



Speech by

Andrew Powell

MEMBER FOR GLASS HOUSE

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OCCUPATIONAL LICENSING NATIONAL LAW (QUEENSLAND) BILL

Mr POWELL (Glass House—LNP) (6.18 pm): As we have heard this evening, the shadow Treasurer has a recommended reading list for bills such as this. So impressed was he by Gary Banks's *An economy-wide view: Speeches on structural reform*, he shared it around the opposition members. Contrary to popular opinion, not only is it educational; it is actually incredibly easy to read and it does not put you to sleep. I too highly recommend it to any members on the government benches who need to brush up on their knowledge of these areas.

Gary Banks in that book writes—

Australia has undergone sweeping structural reforms over the past two decades that have helped transform its economic performance.

...

Structural reforms of the kind Australia has implemented have long been recognised as economically desirable by most economists, but have faced strong political obstacles in all countries.

...

... in some countries, including Australia, there are the additional challenges for nationally beneficial structural reforms posed by a Federal system of government. In Australia, the six states have regulatory powers and responsibilities in all relevant areas.

...

... in areas that require national systems, diversity can merely manifest itself as productivity-sapping fragmentation.

This bill addresses one such productivity-sapping fragmentation so it is a welcome addition to our nation's ongoing economic structural reform.

As mentioned by others, the objectives of the NLS are to improve business efficiency across seven occupations, reduce red tape, improve labour mobility and enhance productivity by removing overlapping and inconsistent regulation between jurisdictions. The bill is designed to allow licensees to move across Australia without the burden of applying for additional licences, create national consistency in licensing policy and the approach to disciplinary arrangements whilst retaining some flexibility for issues specific to jurisdictions or occupations and promote consumer confidence and protection without unnecessary costs to consumers.

These benefits of the legislation are immediately clear and obvious. Uniformity will deliver efficiencies for business and licensees, but there is a bit of a wait and see approach to some elements of the legislation as highlighted by the shadow Treasurer in his contribution this evening. We are giving powers to a ministerial council that really is accountable to no-one. If Queensland desires to amend the laws at any time in the future we must basically go cap in hand seeking consensus from that ministerial council. But given that this legislation is skeletal and will be supported by regulation, perhaps more concerning is the potential, as mentioned by the member for Mudgeeraba, that that supporting regulation may become excessively large and/or inferior to existing Queensland regulations and therefore could negate the benefits of uniformity.

It is worth acknowledging the comments of the Scrutiny of Legislation Committee in its most recent *Legislation Alert*. The Scrutiny of Legislation Committee does look at parliamentary scrutiny of delegated power, and whether a bill has sufficient regard to the institution of parliament depends on whether, for example, the bill sufficiently subjects the exercise of the delegated legislative power to the scrutiny of the Legislative Assembly. There has been growing concern within the Scrutiny of Legislation Committee around parliamentary scrutiny of national regulations. The *Legislation Alert* states—

In the past, the committee has expressed concern about nationally consistent regulation which failed to require the tabling in the Legislative Assembly of regulations made under a national law.

Fortunately, though, this piece of legislation is perhaps the first that we have seen as a committee come across our tables that addresses that particular concern. The committee goes on—

Therefore, the committee is pleased to note that although clause 5 would exclude the operation of the *Statutory Instruments Act* generally, section 164(1) would require the tabling in the Legislative Assembly of national regulations. Section 164(1) requires the member of the Ministerial Council representing a participating jurisdiction to make arrangements for the tabling of a regulation made under the National Law in each House of the Parliament of the participating jurisdiction.

It is worth pointing out, though, that perhaps we have really only taken half a step forward in this instance. As the shadow Treasurer pointed out in his comments, if we were to disallow a regulation related to this national legislation, it still needs to be disallowed in a majority of the other states for it to actually take effect in this state. In closing, I acknowledge the contribution of the shadow Treasurer and member for Clayfield and that the LNP will not be opposing this legislation.