

**STATUTES (REPEALS AND MINOR AMENDMENTS) BILL 2021**

*Committee*

Resumed from an earlier stage of the sitting. The Deputy Chair of Committees (Hon Jackie Jarvis) in the chair; Hon Matthew Swinbourn (Parliamentary Secretary) in charge of the bill.

**Clause 4: Imperial enactments repealed —**

Committee was interrupted after the clause had been partly considered.

**Hon MATTHEW SWINBOURN:** The first thing I can clarify is that none of the bills on the list in clause 3 are unproclaimed. In response to what Hon Nick Goiran said would be his last question—I hope it is still his last question—about subsidiary legislation and why it is not addressed in the bill, the reason for that is that the agencies themselves are responsible for repealing subsidiary legislation. It is not done legislatively.

**Hon Nick Goiran:** It could be.

**Hon MATTHEW SWINBOURN:** Possibly it could, but the practice and process is that it is done by the agencies themselves and that might be by gazettal, with the Governor in Executive Council or by the ministers themselves making a proclamation of some description, but it has not been the practice to repeal subsidiary legislation through this process.

**Hon NICK GOIRAN:** By way of a supplementary question pursuant to the answer that was just provided, thank you, parliamentary secretary, for indicating that no unproclaimed acts are dealt with in this bill. My curiosity is piqued by that because, again, going back to the famous 124<sup>th</sup> report of the Standing Committee on Uniform Legislation and Statutes Review, appendix 7 at page 42 lists 12 unproclaimed acts or sections in acts that are identified by the government. If I park to one side the unproclaimed sections—given that I was specifically referring to unproclaimed acts—one is listed, which is the Taxi Drivers Licensing Act 2014. Apparently, Hon Rita Saffioti, who was at the time, and I presume still is, the Minister for Transport, indicated on 1 May 2018 that it had yet to be proclaimed. Why is that act not being addressed at this time?

**Hon MATTHEW SWINBOURN:** We do not have information at the table to give Hon Nick Goiran an answer. We do not know why it was not included. I note that this bill will go to the Assembly after this so we can seek to follow up. The advisers there will be the same advisers that are here so we can potentially get an answer and provide it in the Assembly if that is acceptable to the member. I know that is not the normal practice but, in this instance, it is something that after a bit of research, we will be in a position to get it into the *Hansard* in that place that is not supposed to be named.

**The DEPUTY CHAIR:** Before Hon Nick Goiran seeks the call, there is a little bit of low-level chatter. Normally, it would not be a problem, but our two colleagues are quite softly spoken. I am having trouble hearing so I am sure that *Hansard* may well will be.

**Hon NICK GOIRAN:** Thanks, deputy chair. I will continue with my softly spoken approach to the Statutes (Repeals and Minor Amendments) Bill 2021!

Parliamentary secretary, I think that proposal is satisfactory, particularly given that the Minister for Transport is in the other place and perhaps will be in a position to assist the Attorney General with a response to this matter. I note for the record—hopefully, this will be picked up by members in the other place—that under part 1 of the Taxi Drivers Licensing Act 2014, the short title and commencement clauses commenced on 2 July 2014 and the rest of the act is yet to be proclaimed. At least that was the case as at the time of the committee report in 2019. Whether things have moved on in the last three years remains to be seen, but perhaps that can be addressed when the matter is dealt with by the other place. I have no further questions about the clauses of this bill.

**Clause put and passed.**

**Clauses 5 to 66 put and passed.**

**Title put and passed.**

*Report*

Bill reported, without amendment, and the report adopted.

*Third Reading*

Bill read a third time, on motion by **Hon Matthew Swinbourn (Parliamentary Secretary)**, and transmitted to the Assembly.