



Speech by

**CAROLYN MALE**

**MEMBER FOR GLASS HOUSE**

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### **SECOND-HAND DEALERS AND PAWNBROKERS BILL**

**Ms MALE** (Glass House—ALP) (3.52 p.m.): I rise in support of the Second-Hand Dealers and Pawnbrokers Bill because it tackles some very important issues. Despite its name, the bill contains some crucial changes to the funeral industry, and I want to concentrate most of my time on these changes. In recent times we have heard some outrageous horror stories about some rogue elements of the funeral industry. These have included high-pressure sales tactics and insider trading between some morgue staff and funeral firms for referrals. A study of the fringe element of the industry in Queensland would give enough storyline ideas for the television series *Six Feet Under* to enable it to run for decades.

A person's death is a very traumatic time for family and friends, and they must have the utmost confidence in the people who are helping them make the funeral arrangements. It would be easy for these people to be preyed on at these vulnerable times, and unfortunately this has taken place. This bill implements a mandatory client care statement which will go a long way to reducing the incidence of inappropriate practices. It is backed up by increased penalties for non-compliance, and this also is a good step forward. In addition, this bill provides for those people who have the foresight to preplan their own funeral arrangements. It allows for a 30-day cooling-off period to overcome any chance of high-pressure tactics being enforced and allows people to change their mind if it is not exactly what they want.

A similar cooling-off period was introduced into the real estate industry, and I know some practitioners are complaining that some house buyers abuse this cooling-off period to force further changes to the contract or to pull out of it at the last minute. Similar complaints may come from funeral directors but, like the real estate agents, all I say is that self-regulation of the industry has clearly not worked to protect clients so it is incumbent on the government to step in to fix the problems. The bill also removes the loopholes which discriminate against young people and low-income elderly people when arranging funerals. These loopholes included the \$5,000 cap on funeral benefits, and this will have very beneficial flow-on effects for a large number of people.

On a related issue, I want to inform the House very briefly about the Beerburum cemetery. The Beerburum cemetery has been closed for decades. It was set up as a settlers cemetery in the 1930s and contains a number of ex-soldiers' graves. Over the years it was left to deteriorate quite significantly to the stage where many headstones cannot be recognised or found. The Caloundra City Council in conjunction with the Glasshouse-Landsborough RSL got together to repatriate the cemetery. They dedicated a memorial stone to the graves that could not be located and have since funded some new gates and reopened the Beerburum cemetery. All of the people in the area are very happy with the work that has been done, and I congratulate the Glasshouse RSL for having the foresight to do the research that was needed and to provide the funding.

I also thank the Beerburum State School, because it has agreed to become the custodian for the area and will go there every week to ensure that it is being well looked after and well cared for. It is nice to see the Beerburum community getting together to support this very worthwhile cause. Those who know me would know that I have actually written into my will that I want to be buried at the Beerburum cemetery. It had been closed for so long that I did not think that that was possible, so hopefully some time in the very, very, very distant future I will certainly be able to utilise the Beerburum cemetery, because it is in a splendid location at the base of Beerburum Mountain. Beerburum is the town where I grew up and it is certainly a place that I would like to return to.

That said, I have spoken about only a small number of provisions in this bill. It contains a large number of other important changes to legislation which other members have touched on, so I will not reiterate those points. In conclusion, I would urge the Office of Fair Trading to continue to closely monitor the effectiveness of this legislation and related legislation, because the funeral industry and the second-hand and pawnbrokers sector need constant review. By their very nature, these two business sectors are open to inappropriate practices re-emerging if any chinks in the legislation can be found. I congratulate the minister and her staff in the department on their work in this area, and I commend the bill to the House.