



Speech by

**Hon. J. FOURAS**

**MEMBER FOR ASHGROVE**

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Hansard 16 April 2002

**PRIVATE EMPLOYMENT AGENCIES AND OTHER ACTS AMENDMENT BILL**

**Hon. J. FOURAS** (Ashgrove—ALP) (4.58 p.m.): I am fortunate to be following the member for Clayfield in this debate, because we all know that in her previous life she was an actor and industrial officer for Actors Equity. I understand her passion. The first bill I spoke to in this House was a bill on superannuation. I had spent many years in the public sector unions arguing for the measures coming in. They were clothes stolen from Labor Party policy.

In this case, the member for Clayfield has highlighted the sheer bloody-mindedness of the former Borbidge government with regard to actors and the entertainment industry. How fortunate we are that she replaces the former member, because she is a passionate advocate for the arts and the need to value the entertainment industry, which makes a substantial contribution to who we are and our quality of life. The member for Clayfield also brings a sense of equity and justice for actors and workers in the entertainment industry to this House. She fully understands from lifelong experience the level and personal cost of the exploitation of artists. Her contribution should be taken with a deal of pride.

Aldous Huxley said that mankind or womankind has an enormous capacity to do wondrous things. All that is required is a modicum of intelligence, goodwill and cooperation. The member for Clayfield and all of the other people she mentioned who are responsible for this legislation have shown those attributes—intelligence, goodwill and cooperation. Today we are happy to be debating this overdue legislation.

I am pleased to rise in support of this bill. It is the result, as the member for Clayfield said, of extensive consultation and independent review. These amendments are designed to protect workers in the entertainment industry from unscrupulous managers and agents and to provide a streamlined process for those people seeking registration as an employment agency.

The Industrial Relations Minister, Gordon Nuttall, is to be commended for bringing these amendments to the House at last. Agents who charge fees for bogus attempts at procuring employment for models, actors and other entertainment industry hopefuls will now come under renewed scrutiny. The legislation is necessary because current laws do not adequately address modern working arrangements, such as contract work, agreements for entertainers or models, or the roles and responsibilities of agents and managers within those industries.

This bill is titled the Private Employment Agencies and Other Acts Amendment Bill. We have a new chapter in the Industrial Relations Act with respect to fee charging. With regard to fees, agents for models and entertainers will continue to be allowed to charge a fee for finding work for their clients. Generally, the fee will be 10 per cent of the gross amount payable to the client—a figure that is considered fair and reasonable.

Managers in these industries, who will not be restricted in respect of fees, will have to meet strict criteria with regard to their future roles and responsibilities. Both agents and managers will have to provide written details of the nature of their work and payments, including the stated fees. Importantly, any fee charged by an agent for finding a person work must take into account the minimum wage for that industry.

The new amendments will also streamline the processes and costs of approving licences for potential private employment agents. The process will come with strong safeguards but with the removal of the costly bureaucratic red tape and time-consuming paperwork. Where necessary, agent applicants, and any complaints against agents, will now be referred to the new Employment Agents

Advisory Committee—a matter that was well canvassed by the member for Clayfield. The Employment Agents Advisory Committee will be made up of representatives of employment agents, workers and government appointees. It will oversee the industry and be able to refuse an application or cancel a licence. The advisory committee will also be required to draw up an industry code of conduct addressing issues of training, discipline and record keeping. The new laws will help employers and workers in the industry get on with creating jobs. They also will ensure that adequate safeguards are in place to screen applicants and not tie up valuable police and court resources—resources that could be better directed elsewhere.

The Queensland government and its agencies will benefit significantly from this legislation. They will benefit because the legislation will greatly reduce the compliance and administration burdens faced by the government as well as those burdens thrown up in the past for members of the industry. The independent review included a public benefit test, which ensured that the cost and benefit implications of the legislation, from a public interest perspective, were fully considered. Obviously, this legislation will be beneficial. The level of accountability means that taxpayers will not miss out on the benefits of the legislation, which is in the best interests of the industry and entertainment workers and their families.

In relation to the process of licensing, current legislation affecting private employment agents will expire two years after the commencement of the amendments introduced by this bill. The two-year expiry period has been proposed to give the industry time to adjust to the changes. I think that is adequate time to adjust. The more simplified licensing process will, however, be introduced immediately and will remain in place for the entire duration of the expiry period. Importantly, the improved processing will mean that business partnerships and corporations will be permitted in the future to hold licences in their own names. Current licences will be recognised and continued in force under the new system.

This will remove the unwieldy system which currently operates where a third party, often an employee, is nominated as the licence holder and where a costly application process must be started all over whenever the licence holder ceases employment. These measures will effectively meet the needs of the entertainment industry and its workers.

I reiterate my sheer joy at following the member for Clayfield in this debate. It is good to see the true passion and dedication to the arts of the member for Clayfield. I commend her presence in this House also.

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