



Speech By  
**Hon. Yvette D'Ath**


**MEMBER FOR REDCLIFFE**

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Record of Proceedings, 15 February 2018

**QUEENSLAND COMPETITION AUTHORITY AMENDMENT BILL; EDUCATION (OVERSEAS STUDENT) BILL; TOW TRUCK AND OTHER LEGISLATION AMENDMENT BILL; POLICE AND OTHER LEGISLATION (IDENTITY AND BIOMETRIC CAPABILITY) AMENDMENT BILL; LOCAL GOVERNMENT LEGISLATION (VALIDATION OF RATES AND CHARGES) AMENDMENT BILL; CRIME AND CORRUPTION AND OTHER LEGISLATION AMENDMENT BILL**

**Declared Urgent; Portfolio Committees, Reporting Date**

 **Hon. YM D'ATH** (Redcliffe—ALP) (Leader of the House) (6.31 pm), by leave, without notice: I move—

That under the provisions of standing order 137(1)(a) the following bills be declared urgent for report by the following dates—

- Queensland Competition Authority Amendment Bill 2018 by 15 March 2018;
- Education (Overseas Students) Bill 2018 by 2 March 2018;
- Tow Truck and Other Legislation Amendment Bill 2018 by 2 March 2018;
- Police and Other Legislation (Identity and Biometric Capability) Amendment Bill 2018 by 2 March 2018;
- Local Government Legislation (Validation of Rates and Charges) Amendment Bill 2018 by 15 March 2018; and
- Crime and Corruption and Other Legislation Amendment Bill 2018 by 15 March 2018.

The Queensland Competition Authority Amendment Bill is urgent because it contains a vital amendment to the access criteria within the Queensland Competition Authority Act 1997 which must be satisfied before a service may be declared—regulated—under Queensland's access regime. This amendment will return the interpretation of this criterion back to its previous natural monopoly test rather than a test that considers whether it is profitable for anyone to develop another facility.

The urgent timing of the amendments to the access criteria is important given the QCAs upcoming pre expiry review of the existing declarations for Aurizon Network, Dalrymple Bay Coal Terminal and Queensland Rail commencing early 2018. Should the review be undertaken with reference to the private profitability test prior to the natural monopoly test being restored, there is a risk that key Queensland bottleneck export infrastructure—for example, the Central Queensland coal network—could become unregulated. This would have serious consequences and flow-on effects for industry dependent on access to this infrastructure.

In relation to the Education (Overseas Students) Bill, this bill is a reintroduction of a bill that was originally introduced on 8 August 2017 with the then committee report tabled on 15 September 2017 with one recommendation that the bill be passed and three other recommendations. The bill also includes amendments to the Trading (Allowable Hours) Act to correct an inadvertent omission which would have meant Easter Saturday trading was no longer permitted in some regional areas. Consistent with the government's public statements that this matter would be urgently rectified, this bill if passed

will amend the Trading (Allowable Hours) Act 1990 before Easter 2018 to allow trading on Easter Saturday in those areas. Passage of the bill in the first March sitting will provide early notice and assurances to businesses and consumers in the affected areas that existing Easter Saturday trading arrangements remain in place. A number of retail organisations have been in contact with the minister's office seeking certainty on this point so that they can start to plan rosters and other arrangements for trading on that day.

The Tow Truck and Other Legislation Amendment Bill is a reintroduction of the original bill that was introduced on 22 August 2017 with the then committee report tabled on 4 October 2017 containing two recommendations, including one recommendation that the bill be passed. The bill requires debate in the first March sitting as these are important reforms of the tow truck and vehicle removal industry following an independent investigation by former District Court Judge Michael Forde. There have been no substantive changes to the provisions of the bill since the previous committee's consideration. These are important reforms of tolling methodology, delivering aggregation and therefore savings for motorists and reduce the need for further enforcement action by enabling a single demand notice for multiple unpaid tolls. The only change since the previous committee's consideration was to accommodate their recommendation.

The bill contains amendments to transitional provisions relating to the Youth Justice Act. The changes to the youth justice legislation and the Youth Justice and Other Legislation Act will raise the age of a child within the youth justice system to 18 years. The proposed amendments will ensure 17-year-olds who commit driving offences remain subject to mandatory disqualification periods for serious driving offences; remain liable to enforcement action for unpaid penalty infringement notices for traffic offences that attract demerit points; and continue to have demerit points recorded on their traffic histories for relevant offences to facilitate appropriate sanction processes if they exceed their demerit point limit. Changes are proposed to commence as soon as possible after 12 February 2018 to help ensure the smooth transition of these arrangements.

The Police and Other Legislation (Identity and Biometric Capability) Amendment Bill is a new bill. This bill is about security measures that will help ensure the safety and security of the biggest event ever held in Queensland: the Gold Coast 2018 Commonwealth Games. It will amend legislation to give police and emergency responders access to shared cutting-edge technology tools such as facial recognition to maintain safety at the games. The bill seeks to give Queensland police access to a national face verification service and direct access to TMR photos in time for the Commonwealth Games. The identity matching service will enable images associated with an individual to be compared with an existing government record to confirm their identity. This will be of real benefit to those tasked with the security of the Commonwealth Games. The legislation will help make identification simpler and faster and fast-track the sharing of information that is required to effectively police the biggest event ever held in Queensland.

The bill also amends explosive offences in sections 470A and 540 of the Criminal Code to increase the current maximum penalties for those offences from two and three years imprisonment respectively to seven years imprisonment. The amendment also expands the scope of the offence contained in section 470A of the Criminal Code to capture the making or possession of explosives in circumstances that may injure a person or damage property. There is a disparity between the current maximum penalties for these offences and the maximum penalties associated with explosive offences in the Criminal Code. In the interests of community safety it is important that this is rectified before the Commonwealth Games to ensure that the maximum penalties apply as a deterrent and to properly reflect the seriousness of the risk to community safety.

This bill also amends the Liquor Act 1992 to provide for extended liquor trading arrangements for the 2018 Commonwealth Games to automatically provide each licensee whose licenced premises is located in one of the Gold Coast's safe night out precincts with the authority to sell liquor for an additional hour of liquor trade beyond their current permanent approved liquor service hours for each day of the 2018 Commonwealth Games. It is important to seek to make this amendment so that extended liquor trading hours are in place in time for the commencement of the games.

In relation to the Local Government Legislation (Validation of Rates and Charges) Amendment Bill, this bill seeks to provide retrospective validity to rates and charges issued by the Fraser Coast Regional Council and other councils. On 6 November 2017 the Supreme Court of Queensland delivering a judgement in the matter of Linville Holdings Pty Ltd v Fraser Coast Regional Council declared that the Fraser Coast Regional Council failed to validly make and levy rates and charges within its local government area for the 2015, 2016 and 2017 financial years. It is important to rectify this as soon as possible.

Lastly, the Crime and Corruption and Other Legislation Bill is a reintroduction of a bill that was originally introduced on 23 March 2017 with the then committee report tabled on 15 May 2017 with one recommendation that the bill be passed. As the report is non-controversial the report back of 15 March is recommended.