




Speech By
Nigel Hutton

MEMBER FOR KEPPEL

Record of Proceedings, 14 March 2025

TRUSTS BILL

 **Mr HUTTON** (Keppel—LNP) (8.54 pm): I would like to firstly acknowledge the Attorney-General, as well as the member for Nicklin and the entire committee for their efforts. I have to acknowledge that when I was speaking to members of my community in Emu Park about what was coming up in parliament in the current fortnight and mentioned the Trusts Bill, I honestly did not think there would be that many people who would know what we were talking about. I was amazed and surprised to find out that there are people from all walks of life who have trusts and are beneficiaries of trusts. It encouraged me to understand that this piece of legislation that seemed, for me—a first-time MP who has not had very long in this place—almost innocuous can be very important to so many members of our community. This encouraged me to want to speak to this bill.

The Trusts Bill 2025 provides a fresh start to all Queenslanders who have a trust, all Queenslanders who are a trustee and all Queenslanders who are a beneficiary of a trust because, ultimately, we know that trusts are used in everyday life in Queensland for myriad purposes. Trusts are used to protect or preserve assets within families; trusts help manage donations given to charitable causes; trusts can be used to help organise tax obligations; and some trusts are used to provide future security for children or family with impaired decision-making capability—a very important cause and something that justifies why we should invest our time in making sure we get this right.

The current Trusts Act was introduced in 1973 and, with limited modification, has lasted more than 50 years. The Trust Bill 2025 will replace the act and make sure that trusts for Queenslanders—trusts for families with young children, trusts for people who may be disabled, trusts for people looking to manage their tax obligations, manage donations to charitable causes and preserve assets for their families—meet the needs of Queenslanders in the 21st century.

This bill has been a long time coming. The committee report listed that the Queensland Law Reform Commission, the QLRC, first conducted a comprehensive review of the Trusts Act in 2012, then again in 2013, with a view to starting off the process for reforming the act. The QLRC, after extensive consultation with stakeholders—engaging people across the state from the sector as well as from the community—recommended that we needed to replace the Trusts Act 1973 with new legislation. Ten years later, the former Labor government introduced the Trusts Bill 2024, with the intention of modernising this act; however, unfortunately, it was never passed. I acknowledge the work of former committees in the last term and thank the Justice, Integrity and Community Safety Committee, which provided its report with just one recommendation to the House: pass the bill.

Acknowledging the complexity of trusts, it is important that in the bill there is 12 months invested in preparing Queenslanders for the changes, to make sure that people using trusts for charitable purposes, to meet taxation obligations or to provide security for children or people with impaired decision-making capability within their families have the advantage of understanding them and ensuring they are well set up to meet their needs into the future. I commend this bill to the House. I commend the Crisafulli government for bringing about these long overdue reforms.