



Youth Parliament of Western Australia

Safer Transport Act 2025

Explanatory Memorandum

The purpose of Western Australia's (WA) road and public transportation system is to facilitate safe and efficient movement for metropolitan and regional communities. Despite these core goals, road fatalities and incidents on Western Australian buses and trains have increased significantly over the last decade, a trend that must be reversed.

On Transperth train lines, the rate of incidents per million boardings has increased significantly, rising from 49.65 in 2018 to 85.96 in 2024. Furthermore, Transperth's 2024 Public Satisfaction Monitor Survey found that 32% of daytime bus patrons do not always feel safe, a figure that increases sharply to 65% for patrons using bus interchanges at night. To improve the reliability and efficacy of public transit security officers, this Bill seeks to develop a comprehensive cultural training framework centred on improving outcomes for Western Australia's most vulnerable public transport patrons – enabling security officers to better engage with diverse communities. Additionally, the introduction of mandatory body-worn camera systems ensures accountability at all levels of the public transport system.

In 2023, Western Australia recorded 158 road fatalities. The previous year, drivers aged 17–19 had the highest fatality rate of any age group, with 12.6 fatalities per 100,000 people, highlighting the need for reform in novice driver regulations. Building on Tom's Law (Road Safety Regulations Amendment Regulations 2025), this Bill aims to enhance road safety education through the subsidisation of evidence-based programs. It also proposes changes to training requirements for novice drivers to ensure that they are properly prepared before entering the road network.

Approximately 65% of Western Australia's road fatalities in 2022 occurred on regional roads — routes often marked by limited access, poor surface conditions, and inadequate funding. To ensure that all Western Australians feel safe using our roads, airways, and public transport networks, this Bill introduces the Regional Infrastructure Grant Program (RIGP), supporting both private and public transport initiatives in regional areas.

Western Australia

Safer Transport Act 2025

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Youth Parliament of Western Australia

Safer Transport Act 2025

No. 6 of 2025

A Bill for

An Act —

- **to promote public safety throughout Western Australia by providing for the enhancement of training and accountability measures for public transport security personnel; and**
- **to amend and strengthen road safety education relating to novice drivers; and**
- **to establish a framework for supporting critical infrastructure upgrades in regional communities; and**
- **for related purposes.**

[Assented to 10 August 2025]

The Youth Parliament of Western Australia enacts as follows:

Part 1 — Preliminary

1. Short Title

This Act may be cited as the *Safer Transport Act 2025*.

2. Commencement

This Act comes into operation on the day on which this Act receives the Youth Governor's Assent.

3. Terms used

In this Act —

Accredited Defensive Driving Training means a mandatory training course for Provisional License holders recognised by the Department as outlined by section 10 of the Bill;

Authority means the Public Transport Authority of Western Australia, as established by section 5 of the *Public Transport Authority Act 2003*;

authority property means land or other property that—

- (a) belongs to the Authority;
- (b) is under the care, control, or management of the Authority; or
- (c) is operated on behalf of the Authority;

body-worn camera means a device that is—

- (a) capable of recording visual images and sound; and
- (b) usually worn on the body, whether or not the device is being worn; and
- (c) approved in writing by the Department's Chief Advisory Officer;

CEO means the Chief Executive Officer of the Department;

de-escalation procedures mean procedures to recognise and manage potentially volatile situations to prevent them from escalating into conflict, through communication and behavioural strategies to promote safety;

Department means the Western Australian Department of Transport, principally assisting the Minister in the administration of the Bill;

deputy chairperson means the deputy chairperson of the Trust;

disability means a long-term sensory, intellectual, and/or physical limitation, restriction or impairment that may impact an individual's everyday activities;

driving instructor means a person who—

- (a) on their own account, or in conjunction with another; or
- (b) as an employee, servant or agent of a person, for fee, reward, salary, wages or other remuneration or for any consideration whatever, by whomsoever paid or payable, gives advice, instructions or demonstrations to a person for the purposes of teaching them to drive a motor vehicle;

employment means any person under a contract by an employer to do work for hire or reward;

