



Speech By  
**Hon. Jarrod Bleijie**


**MEMBER FOR KAWANA**

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Record of Proceedings, 20 November 2013

## **DEBT COLLECTORS (FIELD AGENTS AND COLLECTION AGENTS) BILL**

### **Introduction**

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (7.59 pm): I present a bill for an act to comprehensively provide for the regulation of the activities and conduct of debt collectors and subagents and to protect consumers against particular undesirable practices, and to make minor and consequential amendments of this act, the Fire and Rescue Service Act 1990 and the State Penalties Enforcement Act 1999 for particular purposes. I table the bill and explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

*Tabled paper:* Debt Collectors (Field Agents and Collection Agents) Bill 2013 [\[4104\]](#).

*Tabled paper:* Debt Collectors (Field Agents and Collection Agents) Bill 2013, explanatory notes [\[4105\]](#).

I am pleased to present a bill for an act to comprehensively provide for the regulation of the activities and conduct of debt collectors and their employees and to protect consumers against particular undesirable practices and to make minor and consequential amendments to the Fire and Rescue Service Act 1990 and the State Penalties Enforcement Act 1999. Businesses and individuals performing debt collection, repossession and process serving activities for others for reward are currently regulated under the Property Agents and Motor Dealers Act 2000, along with a range of other separate and diverse industries. The bill is one of four bills designed to repeal the Property Agents and Motor Dealers Act 2000 and replace it with three industry-specific acts, supported by a financial administration act containing common trust account obligations and claim fund provisions applying across the industry-specific acts. Like the other three bills, this bill contributes to the government's ongoing commitment to reduce red tape for Queensland business.

It is important that the state's debt collection industry continues to be regulated to ensure a high level of consumer protection is maintained, particularly given the activities debt collectors perform and that debtors—the people they interact with—are often at their most vulnerable. For this reason, the bill maintains the policy objective of the PAMDA legislation in regulating the Queensland debt collection industry—that is, to provide a system for licensing and regulating persons as debt collectors that achieves an appropriate balance between the need to regulate for the protection of consumers and the need to promote freedom of enterprise in the marketplace. However, the bill also simplifies the regulation of the debt collection industry and removes unnecessary regulatory burdens imposed on this industry under the PAMDA.

Importantly, this government has continued to work with the industry's peak stakeholder body to identify and implement new red-tape-reduction measures. One example is the new negative licensing system for a particular sector of the debt collection industry, being those individuals and businesses that perform debt collection activities without face-to-face debtor contact. This will replace the existing positive licensing framework, which will significantly reduce time and costs for those debt collection agents who will now no longer be required to apply for a licence or registration certificate and regularly renew it. This is an appropriate reduction in regulation for this portion of the industry

because debtors have more control over how they wish to manage their interaction with the debt collector.

The bill also reduces the red tape and regulation that currently add unnecessary costs for business providing process serving, repossession and debt recovery services and which provide no meaningful protection or benefit for the community. For example, the bill makes it simpler and easier for a consumer to appoint an agent to perform process serving functions. The bill also eliminates reporting and paperwork that unnecessarily imposes costs on debt collectors and reduces the restrictions relating to particular licensed debt collectors being in charge of a regulated debt collection business. Consistent with the other two industry-specific bills, the bill also makes a number of changes to the licensing requirements, including, for example, removing the requirement for directors of licensed corporations to also hold a licence. I commend the bill to the House.

### **First Reading**

**Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (8.02 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

### **Referral to the Legal Affairs and Community Safety Committee**

**Madam SPEAKER:** Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.