


~~Madam DEPUTY SPEAKER (Miss Barton): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.~~

~~Sitting suspended from 1.00 pm to 2.30 pm.~~

022

<TRANSPORT AND OTHER LEGISLATION (HEAVY VEHICLE NATIONAL LAW) AMENDMENT BILL

Message from Governor

 **Hon. SA EMERSON** (Indooroopilly—LNP) (Minister for Transport and Main Roads) (2.30 pm): I present a message from Her Excellency the Governor.

The Speaker read the following message—

MESSAGE

TRANSPORT AND OTHER LEGISLATION (HEAVY

VEHICLE NATIONAL LAW) AMENDMENT BILL 2013

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 to amend the Forestry Act 1959, the Heavy Vehicle National Law Act 2012, the Motor Racing Events Act 1990, the Police Powers and Responsibilities Act 2000, the State Penalties Enforcement Act 1999, the Summary Offences Act 2005, the Tow Truck Act 1973, the Transport Operations (Road Use Management) Act 1995, the Work Health and Safety Act 2011 and the Youth Justice Act 1992 for particular purposes.


(sgd)

GOVERNOR

Date: 19 MARCH 2013

Tabled paper: Message, dated 19 March 2013, from Her Excellency the Governor recommending the Transport and Other Legislation (Heavy Vehicle National Law) Amendment Bill.

Introduction

 **Hon. SA EMERSON** (Indooroopilly—LNP) (Minister for Transport and Main Roads) (2.32 pm): I present a bill for an act to amend the Forestry Act 1959, the Heavy Vehicle National Law Act 2012, the Motor Racing Events Act 1990, the Police Powers and Responsibilities Act 2000, the State Penalties Enforcement Act 1999, the Summary Offences Act 2005, the Tow Truck Act 1973, the Transport Operations (Road Use Management) Act 1995, the Work Health and Safety Act 2011 and the Youth Justice Act 1992 for particular purposes. I table the bill and explanatory notes. I nominate the Transport, Housing and Local Government Committee to consider the bill.

Tabled paper: Transport and Other Legislation (Heavy Vehicle National Law) Amendment Bill 2013.

Tabled paper: Transport and Other Legislation (Heavy Vehicle National Law) Amendment Bill 2013: Explanatory Notes.

I am pleased to introduce the Transport and Other Legislation (Heavy Vehicle National Law) Amendment Bill 2013 to the Queensland parliament. The main purpose of the bill is to amend existing Queensland legislation to remove those aspects of heavy vehicle regulation that are dealt with by the Heavy Vehicle National Law. This will be achieved principally through amendments to the Transport Operations (Road Use Management) Act 1995. The bill also inserts references to the national law in existing Queensland legislation where they are needed.

Queensland has had a dual role in this heavy vehicle reform process. The first role is as host jurisdiction to facilitate the making of the national law for adoption in all states and territories of Australia. This involved the establishment of the National Heavy Vehicle Regulator and the two bills which the House has already passed. The second role for Queensland is as one of the states that needs to adopt the national law and ensure that its statute book is updated in readiness for the commencement of the national law later this year. This requires the bill that I am introducing today. All other participating jurisdictions will be required to undertake a similar exercise before the national law becomes operational throughout Australia. In addition to consequential amendments, this bill makes several minor changes to the Queensland application laws for the Heavy Vehicle National Law Act 2012 which are needed as a result of the Heavy Vehicle National Law Amendment Act 2013. For example, the national law, as amended by the Heavy Vehicle National Law Amendment Act 2013, permits each jurisdiction's application law to deal with the use of force against people and property.

This bill will ensure police officers and authorised officers are able to use force for enforcement purposes in appropriate and limited circumstances. This bill will allow heavy vehicle permits, exemptions and accreditations that currently exist under Queensland law to be specifically identified in a regulation. This will provide certainty for industry by putting beyond doubt that these instruments continue to be valid under the national law. This amendment, together with other transitional provisions contained in the bill, will help to ensure a seamless changeover to the national law.

As outlined as part of the Heavy Vehicle National Law Amendment Act 2013, chapter 2 of the national law dealing with registration of heavy vehicles will not be proclaimed into force until the National Heavy Vehicle Regulator can put in place the necessary national information and telecommunications infrastructure to manage the national registration of heavy vehicles. In order to deal with registration of heavy vehicles in the meantime, each state and territory must ensure that its existing registration laws continue to apply. The bill contains interim registration provisions for Queensland which provide that the Transport Operations (Road Use Management Vehicle Registration) Regulation 2010 will continue to apply to heavy vehicles garaged in this state.

Although most aspects of heavy vehicle regulation will be dealt with under the national law, it is important to note that several aspects of heavy vehicle regulation will continue to be dealt with by state based laws. For example, the Transport Operations (Road Use Management) Act 1995 will continue to be used to regulate driver licensing for drivers of heavy vehicles, the transport of dangerous goods, drink and drug driving, and road rules and matters related to traffic movement. The tow truck industry will continue to be regulated under the Tow Truck Act 1973. The Motor Accident Insurance Act 1994 will continue to provide the framework for compulsory third-party insurance for both heavy and light vehicles.

