




Speech By
Curtis Pitt

MEMBER FOR MULGRAVE

Record of Proceedings, 16 October 2013

DIRECTORS' LIABILITY REFORM AMENDMENT BILL

 **Mr PITT** (Mulgrave—ALP) (8.08 pm): I rise to make a contribution to the Directors' Liability Reform Amendment Bill 2012. I wish to put on the record from the outset that I have listened to the Attorney-General's remarks this evening and from what I can gather this process has gone on for a long time. I think the original process began in November last year. We are 11 months down the track. We have had a significant number of changes. I will say from the outset that this is the first we have actually heard of the number of amendments to be moved.

Mr Bleijie interjected.

Mr PITT: Attorney-General, I am not being combative here. The opposition was not aware of the number of amendments. There was a statement of reservation in the original committee report tabled in March that talked about the fact that there could be possible amendments. We were advised in June that there were going to be amendments to this bill. As the Attorney-General has indicated, this is based largely on a COAG process that has been going on for a period of time. We were hoping to see those amendments earlier than this.

Mr Bleijie: They went at three o'clock.

Mr PITT: Attorney-General, with respect, three o'clock today is not what we meant by 'early'.

Mr Bleijie: You said you don't have them at all. Everyone has got the amendments.

Mr PITT: Attorney-General, given our in-principle support for the bill, as we indicated from the outset, it was indicated in June that there would be amendments and it has been quite a few months since June of this year when those amendments could have been circulated. It is disappointing that they have only come today.

We will be supporting our original position, which was the original bill. Of course, we were always going to reserve the right to have a very close look at what was put up by way of amendments. I am taking a leap of faith here and assuming that, because this process has been one that has been done in good faith through the COAG process from the outset, there will be hopefully no hidden surprises in these amendments. But we will be looking at these amendments in detail and obviously reserving our right to look at some of those amendments at a later stage.

This government has really set new ground in terms of its consultation process. We know that when we looked at this bill in its original form there were many concerns. Many concerns were raised, including by the Australian Institute of Company Directors and others, who wanted to put on the record the grave issues they had with the bill, and principal amongst those was that this government has again shown that it has shortened its consultation time frames and has not treated this place in the way that it should—that is, ensuring that people had the opportunity to get their say on the record and to be a very big part of actually value-adding to whatever changes may be made. We do know that in this sitting week we have seen, I think, five bills presented, three of which—

Mr BLEIJIE: Mr Deputy Speaker, I rise to a point of order on relevance. The five bills introduced this week have nothing to do with the honourable member's contribution to this debate on this particular bill this evening.

Mr PITT: Well, don't worry, Attorney-General, I will not be—

Mr DEPUTY SPEAKER (Mr Watts): Order! If I might just get a word in between the both of you—thank you, Attorney-General—I will ask the member to look to the content of the bill and stay relevant to it.

Mr PITT: Thank you, Mr Deputy Speaker. I would like to point out that what I am talking about right now is the consultation process for this bill. I think that is quite relevant to this bill. What I am trying to put forward is to demonstrate a pattern of behaviour that the Newman government has brought to this chamber. There have been five bills presented, including three that were debated in cognate—those three happened to be introduced one day and debated the same day; the other two bills were introduced earlier in the week and will be debated tomorrow. We have concerns.

I heard the Deputy Premier speaking earlier today about the fact that until the new committee system was put in place there was no real scrutiny of legislation. I am not sure whether it slipped his mind but we did have a Scrutiny of Legislation Committee for many years. Of course, that function then ticked over to the Scrutiny of Legislation Secretariat, which looks at, for all of the portfolio committees, the fundamental legislative principles. What is disappointing about the way that the LNP are approaching the introduction of legislation to this House is that on many occasions, particularly on rushed bills, they are, I think, ignoring those FLPs. That should be of great concern to people.

I do not intend to speak at length at all given that we will be looking at the amendments. We were providing our support for this bill in its earlier form. We will be looking at the amendments, and from that point on we will make our determination, listening to this debate, as to what areas we will be supporting and what areas we will not.