



Speech by

Paul Hoolihan

MEMBER FOR KEPPEL

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PROPERTY AGENTS AND MOTOR DEALERS AND OTHER ACTS AMENDMENT BILL

Mr HOOLIHAN (Keppel—ALP) (11.44 am): I have much pleasure in rising to speak to the Property Agents and Motor Dealers and Other Acts Amendment Bill and want to congratulate the minister on the amendments. Although some of the amendments may appear to be only small and inconsequential, they do have a big effect on the operation of businesses in the state. Sadly, if there were not some shonky practices and people trying to get around the provisions of the legislation, then there would not be the necessity for acts such as the Property Agents and Motor Dealers Act. Nobody is denying that the majority of businesses operating within the area covered by the act are genuine and hardworking operators who are trying to do the right thing. There are, however, those predators out there who try to prey on unsuspecting people or try to use the provisions of the act to their own ends.

I want to specifically congratulate the minister on the provisions in relation to the statutory warning statement in contracts. I was practising as a lawyer when I came into this House and there was always a problem attaching the statement where contracts were faxed for signature. That action was addressed by the amendment bill in 2005, but this amendment now makes it quite clear how that should be undertaken and clears up some difficulties that had arisen in relation even to the amending act.

This bill also clears up certain other matters in the motor vehicle industry, and I acknowledge the comments by the member for Chatsworth in terms of some of the big businesses in the motor vehicle industry that have been built up and handed down from father to son or father to daughter. However, the changes that are included in this bill are not for big and reputable dealers, or even any reputable dealer; they are for the people who try to get around the legislation and in fact deny to people who buy motor vehicles from them any specific warranties.

One issue that the bill deals with very specifically—and it is always a problem for some local governments—is that the act did not require that the registered office of the motor dealer be approved by the local authority. This bill proposes that they must provide proof that the premises has received local authority approval. There is a problem in my electorate which the local authority does have trouble dealing with, and that is people who park cars that are for sale on the side of the road. There are in fact people who undertake motor-dealing activities by parking cars on the side of the road, because the phone numbers are the same on successive cars. Certainly, the local authority tries very hard to stamp that out. This bill may not entirely assist the local authority, but at least it will give it some input into licensing arrangements. The increase in penalty points for unlicensed motor dealing should also help to bring about some changes in the attitude of people who try to get around the provisions of the legislation.

As I said, the bill only makes some minor amendments but allows for transparency in dealings by all areas and groups of people covered by the act. I also want to commend the provisions in relation to charities and auctioneers for charities. At least the bill takes out of the realm of the act any suggestion that somebody is breaching licensing requirements. All in all, I commend the minister and her officers for the bill and commend the bill to the House.