

CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS COMMUNITY LEADERS RECEPTION

Motion by the Hon. DAVID CLARKE agreed to:

- (1) That this House notes that:
- (a) on 4 December 2015 the Church of Jesus Christ of Latter Day Saints held its annual Community Leaders Reception at Parramatta Town Hall featuring a rendition of excerpts from Handel's *Messiah* by a chamber orchestra and choir; and
 - (b) those who attended the reception included:
 - (i) representatives from the Government;
 - (ii) representatives from local government;
 - (ii) representatives from secondary and tertiary educational institutions; and
 - (iii) leaders of various ethnic and other State and local community organisations.
- (2) That this House:
- (a) commends the Church of Jesus Christ of Latter Day Saints for its holding of a Community Leaders Reception; and
 - (b) extends its regards, best wishes and commendation to members of the Church of Jesus Christ of Latter Day Saints for their ongoing contribution to the life of our State.

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Pursuant to sessional orders Government business proceeded with.

FINES AMENDMENT BILL 2016

Bill introduced, and read a first time and ordered to be printed on motion by the Hon. Catherine Cusack, on behalf of the Hon. Niall Blair.

Second Reading

The Hon. CATHERINE CUSACK (Parliamentary Secretary) [11.18 a.m.], on behalf of the Hon. Niall Blair: I move:

That this bill be now read a second time.

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The Fines Amendment Bill 2016 continues the process of reforms to the administration of State fines by the Office of State Revenue. The bill amends the provisions of the Fines Act and makes consequential amendments to several Acts covering the functions of the Office of State Revenue relating to penalties notices issued by other agencies. The bill makes amendments to provide faster, simpler, more effective and fairer processes for processing penalty notices and enforcing unpaid fines. The amendments are driven by the objectives of consistency in procedures at different stages of the penalty notice and fines enforcement process; improving the effectiveness of enforcement by engaging earlier with clients using more accurate information about fine defaulters; and improving administrative simplicity and flexibility.

Amendments were made to the Fines Act by the State Revenue Legislation Amendment Act 2015 to extend the availability of electronic nomination of drivers and adopt consistent nomination provisions in the Fines Act, the Protection of the Environment Operations Act and the Road Transport Act. A number of other driver nomination amendments are proposed in the Fines Amendment Bill 2016. The amendments have three main purposes: First, there are consequential amendments to various Acts as a consequence of the amendments providing for electronic nomination passed in 2015; secondly, the bill extends the time for nomination under the Road Transport Act to 90 days to ensure consistency with the Fines Act; and, thirdly, the bill contains provisions to ensure a fine, including demerit points in relevant cases, is borne by the actual offender where the penalty has been paid prior to the nomination being made.

The bill contains a number of measures that will enhance the fines enforcement process. Around 75,000, or 3 per cent, of fines notices issued by the Office of State Revenue are returned undelivered each year. In order to further reduce unclaimed mail, it is proposed to allow the Office of State Revenue to serve notices using a more current address provided to the Office of State Revenue in an application made by the person or in

a court election notice. This will also permit an enforcement order to be made within time, even if a penalty or reminder notice posted to one of those addresses was returned as unclaimed mail.

Another amendment will permit the Office of State Revenue to take civil enforcement action if the fine remains unpaid 21 days after the Office of State Revenue has directed Roads and Maritime Services to suspend the fine defaulter's driver licence. This will remove a potential six months delay in taking civil action, such as issuing garnishee and property seizure orders that can occur when a fine defaulter's licence is cancelled. Experience shows that fine defaulters are unlikely to make payment arrangements if they have not done so within 21 days after having their licence suspended. Removing the six-month delay will increase the effectiveness of civil enforcement in recovering unpaid fines. The bill also extends the authority of the Office of State Revenue to obtain information about fine defaulters from credit reporting bodies to include customer banking details.

The Office of State Revenue is currently empowered to obtain a range of personal information from credit reporting agencies to help in locating a fine defaulter, including addresses, licence details and employer. The additional information will be used by the Office of State Revenue to take enforcement action, such as garnisheeing a defaulter's bank account—which has proved to be a very effective enforcement action. The Office of State Revenue already has the power to obtain these details from other government agencies. Before proceeding to a garnishee order, the fine defaulter has already received a penalty notice, a penalty reminder notice, an enforcement order and a notice from Roads and Maritime Services that driver licence or vehicle registration sanctions are to be applied. However, the Office of State Revenue will not issue a garnishee order if the defaulter contacts the Office of State Revenue and agrees to a payment plan or other action to deal with the fine, such as a work and development order.

A fine defaulter can apply to pay by instalments and the Office of State Revenue has many thousands of such arrangements in place. Once an instalment arrangement is established, the fine defaulter may apply to add an extra fine to an existing agreement, but if no application is made the only option for the Office of State Revenue is to take further enforcement action. Consequently, defaulters incur additional enforcement costs. The bill permits the Office of State Revenue to add additional fines to an existing instalment arrangement by increasing the number but not the amount of existing instalments, without the need for an application from the defaulter. This will allow the Office of State Revenue to increase the amount of debt under active management without imposing additional costs on defaulters.

The bill also extends the circumstances in which the Office of State Revenue can withdraw a penalty notice enforcement order, such as permitting withdrawal in accordance with guidelines approved by the agency that issued the penalty notice. This will avoid delays in dealing with applications from customers before the review of such orders. Taken together, the reforms to the Fines Act will remove unnecessary procedural formalities and authorise more timely enforcement action by relying on more current and accurate information. I commend the bill to the House.

Debate adjourned on motion by the Hon. Shaoquett Moselmane and set down as an order of the day for a future day.

FAIR TRADING AMENDMENT (FUEL PRICE TRANSPARENCY) BILL 2016

Second Reading

Mr SCOT MacDONALD (Parliamentary Secretary) [11.26 a.m.], on behalf of the Hon. John Ajaka:
I move:

That this bill be now read a second time.

The Government is pleased to introduce the Fair Trading Amendment (Fuel Price Transparency) Bill 2016. The bill brings the fuel price board product information standard into the digital age and the twenty-first century. The fuel price board information standard was established under the Fair Trading Act 1987 by the then Minister for Trading, Mr Anthony Roberts, so that consumers were able to easily compare fuel prices at different service stations. This was done by requiring that the price of fuel was displayed so that it could be seen easily from the road and that the price displayed was accurate. Petrol is a non-discretionary product in our modern society. Consumers and families do not have the option not to use fuel, which is why it is important to ensure that consumers are informed and, therefore, empowered to make decisions to reduce the cost of living pressures