

In practice, these changes will not significantly alter the operation of the current cross-border investigation and/or information sharing schemes. Similar amendments have already been enacted by all of the other jurisdictions.

Finally, there are two amendments to the Taxation Administration Act 1997 not associated with the subsumption of the reciprocal powers regime.

Firstly, the Unclaimed Money Act 2008 and the First Home Owner Grant Act 2000 contain specific provisions that permit the commissioner of state revenue to use information collected under these acts for the purposes of the taxation laws administered by the Taxation Administration Act 1997. The bill clarifies that the Taxation Administration Act 1997 has similar power to allow information collected under the taxation laws to be used for the purposes of administering the First Home Owner Grant Act 2000 and the Unclaimed Money Act 2008.

Secondly, the bill confirms that the commissioner of state revenue has the ability to serve court processes in recovery matters upon a defendant by post to align these provisions with other services provisions. This was the stated position under the old Stamps Act 1958, Pay-roll Tax Act 1971 and the Land Tax Act 1958; however, the transition of administrative functions to the Taxation Administration Act 1997 has meant the power was not as clear as it could be.

I commend the bill to the house.

Debate adjourned on motion of Dr NAPHTHINE (South-West Coast).

Debate adjourned until Thursday, 29 October.

FAIR WORK (COMMONWEALTH POWERS) AMENDMENT BILL

Statement of compatibility

Mr HULLS (Attorney-General) tabled following statement in accordance with Charter of Human Rights and Responsibilities Act:

In accordance with section 28 of the Charter of Human Rights and Responsibilities (charter), I make this statement of compatibility with respect to the Fair Work (Commonwealth Powers) Amendment Bill 2009.

In my opinion, the Fair Work (Commonwealth Powers) Amendment Bill 2009 (the bill), as introduced to the Legislative Assembly, is compatible with human rights protected by the charter. I base my opinion on the reasons outlined in this statement.

Overview of the bill

The purposes of the bill are to amend the Fair Work (Commonwealth Powers) Act 2009 to reflect various amendments to the Fair Work Act 2009 (cth), and to make related amendments to various other acts.

Victoria's referral of certain matters relating to workplace relations to the commonwealth Parliament was given effect to by the 'referral framework' in division 2A of parts 1-3 of the Fair Work Act 2009 (cth) from 1 July 2009. As a result, the fair work laws now apply to all Victorian employers and their employees, subject to the public sector exclusions from the referred matters.

Other states are likely to make referrals to the commonwealth commencing in 2010. At present, the commonwealth referral framework is specific to Victoria. Consequently, it is necessary for the commonwealth to amend the referral framework to accommodate the referrals of other states and, accordingly, it is necessary to amend the Victorian referral to reflect changes to the referral framework made by the commonwealth.

Additionally, it is also necessary to make some further amendments for consistency with referrals from other states and to address some technical issues.

The bill will also make consequential amendments to other Victorian acts.

Human rights issues

The bill does not raise any human rights issues as the amendments made by the bill are technical in nature and are predominantly for the purpose of giving effect to amendments made to the referral framework, as well as clarifying provisions and resolving drafting issues in the current Fair Work (Commonwealth Powers) Act 2009.

Conclusion

I consider that the bill is compatible with the charter because it does not raise any human rights issues.

Rob Hulls, MP
Attorney-General

Second reading

Mr HULLS (Attorney-General) — I move:

That this bill be now read a second time.

When this government was first elected in 1999, we gave a commitment to do what was necessary to ensure that all Victorians have the benefit and protection of federal workplace relations laws that are fair and balanced. Victoria's referral of workplace relations matters under the Fair Work (Commonwealth Powers) Act 2009 fulfilled that promise.

South Australia and Tasmania intend to join Victoria in making workplace relations referrals. This government flagged, when the new Victorian referral was made, that referrals from other states may result in some