

~~focus from me to we, how do we teach skills and values to meet global challenges, how do we embrace responsibility for an active and healthy lifestyle, how do we achieve sustainable landscapes, and how do we attract and retain the brightest minds? I start by congratulating the representatives from Burleigh—Kelly Zirilli from the Gold Coast Central Chamber of Commerce, Salvador Cantellano from Rabbit+Cocoon arts precinct and Joel Ringland, the school captain at Miami State High School. I also congratulate the Premier for his involvement in getting schoolkids involved with these important questions to give us their feedback. The young people of this state are the future of this state and we want to hear from them exactly what they think about these important questions.~~

~~Over the last few months I have run a series of information booths and forums to engage the Burleigh community and to keep it informed about where we are going with the Queensland Plan. Every Friday morning from around 5.30 or six o'clock I go down to the Burleigh boardwalk and take my iPad to read the newspaper. I grab a cup of coffee from the local Nook coffee shop and I sit there and read the paper, but I never get past the front page of the paper because somebody always comes to sit down with me wanting to give feedback on the Queensland Plan. They want to give feedback on the wonderful things that this government is doing to promote Queensland and to promote business in Queensland in particular. It is a beautiful spot down there on the boardwalk. You can watch the surfers, and there are thousands of them every morning, and people walking down the boardwalk doing their morning exercise. I also go to the Burleigh farmers market once a week on a Saturday. That is the biggest farmers market on the Gold Coast and a lot of people stop to have a chat about the Queensland Plan when we give out forms. I also ran an information booth at Skilled Park on 2 June in conjunction with the member for Southport and the member for Broadwater. I digress for a second and congratulate the member for Broadwater on her birthday today.~~

~~Mr Young: Happy birthday!~~

~~Mr Costigan: Yes; hear, hear!~~

~~Mr HART: While the member for Whitsunday is talking, at that particular game the Titans played the Cowboys and we won 31-12. Not to rub your nose in it, but we did win 31-12. We also held a wonderful children's health and wellbeing expo on 21 July in conjunction with Jann Stuckey. We got some wonderful feedback from that when about 9,000 people attended. I congratulate the Premier on a wonderful Queensland Plan for the future.~~

~~(Time expired)~~

~~Mr DEPUTY SPEAKER (Dr Robinson): Order! The time for matters of public interest has expired.~~

019

QUEENSLAND INDEPENDENT REMUNERATION TRIBUNAL BILL

Introduction



Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (12.29 pm): I present a bill for an act to establish a tribunal to review and decide matters relating to remuneration in connection with members and former members of the Legislative Assembly, to amend this act, the Constitution of Queensland 2001, the Crime and Misconduct Act 2001, the Local Government Act 2009, the Local Government Regulation 2012, the Parliamentary Service Act 1988 and the Parliament of Queensland Act 2001 for particular purposes and to repeal the Parliament of Queensland Regulation 2012. I table the bill and the explanatory notes.

Tabled paper: Queensland Independent Remuneration Tribunal Bill 2013.

Tabled paper: Queensland Independent Remuneration Tribunal Bill 2013, explanatory notes.

I am pleased to introduce the Queensland Independent Remuneration Tribunal Bill 2013. The level of salaries and allowances for elected representatives has long been a vexed issue in Australia and, indeed, in most countries around the world. Queensland is certainly no different, and the actions of the former Labor government in this area and the situation we inherited has not made things any easier. It is clear that it is no longer tenable for the salaries of members of the Queensland Legislative Assembly to be legislatively linked to the salaries of members of the Commonwealth parliament. Indeed, it is no longer tenable, in my view, for members to set their own salaries, allowances and entitlements. That is why today I am acting to resolve this situation. That is why today I am putting a stop to the pay rises politicians were due under the Beattie-Bligh system.

This bill formally establishes the Queensland Independent Remuneration Tribunal. The tribunal is being tasked with independently reviewing the remuneration of members and former members on

an ongoing basis and make legally binding determinations about the level of salaries, allowances and entitlements that they deem should apply. Before I talk about the tribunal and the bill in more detail, I would like to correct one of the myths that has been perpetuated in certain quarters in recent weeks. The Bligh government did not freeze the salaries of members, as has been suggested. What actually occurred was that on one occasion the former Premier Anna Bligh delayed the full passing on of a Commonwealth increase by four months and on two occasions the salary increases that were due following increases received by Commonwealth members were reduced to a lower rate of 2.5 per cent. There was no freeze, but it was through these actions that the nexus with the salaries of Commonwealth members was broken.

