




Speech by

Jarrod Bleijie

MEMBER FOR KAWANA

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CIVIL PROCEEDINGS BILL

 **Mr BLEIJIE** (Kawana—LNP) (2.34 pm): The Civil Proceedings Bill 2011 proposes the enactment of the new Civil Proceedings Act and amends a number of other acts including: the Associations Incorporation Act 1981; the Births, Deaths and Marriages Registration Act 2003; the Cremations Act 2003; the Electoral Act 1992; the Information Privacy Act 2009; the Justices of the Peace and Commissioners for Declarations Act 1991; the Queensland Civil and Administrative Tribunal Act 2009; the Retirement Villages Act 1999; and the Right to Information Act 2009. I take the point the Attorney-General just made to the House with respect to these types of bills and the way the parliament can deal with these types of things in future, with so many bills and so many amendments going across the breadth of laws in this state.

The bill will repeal the Supreme Court Act 1995 to modernise civil proceedings in the Supreme, District and Magistrates courts. These changes were instigated following a review by the Supreme Court of Queensland Rules Committee headed by former Justice the Hon. Glen Williams AOSC and the Hon. Justice Margaret Wilson. I note that the review was conducted in 2002 and a draft bill was commissioned in 2004 before consultation took place in 2010. While this may seem quite a period of time, it is both appropriate and necessary that the Rules Committee had sufficient time and resources to complete the review to make those recommendations to the Attorney-General and the government.

The consultation for this bill has been extensive, firstly by the Rules Committee and then during the inquiries conducted by the parliamentary committee of which I am a member. I note that the Queensland Law Society, the Bar Association of Queensland, Legal Aid Queensland and the other peak bodies in the legal fraternity were consulted during the review undertaken by the Rules Committee. The parliamentary committee received eight submissions from peak bodies and interested parties, including the Chief Justice of the Supreme Court, the Hon. Paul de Jersey AC, who is the statutory chairman of the Rules Committee.

I submit to the House that the LNP will not be opposing this bill. We had a thorough investigation into this bill with the committee chaired by the honourable member for Murrumba. I believe that the issues were canvassed appropriately in the committee and during the public consultation inquiry we had. The committee did provide one recommendation in the final report, which proffered its support for the bill.

There were, however, issues raised in terms of compliance with fundamental legislative principles when drafting. I note that I have just been handed amendments to be moved by the honourable Attorney-General during the consideration in detail stage. Obviously, having just received them, I have not had the opportunity to review those. I cannot comment on those until such time as other members are speaking and then I will have the time to review them.

The committee did have concerns with respect to the lack of detail in terms of the retrospectivity proposed in the clauses that deal with the Retirement Villages Act which should have been detailed in the explanatory notes. I note the Attorney-General's comment just a moment ago to this end in relation to those issues and the compliance, in drafting the legislation, with fundamental legislative principles.

I will now discuss several of the issues and comments raised in the submissions to the inquiry as conducted by the parliamentary committee. In his submission the honourable Chief Justice said—

This is a potentially significant piece of legislation which will streamline the exercise by the state courts of their jurisdictions.

He also expressed his desire that the bill be dealt with in this parliament. I am sure that he will be pleased that he will have this wish granted. The Hon. Chief Justice described the Rules Committee's consultation process as 'comprehensive and productive' and detailed the proactive process of consultation undertaken by the Rules Committee last year. The Information Commissioner noted that clauses 230 to 233 and 241 to 243 resolved concerns raised by her office with the Department of Justice and Attorney-General. The amendments related to the leave applications as required of statutory office holders and the provision of personal information by Queensland government agencies to agencies and other jurisdictions for the purposes of law enforcement. I understand the Information Commissioner was satisfied with the amendments in this regard. I also note that the Australian Federal Police welcomed these reforms, stating that the 'AFP supports these reforms that will enhance the capability of the AFP to perform its law enforcement functions'. The Information Commissioner also addressed the issue of clause 235, which allows for justices of the peace and commissioners for declarations to record information in proof-of-identity documents, including taking copies of them, noting the importance of the integrity of affidavits.

The Queensland Law Society raised concerns with the naming of the bill. It notes that, with the separate and unrelated functions, it should have been entitled the 'Civil Proceedings and Other Legislation Amendment Bill 2011'. That was of some debate in the committee process as well. This clarifies, in their submission, that there are a number of changes proposed under the amendment, not just those related to civil proceedings in court.

