

Annual Report 2004–05

**Department of Tourism, Fair Trading and
Wine Industry Development**

04–05



Queensland **the Smart State**



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The Honourable Margaret Keech MP
Minister for Tourism, Fair Trading and
Wine Industry Development
Level 26, 111 George Street
Brisbane Queensland 4000

Dear Minister

I am pleased to present to you the department's annual report for 2004–05.

The report highlights the major initiatives, achievements and financial and non-financial performance of the department for the past financial year.

It draws on information from the Ministerial Portfolio Statement, the department's Strategic Plan, divisional operational plans, financial statements, policies, the Executive Management Group and associated governance committees, and from key units and staff.

It was prepared in accordance with:

- the *Financial Administration and Audit Act 1977*
- the *Financial Management Standard 1997*
- the Public Accounts Committee Report No 59 (December 2001)
Annual Reporting in the Queensland Public Sector
- other legislative requirements
- guidelines issued by the Department of the Premier and Cabinet.

Yours sincerely

Helen Ringrose
Director-General

Purpose of report

This report provides the community, business and industry, and government with an account of the performance of the Department of Tourism, Fair Trading and Wine Industry Development in the 2004–05 financial year.

This report:

- fulfils Queensland Government reporting requirements
- outlines the department's activities and significant achievements
- provides performance, financial and statistical information
- includes the department's Statement of Affairs
- outlines plans for 2005–06.

The department welcomes your feedback. Please return the reader survey provided in the back of the report by facsimile (07) 3224 7700 or complete the electronic version on our website at www.dftwid.qld.gov.au

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Department overview

Our purpose

The role of the Department of Tourism, Fair Trading and Wine Industry Development is to foster a fair and dynamic marketplace and encourage responsible practices and sustainable growth in the tourism, wine, liquor and hospitality industries in Queensland.

Our resources

The department employed the fulltime equivalent of 482 staff and had an operating budget of \$51.5 million as at 30 June 2005.

Structure

The department consists of the:

- Office of Fair Trading
- Liquor Licensing Division
- Service Delivery and Development Division
- Wine Industry Development Division
- Tourism Strategy Division
- Executive and Corporate Services Division
- Dispute resolution bodies – the Commercial and Consumer Tribunal and the Office of the Commissioner for Body Corporate and Community Management.

The Office of Fair Trading (OFT) has overarching responsibility for the regulation of Queensland's marketplace and specific regulatory responsibility for a wide range of industries and occupations including real estate, motor trade and security providers. OFT works to achieve fair trading in the marketplace by:

- maintaining a contemporary fair trading regulatory framework that balances the needs of business and consumers
- monitoring compliance with fair trading standards and legislation
- resolving disputes, investigating complaints and taking enforcement action against non-compliers
- providing access to appropriate redress for consumers

- providing effective registration, licensing and trade measurement services
- informing and educating business and consumers.

The Liquor Licensing Division regulates the sale and supply of liquor with the aim of encouraging responsible consumption of liquor and liquor industry practices throughout Queensland. The division undertakes projects and communication activities to minimise harm associated with the consumption of liquor.

The Service Delivery and Development Division provides designated customer services on behalf of the Office of Fair Trading and Liquor Licensing Division through a Brisbane Customer Service Centre and nine Queensland regional client contact offices in Cairns, Hervey Bay, Mackay, Maroochydore, Mount Isa, Rockhampton, Southport, Toowoomba and Townsville.

The Wine Industry Development Division and the Tourism Strategy Division contribute to the development of the wine and tourism industries through strategy development and activities aimed at building the capacity of the industries; facilitating effective communication and consultation among government, industry and relevant community stakeholders; researching and analysing industry issues; monitoring emerging trends; and anticipating future needs.

The Executive and Corporate Services Division provides corporate governance and support services to enable the delivery of the department's business objectives. The division provides executive support services to the offices of the Minister, Director-General and Deputy Director-General. Support for operational areas includes human resource management, legal services, financial, strategic planning, performance reporting, corporate communications, and information management and technology services.

The Commercial and Consumer Tribunal has jurisdiction to handle dispute resolution services across the following groups: architects, builders, building certifiers, engineers, gaming, liquor, manufactured homes, property agents and motor dealers, plumbers and drainers, residential services, retirement villages and tourism services.

The Office of the Commissioner for Body Corporate and Community Management is responsible for determining body corporate disputes pursuant to the *Body Corporate and Community Management Act 1997*. It also provides information services to the community living sector which includes unit owners and occupiers, body corporate committees, managers and caretakers.

Statutory and other bodies associated with the portfolio

- Tourism Queensland
- Travel Compensation Fund

Advisory Boards and Committees

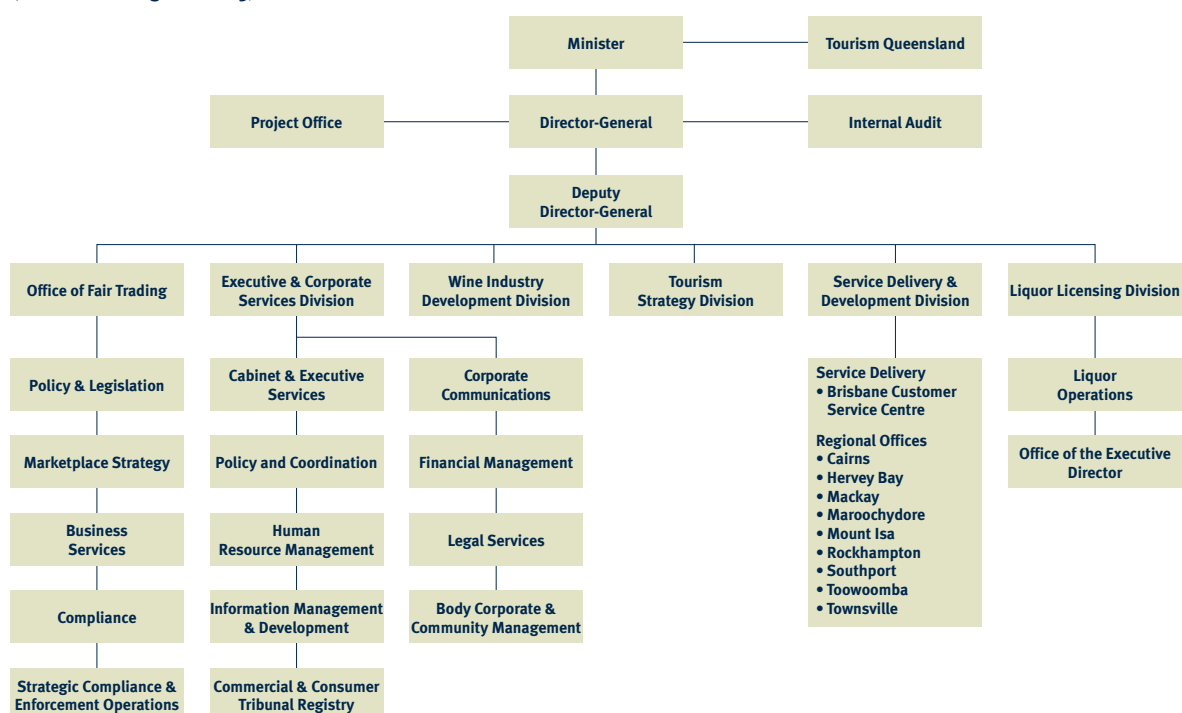
- Consumer Safety Committee
- Disaster Appeals Trust Fund Committee
- Funeral Benefit Trust Fund Committee
- Tourism Queensland Board

Dispute Resolution Bodies

- Commercial and Consumer Tribunal
- Office of the Commissioner for Body Corporate and Community Management
- Computer Games and Images Appeals Tribunal
- Films Appeals Tribunal
- Publications Appeals Tribunal
- Racing Appeals Tribunal

Department structure

(Current at August 2005)



Legislation administered (Current at September 2005)

Copies of legislation can be downloaded from the Office of the Queensland Parliamentary Counsel website at www.legislation.qld.gov.au

Fair trading

- *All Saints Church Lands Act 1924*
- *All Saints Church Lands Act 1960*
- *Anglican Church of Australia Act 1895*
- *Anglican Church of Australia Act 1895 Amendment Act 1901*
- *Anglican Church of Australia Act 1977*
- *Anglican Church of Australia Constitution Act 1961*
- *Anglican Church of Australia (Diocese of Brisbane) Property Act 1889*
- *Ann Street Presbyterian Church Act 1889*
- *Associations Incorporation Act 1981*
- *Bills of Sale and Other Instruments Act 1955*
- *Bishopsbourne Estate and See Endowment Trusts Act 1898*
- *Boonah Show Ground Act 1914*
- *Business Names Act 1962*
- *Charitable Funds Act 1958*
- *Chinese Temple Society Act 1964*
- *Churches of Christ, Scientist, Incorporation Act 1964*
- *Classification of Computer Games and Images Act 1995*
- *Classification of Films Act 1991*
- *Classification of Publications Act 1991*
- *Collections Act 1966*
- *Consumer Credit (Queensland) Act 1994 (including Consumer Credit Code)*
- *Cooperatives Act 1997*
- *Credit Act 1987*
- *Credit (Rural Finance) Act 1996*
- *Disposal of Uncollected Goods Act 1967*
- *Factors Act 1892*
- *Fair Trading Act 1989*
- *Funeral Benefit Business Act 1982*
- *Guides Queensland Act 1970*
- *Hire-purchase Act 1959*
- *Introduction Agents Act 2001*
- *Land Sales Act 1984*
- *Liens on Crops of Sugar Cane Act 1931*
- *Manufactured Homes (Residential Parks) Act 2003*
- *Mercantile Act 1867*
- *Motor Vehicles and Boats Securities Act 1986*
- *Partnership Act 1891*
- *Partnership (Limited Liability) Act 1988*
- *Presbyterian Church of Australia Act 1900*
- *Presbyterian Church of Australia Act 1971*
- *Property Agents and Motor Dealers Act 2000*
- *Queensland Congregational Union Act 1967*
- *Queensland Temperance League Lands Act 1985*
- *Residential Services (Accreditation) Act 2002*
- *Retirement Villages Act 1999*
- *Returned & Services League of Australia (Queensland Branch) Act 1956*
- *Returned Servicemen's Badges Act 1956*
- *Roman Catholic Church (Corporation of the Sisters of Mercy of the Diocese of Cairns) Lands Vesting Act 1945*
- *Roman Catholic Church (Incorporation of Church Entities) Act 1994*
- *Roman Catholic Church Lands Act 1985*
- *Roman Catholic Church (Northern Lands) Vesting Act 1941*
- *Roman Catholic Relief Act 1830*
- *Sale of Goods Act 1896*
- *Sale of Goods (Vienna Convention) Act 1986*
- *Salvation Army (Queensland) Property Trust Act 1930*
- *Scout Association of Australia Queensland Branch Act 1975*
- *Sea-Carriage Documents Act 1996*
- *Second-hand Dealers and Pawnbrokers Act 2003*
- *Security Providers Act 1993*
- *Storage Liens Act 1973*
- *Tourism Services Act 2003*
- *Trade Measurement Act 1990*
- *Trade Measurement Administration Act 1990*
- *Travel Agents Act 1988*
- *United Grand Lodge of Antient Free and Accepted Masons of Queensland Trustees Act 1942*
- *Uniting Church in Australia Act 1977*
- *Wesleyan Methodist Trust Property Act 1853*
- *Wesleyan Methodists, Independents, and Baptists Churches Act 1838*

Liquor licensing

- *Liquor Act 1992*
- *Wine Industry Act 1994*

Tourism

- *Tourism Queensland Act 1979*
- *Traveller Accommodation Providers (Liability) Act 2001*

Dispute resolution

- *Body Corporate and Community Management Act 1997*
- *Commercial and Consumer Tribunal Act 2003*

Other

- *Building Units and Group Titles Act 1980* (Parts 4 and 5; sections 121 to 125; sections 127 to 132; Schedules 2, 3 and 4; sections 5, 5A, 119, 133 and 134 jointly administered with the Minister for Natural Resources and Mines)



Director-General's message

The past year was a period of consolidation for the department following significant machinery of government changes in 2003–04.

These included the creation of the new portfolio of wine industry development, the establishment of the Commercial and Consumer Tribunal, the transfer of administrative responsibility for the Office of the Commissioner for Body Corporate and Community Management to this department and the move of the racing portfolio to the Department of Public Works.

This document reports on the hard work and commitment of a highly professional body of staff in meeting their portfolio responsibilities and in serving the community, the Minister and the Queensland Government.

Compliance was under the spotlight with a record number of successful convictions for traders and licensees in 2004–05. It was also another busy year introducing legislation into parliament with the passing of a number of new Bills and amendments to existing Acts. With a relatively small staff of 482, the department has carried out another successful year. Our achievements throughout 2004–05 underline the substantial and valuable efforts of our staff, who are striving to build a fairer marketplace and responsible and sustainable practices in the tourism, wine and liquor industries.

Fair trading

The Office of Fair Trading (OFT) further gained momentum in improving the effectiveness of its compliance and enforcement activities in 2004–05. More than 5000 enforcement actions were taken out against traders and OFT successfully achieved almost \$3.7 million in redress for consumers.

OFT continued its significant range of policy development, proactive compliance and behavioural change and education initiatives to further strengthen Queensland's diverse economy. This was achieved through participation in nationwide policy and legislative projects ranging from the regulation of finance brokers and consumer product safety reviews,

to improving consumer and financial literacy for young people. Through the Ministerial Council on Consumer Affairs, OFT proactively worked with other jurisdictions to ensure a standardised approach to fair trading matters and a holistic, integrated response to emerging issues.

I am proud to announce my department developed and implemented the inaugural Queensland Consumer Protection Awards this year. This initiative publicly acknowledges and rewards the outstanding business and consumer contributions to consumer protection and a fair marketplace in Queensland by individuals, media, business organisations and community groups. These awards will continue next year.

OFT will continue in 2005–06 to work towards creating an equitable, informed, and safe marketplace to increase business and consumer confidence, which will ultimately result in improved economic performance and a strong contribution to the Smart State.

Liquor licensing consults community

The department's Liquor Licensing Division continued to focus on harm minimisation in 2004–05 through the promotion of responsible hospitality practices and the implementation of various locally based initiatives to combat alcohol misuse and abuse.

Continuing liquor supply reduction initiatives across 19 Indigenous communities included the incorporation of culturally appropriate components within the division's responsible service of alcohol training program. The *Meeting Challenges, Making Choices* strategy is helping to minimise the impact of alcohol on Queensland's Indigenous communities. The Liquor Licensing Division worked in close partnership with the communities and the Department of Aboriginal and Torres Strait Islander Policy in developing, implementing and reviewing restrictions to limit the supply of alcohol. In 2004–05, the division amended the Restricted Area provisions of the *Liquor Act 1992* to clarify the intent of the restrictions.

The division had a busy year implementing the recommendations of the Premier's Brisbane City Safety Action Plan to improve public safety on and around licensed premises. The *Liquor Act 1992* was

amended to introduce a 3am lockout on all licensed premises in the Brisbane City Council area and is complemented by a state-wide ban on the external advertising of discounted liquor for on-premises consumption. Results are promising with patron lockouts imposed at late trading venues already showing significant reductions in alcohol related disturbances in Cairns, Townsville and the Gold Coast, and lockouts have been voluntarily adopted by licensees in Rockhampton, Yeppoon, Beaudesert and Ipswich after local consultation and negotiation.

Strategy launched for wine industry

Following the creation of the first Australian Wine Industry Development portfolio in February 2004, significant industry and stakeholder consultation has been undertaken to develop the Queensland Wine Industry Development Strategy. This comprehensive strategy was launched in December 2004 and marked the delivery of the government's first election commitment to the wine industry. The 69 development activities within the strategy address all stages of the wine industry process from grape to glass including viticulture, wine production and the marketing and distribution phases. The strategy is based on a framework of developing a sustainable, diverse and innovative wine industry through implementing a range of co-ordinated action plans to ensure industry identified priorities are met and that development opportunities are exploited.

It seems there is no limit for the growth of the Queensland wine industry with Queensland wines continuing to grow in popularity with locals and tourists alike. A range of top quality Queensland wines continued to win national and international accolades in 2004–05 and with several wineries attracting more than 100 000 visitors a year the future is looking very healthy. A strategic alliance between the tourism and wine industries will play a beneficial role in helping to strengthen the Queensland economy.

Tourism plans for the future

Tourism continues to be a vital part of Queensland's economy, directly employing around 150 000 people. With optimistic long-term growth forecasts for the industry and in the face of an ever-changing, highly competitive tourism business environment, a stronger government and industry partnership approach will be required to plan for and accommodate this growth and sustain a viable, vibrant industry sector over time.

In 2004–05 the department's Tourism Strategy Division, in partnership with Tourism Queensland, commenced the development of the Queensland Tourism Strategy. The strategy will provide a broad vision and direction for the sustainable growth of tourism in Queensland over the next ten years. Development of the strategy is underpinned by a comprehensive program of government, industry and community consultation. The consultation program will reach into Queensland regions through a series of 19 regional industry workshops, followed by a thorough process of community feedback and review.

Also this year the division contributed to a number of whole-of-government tourism strategies including the Cruise Shipping Plan, the Commercial and Tourism Aviation Plan and the Queensland Ecotourism Plan.

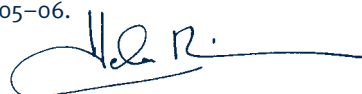
Similarly, with the assistance of the Department of State Development, Trade and Innovation, the division is leading the development of a ten-year Tourism and Infrastructure Plan for the Mackay Whitsunday tourism region.

Service delivery a focus

Service delivery and client satisfaction continues to be an important focus for the department. There is a need to better integrate service delivery across the department and the government. During 2004–05 the department managed the transition of consumer information and advice services and selected business processes from the department's Brisbane and regional offices to Smart Service Queensland in support of the government's integrated service delivery strategy. The government's service delivery agency aims to provide more efficient and easier access to services for customers through a variety of channels.

Departmental staff answered a record 478 000 calls from clients with inquiries on fair trading and licensing issues throughout the year. The department will continue to invest in and update training for staff to allow them to continue to provide excellent service to the community.

In 2004–05 the department's staff once again proved their capabilities. I sincerely thank them for their dedication, professionalism and enthusiasm and look forward to more challenges and achievements in 2005–06.



Helen Ringrose
Director-General

Highlights 2004–05

The department administers an extensive range of legislation, more than 65 Acts. To ensure the most effective legislation is in place for the protection of Queenslanders at all times, the department continually reviews and examines its regulatory regime. This also ensures laws are keeping pace with emerging industry and community trends.

In 2004–05 the department supported the introduction into parliament by Minister Margaret Keach of five Bills and the introduction or amendment of 13 Regulations. Key reforms included implementing the first stage of legislative amendments under the Brisbane City Safety Action Plan, which imposed a 3am lockout on all licensed premises in the Brisbane City Council area and a state-wide ban on the external advertising of drink promotions for on-premises consumption; amending the restricted area provisions of the *Liquor Act 1992* in relation to airfields and annual permits for tourism operators; creating the new legal entity of incorporated limited partnerships which will facilitate investment in the state; rationalising the qualification and licensing regime for travel agents; providing a suitable licensing regime for non-profit organisations which manage affordable housing rental schemes; and providing a ban on projectile toys which are potentially dangerous for children.

Fair trading

- Finalised 5196 enforcement actions against traders, including 116 actions before the courts and Commercial and Consumer Tribunal, resulting in more than \$1 million in penalties.
- Finalised enforcement action against 10 defendants for marketeering offences under the *Property Agents and Motor Dealers Act 2000* resulting in over \$365 000 in fines, costs and compensation orders.
- Achieved almost \$3.7 million in redress for consumers.
- Through its state-wide communication campaigns reached an estimated 79.5 per cent of Queenslanders.
- Finalised and tabled before the Legislative Assembly, a review of the *Property Agents and Motor Dealers Act 2000* and commenced developing appropriate amendments.
- Developed and implemented the inaugural Queensland Consumer Protection Awards scheme to publicly acknowledge the contribution made to consumer protection and fair trading in Queensland by individuals, media, business organisations and community groups.
- Implemented photographic identification card for security providers to improve the integrity of the security providers licensing system.

Liquor licensing

- Implemented recommendations of the Premier's Brisbane City Safety Action Plan for improved community safety on and near licensed premises. The Liquor Licensing Division amended the *Liquor Act 1992* to impose a 3am lock-out on all licensed premises in the Brisbane City Council area and introduced a state-wide ban on the external advertising of drink promotions for on-premises consumption. These amendments are designed to enhance the responsible service of alcohol.

- In collaboration with the Department of Local Government and Planning and the Brisbane City Council, developed a legislative framework that will allow local councils to declare designated entertainment precincts. Local authorities will assume responsibility within those precincts for the regulation of noise emanating from licensed premises. It is anticipated the first entertainment precinct will be declared by the Brisbane City Council for the Fortitude Valley area in early 2006.
- The *Meeting Challenges, Making Choices* strategy seeks to minimise the impact of alcohol on Queensland's Indigenous communities. The Liquor Licensing Division has worked in close partnership with the communities and the Department of Aboriginal and Torres Strait Islander Policy in developing, implementing and reviewing restrictions to limit the supply of alcohol in communities. In 2004, the division amended the Restricted Area provisions of the Liquor Act to clarify the intent of the restrictions.
- Adopted a significant visible presence during Schoolies 2004 with a strong focus on the Gold Coast. Twelve Liquor Compliance Officers were deployed to work in conjunction with the Queensland Police Service issuing 338 infringement notices resulting in fines of \$87 525.

Wine industry development

- Following extensive consultation with representatives from the wine, tourism, hospitality and government sectors Queensland's inaugural Wine Industry Development Strategy was launched at Parliament House in December 2004. The Strategy is a long-term initiative containing 69 development activities scheduled for implementation over a four-year period to 2008.
- Formed effective working relationships with key wine, tourism and liquor industry stakeholders to ensure the practical implementation of the strategy's development actions.
- Successfully hosted the first ever National Wine Export Conference in Brisbane during May 2005. The conference attracted over 160 delegates including international speakers and interstate delegates and provided practical information to current and emerging wine exporters on the opportunities and challenges involved in exporting wine to overseas markets.

- Improved the profile and public awareness of Queensland wine through participating in and supporting wine producers at events, exhibitions and festivals on the local, national and international stages.

Dispute resolution

Body Corporate and Community Management

- Reviewed BCCM issues and released a discussion paper in July 2004 to identify strategic and emerging issues and develop a forward policy agenda for the community titles sector, ensuring an effective legislative framework and quality and responsive government services. The discussion paper attracted 177 responses.
- Delivered 20 information seminars around Queensland with input from stakeholder representatives. Over 1000 members of the general public and industry groups attended the seminars.
- Resolved 1136 disputes and dealt with 21 158 requests for information averaging around 81 client contacts each working day including 14 945 telephone calls, 105 personal interviews, 963 written requests and 5144 searches of adjudicators' orders. BCCM achieved significant improvements in the time taken to resolve disputes, resolving 74.5 per cent of disputes within 60 days of the close of the applicant's reply to submissions, compared to 49 per cent in 2003-04.

