it all in context, dealt with it in parts, rather than clause by clause. We are able to deal with each part cognately, dealing with all the interrelated clauses. We could have bogged this down for hours in this chamber, but the member for Hillarys dealt with it in such a way that the bill passed through this chamber with the appropriate scrutiny, yet with maximum efficiency. I thank the member for that. I thank all members for their contributions, because once this bill is passed, it will facilitate better commerce, licensing and scrutiny in Western Australia. All its virtues were outlined during the second reading debate and consideration in detail, so I will not take the chamber's time any longer, except to sincerely thank all members for their efforts in scrutinising the bill that I brought before the chamber for the benefit of various industries and charitable collections in Western Australia. I commend the bill to the house.

Question put and passed.

Bill read a third time and transmitted to the Council.