The Queensland Law Society also raised concerns with the proposed amendment to the Retirement Villages Act; namely, the method of calculation of exit fees for residence contracts entered into prior to the commencement of the amendments. The concern relates to the retrospective nature of these amendments. I note the Attorney-General's comments with respect to that particular retrospective nature. However, I think it is still important to note as a concern. The Law Society certainly set out a very thorough brief and made a comprehensive submission to the public inquiry that the committee held.

In the explanatory notes it is stated that the bill is consistent with fundamental legislative principles. The Queensland Law Society of course have contention with that particular point. They have also raised issues relating to the calculation of exit fees. The Queensland Law Society propose that the amendments to the Retirement Villages Act be removed from the bill and subject to further consultation and public scrutiny. In relation to the calculation of exit fees, I note that the Law Society, the Retirement Village Association of Queensland, or RVAQ, and the Association of Residents of Queensland Retirement Villages, the ARQRV, have raised strong objections. The RVAQ also raised concerns in relation to elements of the retrospective nature, as previously outlined in discussing the submission by the Queensland Law Society.

The ARQRV stated that they receive an average of 4,000 complaints a year about the calculation of exit fees. In relation to this bill, the ARQRV have issues with the removal of the calculation of exit fees on a daily basis rather than by annual increments to residence contracts entered into after legislative amendments are passed and with the retrospective nature of that removal. The ARQRV believe that the amendments should require mandatory calculation on a daily basis for all contracts on foot as at the date of commencement of the amendments as well as those entered into after that date. It seems that both the residents and operators oppose the amendment to the calculation of exit fees on the basis of annual calculation rather than a mandatory requirement for daily operation. This may add to the exit fees payable by the resident and it may take much longer for the operator to recover those exit fees.

This amending bill deals with the rules which will fundamentally guide the way civil procedures occur in our courts in Queensland. The bill also then deals with the exit fees in retirement villages. The bill also deals with an element of the justices of the peace act. The Attorney-General has described how the bill relates to crematoriums and the notification of those cremations and obviously the bill also deals with the QCAT.

I now turn to QCAT as it relates to this bill, or the Queensland Civil and Administrative Tribunal. Obviously, it is a supertribunal that was set up to mould into it many of the tribunals we had in Queensland. It has become QCAT, which was supported by the opposition at the time. I have been cautioning members of the burden that it will have and that it has. Notably the president's annual report set out the issues that QCAT have in terms of their resources quite well. They also have issues with respect to where they are currently located in terms of the ballooning issues they deal with, particularly with the Neighbourhood Disputes Resolution Act starting now as well.

QCAT have permanent members and also sessional members. The issue that the legislation deals with is in relation to sessional members. I believe there are approximately 100 sessional members—and the Attorney can correct me in his summation—whose terms of appointment are due to expire this month. I cannot recall the date, but essentially this legislation says that, if a QCAT member's term is due to expire this month and they currently have a proceeding before them, that QCAT member may continue in their function until such time as they have finalised the matter. During the committee I raised this issue.

Looking to the future of QCAT and its operation, the uncertainty of how long matters may proceed in QCAT for could create a difficulty for the succession plan for appointments. So they are temporarily appointed in order for those matters to continue without knowing the exact time frame. I would hate to get to the situation where, say, 50 current members, whose terms are due to expire this month, finish their matters in the next 12 months and we are continually having to appoint new members. The old system, of course, was that people were appointed for a period. Judges in particular—and I know this occurred in North Queensland with the northern judge who recently retired—make sure that the matters they are working on are finished before their appointment expires.

Mr Lucas: It is a bit hard managing a hundred people of varying—

Mr BLEIJIE: Indeed. I am not going to make a major issue out of this point. I did raise it in the committee as an issue. There is an appointment process and, if 50 QCAT members have existing matters, ordinarily they would try to finish those matters before their appointment ends and then they would be reappointed. However, in the spirit of this legislation, that will not occur. I am hoping that the Attorney or his advisers could work on the detail of how many matters are likely to be involved. I understand the expiration date for the terms of those QCAT members comes this month.

Mr Lucas: The 30th. That suits the member because were this to be passed and assented to before the 30th it would not be a problem, but that is not likely. The government is not going to assent to it tomorrow. So hence the amendment.

Mr BLEIJIE: Thank you. I suggest the Attorney does not have to include that in his summation because he has just provided the House with the information that I sought. If the Attorney wishes to further comment in his summation, I am happy for him to do that.

