

The changes to the Public Sector Ethics Act 1994 will replace the annual requirement for public sector ethics education and training with one that will see public servants receiving this as part of induction programs and also at regular intervals from 1 January 2013. The changes also set out what must be included in public servants' ethics education and training. We are absolutely committed to ensuring that departmental chief executives are given maximum flexibility to provide ethical training at the point of induction and at regular intervals as needed, rather than simply requiring blind compliance with a requirement for annual training. The amendments to the Public Sector Ethics Act 1994 that I have introduced today will help us achieve this.

A further improvement are the amendments to the Public Interest Disclosure Act 2010 which will transfer the public interest disclosure oversight agency role to the Queensland Ombudsman from 1 January 2013. In practice, the oversight role for what is commonly called 'whistleblowing' involves monitoring how agencies manage public interest disclosures, reviewing the way agencies deal with these disclosures and offering education and advice about public interest disclosures. This role is currently being performed by the Public Service Commission.

Transfer of this function to the Queensland Ombudsman is an entirely logical step, given that the Ombudsman already receives public interest disclosures in relation to maladministration and also works closely with other integrity agencies, such as the Crime and Misconduct Commission in dealing with whistleblowing. It is also closely aligned with one of the Ombudsman's core functions—handling complaints of maladministration and improving administrative decisions within the public sector. Centralising the whistleblower functions will inject greater independence into the process for dealing with public interest disclosures.

I now turn to the amendments to the Industrial Relations Act 1999. The first amendment will assist in streamlining the administrative functions of the Queensland Industrial Relations Commission by allocating responsibility for the administration of the commission from the president to the vice-president, including the allocation of the commission's business. The amendment reflects similar arrangements in the higher courts in Queensland where certain administrative functions are allocated to other officers of the court to assist the head of the court in carrying out his or her work. For example, in the Supreme and District courts, judge administrators are appointed to assist the chief justice in arranging the business of and administering the court.

The second amendment to the Industrial Relations Act 1999 will give the Queensland Industrial Relations Commission the discretion to allow legal representation, where the commission is satisfied it is appropriate, for a party to be represented by a lawyer. In addition, the changes will provide an entitlement to legal representation in matters before the commission, which are typically more complex or legalistic. This amendment will ensure that parties are able to access legal support in putting complex legal matters before the commission. Such matters often have significant and binding consequences for the parties, and it is essential that legal assistance is able to be provided in such circumstances. I commend the bill to the House.

First Reading



Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (12.05 pm): 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.

Referral to the Finance and Administration Committee

Madam DEPUTY SPEAKER (Miss Barton): In accordance with standing order 131, the bill is now referred to the Finance and Administration Committee.

HEAVY VEHICLE NATIONAL LAW BILL

Message from Governor



Hon. SA EMERSON (Indooroopilly—LNP) (Minister for Transport and Main Roads) (12.05 pm): I present a message from Her Excellency the Governor.

The Deputy Speaker read the following message—

MESSAGE

HEAVY VEHICLE NATIONAL LAW BILL 2012

Constitution of Queensland 2001, section 68

I, PENELOPE ANNE WENSLEY AC, Governor, recommend to the Legislative Assembly a Bill intituled—

A Bill for an Act providing for the adoption of a national law regulating the use of heavy vehicles.


(sgd)

GOVERNOR

Date: 26 July 2012

Tabled paper: Message, dated 26 July 2012, from Her Excellency the Governor recommending the Heavy Vehicle National Law Bill 2012.

Introduction

 **Hon. SA EMERSON** (Indooroopilly—LNP) (Minister for Transport and Main Roads) (12.05 pm): I present a bill for an act providing for the adoption of a national law regulating the use of heavy vehicles. I table the bill and explanatory notes. I nominate the Transport, Housing and Local Government Committee to consider the bill.

Tabled paper: Heavy Vehicle National Law Bill 2012.

Tabled paper: Heavy Vehicle National Law Bill 2012, explanatory notes.

I am pleased to introduce the Heavy Vehicle National Law Bill 2012 into the Queensland parliament. This new, single national law replaces 12 previous model laws that operated across Australia. The Newman government campaigned on growing a four-pillar economy through a focus on tourism, agriculture, resources and construction, and by cutting red tape and regulation. Our aim is to reduce red tape and regulation by 20 per cent and ensure there is a change in the culture of government from one that promotes red tape to one that actively reduces red tape. By making the re-introduction of this bill one of this government's first priorities, Queensland businesses will soon benefit from improved productivity and the ability to operate across state borders without the unnecessary burden of dealing with a range of regulators and regulatory interpretations across jurisdictions.

In July 2009, as part of the national reforms to deliver a seamless national economy, COAG agreed to establish a National Heavy Vehicle Regulator to administer a national body of law to govern the regulation of all heavy vehicles. This recognises the importance of national consistency in heavy vehicle law and regulations and the huge contribution made by the transport industry to the national economy.

The national law includes provisions to create a single national regulator and will apply to heavy vehicles over 4.5 tonnes. It will not cover the transportation of dangerous goods, heavy vehicle driver licensing and bus industry accreditation which are covered under separate legislation.

