

**Transport Operations  
(Road Use Management)  
(Offensive Advertising)  
Amendment Bill 2016**

**Report No. 33, 55<sup>th</sup> Parliament**

**Transportation and Utilities Committee**

**February 2017**

## Transportation and Utilities Committee

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### Acknowledgements

The committee acknowledges the assistance provided by the Department of Transport and Main Roads.

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## Abbreviations

AANA	Australian Association of National Advertisers
ASB	Australian Standards Bureau
Bill	Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016
committee	Transportation and Utilities Committee
Code of Ethics	Code of Ethics for advertisers
CEO	Chief Executive Officer
DTMR	Department of Transport and Main Roads
FLPs	Fundamental Legislative Principles
HCSC	Health and Community Services Committee
JR Act	<i>Judicial Review Act 1991</i>
IR	Independent Reviewer
LSA	<i>Legislative Standards Act 1992</i>
Minister	Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply
OQPC	Office of the Queensland Parliamentary Counsel
Premier	Premier and Minister for the Arts
RACQ	Royal Automobile Club of Queensland
SLC	Scrutiny of Legislation Committee
Standards Board	Australian Standards Board

## Chair's foreword

This Report presents a summary of the Transportation and Utilities Committee's examination of the Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016.

The committee's task was to consider the policy outcomes to be achieved by the legislation, as well as the application of fundamental legislative principles – that is, to consider whether the Bill had sufficient regard to the rights and liberties of individuals, and to the institution of Parliament.

A number of stakeholders made suggestions about other strategies that could be employed to minimise the amount of offensive advertising in Queensland. However, given some of these strategies are outside the scope of the committee's portfolio responsibilities, the Report acknowledges the non-transport related proposals from submitters and focuses on the transport-related proposals.

On behalf of the committee, I thank those individuals and organisations who lodged written submissions on the Bill. I also thank the committee secretariat and the Department of Transport and Main Roads.

I was pleased that the committee was able to agree on the recommendations in this Report unanimously.

I commend this Report to the House.



Shane King MP

**Chair**

## Recommendations

**Recommendation 1** **2**

The committee recommends the Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016 be passed.

**Recommendation 2** **12**

The committee recommends the Minister consider introducing a requirement that all Queensland hire vehicles that are more than five years old have a current roadworthy (safety) certificate.

## 1. Introduction

### 1.1 Role of the committee

The Transportation and Utilities Committee (committee) is a portfolio committee of the Legislative Assembly which commenced on 27 March 2015<sup>1</sup> under the *Parliament of Queensland Act 2001* and the Standing Rules and Orders of the Legislative Assembly.<sup>2</sup>

The committee's primary areas of responsibility are:

- Main Roads, Road Safety, Ports, Energy and Water Supply, and
- Transport and the Commonwealth Games.

Section 93(1) of the *Parliament of Queensland Act 2001* provided that a portfolio committee is responsible for examining each bill and item of subordinate legislation in its portfolio areas to consider:

- the policy to be given effect by the legislation
- the application of fundamental legislative principles, and
- for subordinate legislation – its lawfulness.

On 8 November 2016, the Hon Mark Bailey MP, the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply (the Minister) introduced the Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016 (Bill) and the Bill was referred to the committee. In accordance with the Standing Orders, the Committee of the Legislative Assembly required the committee to report on the Bill by 2 February 2017.

### 1.2 Inquiry process

On 9 November 2016, the committee wrote to the Department of Transport and Main Roads (DTMR) seeking advice on the Bill, and invited stakeholders and subscribers to lodge written submissions.

The committee received 11 submissions (see Appendix A). On 28 November 2016, the committee received written advice from DTMR in response to matters raised in submissions. The committee also received answers to Questions taken on Notice at the public briefing and hearing on 5 December 2016.

The committee held a public briefing with DTMR and a public hearing on 30 November 2016 (see Appendices B and C).

### 1.3 Policy objectives of the Bill

The Bill's objective is to minimise the amount of offensive advertising on Queensland registered vehicles by allowing the chief executive of DTMR to cancel a vehicle's registration to enforce the Advertising Standards Board (Standards Board) determinations.

### 1.4 Consultation on the Bill

As set out in the explanatory notes, the following consultation was undertaken:

- in July 2016, the Attorney-General and Minister for Justice and Minister for Training and Skills announced the government's intention to introduce legislation to regulate offensive advertising on vehicles and to provide legislative support to determinations of the Standards Board, which reportedly received widespread support in the media, including from the Royal

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<sup>1</sup> Commenced as the Utilities, Science and Innovation Committee on 27 March 2015 with its name and portfolio responsibilities changing on 18 February 2016.

<sup>2</sup> *Parliament of Queensland Act 2001*, section 88 and Standing Order 194.

Automobile Club of Queensland (RACQ), the Australian Standards Bureau (ASB) and the peak advertising industry body, the Australian Association of National Advertisers (AANA)

- ongoing consultation with the ASB during the development of the legislation, which is supportive of the approach contained in the Bill
- the Motor Accident Insurance Commission has been consulted and has notified the Heads of Motor Accident Insurance Schemes about the proposal, and
- all relevant government agencies support the proposal.<sup>3</sup>

In its submission, the ASB confirmed its involvement in the development of the Bill:

*... the Bureau [ASB] has been working with the Queensland Government for some time to find a way to support Standards Board determinations in relation to vehicles with offensive slogans and images in Queensland.*

*The Bureau has consulted with the Queensland government during the development of the legislation...*<sup>4</sup>

### **1.5 Outcome of committee consideration**

Standing Order 132(1) requires the committee to determine whether to recommend the Bill be passed.

After examination of the Bill, including the policy objectives that it will achieve and consideration of the information provided by DTMR and from stakeholders, the committee recommends that this Bill be passed.

#### **Recommendation 1**

The committee recommends the Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016 be passed.

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<sup>3</sup> Explanatory notes, p 4.

<sup>4</sup> Submission 5, p 2.

## 2. Examination of the Bill

This section discusses issues raised during the committee's examination of the Bill.

