

~~improve workforce mobility by removing the need for interstate dental technicians and speech pathologists to register in Queensland before being able to practise their professions in this state.~~

~~The bill repeals the Dental Technicians Registration Act 2001, the Speech Pathologists Registration Act 2001 and the Health Practitioner Registration Boards (Administration) Act 1999. The repeal of these acts will abolish the registration boards for dental technicians and speech pathologists and the Office of the Health Practitioner Registration Boards, which provides administrative support to the boards.~~

~~Amendments to the Health Practitioner (Professional Standards) Act 1999 will rescind the provisions that relate to dental technicians and speech pathologists and leave in place, with necessary amendments, the provisions that will continue to apply to professions regulated under the national scheme. Consequential amendments are also being made to Queensland legislation to provide alternative definitions or remove references to the registration of dental technicians and speech pathologists.~~

~~This bill is consistent with the government's commitment to reduce regulatory burden and red tape. It is not a statement about the importance of these two professions within the health system. Both speech pathologists and dental technicians play vital roles in the integrated delivery of health care to Queenslanders. I acknowledge that they comprise dedicated and skilled health practitioners whose involvement in healthcare provision is essential for ensuring comprehensive care. Cessation of the registration system merely removes the regulatory burden that is placed on members of these professions. It does not impact on their role or importance within our health services. I commend the bill to the House.~~

First Reading



~~**Hon. LJ SPRINGBORG** (Southern Downs—LNP) (Minister for Health) (2.52 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 Health and Community Services Committee

~~**Madam DEPUTY SPEAKER** (Mrs Cunningham): Order! In accordance with standing order 131, the bill is now referred to the Health and Community Services Committee.~~

ELECTRONIC CONVEYANCING NATIONAL LAW (QUEENSLAND) BILL

Introduction



Hon. AP CRIPPS (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (2.52 pm): I present a bill for an act to adopt in Queensland a national law relating to electronic conveyancing and to amend this act, the Land Act 1994 and the Land Title Act 1994 for particular purposes. I table the bill and the explanatory notes. I nominate the Agriculture, Resources and Environment Committee to consider the bill.

Tabled paper: Electronic Conveyancing National Law (Queensland) Bill 2012.

Tabled paper: Electronic Conveyancing National Law (Queensland) Bill 2012, explanatory notes.

I am pleased to introduce the Electronic Conveyancing National Law (Queensland) Bill into the House. The provisions contained in this bill will apply the Electronic Conveyancing National Law as a law of the state of Queensland and is an important step in Queensland's participation in a national electronic conveyancing system. The implementation of national e-conveyancing is a reform which will provide significant efficiencies in conveyancing practice with benefits for Queensland businesses and the general public.

Queensland has a secure and highly effective system of registered title to freehold land known as the Torrens system. The Torrens system is internationally recognised as being the best and most efficient system of land titling. It is a system of 'title by registration' where the state-maintained register records all legal interests that exist on individual land titles. Those registered interests are backed by a state guarantee of title.

Since 1994 the freehold land register in Queensland has been kept in electronic form. This means that documents prepared in paper form are converted to electronic files to allow faster and more efficient processing for registration as well as efficiencies in searching the register and retrieval of documents. National e-conveyancing will extend the benefits of this efficient electronic processing as it will allow documents to be prepared in electronic form and lodged directly into the electronic register.

In 2009 the Council of Australian Governments included the implementation of national e-conveyancing as one of the reforms directed at delivering a seamless national economy. This recognises that many financiers and businesses operate across Australia and that persons or businesses in any part of Australia may be dealing with a financier, or transacting with land, situated in another state or territory.

The e-conveyancing system will provide an online 'hub' through which documents needed for land conveyancing, such as mortgages and transfers, can be digitally prepared, signed and lodged directly into the electronic land register. This system may be used as an alternative to the paper based process. However, the paper process will continue to be available for private persons as well as solicitors and financiers. Use of the e-conveyancing system will be entirely voluntary.

Financial settlement and payment of relevant duties and lodgement fees will also be possible through the e-conveyancing system. However, the state is not involved in regulating the financial settlement aspect of land transactions.

I stress that e-conveyancing is only a system for document preparation and lodgement. There will be no change to substantive land laws and the Queensland Torrens freehold land register will continue to be maintained under the laws of this state.

The efficiencies and savings in e-conveyancing will arise from maximising the use of electronic facilities in the conveyancing process. There will no longer be a need to check paper transfers and mortgages against title searches, as documents created in the system will be checked automatically through an interface with the electronic register.

There will be no need to obtain bank cheques for settlement and no need for financiers and solicitors to arrange physical attendance at a settlement because settlement payments will be made electronically. This will result in time and cost savings in conveyancing transactions for the benefit of the legal practitioners, clients and financiers involved. In addition to these savings, e-conveyancing settlements will not fail because of errors or discrepancies in documents or bank cheques.

As a direct result of these changes there will be greater certainty in this process. Settlements will be successfully completed at the arranged time, avoiding the disappointment, inconvenience and extra expense that some people experience when a settlement 'falls through' or is delayed because of minor errors in cheques or documentation.

The efficiencies will be further enhanced as the system will operate nationally so that documents can be prepared and lodged in the registers of any state or the Northern Territory. For example, where a Queensland resident sells a property in Western Australia and borrows from a bank based in Victoria to buy a property in Queensland, the bank and representatives for the buyer and seller will all be able to log in to the same electronic workspace to create and digitally sign documents, verify information about the properties and certify that everything is in order for settlement. Settlement will then take place through the system at the appointed time, followed by lodgement of the documents in the two relevant state land registries. This means that parties in three states will be able to transact without the use of interstate agents or the need to mail documents for signature.

