



July 1, 2019

Economics and Governance Committee  
Parliament House  
George Street  
BRISBANE QLD 4000  
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### **Motor Accident Insurance and Other Legislation Amendment Bill 2019**

Dear Committee Members,

Thank you for providing the opportunity for Bicycle Queensland to comment on the Motor Accident and Other Legislation Amendment Bill 2019.

We welcome the Bill's objective to stop the practice of insurance 'claim farming' by specifically creating two new offences, introducing changes to practice to uphold compliance with existing statutory codes, and strengthening the enforcement and special investigation powers of the Motor Accident and Insurance Commission to include the investigation and prosecution of claim farming.

Equally, we support the intention of the Bill to expand the objects of the Act to encourage licensed insurers to operate ethically and with integrity.

Bicycle Queensland is the pre-eminent voice for community cycling in Queensland. With about 17,000 members statewide and over 42,000 supporters on our database, we exist to help Queenslanders cycle safely. We are dedicated to the promotion of bike riding as a driving force for individual health and well-being, and the empowerment of sustainable community development. Over the past 40 years Bicycle Queensland has grown from a small collective of cycling enthusiasts to one of the largest and most influential community cycling organisations in Australia. We are also committed to giving back to the community, and have raised over \$3.5 million for Queensland charities in recent years.

Bicycle Queensland offers this submission in respect not just of our members' interests, but with respect for the financial and psychological wellbeing of the whole community. In terms of approach, Bicycle Queensland's submission considers the project in context of our operations and mission, including the provision of comprehensive worldwide insurance for our financial members, and referral to legal services in times of need. Bicycle Queensland is grateful to the Committee for its work to end the harmful practice of claim farming.

BQ notes that the stated policy intent of the Bill is to address practices generally described as 'claims farming'.

We note that Deputy Premier and Treasurer the Hon. Jackie Trad has summarised this activity as follows:

*Claim farming involves anonymous persons cold-calling members of the public about whether they have been involved in a motor vehicle accident...high-pressured tactics and deceptive behaviours to elicit the individual's personal information...this information is then sold, for a fee, to a lawyer....*

Protecting Queenslanders is a commendable policy objective. BQ also supports the aim of this Bill to preserve the credibility and public benefit of Queensland's Compulsory Third Party Insurance scheme.

However, we do have a number of concerns with some aspects of the Bill, which unintentionally places limitations on the support and assistance we can lawfully provide to members in the event of bicycle-related

crash and injury claims. It is the strong view of Bicycle Queensland that the Bill should be amended in order not to prohibit or restrict the care we offer to members in the course of our day-to-day activities.

We particularly draw the Committee's attention to the practical effects of Sections 74 and 75 of the Bill, which seek to prohibit giving or receiving consideration for claim referrals and contacting a person for the purpose of making a claim.

Bicycle Queensland routinely refers its Members to trusted law firms for 'no-obligation' advice about their options to claim against liable parties under common law. We offer referral services as a core aspect of our membership care, alongside third-party and personal accident and injury insurance for cyclists. We select, screen, and monitor the activities of any partnering law firms to uphold the highest standards of ethical integrity, consistent with community expectations, and openly report on these partnerships as part of our core business. While we enter into these partnership arrangements under sponsorship agreements associated primarily with Bicycle Queensland events, the proposed Bill could have the unintended consequence of outlawing a vital member-service activity.

As such, we implore the Committee to amend the Bill accordingly.

Please don't hesitate to contact me if you require any additional information in support of this submission.

Yours sincerely,



**Anne Savage**  
**Chief Executive Officer**  
**Bicycle Queensland**