Fund means the Regional Safety in Transport Fund, established as a Treasurer's special purpose account under the *Financial Management Act 2006* section 10(a);

gender-based marginalisation means the inequality individuals face in society on the basis of their gender due to power imbalances existent in social systems;

housing status means the condition of an individual's living situation, such as unhoused, along with associated factors such

as stability, affordability, and access to adequate living conditions;

LGBTIQ+ means Lesbian, Gay, Bisexual, Trans and gender diverse, intersex, queer, and questioning as a range of diverse sexualities, gender and sex characteristics;

licensing officer means a person—

- (a) employed in, or engaged under a contract of service or a contract for service or otherwise, to provide services to the Department; and
- (b) in that capacity, involved in the assessment of applications for driver's Licences under the *Road Traffic (Authorisation to Drive) Act 2008* Part 2;

Mental Health First Aid (MHFA) means training that teaches individuals how to recognise, understand, and respond to mental health issues and crises;

Minister means the current Minister for the Western Australian Department of Transportation;

neurodiversity means the range of differences in individual brain function and behavioural traits in the human population;

novice driver means a Provisional license holder or Learner's Permit holder;

Penalty Unit (PU) has the meaning given to that term in the *Road Traffic Amendment Act 1997* section 4(1)(b);

Provisional Licence means a Licence holder who has for a period of at least 30 months or periods adding up to at least 30 months, held a relevant driving authorisation, as specified in the *Road Traffic (Authorisation to Drive) Regulations 2014*

public means any individual or group within the Western Australian community;

registered accredited training body means an organisation whose accreditation has been provided by the National Register on Vocational Education and Training and is a registered training organisation;

Regional Development Commission means a body established under the *Regional Development Commissions Act 1993* Part 2;

Regional Infrastructure Grant Program (RIGP) has the meaning given to that term by section 20 of this Bill;

regional Western Australia means the regions described in the *Regional Development Commission Act 1993* Schedule 1;

Safer Driver Course is an optional cost available to drivers with a Learner's Permit, outlined in section 11 of this Bill;

security officer has the meaning given to that term in the *Public Transport Authority Act 2003* section 56(2);

socioeconomic status means an individual or group's social and economic position within society, encompassing factors such as education, income, occupation, and wealth;

trauma-informed training means training to inform people of the lasting emotional response that results from lived experiences of distressing events and its impact on interactions between different groups of people, including—

- (a) emotional, sexual or physical abuse;
- (b) violence;
- (c) neglect;
- (d) discrimination; and

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(e) other adverse events;

Trust means the Western Australian Regional Safety in Transport Trust established by section 35 of this Bill;

Type 1A Novice Driver means a Licence holder who has not for a period of at least 1 year or periods adding up to at least 1 year, held a relevant driving authorisation, as specified in the *Road Traffic (Authorisation to Drive) Regulations 2014*.

- (3) Subsection (2) does not apply in circumstances in which the use of a body-worn camera—
 - (a) is not reasonably practicable; or
 - (b) could cause or increase a risk to a person’s safety; or
 - (c) would unreasonably limit a person’s privacy.
- (4) The use of a body-worn camera by a security officer under this section must be—
 - (a) used or worn in a way that makes it overtly visible to the person being recorded; and
 - (b) accompanied by a verbal notification from the security officer informing the person that the camera is in operation.
- (5) However, the use need not be overt, if the use is—
 - (a) incidental to the use of the camera under this section; or
 - (b) inadvertent.

6. Body-worn cameras—guidelines

- (1) The chief security officer must make guidelines about the use of body-worn cameras by security officers under section 5.
- (2) The guidelines must include—
 - (a) requirements for the storage, use and disposal of a recording from a body-worn camera, and information about how a person may access a recording under any applicable laws; and
 - (b) guidance about the circumstances in which a body-worn camera may or must be used.
- (3) The guidelines may include any other relevant matters.
- (4) A guideline is a disallowable instrument.