### 2.1 Background to the Bill

#### 2.1.1 Advertising on vehicles

DTMR advised:

- advertising on vehicles is a type of outdoor advertising that is generally regarded as a very effective marketing and communication tool
- this type of advertising can be viewed in the public domain and potentially reach a wide number and range of people, including children, and
- unlike other forms of advertising, being visible by all consumers means that exposure to this type of advertising cannot be avoided or turned off.<sup>5</sup>

Advertising, including advertising on vehicles, is self-regulated by the advertising industry. The AANA has developed the [Code of Ethics](#) with which the advertising industry voluntarily agrees to be bound. These rules are detailed in a number of Codes and industry initiatives that are based on the belief that advertisements should be legal, decent, honest and truthful and be prepared with a sense of obligation to the consumer and society and a sense of fairness and responsibility to competitors.<sup>6</sup>

The explanatory notes advised that while most advertisers do the right thing, there are occasions where advertisements are placed on vehicles that is sexist, discriminatory or otherwise offensive to members of the community.<sup>7</sup>

The media has reported that Wicked Campers, a van rental business based in Queensland, is widely known for having inappropriate and crude slogans on their vehicles, and has been the subject of several complaints to the ASB and the focus of community led campaigns to remove such slogans on their vehicles.<sup>8</sup> Public awareness and outrage about these slogans became widespread following a campaign against Wicked Campers in 2014 when a Sydney mother noticed a slogan on a van that said: 'In every princess, there's a little slut who wants to try it just once'. A protest petition with 127,193 signatures was presented to Wicked Campers, prompting an apology from Wicked Campers, removal of the slogan in question and a commitment over the coming six months to changing slogans of an insensitive nature.<sup>9</sup> The committee was advised at the public hearing that this campaign inspired the formation of Wicked Pickets, whose specific intention is to campaign against slogans on Wicked Campers' vehicles that vilify women and girls.<sup>10</sup>

Complaints about inappropriate outdoor advertising, including advertising on vehicles, has been the focus of past inquiries by Commonwealth and state Parliaments.<sup>11</sup> The most recent inquiry was in 2014 by the former Health and Community Services Committee (HCSC) [Report No. 36 Inquiry into sexually explicit outdoor advertising](#), which recommended the then Queensland Government adopt a co-regulatory approach to advertising complaints management, with government enforcement of Standards Board determinations.

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<sup>5</sup> Explanatory notes, p 1; Public briefing transcript, 30 November 2016, p 2.

<sup>6</sup> The Australian Association of National Advertisers, <http://aana.com.au/self-regulation/codes/>

<sup>7</sup> Explanatory notes, p 1.

<sup>8</sup> News.Com, 21 July 2016: [Offensive wicked campers to be banned in Qld under new govt plan](#)

<sup>9</sup> ABC News, 16 July 2014, [Wicked campers apologises for controversial van slogan](#)

<sup>10</sup> Public hearing transcript, 30 November 2016, pp 9-10.

<sup>11</sup> Public briefing transcript, 30 November 2016, p 1.

The Queensland Government response in July 2014 stated:

- the current system was mostly effective in regulating advertisers with only a few advertisers who did not comply with determinations, and
- with respect to those advertisers who do not comply, the Government would investigate options for the enforcement of Standards Board determinations.<sup>12</sup>

On 5 December 2016 the Victorian Government released a wide-ranging, gender equality strategy paper 'Safe and Strong', which sets out a 10-year vision, with measurable goals and progressive targets and includes options to target inappropriate advertising, including advertisements on vehicles that vilify and demean women.<sup>13</sup>

### 2.1.2 Complaints about offensive advertising on vehicles

Complaints about breaches of the Code of Ethics are made to the ASB, an independent body responsible for administering the complaints resolution component of the advertising self-regulation system established by the AANA. Complaints accepted by the ASB are referred to the Standards Board, an independent board comprised of 20 people of varying ages, occupations and backgrounds and gender to represent the diversity of Australian society.<sup>14</sup> The Standards Board considers the complaint and advises the advertiser and complainant of their determination. A complaint to the ASB involves the following process:

- a person makes a written complaint to the ASB
- the ASB assesses the complaint to determine whether it is within its scope, i.e., must be defined in the Code of Ethics and show a potential breach of the Code of Ethics
- if the complaint is accepted, the advertiser is given the opportunity to respond to the complaint (at least seven days)
- the case is then referred to the Standards Board who makes a determination based on the Code of Ethics in the context of 'prevailing community standards'
- if the Board determines the advertisement breaches the Code of Ethics, the complaint is 'upheld' and the advertiser will be notified and asked to respond to the determination, for example by removing, discontinuing or modifying the advertisement
- the ASB will then complete its final case report and publish it on its website and advise the advertiser by final letter, and
- the advertiser then has 10 days to apply for an independent review if it is not satisfied with the Standards Board's determination.<sup>15</sup>

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<sup>12</sup> Queensland Government response to the Health and Community Services Committee *Report No. 36 Inquiry into sexually explicit outdoor advertising*, July 2014, p 3.

<sup>13</sup> Women Victoria, <http://www.vic.gov.au/women.html>; The Age, 15 November 2016, [End of the road for sexist slogans on wicked campers](#).

<sup>14</sup> Board members are independent of the advertising industry and interest groups. They serve a fixed term and are selected via a publicly advertised selection process; the Australia Standards Bureau, <https://adstandards.com.au/about/advertising-standards-bureau>.

<sup>15</sup> DTMR, correspondence dated 28 November 2016, p 2. See also The Australia Standards Bureau, <https://adstandards.com.au/complaint-process>.

### 2.1.3 Compliance by industry with Standards Board determinations

Currently, if an advertiser does not comply with a Standards Board determination, there is no enforcement option available. The ASB advised the committee that the majority of advertisers comply with the relevant codes, and in the case where a breach is found, the ASB recorded more than 97 per cent compliance by industry with its determinations over the past 5 years.<sup>16</sup> The ASB pointed out, however that 'when the determinations relating to one Queensland based advertiser are excluded from that statistic, the record is more than 99 per cent compliance'.<sup>17</sup> At the public hearing, the ASB advised that in relation to the level of complaints about advertisements in the outdoor space, from 2011 to 2015 the number of complaints had declined from 26.35 per cent to 3.12 per cent, which it attributed to the efforts by the ASB and the Outdoor Media Association.<sup>18</sup> In the case of advertising on vehicles, the ASB advised the decline was not proportionate:

*... in the transport case, which is what we are looking at today, 3.67 per cent of all complaints in 2011 related to transport, while that dropped to 2.7 per cent in 2015. There were similar declines in poster and outdoor advertising as well. On that basis, the particular area we are looking at is somewhat of an anomaly. That is why we have been working with the Queensland government on this particular initiative.*<sup>19</sup>

### 2.2 Purpose of the Bill

On 8 November 2016, the Hon. Anastacia Palaszczuk MP, the Premier and Minister for the Arts (Premier) announced in the House that the government would deliver on its promise to take action against offensive advertisements and slogans on vehicles by introducing legislation to address this issue. The Premier stated:

*I am sure most members of the House have, at some stage or another, encountered a vehicle on the road that was displaying a sexist, discriminatory or downright obscene message or cartoon on the side of it. Unfortunately, those same slogans are seen by kids and families, and that is something I am not going to cop.*

...

