




Speech By
Hon. Jarrod Bleijie

MEMBER FOR KAWANA

Record of Proceedings, 27 November 2014

LIQUOR AND FAIR TRADING LEGISLATION (RED TAPE REDUCTION) AMENDMENT BILL

Introduction

 **Hon. JP BLEIJIE** (Kawana—LNP) (Attorney-General and Minister for Justice) (11.38 am): I present a bill for an act to amend the Anglican Church of Australia Act 1895 Amendment Act 1901, the Anglican Church of Australia Constitution Act 1961, the Fair Trading Act 1989, the Liquor Act 1992, the Liquor Regulation 2002, the Oaths Act 1867, the Presbyterian Church of Australia Act 1900, the Presbyterian Church of Australia Act 1971, the Queensland Congregational Union Act 1967, the Safe Night Out Legislation Amendment Act 2014 and the Wesleyan Methodists, Independents, and Baptists Churches Act 1838 for particular purposes and to repeal the All Saints Church Land Act 1924, the Anglican Church of Australia Act 1895 Amendment Act 1901, the Anglican Church of Australia Act 1977, the Anglican Church of Australia (Diocese of Brisbane) Property Act 1889, the Ann Street Presbyterian Church Act 1889, the Boonah Show Ground Act 1914, the Chinese Temple Society Act 1964, the Presbyterian Church of Australia Act 1971, the Queensland Congregational Union Act 1967, the Roman Catholic Church (Corporation of the Sisters of Mercy of the Diocese of Cairns) Land Vesting Act 1945, the Roman Catholic Church (Northern Lands) Vesting Act 1941, the Roman Catholic Relief Act 1830, the Wesleyan Methodists, Independents, and Baptists Churches Act 1838 and the Wesleyan Methodist Trust Property Act 1853. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

Tabled paper: Liquor and Fair Trading Legislation (Red Tape Reduction) Amendment Bill 2014 [\[6631\]](#).

Tabled paper: Liquor and Fair Trading Legislation (Red Tape Reduction) Amendment Bill 2014, explanatory notes [\[6632\]](#).

The government is committed to building a four-pillar economy in Queensland based on tourism, agriculture, resources and construction. The government also understands the vital contribution local businesses make to our economy and we want Queensland to be the best place in Australia to do business. That is why the LNP government is working hard to implement policies that will make life easier for Queensland businesses, including by eliminating unnecessary regulation and red tape that simply serve to confuse stakeholders and increase costs unnecessarily. We have committed to Queenslanders that we will reduce regulation and red tape by 20 per cent by 2018. In the last 2½ years we have made significant progress towards this target through a range of reforms to the liquor, gaming and fair trading industries and have made over 60 red-tape-regulation reduction changes with the assistance of the expert panel appointed in 2012. That is why I am pleased to introduce the Liquor and Fair Trading Legislation (Red Tape Reduction) Amendment Bill 2014, which continues the government's agenda to reduce unnecessary regulation and red tape by 2018.

The bill includes amendments to the Liquor Act 1992, many of which have been identified through the deliberations of the Liquor and Gaming Red Tape Reduction Expert Panel established by the government in September 2012 to review liquor licensing and gaming laws. I want to take the opportunity to thank the members of the expert panel for their valuable contribution in identifying

red-tape-reduction opportunities which are represented by the amendments in this bill. While the Premier is in the chamber I point out that last night I attended the President's Reception of the Queensland Hotels Association and the CEO, Mr Justin O'Connor, did thank the government very much for putting business first and thanked the government for reducing regulation and red tape in the industry. He also thanked the government for workers compensation changes to much applause from those in the industry who employ Queenslanders and play a significant role in Queensland's economy. This industry supports tourism, entertainment industries and creates significant employment opportunities, as I said.

The amendments in this bill will reduce regulatory burden and unnecessary restrictions on the liquor industry by relaxing approved manager requirements for premises that do not trade after midnight, removing the duplication of requirements for crowd controller register and incident registers, increasing the maximum number of guests that a bed and breakfast accommodation provider may cater to while remaining eligible for an exemption from holding a liquor licence, allowing community clubs to sell takeaway liquor to signed-in guests and visitors to the club, and exempting low-risk licensees such as florists and gift basket producers from the requirement to prepare a risk assessed management plan. Do members have any idea that under the Labor Party if a florist wanted to sell a bottle of wine with flowers they had to produce a risk assessed management plan? That is how ridiculous the situation had got to in Queensland under the Labor Party, but thankfully we have a strong team and a strong plan for a stronger Queensland, and that includes all of our florists. The bill also introduces new frameworks to allow both local and interstate craft brewers to sell their products at promotional events such as food and wine festivals. This amendment will provide microbreweries with additional opportunities to market and sell their products in Queensland.