When I became Premier last year, I was made aware of these salary matters by the Department of the Premier and Cabinet and the Clerk of the Parliament. While I knew that the matters would eventually need to be dealt with, the salaries of members and how they are set was simply not a priority for this government. There were, and still are, many more pressing policy issues facing all Queenslanders. But our hand was forced following the crown law advice we received, detailing what a huge mess Labor had left us in this regard. And it was former Labor ministers who came out strongest, sticking their hands out, looking for what they believed they were owed.

Ms Trad interjected.

Mr NEWMAN: I refer particularly to the former member for Rockhampton—that is right; Robert Schwarten—who said, ‘Because we’re worth it.’ That is what he said.

Ms Trad interjected.

Mr NEWMAN: And the interjections from the very aggressive and over-the-top member for South Brisbane simply reflect again that she is incapable of telling the truth at any time.

We have drawn a line in the sand. We are ensuring no Queensland politician, current or retired, will get a pay rise under the system distorted and manipulated by the former Labor government, and particularly that dear, dear friend of the member for South Brisbane, the former Premier, Anna Bligh. We are sorting this mess out once and for all in a totally independent, fair and transparent manner.

The bill implements my five-point plan to reform the Queensland parliament’s entitlements system. The bill—

- breaks the legislative nexus between the salaries of Queensland and Commonwealth members;
- formally establishes the Queensland Independent Remuneration Tribunal under legislation;
- provides that the determinations of the tribunal are independent, binding and are not subject to change by members;
- legislates to ensure that back pay for current and former members is only applicable from 1 July 2013; and
- provides that the tribunal must ensure that any allowances are to reflect the amount of reasonable expenses incurred by a member in servicing their electorate and that the allowances are not a substitute for other remuneration.

The tribunal has been tasked with undertaking its review and making its first determination by 15 October 2013. Subsequent determinations must be made within 12 months of the relevant previous determination.

To get the review underway as soon as possible and seek their views during the drafting of the bill, I administratively established the tribunal and appointed the tribunal members on 16 July 2013. The tribunal is being headed by Professor Tim Brailsford, together with fellow tribunal members Mr David Harrison and Ms Joanne Jessop. Following the passage of the bill, I will formally recommend their appointments to the Governor in Council for a term to 15 July 2016. Professor Brailsford, Mr Harrison and Ms Jessop have experience in academia, business, industrial relations and non-government organisations and their breadth of experience will ensure that the tribunal is independent and reflects the profile of the community. On behalf of the House, I thank the tribunal members for agreeing to serve the Queensland community in this way. The job of determining members’ salaries and allowances will be no easy task, but I have every confidence in the wisdom, experience and application that they will bring to the role.

Given the strict provisions in this bill, Queenslanders can have confidence that the tribunal will be totally independent in its actions. The tribunal will not be subject to any direction by me as Premier or, indeed, by any member of this House. While members and other Queenslanders will be able to

have input into the tribunal's processes, the determinations they make will be legally binding and the determinations will not be subject to disallowance or amendment by the parliament. Indeed, the only way that a determination by the tribunal could be overturned would be through a retrospective act of parliament. I understand that the tribunal has already met on a number of occasions and is getting on with the task at hand.

The bill provides the tribunal with broad methods of inquiry, enabling them to inquire into and inform themselves in any way they consider appropriate when making a determination. However, in performing this task they must operate independently, impartially and fairly. The bill also requires that the tribunal must consult and consider the views of the Clerk of the Parliament in making a determination. There are also general principles in the bill that the tribunal may have regard to when making a determination. These principles include having regard to the value to the community of a member carrying out their role, functions and responsibilities and the importance of a member being appropriately remunerated for carrying out their role, functions and responsibilities. To ensure transparency, the chairman is required to give a copy of each determination and written notice of the reasons for the determination to the Clerk of the Parliament for immediate tabling in the Legislative Assembly. The chairman will also have to make these documents publicly available. Members of the public can view information about the tribunal by visiting a new website: www.remunerationtribunal.qld.gov.au.

As the accountable officer responsible for implementing a determination, the Clerk of the Parliament is able, under the bill, to ask the tribunal to give a ruling on the interpretation or application of a determination and the tribunal must do so as soon as practicable. The bill also requires the Clerk to publish a *Members' Remuneration Handbook* on the parliament's website. The handbook will reflect the determinations of the tribunal and will detail in an open and transparent way the remuneration that applies to members and former members. This is a similar arrangement to that which currently applies with the *Members' Entitlements Handbook* and the *Members' Office Support Handbook*. Queensland is one of the few parliamentary jurisdictions that has historically made this information publicly available. The tribunal is also required to prepare an annual report about the operations of the tribunal for tabling in parliament after the end of the relevant financial year. For maintaining the independence and impartiality of tribunal members, the bill provides strict eligibility requirements for their appointment and the Governor in Council will only be able to terminate an appointment in limited circumstances.