*I think most Queenslanders are up for good humour and tongue-in-cheek advertising. However, there is no place in Queensland for sexist, misogynistic rubbish on full display.*<sup>20</sup>

The Premier explained the context for the legislation:

*The ASB currently plays a regulatory role for advertisers; in response to complaints received it makes determinations about whether advertising is offensive or not. However, as the ASB has no enforcement mechanism, a small minority of advertisers has chosen to ignore those determinations and to continue to allow offensive ads to remain on vehicles. It is these advertisers that this legislation will deal with.*<sup>21</sup>

The Minister, when introducing the Bill, stated that the purpose of the Bill is to ensure 'vehicles that are registered in Queensland are not driving around with sexist, obscene or otherwise offensive advertising displayed on them'.<sup>22</sup>

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<sup>16</sup> Submission 5, p 1.

<sup>17</sup> Public hearing transcript, 30 November 2016, p 1.

<sup>18</sup> Public hearing transcript, 30 November 2016, p 1.

<sup>19</sup> Public hearing transcript, 30 November 2016, p 1.

<sup>20</sup> Queensland Parliament, Record of Proceedings, 8 November 2016, p 4226.

<sup>21</sup> Queensland Parliament, Record of Proceedings, 8 November 2016, p 4226.

<sup>22</sup> Queensland Parliament, Record of Proceedings, 8 November 2016, p 4266.

The Minister went on to explain:

*The ASB's process, together with the new process contained in this bill, ensures that there are multiple opportunities for advertisements to be removed from vehicles. The bill provides considerable motivation for offensive advertising to be removed voluntarily but also provides concrete follow-up action where an advertiser refuses to remove an ad. The legislation will not impact on the overwhelming majority of vehicle advertising but is targeted at only the worst examples that have no place whatsoever on our roads.<sup>23</sup>*

The explanatory notes provide that the Bill introduces new provisions that will:

- *allow the chief executive to give a registration cancellation notice to the registered operator advising that the vehicle's registration will be cancelled on a stated date, unless the ASB's advertising code breach notice is withdrawn*
- *require that the cancellation date must be at least 14 days after the registration cancellation notice is given to the registered operator*
- *allow the chief executive to cancel the vehicle's registration if the advertising code breach notice is not withdrawn by the relevant date*
- *enable the chief executive to, by written notice, delay registration cancellation (for example, if the vehicle is a hire vehicle that is out on hire, the chief executive may decide to delay the cancellation of registration if the registered operator requires further time to contact the driver and arrange for the advertisement to be removed)*
- *ensure that, after the registered operator receives a registration cancellation notice, they cannot transfer the vehicle's registration to another person to avoid de-registration*
- *ensure that, where a vehicle's registration is cancelled under the new provisions, the registered operator is not entitled to a refund of registration fees, and*
- *require a statutory declaration stating that the advertisement has been removed before the vehicle will be able to be re-registered in Queensland.<sup>24</sup>*

## **2.3 Stakeholder views on the Bill**

### **2.3.1 Support for enforcement of Standards Board determinations**

The majority of stakeholders' that made submissions were generally in support of the purpose and the approach contained in the Bill.<sup>25</sup> At the public hearing, the ASB stated:

*... we support the approach contained in the bill on the basis that the government will only intervene on a referral from the bureau after we have exhausted all compliance efforts and the decision as to the appropriateness of the advertising content will remain in the jurisdiction of the standards board.<sup>26</sup>*

The Outdoor Media Association, a peak national industry body for out-of-home advertising that promotes responsible advertising in its industry, stated that the Bill will effectively address an issue presented by a small minority of businesses that choose not to uphold Australia's system of self-regulation.<sup>27</sup> This point was also made by other stakeholders as detailed below.

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<sup>23</sup> Queensland Parliament, Record of Proceedings, 8 November 2016, p 4267.

<sup>24</sup> Explanatory notes, p 2.

<sup>25</sup> See for example, submissions 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11.

<sup>26</sup> Public hearing transcript, 30 November 2016, pp 1-2.

<sup>27</sup> Submission 7, p 3.

FamilyVoice Australia:

*A problem with the current regime is that ASB determinations lack teeth. The Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016 will give ASB determinations with respect to offensive vehicle advertisements some much needed force.*<sup>28</sup>

Christine King:

*...the proposal to deregister non-complying vehicles would provide a strong incentive for companies such as Wicked Campers to comply with directives from the Advertising Standards Board to remove material from their vehicles when they have been found to be in breach of AANA guidelines. To date, this company has routinely ignored rulings against it, and as they own the vehicles on which the offending material is displayed, and the ASB has had no powers to enforce their rulings, the company has continued to get away with not playing by the same rules as other advertisers.*<sup>29</sup>

Micah Projects:

*The passing of this legislation will enable a clear punishment to be directed at registered operators of vehicles who display offensive advertising (as determined by Advertising Standards Bureau, Australia) on their vehicle/s. To punish these operators by cancelling the registration of their vehicles removes the offensive material promptly and it sends a clear message to offenders that the community does not tolerate their actions.*<sup>30</sup>

Many stakeholders qualified their support for the Bill by stating the proposed provisions are only a 'first step' in addressing broader issues related to gender equality and the protection of children.

