




Speech By
Hon. David Crisafulli

MEMBER FOR MUNDINGBURRA

Record of Proceedings, 11 September 2014

BUILDING AND CONSTRUCTION INDUSTRY PAYMENTS AMENDMENT BILL

 **Hon. DF CRISAFULLI** (Mundingburra—LNP) (Minister for Local Government, Community Recovery and Resilience) (11.34 am): I rise to make a brief but hopefully helpful contribution on the proposed amendments to the Building and Construction Industry Payments Amendment Bill. At its heart there are three matters that this bill seeks to address, and all of them are worthy: the imbalance in time frames between claimants and respondents; the current inability for a respondent to provide additional information; and, the one I want to speak about today, the appointment process and the skill of the adjudicators. I will focus my comments based on what I have seen in the area of local government, but I hope that in doing so those in this House can see this for what it is—that is, positive reform.

I listened to some of the contributions made last night. I listened to the contribution of the member for Redcliffe. I say to everybody that anyone who cares about value for money—whether that be value for money for taxpayers, value for money for an individual or value for money in the way society operates—but, equally, anyone who cares about fairness should support what the minister is doing here. I will use an example of what I have seen—without naming businesses—that highlights why these changes, particularly the one relating to the appointment of an adjudicator, are so very fair and so very useful.

At the moment we have a system whereby people can effectively embark on adjudicator shopping. They can choose somebody who, either via not having the adequate skills at best or at worst having a vested interest in getting a particular outcome, can deliver a disastrous situation. I have seen situations in which companies have come into this state and have sought to use this process to rip off councils, to rip off ratepayers, to rip off the people we should all be representing in this place and should be doing so with pride. We have had a culture whereby people have been prepared to buy jobs. They go in, they put in a price to deliver a job that they know full well they cannot deliver for that price, but they get the job. They get their claws into it. Once they have that, the games start. Then the claims for unexpected works start. When, in good faith, the company or the council that has issued that job says, 'Hang on. That is not in the original scope,' they then use this act and use the knowledge of a friendly adjudicator to milk the system dry.

I say to all members here today that this is sensible reform. It is sensible reform in terms of value for money, but it is also sensible reform for fairness. It enables both parties to find a common ground. It does not enable, at the 11th hour, information to be tucked onto somebody's desk in the dark of the night. It does not allow people to adjudicator-shop. It does deliver value for money. We should all support it. I commend the minister on finding what I think is an excellent middle ground. I implore everybody in this House to support what is a common-sense amendment.