




Speech By
Mark Ryan

MEMBER FOR MORAYFIELD

Record of Proceedings, 25 February 2016

LEGAL AFFAIRS AND COMMUNITY SAFETY COMMITTEE REPORT

Motion to Take Note

 **Mr RYAN** (Morayfield—ALP) (12.26 pm): It is with great pleasure that I rise to support the motion that the House note report No. 17 of the Legal Affairs and Community Safety Committee entitled, *'Lemon' laws: inquiry into consumer protections and remedies for buyers of new motor vehicles*. It was my great pleasure to be on the committee that produced this report, to participate in the public hearings and to hear from Queenslanders about their experiences in respect of motor vehicle purchases and the effects of purchasing a lemon and trying to seek redress.

It is in that spirit that I would like to thank the committee members. They are: the member for Ferny Grove, the chair of the committee; the member for Mount Ommaney, the deputy chair; the member for Beaudesert; the member for Gympie; and the member for Ipswich West. We went all over Queensland to hear from Queenslanders in respect of our inquiry. We did hear some very sad stories about people who have been affected by a lemon purchase.

It is important from the outset to note the terms of reference for this inquiry. The terms of reference were—

That the Legal Affairs and Community Safety Committee inquire into and report on whether there is a need to improve the consumer protections and remedies for buyers of new motor vehicles with numerous, severe defects that reoccur despite multiple repair attempts or where defects have caused a new motor vehicle to be out of service for a prolonged period of time ...

We have heard from a few speakers today that there were not an overwhelming number of submissions to this inquiry. Nonetheless, there were about 25 direct submissions received by the committee. They were complemented by the submissions that the department received last year in respect of some work that they had done. The department had received almost 120 submissions from people who may have been adversely affected by a lemon purchase. The department kindly, with the permission of those people, made those submissions available to us as well which helped inform the committee in its consideration of this particular matter.

The submissions that we received in respect of those people who were affected by lemon purchases—the heartbreak that those people went through, the financial expense that those people went through and the sheer stress that those people went through to try to seek redress for the circumstances that they were in—were heartbreaking. It was very sad to see. A lot of people fought tooth and nail to get some acknowledgement that their car was a lemon and then of course had to fight tooth and nail to get some sort of redress.

It is not an easy process for people to pursue at the moment in respect of seeking redress for a lemon purchase. What is more, it is not an easy process for car retailers and manufacturers to properly deal with these situations. A lot of them are in the position where their hands are tied by manufacturers or their hands are tied by other processes. There is a definite need for us to provide a national framework which will provide proper processes for people to seek redress and to be able to properly identify lemon vehicles so that people have certainty and clarity around this particular matter.

I want to acknowledge the Attorney-General. The reason is that the Attorney-General from the beginning has led the charge for national reform. She has been doing great work. I note that the Attorney-General will be leading discussions at the Ministerial Council on Consumer Affairs in respect of this particular issue.

The note that I want to finish on is in respect of the resale of lemon vehicles. Committee members did hear about the concerns that people had about the resale of lemon vehicles and making sure that the purchasers of those second-hand lemon vehicles were aware that they were lemon vehicles in the first place. But I wanted to take it one step further—and it is a little beyond the scope of this report—and that is the need for this House to look at restoring the statutory warranty for cars which are sold by used car salesmen to three months instead of the one month which it was cut to under the LNP. There are people who are vulnerable out there who are buying second-hand cars who are now not afforded the opportunity of a three-month statutory warranty and they are suffering loss because of that. It was a callous thing that the other side did in respect of that—all under the guise of cutting red tape.