preparation for an estimates hearing are designed to restrict openness and transparency in the examination of departmental expenditure. I must put on the public record the shadow minister's concerns about the deficiencies in the estimates committee process, the poor infrastructure planning and a failure to adhere to time lines.

The statement of reservations details the concerns with regard to the estimates committee. However, I must also note the deep concern about the establishment of the crisis room which resulted in only a handful of senior public servants being present. The action deliberately restricted the committee in its ability to question public servants and statutory officials who exercise direct responsibility for the conduct of activities.

I wish to also place on the record our disappointment at the minister's refusal to provide appropriate details in his answers to questions on notice. This highlights a culture of arrogance and obstruction by this minister. An example of this is that last year in an answer to a question on notice the minister provided an 11-page document of detail that was not publicly available. In this year's response to the same question but for an updated budget period, he referred to websites which did not provide any of the detail sought in the question. Either the minister is deliberately hiding information or he is unaware of the actions of his political staffers in preparing answers. The latter seems more likely, as when asked questions specifically regarding this answer at the hearing he seemed unaware of the issue. The statement of reservation also details other questions on notice that were not properly answered.

With regard to the South East Queensland Infrastructure Plan and Program, or SEQIPP, for 2009-26, it appears that the timing of the release of such an important document as SEQIPP has been made to avoid detailed examination by the estimates committee. A document such as this requires a suitable level of examination, which is clearly not possible when it is released on the day of the committee hearing. Previous ministers were able to table SEQIPP well ahead of this deadline enabling full and proper consideration, but under this minister this has not occurred—again showing the continued disregard this government places on an open and transparent public administration and the minister's unwillingness to allow the parliament to properly consider his portfolio performance.

Is it any wonder that the best the private sector industry can describe SEQIPP as is an 'aspirational document'? With the announced move to the Queensland infrastructure plan, the LNP is concerned this will be another excuse to lower the transparency in this government's infrastructure program. The LNP draws to the parliament's attention the fact that each year the infrastructure department faces damning Auditor-General reports. These reports are a damning indictment of the process undertaken by this government and build on a series of other documents critical of the planning processes undertaken by the Department of Infrastructure and Planning. It is an indication that there is a real need for reform in this department.

(Time expired)

Sitting suspended from 1.01 pm to 2.30 pm.

022 Debate, on motion of Mrs Scott, adjourned.

MOTOR ACCIDENT INSURANCE AND OTHER LEGISLATION AMENDMENT BILL

First Reading

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (2.30 pm): I present a bill for an act to amend the Motor Accident Insurance Act 1994, the Queensland Competition Authority Act 1997, the Queensland Competition Authority Regulation 2007 and the Transport Infrastructure Act 1994 for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Tabled paper: Motor Accident Insurance and Other Legislation Amendment Bill 2010.
Tabled paper: Motor Accident Insurance and Other Legislation Amendment Bill 2010, explanatory notes.

Second Reading

Hon. AP FRASER (Mount Coot-tha—ALP) (Treasurer and Minister for Employment and Economic Development) (2.30 pm): I move—

That the bill be now read a second time.

The amendments to the Motor Accident Insurance Act 1994 contained in the bill are the culmination of the government's commitment in this year's state budget to deliver a CTP scheme that provides value for money for Queensland's motor vehicle owners. Previous reforms by the government in 2000 and 2002 have delivered a CTP scheme where premiums remain competitive. However, a review of the scheme earlier this year indicated further room for improvement was possible including the need for more price competition between the insurers that underwrite the scheme. These reforms to the CTP scheme will deliver a cut to the total registration bill paid by Queenslanders from 1 October this year.

One of the key drivers to these rising costs is the payment of commissions and inducements by the insurers to intermediaries to acquire CTP business, particularly the highly lucrative new vehicle market. Not only are these payments made at the point of sale of a new vehicle; trailing commissions have become a feature, with payments continuing to be made while the policy remains with the existing insurer. These tied arrangements hinder competition by providing a barrier to new entrants or insurers wanting to increase market share as well as operating to encourage behaviour to limit consumers' choice of nominating an insurer when purchasing a vehicle.

To remedy this situation, this bill will introduce a regime where CTP insurance will become a more stand-alone product and not incur such costs. All motor vehicle owners should benefit from competitive pricing. The bill will ban the payment of commissions and inducements to third parties such as motor dealers. The bill still allows insurers to provide inducements directly to policyholders—that is, consumers. However, these inducements cannot be a charge against the CTP business. In other words, if an insurer offers some form of inducement like a multipolicy discount, the associated costs should not be borne by all Queensland motor vehicle owners through their CTP charge. Apart from New South Wales, no other state or territory in Australia allows for the payment of commissions on CTP insurance. I also note in this context that no state or territory government pays a fee to a motor dealer for registering a vehicle.

This bill will still permit policyholders to direct the payment of an inducement by an insurer to a registered charity but will prohibit the practice of any type of trailing payments. Similarly, policyholders may direct the payment of an inducement to a research entity affiliated with a university working in the areas of road safety and rehabilitation related to motor vehicle crashes and trauma. Such payments can be made on each occasion of renewal but will require an active election by the consumer to decide to benefit their nominated charity.