Wicked Pickets submitted that the proposed provisions are a 'first step towards eliminating misogynist slogans, not only on commercial motor vehicles but in general'.<sup>31</sup> FamilyVoice Australia noted, '[the Bill] is an important step to better protect children from being exposed to sexually explicit material'.<sup>32</sup>

Christine King made a similar point:

*Whilst getting these offensive vans off the roads is one step in the right direction, there is a wider issue of the portrayal of women in advertising and other mediums, and the hyper-sexualisation of children and the appropriateness of brand messaging and advertising directed towards them.*<sup>33</sup>

R4Respect, YSF, a Logan-based youth education program that aims to prevent anti-social behaviour at a young age to break the cycle of domestic and family violence, submitted that disrespectful, sexist, and violent attitudes towards women and girls, such as the slogans on Wicked Campers' vans, contribute to the cycle of domestic and family violence.<sup>34</sup>

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<sup>28</sup> Submission 4, p 1.

<sup>29</sup> Submission 6, p 2.

<sup>30</sup> Submission 11, p 4.

<sup>31</sup> Submission 3, p 1.

<sup>32</sup> Submission 4, p 1.

<sup>33</sup> Submission 6, p 5.

<sup>34</sup> Submission 9, p 1-2.

A number of stakeholders made suggestions about other strategies that could be employed to minimise the amount of offensive advertising in Queensland. Many of these strategies are outside the scope of the committee's portfolio responsibilities. Some of these include:

- broaden the definition in the *Anti-Discrimination Act 1991* to include the term 'sex' in the anti-vilification section as a ground for complaint<sup>35</sup>
- adopt the recommendations in the former HCSC Report No. 36 *Inquiry into sexually explicit outdoor advertising*, specifically in relation to the giving the ASB powers to impose penalties<sup>36</sup>
- work with other Australian jurisdictions to develop a nationally consistent approach to this issue<sup>37</sup>
- adopt a more child-focused approach in advertising self-regulation<sup>38</sup>
- establish a statutory regulator for outdoor advertising<sup>39</sup>
- review the Queensland *Summary Offences Act 2005*, Public Nuisance 6(3) (a) to include 'exhibits' in the current wording, 'A person behaves in an offensive way if the person uses offensive, obscene, indecent or abusive language'<sup>40</sup>, and
- adopt a more broader strategy to target inappropriate advertising that vilify and demean women, like the recent strategy announced by the Victorian Government.<sup>41</sup>

The committee has considered proposed transport portfolio related strategies in more detail in [section 2.3.5](#) of this Report.

### **2.3.2 Not in support of the Bill - infringement on free speech and freedom of expression**

Alvar Dalton submitted that the Bill represents an infringement on free speech and freedom of expression, and argued that judgements made on what is offensive are subjective.<sup>42</sup>

Other stakeholders did not share this view. For example, Wicked Pickets stated their organisation:

*... does not support the views of some who cite the free speech right of businesses to use slogans that promote rape culture. Free speech cannot be considered in isolation from its social and political context. It is not an appropriate argument to use against taking action, against misogynous advertising.*<sup>43</sup>

Christine King:

*With regard to free speech concerns, the Australian Constitution does not specifically outline the right to freedom of expression; it is an implied freedom within our democratic form of government. Therefore, it is not a constitutional right that can override legal restrictions. Currently under Qld and Commonwealth laws, freedom of speech is already quite rightly curtailed in a number of areas to protect the public or individuals, e.g. defamation, vilification, obscenity, etc.*<sup>44</sup>

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<sup>35</sup> See for example, submissions 2, 3, 4, 6, 9, 10 and 11.

<sup>36</sup> See for example, submissions 6 and 10.

<sup>37</sup> See for example, submissions 2, 6, 10 and 11.

<sup>38</sup> See for example, submission 10.

<sup>39</sup> See for example, submission 10.

<sup>40</sup> Public hearing transcript, 30 November 2016, p 13.

<sup>41</sup> See for example, Wicked Pickets, Public hearing transcript, 30 November 2016, p 9.

<sup>42</sup> Submission 1, p 1.

<sup>43</sup> Public hearing transcript, 30 November 2016, p 10.

<sup>44</sup> Submission 6, p 4.

DTMR responded to the issue raised by Mr Dalton:

*The Bill aims to ensure publicly visible advertising on vehicles is in line with community expectations – it does not limit creative expression.*

*Under the proposal, advertisements will be assessed by the Advertising Standards Board against the AANA Code of Ethics. The Standards Board is a group of 20 people that is gender balanced with members from diverse backgrounds to represent the diversity of Australian society. Members are independent of the advertising industry or particular interest groups. Decisions of the Board are made by majority vote.*

*The AANA Code of Ethics is broadly written to reflect accepted community standards, while specifically identifying particular areas of concern such as representations of sex, sexuality and obscene language. The Board's determinations and AANA Code of Ethics are regularly (usually annually) compared against the views of at least 1200 individuals by an independent market researcher to ensure they continue to reflect prevailing community standards. If this research identifies inconsistencies between the Board's determinations and prevailing community standards, the Board is briefed to ensure adjustments can be made for future decisions. Board members are appointed for a fixed term, so that membership is refreshed regularly.<sup>45</sup>*

### **2.3.3 Limitation of review**

The Queensland Law Society raised a concern that new section 19N, limitation of review, removes rights of review, including internal, external and judicial review, and that the courts may find legislation that prohibits or restricts review for “jurisdictional error” to be invalid.<sup>46</sup> This issue is discussed in the section [3 - Compliance with Legislative Standards Act 1992](#) of this Report.

### **2.3.4 Standards Board determinations and AANA Code of Ethics**

#### *Application of prevailing community standards*

FamilyVoice Australia raised a concern that the proposed Bill may have unintended consequences, submitting that the Standards Board has a level of subjectivity and its submission questioned how advertisements will be assessed in the context of prevailing community standards.<sup>47</sup> It provided the following example, in the case whereby ‘advertisements on a car supporting real marriage or the natural family could be subjected to an adverse finding [from the ASB]’.<sup>48</sup>

DTMR responded:

*One of the witnesses before the committee suggested that the Bill may have an unintended consequence that political advertisements may be subject to an adverse finding by the Standards Board and that the scope of the Bill should be restricted to ASB findings that relate only to sexually explicit and obscene advertisements. It is submitted that this would unduly restrict the application of the legislation. As was highlighted by other witnesses at the committee hearing, many of the advertisements that are offensive and lead to adverse findings from the ASB would not fall within these categories. Advertisements are assessed by the Advertising Standards Board against the AANA Code of Ethics. The Standards Board is comprised of 20 people from diverse backgrounds to represent the diversity of Australian society. The AANA Code of Ethics is broadly written to reflect accepted community standards. The Board's determinations and AANA Code of Ethics are regularly (usually annually) compared against the views of at least 1200 individuals*

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<sup>45</sup> DTMR, correspondence dated 28 November 2016, p 1.