Division 2 — Cultural Training of Security Officers

7. Cultural training framework

- (1) The cultural training framework for security officers aims to—
 - (a) mitigate additional risks in relation to the powers of security officers granted by the *Public Transport Authority Act 2003*, including—
 - (i) unreasonable suspicion of a persons by a security officer, as outlined in section 61 of the Act; and
 - (ii) unreasonable seizure of lawful property, as outlined in section 63 of the Act.
 - (b) recognise social and cultural differences;
 - (c) recognise the impact of different social and cultural life experiences; and
 - (d) actively educate security officers on social and cultural differences and their impacts on interactions between different people, including—
 - (i) how individuals may respond to the authority of security officers; and
 - (ii) enabling security officers to combat negative stereotypes and mitigate the risk of inappropriate use of security officer powers due to systemic prejudices.
- (2) The implementation of the cultural training framework for security officers should —
 - (a) improve engagement between security officers and the public;
 - (b) improve trust in security officers and safety on Authority property; and
 - (c) mitigate inappropriate use of power and authority by security officers.

8. Implementation of the cultural training framework

- (1) All security officers employed the authority must complete suitable training as captured in the cultural training framework.
- (2) Training captured in the cultural training framework must be completed at the commencement of employment and renewed at a frequency determined by the chief executive officer, but no longer than every three years.
- (3) Training conducted to satisfy the conditions of section 7(1) must be facilitated by—
 - (a) the Authority;
 - (b) a relevant public sector body approved by the CEO; or
 - (c) a registered accredited body approved by the CEO.
- (4) If a person fails to complete the training at the required frequency—
 - (a) their designation as a security officer, as defined in the *Public Transport Authority Act 2003* section 56(2), is to be temporarily suspended; and
 - (b) their designation is to be re-instated upon completion of the required training.
- (5) Training provided to fulfil the requirements of section 7(1) will be reviewed by the Department no longer than every three years to ensure relevancy and efficacy.
- (6) Training required in section 7(1) applies in addition to other training requirements mandated by the Public Transport Authority and other relevant regulatory bodies.

9. Content requirements for the cultural training framework

- (1) At a minimum, cultural training for security officers should include—
 - (a) Accredited Mental Health First Aid, including—

- (i) guidance in identifying when Mental Health First Aid should be performed; and
 - (ii) appropriate responses to aid in managing mental health problems and crises that security officers may experience.
- (b) De-escalation procedures, including—
 - (i) guidance in identifying when de-escalation strategies should be deployed; and
 - (ii) appropriate de-escalation procedures for security officers to take in different interactions with the public.
- (c) Trauma-informed training, including—
 - (i) an overview of trauma and how it may manifest in interactions with security officers;
 - (ii) guidance in identifying when trauma-informed approaches may be appropriate; and
 - (iii) appropriate trauma-informed strategies for security officers to take in different interactions with the public.
- (d) Cultural awareness and recognition training in order to identify relevant social and cultural differences and differing life experiences, including—
 - (i) cultural and social awareness, particularly in relation to First Nations Peoples;
 - (ii) low-socioeconomic and housing-status awareness;
 - (iii) neurodiversity awareness;
 - (iv) disability awareness;
 - (v) gender-based marginalisation awareness; and
 - (vi) LGBTIQ+ identity awareness.

Part 3 — Safety Through Road Education

Division 1 — Road Education Programs

10. Facilitation of Defensive Driving Training

- (1) A person who holds a Provisional Licence must complete an accredited Defensive Driving Training course within one year of being granted their Licence.
- (2) The Department is to establish course material standards, which must be tailored to the Licence holder's typical driving condition, and must focus on either—
 - (a) freeway driving, including—
 - (i) on/off ramp procedures;
 - (ii) speed management;
 - (iii) heavy traffic management;
 - (iv) lane management;
 - (v) emergency braking and stop procedures;
 - (vi) common city exits; and
 - (vii) highway and freeway management.
 - (a) regional road driving, including—
 - (i) cornering lines;
 - (ii) travelling on bitumen or gravel roads;
 - (iii) overtaking on single roads and higher speed limits;
 - (iv) driver fatigue management skills;
 - (v) effects on vehicle of road camber; and
 - (vi) traversing terrain with steep elevation changes.
- (3) The Minister may grant an extension of up to two years for completion of the course on the basis of—
 - (a) limited availability

