



Significant issues and trends

This section provides information on the current and emerging significant issues and trends impacting the department's operations, now and in the future.

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Consumer Protection

Housing and tenancy

Significant amendments to the *Residential Tenancies Act 1987* (the Act) are being implemented, affecting some 195,000 tenancy contracts. Key reforms include mandating the use of property condition reports and prescribed tenancy agreements, new residential tenancy databases protocols and limiting the amount agents can charge for option fees. Boarder and lodger tenancies are not covered by the Act. This area of tenancy has experienced growth linked to international students, the rise of the fly-in/fly-out workers and rising house rental charges. The Consumer Protection Division will consult about rights and obligations for both boarders and lodgers and those offering rooms for rent and develop policy options.

Retirement villages and residential parks

Important amendments to the *Retirement Villages Act 1999* were passed by Parliament in November 2012 and these amendments and associated regulations, combined with a new code of conduct for retirement villages, will be introduced in 2013-14. Work will commence on a second bill to complete the reforms. A statutory review of residential parks regulation will also be completed and policy options developed for government consideration. Residential parks include lifestyle villages as well as caravan parks offering long stay accommodation.

Associations and charities

Major amendments to modernise the *Associations Incorporation Act 1987* will be introduced to Parliament that will: tailor financial reporting requirements according to an association's revenue; introduce model rules that can be adopted or modified to guide the operation of associations; clarify the duties of office bearers; improve privacy for association members; and improve the investigation and intervention powers of the Commissioner. The amendments recognise that most associations are small and have been designed to assist the volunteers that run them. With the establishment of

the Commonwealth Australian Charities and Not-for-profits Commission (ACNC), the Consumer Protection Division is supporting Western Australian charities to understand their obligations under both State and Commonwealth laws and is contributing to national consultations to reduce the duplication of reporting requirements.

Licensing

Licensing of several industries is done by the Consumer Protection Division to safeguard consumers by ensuring that only suitable people are able to provide services and that services are provided fairly. Considerable work is occurring to make this regulation more efficient and less costly. Nationally discussion is occurring about National Occupational Licensing and deregulation of travel agents. At the state level, regulation of motor vehicle dealers and repairers is under review, fee deregulation is proposed for land valuers and settlement agents, property industry codes of conduct are being reviewed and licensing of strata managers is being considered. Administrative and legislative changes are also being introduced to reduce red tape.

International fraud

The Consumer Protection Division is collaborating with the police to examine sophisticated and systematic international fraud targeting Western Australians. A pilot program has identified approximately \$600,000 is being lost each month by victims transferring funds to a discreet number of foreign countries. Previously classed as scams, and operating at low levels across many victims, this sophisticated and targeted fraud is now aimed at securing significant funds from each victim. Many Western Australians are losing life savings, homes and superannuation funds. In conjunction with the Major Fraud Squad of the Western Australia Police, the Consumer Protection Division will be developing a range of tools and methods to disrupt and intercept these criminals.

Safety and Employment Protection and Construction Standards

Energy Safety Division

Amendments to *Energy Safety Act 2006*

The *Energy Safety Act 2006* is being amended to incorporate provisions for vegetation control near power lines and the new electrical equipment certification scheme to operate throughout Australia. The opportunity will be taken to rationalise the existing legislation to remove duplication and overlap and minimise red tape.

National Occupational Licensing System (NOLS)

Much preparatory work has been undertaken and will continue in 2013-14 across several licensing divisions of the department to enable smooth transition should Western Australia adopt the NOLS. There are likely to be significant resource and budgetary implications in the out-years if NOLS is implemented in the State.

Labour Relations Division

Public Sector Wages Policy

The Western Australian Government's Public Sector Wages Policy 2009, which commenced on 1 July 2009, has continued in operation throughout the 2012-2013 financial year. All agreements finalised during this period have provided pay increases within Wages Policy parameters and have been achieved with minimal industrial action, disputation and disruption to essential services.

Labour Relations Legislation Amendment and Repeal Bill 2012

The draft Labour Relations Legislation Amendment and Repeal Bill 2012 was tabled in Parliament in November 2012 as a Green Bill for the purposes of public consultation. The department has provided advice to the Government on stakeholder feedback, as well as possible amendments to the Green Bill. Once the Government has determined any

changes to the proposed legislation, the department will be responsible for progressing the changes in conjunction with Parliamentary Counsel. This will include seeking further Cabinet approvals and preparing the necessary parliamentary materials. The department will also be responsible for implementing any new legislation including developing necessary regulations and education material, assisting with the award modernisation process and providing additional compliance and educative services to private sector employees and employers.

WorkSafe Division

A local assessment and public consultation exercise by external consultants has been completed to analyse the possible impact of the model Work Health and Safety (WHS) regulations and first stage codes of practice on Western Australian workers, businesses, government and the economy. The completed assessment has been referred to the Minister to assist in Government decision making concerning the draft WHS Bill.

Industry, Science and Innovation

During the year the Industry, Science and Innovation Division continued to support the involvement of Western Australian based companies in resources projects through its implementation of the Western Australian Local Industry Participation Framework. As at 30 June 2013, the value of contracts awarded to local industry has reached over \$44 billion. The framework contributes to a level playing field for local suppliers gaining access to mineral and energy based contracts. It also assists Western Australian industry to increase its capacity to compete internationally, often against manufacturing regions that have lower cost structures.

Western Australia's pristine coastal environment is one of the state's major natural assets. Scientific data on our marine ecosystems and a clear understanding of the role of the oceans will assist in managing our new marine park areas, the likely future impacts of climate change and the demands of coastal and offshore industries. The division has continued its support of the Western Australian Marine Science Institution (WAMSI) as part of contributing to the Kimberley Science and Conservation Strategy, and made public data that will support development and conservation decision making in coastal waters.

The division's support of the Western Australian Integrated Marine Observing System (WAIMOS) is resulting in the establishment of data gathering systems in the Kimberley and Pilbara regions. Information from the WAIMOS data streams will enable government to manage the strong demand and support for a proposed Pilbara Fabrication and Services Common Use Facility (PFSCUF) and maximise the economic development opportunities in the region, while safeguarding the marine natural resources.

New Office of Science

Following the state election and as part of a series of Machinery of Government decisions, the Premier announced the creation of a new Office of Science, to be established within the Department of Premier and Cabinet.

As of 1 July 2013, responsibility for the management of all science-related projects and grant funding programs was transferred to the new Office of Science, together with those officers who were responsible for the program and project management, and who were previously part of the Department of Commerce.