<sup>46</sup> Submission 8, pp 1-2; Public hearing transcript, Brisbane, 30 November 2016, pp 2-3.

<sup>47</sup> Submission 4, pp 2-3.

<sup>48</sup> Submission 4, p 3.

*by an independent market researcher to ensure they continue to reflect prevailing community standards. As a result, it is not anticipated that the Bill will inadvertently capture legitimate advertising around political issues.*<sup>49</sup>

Application of ASB and advertising code definitions

In her submission, Naomi Taylor raised a concern that using the ASB definitions and advertising code may exclude most Wicked Campers' van slogans:

*Using the "Advertising Standards Bureau" definitions and "advertising code" is too loose and lenient. Many women already know that the ASB is biased, subjective and all too often errs in the favour of sexist, offensive messages against women. I fear that many complaints about Wicked Camper vans, using this definition, will go overlooked or be dismissed, and as such, the Bill could be completely ineffective.*<sup>50</sup>

At the public hearing, Ms Taylor elaborated further:

*... there is no guarantee that the complaint process will progress beyond the ASB, given the ASB's very loose and lenient criteria for what does and does not 'constitute discrimination against women'. Examples of this are on the ASB website. ASB is not, as the bill quotes, a 'robust' process, according to its website examples, and nor is it 'largely effective', as the explanatory notes state. On the ASB website, the ASB has cited at least six categories of criteria that it does not deem to be 'discriminatory'. These categories, by definition, permit the majority of the existing Wicked Camper van slogans.*<sup>51</sup>

In response, DTMR advised:

*...the Advertising Standards Board will assess advertisements against the AANA Code of Ethics. One of the matters covered by Section 2.1 of the Code is that advertising should not portray people in a way that vilifies a person based on gender. To that extent, advertising on vehicles that vilifies based on gender will be able to be addressed through this Bill.*<sup>52</sup>

And, in addition, DTMR advised:

*Under the proposal, advertisements will be assessed by the Advertising Standards Board against the AANA Code of Ethics. The Standards Board is a group of 20 people that is gender balanced with members from diverse backgrounds to represent the diversity of Australian society. Members are independent of the advertising industry or particular interest groups. Decisions of the Board are made by majority vote.*

*The AANA Code of Ethics is broadly written to reflect accepted community standards, while specifically identifying particular areas of concern such as representations of sex, sexuality and obscene language.*

*The Board's determinations and AANA Code of Ethics are regularly (usually annually) compared against the views of at least 1200 individuals by an independent market researcher to ensure they continue to reflect prevailing community standards. If this research identifies inconsistencies between the Board's determinations and prevailing community standards, the Board is briefed to ensure adjustments can be made for future decisions. Board members are appointed for a fixed term, so that membership is refreshed regularly.*<sup>53</sup>

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<sup>49</sup> DTMR, correspondence dated 2 December 2016, pp. 1-2.

<sup>50</sup> Submission 2, p 2.

<sup>51</sup> Public hearing transcript, 30 November 2016, p 7.

<sup>52</sup> DTMR, correspondence dated 28 November 2016, p 2.

<sup>53</sup> DTMR, correspondence dated 28 November 2016, p 1.

### **2.3.5 Transport portfolio related strategies proposed by stakeholders to combat offensive advertising on hire vehicles**

#### Audit of slogans used on hire vehicles

At the public hearing, Naomi Taylor suggested an audit of all existing Wicked Campers' van slogans and the removal of those vans that are clearly in breach of public decency.<sup>54</sup>

In response to a question about whether DTMR could "call in" all Wicked Campers' vans, audit the slogans used and make a complaint to the ASB if it is determined the slogans are offensive, DTMR advised:

*Currently, there is no provision in transport legislation that would allow vehicles to be called in for audit on non-safety grounds. Further, DTMR does not have the expertise to determine what is or is not offensive. The approach outlined in the Bill allows DTMR to rely on the judgement of the Advertising Standards Board, which is a group of 20 individuals from various backgrounds that reflect the diversity of Australian society. The ASB regularly engages a market researcher to gauge the Board's alignment with prevailing community standards against the view of at least 1200 individuals.*

*Any vehicle safety audit that DTMR would carry out would need to be based on safety-related concerns and DTMR will continue to undertake on-road, random and targeted vehicle safety audits of vehicles or companies where a risk has been identified.<sup>55</sup>*

#### Roadworthiness of hire vehicles

Christine King sought the introduction of annual roadworthy (safety) inspection checks for rental vehicles that are more than five years old:

*I ask that the TUC, Minister, and Department of Transport & Main Roads seriously look at further legislative amendments to bring in annual safety checks for rental vehicles over five years old by adding this category to the list needing annual COI's (Certificates of Inspection) such as taxis, buses, trucks, and from August 2017, personalised transport such as Uber. This change could piggyback onto the legislative changes proposed for Uber. It should not affect the vast majority of rental businesses as they turn over their fleet more regularly (though this would have to be established via consultation with the industry). It would only affect WC and a few rent-a-bomb car companies. This would provide further safety to tourists who are already driving vehicles with fewer safety features due to the age of vehicles, prevent stranding in isolated regions, and better protect our tourism reputation.<sup>56</sup>*

Ms King's submission provided an overview of the requirements for annual safety checks for rental vehicles in other jurisdictions:

*In NSW for instance, light vehicles more than five years old require an annual safety check before you can renew the registration, in the NT more than three years old, in SA more than seven years old. I believe in at least one state, all vehicles used for commercial rental are required to have annual safety checks.<sup>57</sup>*

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<sup>54</sup> Public hearing transcript, 30 November 2016, p 8.

<sup>55</sup> DTMR, correspondence dated 2 December 2016, p 3.

<sup>56</sup> Addendum to submission 6, pp 2-3.

<sup>57</sup> Submission 6, p 2.

