




Speech By
Peter Russo
MEMBER FOR TOOHEY

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ASSOCIATIONS INCORPORATION AND OTHER LEGISLATION AMENDMENT BILL

CO-OPERATIVES NATIONAL LAW BILL

 **Mr RUSSO** (Toohey—ALP) (12.12 pm): I rise to speak in support of both the Co-operatives National Law Bill 2020 and the Associations Incorporation and Other Legislation Amendment Bill 2019. The Legal Affairs and Community Safety Committee in its report No. 64, which was tabled in this assembly on 27 March 2020, has recommended to the assembly that the Co-operatives National Law Bill 2020 be passed. The Education, Employment and Small Business Committee in its report No. 30, which was tabled in this assembly on 21 February 2020, has recommended to the assembly that the Associations Incorporation and Other Legislation Amendment Bill 2019 be passed.

Both cooperatives and incorporated associations play vital, though differing, roles in Queensland and, separately, they respond to economic, social and cultural needs and goals. In Queensland, cooperatives have been established in a range of diverse industries and community sectors, including agriculture and fishing, dairy, water supply, child care, health services, grocery and hardware supplies, community housing, recycling, and Aboriginal and Torres Strait Islander arts. There are currently 165 cooperatives in Queensland, with around 19,000 members. Queensland cooperatives have a collective gross revenue of \$250 million, have over \$376 million in assets and employ around 916 people. Currently cooperatives in Queensland are administered under Queensland acts.

The Associations Incorporation Act was enacted to provide a simple and inexpensive means of incorporation for not-for-profit or charitable associations whose activities benefit communities across Queensland. Being an incorporated association provides charitable or not-for-profit associations with powers, benefits and responsibilities under law. Incorporation also means an association becomes legally separate from its members and allows an incorporated association to act in its own name, including owning property, entering into contracts and appearing in court.

Since 2012, the charitable sector has been regulated by both the state government and the national body, the Australian Charities and Not-for-profits Commission. There are around 22,660 associations incorporated in Queensland, of which an estimated 3,759 are also voluntarily registered with the Australian Charities and Not-for-profits Commission. In addition to those Australian Charities and Not-for-profits Commission voluntarily registered incorporated associations, there are approximately 3,220 entities registered under the Collections Act which, along with the incorporated associations, suffer the duplication of annual financial reporting requirements.

Both of the bills that I speak to today seek to amend and repeal existing Queensland law and to enact laws to clarify the operations and improve internal governance of cooperatives and incorporated associations. There are provisions contained in the Co-operatives National Law Bill 2020 to apply the cooperatives national regulations made under the cooperatives national law as a law of Queensland. Legislation is the only way to achieve the objective of modernising and improving the regulatory

framework for cooperatives, principally through nationally harmonised cooperatives laws. Specific benefits of creating nationally harmonised laws for cooperatives include a reduction in regulatory burdens, increased operational flexibility and consistency in cooperatives legislation across the Australian states and territories.

Provisions have been included in the Co-operatives National Law Bill to ensure the adoption of a nationally harmonised law does not infringe on Queensland's sovereignty and in no way detracts from the Queensland parliament's right to adopt new legislation or to make variations. The Co-operatives National Law Bill provides that Queensland may make local regulations about matters specific to Queensland, such as prescribing fees for registry services, and may modify the application of a national regulation in Queensland. The Co-operatives National Law Bill provides that the Supreme Court of Queensland and the Queensland Civil and Administrative Tribunal are the designated tribunals.

The bill to amend the cooperatives national law and the Associations Incorporation Act seeks to improve the internal governance of incorporated associations by providing guidance on how management committee members and officers of associations should meet governance obligations. I commend the bills to the House.