



Asbestos Disease
Support Society

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3 July 2019

The Economics and Governance Committee
Parliament House
George Street
BRISBANE QLD 4000
Email: egc@parliament.qld.gov.au

**RE: SUBMISSION CONCERNING THE MOTOR ACCIDENT INSURANCE & OTHER LEGISLATION
AMENDED BILL 2019**

The Asbestos Disease Support Society ("ADSS") provides this submission in respect of the *Motor Accident Insurance & Other Legislation Amended Bill 2019* ("the Bill") and, in particular, in respect of paragraphs 74 and 75.

Whilst ADSS entirely supports the Government's attempt to abolish the practice of "claim farming", ADSS is concerned that Sections 74 and 75 may have some unintended consequences on community groups, such as ADSS, who have appropriate and legitimate arrangements with law firms to assist their members.

Whilst "claim farming" is not defined in the Bill, it is understood that it involves "cold calling" members of the public, often by persons who do not disclose their association and enquire about whether those contacted have been involved in a motor vehicle accident. Any information obtained during this "cold calling" is then sold for a fee to a lawyer or some other entity to handle the claim.

It is ADSS' understanding that over 500 complaints have been submitted to the Motor Accident Insurance Commission regarding "claim farming" since February 2019.

It is possible that a community group may refer one of its members injured in a motor vehicle accident to a law firm that it has an association with. Whilst this is not a common occurrence for ADSS, it is clearly not the type of activity that is sought to be prohibited by the Bill, and any impact on such legitimate activities would seem to be an unintended consequence of the Bill.

The First Reading Speech of the Bill certainly suggested that the Bill is aimed at eliminating unsolicited contact with members of the public, with the clear attempt of such unsolicited contact to induce individuals to make motor vehicle accident claims and the selling of information regarding the individuals contacted. Again, ADSS entirely supports the Government's attempt to abolish this practice.

Community groups, such as charities, sporting clubs, and other like organisations would not be in the practice of making unsolicited contact with members of the public regarding motor accidents. However, as "claim farming" is not defined in the Bill, legitimate contact between a member of a community group and a law firm that has a reputable and valid association with that community group may be impacted by the Bill.

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It is ADSS' submission that charities, sporting clubs, and community and support groups be exempted from the operation of the Bill

Yours faithfully

A handwritten signature in blue ink, appearing to read 'P. Blair', is positioned above the printed name.

Phil Blair
Chair