




Speech By
Melissa McMahon

MEMBER FOR MACALISTER

Record of Proceedings, 3 April 2019

**QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL AND OTHER
LEGISLATION AMENDMENT BILL**

 **Mrs McMAHON** (Macalister—ALP) (12.32 pm): I rise to make a contribution in relation to the bill currently being debated before the House. The Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018 contains 46 clauses which seek to amend the Fair Trading Act 1989, the Motor Dealers and Chattel Auctioneers Act 2014, the Queensland Civil and Administrative Tribunal 2009 and the Residential Tenancies and Rooming Accommodation Act 2008. The Queensland Civil and Administrative Tribunal, or QCAT as it is more commonly known, commenced in December 2009 taking in the work of 18 tribunals with 23 jurisdictions. The objective in establishing QCAT was to make the justice system more accessible to Queenslanders and provide a more fair, just, economical, informal and quick resolution.

The jurisdiction of QCAT that my residents in the electorate of Macalister would be most familiar with are minor civil disputes and neighbour disputes, tenancy matters and complaints under the Australian consumer laws and repairs of defects under the Motor Dealers and Chattel Auctioneers Act 2014. In the time I have here in the House I would like to speak to a few components of the amendment bill that are relevant to the residents of my electorate. Currently for QCAT matters involving protections for buyers of motor vehicles, the monetary jurisdictional limit is \$25,000. The amendment bill will increase the monetary jurisdiction to \$100,000, meaning that those who purchase larger family sized vehicles will likely find the entire purchase cost of their vehicle under this limit and available for remedy. Previously these customers would have had to go to a Magistrates Court to seek their remedy. Not only were those consumers likely to be without a functioning vehicle for a protracted period of time, but also they would have had to navigate their way through a court system that would incur even more costs and potentially find themselves pitted against corporate lawyers. These amendments are about improving fairness and providing greater rights to vehicle buyers in Queensland.

In addition to the increase to \$100,000, the amendment bill seeks to include motorhomes in the class of vehicles eligible for these protections. My electorate houses many retirement and lifestyle villages and just about all of these feature an impressive parking lot full of motorhomes so the inclusion of the motorhomes as a class of motor vehicle not previously included is a win for Macalister residents. Many aspiring grey nomads may have sold their family home to downsize in order to undertake the travel that they have spent their adult life planning and working towards. The purchase of a lemon motorhome can find these consumers grounded and fighting to reclaim their money and lifestyle.

The other aspect I am extremely supportive of is the reinstatement of the class B warranties under the Motor Dealers and Chattel Auctioneers Act 2014. In my electorate most vehicles purchased are second-hand and those who are most financially vulnerable have found themselves previously not able to access justice through the QCAT system under the current provisions. Class B vehicles are those that are over 10 years old or those that have done over 160,000 kilometres. These class B vehicles represent a significant number of vehicles that people in my electorate purchase and drive. The inclusion of these vehicles to be covered under statutory warranties at the time of purchase will

give residents the confidence in their purchase and peace of mind. Combined with the scaled fees for applications to QCAT for vehicles up to \$25,000, this will ensure that Queensland consumers, those who have little choice in the age and condition of vehicles that are within their financial means, will have access to the QCAT system and will have access to recourse when they have been sold a lemon. This amendment bill is a win for consumers in my electorate and I commend this bill to the House.