The bill also includes a number of technical amendments including changes to the process of allocating policies in the event of a CTP insurer withdrawing from the scheme or becoming insolvent as well as aligning the Motor Accident Insurance Act 1994 with Queensland's motor vehicle registration legislation.

The bill also includes amendments to the Queensland Competition Authority Act 1997 and the Transport Infrastructure Act 1994. The QCA Act provides the legislative framework for the economic regulation of significant monopoly infrastructure such as rail and ports in Queensland. The regime has been in place for over a decade.

The amendments to the QCA Act will enhance Queensland's third-party access regime to ensure it continues to effectively provide a fair and open access regime that offers opportunity, confidence and surety for every participant in the regulatory framework including future participants. Upfront, it is important to recognise the need to provide ongoing certainty for those businesses currently regulated under the regime and ensure appropriate protections for their customers. Following extensive and transparent public consultation with stakeholders and submissions from the Queensland Competition Authority and other interested parties, the government proposes a number of changes to this legislation. The existing regulation based declarations will continue for a further 10 years, and the Queensland Competition Authority will consult and advise on whether ongoing regulation is still appropriate at least six months prior to the expiry of these declarations.

The bill will provide increased certainty for businesses that operate under Queensland's third-party access regime by ensuring decisions about the regime's coverage are guided by explicit criteria and that the QCA, as the state's independent economic regulator, has a clear role in regard to the coverage and scope of the regime, as well as the application of the regulatory processes in the QCA Act.

Specifically, the bill will remove the ability for services to be declared or excluded from coverage by government regulation without the processes contemplated by the broader QCA regime. Similarly, it will also streamline and clarify the process for potential declaration of services provided by privately owned infrastructure. Consistent with the processes for coverage under the National Access Regime, the bill will ensure there is a single and structured process for determining whether a service should fall within the scope of the third-party access regime. While the government has only declared or excluded services where it has clearly been appropriate to do so, the removal of the regulation-making power will eliminate any potential uncertainty and ensure that coverage is guided in every instance by the legislated access criteria.

The reforms aim to deliver a regulatory regime that protects against unfair differentiation and anticompetitive behaviour by vertically integrated access providers. New provisions will reinforce existing obligations on access providers to not unfairly differentiate between access seekers both during negotiations and in the provision of access. The QCA has always been vigilant in ensuring that monopoly infrastructure providers do not misuse their market power or engage in anticompetitive cost shifting or similar behaviours. The bill clarifies that access undertakings given by vertically integrated access providers should not allow the provider to recover costs that are not reasonably attributable to the provision of the service. These amendments will reinforce the prohibitions on anticompetitive conduct such as cross-subsidisations and cost shifting.

The bill will ensure the regulatory environment is best placed to facilitate timely infrastructure investment and efficiencies. For example, the reforms will ensure the QCA can make determinations requiring an access provider to deliver on commitments it made in a voluntary access undertaking to invest in infrastructure expansions.

The QCA will be given new powers to supplement its existing powers of investigation and to improve the timeliness of regulatory processes. It will be able to require information from an access provider to enable it to assess whether there is compliance with an approved access undertaking. This will include a strengthened ability to impose financial penalties on access providers that fail to provide information requested by the authority.

To improve the timeliness of regulatory processes, the bill will provide for the QCA, when it is reasonable to do so, to make decisions based on the information available to it. This includes situations where an access provider or other party has not provided information requested within a specified period. This seeks to prevent parties deliberately frustrating and prolonging regulatory decision-making processes.

The undertaking processes under the QCA Act will also be streamlined to prevent approval processes becoming unnecessarily protracted. For declared services, the QCA will be able to require that an access provider submit a compliant undertaking if it has repeatedly disregarded amendments recommended by the QCA under the voluntary undertaking process.

Finally, in regard to timely processes, the bill applies a six-month time limit on the QCA when making a recommendation to the ministers on declaration.

To complement the enhancements to Queensland's fair and open access regime, the bill will also make changes to the Transport Infrastructure Act to enhance the governance of the QR National group. Further amendments will be made to the Transport Infrastructure Act to strengthen the passenger priority, and preserve passenger and non-coal freight paths. The preservation of passenger and non-coal freight paths will ensure the availability of passenger and non-coal freight paths despite the strong financial incentive to shift paths to higher paying traffic.

Finally, amendments will be made to the Transport Infrastructure Act to enshrine in legislation the government's commitment that toll increases on the Queensland Motorway Ltd network will be limited to annual CPI rates. I commend the bill to the House.

023 Debate, on motion of Mr Dempsey, adjourned.

~~APPROPRIATION (PARLIAMENT) BILL~~

~~APPROPRIATION BILL~~

~~Consideration in Detail (Cognate Debate)~~

~~Appropriation Bill~~

~~Estimates Committee E~~

~~Report~~

~~Resumed from p. 2516~~

~~**Mrs SCOTT** (Woodridge—ALP) (2.40 pm): I find the estimates process to be not only an opportunity for the opposition to scrutinise the state budget but also for those of us who serve on the government side to use it as a learning experience to gain greater insight into the ministers' portfolios. Estimates Committee E studied the budgets of the Attorney-General and Minister for Industrial Relations, the Minister for Primary Industries, Fisheries and Rural and Regional Queensland and, finally, the Minister for Infrastructure and Planning. They are all vitally important areas and portfolios where~~