Commercial and Consumer Tribunal

- Resolved approximately 1230 tribunal applications, including successfully mediating more than 70 per cent of domestic and minor commercial building disputes ensuring a cost effective resolution without the need for a full hearing.
- Achieved output requirements for resolving disputes with an increased workload of 16 per cent more building disputes.
- Streamlined case management processes to ensure disputes and other applications were resolved in a timely and cost effective manner.
- Modified premises to accommodate increased workloads and to provide improved facilities for mediations and client services.

Our contribution to Queensland Government outcomes

The department plays a key role in the establishment and maintenance of a contemporary regulatory framework which helps build consumer and business confidence and encourages responsible and

sustainable expansion of the tourism, wine and liquor industries. The department delivers three key outputs: Fair Trading Services, Liquor Industry Services and Dispute Resolution Services.

Departmental output	Related whole-of-government outcome	Contribution
Fair Trading Services	A strong diversified economy	A fair marketplace helps drive economic growth and job creation. The department helps build business and consumer confidence in the marketplace by working collaboratively across all sectors of the Queensland community, industry and government in regulating marketplace conduct and ensuring businesses adopt responsible trading practices.
Liquor Industry Services	Safe and secure communities	Developing effective regulatory systems and delivering preventative and responsive consumer protection strategies, promoting socially responsible and safe liquor industry practices and implementing initiatives to minimise harm and crime associated with the consumption of alcohol all help reduce crime and enhance community safety. As well, assisting the tourism, liquor and wine industries to grow and develop in a responsible and sustainable manner helps stimulate business investment and job creation in these and related industries. The department works with Indigenous communities to find practical and effective ways to address consumer detriment and the impact of alcohol on people living in these communities.
Dispute Resolution Services	A fair, socially cohesive and culturally vibrant society	Setting policy and standards on behalf of the community-living sector and providing access to impartial and responsive dispute resolution services in respect of body corporate and trades, occupations and industries, supports those industries' continued growth and standing in the community.

Output performance summary

Output: Fair Trading Services

Related Government outcome: A strong diversified economy

Key performance measures 04–05	Target 04–05	Actual 04–05	Target 05–06	Comments
Quantity				
Customers provided with information and advice	2.5 million	2.8 million	2.5 million	More customers were provided with information and advice due to an increase in the number and reach of communication and education activities and an increase in the provision of security searches e.g. of the Register of Encumbered Vehicles (REVs).
Number of licensing and registration services provided to business and community groups	390 000	401 741	390 000	More licensing and registration services were provided than estimated due to an increase in the number of business name renewals and the registration of securities such as on REVs.
Number of complaints finalised	11 500	13 979	12 500	More complaints were finalised than estimated due to an increase in complaints received.
Number of enforcement actions initiated	2000	5180	2200	The significant difference between the target and estimated actual enforcement actions was due largely to a scam that resulted in a high number of warnings to multiple persons. Warnings account for approximately half of the enforcement actions initiated.
Number of businesses monitored for compliance	35 000	42 617	35 000	The increase in the number of businesses monitored for compliance in 2004–05 was due to a general increase in marketplace activity and specific issues that required more compliance activity in the area of trust account audits, residential services, auctioneers, security providers and motor dealers. The 2005–06 target is not being increased due to the need to balance proactive and reactive compliance activities within resourcing levels.
Amount of redress achieved for consumers	\$3 million	\$3.6 million	\$3.5 million	The significant difference between the target and estimated actual redress achieved for consumers is principally due to an increase in the number of customers accessing the Office of Fair Trading services and a number of large one-off redress amounts received as an outcome of significant investigations and payments from the Property Agents and Motor Dealers Claim Funds. Both of these factors have increased the overall amount of redress achieved, but are not expected to be maintained in future years.

Output: Fair Trading Services (continued)

Related Government outcome: A strong diversified economy

Key performance measures 04-05	Target 04-05	Actual 04-05	Target 05-06	Comments
Quality				
Complaints satisfactorily finalised	80%	78%	80%	This measure reports the outcome of disputes that do not involve a breach of legislation. It reflects those disputes resulting in agreement between the complainant and trader.
Extent of complying businesses	85%	65%	85%	Businesses monitored for compliance include a higher proportion of traders or industries that are high risk rather than a random sample of traders. This is the most effective use of compliance resources to prevent and address consumer detriment.
Estimated reach of awareness and education initiatives	75%	77%	75%	
Licensing decisions upheld on appeal	95%	100%	95%	
Extent of consumer confidence in marketplace integrity	75%	72%	75%	
Extent of business confidence in marketplace integrity	75%	84%	75%	

Key performance measures 04–05	Target 04–05	Actual 04–05	Target 05–06	Comments
Timeliness				
Average advice line wait time	60 second	80 second	discontinue	This measure will be discontinued as the Office of Fair Trading call centre services are now being delivered by a call centre operated by Smart Service Queensland.
Licensing applications processed within targets	95%	84%	95%	The estimated actual percentage of licensing applications processed within targets is lower than expected due to an increase in the demand for licensing services.
Registration services processed within targets	95%	88%	95%	The estimated actual percentage of registration applications processed within targets is lower than expected due to an increase in the demand for registration services.
Investigations completed within targets	75 %	59%	75%	The percentage of investigations completed within targets was lower than estimated due to an increase in the number of complaints received. Investigations that are not within the targets are those less serious complaints that have a lower priority than complaints involving alleged serious consumer detriment. Emerging issues requiring unscheduled compliance action also impacted on complaint finalisation measures – for example, issues such as the increase in independent contractors operating in the real estate industry, a specific high-volume safety certificate scam and odometer tampering in the new car industry resulted in resources being temporarily diverted from less serious matters.
Mediations completed within 30 days	75%	83%	75%	The target of 75% has been retained for 2005–06 as a number of new service reform initiatives are being implemented.

Output: Liquor Industry Services

Related Government outcome: Safe and secure communities

Key performance measures 04–05	Target 04–05	Actual 04–05	Target 05–06	Comments
Quantity				
Number of restricted areas declared	2	0	Discontinued	This measure is to be discontinued. Restrictions under the <i>Liquor Act 1992</i> have been declared for 17 of the 19 communities identified in the <i>Meeting Challenges, Making Choices</i> strategy. In relation to the two remaining communities – Cherbourg has implemented a number of ‘dry places’ under the <i>Community Services (Aborigines) Act 1984</i> and an Alcohol Management Plan for Palm Island is being progressed.
Visits to Indigenous communities and licensed premises in adjacent areas	260	300	260	
Number of industry information bulletins and liquor trade journal articles produced	30	30	35	
Number of orders for promotional and educative material received from licensees and other industry stakeholders	800	500	500	The target for 2005–06 has been altered to reflect the increased popularity of Internet based marketing initiatives and materials and the subsequent decline in orders for hard copy materials.
Number of licensed premises checked for compliance	8500	8500	9500	The estimated number of licensed premises to be checked in 2005–06 will increase in line with an increase in compliance resources.
Number of complaints investigated	1400	1800	1500	Proactive media campaigns have resulted in increased public awareness of the laws and responsible agencies leading to additional compliance being received and investigated by the Liquor Licensing Division.

Key performance measures 04–05	Target 04–05	Actual 04–05	Target 05–06	Comments
Quantity				
Number of liquor, wine and adult entertainment applications processed:				
• complex applications (e.g. new licences, detached bottle shops, adult entertainment permits)	1400	1582	1450	Fluctuation of application figures is anticipated in response to economic conditions.
• moderate applications (e.g. no advertising required)	6550	6581	6550	
• standard applications (e.g. one-off permits)	12 500	13 549	13 000	
Quality				
Licensing decisions upheld on appeal	80%	63%	80%	The figures are based upon final decisions of the Commercial and Consumer Tribunal. This measure does not reflect stay proceedings, procedural matters or applications the division has successfully settled before a formal hearing. Where several separate matters are heard jointly with one tribunal decision, the single decision is counted. The number of appeals decided was 11 and of these, seven were upheld.
Complaints finalised	90%	90%	90%	
Timeliness				
Front-end licensing activities completed within nominated time frames	95%	95%	95%	

Output: Dispute Resolution Services

Related Government outcome: A fair, socially cohesive and culturally vibrant society.

Key performance measures 04–05	Target 04–05	Actual 04–05	Target 05–06	Comments
Quantity				
Number of applications lodged				BCCM refers to the Office of the Commissioner for Body Corporate and Community Management. CCT refers to the Commercial and Consumer Tribunal.
• BCCM	1150	1100	1150	
• CCT	1300	1300	1400	
Number of applications resolved				The increase in matters resolved by the BCCM has been achieved through funding for additional adjudicators.
• BCCM	990	1130	1100	
• CCT	1200	1200	1200	
Numbers of BCCM information service client contacts	21 500	21 500	21 500	
Quality				
Orders overturned or altered on appeals				
• BCCM	2%	<2%	2%	
• CCT	2%	<2%	2%	
Timeliness				
Applications resolved within established timeframes				BCCM target timeframes are for 80% of matters referred to departmental adjudication to be resolved within 60 days of the close of the applicant's reply to submissions.
• BCCM	80%	80%	80%	
• CCT	80%	80%	80%	
				The CCT's target is to resolve 80% of matters within seven months.

Fair trading services

The Office of Fair Trading (OFT) contributes to industry development and economic growth by building consumer and business confidence in fair marketplace outcomes. This is achieved through the delivery of an effective regulatory regime which promotes the integrity of trading practices in Queensland.

Functions

OFT undertakes a range of regulatory activities and services, including:

- informing and educating business and consumers
- maintaining a contemporary fair trading regulatory framework that balances the needs of business and consumers
- monitoring compliance with fair trading standards and legislation
- resolving disputes, investigating complaints and taking enforcement action in relation to legislative breaches
- providing access to appropriate redress for consumers
- providing effective registration, licensing and trader measurement services.



OFT established the inaugural Queensland Consumer Protection Awards to publicly acknowledge the contribution made to fair trading in Queensland by individuals, media, business organisations and community groups. Minister for Fair Trading the Honourable Margaret Keech MP (left) presents the 2005 Public Awareness Media Award to Extra (Channel Nine).

Key stakeholders

OFT has formed partnerships with a broad range of stakeholders in order to identify and respond to emerging fair trading issues. These stakeholders include:

- peak business and industry groups
- consumer groups and community agencies, particularly those representing disadvantaged and vulnerable groups
- Queensland government agencies
- state and federal marketplace regulators, including the Australian Competition and Consumer Commission and the Australian Securities and Investment Commission
- Individual businesses and consumers.

Goals for 2004–05

To promote:

- a contemporary fair trading framework
- responsible businesses
- consumer protection
- informed businesses and consumers
- effective administrative infrastructure for the marketplace.

Statistical snapshot

The OFT undertook a comprehensive set of regulatory activities in 2004–05 to improve the integrity of the Queensland marketplace and to help build consumer and business confidence. The regulatory framework is designed to facilitate economic growth while minimising consumer detriment. These activities included:

- finalised 13 979 consumer complaints
- monitored 42 617 businesses, community groups and individual licensees for compliance with legislative requirements
- achieved almost \$3.7 million in redress for consumers
- finalised 5196 enforcement actions against traders including 116 actions before the courts and Commercial and Consumer Tribunal, resulting in more than \$1 million in penalties
- provided information and advice to more than 2.8 million customers
- maintained licensing and registration services to 401 741 businesses and community organisations
- verified 8549 measurement standards for business and government to promote correct measurement
- processed more than 1.2 million Register of Encumbered Vehicles (REVS) transactions, with 868 215 REVS certificates issued.

Results

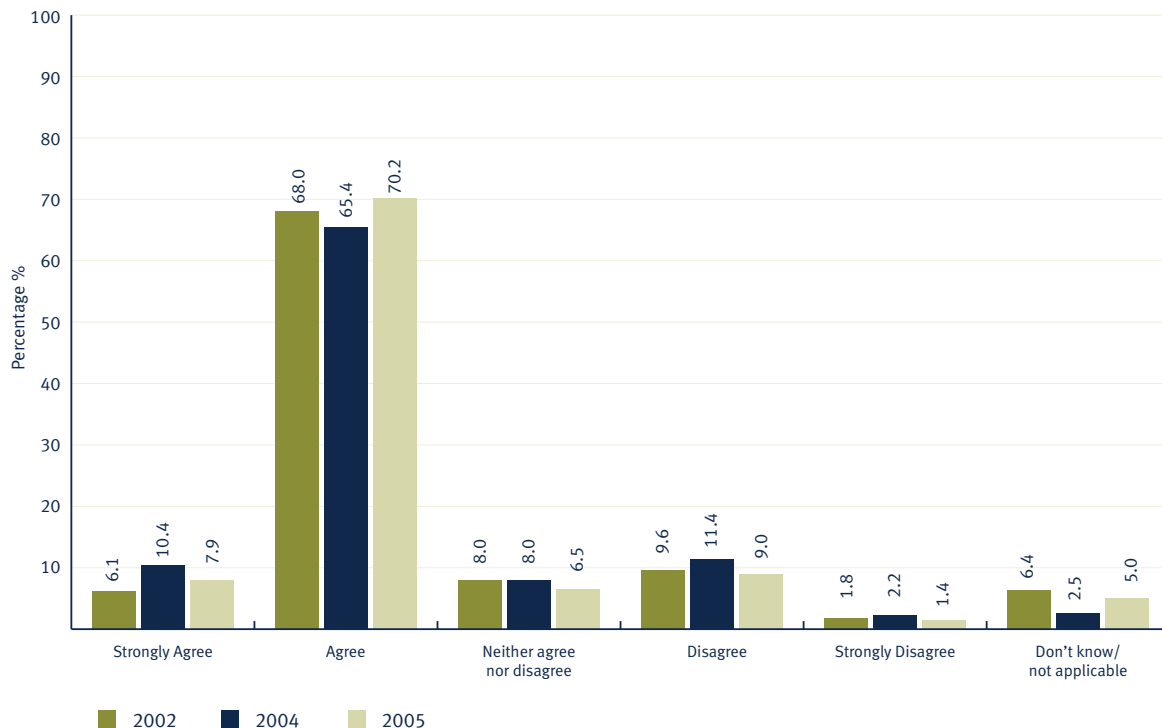
The OFT's programs continued to have positive impacts in the Queensland marketplace. Independent research confirmed that:

- 78.1 per cent of Queensland consumers agreed or strongly agreed that if Queensland traders did not act in a fair and ethical way there are laws which protect a consumer's rights
- 88.7 per cent of traders agreed or strongly agreed that if Queensland traders did not act in a fair and ethical way there are laws which protect a consumer's rights
- 75 per cent of Queensland consumers have a positive outlook by agreeing or strongly agreeing that in Queensland consumers can generally rely on traders acting in a fair and ethical way
- an estimated 79.5 per cent (November 2004) of Queensland's adult population were reached through awareness and education activities.

Source: Trader and Consumer Confidence Surveys 2004, 2005; Queensland Household Survey November 2004.

Consumer confidence

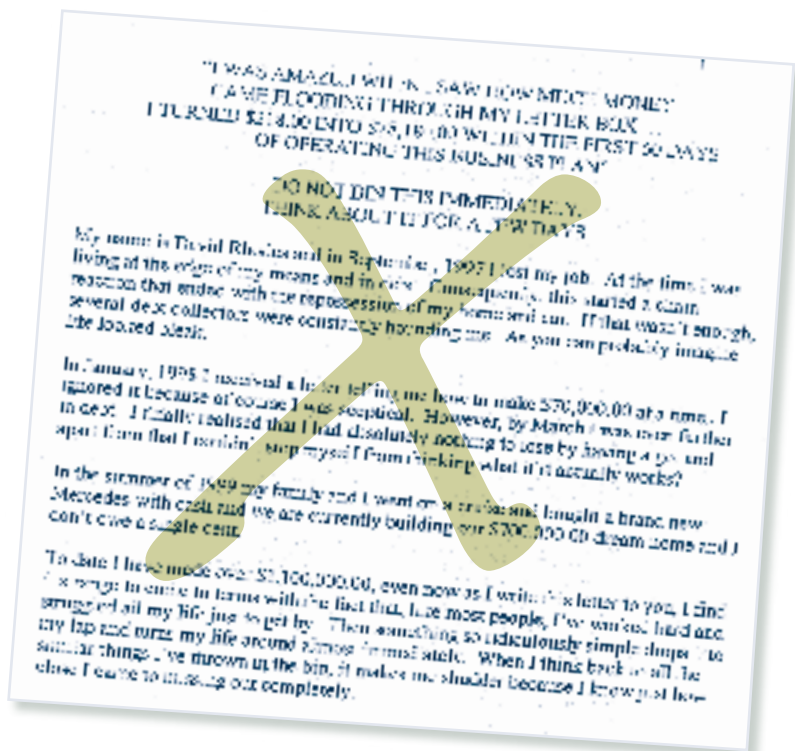
Response to the question “If Queensland traders do not act in a fair and ethical way there are laws which protect a consumer’s rights.”



The OFT received 12 357 complaints in 2004–05, an increase of almost 14 per cent over the last financial year. This increase reflects economic growth in Queensland. Economic growth generates a greater number of transactions where things can go wrong.

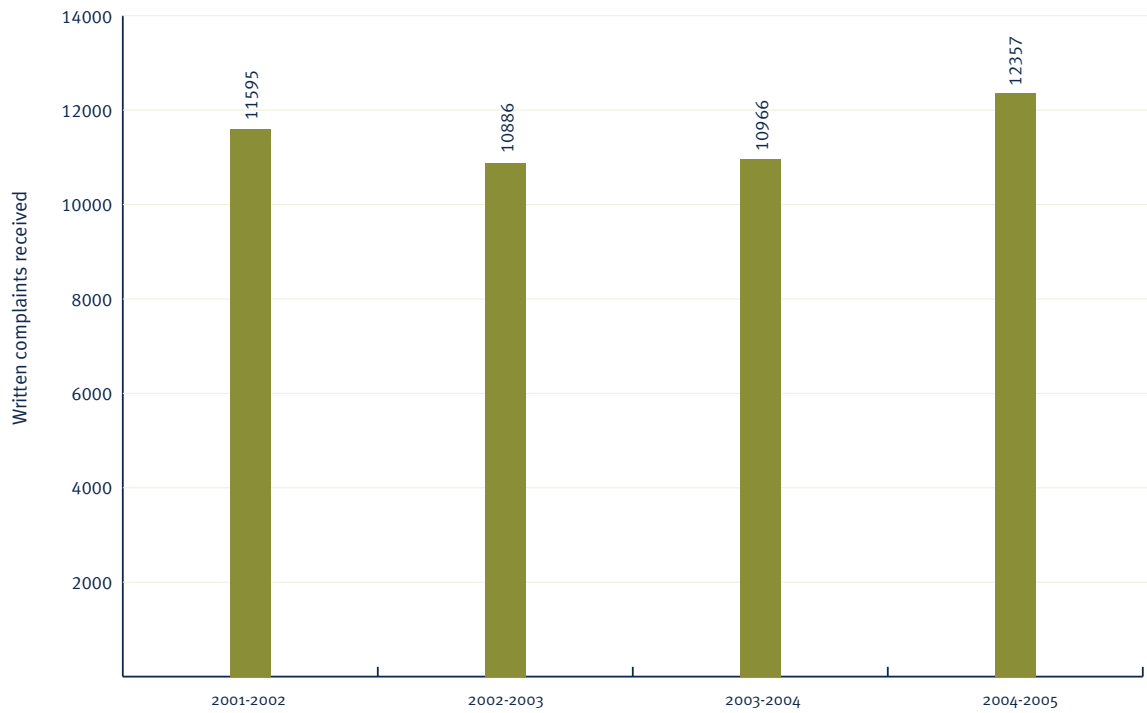
One-third of this increase in complaints stems from the so-called David Rhodes chain letter scam which emerged in the second half of 2004. Scam complaints nearly doubled from 850 to 1327, largely due to the David Rhodes letter.

Complaints about household goods were again the top complaint category, with occupation services (which includes professional, semi-professional and personal occupations and trades) and real estate complaints making up the top three. Motor vehicle related complaints were down by over 18 per cent, reflecting improved industry standards and a trend to new vehicle sales with the availability of cheap, good quality new cars.

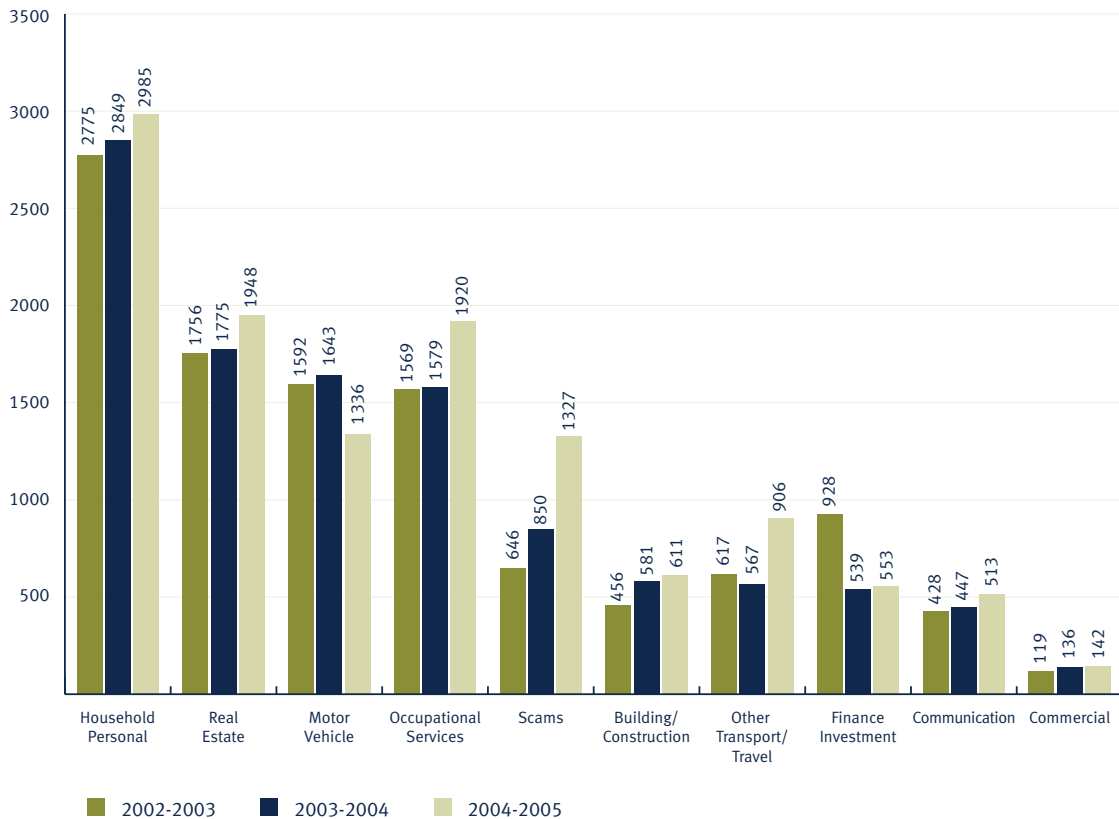


An excerpt from the so-called David Rhodes chain letter scam.

