




Speech By
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MEMBER FOR TOOWOOMBA NORTH

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WORKERS' COMPENSATION AND REHABILITATION (NATIONAL INJURY INSURANCE SCHEME) AMENDMENT BILL

 **Mr WATTS** (Toowoomba North—LNP) (5.12 pm): I rise to make a brief contribution to the Workers' Compensation and Rehabilitation (National Injury Insurance Scheme) Amendment Bill. I do not think there is any disagreement that we all believe people should be insured when they are in the workplace and they should have their medical expenses met. If they receive an injury they should be able to seek compensation, particularly if there has been negligence, and they should have their income protected. I do not think anybody disagrees with that. Who pays is certainly a question arising in this bill with the movement to a principal contractor. What level of consultation should happen before we start harming businesses that invest in our great state of Queensland? I will reserve most of my comments to clause 5, the damage it will do to business and why, as a matter of principle, we should not be creating sovereign risk by bringing in things that are retrospective and will harm decisions that people make according to the laws that are made in this place one day, only to find themselves on the wrong side of those laws as they travel back in time.

It is always dangerous to bring in retrospectivity because it will create an environment where people do not trust this House to govern correctly. If they do not trust this House in our great Federation of Australia, they have options: they can go to New South Wales and be governed under a different House, or South Australia, or Western Australia or many other places. I am concerned that we in this House do all that we can to reduce sovereign risk to businesses and to reassure businesses that, if they invest in this great state, their investment will be safe, sound and solid and that you can take both this parliament and the government of the day at its word that it will apply the law fairly and evenly to all people. To do that you cannot tell someone that a law exists today and that you will follow the law today, and then change the law and end up in a situation where the person broke the law, but at the time they were doing that it was the law. That is the principle that I find most challenging in any bill, and in this bill that is the part that I object to the most. It should be taken out. People should be able to invest and understand their investment and how it will be treated by the laws of the land of that day as the laws of the land existed on that day. Retrospectivity, while it may be used from time to time, should be used with great caution and only in exceptional circumstances. I do not see great caution or consultation and I do not see exceptional circumstances, so I would be interested in the minister's comments in relation to that.

I want to make it clear that, as someone who has experienced what it is like to be quadriplegic—not through a workplace injury, but through a beach injury—we absolutely owe insurance to people who may find themselves injured through no fault of their own in a workplace, whether that be income protection, medical expenses or compensation so they can have a decent life post injury. I want to be very clear on that, but I am concerned about any retrospectivity in any legislation so I will be interested in the comments of the minister in relation to this bill.