- (b) financial hardship; or
 - (c) any other reason at the Minister's discretion.
- (4) The cost of the course must be fully subsidised by the Government of Western Australia.

11. Facilitation of Safer Driver Course

- (1) The Department must provide a voluntary Safer Driver course that is available to all persons with a Learner's Permit after first acquiring 50 logbook hours, which will exclude any bonus hours logged as outlined in section 12(1), and once completed shall grant 20 logbook hours to the driver operating under a Learner's Permit.
- (2) The course that the Department provides must involve—
- (a) a three-hour group discussion with other drivers operating under a valid Learner's Permit as facilitated by a licensing officer, that must—
 - (i) ensure an understanding of the rules, responsibilities, and expectations of safe driving;
 - (ii) demonstrate examples of why safe driving is required; and
 - (iii) nurture the establishment of safe driving habits.
 - (b) a two-hour coaching session in a vehicle with another driver operating under a valid Learner's Permit as facilitated by a licensing officer, that must—
 - (i) ensure an understanding of the rules, responsibilities, and expectations of safe driving;
 - (ii) demonstrate examples of why safe driving is required; and
 - (iii) nurture the establishment of safe driving habits.
- (3) The cost of the course must be fully subsidised by the Government of Western Australia.

Safer Transport Act 2025

Part 3 Safety Through Road Education

Division 2 Road Traffic (Authorisation to Drive) Regulations Act 2014
amended

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12. Introduction of equivalent ‘two-to-one’ logged hours

- (1) When a person with a Learner's Permit has a lesson with an accredited driving instructor, every one hour driven will be equivalent to two hours driven for logging in the driver's logbook
- (2) Two-to-one equivalent bonus hours can be applied towards driving undertaken at any time of the day.
- (3) Persons with a Learner's Permit can only accrue a maximum of 20 bonus hours in their logbook

Division 2 — Road Traffic (Authorisation to Drive) Regulations Act 2014 amended

13. Regulation amended

This Division amends the *Road Traffic (Authorisation to Drive) Regulations Act 2014*.

14. Regulation 4 amended

In regulation 4(2)—

delete: “A person who is a novice driver is a novice driver (type 1A) unless the person has, for a period of at least 6 months or periods adding up to at least 6 months, held a relevant driving authorisation.” and insert:

“A person who is a novice driver is a novice driver (type 1A) unless the person has, for a period of at least one year or periods adding up to at least one year, held a relevant driving authorisation.”

15. Regulation 9 amended

In regulation 9(3), after paragraph (b) insert:

“(c) has attended an accredited Western Australian defensive driving course.”

16. Regulation 16A amended

In regulation 16A(2)(a)—

delete: “driving the motor vehicle on a road for at least 50 hours, including at least 5 hours of driving the vehicle at night...” and insert:

“driving the motor vehicle on a road for at least 110 hours, including at least 10 hours of driving the vehicle at night...”

17. Regulation 37A inserted

After regulation 36, insert:

37A. Restrictions to Vehicle Capacity of Provisional Drivers

- (1) A person who holds a Provisional Licence must not drive a vehicle that has—
 - (a) a power-to-tare mass ratio exceeding 130 kilowatts per tonne; and
 - (b) a total tare weight exceeding two tonnes.
- (2) A person may apply for an exemption to 37A(1) to the Department on the basis of—
 - (a) requirement for paid or unpaid employment;
 - (b) financial barriers;
 - (c) transport requirements; or
 - (d) any other reason at the Minister’s discretion.
- (3) This regulation comes into operation one year after the commencement of this Act.
- (4) A person who violates regulation 37A(1) commits an offence and is liable—
 - (a) for a first offence — a verbal and written warning;

- (b) for a second offence — to a fine of six penalty units;
 - (c) for a subsequent offence — to a fine of 12 penalty units and the loss of two demerit points.
- (5) The Department must establish and maintain an online tool or database to allow Provisional drivers to—
 - (a) check whether a vehicle complies with this section or other relevant restrictions; and
 - (b) make inquiries regarding vehicle suitability.