Complaints to the Office of Fair Trading from the community



Top ten complaints to the Office of Fair Trading from the community by product category



Note: All complaints are now classified by product category.

Customer satisfaction

In 2005, OFT asked 760 customers about their satisfaction levels with a range of fair trading services including occupational licensing, business name registration and complaint handling.

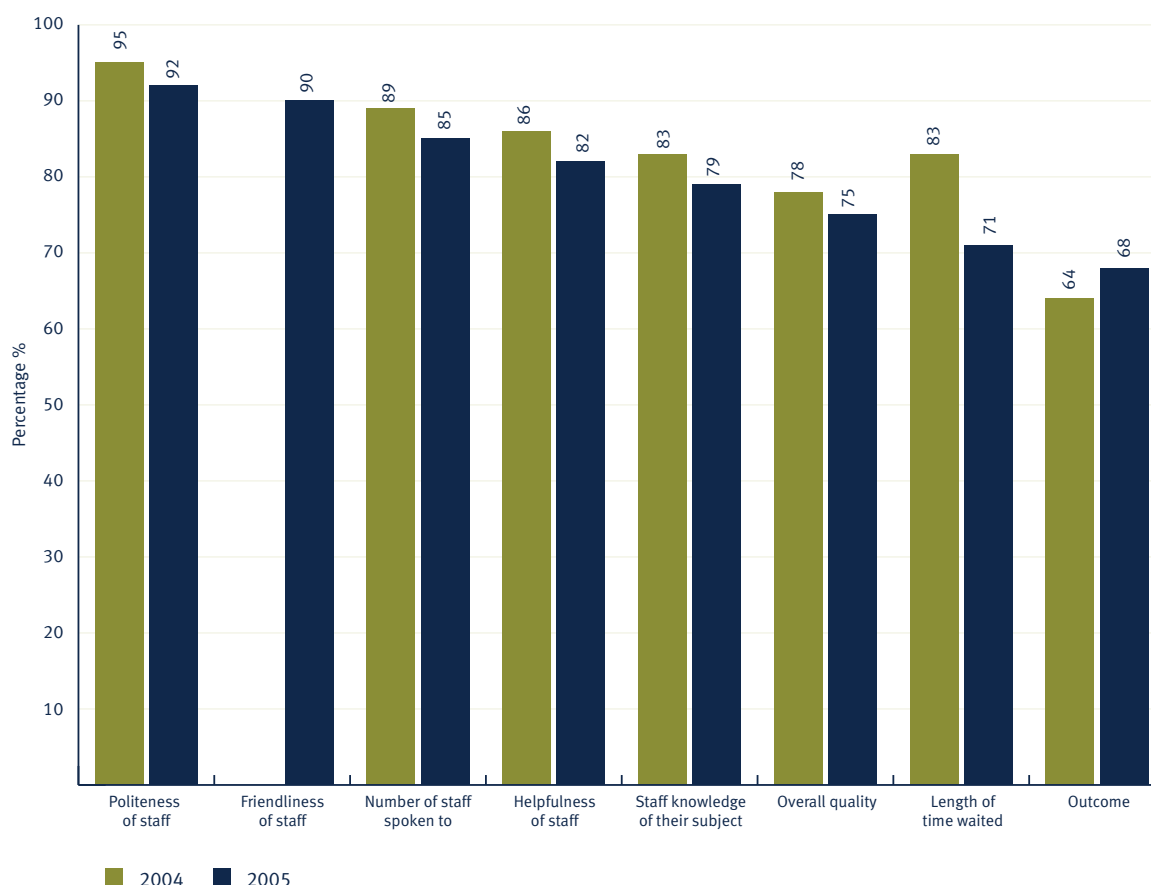
Customers rated overall service quality at 75 per cent in 2005 with high levels of satisfaction reported on a range of factors including politeness and helpfulness of staff, and staff knowledge.

The slight decrease in customers' satisfaction with the overall quality of service received (78 per cent in 2004 to 75 per cent in 2005) can be attributed to the change in the range of customers surveyed in 2005.

This year OFT dramatically increased the sample of customers lodging serious complaints. The nature of the services delivered by complaint handling staff can range from quite simple to very complex mediation cases between consumers and traders. Seventy-five per cent of customers who used this service reported they were satisfied or very satisfied with the overall quality of the service they received.

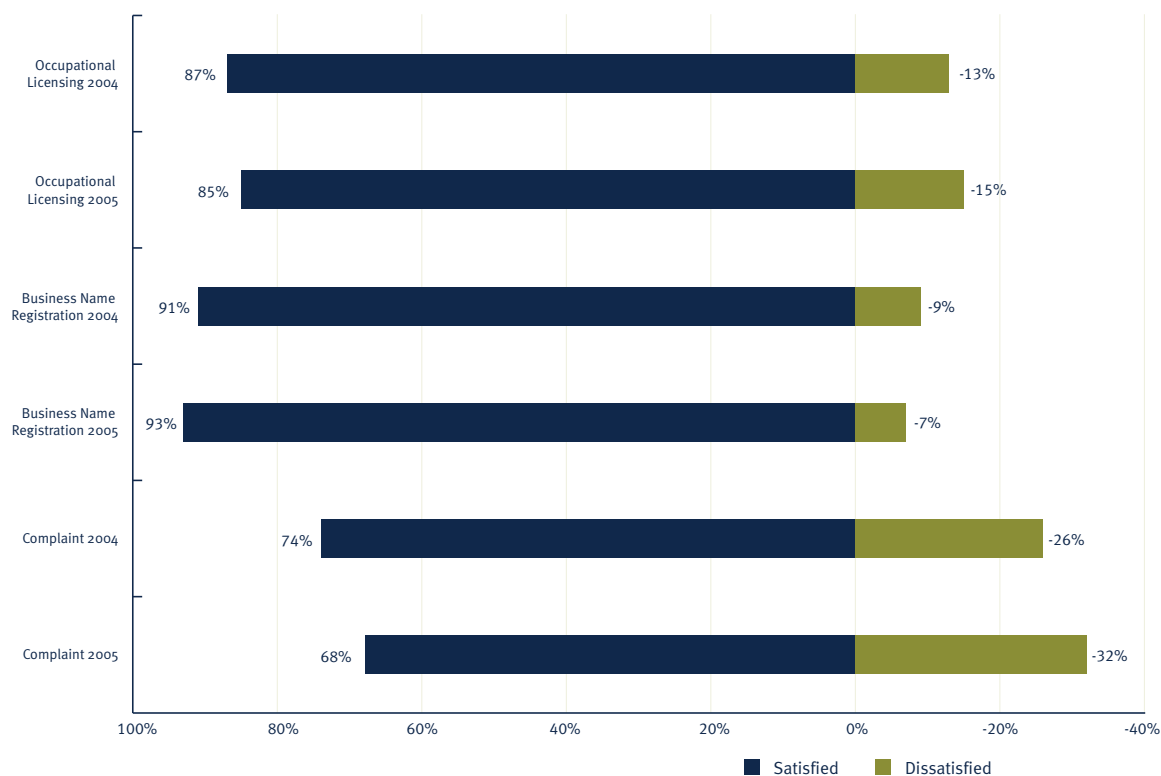
OFT asked customers to rate their satisfaction level with the outcome received or achieved. Over two-thirds of customers (68 per cent) reported they were either satisfied or very satisfied with the outcome of their interaction with OFT. This is an improvement over the results for 2004.

Satisfaction with the service received (combined satisfied and very satisfied) from the Office of Fair Trading



Note: excludes not applicable/don't know responses.
 Note: Friendliness of staff figure not measured in 2004.

Satisfaction with the overall quality of the service you received by service type



Policy and legislation program

The policy and legislative program ensures OFT has a regulatory framework that addresses current and emerging marketplace issues and balances the needs of business and consumers. It achieves this by:

- proactively researching emerging issues and developing timely, efficient policy and legislative responses
- leading and contributing to national projects to achieve nationally-consistent regulation where appropriate
- undertaking a legislative review program
- providing the operational areas within OFT with high-quality, practical and timely legal advice about the legislation it administers.

Major achievements

- Through the Ministerial Council on Consumer Affairs, led the development of national regulatory reform proposals in relation to property investment advisors and significantly progressed the development of policy to regulate finance brokers in Queensland and nationally.
- Released the *Retirement Villages Amendment Bill 2005* for consultation.
- Finalised the report of the Review of the *Property Agents and Motor Dealers Act 2000* and progressed the review of the *Fair Trading Act 1989*.
- Conducted community consultation on discussion papers for the *Security Providers Act 1993* and the *Associations Incorporation Act 1981*.

Compliance program

The compliance program promotes responsible business practices and ensures consumer protection.

This is achieved through:

- undertaking proactive compliance checks of industries and traders identified as high risk while also maintaining an appropriate level of non-targeted spot checks
- investigating consumer complaints, providing access to redress and taking appropriate enforcement action against non-compliant businesses
- better targeting of compliance and enforcement resources toward issues involving the greatest detriment or potential detriment to consumers, or where there is systemic fraud
- working closely with other regulators to ensure effective coordination, maximum impact, and more effective enforcement.

The major focus continues to be on targeting compliance and enforcement resources to matters involving the most serious instances of non-compliance and greatest detriment to consumers.

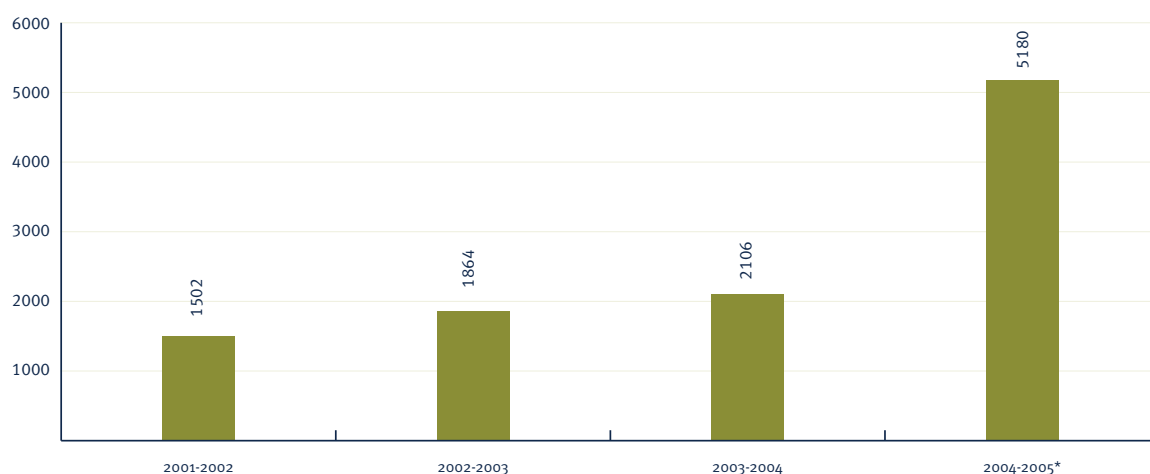
Major achievements

- Conducted proactive compliance monitoring and targeted blitzes of a range of industries, including:
 - high-risk sectors and groups subject to industry-specific legislation, including inbound tour operators, introduction agents, property agents, motor dealers, security providers, second-hand dealers and pawnbrokers
 - product safety issues including compliance with mandatory safety and information standards
 - trade measurement issues including ensuring correct weight and measure of products, labelling of goods and use of scales.
- Finalised 116 actions before the Commercial and Consumer Tribunal and the Courts resulting in:
 - more than \$155 000 in compensation for consumers
 - more than \$1 million in fines and approximately \$60 000 in costs
 - 18 licensees had their licences disqualified for a total of 67 years, with four licensees permanently disqualified, two licensees

imprisoned for four years in total and one licensee ordered to serve 120 hours of community service.

- Those court and tribunal actions were across a number of industries for a range of offences, including:
 - breaches of marketeering provisions of the *Property Agents and Motor Dealers Act 2000*
 - motor vehicle traders for tampering with vehicle odometer readings
 - adult shop operators for selling prohibited magazines and films
 - unlicensed real estate and motor dealers
 - various traders for misrepresentation of goods and services.
- Finalised enforcement action against 10 defendants for marketeering-related offences under the *Property Agents and Motor Dealers Act 2000*, resulting in over \$365 000 in penalties and eight entities being disqualified from operating for periods between six months and four years.
- Introduced regulations banning the sale of novelty flashing dummies in Queensland, a potentially dangerous product because of the high choking risk to infants.
- Worked collaboratively with both the Australian Competition and Consumer Commission and the Australian Securities and Investments Commission on local, national and international investigations.
- Continued to work closely with other key government agencies such as the Queensland Police Service in areas such as:
 - fraud
 - the activities of second-hand dealers and inbound tourism operators
 - fuel quality and other trade measurement matters
 - consumer product safety and scams.
- Introduced new mandatory safety standards for toys for children under three, projectile toys and sunglasses.

Enforcement actions initiated



*The 2004-05 figure includes more than 2000 warning notices issued in relation to the David Rhodes chain letter scheme and over 190 enforceable undertakings entered into in relation to independent contractors in the real estate industry

Consistent with its increased focus on compliance and enforcement, OFT has steadily increased the number of enforcement actions it has initiated since 2001-02, with 5180 enforcement actions initiated in 2004-05.

OFT also improved its targeting of enforcement action by making greater use of infringement notices and enforceable undertakings for less serious legislative breaches.

These enforcement strategies provide faster results and are a more cost-effective enforcement tool. Undertakings also achieve trader acknowledgement of illegal or unethical practices, as well as securing commitment to various other remedies such as consumer compensation, changes in systems and practices, staff training and commitments to cease the behaviour. However, more serious offences continue to be the subject of prosecutions, as evidenced by the increase in the number of court and tribunal actions finalised during 2004-05.

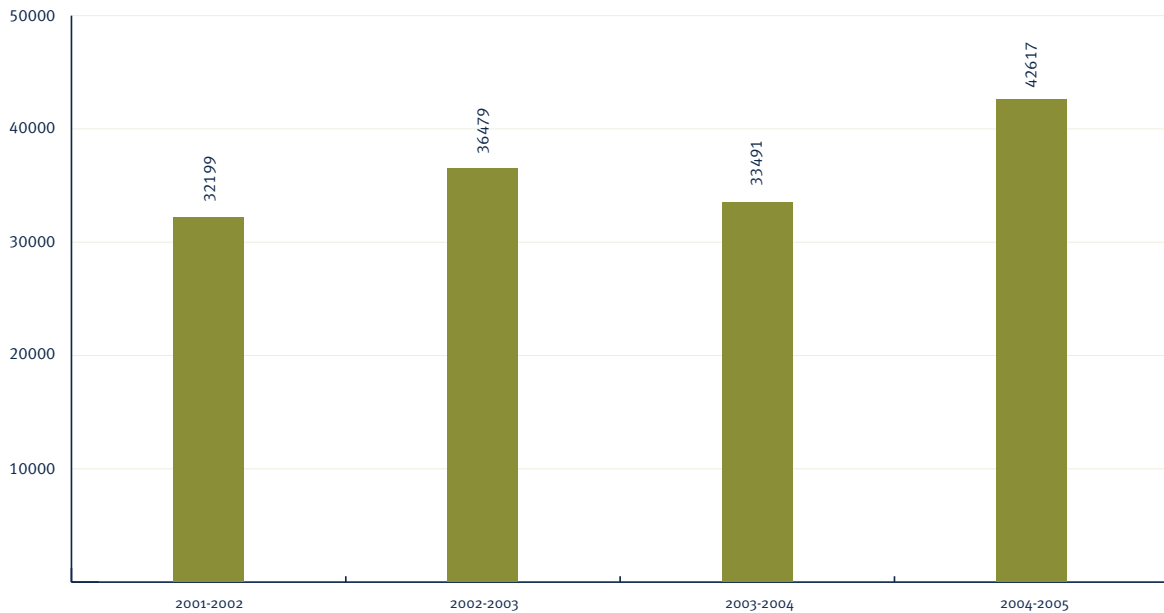
A full list of successful court and tribunal actions in 2004-05 is published in this report on pages 81-92. Some examples include:

- Power Pacific, Spacelink Holdings, two of its directors and an office manager, the subject of an interim injunction in the Federal Court to prevent them engaging in misleading and deceptive invoice fraud. This case is significant as it is the first time a state or territory fair trading agency

has taken action in the Federal Court to secure nation-wide orders to prevent illegal conduct occurring Australia-wide

- John Gunther, his company and two sales people fined a total of \$19 500 and permanently disqualified from holding a licence as a result of unprofessional conduct in real estate dealings. In addition, the Supreme Court granted permanent injunctions against Gunther and his company from engaging in unconscionable conduct in the future and released Gunther's victims from oppressive second mortgages imposed by Gunther's company
- Avco Financial Services fined \$443 500 for failing to disclose credit charges in breach of the Consumer Credit Legislation
- Terrance Eldridge, former real estate agent, imprisoned for three years for wrongful conversion of trust monies
- George Jones fined a total of \$45 000 for odometer tampering and unlicensed motor dealing activities
- Loan shark Paul Levers fined \$45 000 for breaching Consumer Credit legislation
- Bechland trading as Remax Redcliffe fined a total of \$12 000 for bait advertising in real estate. The company's two directors were required to implement an education and training program to ensure it does not occur again.

Proactive compliance



In addition to responding to complaints, OFT monitors compliance with its legislation through proactive spot checks of traders. In 2004–05, OFT checked more than 42 617 businesses, community groups and individual licensees for compliance with legislative requirements.

OFT has introduced a rolling program of proactive compliance checks on newly regulated industries and those with higher levels of risk. This vital activity helps OFT maintain a visible presence in the marketplace

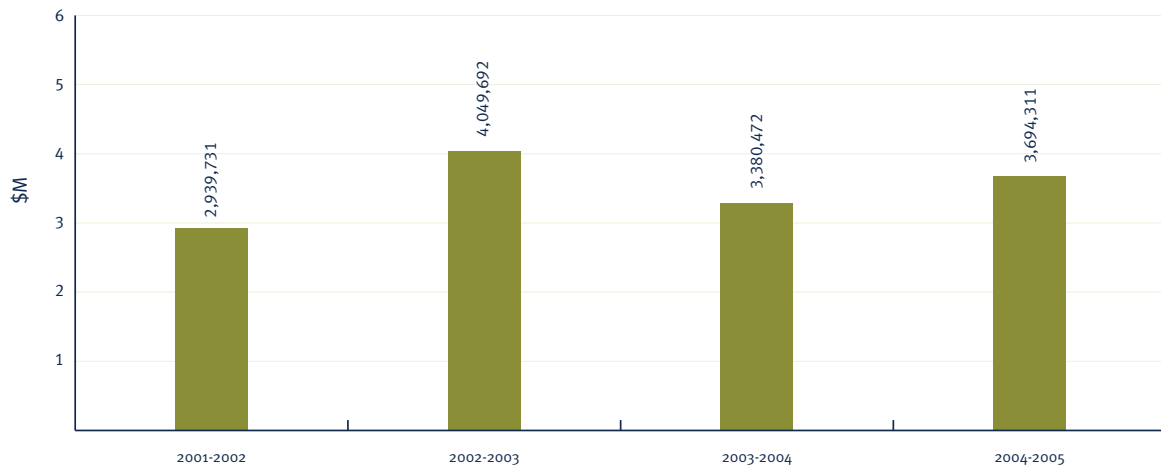
and to deter and address non-compliance with fair trading laws. It also provides important early warning of potentially serious marketplace problems.

OFT's proactive compliance program reduces the risk of misconduct going unaddressed and reinforces compliance with the laws governing the marketplace.



The Office of Fair Trading can advise on what to look for to ensure second-hand nursery furniture is safe.

Consumer redress

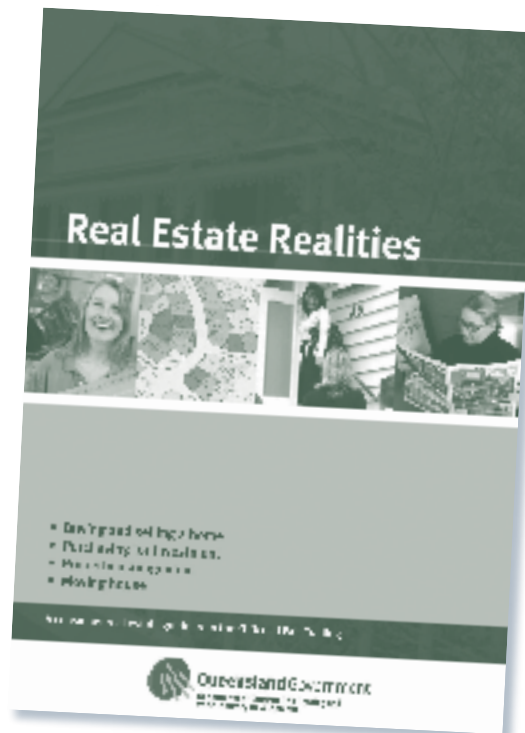


OFT achieved almost \$3.7 million in consumer redress in 2004–05, including more than \$1.7 million through conciliation of complaints that did not involve breaches of legislation. OFT achieved more consumer redress than in 2003–04 as a result of increased redress following a formal investigation and compensation/restitution awarded through finalised court/tribunal action.

OFT cannot direct a business to provide redress on the basis of a consumer complaint and can only prosecute or take other enforcement action where there is evidence of illegal activity, nevertheless staff advocate for consumers to achieve some form of redress.

Some examples of redress achieved include:

- \$88 000 to a Charters Towers consumer who had placed a truck on consignment and not received payment
- \$35 000 redress for Gold Coast consumer from a real estate agent who accepted commission they were not entitled to
- \$20 000 for a Brisbane company that had not received trust monies owed to them
- \$10 000 to a Brisbane consumer who purchased a jet ski that was found to be defective.



Inbound tourism industry

The *Tourism Services Act 2003*, which commenced 1 December 2003, was the Queensland Government's response to undesirable and unfair trading practices of certain inbound tour operators (ITOs) and tour guides operating in Queensland.

These practices negatively impact on Queensland's tourism industry by reducing holiday enjoyment for tourists who for example, pay highly inflated prices in controlled shopping situations.

In Queensland, these practices mainly occur on the Gold Coast and in the Cairns/Port Douglas area. Such conduct can tarnish Queensland's image as a tourism destination and could impede growth in tourism in Queensland due to a lack of tourist confidence in Queensland as a positive travel destination.

The first major proactive compliance strategy, Operation Charlie Jasmine, was undertaken in October 2004. The OFT conducted this operation jointly with the Queensland Police Service, the Commonwealth Department of Immigration, Multicultural and Indigenous Affairs (DIMIA), and Centrelink. Over 40 breaches of the Tourism Services Act were detected resulting in the seeking of 11 enforceable undertakings. One illegal non citizen was also detained by DIMIA.

The second major proactive compliance strategy, Operation Charlie Lotus, took place in February 2005 during which Gold Coast duty free and souvenir shops were targeted. Breaches of the Fair Trading Act were identified at duty free/souvenir shops during the compliance strategy. Search warrants were subsequently executed on the duty free shops concerned, which resulted in prosecution action being commenced against one shop and pending against the other.

OFT is a member of the National Inbound Tourism Legislation Working Group which is working towards the development of national legislation or registration for ITOs.

