




Speech By
Mark Boothman

MEMBER FOR ALBERT

COMMERCIAL ARBITRATION BILL

 **Mr BOOTHMAN** (Albert—LNP) (8.20 pm): I am not too sure that I can beat the transport issue. The member was talking about going down to the Gold Coast. She has to go through the electorate of Albert to get the Gold Coast. The electorate of Albert is the gateway to the Gold Coast. We are the main manufacturing hub.

I am certainly pleased to speak in support of the Commercial Arbitration Bill 2012. Once again, the Newman government is committed to bringing commercial arbitration into line with national and international practices. Commercial arbitration has been a hot topic in my electorate of Albert in recent times. I have actually had business owners come to me and talk about the frustration they have suffered when it comes to these potentially lengthy processes.

The electorate of Albert is positioned at the northern end of the Gold Coast and the southern end of Logan. We have massive industrial potential in the northern section of the electorate—around the Yatala region. That area goes into the Coomera electorate. We need to ensure that we attract businesses to the area. We need to ensure that we reduce red tape and that the legislation is set up in such a way that it attracts businesses to our area. Business owners need a cost-effective and efficient process that is in line with international best practice. It is hard enough to run a business without all this additional aggravation.

This bill certainly combines the United Nations Commission on International Trade Law Model Law on International Commercial Arbitration and domestic arbitration provisions. This is certainly welcome. When I was speaking to my businesses about this they were happy that this legislation is being put through. It puts us in step with the other states, apart from the ACT—

Miss Barton: It's not a state.

Mr BOOTHMAN: Territory. I take the interjection from the member for Broadwater.

Mr Hart interjected.

Mr BOOTHMAN: They are a little bit behind the eight ball on this one. We went to the last election with our policies relating to a four-pillar economy. When it comes down to it, we need to get our four-pillar economy going. One of the crucial pillars of the economy is the construction industry. There is certainly a lot of development going on in the Albert region. There are a lot of foreign investors coming in. There are also a lot of interstate investors. Streamlining the commercial arbitration system will help promote my region and attract businesses to the area. I am certainly very happy about that.

The most important issue for me is getting jobs for last year's school leavers. They are out searching for jobs. Upper Coomera State College is doing an absolutely fantastic job when it comes to students attaining university placements. Over 20 per cent of students attained university placements. These individuals will need jobs in the future. Therefore, we need to attract business to this state. This new legislation will do this. Our commitment and the wonderful job the Attorney-

General has been doing in bringing this new legislation in will help our businesses. Cutting red tape and streamlining processes certainly makes a huge difference to businesses.

I have quite a large population of New Zealanders in the Upper Coomera region. One of the things they say to me is, 'How do we get a job in the mines?'

Dr Flegg interjected.

Mr BOOTHMAN: I take the interjection from the member for Moggill. These individuals are desperately looking for suitable employment. It is crucial that governments actually promote businesses. It is crucial that we are proactive. I take my hat off to the Attorney-General for his hard work on this legislation.

The Gold Coast City Council has indicated that by 2030 the number of jobs in the Yatala area will almost triple. It is a massive development area. It is the factory region for the Gold Coast. People can get their fibreglass pools, concrete tanks, building materials—you name it—up there. We have the famous Carlton & United Breweries factory just beside the highway.

Mr Hart interjected.

Mr BOOTHMAN: I take the interjection. It is fantastic. I will not talk about the beverages there.

Miss Barton: Try the Burleigh Brewing Co.

Mr BOOTHMAN: We have competition down in Burleigh, but I have a bigger factory in my area.

Mr DEPUTY SPEAKER (Mr Berry): Order! Member for Albert, are you taking interjections?

Mr BOOTHMAN: No, I am not taking interjections from the member for Burleigh because he has a smaller beverage factory than me.

The bill defines the scope and form of arbitration agreements. This includes appointments of arbitrators and the powers and procedures arbitrators follow. In addition, the legislation contains the power to create awards and terminate any proceedings. I also understand the awarding of costs and determining settlements is provided for in this bill.

This legislation gives the parties a lot more say. For instance, if parties cannot agree the decision defaults to the arbitrator. Furthermore, safeguards are included if concerns do arise about the arbitrator's independence or qualifications. In this instance a challenge can be mounted to resolve the disagreement through arbitration or alternatively through the courts. In addition, for checks and balances applications to set aside awards are restricted to specific points. These include breaches of natural justice, arbitration agreements as they concern the awards and court decisions in respect of the legality of arbitrating a particular disputed issue.

Arbitrators will have the powers to make decisions and preserve evidence and nominate costs. This is binding upon the decision for court applications. Furthermore, the bill outlines conditions if the matter needs to proceed to the courts. I must add, the bill recognises interstate awards and gives the court the power to enforce them.

The bill also includes additional procedural matters, which includes a requirement for parties to provide statements of claim and defence at the commencement of the proceedings. This also includes powers for arbitrators to make an award on settlement and/or the appointment of an expert.

Again, I just want to highlight how important it is to attract businesses into our areas. When it comes to the schools in our areas, we have to get our school leavers into jobs. The government needs to be proactive. The Attorney-General is doing a fantastic job. He is a proactive AG. I take my hat off to him. I take note of all the other legislation he has been putting through in recent times. When it comes to law and order, I can tell members that my neighbourhood watches are over the moon about the hard work this man is doing. It is really terrific and I certainly take my hat off to him for that.

Miss Barton: You don't have a hat on.

Mr BOOTHMAN: I know. I do not have a hat on. I take the interjection. But if I did I would. I just want to say thank you to the AG for bringing in this legislation and getting our state back on track by reducing the red tape and all the draconian bureaucracy which, as a former small business owner, I can certainly understand. It is pretty tough out there. So good on you, AG.