



Speech by

**Hon. R. E. BORBIDGE**

**MEMBER FOR SURFERS PARADISE**

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Hansard 25 May 1999

**STATUTORY INSTRUMENTS AND ANOTHER ACT AMENDMENT BILL**

**Hon. R. E. BORBIDGE** (Surfers Paradise—NPA) (Leader of the Opposition) (4.33 p.m.): I will not delay the House unduly in respect of this riveting piece of legislation, the Statutory Instruments and Another Act Amendment Bill 1999, which appears to have been one of the few decisions to come out of Cabinet over the past few months.

**An Opposition member:** Are you sure it's not one of ours?

**Mr BORBIDGE:** It is somewhat similar to other pieces of legislation that have been very well written and presented to this place.

It is always sensible to regulate subordinate legislation. This is a primary function of the administrative side of Government. It is something that any Opposition will support in general terms as being for the benefit of the State, and we do so in this instance. But we are also mindful of the need—particularly under this Government, which has raised obfuscation to an art form—to be ever watchful for legislative sleight of hand, and not just for sleight of hand for measures that the Government might hope to slip through unnoticed; we also need to be watchful for convenient elements of legislation.

Just as an example, chiefly for illustrative purposes—as I said at the outset, the Opposition will be supporting this Bill—I point out that there is provision in this Bill for the relevant Minister to be let off the hook if he or she fails to perform. I refer to the provision for replacement of section 56, Exemptions from Expiry, under which in clause 3 the relevant Minister must table a report in Parliament within seven sitting days of the making of the regulation granting an extension. The extension regulation will not, however, be invalidated by a failure to comply with this requirement. In other words, a malfunctioning Minister has legislative protection for the consequences of that malfunction—a cosy little arrangement and sensible, too, given the performance envelopes of some of those who currently occupy the Treasury benches.

We take on board the Premier's view expressed in his second-reading speech on 13 April that a major aim of Part 7 of the Statutory Instruments and Legislative Standards Amendment Act, the Act introduced by the Goss Government in 1994, was to reduce unnecessary regulatory burden on the business community. The Premier also takes the view that, without the amendment now before the House, the necessary regulatory review regime may have the opposite effect. It is pleasing to see that the Government is interested in relieving business of unnecessary burdens. It is a pity that its intentions in this area do not extend to the principle of clearing away other burdens—industrial burdens, for example—which are about to be significantly increased. We note also that most of the remaining subordinate legislation is made under an Act being extensively reviewed for compliance with National Competition Policy. Perhaps we can look forward to further changes on that front being required in subsequent legislation.

This Bill also amends the Transport Infrastructure Act of 1994, which is basically the Act that regulates Queensland ports. There are some elements in that legislation, as it is proposed to amend it, that deserve particular scrutiny. Essentially, this legislation is not dissimilar to that which has been proposed in the past. I think it would be unreasonable to unduly delay the business of the House and, for that reason, the Opposition will be expediting the passage of the Bill.