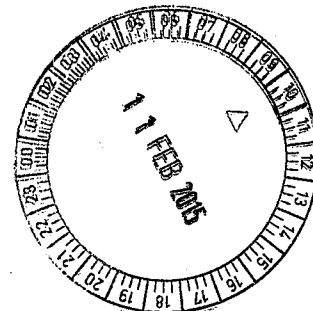




Mr David Driscoll
Parliamentary Officer (Committees)
Standing Committee on Delegated Legislation
Legislative Council
Parliament of Western Australia
PERTH WA 6000

Email: delleg@parliament.wa.gov.au



Dear Mr Driscoll

INQUIRY INTO ACCESS INTO AUSTRALIAN STANDARDS ADOPTED IN DELEGATED LEGISLATION

I refer to the letter from Mr Peter Abetz MLA, Chairman of the Joint Standing Committee on Delegated Legislation (the Committee), dated 4 December 2014 regarding the Committee's inquiry into access to Australian Standards adopted in delegated legislation.

The Department of Environment Regulation (DER) administers delegated legislation that refers to Australian Standards including:

- *Environmental Protection Regulations 1987;*
- *Environmental Protection (Domestic Solid Fuel Burning Appliances and Firewood Supply) Regulations 1998;*
- *Environmental Protection (Metal Coating) Regulations 2001;*
- *Environmental Protection (Noise) Regulations 1997;* and
- *Environmental Protection (Unauthorised Discharge) Regulations 2004.*

DER provides the following response to the inquiry's terms of reference.

21. *The level of free public access to adopted Australian Standards in metropolitan and regional Western Australia.*

DER supports the provision of free public access to adopted Australian Standards in delegated legislation administered by the Department, and can provide electronic or paper access subject to the Australian Standards provider SAI Global licence conditions as to copyright.

To facilitate public access, DER's website advises persons interested in accessing an Australian Standard referred to in regulations, to contact DER (email info@der.wa.gov.au).

On contacting DER, the enquirer is advised that they can either arrange to visit any DER office to view the complete Standard, or be sent a copy of the section referred to in the regulations in either electronic or paper form. The royalty fee for this latter option would be borne by DER.



1911
JAN 10 1911
RECEIVED

22. *Whether amendments to legislation are required to improve public access to adopted Australian Standards.*

DER implements the measure outlined above to facilitate free public access to adopted Australian Standards through its subscription to SAI Global. This ensures compliance with SAI Global licence conditions and does not require amendments to legislation administered by DER.

23. *Other measures to improve public access to adopted Australian Standards.*

DER will monitor the volume and nature of requests for access to Australian Standards and identify and evaluate legal and practical considerations for any further measures that may facilitate improved public access as necessary.

The State Library of Western Australia's (SLWA) website states that the Library has an extensive historical collection of Australian Standards in printed form to 2007 at which time an online subscription was started. Access to printed historical standards in the SLWA is able to be arranged at the Library's normal retrieval times. Current online standards can be accessed via the SLWA from within the Library only. Copies can be printed from this site within the limitations of SLWA's subscription, which allows for up to four pages to be printed at any one login.

DER's website includes a link to the SLWA website statement regarding access to Australian Standards available through the Library.

24. *Measures to improve access to adopted Australian Standards provided to the Joint Standing Committee on Delegated Legislation.*

DER would consider and respond to any requests from the Committee for broader access to adopted Australian Standards subject to the provisions of DER's subscription with SAI Global.

25. *Any other related matters that arise during the course of the inquiry.*

DER would be pleased to provide further input to assist the Committee during the course of the inquiry.

Yours sincerely


Jason Banks
DIRECTOR GENERAL

February 2015

