



Speech by

CHRIS CUMMINS

MEMBER FOR KAWANA

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QUEENSLAND BUILDING SERVICES AUTHORITY AND OTHER LEGISLATION AMENDMENT BILL

Mr CUMMINS (Kawana—ALP) (12.18 p.m.): It is with pleasure that I rise to give my support to the Queensland Building Services Authority and Other Legislation Amendment Bill 2002. It is no secret that the Sunshine Coast has one of the highest growth rates in Australia, and with that comes a strong vibrant industry that employs thousands. We on this side know that the majority involved in the building industry are very reputable. This bill takes a number of initiatives to weed out those operators who have demonstrated that they are not fit to be allowed to remain in the industry—the crooks, the shysters, the scum. I have no doubt that other members will speak on the life bans for financial failures, the bans for neglecting to carry out work and the sanctions for failing to meet financial obligations. I will speak on another and what I consider to be a very positive initiative—that is, to remove from the industry those persons found guilty of asset stripping.

I take this opportunity to thank the minister and his most cooperative and very capable staff and departmental officers, with whom I have raised numerous issues in the consultation and formation process of this legislation. I sincerely was not trying to be overly pedantic but, as the minister knows, as a tradesman I have a genuine interest in these much appreciated reforms. This is good legislation that will benefit Queenslanders by ridding us of those we are far better off without.

We are well aware from the recent publicity surrounding the HIH collapse and the One.Tel collapse that offences relating to asset stripping are the responsibility of the Commonwealth. They are dealt with by the Corporations Act 2001 and rely on prosecutions usually initiated by the Australian Securities and Investments Commission and undertaken by the federal Director of Public Prosecutions.

Sections 596B and C of the Corporations Act 2001 deal with frauds committed by officers of a company and take into account such things as gifts, transfers and removal and concealment of company assets which should have been put to the benefit of creditors. The bill creates a new part C that makes provision that a building contractor convicted of an offence under sections 596B or C of the Corporations Act 2001 will have their licence cancelled. This is the way it should be. The individual will be deemed not to be fit and proper for the purposes of licensing and cannot be granted a licence, nor can a licence be granted to any company for which the individual is a director, secretary or influential person. I think that really covers all bases. There are no defences to the ban, other than the individual proving that the conviction had been overturned on appeal or that the BSA had got the wrong person. There are no ifs or buts. If someone is convicted of asset stripping then they are out of the building industry for life. And that is how it should be.

While it is admitted that prosecutions for asset stripping can be difficult to achieve, that does not remove the necessity to have a mechanism by which that conviction can be used to cancel a licence issued by the BSA. Currently the BSA would have to take action against the person on the basis that they were not fit and proper to hold a licence. While members might think that a successful prosecution for asset stripping would be sufficient for these purposes, that is not necessarily the case, and the BSA would have to expend significant resources in justifying any decision to cancel the licence.

With this amendment the licence could be administratively cancelled following verification that the prosecution had been successful. If the person reviewed the cancellation in the Queensland Building Tribunal, the only matters for consideration would be whether the offence was committed under sections 596B or C and whether the administrative process had been correctly carried out, rather than on the merits of the case or other information.

As I mentioned earlier, this is but one of the initiatives the bill takes in relation to cleaning up the industry and removing the rogues who have plagued it for so long—one I fully support, as we realise the sooner we can rid ourselves of the minority of bad characters, the scum in the industry, the better. They are in the minority, and I know very many reputable people in the industry—by far the majority. They, too, are happy that we are coming down hard on the crooks.

I am proud to be part of a government that has had the insight and strength of purpose to propose and drive these amendments, and I am positive the industry will see the benefits for all reputable practitioners and welcome the changes. I commend the minister. I thank the minister for offering 100 trade positions for next year—the apprentices that will be the future tradesmen for Queensland—

Mrs Lavarch: And women.

Mr CUMMINS: As a tradesman of some 20 years ago, old habits die hard. Apprenticeships are at the heart of the survival of Queensland's economy. While this government fully supports apprentices—

Mr Schwarten: The only government in the world to train them.

Mr CUMMINS: That is right. There are a declining number of apprentices, which is an issue for the entire community. If we do not replenish our workers' skill base, the region of the Sunshine Coast and the whole of Queensland will be in a very poor position in the future.

Employers have a responsibility to the community, to Queensland, to give young people and the youth a go. Apprentices are the building blocks of a strong, competitive and competent work force. The Sunshine Coast region and Queensland need a skilled work force to survive in a competitive world. I think both small and large companies across Queensland should take a leaf out of the government's book and start taking some responsibility when it comes to offering apprenticeships, giving young Queenslanders a better start in life.

Many companies are neglecting to realise the adverse effect that not employing apprentices will have on future generations. Our government is pulling its weight. I would like to see more and more industries, both large and small, employing people and giving them a chance. If every tradesman in the private sector had the chance to employ one person, as they were employed when they started, it would do a great deal not only for the unemployment situation but also for future generations.

All levels of the community should be involved and demand more opportunities for the Sunshine Coast's young people to be given a chance to build their skills base in a working environment. I know that many of the Q-Build apprentices are from the Sunshine Coast and employed in and around Queensland, and I commend the minister for giving them a start in life. I would hope that many industries take up this challenge. I thank the minister and his very capable departmental officers on the formation of this bill. I commend the bill to the House.