Marketplace strategy program

The marketplace strategy program delivers more informed, responsible businesses and consumers that improve marketplace integrity and build consumer and business confidence in the marketplace. It achieves this by:

- providing access to information, advice and targeted education on fair trading issues for business and consumers
- increasing consumer and business awareness of the Office of Fair Trading, its role and services
- ensuring the fair trading business strategy is based on reliable information on marketplace issues and developments.

Major achievements

- Developed and implemented the inaugural Queensland Consumer Protection Awards to acknowledge and reward outstanding business and consumer contributions to consumer protection and a fair marketplace in Queensland.
- Established and progressed the Ministerial Council on Consumer Affairs national project on consumer and financial literacy among young people including development of a framework to underpin the inclusion of consumer and financial literacy principles in school curricula throughout Australia.
- Implemented state-wide communication campaigns to build better business and consumer awareness and more responsible behaviour regarding business obligations (Trade \$mart), shopping (\$hop \$mart), consumer credit, real estate and motor dealing transactions, scam avoidance (Scam \$mart), Register of Encumbered Vehicles (REVS), product safety and trade measurement.
- Proactive communication activities informed reviews of, or proposed changes to, incorporated associations, security providers, travel agents, and finance brokers regulation.
- Developed and delivered a comprehensive range of communication and compliance activities to protect the consumer rights of young people attending the Gold Coast Schoolies Week 2004 and other schoolies activities across the state.
- Developed and distributed new good business guides for non-profit enterprises such as incorporated associations and cooperatives, to

assist Queensland's large non-profit sector to understand obligations under the *Associations Incorporation Act 1981* and the *Cooperatives Act 1997*.

- Maintained an ongoing program of marketplace research and analysis on complaint statistics, levels of consumer and trader confidence, customer satisfaction and levels and sources of consumer and trader awareness.
- Ongoing funding of the Centre for Credit and Consumer Law in conjunction with Griffith University to: conduct research into credit and financial services affecting Queensland consumers in particular completion of a background paper. *Consumer credit regulation: an international overview*; coordination of consumer group input into relevant government and industry policy development and consumer advocacy.

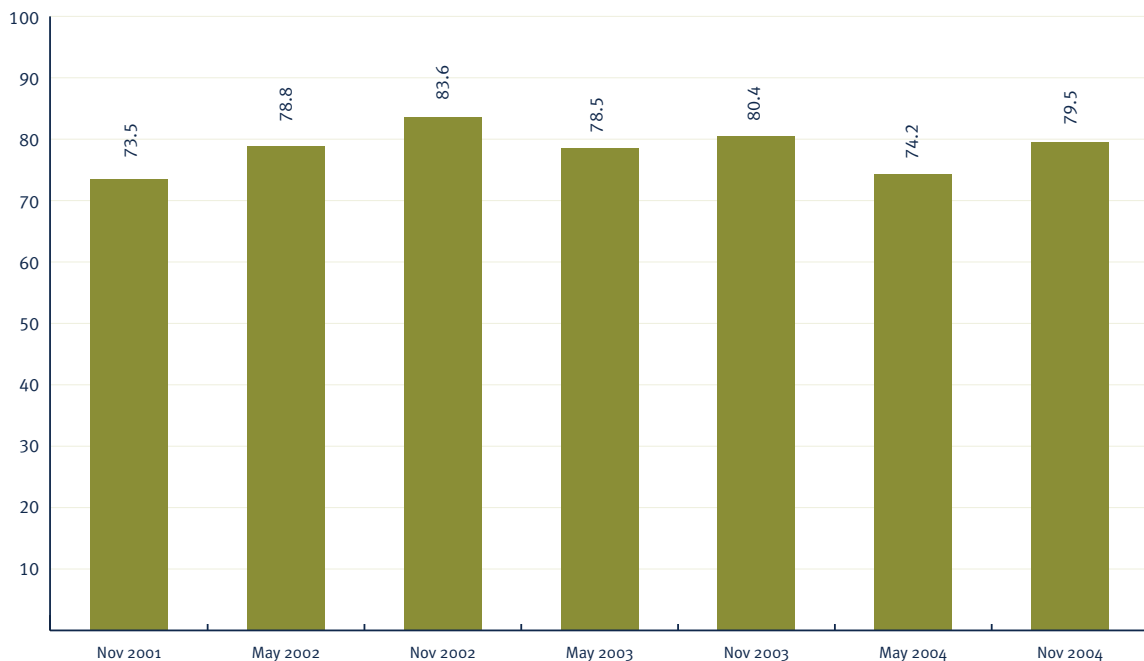
- Promoted greater community awareness of fair trading issues throughout Queensland by implementing a comprehensive media outreach program involving:

- issuing 113 media releases and 182 media statements
- undertaking 371 media interviews.

Awareness campaigns

The success of the OFT's communication strategy is evidenced with three in four Queenslanders or 79.5 per cent reporting that they heard or read advice or warnings from the Office of Fair Trading in the six months up to November 2004. This is an increase from 74 per cent in May 2004 (Source – Queensland Householder Survey).

Percentage of Queensland adults who have heard or read some advice from the Office of Fair Trading, by time.



Building partnerships

Partnerships with Indigenous communities

In 2004–05 the Office of Fair Trading continued to work with Indigenous organisations and community members to implement the ‘Fair Go’ strategy to reduce detriment among Indigenous consumers.

OFT has also been working as part of the Ministerial Council on Consumer Affairs on the National Priorities for a five-year National Indigenous Consumer Strategy. Activities in the past twelve months have included:

- spot checks targeting motor dealers that service Indigenous communities in Townsville, Rockhampton, and Cairns
- re-negotiation of a memorandum of understanding between the Office of Fair Trading and the Indigenous Consumer Assistance Network in Cairns to deliver fair trading information and advice in Indigenous communities including those in Cape York and Cherbourg
- regular radio spots on Bumma Bipperra Indigenous radio in Cairns and a monthly column on fair trading issues in the Koori Mail newspaper
- information booths at NAIDOC Week events in Brisbane, Cairns, Townsville and Mackay
- development and distribution of Indigenous design and Kriol-translated \$hop \$mart refund tips to Indigenous communities and organisations and via Bunnings, Coles, Bi-lo, and Prouds Jewellers stores
- contribution of funding for an Executive Officer for the coordination of the Ministerial Council National Indigenous Consumer Strategy project
- contribution to the production of Australian Securities and Investment Commission’s upcoming Book-up Kit.

Improved service delivery to non-English speaking background (NESB) customers

In 2004–05 the Office of Fair Trading has continued to build on its effectiveness in delivering services and information to people from a range of cultural backgrounds. Activities included:

- participation in the inaugural Queensland Multicultural Festival in Brisbane in October 2004 distributing almost 2500 publications to visitors

- translation of \$hop \$mart refund tips into Chinese, Greek, German, Vietnamese and Italian, and distributed at this festival and to multicultural organisations
- updated translated consumer protection forms and fact sheets relating to real estate transactions
- monthly fair trading interview on ethnic radio 4EB in Brisbane
- further development of the “other languages” section of the fair trading website by translating text to improve the ease with which non-English speaking background customers access fair trading information.

Business services program

The business services program delivers an effective administrative infrastructure for the marketplace by providing high quality and client-focused licensing, registration and accreditation services to a range of individuals, corporations and groups, including:

- real estate agents
- motor dealers
- security providers
- businesses
- charities
- incorporated associations
- cooperatives
- retirement villages
- travel agents
- inbound tourism operators
- residential service providers.

The program also delivers a cost-effective measurement standards service to government and industry through the Measurement Standards Laboratory.

Major achievements

- Participated in the implementation of the amendments to the *Partnership Act 1891* with a focus on an upgrade to existing software used for the electronic register, development of approved forms and preparation of the relevant delegation instrument.
- Implemented new software to facilitate a business names compliance program.

- Participated with other jurisdictions in the progression of a National REVS scheme.
- Liaised with Queensland Transport in the development of the new Vehicle Information Certificate regarding the inclusion of motor vehicle security interest details.
- Implementation of electronic data exchange with the Queensland Police Service. This has dramatically improved the waiting time for licence applicants who do not have an adverse criminal history. Criminal history checks are now returned from QPS within seven days.
- Upgraded the format of security licences for security providers and crowd controllers.
- Measurement Standards Laboratory worked in partnership with a major Queensland primary industry producer to reduce the frequency of testing reference. This has resulted in a significant reduction in compliance costs for the client.
- The continuation of registration of residential services to ensure the suitability of service providers and premises and the implementation of an accreditation framework for services that are providing accommodation, food and personal care services. A total of 17 services have been assessed and accreditation decisions are pending.

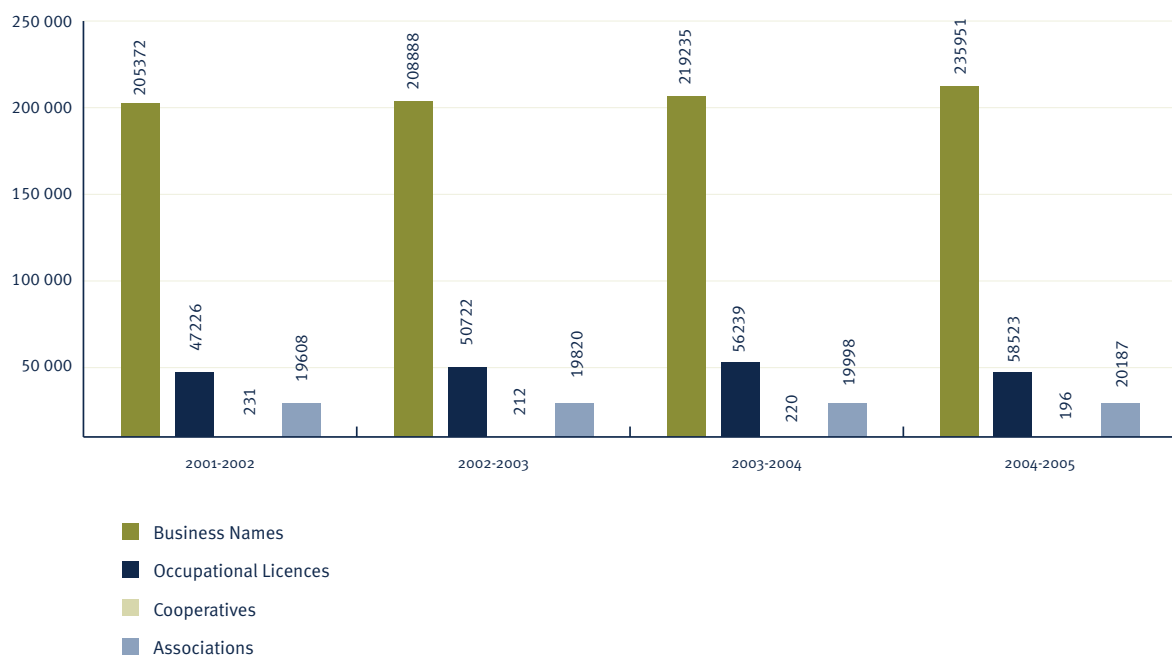
Business Services

The number of business names and associations registered and total occupational licensees in Queensland in 2004–05 continued to increase, reflecting the growth of the marketplace generated through increased economic activity, and the steady increase in Queensland’s population through interstate migration.

In 2004–05, 28 per cent of OFT’s business names customers took advantage of the phone-pay service. Customers also had the option to register or renew their business names for one or three years.

In 2004–05, 40 per cent of new registrations and 16 per cent of renewals were for a three-year period. Both of these services save businesses time and money.

Business services



Vulnerable Queenslanders protected under residential services law

The *Residential Services (Accreditation) Act 2002* commenced in August 2002 and established minimum standards and living conditions for residents of privately operated residential services – some of the most vulnerable people in the community. Queensland is the first jurisdiction in Australia to regulate this sector.

A mandatory registration and accreditation scheme administered by the OFT ensures minimum standards are met. The Act applies to boarding houses, supported accommodation hostels and self-contained units, including those where residents are provided with food or personal care services.

By 23 August 2004, all residential services were required to lodge applications for registration. As at 30 June 2005, 440 applications for registration have been received. Two hundred and fifty-seven services have been registered, of which 144 were registered in 2004–05. There are 121 registrations pending and 62 applications have been withdrawn, refused or were found to be exempt from the Act.

Since 1 July 2004, 139 complaints have been received about residential services. Of these, 90 have been finalised. Finalised complaints primarily relate to accreditation, in particular, accommodation standards, quality and quantity of food provided and medication management. A compliance program was also undertaken in late 2004, visiting over 1100 potential residential services.

Residential services providing accommodation and meal services are required to apply for accreditation by 23 August 2005.

The residential services branch continues to work collaboratively with a range of government agencies including the Department of Housing, Disability Services Queensland, Queensland Health, the Residential Tenancies Authority, local government and Department of Emergency Services.

Consumer Credit Fund

The Consumer Credit Fund consists of monies generated by fines imposed on financial institutions under the *Consumer Credit (Queensland) Act 1994*. The Act is a legislative template for the National Uniform Consumer Credit Code. Monies in the Consumer Credit Fund are available for consumer education and information, compliance activities, and for policy and legislative development projects relating to credit matters.

The Consumer Credit Fund balance as at 1 July 2004 was \$920 711 and at 30 June 2005 was \$1.11 million. During 2004–05, the Consumer Credit Fund received \$556 433 through consumer credit fines, fees recovered and bank interest.

Income

Fines	\$454 200
Legal fees recovered	\$47 239
Bank interest	\$54 994
Total	\$556 433

Expenditure

Centre for Credit and Consumer Law	\$130 000
Consumer Credit Campaign	\$78 898
Financial Literacy Grant	\$79 276
Legal fees	\$16 648
Compliance and Investigations	\$42 369
Uniform Consumer Credit Code Administration	\$14 354
Total	\$361 545

Travel Agents Act 1988

The *Travel Agents Act 1988* provides for the licensing of persons who sell or arrange for the sale of travel or travel and accommodation. Its prime objectives, in addition to licensing, are to regulate the conduct of travel agents and to provide compensation through the Travel Compensation Fund to consumers who have suffered a loss as a result of the licensed travel agent being unable to account for their funds.

The OFT received 237 complaints for the year ended 30 June 2005. While some of these complaints related to allegations of unlicensed trading, the majority of

complaints were in relation to the standards of service provided by agents, refunds and quality of travel arrangements.

During 2004–05 the Fund terminated the membership of seven Queensland agencies because they did not have sufficient financial resources to carry on business as travel agents and a further two for causing claims on the Fund.

The Fund paid 228 claimants a total of \$151 689 against three Queensland agents in 2004–05 compared to \$46 654 paid in 2003–04.

Licences	00–01	01–02	02–03	03–04	04–05
Total Number	651	636	638	616	603
Issued	50	49	57	46	62
Surrendered	42	40	47	60	66
Cancelled	59	24	8	8	9
Suspended	-	11	18	12	2

Future developments

Fairer trading

- Continue engaging with consumers, government agencies and business organisations to further develop an integrated fair trading marketplace strategy to improve marketplace outcomes and address state, national and global issues.
- Continue the collection and analysis of extensive marketplace and customer research and intelligence to monitor marketplace performance and inform the OFT's business strategies.
- Continue to explore strategies to encourage improved complaint handling by industry associations and business.
- Continue to implement the "Fair Go" strategy in support of the Ministerial Council on Consumer Affairs on the National Priorities for a five-year National Indigenous Consumer Strategy.

Contemporary fair trading framework

- Progress the review of the *Fair Trading Act 1989*.
- Introduce first stage amendments to the *Property Agents and Motor Dealers Act 2000*, Regulation and Code of Conduct and commence development of stage two amendments.
- Progress the review of the *Associations Incorporation Act 1981* through the analysis of community and business responses to a discussion paper and the development of any appropriate legislative amendments.
- As lead agency, progress reform amendments for uniform trade measurement legislation in Queensland consistent with the outcomes of the current national review by the Ministerial Council on Consumer Affairs.
- Contribute to further review of an improved national product safety framework based on the Ministerial Council on Consumer Affairs reforms resulting from the discussion paper *The Review of the Australian Product Safety System*.
- Progress the review of the *Security Providers Act 1993*.



The Office of Fair Trading has tips for all consumers on how to Shop Smart.

Responsible businesses

- Deliver a targeted compliance monitoring program focusing on:
 - the practices of used motor vehicle dealers and odometer tampering, the management of trust accounts and advertising in the real estate industry, security providers, credit providers, inbound tour operators, restricted letting agents, and mandatory product safety standards, particularly relating to children's products
 - petrol and diesel fuel quality (in partnership with the federal Department of Environment and Heritage), accuracy in the measurement of packaged goods, measuring equipment used in trade transactions and trading practices including product price scanners and labelling.

Consumer protection

- Maintain a visible compliance presence in the marketplace to deter traders from poor conduct and initiate appropriate enforcement action to address non-compliance.
- Develop and implement communication and customer service strategies and information resources to address issues for vulnerable consumers, particularly Indigenous people, the young, the elderly and people from a non-English speaking background.
- Continue to review the impact on the community of mandatory safety provisions regarding the flammability of furniture.
- Continue implementation of the mandatory accreditation of all residential services providing meals or personal care services.

Informed businesses and consumers

- Continue implementation of a national strategy to improve consumer and financial literacy, particularly among young people.
- Implement state-wide communication campaigns under the banners of Trade \$mart, \$hop \$mart, Scam \$mart to further build responsible marketplace behaviour by businesses and consumers.
- Continue the Queensland Consumer Protection Awards scheme to publicly acknowledge the contribution made to fair trading in Queensland by individuals, media, business organisations and community groups.
- Develop and implement a communication campaign with Queensland Transport targeting indigenous consumers with advice on buying a car.

Effective administrative infrastructure for the marketplace

- Develop and implement an evaluation framework to assess the effectiveness of the residential services accreditation process and service delivery model.
- Commence development of a new trade measurement database to improve efficiency and integrity.
- Continue to manage the transition of business processes to Smart Service Queensland in support of the Government's integrated service delivery strategy.

Do you know what you're getting into?

Register of Encumbered Vehicles (REVS)

When buying a used car privately, never assume the seller owns the whole car. Otherwise you risk driving away with their bad debt and facing a repossession. Spend around \$10 on a REVS check and find out if the car has clear title. Vehicles from licensed motor dealers have been REVS checked.

Ph 13 13 04
Mon-Fri 8.00am-6.00pm
Saturday 8.00am-4.45pm

Queensland Government
Equal and Smart Service for all
Fair Trading and Consumer Protection

Spot the difference

Register of Encumbered Vehicles (REVS)

You can't. Only a REVS check can tell you whether a used car still has money owed on it. And, if it does, you risk facing a repossession. Why take the chance? Before buying a Used car privately, spend around \$10 on a REVS check to see if it has clear title. Vehicles purchased from licensed motor dealers have already been REVS checked.

Ph 13 13 04
Mon-Fri 8.00am-6.00pm
Saturday 8.00am-4.45pm

Queensland Government
Equal and Smart Service for all
Fair Trading and Consumer Protection

The Office of Fair Trading undertook an advertising campaign in newspapers to increase awareness amongst the public on the Register of Encumbered Vehicles (REVS).

Liquor industry services

Two divisions of the department contribute to the delivery of liquor industry services – the Liquor Licensing Division and the Wine Industry Development Division.

The Liquor Licensing Division regulates the sale and supply of liquor throughout Queensland with the aim of providing a framework that encourages the development of a dynamic liquor industry which embraces responsible practices. It administers the *Liquor Act 1992* and the *Wine Industry Act 1994*.

In recognition of the potential of the Queensland wine industry to create jobs, develop rural and regional centres and provide new tourism experiences for visitors, Premier Peter Beattie announced Australia's first ever Minister for Wine Industry Development following the state election in February 2004. The department created the Wine Industry Development Division to work closely with industry – growers, producers, distributors and peak industry bodies – to realise the Government's vision for this emerging industry.

Functions

Liquor licensing

- Process applications and permits under the *Liquor Act 1992* and *Wine Industry Act 1994*
- Maintain a register of licences and permits
- Investigate and resolve complaints
- Conduct prosecutions and other disciplinary actions for non-compliance with legislation
- Maintain and improve the regulatory framework for the liquor and wine industries
- Implement and maintain alcohol restrictions in the Indigenous communities identified in the *Meeting Challenges, Making Choices* strategy
- Research, monitor and evaluate industry trends



- Educate the industry and the public about the provisions of the legislation and the responsible service of alcohol
- Undertake training and awareness programs

Wine industry development

- Support the ongoing growth and development of the emerging Queensland wine industry
- Leadership responsibility for implementing activities in the Wine Industry Development Strategy
- Coordinate whole-of-government strategy activities
- Research, monitor and evaluate wine industry trends and strategy outcomes
- Promote Queensland wine intrastate, nationally and overseas through involvement in wine shows, events, exhibitions and other channels

Key stakeholders

Liquor licensing

- Liquor industry associations
- Licensees, permittees and their staff
- Applicants for licences and permits
- Indigenous communities
- Community groups and individuals affected by the sale and supply of liquor
- Other government agencies

Wine industry development

- Queensland Wine Industry Association
- Regional Wine Associations
- Grape growers
- Wine producers
- Wine industry participants including consultants and writers
- Queensland Government agencies providing services to the wine industry
- Academics from various tertiary institutions
- Business sector representatives including hotel and restaurant operators
- Regional tourism organisations
- Shire/city councillors
- Local and federal government organisations involved with the wine industry

Goals for 2004–05

Liquor licensing

- Commencement of a comprehensive review of the Liquor Act
- Implementation in conjunction with the Department of Local Government and Planning of a state-wide framework to enable the declaration of special entertainment precincts to enable councils to better address local issues regarding noise emanating from licensed premises
- Amend the Liquor Act to impose tougher licence conditions on licences in the Brisbane City Council area

Wine industry development

- Finalise and launch the Queensland Wine Industry Development Strategy
- Ensure timely and effective implementation of initiatives formulated within the Queensland Wine Industry Development Strategy
- Increase promotional opportunities for Queensland wines by:
 - involvement in wine and tourism displays, sponsorships and support of industry trade shows and exhibitions
 - working with other government agencies to ensure Queensland wine is effectively profiled at major local, national and international events
 - working with the industry to raise awareness of the quality and unique characteristics of Queensland wines
 - continuing to build strong partnerships between the Government and wine associated industries
 - establishing effective coordination at a whole-of-government level to minimise any barriers to the optimal development of the wine industry
 - ensuring effective regulation of the industry to create a competitive business environment with a focus on investment and growth.

Statistical snapshot

Liquor licensing

- Queensland had more than 6350 licensed premises at 30 June 2005.
- 21 900 licence and permit applications were processed in the year to 30 June 2005.
- The division processes more than 15 000 permits annually, which authorise the sale of liquor on one-off occasions across the state.
- 2019 complaints in relation to licensed premises were received in 2004–05, with noise complaints topping the list and accounting for about one quarter (489).
- 2090 or 99 per cent of complaints were finalised in 2004–05.
- 8402 investigations were undertaken in 2004–05, including 5655 targeted compliance investigations during peak liquor trading hours.
- 2403 Responsible Service of Alcohol Training Program Certificates of Attainment were issued in 2004–05. Since the program began in 1997, more than 17 500 liquor industry workers have been trained in responsible serving practices in licensed premises.
- Since the commencement of mandatory training in the Responsible Management of Licensed Venues (RMLV) on 1 January 2004, 2421 licensees and nominees have completed the training.