In response to a question about the capacity for DTMR to undertake an audit of the roadworthiness of older hire vehicles, particularly given NSW required an annual roadworthiness check for all hire vehicles, DTMR advised:

*DTMR's approach to enforcement of vehicle standards and road-worthiness involves both random and targeted on-road activities. This includes, for example, joint operations between DTMR transport inspectors and officers from the Queensland Police Service (QPS) which focus on areas of concern such as general road-worthiness, hooning and heavy vehicles.*

*As a result of on road detection, in 2010, DTMR inspectors undertook a road-worthiness inspection of the Wicked Campers' fleet in Queensland. These vehicles were inspected and where defects were detected, defect notices were issued. There have been no subsequent detections of these vehicles that has warranted another fleet inspection. The Queensland Police Service and transport inspectors continue to intercept and inspect vehicles as required.*

*In Queensland, regular vehicle inspections are currently required for public passenger vehicles (for example, every 6 months for buses and every 12 months for taxis). However, consistent with most other Australian jurisdictions, Queensland does not require other light vehicles, such as hire vehicles, to be inspected annually. Generally, a vehicle safety inspection must be undertaken whenever the registration of these vehicles is transferred from one registered operator to another (for example, through the sale of the vehicle).*

*Rental car companies generally maintain their vehicle fleets in good condition. Imposing an industry-wide audit of older hire vehicles would be resource intensive for DTMR and impose an unnecessary burden on the broader industry. DTMR data shows that the correlation between vehicle defects and fatalities is very low and that increasing our on-road capability checking defects would reduce our capacity to target other higher priority activities. It is believed that the current mix of targeted and random on-road enforcement is a more efficient means of dealing with this issue.<sup>58</sup>*

#### **Recommendation 2**

The committee recommends the Minister consider introducing a requirement that all Queensland hire vehicles that are more than five years old have a current roadworthy (safety) certificate.

## **2.4 Other issues examined**

### **2.4.1 The use of an external body for assessment prior to imposing a penalty**

In response to a question from the committee at the public hearing about whether there other examples of regulation/legislation that rely on an external body for assessment prior to imposing a penalty, DTMR responded:

*An example in the transport context relates to the enforcement of unpaid road tolls. The toll road operator, which is a private entity, is initially responsible for determining whether there is an unpaid toll in relation to a particular vehicle. The operator can pursue this unpaid toll by issuing a notice, under section 99(2) of the Transport Infrastructure Act 1994, requiring the registered operator of the vehicle to pay the outstanding toll amount (plus an administration charge) or provide a statutory declaration that the person was not the driver and nominate the driver. Where a person fails to comply with such a notice, an infringement notice fine may be issued by an authorised departmental officer for the offence contained in section 99(3) of the Act.*

*There are also examples in the transport context where the department relies on the expertise of outside specialist bodies. For example, the Transport Operations (Road Use Management—*

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<sup>58</sup> DTMR, correspondence dated 2 December 2016, p 4.

*Vehicle Standards and Safety) Regulation 2010 requires compliance with a large number of Australian and International Standards that are determined by non-government bodies. There are penalties for failing to comply with these standards. In the driver licensing area, the department relies on health professionals to assess a person's fitness to drive and may refuse an application for a driver licence based on that assessment or impose conditions on the person's ability to drive.*

*In a non-transport context, the Body Corporate and Community Management Act 1997 is an example of legislation providing an enforcement process for a decision of a non-government body. Specifically, it deals with the circumstance where a body corporate determines that the owner or occupier of a lot in a community titles scheme is contravening a provision of the by-laws for the scheme. Under the Act, the body corporate may issue a continuing contravention notice and where the person fails to comply with that notice, the legislation allows the body corporate to start proceedings in the Magistrates Court seeking a penalty of up to 20 penalty units (currently \$2,438). DTMR does not have the expertise to determine what is offensive advertising, so it is appropriate that those determinations are left to the specialist Advertising Standards Board.<sup>59</sup>*

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<sup>59</sup> DTMR, correspondence dated 2 December 2016, p 2.

### 3. Compliance with the Legislative Standards Act 1992

#### 3.1 Fundamental legislative principles

Section 4 of the *Legislative Standards Act 1992* (LSA) states that ‘fundamental legislative principles’ (FLPs) are the ‘principles relating to legislation that underlie a parliamentary democracy based on the rule of law’. The principles include that legislation has sufficient regard to:

- the rights and liberties of individuals, and
- the institution of Parliament.

The committee has examined the application of FLPs to the Bill. The committee brings the following issue to the attention of the House.

##### 3.1.1 Rights and liberties of individuals

Section 4(2)(a) of the LSA requires that legislation has sufficient regard to the rights and liberties of individuals.

###### Clause 4 (Limitation of review)

Clause 4 inserts new section 19N (Limitation of review) into the *Transport Operations (Road Use Management) Act 1995*.

Pursuant to section 19N(1), the section applies to each of the following decisions of the chief executive:

- (a) a decision to give a registration cancellation notice under section 19F(1), and
- (b) a decision to cancel, or not to cancel, the registration of a vehicle under section 19H.

By way of section 19N(2), Part 4 of the *Judicial Review Act 1991* (JR Act) does not apply to a decision of the chief executive.

Pursuant to section 19N(3), subject to subsection (4), a decision:

- (a) is final and conclusive; and
- (b) cannot be challenged, appealed against, reviewed, quashed, set aside or called in question in any other way, under the JR Act or otherwise (whether by the Supreme Court, another court, a tribunal or another entity); and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

Section 19N(4) provides that the JR Act, part 5 applies to the decision to the extent the decision is affected by jurisdictional error.

Pursuant to section 19N(5), a decision includes a decision or conduct leading up to or forming part of the process of making a decision.

According to the ASB website, a request for a review of a determination by the Standards Board must be received within 10 business days from the date of the Standards Board’s final letter of notification of a determination and must relate to a determination taken by the Standards Board within the previous month.<sup>60</sup>

If a complaint is upheld, the advertiser can ask for a review of the Standards Board’s decision. If a complaint is dismissed, the original complainant(s) can ask for a review of the Board’s decision. Requests for a review must be lodged via the ASB’s [online complaints system](#).

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<sup>60</sup> Australian Standards Bureau website: <https://adstandards.com.au/complaint-process/independent-review>.

A review may be undertaken if the request is about at least one or all of the following grounds:

- where new or additional relevant evidence which could have a significant bearing on the determination becomes available. An explanation of why this information was not submitted previously must be provided
- where there was a substantial flaw in the Board's determination (determination clearly in error having regard to the provisions of the Codes or Initiatives, or clearly made against the weight of evidence), and
- where there was a substantial flaw in the process by which the determination was made.