I turn to justices of the peace. I know that the member for Mount Isa in the committee and public inquiry certainly talked about JP issues and stated that at the moment JPs ordinarily do not take copies of identifying documentation. JPs are voluntary. They save our justice system in Queensland a lot of money. I am not as concerned because it is an optional extra in this legislation. If it had forced the JPs to take copies of all the identification—bearing in mind that JPs do not get paid; they do not accept gifts—copying sometimes is a burden. I would have had issues had the government gone down the line that it was going to force JPs to copy all identification documentation, but it is not. Some JPs—and I have been a JP for 11 years now—would like the opportunity to take copies because, if any issue arose in the future and the JP is called for whatever reason to explain their actions or to explain why they did certain things, signed certain documents or witnessed certain documents, they should have the opportunity to produce their own evidence. Of course, this would give the JPs an opportunity to provide that.

With respect to that particular provision, I would seek clarification from the Attorney-General as to where it came from. Was it a recommendation from the JP association? I note not the interjection but the look that the Attorney-General gave me—

Mr Lucas: A gesture

Mr BLEIJIE: A gesture. I would like to know from the Attorney-General what sort of consultation was undertaken with respect to JPs or JP associations in Queensland.

An issue was raised throughout the committee process with respect to the naming of the Civil Proceedings Bill. A major portion was the recommendations from the Rules Committee in relation to modernising the civil rules processes in our Queensland courts. I think it was a legitimate concern. Amendments to the Retirement Villages Act were in fact first proposed under former minister Lawlor, the member for Southport. There was a consultative draft sent out, and I recall bringing members of my constituency to Parliament House to talk about those issues with former minister Lawlor at the time. That went off the radar as government information with respect to fair trading and retirement villages now falls under the Attorney-General's portfolio.

Now instead of a separate bill, which it was at the time, it has been put into the Civil Proceedings Bill. We now have JP issues in the Civil Proceedings Bill. We have QCAT issues in the Civil Proceedings Bill. When one makes a fundamental reform to our civil procedures in Queensland, I think we ought to give it its own bill. It will become an act in terms of the civil procedures. I understand that particularly for minor matters you would not have a minor bill to amend the JP issues, for example, saying that JPs can copy documentation. However, I think the retirement village aspect is quite a fundamental change in the way we move forward. Although not making a major issue of it, I would suggest that that particular issue should have been retained in its own bill.

In my view, like many of the bills administered by the Attorney-General, the committee did not have sufficient time to consider it. I know we were under strict reporting time frames, one reason being that of the QCAT element to the appointments. I do agree with the reservations that were made in the submissions to the committee with respect to the naming of the bill, particularly regarding retirement village issues which were in a separate bill when it first went out as a draft under the former minister and are now contained in this bill.

The retirement village aspects of the bill would probably be the most contentious of this legislation. Currently all members of this House have retirement villages operating in their electorates across the state. There are many thousands of people living in retirement villages. I know in my electorate alone I have many retirement villages. There is always a battle between the best interests and rights of the residents in the retirement village and maintaining a sustainable business operation for the retirement village operator. These issues were canvassed quite extensively in the committee report, but I think there is such a fundamental change in the way forward based on the Saunders District Court case that we ought to take a more prudent approach.

Potentially there was a lack of consultation. I think the legal affairs committee has now made eight reports to this parliament in the very short time frame since it has been established. The idea behind this new committee process was to obtain better legislation. I question that, when you have that in mind but then rush the bills through the committee for whatever reason, you are getting better legislation, because we have seen a few contentious issues that have gone through the committee process be brought back into the parliament and rushed through.

The retirement village amendments try to deal with the ongoing issue of exit fees. Currently when one resides in a retirement village they enter a leasing contract. Public interest disclosures are given at the time. They enter into a contract for whatever lease is negotiated. They then have certain duties and obligations under the Retirement Villages Act and so does the operator. Exit fees are specifically dealt with in new clause 53A of the bill which tries to define when exit fees are calculated. It is based on the case of Saunders, which originally went to QCAT—shall we wait until someone answers their phone?

Mr DEPUTY SPEAKER: Order! I ask the honourable member to take that phone outside.

Mr Kilburn interjected.

Ms Jones interjected.

Mr DEPUTY SPEAKER: Order! My apologies, member for Kawana.

Mr BLEIJIE: Thank you, Mr Deputy Speaker. As I was saying, people enter these retirement village contracts for a particular period of time. People enter retirement villages for various reasons. They may like the community lifestyle, as people do in community title schemes, or they may have a financial—

Mr Lucas: No loud neighbours.

