




Speech By
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MEMBER FOR HERVEY BAY

Record of Proceedings, 29 March 2022

SMALL BUSINESS COMMISSIONER BILL

 **Mr TANTARI** (Hervey Bay—ALP) (12.47 pm): I rise to support the Small Business Commissioner Bill before us today. Like the last two speakers, the member for Maryborough and the member for Mount Ommaney, I, too, previously worked in small businesses. I would like to put on the record that I dispute the comment made by the member for Mount Ommaney. The best small businesses in Queensland are in Hervey Bay.

My father worked in small business for a long time as well. For most of his working life he was a small business owner. He owned his small businesses a number of decades ago and during that time the regulation around small business was very difficult. I can recall as a young man speaking with my father about the difficulties he had when he went to deal and negotiate his leasing arrangements with particularly big business who owned those premises and how they more or less had the power. He felt that he was always behind the eight ball when it came to a negotiating situation.

It goes without saying that the importance small business plays in the everyday life of Queenslanders and the Hervey Bay community cannot be underestimated. Small business is the lifeblood of the economy on which Hervey Bay and, indeed, the rest of Queensland and Australia relies. Small business drives our future growth. It is estimated that nearly 449,000 small businesses operate in Queensland. Of those, 2,900 are in Hervey Bay which represents about 97.7 per cent of all businesses in Hervey Bay. Putting that into perspective, it is one small business for every 18.4 people in Hervey Bay. Small business generates \$120 billion per year in the Queensland economy and employs approximately 42 per cent of all private sector workers in Queensland.

This bill before the House is important in ensuring that small business owners get the support they need when working with the myriad of frameworks they need to operate under when doing their important business. The Small Business Commissioner is currently a temporary role. This bill, amongst other matters, enshrines the Small Business Commissioner as a permanent fixture in the small business landscape in Queensland.

Small business by its nature is by and large made up of mums and dads. By definition, a small business is one that has 20 workers or less, defined as non-employing, micro or small business. Because of the size and nature of most small businesses, access to assistance on matters related to small business is generally difficult to obtain, not because of the availability of information but because of the complexities of dealing in the small business regulatory space and, more importantly, because of their lack of time and money to seek support.

As part of the 2020 election, the Palaszczuk government committed to the permanent establishment of a Small Business Commissioner and supporting office. It also was a key initiative under the Big Plans for Small Business strategy, which was released in June 2021. The QSBC and supporting office was temporarily established in May 2020 to provide support for the small business sector impacted by the COVID-19 pandemic. We know the great job they did during that time. The act has been amended to extend the QSBC arrangements until the role can be permanently established under separate legislation, which is in line with the government's election commitment. Transitional

arrangements have been enacted which allow for the continuation of information, advice and dispute resolution services for small businesses to ensure there is no gap in support until the permanent QSBC is established. Prior to this, many small businesses were unable to resolve issues informally and quickly, with minimal support available to assist in achieving an early resolution. As a result, Queensland small businesses were often required to pursue more formal legal channels to resolve disputes than those in other states or to access national systems of support.

In my electorate of Hervey Bay, small business is paramount in driving the local economy on a number of key fronts: economically, by driving commercial activity and stimulating the local economy; jobs wise, by being a main driver on employment in our key sectors, like our tourism industries, our retail and our many commerce functions, like accountancy and financial advice and services; and through the many hundreds of various sector activities, be they business or social, that small businesses weave through the fabric of our community.

We have small businesses like 50's Diner which is on the Esplanade in Scarness. It is a great young family business which is making its way. Proprietors Ross and Kelly employ a number of locals and provide a great vibrant and active environment for locals and tourists alike. They have only just celebrated their first anniversary, and I must say that they were brave to take on a new small business during COVID. Ross and Kelly have negotiated their way through the pandemic. They have done all the right things by their community, although this at times was detrimental to their bottom line, let alone being personally stressful for them because of the behaviour of some of their potential clients.

Ross and Kelly lease their business and have to legally, and compliance wise, deal with the requirements of today's small business structures and still operate through their 12- to 16-hour days. As young business owners, they have enormous energy to achieve and to work for themselves, their family and their staff. When they are confronted by the challenges of the regulatory and legal framework system, they confront it head on and, as they did with the COVID-19 regulations, take it in their stride. They know that the Palaszczuk government is supporting them through their challenges by providing a service like the Small Business Commissioner and its office. This is a comfort and a backup for timely support and advice.

As mentioned, with this bill the QSBC will provide a central point of contact in relation to matters affecting small businesses. The QSBC will provide information and advisory services to the public about matters relating to small business as well as assist disputing parties to reach formal resolution, including by facilitating the exchange of information between parties. The QSBC will also provide alternative dispute resolution services and administer a dispute resolution process for small business disputes. It will also advocate on behalf of small businesses to the state, the Commonwealth, another state, local governments or any other entity involved in administering a matter related to small business.

As local members, we all know of incidents where small businesses, because of their limited size, have difficulties dealing with larger corporations and organisations when negotiating matters related to their particular circumstances. I mentioned this with the history of my own father, which was decades ago. It is great to know that in this current regulatory environment we have this legislation in place. The issues can be complex or they can be just run-of-the-mill disputes related to everyday business activities. One of the key areas of the bill that will assist small businesses will be by giving the QSBC the ability to work through with small businesses the many and varied areas of these disputes, particularly providing a front door for small business disputes in Queensland.

By its nature, the main focus of the bill is in the area of dispute resolution. Why is that? It is because we are finding more and more complexities of business arrangements between small businesses and large corporations becoming more litigant. Small businesses do not have the firepower associated with the major businesses, and the power imbalance between the two has grown somewhat over the decades and tilted towards larger corporations, which use this power imbalance to dominate the small business in a business partnership. This is not healthy for the small business owners, it is not healthy for business competition and it is definitely not healthy for the consumer in our small towns and cities in the regions. Having the Small Business Commissioner available to assist them during these disputes allows small businesses to balance the scales a little by giving them the assistance they need in these matters. The QSBC will provide a front door for all small business disputes in Queensland, and that is a much needed outcome for small businesses not only in Hervey Bay but across Queensland.

It is noted in the Education, Employment and Training Committee report No. 14 that stakeholders were unanimously in support of the permanent establishment of the Small Business Commissioner and were generally supportive of the elements of the proposed bill. There was consultation with many and varied individuals and peak industry bodies, and they all helped inform the permanent commissioner model that we are discussing here and enshrining in legislation with this bill. It goes without saying that this legislation has gone through its full process and the policy objectives contained in the bill give full effect to the government's election commitment to establish a permanent Small Business

Commissioner and supporting office. As recently as late last year, I had the pleasure of meeting the temporary Small Business Commissioner in Hervey Bay and I was able to talk with her about matters related to small business, particularly in regional and rural areas, and about what she saw as the longer-term outcomes of small business disputes and also about the role.

I congratulate the Education, Employment and Training Committee on its work on the bill, ably led by the chair of the committee, the member for Redlands, and the deputy chair, the member for Southern Downs. I also wish to acknowledge the work of other committee members for their contributions to the passage of this bill. I congratulate the Minister for Small Business for bringing this bill before the House because I think it is an important bill that is necessary to give support to small businesses Queensland wide to deal with a growing range of disputes and litigation in business generally. It also assists small businesses by giving new business owners in particular the support they need when they join the many hundreds of thousands of others who have put up their hands to work in a small business.

This Labor government has always been supportive of small business. Despite what those on the other side say, we have a record of supporting small business and we will continue to support our great small businesses in Queensland. I support the bill before the House.