




Speech By
Dr Christian Rowan

MEMBER FOR MOGGILL

Record of Proceedings, 16 March 2022

SMALL BUSINESS COMMISSIONER BILL

 **Dr ROWAN** (Moggill—LNP) (6.35 pm): I rise to address the Small Business Commissioner Bill 2021. This legislation before the Queensland parliament, and as articulated via the explanatory notes, seeks to give effect to the Queensland government's commitments to permanently establish the Queensland Small Business Commissioner and a supporting office. In addition, this legislation provides a statutory basis for the commissioner's dispute resolution functions relating to retail tenancy disputes and enables mediation for commercial leasing and small business franchise disputes on an opt-in basis only. It is worth noting also that this legislation will, in effect, cease the operation of the temporary commissioner on commencement of the permanent Small Business Commissioner and, in doing so, will provide for the transition of the commissioner's role from being one of managing and responding to COVID-19 impacts to a role with a wider scope to support small business.

As articulated by the LNP's shadow minister for small and family business, the Liberal National Party will not be opposing this legislation. Indeed, the LNP opposition acknowledges the positive role that the existing Small Business Commissioner has played to date. That is why the Liberal National Party is determined to ensure that the position of a permanent Small Business Commissioner is appropriately supported, with the power and independence required to ensure that the Labor state government treats small businesses fairly. To that end, there are a number of concerns that pertain to this legislation which warrant immediate attention, which is why the Liberal National Party will be moving the amendments as circulated by the LNP's shadow minister for small and family business.

Perhaps one of the most concerning aspects of this legislation is the level of degree to which the Small Business Commissioner will be independent of the state government. As the legislation allows for the minister to give a written direction, a number of submitters to the Education, Employment and Training Committee highlighted their concerns, including—

To truly advocate on behalf of business is likely to be a challenge for the office, given that it is a body that reports to the Minister.

Further, the Australian Small Business and Family Enterprise Ombudsman submitted—

The concern with the ministerial direction power is that it might be used to guide the commissioner away from subject matter that might be awkward or difficult for government of the day.

In response to these concerns, the committee was advised by the Department of Employment, Small Business and Training—

Under Clause 17(3), the Commissioner will be required to include details in its annual report of any Ministerial direction during the financial year, and the actions taken by the Commissioner as a result of the direction.

Given the integrity and accountability crisis that is engulfing the state Labor government, Queenslanders have every right to question the real independence that will be granted to the Small Business Commissioner under the legislation as it is currently proposed. This is particularly true given the serious allegations of previous interference and altering of annual reports provided to the Labor state government.

This legislation is full of missed opportunities which could have brought further protections and support for small businesses. However, this is not surprising given the Palaszczuk state Labor government's inability to understand the needs of small and family businesses, let alone even consult with the small business sector. Nowhere has this been more evident than throughout the COVID-19 pandemic, where small businesses across Queensland have been crying out for economic support.

As the Liberal National Party's shadow minister for education, and following the release of the Labor government's return-to-school plan, I was contacted by a number of business owners who provide and organise school camps, outdoor activities and associated services for Queensland schools. Whilst I acknowledge and accept the expert health advice in relation to the suspension of all school camps from the commencement of term 1, the decision had serious repercussions for these providers at the time who received no consultation or consideration prior to the state government's announcement.

Each year, the first term of school is the equivalent of the Christmas trading season for this industry, and the Labor government's decision, with no economic support and no understanding of the job implications, has had a devastating and negative financial impact on these providers and businesses at the time. The desperate pleas of this business sector for support from the Palaszczuk state Labor government have been absolutely ignored, as evidenced during the last sitting week when the Labor Minister for Education, in response to a question without notice, told this House—

I have not had too many complaints about our back-to-school policy. I have not had condemnation about what we did. The system is working extremely well.

Such a statement has been reported to me by camp businesses right across Queensland as being insulting given the economic hardship they have experienced as small business owners and operations.

In my remaining time I wish to acknowledge the incredibly challenging circumstances that local small and family businesses in my electorate of Moggill have had endure, especially over the last two years of the COVID-19 health pandemic. There are many small business owners and operators including: Lance and Christine Zhou from Plum Cafe; Jamie Stewart from Cafe Bliss; Reagan Nongkhlaw and Urvik Bhalani from Method to the Madness Cafe; Colin Hobson and Tamara Ward from MoccaBella Cafe at Bellbowrie; Russell and Tracy Thompson from the Mount Crosby Post Office, General Store & Cafe; and Eric Samra at Karana Downs.

All of these small business owners and operators have had to face significant challenges throughout the COVID pandemic. I certainly acknowledge them and many other small business owners and operators for what they have had to endure given the circumstances of the health pandemic and the restrictions that had to be enacted, which were necessary to control the community transmission of COVID. There were certainly significant impacts for them, for their small businesses and for those who worked within those businesses.

Through countless and regular visits that I have undertaken and continue to undertake with local small and family businesses, as well as through my active involvement with both the Brisbane West Chamber of Commerce and the Brisbane Inner West Chamber of Commerce, I constantly receive feedback about just how devastating the Palaszczuk state Labor government's lack of interest and economic support has been over the last two years when compared with other state jurisdictions. As the local state member for Moggill, I also want to take this opportunity to acknowledge the amazing resilience and determination of business owners and their employees to persevere in the face of devastating economic impacts, coupled with, as I have said, a noticeable lack of targeted financial support by the Palaszczuk state Labor government for the small business sector.

It is so imperative that small businesses in the electorate of Moggill and across the western suburbs of Brisbane—and, indeed, throughout the state of Queensland—are given every support possible to rebuild and recover from the COVID-19 health pandemic and the associated economic circumstances. After two years of economic hardship and heartache, Queensland's small and family businesses deserve nothing less.

There is also no doubt that there has been a mental health impact in this sector. Being a member of the Mental Health Select Committee, we heard testimony in relation to the business sector on one of our regional visits to Bundaberg. Information was provided by some of the submitters there back to committee. I am sure, without pre-empting the determinations and deliberations of the committee, there is concern as to those impacts in that sector, let alone what is being experienced by Queenslanders in various areas, whether that be here in Brisbane or across rural, regional and remote Queensland.

Finally, I thank all submitters who contributed to the Education, Employment and Training Committee's consideration of this legislation and also the secretariat for the work they do. I also acknowledge all committee members on that parliamentary committee including the deputy chair, the LNP's member for Southern Downs, and the LNP's member for Theodore.