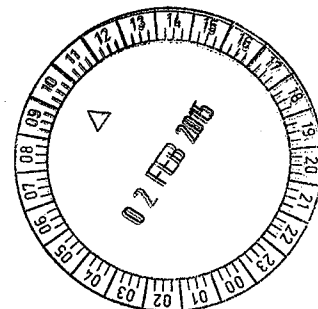




Your ref: ASA
Our ref: CEOW400/14
Enquiries: Lydia Kirke, Ph 6364 6732

Mr David Driscoll
Parliamentary Officer (Committees)
Standing Committee on Delegated Legislation
Legislative Council
Parliament of Western Australia
PERTH WA 6000



Dear Mr Driscoll

INQUIRY INTO ACCESS TO AUSTRALIAN STANDARDS ADOPTED IN DELEGATED LEGISLATION

Thank you for your letter dated 4 December 2014 inviting the Department of Water to provide a written submission on the terms of reference for an inquiry into access to Australian Standards adopted in delegated legislation.

The department does not have submissions to make in relation to each of the terms of reference.

The department would not be required to amend any of its legislation to allow or improve public access to adopted Australian Standards.

For the majority of the department's stakeholders and clients who require access to Australian Standards for regulatory or commercial purposes, there is an expectation that they would access these standards independently of the requirement under legislation or through dealings with the department. For example, The Rights in Water and Irrigation (Approved Meters) Order 2009 requires meters to be installed in line with Australian Standard 4747-2008. The tender document that the DoW uses to procure works refers to the Australian Standard 4906-2002. This standard provides the minor works contract conditions.

The department acknowledges that there is a cost associated with the development of Australian Standards and that this cost is currently met through a user pays system. In the event that there is free public access to Australian Standards, this cost would need to be met to ensure that the high standard of the Australian Standards continues.

Further, while the department is supportive of free public access to Australian Standards, it does not consider that it is unreasonable to have members of the public who require an Australian Standard for a commercial purpose to pay for access to that standard. The department also notes that members of the general public can access Australian Standards though the State Library of Western Australia.

Please contact Ms Lydia Kirke, A/Manager of Legislation and Legal on 6362 6732 if you would like to discuss this submission.

Yours sincerely

Mike Rowe
A/DIRECTOR GENERAL

16 January 2015