



Wool, Hide and Skin Dealers Bill.

Second Reading

The Hon. JOHN HATZISTERGOS (Minister for Justice, and Minister Assisting the Premier on Citizenship) [9.06 p.m.]:
I move:

That this bill be now read a second time.

I seek leave to incorporate the second reading speech in *Hansard*.

Leave granted.

I am pleased to introduce the *Wool, Hide and Skin Dealers Bill 2004*.

The Bill

- makes licensing criteria more stringent by replacing the "fit and proper person" test with specific criteria,
- modernising the penalty regime, and removing penalties of imprisonment for offences other than being an unlicensed dealer.
- It transfers the administration of the wool, hide and skin dealers licensing scheme from the courts to NSW Police,
- removes the licence fee of \$10 per annum to make licences free of charge, changes licence renewal requirements from yearly to once every three years,
- strengthens record-keeping requirements to assist police in investigating reports of stolen wool, hide or skins, and
- ends the requirement to keep certain archaic and duplicate records.

The Wool, Hide and Skin Dealers Act 1935 was introduced to assist police in responding to stock theft.

The Act established a licensing regime for businesses dealing in unprocessed wool, hide and skins, and it provides police with the power to enter and search premises used for storing wool, hides and skins.

The Pastoral and Agricultural Crime Working Party—with representatives from the New South Wales Farmers Association, the Rural Lands Protection Boards, NSW Agriculture and NSW Police—was established in 2000 to investigate what could be done to address crime in the bush.

The working party's October 2000 report made recommendations concerning stock identification, police powers, training, specialist rural crime investigators, as well as the regulation of wool, hide and skin dealers.

The working party recommended that the Wool, Hide and Skin Dealers Act 1935 be remodelled along the lines of the *Pawnbrokers and Second-hand Dealers Act 1996*, and that licensing criteria and record-keeping requirements be strengthened as an improved crime-fighting tool for police.

This Bill represents the latest of the working party's recommendations that have been implemented to address crime facing pastoral and agricultural industries in New South Wales. Under the bill eligibility to hold a licence will be subject to more rigorous criteria.

The fit and proper person test will be replaced with specific criteria, including not having been convicted for a dishonesty offence in the previous 10 years, being over 18, not being mentally incapacitated and not being an undischarged bankrupt.

The Commissioner of Police will hold the discretion to allow a person to hold a licence if there are minor or trivial breaches of eligibility criteria.

An important crime prevention component of the bill is the requirement of licensees to obtain evidence of the identity of any supplier of wool, hide and skins.

In the case of a natural person this must be in the form of photographic identification such as a driver's licence.

In the case of a corporation the company's Australian business number is required. The identity of the person who delivers any wool, hide and skins on behalf of another person must also be provided.

These are key provisions of the bill aimed at limiting the ability of those who have stolen wool, hide or skins from off-loading those stolen goods.

Other crime prevention measures in the bill include obligations placed upon licensees to refuse and report suspicious wool, hide or skins to police, and the requirement of licensees to keep detailed records of those who supply or deliver them with wool, hides or skins.

I note that during the final phase of industry consultation it became apparent that industry was concerned with the requirement for two forms of identification, as set out in the consultation draft bill, to be produced by suppliers, at least one of which needed to be a photo identification, such as a driver's licence.

The bill requires one form of photo identification to be produced by suppliers.

Two forms of identification will still be required when applying for a licence.

I am advised by NSW Police that the crime prevention objectives of the bill will still be met with the one form of photo identification to be produced by suppliers, whilst at the same time this will make compliance with the new legislation more practical for industry.

I am pleased at this outcome as a result of consultation with industry. I take this opportunity to again recognise the work of the Pastoral and Agricultural Working Party. Initiatives that have been implemented as a result of the working party's recommendations also include:

The appointment and training of thirty-three (33) specialist Rural Crime Investigators in twenty-six (26) Local Area Commands; and the introduction of a new offence of hunting without a firearm on any land without permission of the occupier. This offence carries a maximum penalty of \$1,100 or 12 months gaol, or both. Police may now issue a penalty notice of \$550 for this offence—the ability to issue a penalty notice also being a recommendation of the Working Party.

The Government is committed to fighting crime in country and regional areas. This bill reflects the recommendations of the Pastoral and Agricultural Crime Working Party's 2000 report and the recommendations of the 2002 National Competition Policy Review. The objectives of the bill are consistent with the Government's commitment and strategies to fight rural crime.

The bill relates to bovine and ovine animals—essentially cattle and sheep—and there is provision in the regulations to add other animals should it become apparent that there is significant illegal trade in the skins of any other animal sufficient to warrant its inclusion in the licensing scheme.

I again thank industry representatives for their input into this bill. The Government has endeavoured to balance the need for a minimum of regulation with the need for effective crime-fighting measures, including the requirement of suppliers to show proof of their identity and record keeping required of dealers. I believe we have achieved such a balance through the consultation process.

The Wool, Hide and Skin Dealers Bill will provide NSW Police with the tools they need to investigate illegal trade in wool, hide and skins. I commend the bill to the House.

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