According to the ASB website,<sup>61</sup> a review will be carried out by an Independent Reviewer (IR). The role of the IR is to assess the validity of the process carried out by the Standards Board and assess any new material provided by the parties to the case. The IR will first consider whether the application for review sets out a prima facie case for review and will decide to accept or not accept the request.

The IR can recommend that the Standards Board decision be confirmed or reviewed. Should a review be recommended, the matter will be referred back to the Standards Board at its next meeting along with the IR's recommendation and any material submitted during the review process. The Standards Board must then review its determination in line with any recommendations from the IR. The Standards Board can then either uphold or dismiss the original complaint/s.

*Potential FLP issue - Inability to seek judicial review of decision made by the Standards Board by way of part 4 of the JR Act.*

It may be argued that the absence of judicial review pursuant to part 4 hinders transparency in decision making and compromises the fundamental right of persons to seek reasoned and impartial redress from an administrative decision through the judicial system. Further, the decisions made under section 19N(2) cannot be challenged, appealed, reviewed, quashed, set aside or called in question, and are not subject to declaratory, injunctive or other orders. This potentially breaches section 4(3)(a) of the LSA which provides that whether legislation has sufficient regard to the rights and liberties of individuals depends on whether, for example, administrative power is subject to appropriate review.

The former Scrutiny of Legislation Committee (SLC) opposed clauses removing the right of review, and took particular care to ensure that there should be a review or appeal against the exercise of administrative power.<sup>62</sup> Where ordinary rights of review were removed, thereby preventing individuals from having access to the courts or a comparable tribunal, the SLC took particular care in assessing whether sufficient regard had been afforded to individual rights, noting that such a removal of rights may be justified by the overriding significance of the objectives of the legislation.<sup>63</sup>

The SLC had, in particular circumstances, found provisions removing review under the JR Act unobjectionable if it considered that an adequate alternative review mechanism was provided.<sup>64</sup>

The explanatory notes acknowledge the potential breach and provide the following justification for section 19N:

*Importantly, under the proposed section 19E, the chief executive will only be making decisions after the ASB's process, including any review, has been finalised. The ASB process is clearly defined and is published on the ASB's website. The ASB's process provides natural justice as it ensures that advertisers have sufficient opportunity to make submissions on the complaint*

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<sup>61</sup> See: <https://adstandards.com.au/complaint-process/independent-review>.

<sup>62</sup> OQPC, *Fundamental Legislative Principles: The OQPC Notebook*, p 19.

<sup>63</sup> OQPC, *Fundamental Legislative Principles: The OQPC Notebook*, p 19.

<sup>64</sup> OQPC, *Fundamental Legislative Principles: The OQPC Notebook*, p 19, citing Alert Digest 2004/8, p 8, paras 21-24; Alert Digest 2003/6, p 6, paras 46-48.

*before the decision is made by the Standards Board and to challenge any determination through an independent review. In particular, prior to the ASB informing the chief executive of the Standards Board's determination, the advertiser has had:*

- *seven days to respond to the initial complaint to the ASB;*
- *five days to respond to the notification of the decision of the Standards Board and draft case report;*
- *10 business days to apply for an independent review of the Standards Board's determination from the date of the Standards Board's final letter notifying of a determination.*

*The grounds for review include:*

- *where new or additional relevant evidence which could have a significant bearing on the determination becomes available;*
- *where there was a substantial flaw in the Board's determination;*
- *where there was a substantial flaw in the process by which the determination was made.*<sup>65</sup>

DTMR provided further advice to the committee on 2 December 2016:

*The Bill excludes any review or appeal of the chief executive's decisions to issue a registration cancellation notice and to cancel the registration of a vehicle. As mentioned at the hearing, the department's position is that once the matter has been dealt with by the Advertising Standards Board (ASB), it is important that decisive and timely action can be taken to have the offensive advertisement removed from the vehicle. Introducing a review process would allow the offensive advertisement to continue circulating on the road network. This could be for a prolonged period of many months while the decision was subjected to internal reconsideration by a senior officer in the Department of Transport and Main Roads, a review of the reconsidered decision by the Queensland Civil and Administrative Tribunal (QCAT), an appeal to the Internal Appeal Tribunal in QCAT (where the original review was conducted by a non-judicial member of QCAT) and, potentially, a further appeal on a question of law to the Queensland Court of Appeal. It is believed the effectiveness of the proposed scheme will be significantly enhanced if decisive action can be taken in a timely manner to deal with the small minority of advertisers who do not co-operate with determinations of the ASB.*<sup>66</sup>

The Queensland Law Society argued that the justification in the explanatory notes does not warrant the removal of part 4 of the JR Act. It submitted:

*We note the Bill's Explanatory Notes seek to justify proposed section 19N by arguing that the chief executive will only be making decisions after the Australian Standards Board's process, including any review, has been finalised and it outlines the rights of review under this process. However, we believe this is insufficient as it does not afford the registered operator any review rights in respect of the subject decision made under this legislation.*

*Further, it is inappropriate for Parliament to legislate to oust the jurisdiction of the Court or to limit the application of the JRA. Legal authority has warned against it. In *Kirk v Industrial Relations Commission of New South Wales*; *Kirk Group Holdings Pty Ltd v WorkCover Authority of New South Wales (Inspector Childs)* [2010] HCA 1, the High Court held, at 100, "Legislation which would take from a State Supreme Court power to grant relief on account of jurisdictional error is beyond State legislative power". The Australian Law Reform Commission has considered the broad scope of "jurisdictional error" such that legislation seeking to prohibit or restrict the court's ability to hear and determine these matters may be found to be invalid.*<sup>67</sup>

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<sup>65</sup> Explanatory notes, p 4.

<sup>66</sup> DTMR, correspondence dated 2 December 2016, p 1.

<sup>67</sup> Submission 8, p 1-2.

The Queensland Law Society further commented on the removal of Part 4 at the committee's public hearing:

*Our fundamental concern, which I think was a point that you may have rightly made in the first place, was that, if the processes that the standards board uses are not as robust as they should be or if there are problems with the processes at that level, there is very little opportunity to do much about that later on in terms of an appeal or a review.*<sup>68</sup>

#### Other legislation – application of jurisdictional error

Other legislation has also excluded part 4 of the JR Act. This includes the *Tattoo Parlours Act 2013* (section 58), the *Racing Integrity Act 2016* (section 115) and the Water (Local Management Arrangements) Amendment Bill 2016 (clause 4, section 738ZD) which is, at the time of publication of this Report, before the Legislative Assembly.