E-conveyancing will be implemented in phases, being progressively 'rolled out' in participating jurisdictions, commencing with a limited range of transactions in Victoria in early 2013. These transactions, which are the release of mortgages and new mortgages, are planned to commence in Queensland in the second half of 2013. The next phase will introduce a greater range of transactions, including transfers, and should be available in Queensland by late 2014.

Nationally consistent legislation is required for e-conveyancing to operate effectively. All jurisdictions have an electronic transactions act which facilitates many electronic transactions, but these acts do not apply to conveyancing transactions which have traditionally had particular requirements for the signing and witnessing of documents. It was not possible to satisfy these requirements electronically. The participating jurisdictions have agreed on the terms of the national law required for e-conveyancing and have agreed that the national law will be first enacted in New South Wales, as the host jurisdiction, before its adoption in other states and territories.

025 This bill adopts the national law as its core, supported by amendments required to align it with Queensland land titling legislation. The bill will allow the registrar of titles to authorise the operation of an electronic lodgement network and provides that documents lodged into the freehold land register via such a network will be processed in the same way and have the same effect as paper documents. Further, the registrar would be authorised to set requirements which the operator must comply with and rules which users or 'subscribers' to the system must comply with. Registrars across Australia are developing a common set of requirements and rules, and will apply these in their respective jurisdictions.

Because of the stringency of the rules for subscribers, it is expected that only financial institutions and legal practitioners will be able to become subscribers to the system in Queensland. Financial institutions will conduct transactions on their own behalf and legal practitioners will represent clients and digitally sign documents on their behalf. Under the participation rules, subscribers will be required to

create digital signatures using digital certificates which comply with the Australian government's secure 'gatekeeper' regime. The rules and requirements established in the bill are necessary so that Queensland businesses and the public can have confidence in the e-conveyancing system and to ensure the continued security and integrity of the Torrens freehold land register. The rules also recognise that allowing solicitors to sign on behalf of their clients in this new environment requires new measures to ensure that dealings with land interests have been properly authorised.

The bill also amends the Land Title Act 1994, which provides the legislative framework for the Torrens system of freehold land title in Queensland. The Land Title Act prescribes requirements for document preparation and related matters which until now have applied to paper documents. The amendments will ensure that those requirements are satisfied for electronic documents lodged under the national law. The amendments also provide for a rendered image of the digital document to be used for certain purposes—for example, when a copy of a registered document is required.

Similar amendments are made to the Land Act 1994, which contains provisions for documents and registers relating to non-freehold land tenures, such as leases, from the state. Initially, national e-conveyancing will not cater for non-freehold land dealings. However, these amendments are being made to keep consistency with the provisions for freehold land and with a view to the possibility of non-freehold transactions being included later.

This bill delivers on the Newman government's commitment to streamlining processes in relation to land tenure. We are simplifying, streamlining and cutting red tape to make it easier for businesses and individuals to do business in Queensland. I commend the bill to the House.

First Reading



Hon. AP CRIPPS (Hinchinbrook—LNP) (Minister for Natural Resources and Mines) (3.02 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 Agriculture, Resources and Environment Committee

Madam DEPUTY SPEAKER (Mrs Cunningham): Order! In accordance with standing order 131, the bill is now referred to the Agriculture, Resources and Environment Committee.

~~POLICE POWERS AND RESPONSIBILITIES (MOTOR VEHICLE IMPOUNDMENT) AND OTHER LEGISLATION AMENDMENT BILL~~

Introduction



~~**Hon. JM DEMPSEY** (Bundaberg—LNP) (Minister for Police and Community Safety) (3.03 pm): I present a bill for an act to amend the Police Powers and Responsibilities Act 2000 and the Corrective Services Act 2006 for particular purposes, and to make consequential amendments of the act mentioned in the schedule. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.~~

~~Tabled paper: Police Powers and Responsibilities (Motor Vehicle Impoundment) and Other Legislation Amendment Bill 2012.~~

~~Tabled paper: Police Powers and Responsibilities (Motor Vehicle Impoundment) and Other Legislation Amendment Bill 2012; explanatory notes.~~

~~I am pleased to introduce the Police Powers and Responsibilities (Motor Vehicle Impoundment) and Other Legislation Amendment Bill 2012. The bill fulfils the government's commitment to introduce the toughest anti-hooning laws in the nation.~~

~~This bill amends chapter 4 of the Police Powers and Responsibilities Act 2000. This chapter provides two schemes for the impoundment and forfeiture of motor vehicles—namely, the type 1 and type 2 vehicle impoundment schemes. The type 1 vehicle impoundment scheme applies to a range of traffic offences commonly associated with hooning. The type 2 vehicle impoundment scheme applies to offences such as unlicensed and unregistered driving. This government has recognised the community's concerns about hoon drivers and has acted to address this menace.~~

~~This bill increases the impoundment sanctions for type 1 offences to 90 days impoundment for a vehicle used to commit the first offence and forfeiture of the vehicle if another type 1 offence is committed within five years. This bill includes 'evade police' and 'high end speeding' as type 1 and type 2 vehicle related offences respectively. The nature of these offences warrants inclusion into the vehicle~~