Mr BLEIJIE:—reason for entering a retirement village. I take the interjection from the honourable Deputy Premier and remind him that I have great neighbours. My folks have, of course, had some issues.

When one moves into a retirement village they may do so for financial reasons. It is mostly the older population of Queensland who enter retirement villages. I think they need to be afforded an extra level of protection when entering these contracts. In an ideal world we would say to everyone, and we do say to everyone for those who have practised in law, that you should obtain independent legal advice prior to entering these schemes. We have had—and I am sure members would have instances in their own electorates—representations from people who need our assistance in relation to outstanding moneys, particularly exit fees.

I know that in my area exit fees are a big issue for people. Currently when someone enters a retirement village if they decide to leave early, for whatever reason, or they depart this world then they are going to be up for exit fees or potentially the estate is going to be up for exit fees. This bill tries to sort this issue out. It stemmed from the case of Saunders which originally was held in QCAT. This is where I left off when we had the rude interruption of the telephone from the member for Toowoomba North. I just recalled where I left off at the time. It was in relation to the Saunders case that went to the Queensland Civil and Administrative Tribunal where they looked at all the options of how to calculate the exit fee. The lady who exited that particular retirement village left after two years and one day.

The retirement village operator then proceeded to charge her an exit fee for up to three years because of the one day. The lady appealed it through the District Court and the judge took a different view with respect to the calculation. It was not necessarily a different view in terms of the two years and one day; it was actually when it started from. The judge considered that the two years and one day did not yet fall into the third year but was in fact the end of the second year. The judge then made some obiter comments with respect to exit fees. He said at the time—and I am paraphrasing here—in relation to the exit fees that a pro rata daily basis would be a better system. Although it did not form part of the actual judgement—it was obiter and suggestions are not precedence in our court system—the judge highlighted the issue that is out there at the moment.

With regard to the retrospective nature of the amendments, the concern was that the bill goes back and looks at particular contracts and then adds a pro rata basis. However, it only does that to the extent that there was uncertainty or the contract was ambiguous. If contracts entered into currently do not contain provisions with respect to how the exit fee is to be calculated, then the daily pro rata will apply. The other element is that if new contracts are entered into for retirement villages then the exit fee will be a pro rata. I

think that is fair. I think it is fair that residents in retirement villages are not slugged for a full year when in fact they may leave, pursuant to their contract, earlier than that.

With regard to retrospectivity, I note that the Department of Justice and Attorney-General gave advice that if the contract has sufficient regard to a current calculation then in essence nothing will change. The retirement village will still get its exit fees based on the current calculation pursuant to the contract. However, there is one village in my electorate about which I have had many representations from residents, and each representation has a different contract. They have a different term, the maintenance responsibilities are different and the exit fees are different. I do not think that provides a good system if we are to proceed in a fair and equitable way for residents of retirement villages—one of the most vulnerable groups of people in our communities.

Although there were some issues raised in the committee's deliberations with respect to the exit fees and there were submissions, I inform the House that the opposition is supporting the strategy in relation to exit fees. I note that the committee made a note—it was not an official recommendation—that the Department of Justice and Attorney-General or the Attorney-General should in fact have a watching brief on this issue. I certainly would encourage the government through the Attorney-General to have a watching brief on this issue and how it does impact on people. The new exit fee arrangements under this bill will not come into place before a date to be fixed by proclamation, and that of course is in the bill to allow retirement village operators the opportunity to adjust the new contracts that they enter into with people going into retirement villages.

I thank the honourable member for Surfers Paradise, who was on the committee, and the other members of the committee for a thorough investigation of this issue. As I said earlier, we are dealing with two very big issues in terms of civil procedures, and the retirement villages issue should have been in legislation in its own right. I do have concerns that, given that we have gone from such a consultative draft under the former minister and then proceeded to tie this into the bill, this issue gets lost in the Civil Proceedings Bill. The other issues are not big enough to stand on their own in legislation, so we have to put them in some bill without having a separate bill for each of the items. Governments of all persuasions have done that throughout the years.

The opposition will look at the amendments proposed to be made by the Attorney. I have briefly perused those as I have been making my contribution. I cannot see any major issues, but I will address those if the need arises in the consideration in detail stage.

