



18 March 2021

The Hon. John Quigley MLA
Attorney General of Western Australia
By email: john.quigley@mp.wa.gov.au

Dear Attorney General,

WA Legislative Agenda – Administration Amendment Bill & Legislation Bill

Congratulations on Labor's victory at the 2021 State election and your reappointment as Attorney General.

We are pleased to note that the WA Labor Party now has an unprecedented majority in both the Legislative Assembly and the Legislative Council.

As you are aware, STEP WA wrote to you in March 2020 lauding the Labor Government's decision a month earlier to give priority to passing various delayed Bills, following passage of the *Voluntary Assisted Dying Bill 2019*.

STEP WA then asked the McGowan Government if it could give priority to passing two uncontroversial but important Bills which had already passed the Legislative Assembly in 2019 but had stalled in the Legislative Council, namely the *Administration Amendment Bill 2018* and the *Legislation Bill 2018*.

We were encouraged by the response we received from you and your Chief of Staff, namely that you anticipated those Bills would be progressed as soon as possible, subject to the Legislative Council's priorities.

We were disappointed that the McGowan Government was unable to pass either of those two Bills prior to Parliament being prorogued for the State Election in February 2021, and as a result those two Bills lapsed.

STEP WA is not the only lobbyist for the passage of these Bills. The Law Society of Western Australia, for example, also supports an increase of the statutory legacy as proposed by the *Administration Amendment Bill*.

In the February 2021 edition of *Brief*, it was reported that the WA Government continued to support the intent behind the amendments that were contemplated by the now lapsed *Administration Amendment Bill*. The WA Liberal Party also supported those amendments and recognised that it was a long overdue reform.

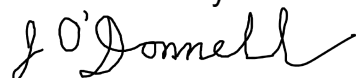
STEP WA would now like to ascertain whether the newly elected WA Government will give these reforms the priority they deserve by introducing two new Bills into the Parliament for passage in substantially the same form as the 2018 Bills (save for one suggested change as outlined below) as soon as possible.

As it has been almost 3 years since the *Administration Amendment Bill 2018* was first introduced, we would urge the Government to consider lifting the statutory legacy for a surviving partner proposed in the *Administration Amendment Bill* from \$435,000 to say \$450,000 (where the deceased leaves a surviving spouse and issue) and from \$650,000 to say \$675,000 (where there is a surviving spouse but no issue). These revised increases are within CPI and will bring WA closer in line with the other States.

STEP WA is willing to work with the WA Government on any issues, points of law and possible reform touching or concerning trust and estate matters, including incapacity, in this State.

Your primary point of contact for this submission is the chair of STEP WA's Policy Sub-Committee, Jim O'Donnell, whose contact details are below.

Yours sincerely



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