




Speech by

Michael Hart

MEMBER FOR BURLEIGH

Hansard Thursday, 15 November 2012

GUARDIANSHIP AND ADMINISTRATION AND OTHER LEGISLATION AMENDMENT BILL

 **Mr HART** (Burleigh—LNP) (11.58 am): I rise in support of the Guardianship and Administration and Other Legislation Amendment Bill 2012, introduced to this parliament on 11 September 2012 by the honourable Attorney-General and Minister for Justice, the member for Kawana. This bill has a similar theme to a number of pieces of legislation that the Newman government has introduced to parliament since being elected in March 2012, a theme where the people of Queensland wanted a better way of doing things—streamlined, more efficient, less costly—and a responsible way of governing. This bill delivers on the promises of the LNP. This bill helps untangle and dismantle unnecessary Labor red tape and provides legislative cohesion and accountability.

Firstly, the bill changes the Guardianship and Administration Act 2000. As part of its 100-day action plan the government committed to commence drafting legislative amendments to install the independent Public Advocate as a statutory authority within the first 30 days. What has the Attorney-General done? Tick. The Public Advocate is already established as an independent statutory officer, but the additional powers will strengthen the Public Advocate's independence and ability to perform its functions.

Responses submitted to the Legal Affairs and Community Safety Committee indicated support for the amendments. There were supportive submissions from the Endeavour Foundation, National Seniors Australia and the Public Trustee. The Public Trustee of Queensland is stated as saying—

The strengthening of the role and function of the Public Advocate, including its independence is a matter which I fully support.

Once these amendments commence, they will have an instant and practical benefit to the Public Advocate, who will be in a position to assess personal and statistical information from a range of sources which were not previously accessible.

This bill also changes the structure of the Electrical Safety Act 2002 as well as the model of the Electoral Act 1992. The amendments give effect to the announcement of the Treasurer and Minister for Trade on 2 August 2012 that administrative funding for political parties and independent members would be removed. This is expected to result in savings of approximately \$3 million per year.

With regard to the Electrical Safety Act 2002, these amendments recognise the diminishing role of the statutory office of the commissioner and deliver significant cost savings while continuing to deliver electrical safety outcomes. The change is also timely, as the current commissioner's term expired on 4 November this year and he has indicated that he will not be seeking reappointment. The amendments will also remove the statutory commissioner position and replace this with a new chairperson role on an as-required basis. Also, the minister is able to establish advisory committees as and when required, providing flexibility regarding committee composition and workload requirements. These amendments will achieve savings of approximately \$94,000 per annum, based on the current figures, when compared with the cost of continuing the current arrangements.

It should be noted that a submission to the Legal Affairs and Community Safety Committee was made by the member for South Brisbane's mates the Electrical Trades Union. Not surprisingly, their submission was not supportive of the bill. My only guess is that that is because the bill severs some of the unnecessary apron strings left over from the previous Labor government. Importantly, a submission to the Legal Affairs and Community Safety Committee was made also by the independent Electrical Contractors Association which states—

The ECA supports the government's move to improve efficiency and accountability in the systems and practices of government. We are optimistic that the proposed changes to the *Electrical Safety Act 2002* contained in the *Guardianship and Administration and Other Legislation Amendment Bill 2012* will be a positive step forward in this regard. The ECA is also confident that the proposed amendments to the *Electrical Safety Act 2002* will not reduce the inspectorate's capacity to respond to incidents and complaints nor in any other way compromise the electrical safety of electrical workers or the wider Queensland public.

In short this means that, like on so many other occasions since forming government, the LNP has delivered a better, more cost-efficient way of delivering important outcomes at less cost to taxpayers.

This bill also amends the Penalties and Sentences Act 1992, the Queensland Civil and Administrative Tribunal Act 2009 and the Trustee Companies Act 1968 with the goal of providing better outcomes by streamlining processes and providing a more accountable structure. Importantly, the bill removes restrictions under the QCAT Act on the exercise of certain stated powers of the Queensland Civil and Administrative Tribunal. Opportunities have been identified for widening the pool of tribunal members who are able to make orders of a procedural nature and for the use of former judges as judicial members—common-sense changes, I think. These amendments will improve the operation of the Queensland Civil and Administrative Tribunal.

Provisions in the corporations and other legislation amendment act 2011 facilitate the voluntary transfer of trustee company business from one trustee company to another and for compulsory transfers to be made to a state or territory Public Trustee even if not a licensed trustee company. Amendments to the Trustee Companies Act 1968 facilitate these transfers.

I commend the honourable Attorney-General and Minister for Justice, the member for Kawana, for the work associated with bringing this bill to the House. This bill helps untangle and dismantle unnecessary Labor red tape, provides legislative cohesion and delivers better outcomes for all Queenslanders. I commend the bill to the House.