




Speech By  
**Peter Russo**  
**MEMBER FOR TOOHEY**

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Record of Proceedings, 29 March 2022


### **SMALL BUSINESS COMMISSIONER BILL**

 **Mr RUSSO** (Toohey—ALP) (12.57 pm): I rise to speak in support of the Small Business Commissioner Bill 2021. The Small Business Commissioner Bill was introduced into the Legislative Assembly and referred to the Education, Employment and Training Committee on 12 October 2021. The objectives of the bill are: to give effect to the Queensland government's commitments to permanently establish a Queensland Small Business Commissioner and a supporting office; to provide a statutory basis for the commissioner's dispute resolution functions relating to retail tenancy disputes and enable mediation for commercial leasing and small business franchise disputes on an opt-in basis only; and to cease the operation of the temporary commissioner on commencement of the permanent commissioner, including transitioning the temporary commissioner role from its previous arrangements focused primarily on managing and responding to COVID-19 impacts to a role with wider application to support small businesses.

The committee, in its report No. 14 which was tabled in the Assembly on 26 November, has recommended to the Assembly that the bill be passed. The committee consulted widely with a range of peak bodies—which was further to the consultation that had been previously undertaken in preparation for this bill—with small business commissioners from other Australian jurisdictions as well as with the Australian Small Business and Family Enterprise Ombudsman.

It is clear to all here in this Assembly that COVID-19 has had far-reaching implications, some of which were foreseen and acted upon and some of which were foreseen but not acted upon. Members on the other side should hang their heads in shame that Queenslanders were left without rapid antigen tests because their LNP federal colleagues did not listen to the expert advice which said that, as we transitioned out of this global pandemic, testing methods such as rapid antigen tests would be vital. Here in Queensland our government listens. We consult, we listen and we act. The National Cabinet endorsed the national code to apply to all tenancies that were suffering financial stress or hardship as a result of the COVID-19 pandemic, as defined by the eligibility for the Commonwealth government's JobKeeper program.

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 **Mr RUSSO** (Toohey—ALP) (3.00 pm), continuing: A part of Queensland's approach to the COVID pandemic was to establish a temporary Small Business Commissioner. This role was established to deliver advocacy and dispute resolution functions for Queensland small businesses. Prior to the appointment of the temporary Small Business Commissioner, Queensland small businesses faced the hurdles of negotiating multiple pathways in the dispute resolution process. Clearly, this was an added burden on small business owners who, at that time, were struggling with many issues.

There were so many stories that I heard from small businesses from my community who were hurting. Some of the businesses I met with were: Crank Climbing, Chipmunks MacGregor, Sunny Florist, Thomas Meat, Grace Education, iThai Restaurant, Brisbane Spine Clinic, Zarraffa's Coffee in

Sunnybank Plaza, Trailer Trash Tattoo, the Boxing Shop, A & K Costume Hire and even the Runcorn IGA. You can tell from the range of businesses I have just mentioned that the burdens were being felt across the small business sector and not by just one sector.

I heard how the small business grants received would be used to pay staff, pay the rent, pay bills, such as electricity, and allow some businesses to reinvent themselves through an online presence. These grants gave hope and, for some, a way out from, at least, some of their struggles.

A linchpin for the sector to have the ability to recover was the Office of the Small Business Commissioner. I am sure the team at the Office of the Small Business Commissioner received many calls. This new, albeit, temporary appointment clearly worked well, and our government saw the many benefits resulting from this avenue of assistance to small business. This led to inquiring into appointing a permanent Small Business Commissioner.

The bill we are debating today broadly provides for an advocacy role for the commissioner on behalf of small business to the state, the Commonwealth, other state and local governments or any other entity involved in administering a matter relevant to small business. The proposed act further allowed for other activities to be carried out by the commissioner at the direction of the minister. It was important that the functions of the commissioner in the bill be sufficiently broad to avoid inadvertently narrowing the scope of the commissioner's functions. The commissioner is not intended to replace the valued input and advice from industry stakeholders which will still continue to inform the development of the government's small business policy and program activities.

Concerns were raised with the committee about the independence of the commissioner's role in response to the proposal to allow for activities to be undertaken at the direction of the minister. I assure members that these concerns are unfounded and that, under the bill, the commissioner operates independently with the appropriate level of oversight. This provides a balance between the commissioner carrying out the role and functions impartially and public accountability and transparency. The department's explanation clarified that this was to increase the commissioner's responsiveness to emerging issues as needed. Further, the bill requires the commissioner to include details in its annual report of any ministerial directions it has received during the financial reporting year. This provides for public transparency and accountability.

There were many small business owners who contacted me when the first lockdowns to slow down the spread of COVID-19 were introduced. They were worried; they were stressed. This worry and stress was not only for themselves but for their staff. Many wanted to keep their staff and were looking for all means to be able to do so. They were also worried about how to pay the bills and how to keep their businesses open. Small businesses were struggling. These were real people struggling.

The Brisbane South Small Business Roadshow held in my electorate was very well attended. They wanted to hear from the minister and they wanted to find out more about how the Small Business Commissioner could help them. They wanted help and to know their government would help them. I know the roadshow was appreciated by our small businesses on the south side. The lived experiences of the small business owners from the south side of Brisbane showed that people wanted to be helped, and this was a solution they were looking for.

The establishment of a Small Business Commissioner for Queensland in a permanent role is another example of how our government listens and acts. I commend the bill to the House.