

c2021-068
OPP--OPPOSITION

LEGISLATIVE COUNCIL

Better Regulation Legislation Amendment (Miscellaneous) Bill 2021

First print

Proposed amendment

No. 1 **Requirements for reporting investigations relating to property and stock agents**

Page 13. Insert after line 3—

1.11A Property and Stock Agents Act 2002 No 66

[1] Section 220 Register

Insert after section 220(1)(b)—

- (ba) investigations under this Act relating to a person—
 - (i) failing to comply with a requirement or obligation imposed on the person under this Act, or
 - (ii) carrying out activities or exercising functions without a license or certificate of registration,

[2] Schedule 1 Savings, transitional and other provisions

Insert at the end of the Schedule—

Part 9 Provision consequent on enactment of Better Regulation Amendment (Miscellaneous) Act 2021

41 Secretary to include details of particular past investigations in Register

For the purposes of section 220(1)(ba), the Secretary must make all reasonable efforts to include the details of all investigations completed in the period—

- (a) commencing on 1 January 2014, and
- (b) ending on the commencement of this clause.

1.11B Property and Stock Agents Regulation 2014

Section 50 The Register

Insert after section 50(2)—

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- (2A) The Secretary is also to enter and keep in the Register details of the following particulars in respect of each investigation referred to in the Act, section 220(1)(ba)—
- (a) the name and business address of the person subject to the investigation,
 - (b) if the person is the holder of a licence or certificate of registration—
 - (i) the number of the licence or certificate of registration, and
 - (ii) ~~date of issue and expiry of the licence or certificate of registration, and~~
 - (ii) if the licence is a corporation licence—the name and business address of each director of the corporation,
 - (c) the outcome of the investigation, including details of disciplinary or other action taken against the person.