



Speech by

**Mr D. BRISKEY**

**MEMBER FOR CLEVELAND**

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Hansard 25 February 2003

**QUEENSLAND BUILDING SERVICES AUTHORITY AND OTHER LEGISLATION AMENDMENT  
BILL**

**Mr BRISKEY** (Cleveland—ALP) (3.33 p.m.): I rise in support of the Queensland Building Services Authority and Other Legislation Amendment Bill. At the outset, I congratulate the minister, his staff and the QBSA for their initiative in progressing the bill and their ongoing commitment to cleaning up the building industry. The reforms contained in this bill are significant and substantially build on the Better Building Industry reforms put in place by Minister Judy Spence. Together with the ongoing vigilance of the BSA, these legislative changes are cleaning up the building trade in Queensland and making rogue builders accountable. In turn, this is boosting consumer confidence in the industry and driving our economy. What that means is more jobs, jobs, jobs for Queensland. As previous speakers have mentioned, this bill goes a long way towards restoring consumer confidence in the building industry and I would be surprised if there were not a few builders—those with a questionable past—who will be quite worried about the impact the new legislative framework might have on their unscrupulous practices.

**Mr English:** Shaking in their boots.

**Mr BRISKEY:** Most certainly. For those builders who are professional and do the right thing, there is absolutely nothing to worry about. The new amendments are tempered with the right checks and balances to ensure that only rogue builders and, in particular, repeat offenders whose shoddy work poses a risk to the public are subjected to the penalties prescribed by the bill. I particularly welcome reforms concerning the financial situations of builders. Under current arrangements, a licensed builder who mismanages their business and enters into bankruptcy leaving debts unpaid faces a five-year ban if they can convince the QBSA that they took all reasonable steps to avoid the circumstances that resulted in failure. Under the new amendments, if at any time a banned builder sets up another company of which he or she is a director or influential person and that company fails, a ban for life will be put in place even if that second failure was outside the building industry.

As the minister said, an important part of running a business is to ensure that financial matters of the company remain solvent and that debts are paid. When a builder fails to do this, the common story is for a trail of victims to be left behind—home buyers, subcontractors and suppliers. Every member of this House is well aware of subcontractors in our electorates who have been hurt. The effect on the economy is far greater than the initial financial woes of the business owner. Other key changes under the bill include giving the QBSA the ability to ban a person from the industry for life if they are convicted of asset stripping under the Corporations Act and a new range of bans for carrying out grossly defective building work which can result in a life ban from the industry plus financial penalties.

Further consumer protection mechanisms include the creation of an offence for building contractors to contract with persons who are not appropriately licensed. Importantly, it needs to be stressed that this bill is not an attack on the building industry, and the Beattie government is 100 per cent behind the building industry and the outlook for the future is promising. There is currently more than \$11 billion worth of building and construction work happening right here in Queensland. The rule of thumb with these figures, as most honourable members would know, is

that roughly a third of this figure relates to residential building, another third relates to commercial construction and the final third relates to civil engineering—that is, roads and infrastructure. I am sure that many members have had the opportunity to see what has long been known as a telling sign of the boom we are currently experiencing in Brisbane itself—that is, the number of cranes across the city skyline is reflective of a current boom in the construction of city apartments. In terms of local jobs—

**Mr Neil Roberts** interjected.

**Mr BRISKEY:** True; one does not. The member for Nudgee just advised me that one does not see cranes with road tunnels, and he is probably correct about that. I will take his word for that. If we take a look at the bigger picture, the building and construction industry represents approximately 11 per cent of Australia's economic output. The residential building sector alone contributes close to \$37 billion annually to our gross domestic product. The commercial construction and engineering sectors contribute a further \$34 billion. The building and construction industry in Queensland is a significant employer, employing 140,000 people. It makes up approximately nine per cent of our work force and is the third largest contributor to our gross domestic product behind tourism and hospitality. When we take a look at these figures—

**An opposition member** interjected.

**Mr BRISKEY:** It most certainly is important, as the honourable member said, that we look after this industry.

When we look at these figures, it is not hard to imagine just what kind of domino effect a spike like that experience in the late 1980s or even a loss in consumer confidence can have on Australia's economic output and, indeed, on our businesses, particularly our small businesses and subcontractors.

Small operators and subcontractors are the backbone of the building and construction industries in Australia. These amendments will ensure that those who choose to run unscrupulous operations will feel the full force of the statutory powers of the QBSA. This can only have a positive effect on the industry's future. Once again, I congratulate the minister and commend the bill to the House.

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