Both the *Tattoo Parlours Act 2013* and the *Racing Integrity Act 2016* use similar wording in the preface to their respective sections to acknowledge that Part 5 (jurisdictional error) still operates. The *Tattoo Parlours Act 2013* at section 58(2) says:

*Subject to this part, unless the Supreme Court decides a decision of the chief executive mentioned in section 57(1) is affected by jurisdictional error -*

This is different to the wording provided at section 19N(4) of the Bill which does not mention the Supreme Court and applies to two decisions of the chief executive. The section says:

*(1) This section applies to each of the following decisions of the chief executive—*

*(a) a decision to give a registration cancellation notice under section 19F (1);*

*(b) a decision to cancel, or not to cancel, the registration of a vehicle under section 19H .*

The Queensland Law Society suggested that the wording in the *Tattoo Parlours Act 2013* and the *Racing Integrity Act 2016* 'better acknowledges and preserves the court's original jurisdiction' to make a decision in relation to jurisdictional error.<sup>69</sup>

In response to a question from the committee regarding alternate wording (such as that contained in the *Tattoo Parlours Act 2013* and the *Racing Integrity Act 2016*) to the wording proposed in section 19N(3) of the Bill, DTMR advised:

*The wording of section 19N of the Bill was prepared by the Office of the Queensland Parliamentary Counsel (OQPC) on the basis of instructions provided by the Department of Transport and Main Roads. The wording of section 58 of the Tattoo Parlours Act 2013 and section 115 of the Racing Integrity Act 2016 was also prepared by OQPC.*

*In relation to the issue raised by the Queensland Law Society, OQPC has advised that, in its view, the limitation of review provision contained in section 19N of the Bill excludes the availability of review of chief executive decisions other than in relation to jurisdictional error. OQPC believes the provision preserves the jurisdiction of the Supreme Court to make orders under Part 5 of the Judicial Review Act 1991 to the extent that the decisions are affected by jurisdictional error and that this approach is consistent with the High Court decision in Kirk v Industrial Relations Commission of New South Wales [2010] HCA 1.*

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<sup>68</sup> Public hearing transcript, 30 November 2016, p 3.

<sup>69</sup> Public hearing transcript, 30 November 2016, p 2.

OQPC confirmed that section 19N is consistent with current Queensland drafting practice which has evolved since the provisions in the *Tattoo Parlours Act 2013* and *Racing Integrity Act 2016* were drafted. The relevant provision of the *Racing Integrity Act 2016* was enacted in an equivalent form to the corresponding provision in the *Racing Act 2002* which the later Act omitted. OQPC also confirmed that the drafting used in section 19N is intended to have the same effect as that adopted in the provisions in the *Tattoo Parlours Act 2013* and the *Racing Integrity Act 2016*.<sup>70</sup>

### 3.2 Table of proposed new and amended offence provisions

Clause	Offence	Proposed maximum penalty
4	<p><b>Amendment to the <i>Transport Operations (Road use Management) Act 1995</i>.</b></p> <p><b>Insertion of new 19I Requirement to return number plates and registration label</b></p> <p>(1) The notice of the cancellation of the vehicle’s registration under section 19H (2) must require the registered operator to return to the chief executive within 14 days after the notice is given—</p> <p>(a) the number plates issued for the vehicle; and</p> <p>(b) if, under a regulation, a registration label is required to be issued for the vehicle when the vehicle is registered—the registration label issued for the vehicle.</p> <p>(2) The registered operator must comply with the requirement under subsection (1).</p> <p>(3) However, if a number plate or registration label has been lost, stolen or destroyed, the registered operator does not contravene subsection (2) if the registered operator, by written notice, gives details of the loss, theft or destruction to the chief executive within the period mentioned in subsection (1).</p>	20 penalty units.

### 3.3 Explanatory notes

Part 4 of the LSA relates to explanatory notes. It requires that an explanatory note be circulated when a Bill is introduced into the Legislative Assembly, and sets out the information an explanatory note should contain.

Explanatory notes were tabled with the introduction of the Bill. The notes are fairly detailed and contain the information required by Part 4 and a reasonable level of background information and commentary to facilitate understanding of the Bill’s aims and origins.

There is, however, a minor error on pages 6 and 7 of the explanatory notes under ‘Notes on provisions’, clauses 3, 4 and 5 reference the *Transport Operations (Road Use Management) Act 1994* when in fact this should be the *Transport Operations (Road Use Management) Act 1995*.

<sup>70</sup> DTMR, correspondence dated 2 December 2016, p 1.

## Appendix A – List of Submissions

<b>Sub #</b>	<b>Submitter</b>
001	Mr Alvar Dalton
002	Ms Naomi Taylor
003	Wicked Pickets
004	FamilyVoice Australia
005	Advertising Standards Bureau
006	Ms Christine King
007	Outdoor Media Association
008	Queensland Law Society
009	R4Respect
010	Australian Christian Lobby
011	Micah Projects

## Appendix B – Witnesses at the public briefing

### Public briefing – Brisbane – 30 November 2016

#### Department of Transport and Main Roads

- Mr Geoff Magoffin, Acting Deputy Director-General, Customer Services, Safety and Regulation Division
- Mr John Wroblewski, General Manager, Transport Regulation Branch
- Mr Andrew Mahon, Executive Director, Transport Access and Use

## Appendix C – Witnesses at the public hearing

### Public hearing – Brisbane – 30 November 2016

Ms Simone Carton, Legal Manager and Company Secretary, Advertising Standards Bureau

Mr Matt Dunn, QLS Government Relations Principal Advisor, Queensland Law Society

Ms Kate Brodnik, Policy Solicitor, Queensland Law Society

Dr David Phillips, National Director, FamilyVoice Australia

Mr Jerome Appleby, Assistant Policy Officer, FamilyVoice Australia

Ms Wendy Francis, Queensland State Director, Spokesperson for the Dignity of Women, Australian Christian Lobby

Ms Grace Williams, Youth Coordinator, R4Respect, YFS

Ms Anna McCormack, Wicked Pickets

Miss Naomi Taylor, private submitter

Ms Tanya Modini, Team Leader, Brisbane Domestic Violence Service

Ms Christine King, private submitter