It is also important to note that retirement village residents need the security of knowing that there will be a watching brief on exit fees. We cannot have situations in Queensland where contracts are so ambiguous that they are going to cost the vulnerable in our community lots of money. People do need certainty. People could raise the argument that, yes, they entered into the contract and they should have had legal advice at the time. As I said earlier, some of the contracts I have seen, particularly the older contracts, are just scribbles on paper. Particularly where there is a shortage of retirement village places or complexes to move into, people do rush into these things. People need to be appropriately warned about what they get into when they sign these contracts in retirement villages. However, we also need to ensure that we offer a level of protection, as I believe the case will be in this bill in terms of exit fees. There was contention in the committee's public inquiry in that the member for Everton spoke about the notation in the bill itself and potentially how it could be worded better. I do hope that the member for Everton had conversations with his colleagues on that side of the House privately to see if we can get those sorts of notations amended. The opposition will not be opposing this bill.

Mr Watt interjected.

Mr BLEIJIE: You were there, member for Everton. You were there on record, member for Everton. I simply make that point.

We do, as is the case in this legislation, have obligations to the constituents of Queensland. We also have obligations to treat this House with the respect that it deserves, and we certainly see contempt of that process by the Labor government today when one is accused of not being in particular places when legislation on the *Notice Paper* should not be before the House for six or seven hours or in fact until the following day. If you look at the *Notice Paper*, Mr Deputy Speaker Elmes, by my account the Civil Proceedings Bill certainly would not have been debated today.

In conclusion, I reiterate the comments that I made with respect to QCAT and I would ask for clarification from the Attorney-General—more than he has given—with respect to—

Mr Lucas: I'm advised there's three outstanding matters.

Mr BLEIJIE: There are three outstanding matters. That is good news, because that essentially means that the concern that I raised—and I am glad I raised it both in the committee and in the House today—will not arise and we will not have the situation of, hypothetically, 50 members having matters outstanding. Given that there are three matters outstanding, after this legislation is passed three matters will continue to be overseen by the existing QCAT members while the rest will not. On that point, it would be good for the other 97 members of QCAT—or what is happening with those members—

Mr Lucas: Three matters, not members.

Mr BLEIJIE: No, three matters, but if there are three matters being overseen by however many members, I would suspect—

Mr Lucas: Three or less—

Mr DEPUTY SPEAKER (Mr Elmes): Order! Can we direct the comments through the chair, please? I know the Attorney-General is trying to be helpful and I know he will be even more helpful at the end of the second reading debate.

Mr BLEIJIE: Thank you, Mr Deputy Speaker, and I look forward to that. There will be, though, numerous sessional members of QCAT whose term expires on 30 November. I have not seen any notifications as to whether they will be replaced or what they are going to do to keep up the workload of QCAT. So I think that, while we are talking about the amendments to QCAT in this bill, the Attorney-General owes an explanation to Queensland in terms of whether these members are being replaced or whether they have been reappointed, how many have been appointed out of the existing ones or have advertisements been put out for new appointments. So that closes my comments with respect to the amendments to QCAT.

In terms of the justice of the peace amendments, as a JP (Qualified) myself, I am pleased that, if I feel the need to take documents for future reference, I can do that. I think that is a good process. With respect to the amendments to the Retirement Villages Act 1999, I have made my point clear. We must be cautious about how we proceed on this basis. We do not want a situation arising that the amendments have the potential to financially impact in a major way on the retirement village sector. However, we realise we have an obligation to protect people who are living in retirement villages. I think the case of Saunders certainly pointed out that there are discrepancies and there are issues with the way in which we deal with matters relating to retirement villages.

One amendment that is contained in the bill that I did not canvass is with respect to incorporated associations. Under Queensland and Australian law, if you are a not-for-profit organisation you can become an incorporated association. You can register under the Queensland Associations Incorporated Act. You can register federally as well. Often community associations and not-for-profit organisations do that. They may have their hands extended out across Australia in that they may have the same organisation operating in different areas of Australia. But to do that, if a not-for-profit organisation registers under the federal system they then are up for potential capital gains and stamp duty costs in relation to that transfer of registration under the federal scheme.

The amendments in this bill provide the opportunity for those organisations to transition—if I can use those words—into the federal scheme. I know when I was practising a few organisations wanted to go out of the federal system and register as corporations limited by guarantee. A lot of organisations across Queensland are wanting to do that. So we would support arrangements whereby these organisations can have that transition, which should be more seamless than what is occurring now. Of course, that way those organisations will not incur the costs that they have to incur now.