Several accreditations will continue to be issued under state based legislation. For example, the Transport Operations (Road Use Management Accreditation and Other Provisions) Regulation 2005 will continue to be used to accredit:

- approved inspection stations, at which heavy vehicles are inspected to ensure they meet vehicle standards;
- approved examiners, who conduct the inspections of heavy vehicles at approved inspection
- approved persons, who certify modifications to heavy vehicles; and
- driver trainers for heavy vehicle driver licensing.

The enforcement of these state based aspects of heavy vehicle regulation, as outlined above, will continue to be undertaken by authorised officers appointed under the Transport Operations (Road Use Management) Act 1995. Authorised officers will continue to have powers to stop, inspect and search heavy vehicles for these purposes. Enforcement of the Queensland road rules, including drink and drug driving by heavy vehicle drivers, will continue to be undertaken by Queensland police.

While the bulk of heavy vehicle regulation will be administered by the National Heavy Vehicle Regulator, the important aspects outlined above will continue to be administered by my department. It is also expected that the regulator will request the Department of Transport and Main Roads to deliver services on its behalf for some important operational and administrative matters. As such, there will continue to be a close working relationship between the regulator and my department. It is expected the regulator will begin administering the complete national law and offering the full range of services later in 2013 when a majority of jurisdictions have passed their own legislation adopting the national law. I am certain the regulator and my department will work towards a seamless transition to the national law while always striving to keep the key aims of the reform—namely, improving safety and productivity—at the forefront of everything they do. I commend this bill to the House.

First Reading



Hon. SA EMERSON (Indooroopilly—LNP) (Minister for Transport and Main Roads) (2.39 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

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

023

**<LIQUOR AND GAMING (RED TAPE REDUCTION) AND OTHER LEGISLATION
AMENDMENT BILL 2013****Message from Governor**

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (2.39): I present a message from Her Excellency the Governor.

The Speaker read the following message—

MESSAGE

LIQUOR AND GAMING (RED TAPE REDUCTION) AND

OTHER LEGISLATION AMENDMENT BILL 2013

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 to amend the Body Corporate and Community Management Act 1997, the Casino Control Act 1982, the Civil Proceedings Act 2011, the Credit (Commonwealth Powers) Act 2010, the Funeral Benefit Business Act 1982, the Gaming Machine Act 1991, the Interactive Gambling (Player Protection) Act 1998, the Keno Act 1996, the Liquor Act 1992, the Lotteries Act 1997, the Recording of Evidence Act 1962, the Supreme Court Library Act 1968, the Wagering Act 1998 and the Work Health and Safety Act 2011 for particular purposes.


(sgd)

GOVERNOR

Date: 19 MARCH 2013

Tabled paper: Message, dated 19 March 2013, from Her Excellency the Governor recommending the Liquor and Gaming (Red Tape Reduction) and Other Legislation Amendment Bill 2013.

Introduction

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (2.41 pm): I present a bill for an act to amend the Body Corporate and Community Management Act 1997, the Casino Control Act 1982, the Civil Proceedings Act 2011, the Credit (Commonwealth Powers) Act 2010, the Funeral Benefit Business Act 1982, the Gaming Machine Act 1991, the Interactive Gambling (Player Protection) Act 1998, the Keno Act 1996, the Liquor Act 1992, the Lotteries Act 1997, the Recording of Evidence Act 1962, the Supreme Court Library Act 1968, the Wagering Act 1998 and the Work Health and Safety Act 2011 for particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

Tabled paper: Liquor and Gaming (Red Tape Reduction) and Other Legislation Amendment Bill 2013.

Tabled Paper: Liquor and Gaming (Red Tape Reduction) and Other Legislation Amendment Bill 2013, explanatory notes.

I am particularly pleased to introduce the Liquor and Gaming (Red Tape Reduction) and Other Legislation Amendment Bill 2013 into the parliament today, because these are reforms that are in line with our commitment to the people of Queensland at the last state election. The liquor and gaming industries play a significant role in the Queensland economy and the community. Casinos, hotels, restaurants and cafes are important to tourism and the cultural life of our cities and towns. Community clubs provide valuable services to their local communities. They all provide employment to Queenslanders. However, the liquor and gaming industries suffer from high levels of red tape, stifling their development and opportunities.

After coming to power the Newman government has consulted extensively with industry and the community, appointing a red tape reduction expert panel to review liquor licensing and gaming regulation in this state. This government is committed to introducing a bill to implement red tape reduction in the liquor and gaming industries in the first half of this year and this bill meets that commitment.

This bill's primary purpose is to reduce red tape to ensure that the state's liquor and gaming industries can operate more freely and be competitive both nationally and internationally. The government has already taken a step to reduce red tape for the regulation of liquor and gaming with