




Speech By
Terry James

MEMBER FOR MULGRAVE

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ELECTRICAL SAFETY AND OTHER LEGISLATION AMENDMENT BILL

 **Mr JAMES** (Mulgrave—LNP) (4.09 pm): I rise to speak in support of the Electrical Safety and Other Legislation Amendment Bill 2025. This bill represents a significant step forward in protecting the health and wellbeing of all Queenslanders. By updating and strengthening our electrical safety laws, we are ensuring that our regulatory framework keeps pace with modern challenges. In addition, the bill refines various aspects of our work health and safety legislation, aiming to restore productivity across Queensland's workplaces. Importantly, it also seeks to address and eliminate systemic misconduct and bullying, with a particular focus on the conduct of the CFMEU.

For these reasons, the Crisafulli government is taking decisive action to repeal Labor's information-sharing laws. These laws would have allowed unions, particularly the CFMEU, to directly obtain compliance and enforcement information from the regulator. The concern is that this information could then be used to harass and intimidate both employers and workers, undermining the intended safety outcomes.

Under the provisions of Labor's information-sharing laws, union officials holding entry permits and health and safety representatives were able to request that the regulator supply them with enforcement and compliance notices issued to businesses. This included a range of notices such as improvement notices, prohibition notices and non-disturbance notices. Labor's laws effectively enabled the CFMEU to collect enforcement information on businesses stretching back decades. In practice, this served little purpose in improving worksite safety and was regarded as unjustified, potentially placing undue pressure on employers and workers alike.

As someone who has been involved in the building industry my entire working life, I understand the importance of electrical safety. The bill has two principal policy objectives. First, it seeks to ensure that Queensland's electrical safety framework continues to protect people and property by reducing and, wherever possible, eliminating electrical risks. Second, it seeks to reduce unnecessary red tape for the regulator and bring Queensland's approach in line with other Australian jurisdictions, particularly with regard to the way information is provided to health and safety representatives and workplace entry permit holders.

The cornerstone of our electrical safety laws—the Electrical Safety Act 2002—is designed to prevent the tragic consequences that can arise from unsafe electrical equipment, like injury, death or property damage. This act provides a robust framework that has served Queenslanders well for over two decades. A key element of this framework is the ability for electricity entities to issue electrical equipment defect notices. These notices are a practical tool used by electricity distributors, such as Energex and Ergon Energy, to alert property owners and occupiers when equipment is found to be unsafe—be it a damaged power point or a faulty switchboard.

If the person in control of the equipment does not address the defect after receiving a notice, they can face significant penalties of up to 40 penalty units. This process is not new; in fact, it has been the longstanding practice since the act commenced in 2002. Nevertheless, there has been uncertainty

about whether the act clearly authorises electricity entities to issue such notices. The bill addresses this by amending both the act and its regulation to explicitly provide the head of power for electricity entities to continue this important role. The bill also validates any past notices issued in good faith, ensuring past actions remain effective and above board.

The bill also strengthens the regulator's powers when it comes to unsafe electrical equipment. Currently, the regulator can prohibit the sale or use of equipment deemed unsafe, but this is done through the regulation and lacks the clarity and certainty required for such a significant power. We are elevating this power from the regulation to the act itself, modernising the framework and providing more transparency and certainty for all parties.

The amendments clarify that the regulator can prohibit not only the sale and use but also the installation of unsafe equipment. The bill also sets out grounds for issuing such directions, ensuring due process and limiting prohibitions to a maximum of 10 years, unless otherwise stated. Importantly, the decision to issue an unsafe equipment direction remains with the regulator personally and cannot be delegated, reflecting the seriousness of this power. Those affected will have the right to seek external review through the Queensland Civil and Administrative Tribunal, ensuring natural justice. Transitional arrangements in the bill mean that any existing prohibitions—seven in total have been gazetted since 2013—will continue to have effect for another 10 years, so there is no gap in protections as we move to this new framework.

Turning to work health and safety, the bill addresses an issue that arose from recent reforms. In the Work Health and Safety and Other Legislation Amendment Act 2024 a new provision was introduced, but not yet commenced, which would have allowed health and safety representatives and workplace entry permit holders to request particular information directly from the regulator. While well-intentioned, attempts to operationalise this reform revealed that it would create substantial administrative burdens and had insufficient safeguards, such as no limits on the number or grounds for requests and a manual review process that could not be automated.

Crucially, this additional avenue is not available in other states or territories and it risks creating inconsistency and inefficiency. The bill, therefore, removes this provision before it can commence, ensuring our laws remain streamlined and aligned with the rest of Australia. This amendment does not affect the existing rights of health and safety representatives or entry permit holders to access information under the Work Health and Safety Act. They will continue to have access to all relevant information through existing mechanisms which already provide for sharing of notices, reports and other critical documents.

In summary, the Electrical Safety and Other Legislation Amendment Bill 2025 will achieve its objectives by: providing clear legislative authority for electrical entities to issue defect notices, maintaining a vital practice that protects Queenslanders from electrical hazards; modernising and elevating the regulator's powers to prohibit unsafe electrical equipment, ensuring decisions are made transparently and with proper avenues for review; removing unnecessary red tape and aligning our work health and safety information-sharing provisions with those in place across the rest of the country; and making a number of minor and technical amendments to ensure the effective operation and clarity of our safety laws. These changes will contribute to safer homes, workplaces and public spaces throughout Queensland, while also reducing unnecessary administrative burdens on our regulators and keeping our laws practical and effective. I commend the bill to the House.