



Speech by

**BRUCE DAVIDSON**

**MEMBER FOR NOOSA**

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Hansard 28 April 1999

**RETAIL SHOP LEASES AMENDMENT BILL**

**Mr DAVIDSON** (Noosa—LP) (4.31 p.m.): I rise to speak to the Retail Shop Leases Amendment Bill 1999. In March 1998, I introduced this very Bill to the Chamber. The only change made in this presentation is that the Bill is now dated 1999. The election of June 1998 ensured that the document was not debated in the Chamber until this time.

In March this year, the current document was introduced to the House by the Deputy Premier and the Minister for State Development and Minister for Trade, the Honourable Jim Elder. Obviously, since these particular amendments are identical to those that I proposed in 1998, neither I nor the Opposition intends to oppose the legislation. Indeed, it is our contention that these amendments are long overdue and we will support their passage through the House.

The major amendments proposed by the Bill will improve the operational efficiency of the Retail Shop Leases Act 1994 by clarifying the basis for rent reviews, restricting rent reviews to once every 12 months and empowering the Retail Shop Leases Tribunal to deal with frivolous or vexatious claims. It is a measure of the quality of the work performed by the staff in my department in 1998 that the Property Council of Australia identified the retail tenancy legislation, particularly the area of it that addresses the Retail Shop Leases Tribunal, as the best practice legislation in the retail industry in Australia.

When I introduced the Bill in 1998, I announced that my then Department of Tourism, Small Business and Industry had also commenced a major review of the Retail Shop Leases Act 1994, to be undertaken as part of the development of a retail industry strategy. In November of last year, the Minister for State Development and Minister for Trade advised that submissions and public comment on this strategy had been received and were in the process of being analysed. We await those deliberations with bated breath, especially if they take as long to arrive in the Chamber as the current Bill has taken.

Having been aired in the Chamber on a number of occasions now, members from both sides of the Chamber will be familiar with the contents of the amendments. I do not propose to raise those changes in the House again.

The importance of this Bill and other review and discussion papers that have been announced by the Minister for State Development and Minister for Trade and their repercussions on the industry in Queensland can be better gauged when one understands how many businesses these amendments will affect. Figures obtained and compiled by the Australian Bureau of Statistics indicate that retail business made up almost 17% of all business establishments in Queensland in 1994 and 1995. It employed 20% of all Queenslanders and 45% of Queenslanders in the 15 to 25 year age group. It is an important business indeed.

The current equivalent statistics for the retail industry of Queensland are not available, but with the growing population in Queensland in the ensuing five years and the commensurate growth in the retail and property industries in Queensland to 1999 and the year 2000, when all of these amendments to the current Act take affect, it is suggested that the size of the industries will have grown exponentially and similarly. It is estimated that figures will show a growth in these industry areas of approximately 4,066 new retail businesses, thus bringing the total of retail businesses to 30,660 operations. That is not counting other sectors of business that lease or rent premises.

The Opposition will support these amendments on behalf of business, and small business in particular. I place on the record my congratulations to the Minister for ensuring that the Retail Shop

Leases Act was maintained under the administration of the Department of State Development. After the change of Government last year, there was some confusion as to whether the legislation would come under the jurisdiction of the Department of Fair Trading or the Minister's department. I had something to say about that at the time. I acknowledge and respect the fact that the Minister has ensured that he administers this Act. I appreciate that he understands its importance to the business and small business sectors. As I said, we are only too happy to support the amendments that the Minister has moved today.

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