Speech by

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UNIVERSITY LEGISLATION AMENDMENT BILL

Mr LANGBROEK (Surfers Paradise—Lib) (4.37 pm): I am pleased to speak on the University Legislation Amendment Bill and, in doing so, I thank the minister and the staff from the department of education for providing members with an informative session detailing the provisions in the bill and the reasoning behind those provisions. After that session and on reading the bill, I am pleased to say that the Liberal Party will be supporting this legislation in full.

As we have heard, this bill puts in place provisions that were required to be in place by 31 August so that universities could receive an extra 2.5 per cent in funding in 2006 and then another increase of 2.5 per cent in funding in 2007 as a part of the national governance protocols for university providers. To indicate just how significant this is, let me take the example of QUT—an institution that receives $200 million in Commonwealth funding each year. This extra 2.5 per cent in funding makes a $5 million difference in 2006 and a $10 million difference in 2007. I am sure QUT will put this money to good use.

The bill forces universities to comply with corporate governance laws. The Liberal Party will always support ways in which statutory bodies can become more strictly subject to the ethical obligations imposed on other entities engaged in corporate governance. I am particularly pleased to see two provisions in the bill that deal with this. Firstly, all positions on boards will be elected—that is, apart from the one-third which are by appointment. It seems only right that, as much as possible in a democratic society, fundamental principles of that underlying philosophy extend to all aspects of the corporate and governance sphere. I am pleased to see that there will no longer be earmarked provisions. Secondly, it is pleasing to see that members of parliament will be removed from governing councils for all but rare appointments. Removing these reprobates will no doubt clean up governing councils. In all seriousness though, this provision does go a long way to ensuring that there is a minimal chance of conflicts of interest. I am sure that the members for Glass House, Toowoomba North and Moggill would never have let such conflicts of interest interfere with the carrying out of their duties.

It is also important that those who breach their ethical obligations are punished appropriately. There is provision in the bill for the removal of a member with a two-thirds majority if they have breached one of the ethical standards set out. I know that the Scrutiny of Legislation Committee raised the question that there is no recourse through merits review if the person feels aggrieved by that decision. This is of particular importance to ensure that if a person makes comments decidedly unpopular to two-thirds of the council yet does not breach an ethical standard they may still be removed in almost an unpopularity contest. I do not think that the absence of merits review—if in fact that is the case—will inhibit the ability of a person sufficiently aggrieved to seek the correct outcome under judicial review. In fact, it is probably more appropriate that judicial review comes up with a more definitive look at the issue of breach of ethics than that which would be provided by merits review processes.

So, to answer the question of review with relation to this legislation as proposed by the Scrutiny of Legislation Committee, I feel that this bill does satisfy the criteria set out in the normal principles of natural justice and that an aggrieved person does have sufficient avenues to contest a decision. With those few comments, I commend the bill to the House.