The bill also reduces the regulatory burden for campdrafting associations by exempting eligible campdrafting events from the requirement to hold a community liquor permit, and that will be of particular interest to the member for Gregory and the member for Nanango, who raised this issue with me on behalf of her constituents. I think she was on a campdraft and could not—

Mrs Frecklington: It was the Cooyar campdraft.

Mr BLEIJIE: The Cooyar campdraft. We are happy to introduce amendments today reducing the regulatory burden for associations involved in events such as the Cooyar campdraft. These low-risk, family orientated events play a unique and important role in the social fabric of our rural and remote communities. Member for Nanango, when you next have the Cooyar campdrafting event, I must get an invitation and join you. These amendments will save these associations time and money, which can be put back into other community purposes. I want to particularly thank, as I said, the member for Nanango for her strong advocacy on this issue.

The bill also includes a number of amendments to improve the clarity and the effectiveness of the Liquor Act. The bill clarifies the meaning of liquor and ensures that the Liquor Act does not apply to food additives or ingredients in food preparation such as Chinese cooking wine or soy sauce. These amendments will provide greater certainty for retailers around which products they may and may not sell without a liquor licence. However, if it becomes apparent that one of these substances is being misused or abused for the purposes of becoming intoxicated, the bill allows for the substance to be prescribed in the Liquor Regulation as a substance to which the Liquor Act will apply. This power will allow swift action to be taken to bring a substance back into the ambit of the act where its sale can be regulated appropriately.

Another key amendment in the bill relates to events conducted in the car park of a licensed venue. The bill ensures that licensees must obtain the Commissioner for Liquor and Gaming's written approval in order to sell or supply liquor or allow it to be consumed in a venue's car park. This will apply regardless of whether the licensee has an existing licence condition allowing it to conduct car park events. The commissioner will also be able to impose amenity and harm minimisation related conditions on an approval to use a car park for the sale or consumption of liquor. If a licensee fails to comply with a condition of the car park approval, the commissioner will not be able to grant another car park approval to the licensee for at least three months. The commissioner will also be able to immediately suspend the existing car park approval for the licensed premises. The bill also includes amendments to the Liquor Act to introduce offences for persons taking liquor into or away from events subject to a community liquor permit or a commercial public events permit; align acceptable proof-of-age documents for the purposes of the Liquor Act with current national standards; and strengthen the capacity of investigators to administer and enforce the Liquor Act by enabling them to issue notices to persons requiring them to produce documents relevant to the administration of the act.

In July 2012 I requested the Queensland Law Reform Commission to review 29 acts relating to the establishment and management of various church and community organisations. Following consultation with the church and community organisations, the commission released a report in December 2013 which was tabled in the House on 4 March 2014. Among other things, the report recommended repealing 10 acts in their entirety, repealing a further four acts following the relocation of some technical and minor administrative provisions to other related church and community organisation acts, and amending the remaining 15 acts to repeal obsolete provisions and consolidate legislation, where possible. Both the commission and the stakeholders have advised the repeal of the 14 acts will benefit the affected organisations as they will cease to be associated with now archaic legislation. In addition, the repeal of the 14 obsolete acts will achieve the policy objective of reducing the statute book by approximately 120 statutory pages and 290 legislative requirements. As the recommendations regarding the remaining 15 acts are more complex than repeals, they are being considered separately and are not included in this bill. In some instances, due to the historical nature of the acts being repealed, a different drafting approach has been adopted to that originally recommended by the commission. However, the preferred drafting approach provides the same outcomes.

On 1 November 2013 the Directors' Liability Reform Amendment Act 2013 implemented the policy that state legislation should only include directors' liability provisions when appropriately justified and, generally, without onus of proof reversal clauses.

That act also made the liability of executive officers more consistent across Australian jurisdictions. The repeal of section 96 of the Fair Trading Act achieves the objective of bringing it in line with the broader Queensland policy about directors' liability. On that note I note this government's commitment to business in the state, reducing directors' personal liability and reverse onus of proof from approximately over 3,000 directors' liabilities to fewer than 100.

The substantial work being undertaken in relation to liquor and fair trading laws by this government, in partnership with industry and community stakeholders, is part of our strong plan for a stronger Queensland. The government is committed to ensuring that Queensland has a contemporary legal framework that finds the right balance between effective protections and promoting growth, innovation and productivity and that is why it is important to deliver the meaningful red-tape-reduction reforms evidenced in this bill. I commend the bill to the House.

First Reading

Hon. JP BLEIJIE (Kawana—LNP) (Attorney-General and Minister for Justice) (11.50 am): 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.

Portfolio Committee, Reporting Date

Hon. JP BLEIJIE (Kawana—LNP) (Attorney-General and Minister for Justice) (11.50 am), by leave, without notice: I move—

That under the provisions of standing order 136 the Legal Affairs and Community Safety Committee report to the House on the Liquor and Fair Trading Legislation (Red Tape Reduction) Amendment Bill by 23 February 2015.

Question put—That the motion be agreed to.

Motion agreed to.