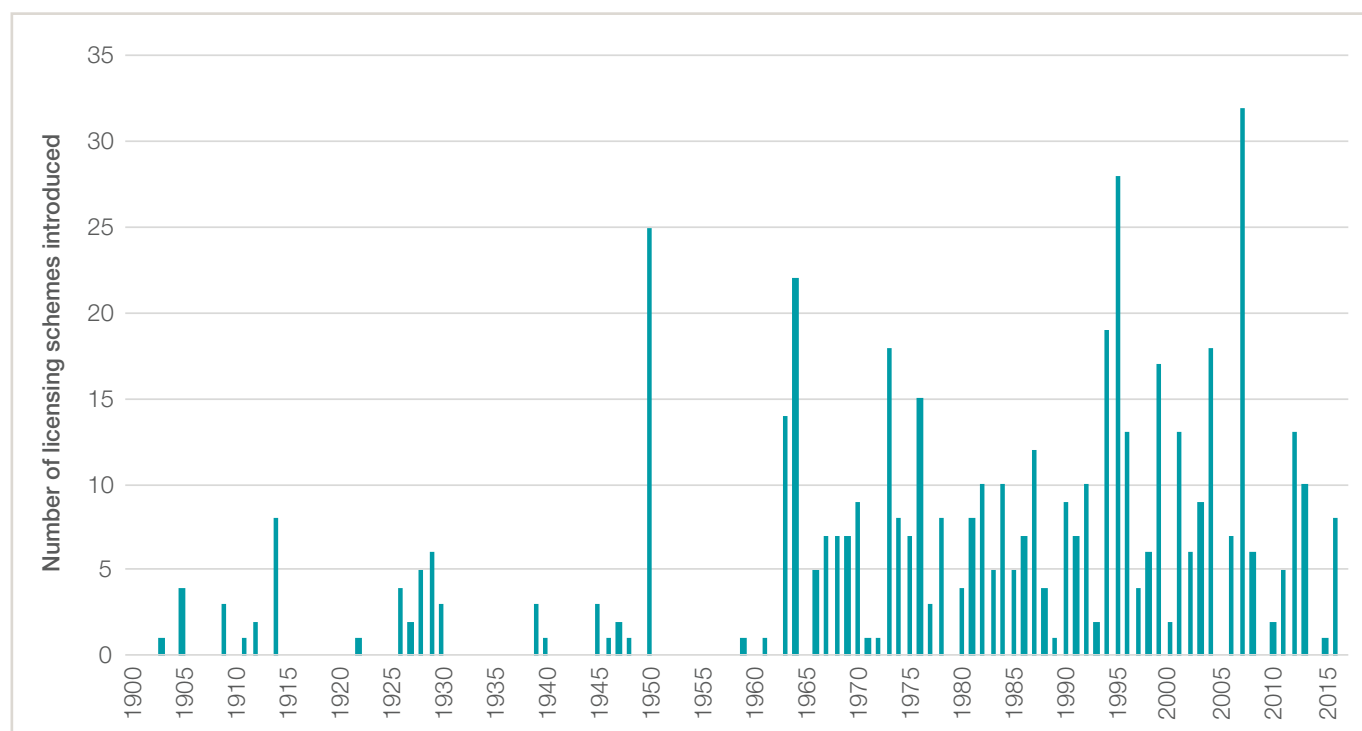


# A history of licensing in Western Australia



Business licensing schemes have existed in some form in Western Australia since the 1830s. Among the first established were pastoral leases and auctioneers licences. Both offer an insight into the priorities of the newly established colony, which were to control land allocation<sup>i</sup> and raise revenue through the collection of sales duties<sup>ii</sup> respectively.

Figure 1. Current state government business licensing schemes in Western Australia, by year of introduction



The introduction of new licences has fluctuated over time, with some years seeing a particularly high number of new schemes.<sup>iii</sup> Since 1999 licensing schemes have increasingly been introduced by amending subsidiary legislation as this has enabled more rapid and flexible law-making by Parliament.

### 1950<sup>iv</sup>

Twenty-five new licensing schemes were introduced to protect the import and export of Western Australian fauna and flora, and their use for education and science.

### 1964

Twenty-two new licensing schemes were established, including the licensing of debt collectors to combat unethical practices such as coercion. Licensing schemes were also introduced to address the regulation of medicines and industrial poisons. Pharmacy licensing was established to ensure premises and practices met standards for public safety.

### 1973

Ten licensing schemes were introduced to control firearms, amid growing awareness of the risks to lives and property from firearm mis-use. Eight new licensing schemes were established to improve motor vehicle safety by combating deceptive sales methods used by some dealers and the sale of unsafe vehicles.

### 1976

Eight licensing schemes were introduced to manage Western Australia's waterways. While post-war regulation of waterways focused on industrial use, new legislation recognised additional demands from recreational, transport and environmental uses. Four licensing schemes were established for the meat industry, including better monitoring of abattoirs to assist with the marketability of the state's meat products. Three schemes were introduced to regulate the employment industry and protect jobseekers from unethical practices.

### 1994

Nineteen licensing schemes were introduced, fourteen of which managed fisheries. As population growth and new fishing technologies placed pressure on fish stocks, the new regulatory approach represented a shift in focus from growth to sustainability.

### 1995

Of 28 new licensing schemes introduced, 15 covered mining, reflecting the growing prioritisation of worker health and safety in the resources sector. Six schemes were introduced to licence plumbers, moving the regulatory responsibility from water service providers to an expert board as part of broader reforms in the water sector.<sup>v</sup>

### 1999

Legislation was introduced to help port authorities deliver better price and service quality to users through more flexible service arrangements. The legislation included 14 licensing schemes to control operational activities. The changes were part of a broader reform of ports to make operations more efficient.

### 2004

Eighteen licensing schemes were introduced, four of which covered environmental matters such as the control of waste and clearing of native vegetation. Five new licensing schemes were prompted by the government's electricity sector reforms, and designed to facilitate a competitive market and protect customers. The Working with Children Check implemented compulsory criminal record checks for educators and others working with children.

### 2007

Twenty-seven of 32 new licensing schemes arose from dangerous goods regulations, and demonstrated the trend towards schemes being introduced through subsidiary legislation. These schemes addressed public, workplace and environmental safety risks in the manufacture, storage, transport and use of explosives and other dangerous goods.

i The Kimberley Society, *Early Pastoral Leases in the Kimberley*, 1998, (online) (Accessed 10 September 2018).

ii Department of Consumer and Employment Protection, *Review of the Auction Sales Act 1973. Final Report (July 2007)*, Government of Western Australia, 2007, p. 37.

iii Data is from an ERA analysis of questionnaire responses obtained from 42 state government agencies in early 2018. Data was collected on when the legislation that created a licence was introduced. While some licensing schemes are introduced when legislation is passed, others only take effect years later. Dates presented here should therefore only be used as a guide.

iv Except where indicated, all historical information has been sourced from ERA review of Parliamentary Hansard from the Parliament of Western Australia (1898 – present day).

v Department of Mines, Industry Regulation and Safety, *Consultation Regulatory Impact Statement. Reform of Plumbing Regulation in Western Australia*, 1 May 2018, (online) (Accessed 11 September 2018).