

## OCCUPATIONAL LICENSING NATIONAL LAW (SOUTH AUSTRALIA) AMENDMENT BILL

23 February 2011

Adjourned debate on second reading. - (Continued from 25 November 2010.)

**Mr PEDERICK (Hammond) (12:19):** I, too, rise to support the Occupational Licensing National Law (South Australia) Bill 2010, because it certainly impacts on my electorate, which, on its eastern boundary, comes up against Victoria. A vast range of issues are involved over many trades and businesses in terms of whether someone is licensed in South Australia or Victoria—and I mention the relationship of Lameroo and Pinnaroo to towns on the Victorian side, such as Murrayville, Panitya, Ouyen, Walpeup and, even, Underbool.

It is quite sensible that we should be moving forward with some decent national legislation because across industry sectors and across trades everything changes for people going into another jurisdiction just because they have driven over a state boundary. They are not licensed and they cannot do the work unless, perhaps, they do some extra training for essentially the same work; and, so long as it is under proper guidelines and properly managed in the respective parliaments, I think that it is a very good move.

I will give some background on the Inter-Governmental Agreement on Federal Financial Relations and the National Partnership Agreement to deliver a seamless national economy (and these were both signed off in December 2008). The Inter-Governmental Agreement (IGA) for a national licensing system for specified occupations was established and signed by COAG in April 2009.

It is this IGA that forms the basis for the Occupational Licensing National Law (South Australia) Bill 2010. The National Partnership Agreement to deliver a seamless national economy summarises the intention of the bill. It states:

*...reducing the costs of regulation and enhancing the productivity and workforce mobility in areas of shared commonwealth, state and territory responsibility.*

The bill refers occupational licensing to a new national system in two waves. The first wave will come into operation in July 2012 and will include air conditioning and refrigeration mechanics, plumbers and gas fitters, electricians and property agents (other than conveyancers and valuers). The second wave will come into effect in July 2013 and will include land transport (passenger vehicle and dangerous goods only), maritime building and, then, conveyancers and valuers.

It is noted that Victoria is the lead jurisdiction, and it is the host state for the commonwealth law having passed the template legislation in September. This enables the establishment of a national occupational licensing system through the National Occupational Licensing Authority from 1 January 2010. All other state and territory jurisdictions have agreed to pass harmonising legislation. Minister Gago noted in her second reading explanation that:

*The national law has been designed to provide the governance and high-level framework for the national scheme. The operational aspects of the scheme and industry-specific licensing rules and procedures are to be covered in regulations,*

*which are currently being developed. This will enable informed and detailed analysis on the risks, needs and safety requirements for both licensees and consumers, before each occupational area becomes operational under the national law. Occupation-specific legislation will still exist in South Australia to regulate areas that fall outside of the national scheme, for example, conduct matters.*

The Office for Consumer and Business Affairs (OCBA) will still have operational responsibilities relating to occupational licensees. OCBA will be responsible for issuing licences and licensee disciplinary decisions. Funding for this will come from general budgetary funding of the agency, soon to be merged with the Office for the Liquor and Gambling Commissioner.

I am certainly very supportive, as I indicated earlier, of this bill and how it will come into play. I note that, under the governance structure of the national occupational licensing system, from the bottom up there will be the delegation of the enforcement and administration of the system to existing jurisdictional regulators, including:

- issuing and renewal of licences;
- monitoring and enforcement; and
- disciplinary proceedings.

Above that will be the trades; being electrical, plumbing and gas fitting, property agents, refrigeration and air conditioning. These will be advised by the occupational licensing advisory committees, and that flows through to the National Occupational Licensing Authority, governed by a board, which is responsible for developing licence policy on licence categories, scopes of work, and eligibility criteria, including training requirements. It will also be responsible for assessing future occupations for inclusion into the scheme. I am advised that right at the top, above this, is the Ministerial Council for Federal Financial Relations, which is responsible for approving changes to the national law, making the regulations, and appointing board members.

We support the bill, but I note that there will be some questions asked in committee. I think it will be a great step forward in common sense for a lot of trades and businesses, especially in my electorate, where at this stage people need to have dual licensing arrangements and work under dual systems. It becomes a bureaucratic headache, especially for the good people of the Mallee whom I represent, very practical and sensible people who would rather attend to their trades than spend their time buried in paperwork when it is, essentially, the same job. I commend the bill to the house. It will be a great move forward.