




Speech By
Peter Russo
MEMBER FOR TOOHEY

Record of Proceedings, 20 April 2021

COVID-19 EMERGENCY RESPONSE AND OTHER LEGISLATION AMENDMENT BILL

 **Mr RUSSO** (Toohey—ALP) (2.59 pm): The bill before us today follows on from two significant legislative reforms made in 2020 in response to the COVID-19 global pandemic. When the bill was introduced into the Legislative Assembly, by way of an agreed motion in this House the bill was declared urgent and referred to the committee on 11 March 2021. The committee in its report No. 6, which was tabled in this Assembly on 14 April 2021, recommended to the Assembly that the bill be passed. Whilst I would like to speak in support of the COVID-19 Emergency Response and Other Legislation Amendment Bill 2021, before going into the heart of my debate I would like to outline the objectives of the bill for the House.

The stated objectives of the bill are to: extend the operation of various legislative measures implemented to respond to the impacts of the COVID-19 public health emergency, to apply up to 30 September 2021 or an earlier date as prescribed, as required to support the ongoing response to the pandemic and its effects; allow local governments to decide, by resolution at a meeting other than a budget meeting, what rates and charges are to be levied for the 2021-22 financial year (including providing for decisions to be revisited later during the year); provide for various measures to facilitate the holding of local government by-elections and fresh elections in a way that helps minimise serious risks to the health and safety of persons caused by the COVID-19 public health emergency, including providing for a penalty infringement notice to be issued for certain electoral offences; and extend the operation of temporary local government and committee meeting provisions which allow for such meetings to be held via audio and/or audiovisual link, or to be closed to the public for health and safety reasons associated with COVID-19, and require real-time public viewing or listening to meetings where audiovisual links are used.

I would like to speak in support of the COVID-19 Emergency Response and Other Legislation Amendment Bill 2021. The bill before us today follows on from the two significant legislative reforms made in 2020 in response to the COVID-19 global pandemic. Here in Queensland we led the way when, on 29 January 2020, Queensland was the first state to declare a public health emergency. Our great state of Queensland would not be in the strong position it is today without the decisive and effective action taken by the Palaszczuk government early last year. Those actions not only saved lives; they saved jobs, they saved people's homes and they saved families. This is not to dismiss the hardship and heartache many of us faced last year. We all have stories and have heard stories about the many struggling people faced; however, this insidious virus has not finished.

We know that pandemics can be merciless killers. Research has shown the transmission of COVID-19 has been high, leading to an elevated and horrifying total world death toll. As of yesterday, 19 April, statistics show that globally there have been 141,057,106 confirmed cases of COVID-19, which includes approximately three million deaths. Globally, these confirmed cases increased by 14.14 per cent in the last reporting week; that is, approximately five million new confirmed cases in a single week.

Sadly, that is reflected in an increasing death rate as well. The same week showed an additional 83,305 deaths, which was a 7.98 per cent increase in deaths. These are sobering statistics and emphasise why this bill is vital for Queensland.

The response of the Palaszczuk government, the COVID-19 Emergency Response Act 2020, which was enacted in April 2020, included provisions to deal with the impacts of the COVID-19 emergency on the residential tenancy and rooming accommodation sector and facilitate the implementation of the national cabinet decision in relation to good faith leasing principles for relevant non-residential leases; and a legislative modification framework of general application across the statute book—the modification framework—allowing legislative requirements to be modified in a range of areas. The additional Justice and Other Legislation (COVID-19 Emergency Response) Amendment Act 2020 in December 2020 made temporary changes to substantive law in a number of portfolios.

This suite of legislative measures has been designed to ‘protect the health, safety and welfare of Queenslanders, mitigate the spread of COVID-19 in the community, and facilitate the continued functioning of Queensland’s institutions and economy to the extent possible’. It will require this further legislation to ensure the policy objectives under the COVID-19 Emergency Response Act and the instruments enacted under it, as well as the majority of amendments under the amendment act, to approve that an extension of these temporary powers will be available past 30 April 2021. Queensland continues to have an effective public health response to the evolving risks of the COVID-19 emergency; however, there is a need for a temporary legislative framework to facilitate Queensland’s successful functioning while uncertainty surrounds potential outbreaks of COVID-19 and the rapid and unpredictable imposition of restrictions remains.

The committee heard from stakeholders on the wideranging provisions that are addressed under the bill. The development of safe vaccines to fight COVID-19 was a crucial milestone in Queensland’s pandemic response. The staged rollout of the COVID-19 vaccines commenced in Queensland on 22 February 2021, although the presence of COVID-19 has not receded. There is a continued increase in confirmed COVID-19 cases worldwide and ongoing risks posed by the virus. The government has identified that there is a continued need for a temporary legislative framework to facilitate the state’s successful functioning while there is still uncertainty surrounding potential outbreaks of COVID-19 and there remains a rapid and unpredictable imposition of restrictions.

Consistent with the extended application of the public health legislative framework for responding to COVID-19, the bill proposes to support further COVID-19 related temporary measures relating to local government administration and elections. Overall, those stakeholders who addressed the proposed extension and associated amendments were generally supportive of the bill’s intent and recognised the importance of supporting affected businesses, organisations and individuals with a responsive legislative framework. The Queensland Law Society expressed general support for the bill and its retention of the necessary legislative head of power, which it described as ‘providing the flexibility needed to respond to the ongoing developments of the COVID-19 pandemic’. The QLS president also stated that while ‘there will always be an argument around the margins of some measures ... we think that on the whole the correct legislative balance has been struck’.

In addition, the QLS advised the committee that some of the measures also offered ‘a significant access to justice benefit’, including where they have supported the electronic signing and witnessing of certain documents. It was noted that—

Those things have meant that legal documents can be signed and executed in a way that allows people, especially those who are in isolation as people are at the moment or in regional and remote areas, to do legal business in a way that is still secure but is much cheaper and in a much more accessible way ... We have also seen the production of evidence in terms of materials like affidavits being able to be produced in that way and that seems to have been a positive from our members’ perspective in terms of the ability to be able to reduce costs in litigation and also to make litigation more accessible, even when people are disrupted or locked down, as we may find ourselves.

Among the amendments affected by the extension of the COVID-19 legislation expiry day are a series of provisions inserted in the Body Corporate and Community Management Act 1997 and Building Units and Group Titles Act 1980. I commend the bill to the House.