I have had representations in my office in relation to some of these organisations wanting to be a company limited by guarantee. Of course, any prudent lawyer, when they are setting up incorporated associations, would give advice at the time in terms of the jurisdictions that such organisations are wanting to operate in, the purpose of the registration and the organisation's financial ability to raise the money. Then, of course, those organisations should also get financial and accounting advice. But I think prudent practitioners, particularly for the corporations that want to extend nationally, would be given such advice that it is in their interests to have the company limited by the guarantee. So I am very supportive of that measure.

The Attorney-General has made comments with respect to the amendments to the Cremations Act 2003. We would not want to not be able to locate or identify anyone who has been cremated, so I think the registration of the cremation would be a good process. I am always reluctant to support amendments that may add some sort of burden on people or on business, but I think this amendment has to be made not only for the industry but also to make sure that we have proper records kept. On that note, can I ask the Attorney-General to delve further into the issues that I have raised and which he has provided commentary on already in the debate today. I look forward to the contribution of other honourable members on this side of the House.

We will have a watching brief on the amendments to the Retirement Villages Act, because if it turns out that this legislation has had quite a negative impact on the operators of retirement villages then I think it is prudent—and it is our obligation—to assess that impact. The reality is that it has been a substantial period since the amendments to the act were first considered by the former minister, who at that time had responsibility for Fair Trading. These amendments are different from the amendments that were contained in the former bill and certainly have not received the public scrutiny that they deserve and as

other amendments in the bill have received. I think this is one of the issues in putting so many amendments in a bill in this House.

Ms Jones interjected.

Mr BLEIJIE: Throughout my whole contribution, which has now been 42 minutes, the member for Ashgrove has continually had conversations and has made interjections. If the member for Ashgrove wants to have a conversation, surely she can go outside and have all the conversations in the world. If she is taking offence to any of the things that I am saying, I ask her to rise to a point of order. I have not mentioned her in my contribution. Mr Deputy Speaker, I ask that a level of protection is afforded to me from the member for Ashgrove or, if she is wanting to have a continual conversation, then to go outside and have it.

Mr DEPUTY SPEAKER (Mr Elmes): Order! Could the member for Kawana come back to the substance of his speech?

Mr BLEIJIE: Absolutely. It is a pleasure to do that. The Saunders case was originally heard by QCAT. In that case, in terms of exit fees, two interpretations were considered. Interpretation A was that, under the terms of the residence contract, the applicable percentage for calculating an exit fee would be 20 per cent—that is, four full years or part years times five per cent. Interpretation B—an alternative interpretation of section 15(2)—was that the applicable percentage would be 17.5 per cent—that is, 15 per cent for the first three full years of occupancy plus 50 per cent of five per cent, or 2.5 per cent of the extra half year of the occupancy. Those matters were subject to debate and interpretation in the Saunders v Paragon Property Investments Pty Ltd case, which was, as I said, brought before the Commercial and Consumer Tribunal in 2008 and later appealed to the District Court in 2009.

As I said, when the case was originally heard by QCAT, interpretation B was rejected and the view was expressed that the act describes only a point in time when the exit fee is to be calculated and does not prescribe how the calculation is to be made. That is a matter governed by the terms of the parties in the residence contract. It is important for members to know the legal history of these interpretations—how we have come from there to where we are today. In the District Court, while deciding the matter for a different reason, the court interpreted section 15(2) as requiring a pro rata daily calculation of exit fees regardless of the method of calculation specified in the residence contract. In other words, the District Court considered that interpretation B did apply.

I thank the Queensland Parliamentary Library. In the short time that it had before this bill went to the committee and then this House, it certainly prepared what I think is quite a detailed brief in relation to this bill. As members of parliament we ought to protect our constituents from any grab for cash where contracts are ambiguous. I think we are getting the balance right with respect to offering a level of consumer protection. The retirement village industry did raise loss of revenue in the committee process. I do not say that the calculations that the committee received did not add up, but every retirement village is different. I do not think that there is one structure for the calculation of these figures. They are all different. They all have different exit fees. Governments have failed in the past to address this issue appropriately to make sure that those most vulnerable in our community will not be stuck for thousands and thousands of dollars because they entered into contracts that they did not understand or they had no other alternative but to sell their property and enter into a retirement village.

On that note I shall close my contribution. I will look at the amendments to be moved by the Attorney-General. I look forward to the contributions of other members of this House. As I said, this will be a watching brief in terms of exit fees for retirement villages in Queensland.