



Speech by

Mrs J. SHELDON

MEMBER FOR CALOUNDRA

Hansard 25 February 2003

QUEENSLAND BUILDING SERVICES AUTHORITY AND OTHER LEGISLATION AMENDMENT BILL

Mrs SHELDON (Caloundra—Lib) (3.40 p.m.): Up and down the length and breadth of Queensland, people have been waiting for the Queensland Building Services Authority and Other Legislation Amendment Bill 2002. It is also headed 'Maintaining Standards within the Building Industry'.

This is an important bill. Certainly, the more we can strengthen the provisions that look after subcontractors and individuals who are reliant on the building industry, then the better it will be. There is no doubt that all of us in this House have had experience where contractors have fallen over, subcontractors have not been paid and businesses have gone under, particularly the small businesses of subcontractors. Although many governments of different persuasions have tried to strengthen legislation to ensure that this does not happen, it is very difficult to get 100 per cent cover. I imagine the minister would agree that nothing gives 100 per cent cover, but at least this legislation goes some way towards doing that.

The objectives of the amendment bill are to increase the level of accountability within the building industry, to provide greater consumer protection and to improve compliance with industry standards with respect to contractual and payment obligations.

Last year, and indeed the year before, two major building companies on the Sunshine Coast went under, taking a very large number of subcontractors with them. Some of those subcontractors are still out of business. I would like to thank the minister for his help last year when a major company with a large number of subcontractors building a major project on the Sunshine Coast was caught. Progress payments had been made. I have read the clauses under 'progress payments' and a lot of those had been met, but it was the last payments which were not handed over and they were the big payments. I still do not know how that is going to be covered, and I do not know whether the minister knows. Even though he is covering this all the way, if the final payments are not going to be made, and they are often the big payments, that creates a big problem.

It is very important to ensure, as this bill does, that the history of contractors is well recorded. If they have had problems before, if they have had a licence cancelled or have incurred demerits points, all of this should be on the register and it should be readily available for people to see. I ask the minister whether that is going to occur. The QBSA has this register but, if someone wishes to check the register, will it be—

Mr Schwarten: It will be on the web site.

Mrs SHELDON: That is a very good initiative.

Another issue I wish to raise is in regard to companies. A lot of contractors or developers—however you wish to term them—work as companies and it is very important that the directors, other office holders or people of influence over those companies are similarly scrutinised. All too often the company goes into liquidation, the directors—or their assets—cannot be got at, although that has changed to some degree as well, and the subcontractors in particular go begging.

It is all very well to say that subcontractors should be aware, but some are not. They do not look after their own interests and no government can really do it for them. However, subcontractors who have gone through the correct procedures and still find that they are in difficulty need to be better

covered by legislation; they need to be protected as much as they can be. They must also ensure that they get their progress payments, that the books are kept up to date; they must do their homework on the builder or the contractor. Often this does not occur.

Too often in an area—not just on the Sunshine Coast—a subcontractor's bread and butter depends on a contractor or developer. If they are too strident or stroppy with that developer, they are not going to get any more work. For that reason, they have at times turned a blind eye to faults that have existed. I support anything that can provide greater protection to the subcontractor, to the consumer and to decent builders and contractors because a large number are roped in together with a minority of people who have abused the system for their own financial gain and often by their own incompetence.

When we consider the importance of residential and commercial building in Queensland—and it is one of our bigger industries; it is also one of our big job creators—we realise it is vital that we make this industry as sound as possible. This bill goes a long way towards doing that. I think that the Building Services Authority, which often receives a fair bit of flack, should be commended for what it has done. I would also like to thank Mr Ian Jennings and his people for the help they gave me and those subcontractors on the Sunshine Coast when we were having major problems.

I commend the minister for introducing the bill. I know that he has done a lot of genuine hard work on it. I would like to thank him for the help he gave the industry and me with regard to the problems we were experiencing.

Mr Swarten: Thank you for the hard work you have put in also.

Mrs SHELDON: Thank you, Minister. I also thank the QBSA for its work, advice and information.