Division 3 — *Road Traffic Act 1974* amended

18. Act amended

This Division amends the *Road Traffic Act 1974*.

19. Section 64AA amended

In section 64AA(2)—

delete: “If a court convicts a person of a first offence against this section the person is liable to a fine of not more than 25 PU.” and insert:

“If a court convicts a person of a first offence against this section the person is liable to—

- (a) a fine of 25PU, if said person is a full driver's Licence holder.
- (b) a fine of 25PU, if said person is a full driver's Licence holder.
- (c) a minimum disqualification of Licence for 6 months if said person is a Provisional Licence holder.”

20. Section 64AA further amended

In section 64AA(2a)—

insert:

“

- (c) if a person is convicted of a second offence against this section, the court must further order that the person:
 - (i) complete a prescribed alcohol and driving education or counselling program; and
 - (ii) provide satisfactory evidence of completion within a prescribed period.

”

Part 4 — Safety in the Regions

Division 1 — Establishing the Regional Infrastructure Grant Program (RGIP)

21. Regional Infrastructure Grant Program (RGIP) definition

The RGIP is a program created to provide financial support to local governments and Regional Development Commissions for the purpose of developing transport-related infrastructure development in regional and remote areas within Western Australia.

22. Considerations

In establishing the RGIP, the Minister must consider—

- (a) advice from Infrastructure Western Australia under section 8 (1)(h)(ii) of the *Infrastructure Western Australia Act 2019*; and
- (b) the identified infrastructure needs of regional areas under section 23 (2)(e) of the *Regional Development Commissions Act 1993*.

23. Objectives of the grant program

The primary objective of the RGIP—

- (a) improve road safety in regional communities and access to transport services in regional communities;
- (b) upgrade and construct rural roads, airstrips, and public transport facilities; and
- (c) support the economic and social development needs of regional communities, addressing infrastructure gaps stated in section 23 (1)(c) of the *Regional Development Commissions Act 1993*.

Division 2 — Application process for the RGIP

24. Eligibility for RGIP

A grant will be provided to either—

- (a) a local government located in a regional area of Western Australia; or
- (b) a Regional Development Commission established under the *Regional Development Commissions Act 1993*.

25. Use of RGIP grants when awarded

- (1) Funding can be used for Infrastructure development projects, regarding—
 - (a) maintenance of regional roads, including—
 - (i) resurfacing regional roads;
 - (ii) repairing regional roads; and
 - (iii) widening regional roads.
 - (b) development of regional airway infrastructure, including—
 - (i) installing light aids on runways;
 - (ii) implementing navigational aids in regional areas;
 - (iii) construction of paved tarmacs; and
 - (iv) construction of sealed airstrips.
 - (c) development of regional public transport services, including—
 - (i) construction of additional bus stops;
 - (ii) repairing existing bus stop; and
 - (iii) construction of bus stop shelters.

26. Review of grant applications

- (1) The Minister must appoint an independent assessment panel to evaluate all grant applications received, considering—

- (a) safety outcomes;
 - (a) accessibility outcomes;
 - (a) regional economic benefits;
 - (a) regional social benefit;
 - (a) co-funding opportunities with private partners.
- (2) Any grant applications exceeding \$5 million, Infrastructure Western Australia must assess the proposal in accordance with section 19 of the *Infrastructure Australia Act 2019*.