Commencing on 1 January 2013, the regulator will be responsible for administering the new law for heavy vehicles. This will include matters such as registration, mass and loading, fatigue management, vehicle standards, and compliance and enforcement. A single, uniform national heavy vehicle law will create the 'same outcome in the same circumstances' regardless of the jurisdiction. This in turn will reduce regulatory and operational costs of compliance.

Queensland is expected to accrue a net benefit of approximately \$1.47 billion over a 22-year period, based on preliminary estimates of benefits in present value terms, from the establishment of the national law and creation of the regulator. Queensland's working relationship with industry and its adoption of previous model laws saw Queensland named host jurisdiction for the National Heavy Vehicle Regulator reform in February 2010.

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As host jurisdiction, Queensland has the responsibility of being the first jurisdiction to introduce the new national law. All jurisdictions will then pass legislation to ensure the national law, as enacted by Queensland, is effectively applied as law in their own jurisdiction. This new law will create a stronger, safer heavy vehicle freight industry that drives Queensland's economy.

The new Heavy Vehicle National Law Bill 2012 includes some amendments to the previously introduced Heavy Vehicle National Law Bill 2011 as recommended by the Parliamentary Counsel's Committee. The amendments include minor editorial drafting changes to improve readability and accuracy within the bill, changes to oversight arrangements relating to how responsible ministers exercise functions and the delegation of chief executive officer functions, and an amendment to ensure the National Heavy Vehicle Regulator Board must include a person with relevant industry experience in managing risks to public safety arising from vehicle use.

For the past two decades, the heavy vehicle industry was governed by a dozen nationally approved model laws that lacked coherence across jurisdictions. States and territories adapted the model laws based on their own individual needs and circumstances. In the case of Queensland, we only varied from the model laws to cater for the unique nature of freight operations within Queensland or Criminal Code requirements. As a result, the national law before the House contains those policy changes that are required to align Queensland with the national legislation. The only significant new provisions in the bill before the House are those provisions to create the regulator as a separate corporate entity. These provisions provide for human resourcing, financial controls, and governance structures.

This piece of legislation is just the first step in transforming the governance of heavy vehicles in Australia. The inherent difficulties of reducing 12 pieces of heavy vehicle legislation to a single act of parliament would be cumbersome. Therefore, it was necessary for the national law to be split into two bills. This first bill contains the vast majority of the legislation the regulator will administer and establishes the regulator itself. A second bill is to be introduced in the House later this year and will contain a number of policy refinements and technical amendments. Introducing the majority of agreed legislation at this time will ensure the creation of the corporate structures of the regulator. This will allow the Newman government to meet the time frames set by COAG for establishment of the corporate structures of the regulator prior to 1 January 2013.

Industry is fully supportive of the national law, as benefits gained will flow to itself and consumers. The introduction of this bill confirms to industry that the Commonwealth, state and territory governments are fully committed to the regulator reform. Industry has been actively consulted throughout the reform process and worked closely with jurisdictions on a range of issues. The level of consultation and engagement involved, including the creation of an industry advisory group in 2010, has been critically important to the success of the reform so far. This is no more evident than in the development of a forward work program. The forward work program addresses policy and technical issues in the amendment bill as well as matters to be addressed following implementation of the regulator.

Queensland operators will be able to contact one central regulatory agency—a one-stop shop, if you will—for registration renewals, logbook queries, access permits, escort requirements for wide loads and a host of other services. This will dramatically reduce operator costs and the time spent dealing with regulatory agencies. Currently, heavy vehicle operators and drivers must comply with multiple regulations in each jurisdiction that they enter. For example, an interstate operator taking freight from our Far North to the southern states is compelled to contact and receive access approvals from a number of state regulatory authorities. Each of those jurisdictions may apply their own specific access requirements. A single regulator will ensure that the current level of regulatory inconsistency, costs and red tape is dramatically reduced.

As an independent body, the regulator will assist with identifying issues and trends. It will be a catalyst for economic productivity, ascertaining measures that will improve safety, promote partnerships between government and industry, and make customer service more efficient and effective. The regulator will act as a central link between state road authorities and local governments to ensure that a single permit with a simplified set of operating conditions for all participating jurisdictions is issued. This can only be a good thing for the Queensland economy and for the hardworking members of the heavy vehicle freight industry.

I would like to conclude by thanking the National Heavy Vehicle Regulator Project Office, the National Transport Commission, all jurisdictions and industry organisations. Finally, the members of my department and the Premier have my sincerest thanks for their tireless efforts and ongoing commitment to the implementation of this reform.

First Reading

 **Hon. SA EMERSON** (Indooroopilly—LNP) (Minister for Transport and Main Roads) (12.14 pm): 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.

Referral to the Transport, Housing and Local Government Committee


Madam DEPUTY SPEAKER (Miss Barton): Order! In accordance with standing order 131, the bill is now referred to the Transport, Housing and Local Government Committee.

~~ENVIRONMENTAL PROTECTION (GREENTAPE REDUCTION) AND OTHER LEGISLATION AMENDMENT BILL~~

Second Reading

~~Resumed from 12 July (see p. 1253), on motion of Mr Powell~~

~~That the bill be now read a second time.~~

 **Mr COSTIGAN** (Whitsunday—LNP) (12.15 pm): ~~It gives me great pleasure to rise in the House to speak in support of the Environmental Protection (Greentape Reduction) and Other Legislation~~