Staff from the department's Liquor Licensing Division undertook Responsible Service of Alcohol training to enhance their knowledge of the liquor and hospitality industries and to improve customer service.

Wine industry development

- Wine grapes have been growing in Queensland since the 1860s. The total vineyard area in Queensland now covers over 1450 hectares spread across the state's 10 wine regions extending from the southern Granite Belt to Queensland's northern fruit wine regions.
- Over the past decade, the number of wine industry licensees operating in the state has grown significantly.

Wine industry growth



- Queensland's grape crush has also increased correspondingly:
 - 1998 – less than 500 tonnes
 - 2003 – 3000 tonnes
 - 2005 – exceeded 5000 tonnes.
- The state's wine industry currently employs approximately 1000 people.
- There are now 167 wine producers and wine merchants operating in Queensland's 10 wine regions.
- Queensland wines are now being exported to 16 countries, including major trading partners such as Japan, the UK, America and Canada.
- The most common varieties are chardonnay, semillon, shiraz, cabernet and merlot. Verdelho is a 'stand out' variety, winning national awards and becoming well regarded across Australia.

Results

Liquor licensing

Policy and legislation

- Amended the *Liquor Act 1992* as recommended in the Premier's 17 Point Brisbane City Safety Action Plan to impose a 3am lock-out on late trading licensed premises in the Brisbane City Council area and introduce a state-wide ban on the external advertising of free or discounted liquor for consumption on licensed premises.
- Developed in conjunction with the Department of Local Government and Planning a state-wide framework for the declaration of special entertainment precincts to enable councils to better address local issues regarding noise emanating from licensed premises.
- Reviewed the Responsible Service of Alcohol (RSA) Training Program.
- Worked in partnership with the Department of Aboriginal and Torres Strait Islander Policy (DATSIP) to monitor the effectiveness of alcohol restrictions in 18 of the identified *Meeting Challenges, Making Choices (MCMC)* communities and commenced the review of community alcohol management plans.

Cellar doors across wine regions

Regions	Number of cellar doors ⁽¹⁾	Percentage of industry
Granite Belt	55	28 %
South Burnett	17	9 %
Darling Downs	15	8 %
Gold Coast & Hinterland	17	9 %
Sunshine Coast & Hinterland	25	13 %
Scenic Rim & Brisbane	28	14 %
Somerset Valley	7	3 %
The Western Downs	4	2 %
North Burnett	13	6 %
Far North Queensland	15	8 %

⁽¹⁾ Includes main cellar door outlets and off-site satellite cellar doors

Note: Over 90 per cent of Queensland winemakers operate a cellar door compared to 79 per cent for the other states and territories, which demonstrates a significant wine/tourism focus for the state's wine industry. There are 196 cellar door outlets across the state from which the general public and tourists can sample and purchase Queensland wines.

Compliance

- Continued a strong presence at Schoolies festivities, with an emphasis on the Gold Coast area, to ensure licensed venues complied with their requirements under the *Liquor Act 1992* and to detect underage offences. Division officers made 501 visits to licensed premises, 1733 persons were questioned about identification and 338 infringement notices were issued.
- Undertook compliance activities in Indigenous communities and surrounding catchment areas both independently and in cooperation with the Queensland Police Service.
- Finalised more than 8400 investigations and inspections and undertook 295 prosecutions, together with 46 show cause and disciplinary actions, during the year ending 30 June 2005. There were 946 on-the-spot fines issued by licensing officers with a further 10 699 tickets issued by Queensland Police during the year. Fines, including those collected from the issuing of on-the-spot infringement notices, exceeded \$1.9 million.

- There were 2019 complaints received regarding the operation of licensed premises and patron behaviour, with 99 per cent of these resolved during the year.



Senior Liquor Licensing Officer Richard Nichols with paperwork from some of the under-18s caught using fake IDs

Licensing and client service

- More than 21 900 applications were received under the *Liquor Act 1992* and *Wine Industry Act 1994* during 2004–05. Of these, 12 785 general purpose permits were lodged, with 12 687 being granted for one-off events conducted by community organisations.
- Applications received included 406 new licences, 56 detached bottle shops and 11 satellite cellar door applications. There were 451 applications for new licences granted.
- There were 38 applications received to allow the conduct of sexually-explicit entertainment on licensed premises with 27 annual, and 5 one-off permits approved.

Number of licences and complaints

Year	Licences	Complaints
2004–05	6387	2019
2003–04	6103	1558
2002–03	5882	1565
2001–02	5716	1509
2000–01	5685	1491
1999–00	5461	1450
1998–99	5177	1153

Note: This chart compares the growth in licence numbers over the past seven years with the number of complaints against licensed premises over the same period.

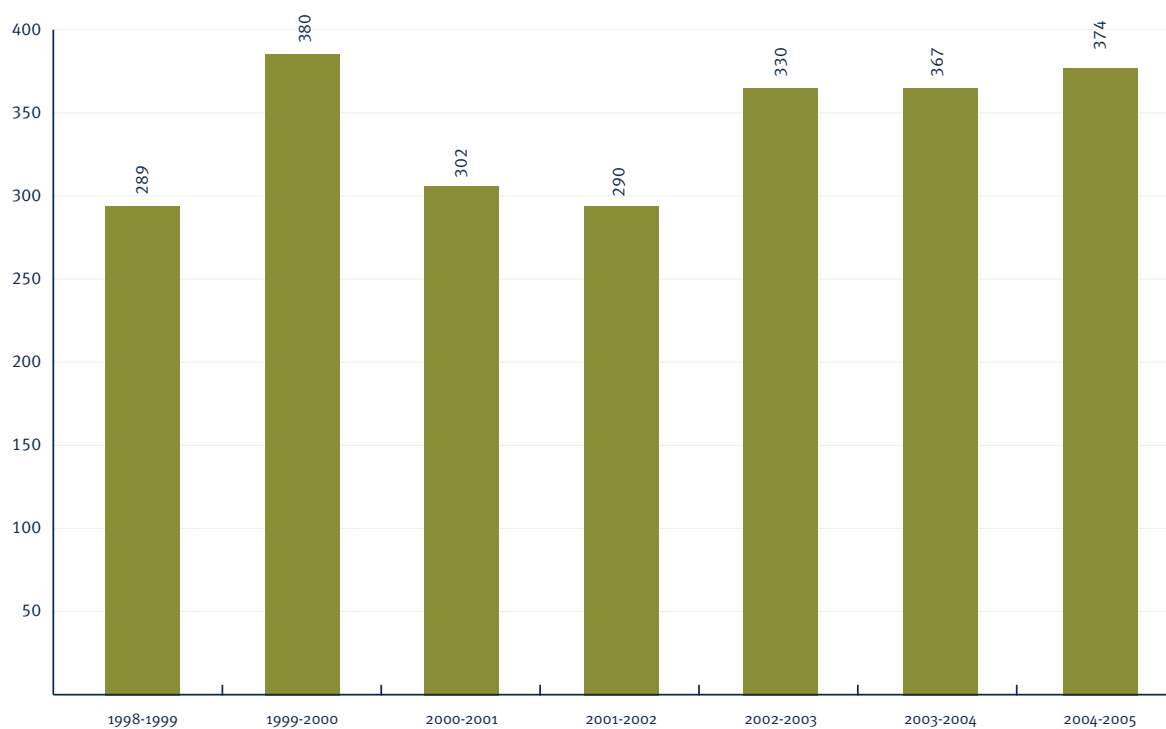


Senior Liquor Licensing Officer Richard Nichols (centre) and Queensland Health's Craig Nelson (left) congratulate Shamrock Hotel owner Brett Hofstee with a People's Choice award for best CBD / live entertainment.

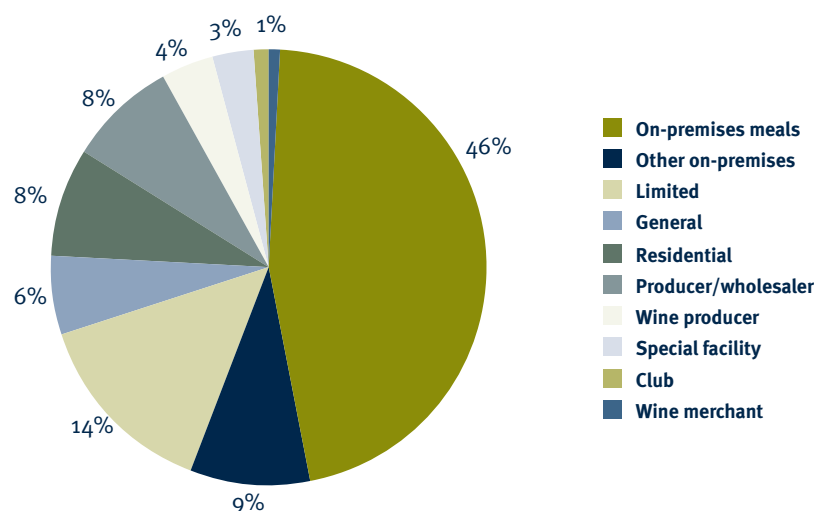
New applications lodged and decisions made in 2004–05

Application type	Lodged	Granted	Refused	Withdrawn
New licence	322	355	0	53
Club licence	0	4	0	0
Wine licence	17	19	0	4
Detached bottle shop	56	50	4	17
Satellite cellar door	11	27	0	14

New licences granted 2004–05



Breakdown of new licences granted in 2004–05



On-premises meals	173	46%
Other on-premises	34	9%
Limited	52	14%
General	21	6%
Residential	29	8%
Producer/wholesaler	31	8%
Wine producer	17	4%
Special facility	12	3%
Club	4	1%
Wine merchant	5	1%
Total	378	100%

Alcohol management initiatives

- Contributed to the Queensland Government’s “Finding the Balance: Queensland Alcohol Action Plan 2003–04 to 2006–07”, which addresses alcohol-related harm by building on the existing platform of sound alcohol regulation and public health initiatives. The aim of the plan is to build individual resilience and address the risk factors associated with alcohol misuse.
- Supported alcohol restrictions in 18 *Meeting Challenges, Making Choices (MCMC)* Indigenous communities through increased compliance activities in the communities and surrounding catchment areas.
- The division continued its sponsorship, under the “No More. It’s the Law” banner, of the broadcast of Australian Football League games on the National Indigenous Radio Service network. The campaign’s key messages seek to minimise the harm associated with excessive alcohol consumption and feature Indigenous AFL personality Darryl White.

Indigenous initiatives

- As part of the Government's *Meeting Challenges, Making Choices* response to the Cape York Justice Study, tougher licensing conditions have been imposed on liquor supply outlets in catchment areas near Indigenous communities. Tougher conditions have been imposed on the Burketown Pub, Archer River Roadhouse, Musgrave Telegraph Roadhouse and Exchange Hotel Coen and hotels in Normanton, Karumba and Chillagoe.
- To encourage harm minimisation practices in licensed premises within Indigenous communities, the division, in May 2005, provided Responsible Management of Licensed Venues training to licensees and nominees. Due to the success of this course and encouraging feedback from participants, the division will continue to periodically offer this course.
- The division has been working with communities to encourage training and employment of local people as security providers. As a result of these initiatives, one Kowanyama resident has been granted a security providers licence and a resident of Pormpuraaw has been granted an exemption from holding a security provider's licence. Both are now working at their local canteens.
- The division is continuing to examine the particular business and tourism implications of alcohol restrictions. One outcome of this monitoring has been the amendment of the restricted area permit scheme to allow permits to be issued for up to one year. The revised scheme provides increased flexibility giving responsible tour operators surety for long term business planning.
- The division is working closely with the Department of Aboriginal and Torres Strait Islander Policy (DATSIP) to support the review of alcohol restrictions in 18 Indigenous communities.
- The division also maintained the free 1800 Sly Grog Hotline which was established to enable the anonymous reporting of sly grogging activities. The hotline is promoted on the National Indigenous Radio Service throughout northern Australia.

Indigenous Community Awareness Plan

The Liquor Licensing Division is leading the development of a culturally-driven Indigenous Community Awareness Plan to be implemented over the next two years.

The Plan aims to raise awareness of the need for responsible service and consumption of alcohol within regional and remote Indigenous communities in Queensland. It will also promote the benefits of alcohol restrictions and liquor licence conditioning placed on licensed outlets in and near communities.

To help achieve these objectives the department has formed a Murri and Torres Strait Islander Reference Group. This group, comprised of senior Indigenous public sector officers from various agencies including DATSIP, will provide cultural guidance during the development, implementation and evaluation of the Community Awareness Plan.

The department is also consulting with Indigenous councils, community justice groups and other community-based organisations to incorporate, where possible, local icons, images and language that will better promote responsible service and consumption of alcohol in local communities.



"Secondment from DATSIP to work on the Indigenous Community Awareness Plan gives me the chance to support greater engagement between Murri and Torres Strait Islander communities, and the division the chance to more effectively communicate awareness of alcohol restrictions and licence conditioning," said Brian Arley, Senior Communications Officer, Corporate Communications Unit.

Wine industry development

- Launched the Queensland Wine Industry Development Strategy which provides a blue-print for the future development of Queensland's wine industry.
- Reviewed the regulatory framework for Queensland wine producers to expedite licensing and permit issuing processes which led to the centralisation of all wine licensing and administrative activities to the department's Toowoomba regional office.
- Improved collaboration with other government agencies in the promotion of the wine industry through:
 - introducing Queensland wine to Traveltrain services
 - launching new highway road signage in the Granite Belt and Gold Coast Hinterland Wine regions
 - featuring Queensland wines at all Queensland Week dinners and events during the 2005 World Expo in Japan
 - facilitating export opportunities for Queensland wineries.
- Hosted the inaugural National Wine Export Conference in Queensland to facilitate expert discussion on factors related to developing wine export opportunities.



Wine Industry Development Minister the Honourable Margaret Keech MP and the President of the Queensland Wine Industry Association, Maryanne Pidcock released the Queensland Wine Industry Development Strategy in December 2004 which provides a blueprint for future development of the State's wine industry.



The department worked closely with the Department of Main Roads to install improved road signage around Queensland's wine regions including this sign at the Granite Belt.

- Participated in wine events, exhibitions and festivals to promote Queensland wine and wine producers such as the:
 - Brisbane Wine Festival
 - Australian Small Winemakers Show
 - Wine Australia 2005 in Sydney
 - *Winestate* Queensland Wine Awards
 - Queensland Wine Awards.
- Distributed over \$320 000 in rebates to Queensland wine producers under the Wine Equalisation Tax Rebate Scheme until the national scheme was finalised in September 2004.
- Created a range of responsible service and consumption of alcohol promotional posters and coasters for use by wine producers in their cellar door sales outlets.
- Developed an enhanced Wine Industry Development web site to support industry needs.

Future Developments

Liquor licensing

- Review and streamline existing licensing and administrative processes to ensure the delivery of high levels of customer service.
- Declare and implement alcohol restrictions for the Palm Island Indigenous community.
- Participate in the review of alcohol restrictions already declared and implemented in Indigenous communities under the *Meeting Challenges, Making Choices* strategy.
- Develop and deliver an effective community education strategy targeting the responsible service of alcohol in Indigenous communities.
- Review the *Liquor Act 1992* to ensure ongoing currency with community and industry expectations.
- Further implement recommendations of the Brisbane City Safety Action Plan by amending the Liquor Act to provide for tougher licence conditions for post 1am trading licensed premises in the Brisbane City Council area.
- The establishment of a state-wide special entertainment precinct framework will provide an integrated legislative and regulatory means for local governments throughout Queensland to implement special entertainment precincts in areas with a high concentration of entertainment venues.



Wine industry development

- Maintain an effective and responsive leadership role in implementing development activities contained in the Wine Industry Development Strategy.
- Monitor the effective implementation of strategy activities through the operation of the Wine Industry Development Strategy Steering Committee and Senior Officers Group.
- Complete a review of the *Wine Industry Act 1994* as part of the Queensland Wine Industry Strategy to ensure an efficient business and regulatory environment is in place which supports effective and responsible industry development.
- Publish a “Good Business Guide on Starting a Vineyard or Winery in Queensland” for new entrants in the wine industry to provide information on business planning, site selection, grape varieties and laws relevant to wine sales and production.
- In consultation with industry, organise and conduct a Queensland Wine Industry Business seminar.
- Provide ongoing practical support to the wine industry through organisational assistance at wine events, shows and exhibitions and in publications which profile and promote the Queensland industry.
- Produce and distribute a Queensland wine region map featuring useful wine/tourism information and data on the state’s wine regions.
- Participate in state and national forums and initiatives to promote Queensland wine and the Queensland wine industry.

Dispute resolution services

The Commercial and Consumer Tribunal (CCT) and the Office of the Commissioner for Body Corporate and Community Management (BCCM) provide independent, accessible, cost-effective, fair, timely and informal dispute resolution services, with an emphasis on mediation.

The BCCM office determines body corporate disputes and provides information services to the community living sector, which includes unit owners and occupiers and body corporate committees, managers and caretakers. In addition, the department is responsible for body corporate policy and legislation development.

The CCT provides an accessible and informal forum to deal with disputes, reviews of decisions and disciplinary proceedings in accordance with the *Commercial and Consumer Tribunal Act 2003* and a range of separate empowering Acts.

Body Corporate and Community Management

The Office of the Commissioner for Body Corporate and Community Management aims to provide accessible, equitable and authoritative information and dispute resolution services to the community titles sector in Queensland in accordance with the *Body Corporate and Community Management Act 1994*.

The community titles sector has a significant role in Queensland's economy. The sector includes more than 30 000 community titles schemes, involving some 300 000 owners. Annual growth is approximately 1000 new schemes each year, representing between 8000 to 10 000 new lot owners. The bulk of lots are located in south-east Queensland.

Queensland's community titles legislation is well regarded both nationally and internationally for its innovation and flexibility. Significant growth in the sector during the last decade has increased demand for dispute resolution and information services. In mid-2004 the department commenced a review of body corporate and community management issues in order to ensure an effective legislative framework and quality and responsive government services.

Key achievements of BCCM in 2004–05 include:

- Release of a discussion paper titled *Body Corporate and Community Management: into the 21st Century* for public comment. The discussion paper attracted 177 responses and provides a basis for developing a forward policy agenda for the community titles sector
- Resolution of 1136 dispute resolution applications (a 14.7 per cent increase on the previous year), resolving 74.5 per cent of disputes within 60 days of the close of the applicant's reply to submissions, as compared to 49 per cent in 2003–04
- Provision of 21 158 information service client contacts, including telephone and written enquiries
- Delivery of 20 information seminars around Queensland to over 1000 members of the general public and industry groups
- Participation in a series of talk-back radio sessions on rights and responsibilities under body corporate and community management legislation.

Priorities for 2005–06 will be to:

- Finalise and implement recommendations arising out of the BCCM review to promote the ongoing viability of the community titles sector into the future
- Enhance information and education services to promote self management and better equip bodies corporate and committees to manage their affairs, empowering consumers to become more aware of rights and responsibilities and reducing conflict in schemes

- Continue to improve the timely and cost-effective handling of dispute resolution applications and implement recommendations arising out of the BCCM review around the effectiveness of mediation and the timeliness and accessibility of body corporate dispute resolution.

For further information on BCCM services visit the BCCM pages on the department's website at www.dtftwid.qld.gov.au/Dispute+Resolution/BCCM/, email bccm@dtftwid.qld.gov.au or telephone 1800 060 119.

For further information on CCT services or to view the CCT's Annual Report 2004–05 visit www.tribunals.qld.gov.au, or email cct@tribunals.qld.gov.au or telephone (07) 3247 3333.

Commercial and Consumer Tribunal

The Commercial and Consumer Tribunal has been in operation for two years having commenced on 1 July 2003. During the 2004–05 year the CCT had an overall increase in applications. The CCT operates under the *Commercial and Consumer Act 2003* but takes its jurisdiction from a number of empowering Acts.

The CCT jurisdiction includes:

- Architects
- Building and construction industry adjudicators
- Building
- Building certifier reviews
- Engineers
- Gaming machine allocation disputes (this jurisdiction ended in 2004–05)
- Liquor
- Manufactured homes
- Property agents and motor dealers
- Plumbers and drainers
- Residential services accreditation
- Retirement villages
- Tourism services.

The CCT has improved or maintained performance in service delivery and timeframes and has achieved financial savings. It services the whole of the state and provides an accessible forum in which consumers and industry can have confidence that their cases will be dealt with in an informal, fair, just, cost efficient and timely manner.

Regional initiatives

Delivering the department's liquor licensing and fair trading services across the state is the responsibility of the Service Delivery and Development Division.

This is achieved through the Brisbane Customer Service Centre and a network of regional offices located in Cairns, Hervey Bay, Mackay, Maroochydore, Mount Isa, Rockhampton, Southport, Toowoomba and Townsville.

Staff answered more than 478 000 calls from consumers dealing with various complaints and licensing enquiries during 2004–05. They also resolved more than 10 770 written complaints resulting in redress of more than \$2.18 million for Queensland consumers.

The division continues to play a significant role in implementing the Liquor Licensing Division's strategies for assisting Indigenous communities to develop meaningful and practical solutions to alcohol management.

Investigation staff across the state conducted compliance monitoring and targeted blitzes of a range



A regional consultation workshop on the Queensland Tourism Strategy was held in Atherton during 2004–05 as part of the consultation process with stakeholders from the tourism industry.

The division, through the Toowoomba regional office, has also assumed state-wide responsibility for the management of wine industry licensing. This initiative has been universally applauded by the wine industry. Wine permits, which allow licensees to sell their wine at events such as markets, agricultural shows and community events, are becoming a very important method of sale opportunity.

of industries including real estate agents, motor dealers, security providers, introduction agents, restricted letting agents and liquor licensees.

The division also managed the transition of consumer information and advice services and selected business processes from department's regional offices to Smart Service Queensland in support of the government's integrated service delivery strategy.

The top priorities for the division for 2005–06 will be:

- delivering a targeted compliance monitoring program focused on the practices of used motor vehicle dealers, the real estate industry, security providers, liquor licensees, credit providers and debt collectors, the measurement of packaged goods and restricted letting agencies, particularly during the Gold Coast Schoolies Week 2005 and other "Schoolies" activities across the state
- in collaboration with Liquor Licensing and the Office of Fair Trading, working with Smart Service Queensland to ensure that business and consumers receive seamless quality service in respect of departmental services transitioned to Smart Service Queensland
- working with the Liquor Licensing Compliance Flying Squad to carry out targeted liquor compliance activities around the state.

Executive and corporate services

Corporate governance and support services provided by the Executive and Corporate Services Division enable the delivery of the department's business objectives.

Functions

Services provided by the division include:

- executive services to the Minister, Director-General, and Deputy Director-General
- business systems administration and support
- coordination of planning and reporting
- coordination of special projects and reviews as required by the Director-General
- corporate communication
- financial management
- human resource management
- independent legal and legal policy advice and administrative law services
- information management and development
- policy coordination and development
- staff training and development
- registry services for dispute resolution bodies associated with the department
- workplace health and safety.