27. Use of ministerial powers

- (1) In accordance with sections 7A, 15C, 16, and 17 of the *Transport Co-ordination Act 1966*, the Minister may—
- (a) provide financial support to eligible applicants for regional transport infrastructure;
 - (b) enter into contracts or agreements to—
 - (i) construct such infrastructure;
 - (ii) operate such infrastructure;
 - (iii) maintain such infrastructure;
 - (c) subsidise essential transport services in regional and rural areas, including;
 - (i) road networks; and
 - (ii) air networks;

Division 3 — Financial provisions

28. Record keeping requirements

- (1) All recipients of grants must maintain accurate financial records relating to the expenditure of the funds received, including—
- (a) amounts received;
 - (b) dates of receipt;
 - (c) itemised expenditure reports;

- (d) any additional co-funding received; and
- (e) any additional contributions received.

29. Auditing and compliance

- (1) The Minister must direct that an independent audit must be conducted on grant recipients to ensure compliance with record keeping requirements as stated in section 27(1).
- (2) If any significant discrepancies are found within an independent audit, the Minister must direct—
 - (a) repayment of misused funds;
 - (b) suspension of future funding from the RIGP; and
 - (c) referral to relevant investigative authorities.
- (3) The funds available for the purpose of enabling either one of the bodies stated in section 23(1), to perform its functions consist of
 - (a) moneys from time to time appropriated by Parliament;
 - (b) any other moneys lawfully received by, made available to, or payable to the commission.

Division 4 — The Regional Safety in Transport Fund

30. Subsidiary accounts of the Fund

- (1) The Fund is to consist of the following subsidiary accounts—
 - (a) the Regional Local Government Fund; and
 - (b) the Regional Private Infrastructure Fund.
- (2) The Treasurer, on the recommendation of the Minister, is to determine from time to time the way in which money standing to the credit of the Fund is to be allocated between the subsidiary accounts.

31. Treasurer to make payments into the Fund

- (1) In each financial year the Treasurer is to cause to be credited to the Fund moneys for the development of regional Western Australia.
- (2) The Treasurer must not credit funds under subsection (1) if not for the purposes outlined in section 26.

32. Money credited to the Fund

- (1) In addition to amounts credited under section 28 (1), the Treasurer is to cause to be credited to the Fund—
 - (a) income derived from the investment of money standing to the credit of the Fund; and
 - (b) any other money lawfully made available to the Fund.

33. Limit on amount in the Fund

The Treasurer is to ensure that the amount of money standing to the credit of the Fund at any time does not exceed \$150 million

34. Application of the Fund

- (1) The Minister, with the Treasurer's concurrence, may authorise the expenditure of money standing to the credit of the Fund for the following purposes—
 - (a) to provide infrastructure and infrastructure services in regional Western Australia;
 - (b) to develop and broaden air infrastructure, air safety, and air accessibility in regional Western Australia;
 - (c) to improve the road safety and infrastructure of regional Western Australia.
- (2) There are to be charged to the Fund—
 - (a) expenditure authorised under subsection (1);

- (b) expenditure incurred in the administration of the Trust, including any remuneration or allowances payable to its members; and
- (c) any other expenditure incurred in the administration of this Bill.

35. Annual report of Department to include information about the Fund

Without limiting the *Financial Management Act 2006* section 61, the annual report for a financial year prepared by the accountable authority of the Department under that section is to contain information about the operation of the Fund during the financial year.

Division 5 — Western Australian Regional Safety in Transport Trust

Subdivision 1 — Establishment and Functions

36. Trust established

A body called the Western Australian Regional Safety in Transport Trust is established.

37. Functions

- (1) The functions of the Trust are—
 - (a) to provide advice and make recommendations to the Minister for the purposes of sections 29(2) and 33(1); and
 - (b) to provide advice and make recommendations to the Minister on any other matter relating to the operation of the Fund that is referred to it by the Minister.

