




Speech By
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MEMBER FOR HERVEY BAY

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STATE PENALTIES ENFORCEMENT (MODERNISATION) AMENDMENT BILL

 **Mr TANTARI** (Hervey Bay—ALP) (2.59 pm): I rise in support of the State Penalties Enforcement (Modernisation) Amendment Bill. The main purpose of the bill is to give legislative effect to the integration into the Queensland Revenue Office of specified fine administration functions from the Department of Transport and Main Roads and the Queensland Police Service. The bill also makes amendments to modernise the State Penalties Enforcement Act and support effective administration of the State Penalties Enforcement Registry, known as SPER, within the Queensland Revenue Office. The bill also amends the Land Tax Act to ensure that trustees of special disability trusts are subject to more favourable tax-free thresholds and lower land tax rates that apply to individuals. The bill also amends the Residential Tenancies and Rooming Accommodation Act to provide a transparent and stable funding model for the Residential Tenancies Authority, or the RTA as we know it.

The bill also includes other amendments to various acts which modernise the confidentiality provisions. The bill amends the SPE Act and the SPER regulation, the SPEA Act and the Transport Operations (Road Use Management) Act and the Traffic Regulation. These amendments will integrate fine administration functions from the DTMR and the QPS into the Queensland Revenue Office. The Palaszczuk government is doing this to ensure enforcement action can be taken consistently and in a timely manner, with data showing that the longer a fine sits on the books unpaid the harder it is to collect. The amendments will generally commence on 1 July 2022 to ensure an orderly transition from the current arrangements. Amendments relating to mobile phone and seatbelt camera detected offences will commence on 30 November 2022 reflecting the deferred integration of functions related to these offences.

I would like to focus my contribution on a number of key areas of the changes to the bill to refute the conspiratorial narrative being peddled by members on the other side. I refer to the part of the bill that amends the Residential Tenancies and Rooming Accommodation Act to provide a transparent and stable funding model for the RTA to continue to deliver services and ensure the security of rental bonds held.

It is important to note that the RTA's current funding model established under the RTRA Act provides that the RTA funds its operations from income from investment returns on the rental bonds held by Queensland tenants. The current funding model was established when returns on low-risk investments, that being cash term deposits and bonds, were sufficient to provide a stable and predictable source of revenue for the RTA.

It is important to understand that in recent years returns on low-risk investments have reduced significantly. In response, the RTA increased its exposure to high-risk investments. This exposure to high-risk investments has led to investment losses which the RTA has experienced on several occasions. This in turn has created uncertainty for the RTA's operations.

Fundamentally, the new funding model, which includes rental bonds held by the RTA, will be held within the whole-of-government banking arrangements. The RTA will not earn any interest on the rental bond account. The RTA will be provided with ongoing annual grant funding from 2022-23 to fund its

operations. This means that instead of relying on investment returns to fund its operations, the RTA will be funded through a stable, ongoing, annual operation grant and be able to focus on delivering its core services. In asking a question to the Queensland Treasury regarding this particular element of the bill during the public hearings—that is right, there was consultation on the bill even though those on the other side are saying there was not—

Mr Mickelberg: It's the peak bodies that say there wasn't.

Mr TANTARI: That's right, mate. Queensland Treasury said that this funding model was more reliable to ensure that the RTA had ongoing funds to ensure the viability of the operation into the future by avoiding higher risk investments. That is the Queensland Treasury saying that; it is not hearsay that comes from the other side. This will ensure the RTA is able to continue to deliver essential services and support to the rental sector without being concerned about the impact of volatile investment markets.

Let us make it clear, without all the scaremongering that goes on on the other side: there will be no impact on the authority's operations, powers or core functions and no jobs will be lost due to these reforms. These changes will not impact renters or landlords. I will repeat that—they will not impact renters or landlords. There will be no change to the way renters and landlords interact with the authority with all services, including those related to the payment, redemption and holding of rental bonds remaining unchanged. Rental bonds will continue to be received by the RTA, held by the RTA and paid by the RTA. However, they will no longer be invested in financial markets. They will instead be secured in a bank account. This model ensures that the RTA is adequately funded.

A further element of the bill, which I think all of us here in this place should be in full support of, is the treatment of special disability trusts. A special disability trust assists immediate family members and carers to define the current and future care and accommodation needs of family members with severe disability and means test concessions. The land tax imposes land tax at midnight on 30 June each year. Different tax-free thresholds and rates apply depending on the type of owner. Individuals, excluding absentees, are generally assessed for land tax at lower rates and subject to a higher tax-free threshold compared to absentees, companies and trustees. However, certain trustees are assessed for land tax at the threshold and rates that apply to individuals. This beneficial treatment is currently limited to trustees for bankrupt persons and trustees for incapacitated persons whose estate is being managed by the Public Trustee. This is not currently available to trustees of a special disability trust. I think it is important to note that. Special disability trusts are established under the Commonwealth law to provide for the care and accommodation needs of profoundly disabled beneficiaries. Special disability trusts attract a number of benefits under Commonwealth and state revenue law to further their primary purpose.

This bill amends the Land Tax Act to ensure that the trustees of a special disability trusts are subject to the higher tax-free threshold and lower land tax that currently apply to individuals. This will ensure that all known special disability trusts will effectively not pay land tax. This is a great outcome for those who look after the most vulnerable in our community, in particular to provide funding for current and future care and accommodation of a family member with a severe disability. I think this is a great outcome. I thank the government for this change in the legislation that brings this area into line and ensures that anybody who must manage and use a special disability trust to support those most vulnerable in our community will have an outcome that is far better when it comes to tax-free thresholds and land tax rates that apply in this instance.

One other area of the bill amends the SPE Act to expressly authorise the registrar to disclose personal information of a SPER debtor to an entity where such information is contained in a court order that has been registered with SPER for endorsement and the disclosure is for the purposes of remitting an amount collected under court order to the entity. Currently, once SPER has collected a fine issued by a court it is required to transfer the money without providing any identifying information. For organisations such as the RSPCA it is quite time intensive and expensive to work out which fines the money they have transferred to them is for. This change would allow SPER to provide identifying information to organisations such as the RSPCA.

This bill, with all its amendments, went before the Economics and Governance Committee. I would like to thank the secretariat for their diligent work in ensuring the review of this bill through the committee. Contrary to what the member for Toowoomba South said earlier in the debate, consultation did take place. The committee did hear from witnesses, including the REIQ, which, by the way, were listed in the report if he had bothered to read it.

Opposition members interjected.

Mr TANTARI: It was actually in the report. He said that the REIQ did not have time to actually come to the public hearing. They were listed in the report.

Mr Mickelberg interjected.

Mr TANTARI: No, mate. In conclusion I thank the Economics and Governance Committee chair and member for Logan, the member for Mermaid Beach and all other members who worked through the various amendments of the bill. I would also like to thank the submitters and those who presented to the public hearing, as well as officials from the Public Service departments who shed light on questions that committee members had regarding this bill. I commend the bill to the House.

Mr DEPUTY SPEAKER (Mr Lister): Before I call the member for Ninderry I will remind the House of those members who have been warned: the members for Gympie, Kawana, Bonney, Broadwater and Thuringowa.