Key stakeholders

- Minister, Director-General, and Deputy Director-General
- Liquor Licensing, Service Delivery and Development, Tourism Strategy and Wine Industry Development divisions, the Office of Fair Trading, Body Corporate and Community Management, and Commercial and Consumer Tribunal
- Tourism Queensland and other statutory authorities associated with the department
- Managers and employees of the department

- General public who require information with respect to corporate matters
- Other government agencies
- Industry and community groups
- Employee unions

Goals for 2003–04

- Provide quality integrated strategic, policy and executive services
- Provide effective and efficient IT support services that support and enable departmental business areas to improve their services and operations
- Provide quality information and support related to recordkeeping
- Integrate knowledge management principles and practices into the day-to-day operations of work units
- Build and maintain relationships with relevant groups to ensure knowledge management initiatives are informed and relevant
- Provide quality strategic evaluation and reviews to support policy priorities and future directions
- Provide high-level, expert communication advice
- Provide leadership for the development of integrated planning and reporting
- Provide quality human resource management services and advice
- Provide quality financial and facilities management services and advice
- Provide quality legal services and advice

Results

Cabinet and executive services

- Established in February 2005 to focus on the delivery of high quality and timely executive, Cabinet and parliamentary services to the Minister, Director-General and Executive Management Group.
- Supports the Minister in undertaking roles and responsibilities including Cabinet meetings, preparation for parliamentary sitting times, and responding to the issues raised by members of the community in correspondence.
- Provided specialised training to divisional coordinators and wider authorship training to departmental officers.
- Revised the processes for Cabinet and executive services and responses to Ministerial correspondence.
- Provided new or enhanced support tools and procedures to assist divisions in the preparation of briefs and ministerial replies.

Corporate communications

- Developed a corporate communications plan.
- Production of key corporate documents including the Annual Report, Ministerial Portfolio Statement and Budget Highlights.
- Participated in whole-of-government promotions at the Careers and Employment Expo and the Royal Queensland Show.



The department's display at the 2004 Royal Queensland Show in Brisbane provided information to the public on the responsible service and consumption of alcohol, fair trading advice and product safety items.

- Provided strategic communication advice and editorial services for the upgrade of the Liquor Licensing Division's website.
- Provided corporate communication advice and support to divisions, corporate units and special projects.
- Provided ongoing media liaison.
- Developed a communication strategy for the Liquor Licensing Division.

Financial administration

- Successfully transitioned internally-provided facilities management services to an out-sourced arrangement in-line with the whole-of-government Shared Services Provider initiative.
- Revised the departmental Financial Management Practice Manual and policies in line with government guidelines and policies, and statutory requirements.
- Implemented the Australian Equivalents to International Financial Reporting Standards (AEIFRS) effective from 1 July 2005.
- Implemented improvements to the asset replacement funding processes.

Human resources activities

- The Human Resource Management Unit again visited all regional offices to conduct training programs tailored to the individual needs of the respective offices.
- Reviewed the Management Development Program.
- Developed a new EEO Plan for 2005 – 2007.
- Managed implications of the co-location of Corporate Solutions Queensland staff.
- Enhanced HR reporting.
- Reached agreement with the union on the Liquor Licensing Hours of Duty arrangements.
- Managed the transfer of employees to the Smart Service Queensland initiative.

Information technology

- Completed an extensive upgrade and enhancement of the department's network hardware and IT infrastructure environment. This included:
 - upgrading of application server infrastructure
 - replacing data storage and tape backup equipment
 - enhancing data communications links.
- Implemented a new broadband quality regional data network to enhance service delivery in regional centres.
- Completed a redevelopment of the Infringement Notices Register database system for Liquor Licensing.
- Commenced business system enhancements to support the provision of services through the Smart Services Queensland initiative.
- Assisted with the implementation of the compliance module of the Market Accreditation and Compliance System.
- Assisted with implementation of an improved website for the Liquor Licensing and Wine Industry Development business areas.
- Implemented new monitoring and filtering software for departmental email and Internet access.
- Implemented Blackberry wireless devices to executive staff to provide real time and remote access to email, calendar and web information.
- Upgraded and tested recovery strategies for the Information Disaster Recovery Plan.
- Completed the development and presentation of a comprehensive suite of IT training courses for metropolitan and regional staff, and upgraded the equipment and facilities for the IT training room.
- Finalised the transfer of Office of Racing's information and communication technology infrastructure to the Department of Public Works.
- Assisted in development of the business plan to progress the implementation of the Queensland Government electronic document and records management system (eDRMS) and web content management system (WCMS).
- Completed the development of an improved operational support system for debt recovery in the Office of Fair Trading.

- Upgraded support systems for Internal Audit and the IT areas.
- Commenced development of an improved support system for processing Limited Liability Partnerships.
- Implemented improved email distribution software and Ministerial template activities.

Knowledge management

- Collaborated with the project office in transition of knowledge management services to Smart Service Queensland.
- Published reviews and references to contemporary articles on the Intranet that reflected current organisational capability development philosophies and strategies.
- Used induction programs for new staff to emphasise the principles and practices underpinning knowledge management in the department.
- Transitioned corporate documents and recordkeeping services to Corporate Solutions Queensland.
- Continued implementation of recordkeeping strategies which provide a foundation for the knowledge management framework.
- Obtained Information Steering Committee approval to progress the implementation of the Queensland Government electronic document and records management system (eDRMS) and web content management system (WCMS).

Legal services

- Provided strategic legal advice to all areas of the department.
- Provided independent legal policy advice to the Minister and Director-General.
- Reviewed departmental contracts.
- Continued to be the contact point and provide advice on issues relating to privacy, intellectual property, trade practices and native title.
- Conducted prosecutions on behalf of Liquor Licensing.
- Represented Liquor Licensing on appeals before the Commercial and Consumer Tribunal.
- Provided extensive legal advice to Liquor Licensing on a range of matters related to indigenous liquor issues.

Policy and coordination

- Provided input into the policy development work of the portfolio by developing and implementing strategies to support the Director-General in her responsibilities in advocating for and supporting whole-of-government initiatives.
- Contributed policy services to the department for major policy projects such as body corporate and community management, wine industry development, liquor compliance programs in Indigenous communities and tourism policy initiatives.
- Participated in ensuring appropriate portfolio responses to major whole-of-government initiatives including: Partnerships Queensland; Community Engagement Improvement Strategy; Crime Prevention and/or their replacement initiatives.
- Supported the Director-General in her membership of relevant CEO Committees including negotiation with, and information sharing within, different areas of the portfolio.
- Coordinated the 2005–09 strategic and annual operational planning processes across the department.
- Led preparation of 2005–09 annual corporate budget submission processes and coordinated performance reporting.

Shared services

The Shared Service Initiative is a whole-of-government approach to corporate services delivery which aims to provide high quality, cost-effective corporate services to Queensland Government departments. Shared



Senior HR officers Christine Keane and Cindy Phelan are part of the Corporate Solutions Queensland team that provide HR services to the department under the Shared Services arrangement.

service providers and CorpTech were established from 1 July 2003 through the consolidation of corporate service functions from departments and existing shared service providers. Departments are grouped into seven clusters, each serviced by a dedicated shared service provider, with CorpTech providing services to five shared service providers.

On 1 July 2003, the Department of Tourism, Fair Trading and Wine Industry Development transferred responsibility and staff for selected functions, i.e. finance and human resources, to Corporate Solutions Queensland and to CorpTech.

Additional corporate services transitioned on 1 October 2004 including document and records management, procurement, property and facilities management. The Department of Employment and Training hosts Corporate Solutions Queensland as a separate entity, and will report on its activities in its 2004–05 annual report.

Future developments

Corporate communications

- Develop a communication strategy for the Office of Body Corporate and Community Management.
- Participate in targeted events to promote the services of the department to the general public and key stakeholders.

Financial management

- Monitor the application of the Australian Equivalents to International Financial Reporting Standards (AEIFRS) within the department.
- Manage the adoption of the whole-of-government asset threshold policy as from 1 July 2005 and the associated budget implications.
- Continue to employ effective account management processes of the shared services provider environment.

Human resources

- Review the pilot Indigenous mentoring program.
- Enhance training and awareness in workplace health and safety.
- Liaise with Shared Service Initiative (SSI) concerning any extension to shared corporate services arrangements.

- Review and implement revised processes for:
 - Performance Management
 - Complaints handling
 - Disciplinary action
 - Grievance processes.
- Review and implement investigations training.

Information technology

- Complete the enhancement of key departmental systems to the latest version of Oracle software to support the transition of services to Smart Service Queensland.
- Assist in the development of new online service initiatives for key business systems commencing with online provision of occupational licence renewals.
- Assist with development of a new Trade Measurement System.



In 2005–06 Information Management and Development Unit staff will complete the enhancement of key departmental systems to the latest version of Oracle software to support the transition of services to Smart

- Implement major network software upgrades including:
 - the secure capturing and storage of all emails sent and received by the department
 - single sign-on capacity for the secure and synchronised user access to multiple systems and utilities
 - upgraded redundancy and recoverability for operational server equipment.
- Expand the rollout of wireless devices to provide secure, out of office network access to managerial and field staff.

- Ongoing implementation of whole-of-government Information Standards with particular priority given to Information Security, Information Planning and electronic records management policies.
- Alignment of new and existing hardware and systems with the whole-of-government standards contained in the Government Enterprise Architecture.
- Assist with the upgrading of financial management systems in line with whole-of-government standardisation initiatives.
- Implement a new change management system for IT support operations.

Knowledge management

- Map the information processes in each business unit and validate the departmental business classification scheme in preparation for the implementation of the whole-of-government strategy for electronic document and records management and web content management systems.
- Continue to foster cross-agency and intra-agency networks to facilitate knowledge sharing, communities of practice and standardised practices.

Legal services

- Lead implementation of department's Intellectual Property Policy to ensure compliance with the Queensland Government's intellectual property principles.
- Assist departmental staff to further improve administrative decision-making systems.
- Further development of the departmental contract register to ensure best practice in intellectual property and trade practices.

Policy and coordination

- Manage business continuity management activities in the department including maintenance of counter-terrorism plans as per the General Agency Preparedness project.
- Coordinate the development and implementation of the Multicultural Action Plan for 2005-2006.
- Coordinate the development and implementation of an integrated risk management system into the department.

Creating a vision for growing Queensland tourism

The Tourism Strategy Division works closely with Tourism Queensland, key tourism industry peak bodies and Government Agencies to foster improved coordination between the public and private sectors and provide strategic advice to the Minister and Director-General.

In partnership with Tourism Queensland, during 2004–05, the division commenced the development of the Queensland Tourism Strategy (QTS) – a ten year vision for the Queensland tourism industry. The QTS will build on the success of the Growing Tourism Strategy and Tourism Queensland’s Destination Management Plans, to provide a clear direction for government and industry policy over the next decade.

Queensland Tourism Strategy – A ten year vision for tourism

- An improved industry/government decision making framework
- Clear linkages with existing federal, state and local government tourism related plans and the current priorities of Queensland Government departments
- Increased export opportunities and direct and indirect employment
- Improved entrepreneurship and enhanced training and service standards
- Increased investment opportunities and the development of world class tourism related infrastructure
- Fostering a strong partnership approach with industry and the community
- A more economically, environmentally and socially sustainable industry

Development of the strategy is underpinned by a comprehensive program of government, industry and community consultation. The consultation program will reach into Queensland regions through a series of 20 regional industry workshops, followed by a thorough process of community feedback and review.

A website has also been established to provide information about the Queensland Tourism Strategy and the progress of consultation and strategy development, visit www.qldtourismstrategy.com.au.

Growing Tourism Strategy

Through the implementation of the Growing Tourism Strategy, the Tourism Strategy Division has raised the profile of tourism within government departments and improved tourism policy coordination and program collaboration. Many of the activities previously considered to be on the ‘periphery’ have now become core business for government agencies.

The key whole-of-government principles developed through the Growing Tourism Strategy will be incorporated into the Queensland Tourism Strategy. When completed in mid-2006, the QTS will provide for coordination and collaboration within government agencies and the tourism industry. Building on the Growing Tourism Strategy, the QTS will include an action plan to drive government policy and programs and establish targets and strategies for industry.



In 2004-05 the department in partnership with Tourism Queensland, commenced the development of the Queensland Tourism Strategy.

Mackay Whitsunday Tourism Investment and Infrastructure Plan

In conjunction with Tourism Queensland and with assistance from the Department of State Development, Trade and Innovation, the division is leading the development of a ten year Tourism Investment and Infrastructure Plan for the Mackay Whitsunday tourism region.

The knowledge and methodology gained in developing the Mackay Whitsunday Plan will be applied to develop a template for use in the preparation of subsequent plans for other Queensland tourism regions. The intention is for the plan to lead and support the integrated and coordinated provision of infrastructure within the region by Commonwealth, state and local governments and provide a framework for guiding investment by the private sector in new product development.

Other achievements

Other key divisional achievements for 2004–05 include:

- contributed to the ongoing development of a national approach to inbound operator legislation in partnership with the Federal Government
- with the support of the relevant government agencies, the division ensured the impact of alcohol management plans on the tourism industry were minimised
- through the Growing Tourism Strategy whole-of-government budget submission process, the division successfully secured funding of \$500 000 to deliver the Cape York Tourism Development Plan
- contributing to the Queensland Backpacker Industry Taskforce Action Plan through leading development of the compliance and regulatory component of the plan
- contributing to implementation of a number of whole-of-government tourism strategies including the Cruise Shipping Plan, the Commercial and Tourism Aviation Plan and the Queensland Ecotourism Plan
- ensuring ongoing dialogue and engagement between the government and industry on key strategic tourism issues through the Tourism Industry Consultative Forum
- facilitated whole-of-government support and endorsement of the new Tourism Collaboration Intergovernmental Arrangement, which will enhance collaboration with the Federal Government in a number of key areas critical to the sustainable development of the industry.

Corporate governance

Performance of the department is managed by the Director-General, who is accountable to the Minister for Tourism, Fair Trading and Wine Industry Development, and the Premier.

Strategic management of the department is the responsibility of the Executive Management Group (EMG), which sets the strategic direction and corporate objectives, oversees financial and non-financial performance, manages risk and ensures the government's priorities are met.

Led by the Director-General, the EMG meets monthly, is made up of senior executives from the key operational and corporate support areas of the department and is advised by five senior management committees:

- Administrative Business Committee
- Agency Consultative Committee
- Audit Committee
- Information Steering Committee
- Strategic Risk Review Committee.

The department's Equal Employment Opportunity Committee also advises the Director-General, the EMG and the Administrative Business Committee as required.

Members of the EMG at 30 June 2005:

- Helen Ringrose, Director-General
- David Ford, Deputy Director-General
- Laurie Longland, Acting Commissioner for Fair Trading
- Chris Watters, Executive Director, Liquor Licensing Division
- Ivan Catlin, Acting Executive Director, Executive and Corporate Services Division
- Justin Murphy, Director, Tourism Strategy Division
- Brian Bauer, Director, Commercial and Consumer Tribunal Registry
- Bill Date, Director, Wine Industry Development Division
- Kerry Batchler, Acting Director, Service Delivery and Development Division.



Administrative Business Committee

The Administrative Business Committee's (ABC) role is to ensure legislative and administrative responsibilities and reporting requirements across the department are adequately met.

The ABC meets quarterly or as required in accordance with emergent priority issues. It keeps a watching brief on all aspects of the department's corporate governance at the operational level, including workforce management issues, financial and resource management issues.

During 2004–05 the ABC continued its focus on the review and update of corporate policies and procedures and the revision of the Financial Management Practice Manual to reflect the department's structure and changed functions. A more streamlined risk management process was introduced and the incorporation of the Government Agency Procedures Counter-Terrorism Risk Framework was finalised.

Agency Consultative Committee

The Agency Consultative Committee which comprises 10 members (five union and five management) met six times during the year.

The committee was established under the enterprise bargaining (EB) agreement and is chaired jointly by union and management members. It provides a link between management and employees on issues which have the potential to impact on the structure of the department, employment security and other industrial relations issues of employees.

The committee monitors the implementation of enterprise bargaining initiatives, including the engagement and retention of temporary employees and changes to the department's structure. As a result of the committee's activities, the EB training initiative has been implemented within the department with five employees completing studies and four employees currently undertaking studies. Consultation has occurred on restructures to a number of areas of the department and changes implemented. This includes changes flowing from the Smart Service Queensland initiative and to the Business Services Division, Office of Fair Trading.

Audit Committee

The Audit Committee is responsible for monitoring the effectiveness and efficiency of the internal audit program, reviewing the annual financial statements and serves as an advisory forum for the Director-General regarding issues identified from internal and external audit activities.

The Audit Committee meets quarterly and is chaired by the Director-General. Its members include the Deputy Director-General, the Executive Director, Executive and Corporate Services Division and an external member. Currently, the Director, Internal Audit, Department of Justice and Attorney-General acts as the external member to the Audit Committee. The Director Financial Management Unit and managers of the internal and external audit functions are standing invitees to committee meetings.

The departmental Audit Committee has observed its charter and has given appropriate regard to Queensland Treasury's Audit Committee Guidelines.

Information Steering Committee

The Information Steering Committee (ISC) is responsible for overseeing the management of information resources and the deployment of information technology throughout the department.

The ISC's charter is reviewed annually to ensure the committee's role and membership reflects the importance of information services to the effective delivery of departmental services to government and the community. Key changes implemented during 2004–05 include:

- the addition of a central agency representative from Queensland Treasury and an external peer review representative from the Queensland Police Service
- the introduction of regular presentations from industry representatives and whole-of-government project leaders.

In 2004–05 the ISC oversaw the progress of departmental information and communication technology projects including:

- an extensive technology refresh and enhancement of the department's network hardware and IT infrastructure
- a new broadband quality region data network
- implementation of the compliance module of the Market Accreditation and Compliance System
- redevelopment of the Infringement Notices Register for Liquor Licensing

- implementation of a new website for Liquor Licensing and Wine Industry Development business areas
- business system enhancements to support the Smart Service Queensland initiative
- implementation of Blackberry wireless devices for executive staff
- new monitoring and filtering software for email and Internet access
- new operational support systems for the Debt Recovery, Limited Liability Partnerships, Internal Audit and Business Compliance areas.

Key issues reviewed by the ISC during 2004–05 included:

- the business case for the implementation of an electronic document and records management system (eDRMS) in 2006–07
- the upgraded recovery and testing strategies for the Information Disaster Recovery Plan
- ongoing implementation of whole-of-government Information Standards with particular priority given to Information Security and Business Continuity
- ongoing compliance with the Smart Directions Statement for the standardisation of future information technology strategies across government
- enabling technology to support the Smart Service Queensland initiative.

Initiatives the ISC will focus on in 2005–06 include:

- development of online services for key business activities in line with the Smart Service Queensland initiative
- development of a new Trade Measurement System
- implementation of major network software enhancements including the secure capture of emails, single sign-on capacity and upgraded recoverability of server equipment
- ongoing implementation of whole-of-government Information Standards with particular priority given to information security, information planning and electronic records management
- alignment of new and existing hardware and systems with the whole-of-government standards contained in the Government Enterprise Architecture

- expansion of the provision of wireless devices to provide secure, out of office network access to managerial and field staff
- information technology issues related to the ongoing transition of corporate services to shared service providers.

Strategic Risk Review Committee

The *Financial Management Standard 1997* requires the Director-General to develop and implement internal systems to effectively control and manage risks likely to impact on the operations of the department. The Director-General and the department recognise that risk management is an integral part of sound corporate governance and management practice.

The Strategic Risk Review Committee was established in May 2002 to provide advice to the Director-General and the board of management on departmental risk management issues and to promote a risk management culture throughout the department.

The department commenced a review of the departmental risk management structures and procedures in August 2004. Recommendations resulting from this review include:

- implementation of a contemporary integrated risk management system approach with reference to the Australian and New Zealand Standard AS/NZS 4360:2004 – Risk Management
- development of a revised risk management policy and procedure
- overseeing of risk management activities is undertaken by a combined Audit and Risk Management Committee.

Implementation of these changes is planned to commence from 2005–06.

In the interim, the Administrative Business Committee was allocated responsibility for monitoring risk management activities with the Strategic Risk Review Committee ceasing during the 2004–05 period.

In 2004–05, the department's risk management activities focused on the development of a Business Continuity Management Program to coordinate responses relating to general security, information security, emergency response and business continuity plans.

Strategic management process

The department's strategic management framework integrates planning, budgeting and performance monitoring, focusing efforts on delivering outcomes and services and directing resources to the areas of greatest need and benefit.

Planning

Strategic and operational plans are developed through an ongoing review process that ensures the plans clearly set out our future objectives and are used as key management tools.

The strategic plan, with a four-year outlook, identifies issues facing the department, long-term strategies for achieving the department's broad objectives and performance indicators for gauging success. Yearly operational plans are prepared by each division detailing specific initiatives and actions to be taken and associated resources.

Plans are also developed to build organisational capability and long-term effectiveness, including information and communication technology, workplace diversity and equal employment opportunity, asset management and strategic recordkeeping.

Individual performance plans are developed for each member of staff outlining roles, expectations and performance standards. These plans, jointly developed by employees and their supervisors, aim to give staff a clear sense of how they contribute to corporate objectives and support their individual career development.

Budgeting

Forward planning processes assist the department's executive management to make decisions about where resources are best allocated to ensure government and departmental priorities and outcomes are achieved.

An annual budget submission is also prepared for consideration by the Cabinet Budget Review Committee in its deliberations on how best to allocate the state's resources. A Ministerial Portfolio Statement (MPS), detailing the department's key achievements, budget performance and future directions, is also prepared and released publicly as part of the State Budget process.

Performance monitoring

Corporate feedback and evaluation processes are critical in identifying departmental strengths and key areas for improvement. The Internal Audit Unit conducts a range of reviews of departmental programs and services to evaluate their effectiveness in meeting client and stakeholder needs and achieving government objectives. Formal performance monitoring mechanisms include:

- monthly reporting to the Director-General on the department's financial position
- quarterly reporting to the Executive Management Group on organisational performance
- quarterly reporting to Queensland Treasury on progress against agreed performance measures published in the Ministerial Portfolio Statement.

Internal audit

The Internal Audit Unit assists the Director-General in the performance and discharge of functions and duties conferred upon the position of Accountable Officer under the *Financial Administration and Audit Act 1977*. This is facilitated by identifying risks and opportunities for improvement in achieving departmental goals, through the performance of disciplined and methodical reviews and the provision of consultative advice.

The Internal Audit Unit assists all levels of departmental management with a view to achieving sound managerial control over key functions, so these activities can be carried out efficiently and effectively in accordance with statutory, departmental and professional requirements.

The annual internal audit plan for 2004–05 was developed in consultation with senior management and focused on the reviews of system and functional processes which assist and enable departmental officers to achieve goals specified in the department's strategic and operational plans. During 2004–05, 10 audits were conducted which encompassed financial, compliance and operational reviews.

The Manager, Internal Audit Unit reports directly to the Director-General on the conduct and outcome of all audits undertaken, as well as reporting quarterly to the Audit Committee, providing summary audit findings and status reports.