Subdivision 2 — Constitution and Related Matters

38. Membership

- (1) The Trust is to consist of—
 - (a) the chairperson of a regional development commission; and
 - (b) at least three but not more than five other people, appointed by the Minister.
- (2) In addition to the member appointed under subsection (1)(a) the Minister may appoint one other chairperson of a regional development commission as a member under subsection (1)(b).
- (3) The Minister may appoint the CEO as a member under subsection (1)(b).
- (4) The Minister is to ensure that the members of the Trust have, between them, the knowledge and experience needed to enable the Trust's functions under this Bill to be effectively performed at the Minister's discretion.

39. Chairperson and deputy chairperson

The Minister is to designate one of the members to be the chairperson and another to be the deputy chairperson of the Trust.

40. Term of office

- (1) The term for which a person is appointed as a member is to be fixed in the instrument of appointment and, subject to subsection (2), is to be not longer than three years.
- (2) The term for which a chairperson of a regional development commission is appointed as a member is to be 12 months.
- (3) A person's eligibility for reappointment or the term for which a person may be reappointed is not affected by an earlier appointment.

- (4) A person whose term of office expires continues in office until another appointment to the office comes into effect unless, under section 40, the person resigns or is removed from office.

41. Casual vacancies

- (1) A member may at any time resign from office by notice in writing delivered to the Minister.
- (2) The Minister may remove a person who is a member from office on the grounds—
- (a) mental or physical incapacity to carry out the person's duties in a satisfactory manner; or
 - (b) the person being an insolvent under administration as that term is defined in the *Corporations Act 2001* (Commonwealth); or
 - (c) absence, without leave, from three (3) consecutive meetings of the Trust of which the person has had notice; or
 - (d) neglect of duty; or
 - (e) misconduct.
- (3) The office of a member becomes vacant if, before the term for which the person holding the office was appointed expires, the person dies, resigns or is removed from office.

42. Deputy chairperson acting as chairperson

- (1) If the chairperson is unable to act because of sickness, absence or other cause, or if there is no chairperson, the deputy chairperson is to act in the chairperson's place.
- (2) An act or omission of the deputy chairperson acting in the chairperson's place cannot be questioned on the ground that the occasion to act in the chairperson's place had not arisen or had ceased.

43. Alternate members

- (1) If a member, other than the chairperson, is unable to act because of sickness, absence or other cause, the Minister may appoint another person as an alternate member to act temporarily in the member's place.
- (2) If the deputy chairperson is acting in place of the chairperson at a meeting, the Minister may appoint another person as an alternate member to act temporarily as the deputy chairperson.
- (3) While acting in accordance with his or her appointment an alternate member is to be taken to be, and to have any entitlement of, a member.
- (4) An act or omission of an alternate member cannot be questioned on the ground that the occasion for the appointment or acting had not arisen or had ceased.

44. Leave of absence

- (1) The Minister may grant leave of absence to the chairperson on the terms and conditions the Minister thinks fit.
- (2) The chairperson may grant leave of absence to another member on the terms and conditions the chairperson thinks fit.

45. Remuneration and allowances

- (1) Members are entitled to such remuneration and allowances as are determined by the Minister, on the recommendation of the Public Sector Commissioner, in accordance with applicable public sector remuneration frameworks.
- (2) The remuneration and allowances must be published in the Department's annual report.

46. Holding meetings

- (1) The first meeting of the Trust is to be convened by the chairperson.

- (2) Subsequent meetings are to be held at times and places determined by the Trust.

47. Presiding at meetings

- (1) The chairperson, if present, is to preside at a meeting of the Trust.
- (2) If neither the chairperson nor the deputy chairperson acting in the chairperson's place is presiding under subsection (1), the members present at the meeting are to appoint one of their number to preside.

48. Holding meetings remotely

The presence of a person at a meeting of the Trust need not be by attendance in person but may be by that person and each other person at the meeting being simultaneously in contact by telephone or other means of instantaneous communication.

