



Speech by
Grace Grace

MEMBER FOR BRISBANE CENTRAL

Hansard Thursday, 7 October 2010

PERSONAL PROPERTY SECURITIES (ANCILLARY PROVISIONS) BILL

Ms GRACE (Brisbane Central—ALP) (3.00 pm): I rise to speak on the Personal Property Securities (Ancillary Provisions) Bill 2010. This is a good bill that puts us in step with the rest of Australia and one that is most necessary and continues the work started last year, as has been mentioned previously in this House.

The bill does three main things. Firstly, it will end the Queensland personal property registers and repeal the acts that established them. I have a burning desire to go through all of those acts, but I will exercise restraint and for the benefit of the House I will not go through them all. I only wish that the member for Mermaid Beach had shown the same restraint and exercised the same control, but maybe that is asking a bit much late on a Thursday afternoon! Nevertheless, I will restrain myself and I will not go through them all for the benefit of the House. Secondly, the bill opts out certain statutory licences and rights from the national scheme where necessary, and I will go into more detail on that particular issue; and, thirdly, it provides for prioritisation of cost recovery where property is seized or acquired under law.

As I said, one of the main functions of the bill is to cease Queensland personal property securities registers. These are the Register of Encumbered Vehicles, established under the Motor Vehicles and Boats Securities Act 1986; the Bills of Sale Register, which also contains Queensland's Register of Liens on Crops of Sugar Cane; and the Register of Cooperative Charges. As part of the Queensland government's commitment to deliver the national PPS scheme, the data from these registers will be migrated into the national register in time for an anticipated commencement in May 2011. The bill also authorises this migration of data to the national PPS Register. This national register will be established by the Australian Attorney-General's Department and run by Insolvency and Trustee Service Australia.

I understand that the minister's department has been working with the Australian Attorney-General's Department to ensure that the migration of Queensland's registered data will occur in a seamless and effective manner, and I know it is doing good work to ensure that happens way before time and it is all in order when this legislation takes effect. I also understand that the minister's department has been working with the department's existing external information brokers and clients that regularly access the Queensland registers so that they are kept in the loop and they know exactly what is occurring. The bill also provides transitional arrangements, for example, to deal with applications received but not finalised prior to the cessation of the relevant Queensland register. It is important that we put our house in order and work closely with the federal department. I applaud the department for taking the initiative to ensure that everything runs smoothly.

It is also important to note that the national PPS scheme allows a state or territory government to opt out of any statutory licence created by state or territory legislation. This means that full state control in relation to that licence is maintained by the state. The bill before the House proposes to opt out of a number of areas—namely mining, energy, resource, gaming and liquor licences—from the national PPS scheme, and I support those provisions in this bill that enable the state to do so and concur that we should be opting out of those areas. This should occur because the legislation which creates or allows for the grant of these licences either restricts the assignment of the licence or prohibits the encumbering of the licence. This will allow the Queensland government to continue administration of these licences unhindered from any operation of the national PPS scheme, and it is important that we maintain our

unhindered ability to operate in those areas. For example, licences issued under the Casino Control Act 1982 are governed by a strict licensing process due to the nature of possible risks associated with the gaming industry—an eminently sensible way of going forward. We should maintain control of that area for that reason. It is therefore appropriate, as I have said, to opt out of these in order that the government retains full control over the legislation governing such licences.

This is good legislation. We are wrapping it all up. It is going to enable us to have and be part of a wonderful national PPS scheme and for us to maintain control where we believe the state should maintain control. For those reasons and with that short contribution, I commend the bill to the House.