

~~Auctioneers Bill reduces the regulatory burden for business while maintaining effective consumer protection. I commend the bill to the House.~~

~~Debate, on motion of Mr Stevens, adjourned.~~

COMMERCIAL AGENTS BILL

First Reading

Hon. PJ LAWLOR (Southport—ALP) (Minister for Tourism and Fair Trading) (2.43 pm): I present a bill for an act to comprehensively provide for the regulation of the activities, licensing and conduct of commercial agents and their employees, to protect consumers against particular undesirable practices, and to make minor and consequential amendments of the Fire and Rescue Service Act 1990 and the State Penalties Enforcement Act 1999, for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Tabled paper: Commercial Agents Bill.

Tabled paper: Commercial Agents Bill, explanatory notes.

Second Reading

Hon. PJ LAWLOR (Southport—ALP) (Minister for Tourism and Fair Trading) (2.43 pm): I move—

That the bill be now read a second time.

It gives me great pleasure to introduce this bill as the third in the package of four bills splitting PAMDA into industry-specific legislation. Under PAMDA, commercial agents can undertake debt collection, chattel repossession and process-serving activities. Given the nature of these activities and the fact that commercial agents often deal with consumers at their most vulnerable, it is important commercial agents do not operate in a way that causes consumer detriment. PAMDA ensures that only suitable people are licensed as commercial agents and sets appropriate regulatory parameters around how these agents should operate.

The bill maintains the substance and intent of the regulation of commercial agents under PAMDA. The main object of the bill, like PAMDA, is to provide a system for licensing and regulating persons as commercial agents, and for regulating persons as commercial subagents that achieves an appropriate balance between the need to regulate for the protection of consumers and the need to promote freedom of enterprise in the marketplace.

The bill provides a regulatory focus point for commercial agents, consumers and government that will promote awareness of regulatory requirements and result in increased industry standards, improved compliance and increased consumer confidence. The bill also makes future legislative reforms more responsive to marketplace developments and facilitates the government's commitment to further regulatory simplification.

During the development of the bill, the government worked with stakeholders in the commercial agent industry—sometimes also referred to as the mercantile agents industry—to remove some unnecessary and impractical regulatory requirements. For example, the bill will not require commercial agents to display their name, licence and other particulars at their principal place of business. Such requirements, while retained for property agents and motor dealers, are not considered necessary for commercial agents because, unlike those other industries, commercial agents typically do not have clients attending at their place of business. Also, because many commercial agents run their business from home, there may be safety issues if they were to be required to identify themselves as debt collectors at their home address.

The government has also worked collaboratively with industry to introduce other red tape reduction measures for this industry. This type of well-targeted regulatory response is a good example of the flexibility and responsiveness that is now available by providing each industry with separate legislation.

This bill provides progressive regulation which will provide both the commercial agent industry and consumers with a transparent and responsive legislative framework. The government is committed to reducing regulatory burden on business wherever possible, and this bill achieves this aim. I commend the bill to the House.

Debate, on motion of Mr Stevens, adjourned.