During 2004–05, the Internal Audit Unit’s consultative and advisory service was used frequently by the Director-General, senior management and line managers, concerning such issues as internal control frameworks, risk management and corporate governance. The Internal Audit Unit’s consultative and facilitative approach ensures effective liaison is maintained with the Director-General and senior management.

Legal services

The Legal Services Unit, part of the Executive and Corporate Services Division, provides strategic legal advice across the portfolio and independent legal policy advice to the Minister and the Director-General.

Legal Services is also responsible for the administrative law function of the department, including:

- managing the departmental processes for production of documents required for legal actions
- administering the department’s requirements under the *Freedom of Information (FOI) Act 1992*
- assisting with requests for statements of reasons under the *Judicial Review Act 1991* and for all applications for review.

In 2004–05 Legal Services provided advice to the Liquor Licensing Division to assist in its administrative decision-making on both a case by case and a systemic basis.

Recordkeeping

- Developed an Information Disaster Recovery Plan and incorporated it into the Departmental Business Continuity Management Program.
- Recently approved or updated agency-specific Retention and Disposal Schedules for public records.
- Developed a business case, and commenced work on a project management plan leading to implementation of an electronic document and records management system (eDRMS) in 2006–07.
- Funding approved for the implementation of Aftermail, a program to ensure all email is captured for incorporation as a public record.
- Continued recordkeeping training for agency staff particularly aimed at transition of documents to corporate records.

- Used induction programs for new staff to emphasise the principles and practices underpinning recordkeeping in the department.

Community engagement

A departmental *Community Engagement Improvement Strategy* was developed which includes focused actions for the 2004–05 year.

The department is using ConsultQld to seek community input into major policy work, such as the current Body Corporate and Community Management Review.

The department systematically incorporated stakeholder feedback into all major policy and legislative projects through discussion papers, information forums, working parties and similar engagement mechanisms. In particular, the Office of Fair Trading engaged a range of consumer, business and other government stakeholders to ensure its policy and legislative development best meets the requirements of stakeholders.

Key initiatives

Over the past year, the Office of Fair Trading has been involved in engaging the community to comment on a range of issues including the Australian product safety system, property investment, mobile commerce, e-commerce, unfair contract terms, manufactured homes and fees relating to second-hand dealer and pawnbroker licences.

Review of legislation

The current review of the *Security Providers Act 1993*, conducted by the Office of Fair Trading, has wide industry and consumer representation on the review working party. The security industry has provided significant and positive feedback on the process of engaging the industry and its various stakeholders.

The current review of the *Body Corporate and Community Management Act 1997* has entailed significant community engagement. A user-friendly brochure was designed and circulated in addition to the standard discussion paper associated with reviews of this kind.

Schoolies Week

The Office of Fair Trading has been proactive in engaging the community through campaigns such as Schoolies Week (through presentations to accommodation providers and schoolies including a Brisbane Youth Forum and education panels), focus groups with small business owners to consult on content for new publications and engaging property training colleges in the development of real estate licensing forms.

Wine Industry Development Strategy

The public consultation with the Queensland Government's Wine Industry Development Strategy is an example of an industry development approach largely based on industry-sourced information (through eight regional forums) to ensure that the government's support for the industry is targeted, meaningful and effective.

Indigenous Fair Go Strategy

The implementation of the *Indigenous Fair Go Strategy* included a number of elements, one of which was the engagement of a specific Indigenous community (Cherbourg) in the delivery of consumer awareness services. The Office of Fair Trading actively supported this community to increase consumer responsibility and awareness through training local people, participating in community events, increased compliance and media activities.

Capability development

Staff have attended a number of presentations organised by the Department of Communities. The Office of Fair Trading arranged for the Department of Communities to provide training to all middle-managers on the role, benefits and best techniques for community engagement.

The department has also developed community profiles relating to particular Indigenous communities to assist and inform staff in their engagements with Indigenous Queenslanders.

About our organisation

The department's vision is to achieve excellence through continuous improvement and learning by well trained and supported professional staff. A set of values critical to future success has been identified and promoted through education and example, as well as through recognition in the department's staff excellence awards.

Our values

Service

Understand and strive to exceed the expectations of clients.

Partnership and Teamwork

Build partnerships and teamwork across the Tourism, Fair Trading and Wine Industry Development portfolio, and with key stakeholders in both government and the private sector.

Innovation and Integrity

Value and encourage innovation and ethical behaviour.



Fair Trading Minister the Honourable Margaret Keech is pictured with Ray White, of the Office of Fair Trading, who received a departmental Excellence Award, in the Reconciliation Award Category, for presenting workshops to Indigenous cooperatives.

Workforce profile

The department employed the fulltime equivalent (FTE) of 482 staff as at 30 June 2005, down from 509 in 2004. The change in FTEs was as a result of the transfer of:

- Knowledge Management and Facilities Management staff and functions to Corporate Solutions Queensland
- Customer Service Centre functions and staff to Smart Service Queensland.

The workforce (actual employees not FTEs) as at 30 June 2005 was 547 (excluding tribunal members) which comprised 56 per cent female and 44 per cent male staff. This is the same gender composition as the previous year.

Voluntary early retirement

One employee was offered Voluntary Early Retirement (VER) during 2004–05. This occurred as a result of restructuring within the Liquor Licensing Division. This offer was consistent with the government's employment security policy, in that there was no forced redundancy. The total cost of payments made in respect of these arrangements, including severance and cash equivalent of leave entitlements, was \$109 736.

Staff profile by work unit and gender

Work Unit	Summary							
	No. of staff		Male		Female		% Women	
	03-04	04-05	03-04	04-05	03-04	04-05	03-04	04-05
Office of the Commissioner for Body Corporate and Community Management	17	26	8	8	9	18	53	69
Commercial and Consumer Tribunal Registry	25	26	5	7	20	19	80	73
Executive and Corporate Services Division	79	65	42	35	37	30	47	46
Liquor Licensing Division	58	64	29	30	29	34	50	53
Office of Fair Trading	211	208	99	94	112	114	53	55
Office of the Director-General	4	7	-	2	4	5	100	71
Service Delivery & Development Division	166	140	60	59	106	81	64	58
Tourism Strategy Division	6	5	3	3	3	2	50	40
Wine Industry Development Division	5	6	3	3	2	3	40	50
Department (TOTAL)	571	547	249	241	322	306	56%	56%

Note: data does not include members of tribunals

Diversity, equity and equal employment opportunity

Equal Employment Opportunity Advisory Committee

The department's EEO Advisory Committee was established in July 2000 to:

- help members of the four target groups (women, people from a non-English speaking background, people from an Aboriginal or Torres Strait Islander background, and people with a disability) to effectively compete for employment opportunities within the department
- provide a workplace free of harassment and discrimination
- ensure fair and equitable treatment of all employees.

The committee meets every six weeks and is chaired on a rotational basis by all members who are representatives of departmental divisions, regions and target groups. The committee operates under a formal Charter. The committee reports

to the Administrative Business Committee, the Executive Management Group and directly to the Director-General as required.

During 2004-05 the committee:

- reviewed EEO census material to ensure the proper identification of all target group members within the department's workforce
- supported the Migrant Work Experience Program by placing a participant within the department
- arranged the participation of departmental employees in International Women's Day and Harmony Day activities and a disability action week
- developed a new EEO plan for 2005-07.

Indigenous initiatives

The department's representation of Indigenous employees has dropped from 2.6 per cent to 1.6 per cent during the year. This has fallen below the government target of 2.4 per cent despite there being an ongoing focus on strategies to enable the department to maintain or improve representation of Indigenous employees. These strategies include:

- targeting Indigenous applicants for traineeships
- provision of the Indigenous mentoring program to support current Indigenous employees
- ongoing Indigenous cross cultural awareness training for employees in the department.

The drop in representation demonstrates the susceptibility of the department to small changes in the number of employees in a target group, with the number dropping from 15 to 9. In 2005–06, the department will focus on maintaining initiatives aimed at improving Aboriginal and Torres Strait Islander recruitment and retention. One of these initiatives includes the establishment of an Aboriginal and Torres Strait Islander reference group as a forum to discuss Indigenous employment issues and to ensure the needs of these employees are appropriately met.

Aboriginal and Torres Strait Islander staff

Work Unit	No. of staff		No. of ATSI staff		% of ATSI staff		Target %
	03–04	04–05	03–04	04–05	03–04	04–05	
Office of the Commissioner for Body Corporate and Community Management	17	26	1	-	5.9	-	2.4
Commercial and Consumer Tribunal Registry	25	26	-	-	-	-	2.4
Executive and Corporate Services Division	79	65	3	2	3.8	3.1	2.4
Liquor Licensing Division	58	64	3	-	5.2	-	2.4
Office of Fair Trading	211	208	2	4	0.9	1.9	2.4
Office of the Director-General	4	7	-	-	-	-	2.4
Service Delivery & Development Division	166	140	6	3	3.6	2.1	2.4
Tourism Strategy Division	6	5	-	-	-	-	2.4
Wine Industry Development Division	5	6	-	-	-	-	2.4
Department (Total)	571	547	15	9	2.6	1.6	2.4

Note: data does not include members of tribunals

Fair trading

The Marketplace Strategy Division of the Office of Fair Trading has employed an Indigenous administrative trainee and a communication cadet as part of the Department of Workplace Relations Indigenous Cadetship Program. The cadet is also participating in the Wal-Meta Advancement Program for Indigenous public sector officers.

Multicultural initiatives

The department has made significant progress in respect of its representation of people from non-English speaking backgrounds (NESB). The main focus has been on accurately identifying eligible employees and ensuring correct information is contained in the department's human resources database. This has led to a significant increase from 8.6 per cent to 12.2 per cent in the department's reported representation of NESB.

A strategy has been developed to further increase the representation of members of ethnic communities.

The strategy focuses on:

- increasing the levels of awareness and understanding among departmental employees towards members of ethnic communities and issues that impact on these groups through training provided by Multicultural Affairs Queensland
- improving NESB employee retention rates through the introduction of an employee mentoring program specifically for this group
- the introduction of an NESB reference group.

The department participated in the Migrant Work Experience Program which is a Queensland Government employment initiative whereby recently arrived migrants have an opportunity to gain vital work experience through training and a six-week placement with a sponsoring employer. This year's participant went on to obtain a placement with Corporate Solutions Queensland.

Staff from a non-English speaking background

Work Unit	No. of staff		No. of NESB ^(a)		% NESB ^(a)		No. of NESB ^(b)		% NESB ^(b)		Total % NESB ^(a&b)		2005 Target %
	03-04	04-05	03-04	04-05	03-04	04-05	03-04	04-05	03-04	04-05	03-04	04-05	
Office of the Commissioner for Body Corporate and Community Management	17	26	-	1	-	3.8	2	4	11.8	15.4	11.8	19.2	13.5
Commercial and Consumer Tribunal Registry	25	26	-	3	-	11.5	3	3	12	11.5	12	23.1	13.5
Executive and Corporate Services Division	79	65	2	1	2.5	1.5	7	5	8.9	7.7	11.4	9.2	13.5
Liquor Licensing Division	58	64	-	2	-	3.1	3	4	5.2	6.3	5.2	9.4	13.5
Office of Fair Trading	211	208	5	10	2.4	4.8	14	16	6.6	7.7	9	12.5	13.5
Office of the Director-General	4	7	-	-	-	-	-	-	-	-	-	-	13.5
Service Delivery & Development Division	166	140	4	10	2.4	7.1	9	8	5.4	5.7	7.8	12.9	13.5
Tourism Strategy Division	6	5	-	-	-	-	-	-	-	-	-	-	13.5
Wine Industry Development Division	5	6	-	-	-	-	-	-	-	-	-	-	13.5
Department (TOTAL)	571	547	11	27	1.9	4.9	38	40	6.7	7.3	8.6	12.2	13.5

Note: (a) data does not include members of tribunals

(b) NESB^(a) – People whose first language was a language other than English.

(c) NESB^(b) – People who have at least one parent whose first language was a language other than English.

Women's initiatives

Women make up 56 per cent of the department's workforce. Forty per cent of senior managers and 39 per cent of employees AO6 and above are women.

During the year, the department developed and launched a new initiative, "Balancing Work, Family and Lifestyle". This strategy highlights entitlements

and flexible work practices available to employees seeking to manage work, family and lifestyle responsibilities. The strategy details part-time work arrangements, job sharing, telecommuting, extra leave for proportionate salary, leave without pay, accrued time and special responsibility leave for caring purposes as well as the types of leave employees might access.

Women in management

Work Unit	Senior Officer (SO) and Senior Executive Service (SES)						Target % 2005
	No. of staff		No. of women staff		%		
	03-04	04-05	03-04	04-05	03-04	04-05	
Office of the Commissioner for Body Corporate and Community Management	1	1	1	1	100.0	100.0	25
Commercial and Consumer Tribunal Registry	2	1	1	-	50.0	-	25
Executive and Corporate Services Division	5	5	1	1	20.0	20.0	25
Liquor Licensing Division	3	3	1	1	33.3	33.3	25
Office of Fair Trading	9	8	4	4	44.4	50.0	25
Office of the Director-General	2	4	2	2	100.0	50.0	25
Service Delivery & Development Division	2	1	2	1	100.0	100.0	25
Tourism Strategy Division	1	1	-	-	-	-	25
Wine Industry Development Division	1	1	-	-	-	-	25
Department (TOTAL)	26	25	12	10	46.2	40.0	25

Note: data does not include members of tribunals

Women in senior positions

Work Unit	Administrative Officer (AO6) to Senior Executive Service (SES)						Target % 2005
	No. of staff		No. of women staff		%		
	03-04	04-05	03-04	04-05	03-04	04-05	
Office of the Commissioner for Body Corporate and Community Management	7	11	2	6	28.6	54.5	35
Commercial and Consumer Tribunal Registry	3	3	2	2	66.7	66.7	35
Executive and Corporate Services Division	40	44	16	16	40.0	36.4	35
Liquor Licensing Division	11	17	4	6	36.4	35.3	35
Office of Fair Trading	64	61	25	25	39.1	41.0	35
Office of the Director-General	2	4	2	2	100.0	50.0	35
Service Delivery & Development Division	16	14	3	4	18.8	28.6	35
Tourism Strategy Division	2	2	-	-	-	-	35
Wine Industry Development Division	3	4	-	1	-	25.0	35
Department (TOTAL)	148	160	54	62	36.5	38.8	35

Note: data does not include members of tribunals

Workplace health and safety

There were 35 reported workplace incidents during 2004–05, 14 of which led to workers' compensation claims that were accepted by WorkCover Queensland. The cost of these claims for the year was \$203 749 with 80 per cent of this figure attributed to four claims.

In order for the department to better manage injury prevention and incident reporting in the department, a workplace health and safety strategy was implemented during the year. The key elements of the strategy are:

- establishment of a workplace health and safety network
- upgrading of the first aid officer network
- enhanced management of workplace rehabilitation

- improved processes for hazard identification.

As part of the strategy, workplace inspections are conducted annually by local business unit safety staff and triennially by the department's Workplace Health and Safety Officer.

Over the year, the Workplace Health and Safety Officer conducted a number of programs to increase employee awareness of health and safety issues. Programs include:

- workplace health and safety representative training
- safe lifting and carrying
- emergency response and fire safety training.

Staff with a disability

Work Unit	No. of staff		No. of staff with disability		%	
	03–04	04–05	03–04	04–05	03–04	04–05
Office of the Commissioner for Body Corporate and Community Management	17	26	-	2	-	7.7
Commercial and Consumer Tribunal Registry	25	26	1	1	4.0	3.8
Executive and Corporate Services Division	79	65	5	3	6.3	4.6
Liquor Licensing Division	58	64	2	4	3.4	6.3
Office of Fair Trading	211	208	17	13	8.1	6.3
Office of the Director-General	4	7	-	-	-	-
Service Delivery & Development Division	166	140	23	19	13.9	13.6
Tourism Strategy Division	6	5	-	-	-	-
Wine Industry Development Division	5	6	1	1	20.0	16.7
Department (TOTAL)	571	547	49	43	8.6	7.9

Note: data does not include members of tribunals

Ethics

A review of the department's code of conduct was completed during 2004–05. Following extensive consultation with employees and the Queensland Public Sector Union, the code was approved by the Minister and distributed to managers and employees in March 2005. The code is provided to all employees on appointment and is available on the department's intranet. While the code would be made available for inspection by any person, no requests were received from any external organisations during 2004–05.

New employees undertake training in the code of conduct as part of the department's induction program. This program can be completed online or

by attendance at the Corporate Induction program in Brisbane.

Public interest disclosures

In accordance with the *Whistleblowers Protection Act 1994*, the department supports those persons who wish to make public interest disclosures. The department is committed to acting on disclosures received and providing those persons with an avenue for voicing such concerns.

A contact officer ensures that cases are dealt with expeditiously and appropriately, either internally or through an appropriate body such as the Crime and Misconduct Commission (CMC). The Manager, Internal

Audit Unit is the departmental CMC Liaison Officer and, in conjunction with the CMC, is responsible for the co-ordination of investigations involving suspected official misconduct. The Manager, Internal Audit Unit reports directly to the Director-General regarding all CMC matters.

During 2004–05, the department received nine public interest disclosures, of which:

- eight were investigated and found to be unsubstantiated
- one remained unfinalised as at 30 June 2005, with investigative processes continuing.

In addition, during 2003–04, seven public interest disclosures were received, but not completed in that financial year. Of these seven, five were substantially verified during 2004–05 and two were found to be unsubstantiated.

Grievances

A revised Grievance Resolution policy was developed following the release of a new Directive on this issue. No formal grievances were lodged with the Director-General during 2004–05.

Individual performance

The department's personal performance management and development process continues to achieve high levels of compliance by employees. This performance management process involves annual meetings between employees and their supervisor to determine and agree on key tasks for the forthcoming year. Progress towards achievement of these tasks is reviewed mid-way through the year and a final assessment is made at the end of the year. Employees are rated according to their progress towards completion of the key tasks as well as across a range of organisational and workplace criteria. Close monitoring and reporting on employee performance through this process of reviews leads to employees and supervisors having a clear understanding of performance requirements and expectations.

Learning and development

An extensive range of training and development programs was undertaken during 2004–05. Over the year there were 928 employee attendances for a total of 1175 days of training. This training was provided by internal and external facilitators and was conducted in Brisbane and regional centres.

Training calendars detailing training and development available through the department's Human Resource Management Unit and Information Technology Unit were published in July 2004 and January 2005.

During the year, the online Induction Program was finalised and made available through the department's intranet. All employees are encouraged to complete this program during their first weeks in the department.

Staff recognition

The department's Excellence Awards are held annually and presented by the Minister and the Director-General to individuals and/or teams who demonstrate a high level of achievement in a range of categories. The 2004 excellence awards winners were:

- Divisional Awards:
 - Office of Fair Trading – Policy and Legislation Division, Dave Strachan and Malcolm Bartlett, for their contributions to national policy reforms
 - Liquor Licensing Division – Bevan McCarrick, for development of the Liquor Licensing Compliance Manual
 - Service Delivery and Development Division – Trevor Crook, of the Gold Coast office
 - Executive and Corporate Services Division – Commercial and Consumer Tribunal Management Team, consisting of Julie-Anne Schafer and Brian Bauer, for establishment of the Commercial and Consumer Tribunal.
- Reconciliation Award – Ray White, for workshops conducted with Indigenous cooperatives
- Significant Contribution to the Department Award – Anne-Marie Carey, for her positive and practical support for the fledgling Wine Industry Development team
- Director General's Excellence Award – Dominic Tennison, for his work in implementing and promoting alcohol restrictions in indigenous communities
- Recognition of 40 Years Service to the Queensland Public Service – Robert Golightly, Investigations Branch, Compliance Division, Office of Fair Trading.

Additional reporting

Statement of Affairs

This Statement of Affairs is published to comply with section 18 of the *Freedom of Information Act 1992* and contains information on:

- consultation arrangements for public participation in the department's policy-making activities
- bodies established to advise the department and whose meetings and minutes are open to the public
- how to access departmental documents under the *Freedom of Information Act 1992*
- the type of documents held by the department
- publications available from the department.

Consultation arrangements for public participation in departmental policy-making activities

The department recognises extensive community consultation is necessary whenever major policy and legislative initiatives are being developed. Mechanisms are in place to ensure consultation occurs.

For example, a recent review of legislation administered by the department included consultation with affected stakeholders, including the provision of draft legislation to the stakeholders for comment and review. The department also employs a range of other methods including working parties, client surveys and detailed consultation with consumer groups.

Members of the public are invited to write to the Director-General concerning the department's policies and functions.

Bodies established to advise the department and whose meetings or minutes are open to the public

Although there are several bodies set up to advise the department on various matters, none of the meetings of those bodies are open to the public and the minutes of those meetings are not distributed to the public.

Documents held by the department

The department holds a broad range of materials and records relating to internal operations and delivery of services. For further information, please refer to the list of publications which appears in this report at pages 75–76 and/or the websites www.dtftwid.qld.gov.au; www.fairtrading.qld.gov.au; www.liquor.qld.gov.au; and www.tribunals.qld.gov.au.

Freedom of Information

How to access departmental documents

The *Freedom of Information Act 1992* gives community members a legally enforceable right to access documents held by Queensland Government agencies and Ministers of the Crown.

Although the overall spirit of the *Freedom of Information Act 1992* encourages the release of documents, some documents may be restricted to protect essential public interests or the private or business affairs of members of the community where disclosure would be contrary to the public interest. Other documents are also available for review and for download directly through the department's website, www.dtftwid.qld.gov.au. Restrictions on access may also be encountered for documents that have been placed in the custody of Queensland State Archives for safekeeping.

How do I obtain documents?

1. Ask if the documents you require are publicly available.
2. Identify the documents you require, where they are located (region, division) and type of access sought (inspection or copy).
3. Make the application. A formal application under the *Freedom of Information Act 1992* may be made on either an application form or by letter. The application must:
 - be in writing
 - state an address to which a notification of the decision may be sent
 - be accompanied by a \$34.40 application fee if the information relates to non-personal matters (personal information about yourself is available at no cost)
 - be addressed to the Administrative Law Officer.
4. Post or deliver the application to:
The Administrative Law Officer
Department of Tourism, Fair Trading
and Wine Industry Development
Level 26, 111 George Street
GPO Box 1141
BRISBANE QLD 4001
Telephone (07) 3237 9975
Facsimile (07) 3224 8411

If the documents you require relate to your personal affairs, you must apply in person and provide identification.

Fees and Charges

Are there any charges to access information?

An application fee of \$34.40 is payable to access non-personal affairs documents. No fees or charges are payable to access your own personal affairs documents.

Charges calculated at the rate of \$5.10 for each 15 minutes or part thereof, for processing non-personal affairs applications and for inspecting documents were introduced on 23 November 2001.

However, charges are not payable if the processing time is two hours or less. Provision has been made to waive charges for individuals or non-profit organisations on the grounds of financial hardship.

Agencies are required to notify applicants they are liable to pay a charge in relation to their application and provide a preliminary assessment of the charge.

Photocopying charges of 20 cents per A4 page and a reasonable amount for other sizes may also apply. Charges also apply to cover actual costs incurred by the department in providing access to documents other than by inspection or photocopies.

