




Speech By
Hon. Grace Grace

MEMBER FOR BRISBANE CENTRAL

Record of Proceedings, 23 March 2017

MINISTERIAL STATEMENT

Queensland Construction Code

 **Hon. G GRACE** (Brisbane Central—ALP) (Minister for Employment and Industrial Relations, Minister for Racing and Minister for Multicultural Affairs) (10.06 am): I rise to update the House on industrial arrangements for the building and construction industry. Back in 2000 the Beattie Labor government introduced the Queensland building code of practice as a document that sets out principles and standards of best practice behaviour for the industry. The first point I want to make very clear is that the code continues in force.

The implementation guidelines for the building code were established by the Newman government in 2013. They were ideologically based and were aimed at penalising those contractors who entered into agreements with conditions that the Newman government did not like. Similar guidelines were introduced in Victoria and New South Wales. As a result of a 2012 Federal Court challenge to the guidelines in Victoria, in 2013 the Newman government deemed all agreements approved by the Fair Work Commission to be compliant with the Queensland guidelines. Effectively this meant that the guidelines have been largely irrelevant and unenforceable all along. The only additional work the guidelines did was to require contractors to provide a detailed workplace relations management plan as part of the tendering process. However, it is very important to note that the requirement for contractors to have an industrial relations management plan still applies under the Queensland building code of practice which, as I said, continues in force.

However, it is no secret that the national IR laws have moved on significantly since 2013. Given that the requirement for a workplace relations management plan is now part of the federal building code that came into effect in December 2016, the Queensland guidelines are obsolete and out of date. This is based on departmental advice and the fact that the private sector contractors in the building industry operate in the federal industrial relations jurisdiction, not the state jurisdiction, and are subject to federal regulations and laws.

Opposition members interjected.

Ms GRACE: Members opposite do not like to hear the real point. There is a lot of talk over there. I wish they did the same when it came to penalty rates.

The Office of Industrial Relations has written to all industry stakeholders, including the Master Builders and the Civil Contractors Federation, advising them of the repeal of the obsolete guidelines. The Queensland government remains committed to a productive and safe construction industry in Queensland and will continue to work with all parties to achieve this outcome.