



Speech by

JAN JARRATT

MEMBER FOR WHITSUNDAY

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PRIVATE EMPLOYMENT AGENCIES AND OTHER ACTS AMENDMENT BILL

Ms JARRATT (Whitsunday—ALP) (5.14 p.m.): It is with pleasure that I rise in support of the Private Employment Agencies and Other Acts Amendment Bill 2001. As we have already heard, the bill has received very favourable support from the entertainment industry. This was due in no small way to the high level of consultation that was carried out in conjunction with the drafting of this important new legislation. As important as that level of public consultation was, there are other checks and balances which must also accompany legislation such as this to ensure that the people of this state get the very best laws they deserve. I specifically refer to the financial and other implications of governing acts.

A review of the Private Employment Agencies Act was conducted by an independent reviewer. This independent review included an important public benefit test which was undertaken in accordance with National Competition Policy guidelines. This process ensured that the cost and benefit implications of the legislation from a public interest perspective were fully weighed and considered and made accountable before proceeding to the next step. This level of accountability and due diligence means that Queenslanders can be sure that the legislation is in their best interests. It is in the best interests of the industry and it is in the best interests of entertainment workers. It also will bring benefits to the government and its agencies in freeing up resources that can be better deployed elsewhere. It bears repeating that police and magistrates will be free from the bureaucratic demands of the previous legislation. In other words, they can direct their time and resources to matters of greater urgency.

I would also like to highlight a number of important issues contained in the review which relate to the current licensing of private employment agents. It was determined that the current licensing regime imposes significant net compliance and administrative costs upon the industry and government without any significant benefit to job seekers. Private employment agents incur direct financial costs in their efforts to comply with the necessary licensing requirements imposed by the act. Applicants for new licences are liable to pay a \$354 application fee and, following the granting of a licence, are required to pay an annual renewal fee of \$178. In addition, applicants for licences must also place a comprehensive notice of their application in a Queensland-wide newspaper. They then suffer even further costs relating to their appearances before industrial magistrates as required and the completion of necessary paperwork.

Compounding this is the fact that partnerships or corporations cannot hold licences in their own names and must nominate a person to be the holder of the licence on their behalf. In many cases, the nominated person is an employee of the partnership or corporation. In this regard, where the nominated person leaves for whatever reason or a new nominee is required, an entirely new application must therefore be made, with all the associated costs outlined above and time-consuming processes applying.

In addition to the costs associated with the lengthy processing of applications for licences and then the annual renewals, the primary costs to the government are associated with referral of applications to the Magistrates Court. These referrals result in increased delays in processing the application but, more importantly, cause delays to criminal and civil actions which may be before the courts.

A major concern with the application process is the amount of time and resources tied up by the Police Service and Magistrates Court. Police officers often spend considerable time in researching records and locating and interviewing applicants. Under the current legislation, the Magistrates Court must request a police report on the character, reputation and previous conduct of every applicant.

Although the costs to the government are offset to some degree by revenue raised through the licensing fees, it is considered that the time-related costs associated with the work required of the Police Service, magistrates and the court systems outweigh any monetary benefit otherwise received.

As a result of the findings of the review, a number of recommendations were formulated and submitted to the government for its consideration. The government approved the implementation of the recommendations by way of the bill now before the House.

I highlight these procedures and their costs to stress to members the necessity of the changes contained within the legislation. I believe all members should support the bill because of these reasons and, importantly, because of the time and cost saving that will flow on to all Queensland workers and taxpayers. I commend the bill to the House.