The bill transfers from the Parliament of Queensland Act 2001—the act—the entire part of provisions relating to the remuneration of members. The bill provides that the tribunal must determine the annual salary of a member, in effect a base salary, and determine any additional salary that may apply to office holders. The list of office holders outlined in the bill reflects those currently in the act, but it will be up to the tribunal to determine if any additional salary is to apply and what the amount of the additional salary will be.

The opportunity for members to enter into salary sacrifice arrangements was introduced in 2006. However, members are currently limited to being able to salary sacrifice for superannuation contributions only. The government is of the view that members should be able to salary sacrifice for other things if they wish in the same way that Public Service employees are permitted to.

020 The bill includes provision for this but it is important to note that members will have to follow the same salary sacrifice arrangements as public servants. The bill also allows the tribunal, should it wish, to vary its determinations in such a way that takes into consideration the different superannuation arrangements that apply to members and former members.

In breaking the nexus between the salaries of Commonwealth and Queensland members, it retrospectively confirms and validates the salaries that any member received from 1 September 2009 to 30 June 2013. The retrospective provisions aim at preventing any member or former member from pursuing any monies or superannuation benefits that they did not receive in accordance with the act between 1 September 2009 and 30 June 2013. Rob Schwarten, please take note.

The date of 1 September 2009 is the date from which the former Premier first decided not to follow the act with regard to members' salaries. The bill also rescinds the salary increase that was approved by the Governor in Council on 4 July 2013 with effect from 1 July 2013, and returns salaries to the levels which applied on 30 June 2013. The bill will take effect on 9 August 2013 and upon passage and assent, the Clerk will cease paying members at the current salary rates and will return salaries to the 30 June 2013 rates. Rob Schwarten, please take note.

Once the tribunal's determination is made with effect from 1 July 2013, the Clerk will assess if any overpayments have been made to members and, if so, will then begin to recover the money through their fortnightly salary. If a member stops being a member and the Clerk is unable to recover any overpayments through their fortnightly salary, the bill provides the Clerk with the power to recover the money through the courts if it has not been repaid within six months. This is a similar provision which currently applies with regard to allowances received in advance. The advance allowances provisions have been retained in the bill and have also been expanded to include a provision for the Clerk to recover from a member any amount of an allowance that they receive on condition that they are required to account for it. While the tribunal has not made a determination about allowances as yet, the government has acted upon the advice of the Clerk that such a provision should be included in the bill. The rescinding of the salary increase that was approved on 4 July 2013 has also been done in such a way to ensure that no superannuation benefit that would have resulted will flow through to members or former members. Rob Schwarten, please take note. The bill does not affect the provision of other entitlements.

Ms Trad: Jeff Seeney, please take note.

Mr DEPUTY SPEAKER: Order! The member for South Brisbane will cease interjecting. The Premier has the call.

Mr NEWMAN: I might just recap. The bill does not affect the provision of other entitlements and members will continue to receive accommodation and services here at Parliament House and in electorate offices as provided by the Committee of the Legislative Assembly and the Clerk under the Parliamentary Service Act 1988.

While there historically has been a link between the salaries of Queensland and Commonwealth members, there has also been a link between the salaries of local government councillors and Queensland members. Therefore the salary increase approved by the Governor in Council on 4 July 2013 now being rescinded also had an effect on local governments. To ensure local governments in Queensland are able to adhere to their budgets recently adopted, it is imperative that the remuneration of councillors continues to remain at the same level as existed prior to 1 July 2013. The bill therefore removes the nexus which currently exists between councillor and state member salaries. However, the bill goes one step further and reforms the way in which councillor salaries will be determined moving forward. Instead of councillor salaries being set once every four years, the Local Government Remuneration and Discipline Tribunal will meet every year to set salary levels for each category of local government. Local governments will then either accept those salary levels or set new salary levels which are lower than those fixed by the Local Government Remuneration and Discipline Tribunal. This bill is yet another way in which this government is delivering more empowered and autonomous local governments in Queensland.

This bill will usher in a new era of accountability in Queensland. No longer will the salaries, allowances and entitlements of members and former members of this House be able to be set by a determination of a tribunal that resides in Canberra or by Queensland MPs.

First Reading

Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (12.45 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.

Declared Urgent

Hon. CKT NEWMAN (Ashgrove—LNP) (Premier) (12.45 pm), by leave, without notice: I move—

That under the provisions of standing order 137 the Queensland Independent Remuneration Tribunal Bill be declared an urgent bill to enable the bill to be passed through all remaining stages at this week's sitting.

Question put—That the motion be agreed to.

Motion agreed to.

Debate, on motion of Ms Palaszczuk, adjourned.