49. Presiding at meetings

- (1) A member who has a direct or indirect pecuniary interest in a matter that is before a meeting of the Trust must, as soon as possible after the relevant facts have come to his or her knowledge, disclose the nature of the interest to the other members who are at that meeting.
- (2) If a member has, in the opinion of the person presiding at a meeting of the Trust, a direct or indirect pecuniary interest in a matter before that meeting, the person presiding may call on the member to disclose the nature of that interest and, in default of any such disclosure, may determine that that interest exists.
- (3) A disclosure by a member of an interest in a matter or a determination that a member is interested in a matter must be recorded in the minutes of the meeting concerned.
- (4) A member who has made a disclosure of an interest in a matter, or in respect of whom a determination has been made in relation

to a matter, may take part in the consideration or discussion of the matter, but not in advising or making a recommendation to the Minister on the matter.

- (5) An interest need not be disclosed under this section if it is an interest common to a significant number of persons in the State
- (6) If a member fails to disclose a pecuniary interest, an offence is committed, and they are liable to a fine of \$12,000.

50. Minutes

The Trust is to cause accurate minutes to be kept of the proceedings at its meetings.

51. Procedure at meetings

Except as otherwise stated in this Division, the Trust is to determine its own meeting procedures.

Subdivision 3 — Expectations of Accountability and Confidentiality

52. Provision of services and facilities to Trust

- (1) The CEO is to ensure that the Trust is provided with such services and facilities as are reasonably necessary to enable it to perform its functions.
- (2) Without limiting subsection (1), the CEO may, by arrangement with the Trust, and on such terms as are agreed with the Trust, allow the Trust to—
 - (a) make use, either full time or part time, of the services of any officer or employee of the Department; and
 - (b) make use of any facilities of the Department.
- (3) Any arrangement under subsection (2), must—
 - (a) be made in writing;
 - (b) specify the scope, duration and purpose of the use of services or facilities;

- (c) have maintained detailed records of the use of departmental resources by the Trust; and
- (d) be recorded in a publicly accessible register maintained by the Department, unless disclosure would be contrary to law.

53. Annual report of Trust

- (1) After the end of each financial year the Trust is to prepare and submit to the Minister a report that contains—
 - (a) information about the activities of the Trust during the financial year; and
 - (b) any other information required by the Minister.
- (2) The Minister is to cause a copy of the report to be laid before each House of Parliament within 90 days after the end of the financial year to which the report relates or any shorter period that is prescribed by the regulations for the purposes of this subsection.
- (3) If—
 - (a) at the time a report is submitted to the Minister a House of Parliament is not sitting; and
 - (b) the Minister is of the opinion that that House will not sit before the end of the period referred to in subsection (2), the Minister is to transmit a copy of the report to the Clerk of that House and make the report available to the public.
- (4) A copy of a report transmitted to the Clerk of a House is to be regarded as having been laid before that House.
- (5) The laying of a copy of a report that is regarded as having occurred under subsection (4) is to be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after the Clerk received the copy.

54. Protection from liability for wrongdoing

- (1) An action in tort does not lie against a person for anything that the person has done, in good faith, in the performance or purported performance of a function under this Bill
- (2) The State is also relieved of any liability that it might otherwise have had for a person having done anything as described in subsection (1).
- (3) The protection given by this section applies even though the thing done as described in subsection (1) may have been capable of being done whether or not this Bill had been enacted.
- (4) In this section, a reference to the doing of anything includes a reference to an omission to do anything.

55. Confidentiality

A person who is or has been a member must not, directly or indirectly, record, disclose or make use of any information obtained in the course of duty except—

- (a) for the purpose of performing a function under this Bill;
or
- (b) as required or allowed by this Bill or another written law; or
- (c) with the written consent of the person to whom the information relates; or
- (d) in prescribed circumstances.

Part 5 — Statutory Review

55. Safer Transport Bill Statutory Report

- (1) Within three years of this Act's commencement, the Department must table a statutory review of this Act and its impact in Parliament will be created and tabled.
- (2) Department must produce this review, evidenced by an from the previous three years.
- (3) The Statutory Report process shall not take longer than two years.