Applications for internal and external review do not attract an application fee, however charges may apply for photocopying of non-personal affairs documents released following the review process.

All FOI fees and charges are exempt from GST.

Consultation

While processing an FOI application, it may be necessary to consult with a third party where disclosure of the matter contained in the document may reasonably be expected to be of substantial concern to the third party.

While the third party's views will be taken into consideration, the final decision on whether to permit access rests with the department.

Timeframes for decisions

Strict time limits apply for making decisions on FOI applications. The timeframes start from the receipt of the application, except in the case of applications for access to non-personal affairs documents, when the timeframes start from receipt of both the application and the application fee.

FOI applications are acknowledged by the department within 14 days of receipt.

For requests to access personal affairs documents decisions are made within:

- 45 days where no consultation is required
- 60 days where consultation is required.

For requests to access non-personal affairs documents decisions are made within:

- 45 days for documents created after 1987 where no consultation is required
- 60 days for documents created after 1987 where consultation is required
- 60 days for documents created prior to 1987 where no consultation is required
- 75 days for documents created prior to 1987 where consultation is required.

Types of access

You may nominate to have copies sent to you or you may inspect documents at a suitable location, usually the department's main office.

How do I amend my personal records?

If, after obtaining access to a department document, you believe information recorded in the document about your personal affairs is inaccurate, incomplete, out-of-date or misleading, you can apply to have the document amended.

A formal application under the *Freedom of Information Act 1992* to amend personal affairs information must:

- be in writing
- state an address to which a notification of the decision may be sent
- specify the particulars you wish to have amended
- give details as to why the information is believed to be incomplete, incorrect, out-of-date or misleading.

You will be notified of a decision on your application within 30 days of the date on which your application was made.

Review of decisions

Internal review

If you are dissatisfied with the department's decision, you may apply in writing for an internal review of the decision. A senior officer of the department will review the decision within 14 days of receipt of your application. There is no right of internal review of a decision made by the Minister or Chief Executive Officer of the department.

External review

The Information Commissioner is an independent body responsible for reviewing decisions under the *Freedom of Information Act 1992*. The Information Commissioner has the power to change, amend or confirm a decision of an agency or to mediate a settlement among the parties.

You may seek an external review of the decision from the Information Commissioner if:

- you are dissatisfied with the internal review decision
- the department fails to make a decision within the internal review time limits
- the Minister or Chief Executive Officer made the decision.

Applications for external review must be sought by an applicant within 60 days of receipt of the decision, or by a third party within 28 days of receipt of the decision.

An application for external review must be in writing, specify your address and give particulars of the decision for review.

Requests should be forwarded to:

The Office of the Information Commissioner
Level 25, 288 Edward Street
BRISBANE QLD 4000
or mailed to GPO Box 3314, BRISBANE QLD 4001

Enquiries

Enquiries about FOI may be made between 8.30am and 5.00pm Monday to Friday by telephoning the Administrative Law Officer on (07) 3237 9975.

Administrative law report

In 2004–05 the department received 88 applications for access to documents and two requests for internal reviews of decisions under the *Freedom of Information Act 1992*.

One request for an external review of a departmental decision was received.

During 2004–05 the most common requests under FOI were for access to files on licensed premises and complaints against traders. The majority of applications are lodged by private individuals, followed by solicitors' firms, and businesses.

Publications

The department produces a broad range of free and saleable material. Many of the publications can be downloaded from the web. All publications are available for inspection by members of the public free of charge. Arrangements can be made to view and/or obtain copies of the department's policy and procedure documents at all departmental offices.

Corporate publications

Corporate publications of the department are available from the department's website at www.dtftwid.qld.gov.au, by emailing enquiries@dtftwid.qld.gov.au or by telephoning (07) 3224 2018.

- Annual Report
- Budget Highlights
- Ministerial Portfolio Statement
- Reconciliation Strategy
- Strategic Plan

Body corporate and community management publications

The BCCM publication titled "Community Living in Queensland" is available in the following languages:

- Chinese
- German
- Greek
- Italian
- Spanish
- Vietnamese.

The BCCM also publishes the following information brochures on topics related to body corporate and community management:

- Body Corporate – An introduction
- Maintenance Issues
- Financial Management
- Insurance
- By-Laws
- General Meetings
- Committees
- Lot Entitlements
- Amendments to the BCCM Act
- Amendments to the Regulation Modules

- Guide to completing a dispute resolution application
- Dispute Resolution Information Sheet.

Fair trading publications

The Office of Fair Trading produces a broad range of publications providing advice to consumers and traders about their fair trading rights and responsibilities.

The following list details the major printed publications. These and the many other Office of Fair Trading publications including a range of fact sheets are available free of charge by calling 1300 658 030 or from www.fairtrading.qld.gov.au

Business Publications

Good Business Guide (for all businesses)	Booklet
Good Business Guide – Cooperatives	Booklet
Good Business Guide – Fitness Industry	Booklet
Good Business Guide – Incorporated Associations	Booklet
Good Business Guide – Introduction Agents	Booklet
Good Business Guide – Manufactured Homes and Park Owners	Booklet
Good Business Guide – Motor Dealing	Booklet
Good Business Guide – Property Development Sales Practice	Booklet
Good Business Guide – Real Estate Agency and Sales Practice	Booklet
Good Business Guide – Restricted Letting Agents	Booklet
Good Business Guide – Security Industry	Booklet
Good Business Guide – Tourism Services	Booklet
Refund Policy Sign	Sign
Refund Policy Sticker	Sticker

Consumer Publications

About Baby & Children's Safety (ABCs)	Booklet
Consumerwise	Booklet
Get Out There	Booklet
Glovebox Guide	Booklet
Good Credit Guide	Booklet
E-Commerce Card – smart on-line shopping	Card to stick on PC
Indigenous Fair Go Guide	Booklet
Kriol Postcards – fair trading advice for young people (set of 5)	
No Door-to-door trader sticker	Sticker
Real Estate Realities	Booklet
Shop Green Checklist	Card
Shop Smart Handy Hints	Mini-brochure
Shop Smart Online checklist	Card
Shop Smart Shopping List	

Liquor licensing publications

Liquor licensing publications and other materials can be downloaded from the Liquor Licensing Division's website at www.liquor.qld.gov.au or telephone (07) 3224 2064.

- Australian ID Checking Guide
- Drink spiking brochures and posters
- Fact Sheets on:
 - Advertising ban
 - ANZAC Day trading hours
 - Behaviour and Safety
 - Christmas trading
 - Consumers and responsible consumption of alcohol
 - Drink spiking
 - Easter trading hours
 - Fees schedule
 - Home brew ban
 - Lockouts
 - Minors
 - Noise
 - The objections process
 - The smart party
 - Youth and the law.

- Guidelines to assist in the interpretation of the legislation
- Guide to Responsible Service of Alcohol
- Guide to the Liquor Act
- Guide to the Wine Act
- *Liquor Act 1992* and *Wine Industry Act 1994* – forms and brochures
- Liquor Licensing Update
- Management signs
- No More Risky Business brochure
- Unattended drink cards

Tourism strategy publications

Growing Tourism Strategy documents can be obtained from the department's website at www.dtftwid.qld.gov.au/tourism, by emailing enquiries@dtftwid.qld.gov.au or by telephoning (07) 3224 2018.

- Queensland Government Strategy for Growing Tourism
- Growing Tourism in the Smart State Progress Report 2001-2002 and Future Directions:
 - Growing Tourism Action Plan 2001-2002 (Appendix C)
 - Implementation Structure for the Growing Tourism
 - Strategy (Appendix D).
- Growing Tourism in the Smart State Progress Report 2002-2003 and Future Directions:
 - Action Plan 2002-2003 Progress Report
 - Action Plan 2003-2004.
- Queensland Tourism Strategy Information Brochure 2005
- Limit your Liability! Your guide to the *Traveller Accommodation Providers (Liability) Act 2001*

Consultancies

Consultants were engaged to work on structural evaluations and a human resource investigation. The total amount paid to consultants during the 2004–05 financial year was \$62 070, which includes \$48 774 for management consultancies awarded in the previous year and \$13 296 for a human resource consultancy awarded in 2004–05.

Overseas travel

Overseas travel by officers representing the department must be supported by the Director-General and approved by the Minister. The following officer travelled overseas during 2004–05.

Officer	Mr Daryl Hines, Principal Trade Measurement Officer
Destination	Thailand
Purpose	To deliver training on the verification certification and in-service inspection of fuel dispensers and LPG dispensers to participants from Asia Pacific Legal Metrology Forum on behalf of APEC
Date	24 April – 6 May 05
Cost to Dept	\$134
Contribution from other sources	\$5600

Energy consumption and waste management

In 2004–05, the department spent \$178 799 on electrical and gas energy consumption. The department continues to support energy conservation where possible in carrying out its activities. As an example, the department utilises multi-functional devices which in turn allows for the reduction in the number of machines used in its offices around the state.

The department's waste management strategy encourages the use of environmentally friendly products and equipment through waste minimisation, recycling and avoidance practices. As an example, the departmental offices have set up arrangements to recycle toner cartridges, papers and other

waste products where possible. Also, the type of photocopiers purchased by the department use improved technology to produce copies, reducing carbon dioxide emissions by 35 per cent.

The department has also continued to replace larger vehicles with smaller and more efficient models. The vehicle fleet now consists of 49 per cent of four cylinder vehicles, an increase of 21 per cent over the previous year. This strategy has a direct effect of reducing carbon dioxide emissions.

Statutory and other bodies associated with the Tourism, Fair Trading and Wine Industry Development portfolio

Body	Role	Constituting Act	Annual reporting requirement	Cost at 30 June 2005	Members at 30 June 2005	Notes
Tourism Queensland	Responsible for developing and marketing Queensland's tourism destinations and arranging tourism and travel to and within Queensland	<i>Tourism Queensland Act 1979</i>	Separate report to parliament	See Tourism Queensland annual report	Terry Jackman AM (Chair) Peter Wade Max Shepherd Chris White Don Morris AO Julie McGlone Ashley Kerr Sarina Russo	See Tourism Queensland annual report at www.tq.com.au
Advisory boards and committees						
Consumer Safety Committee	Provides advice to the Minister for Fair Trading on consumer safety and product safety issues	<i>Fair Trading Act 1989</i>	See notes	Nil	Matt Miller Rod McClure John Ashes Elizabeth Miles Darryl Barber Denis Hardy Paul Vardon	The committee met once during 2004–05. Members agreed the following key themes should underpin an effective product safety framework: <ul style="list-style-type: none"> - Influencing the national agenda - Building a consumer groundswell of support for product safety - Recognition of positive action and successes - Research, demonstration and evaluation of successful options - Collaboration and building partnerships - Effective compliance and enforcement - Profile raising initiatives - Exploring alternative regulatory models - Legislation review and reform
Disaster Appeals Trust Fund Committee	Receives surplus monies from unused disaster relief funds and may elect to make payments into any current disaster relief fund	<i>Collections Act 1966</i>	See notes	Nil	Helen Ringrose (Chair) Rosemary Clarkson John O'Connell Greg Klein Fiona McKersie	No applications for financial assistance were received in 2004–05.

Body	Role	Constituting Act	Annual reporting requirement	Cost at 30 June 2005	Members at 30 June 2005	Notes
Advisory boards and committees (continued)						
Funeral Benefit Trust Fund Committee	Administers the Funeral Benefit Trust Fund by hearing claims made by contributors to the Fund	<i>Funeral Benefit Business Act 1982</i>	See notes	Nil	Robert Ahern (Chair and representative of the Treasurer) Paul Kerr (Secretary and representative of the Registrar) Wendy Whitten (State Actuary's representative) Brian Gill (representative of corporations)	The board of trustees met 12 times during 2004-2005 and processed 233 funeral benefit claims down from 262 claims in the previous year, resulting in \$55,135 being paid from the Fund. Also during that period 77 contributors surrendered their agreements resulting in a payout to contributors of \$12,826. (Refer to note 27 in the financial statements at the back of the report).
Dispute resolution bodies						
Commercial and Consumer Tribunal	Established on 1 July 2003 to deal with matters referred from empowering Acts in a manner which is just, fair, cost effective, speedy and easy to understand.	Commercial and Consumer Act 2003 and the following empowering Acts: <ul style="list-style-type: none"> • <i>Architects Act 2002</i> • <i>Building Act 1975</i> • <i>Building and Construction Industry Payments Act 2004</i> • <i>Domestic Building Contracts Act 2000</i> • <i>Liquor Act 1992</i> • <i>Manufactured Homes (Residential Parks) Act 2003</i> • <i>Plumbing and Drainage Act 2002</i> • <i>Professional Engineers Act 2002</i> • <i>Property Agents and Motor Dealers Act 2000</i> • <i>Queensland Building Services Authority Act 1991</i> • <i>Residential Services (Accreditation) Act 2002</i> • <i>Retirement Villages Act 1999</i> • <i>Tourism Services Act 2003</i> • <i>Wine Industry Act 1994</i> 	Separate report to parliament	See Commercial and Consumer Tribunal annual report	Julie-Anne Schafer (Chair) Thomas Bradley Christopher Coyne John Gallagher Myrtle Green Peter Hogan Peter Lohrisch Duncan McMeekin Anthony Moon Dean Morzone Fay Margaret O'Donnell Glencie Spender Peter Toohey Barry Vickers Marcia Wilson Yvonne Zardani	See the Commercial and Consumer Tribunal annual report at www.tribunals.qld.gov.au

Statutory and other bodies associated with the Tourism, Fair Trading and Wine Industry Development portfolio (continued)

Body	Role	Constituting Act	Annual reporting requirement	Cost at 30 June 2005	Members at 30 June 2005	Notes
Dispute resolution bodies (continued)						
Computer Games and Images Appeals Tribunal	Hears appeals against decisions made under the Act	<i>Classification of Computer Games and Images Act 1995</i>	See notes	Nil	No current membership	No appeals lodged in 2004–05
Films Appeals Tribunal	Hears appeals against decisions made under the Act	<i>Classification of Films Act 1991</i>	See notes	Nil	No current membership	No appeals lodged in 2004–05
Publications Appeals Tribunal	Hears appeals against decisions made under the Act	<i>Classification of Publications Act 1991</i>	See notes	Nil	No current membership	No appeals lodged in 2004–05
Racing Appeals Tribunal	Hears appeals lodged against decisions to refuse or revoke licences or against penalties imposed by stewards. Hears appeals for all three racing codes – thoroughbred, harness and greyhound.	<i>Racing Act 2002</i>	The Tribunal Chair provides a report to the Minister for Public Works, Housing and Racing	See Racing Appeals Tribunal annual report	Leo Williams (Chair) Sir James Killen (retired April 2005) Brockwell Miller (from May 2005) Dennis Standfield	The report to the Minister is not published

Successful court and tribunal actions for breaches of legislation 2004–05

Fair trading

Defendant	Act	Offence	Court/ Tribunal Date	Result/Order
Kings Palace Pty Ltd	TMA	Short weight and unmarked scale	Southport MC 2/07/04	Fined \$3750 Costs \$63.10
Avco Financial Services	CCA	Failure to disclose credit charges, management fees and commissions, and overstating the discharge amount of contracts.	Brisbane SC 16/07/04	Fined \$443 500
Doris Mitzy HOLLOW	PAMDA	Unprofessional conduct -stating false information to Police	CCT 19/07/04	Fined \$1000 Costs \$1258 Licence suspended for one year, suspension deferred for one year on condition no further offence committed during that time.
Y2K Business Marketing Professionals Pty Ltd	PAMDA	Unlicensed real estate agent	Southport MC 19/07/04	Fined \$20 000 Compensation \$9369
Joanne ABSALON	PAMDA	Unlicensed real estate agent	Southport MC 19/07/04	120 hours community service
Hendrik SCHOOLDERMAN	PAMDA FTA	Unlicensed motor dealer Falsely representing goods have a previous history	Townsville MC 20/07/04	Fined \$6000 Costs \$62.20
Benjamin KEANE	PAMDA	Unprofessional conduct/ stating false information to Police	CCT 23/07/04	Licence cancelled five years. Disqualified from being Executive Officer of corporation holding a licence for five years. Costs \$1342
Billy GERVAISE	FTA	Door to door breaches	Ipswich MC 26/07/04	Fined \$1000 Costs \$63
Wendy Carol MOORE (trading as Inhibition)	CPA	Sell prohibited magazines	Brisbane MC 28/07/04	Fined \$600 Costs \$363
Billy GERVAISE	FTA	Door to door breaches	Brisbane MC 28/07/04	Fined \$2000 Cost \$63
John GUNTHER	PAMDA	Unprofessional conduct/ selling overpriced houses	CCT 2/08/04 Liability determined 10/5/04	Licence disqualified permanently and from being an Executive Officer of a corporation holding a licence Fined \$7500
Judith GUNTHER	PAMDA	Unprofessional conduct/ selling overpriced houses	CCT 2/08/04 Liability determined 10/5/04	Licence disqualified one year Fined \$1500

Successful court and tribunal actions for breaches of legislation 2004–05

Fair trading (continued)

Defendant	Act	Offence	Court/ Tribunal Date	Result/Order
Talitha Cumi Pty Ltd	PAMDA	Unprofessional conduct/ selling overpriced houses	CCT 2/08/04 Liability determined 10/5/04	Licence disqualified permanently Fined \$7500
Warren McLAREN	PAMDA	Unprofessional conduct/ selling overpriced houses	CCT 2/08/04 Liability determined 10/5/04	Licence disqualified for two years Fined \$3000
Chiutton HO	TMA	Short weight and unmarked scale	Noosa MC 4/08/04	Fined \$1500 Costs \$63.20
Admack Pty Ltd (trading as A Bit Rude)	CPA CFA	Selling prohibited magazines and films	Brisbane MC 17/08/04	Fined \$4215 Costs \$513
Esanda Finance Corp Ltd	CCC	Civil penalty application	Brisbane SC 19/08/04	Fined \$10 700
Bechland Pty Ltd (trading as Remax Redcliffe)	PAMDA	Misleading advertising	CCT 24/08/04	Fined \$6000 Directors and relevant staff to implement education and training program in relation to advertising and selling techniques within three months. Also to ensure staff undergo program within one month of employment commencement.
Michael KNIGHTS	PAMDA	Unprofessional conduct	CCT 24/08/04	Fined \$4500 (Same conditions as for Bechland Pty Ltd)
Winston DE RAADT	PAMDA	Unprofessional conduct	CCT 24/08/04	Fine \$1500 (Same conditions as for Bechland Pty Ltd)
Rosmarie Ann SCOTT (trading as Finer Touch Adult Shop)	CPA CFA	Selling prohibited magazines and films	Brisbane MC 25/08/04	Fined \$2000 Costs \$513
Brett Adam GEORGE (trading as Naughty But Nice Kelvin Grove)	CPA CFA	Selling prohibited magazines and films	Brisbane MC 1/09/04	Fined \$3000 Costs \$63
David PERCY (trading as Spice of Life Adult Shop)	CPA CFA	Selling prohibited magazines and films	Brisbane MC 8/09/04	Fined \$3750 Costs \$300
Dean HIRST (trading as Spice of Life Adult Shop)	CPA CFA	Selling prohibited magazines and films	Brisbane MC 8/09/04	Fined \$3000 Costs \$300

Defendant	Act	Offence	Court/ Tribunal Date	Result/Order
Leather Obsession Pty Ltd	CPA CFA	Selling prohibited magazines and films	Brisbane MC 22/09/04	Fined \$1200 Costs \$250
Regald Pty Ltd (trading as Bit Cheeky)	CPA CFA	Selling prohibited magazines and films	Brisbane MC 22/09/04	Fined \$4000 Costs \$450
Saiom Pty Ltd	FTA	False representation that goods were a particular price	Brisbane MC 29/09/04	Fined \$4000
Warren George HARRISON	FTA	False representation goods were a particular price	Brisbane MC 29/09/04	Fined \$3000
Metalcorp Pty Ltd	TMA	Faulty public weighbridge	Gladstone MC 11/10/04	Fined \$500 Costs \$450
Parella Enterprises Pty Ltd (trading as Naughty but Nice Underwood)	CPA CFA	Selling prohibited magazines and films	Brisbane MC 13/10/04	Fined \$4125 Costs \$450
Belinda Margaret HANSEN (trading as The G Spot)	CPA CFA	Selling prohibited magazines and films	Brisbane MC 20/10/04	Fined \$1500 Costs \$300
Terance Allan ELDRIDGE	PAMDA A&A	Wrongful conversion trust money	Southport DC 20/10/04	Three years imprisonment. Imprisonment suspended after six months if makes \$50 000 restitution within four months to victim involved in first charge, if not paid will serve extra six months
Narelle Maree FRYER	PAMDA	Convicted of indictable offence and unprofessional conduct	CCT 21/10/04	Licence permanently disqualified and from being an Executive Officer of a corporation holding a license Costs \$1342
Comprehensive Designer Consultants Pty Ltd (trading as Ampol Kingston)	CPA	Selling prohibited magazines	Brisbane MC 25/10/04	Fined \$1000
R KALSI (trading as Ampol Kingston)	CPA	Selling prohibited magazines	Brisbane MC 25/10/04	Fined \$650
H KALSI (trading as Ampol Kingston)	CPA	Selling prohibited magazines	Brisbane MC 25/10/04	Fined \$650
Bassey Pty Ltd (trading as the Den Book Shop)	CPA CFA	Selling prohibited magazines and films	Brisbane MC 3/11/04	Fined \$5000
Alexander GERVAISE	FTA	Failure to supply documentation	Brisbane MC 3/11/04	Fined \$2500 Costs \$63
Steven Douglas WINSTON	PAMDA	Unsuitable to be registered due to convictions of indictable offences	CCT 5/11/04	Licence permanently disqualified and from being an Executive Officer of a corporation holding a licence

Successful court and tribunal actions for breaches of legislation 2004–05

Fair trading (continued)

Defendant	Act	Offence	Court/ Tribunal Date	Result/Order
Alan CHALMERS	PAMDA	Employee/licensee convicted of indictable offence	CCT 5/11/04	Licence Disqualified for 10 years and from being an Executive Officer of a corporation holding a licence Costs \$1342
Rosdum Pty Ltd	PAMDA	Selling vehicles and failing to give security interest certificate and statutory warranty	CCT 9/11/04	Licence disqualified for two years Fined \$1500
Ross Murray Dummett	PAMDA	Selling vehicles and failing to give security interest certificate and statutory warranty	CCT 9/11/04	Licence disqualified for two years and from being an Executive Officer of a corporation holding a licence Fined \$750
Douglas Geoffrey MANION / Wide Bay Tourism Marketing & Publishing Co	CC	Fraud	Hervey Bay MC 10/11/04	Twelve months imprisonment to be suspended for three years after he serves the initial four months.
VA BASSETT (trading as Sensual Secrets Adult Shop)	CPA CFA	Selling prohibited magazines and films	Brisbane MC 10/11/04	Fined \$1500
NES Developments Pty Ltd (trading as Horizontal Tango)	CPA	Selling prohibited magazines	Brisbane MC 17/11/04	Fined \$1000
Geishan Pty Ltd (trading as Excitation)	CPA	Selling prohibited magazines	Brisbane MC 24/11/04	Fined \$1000
Christine TYLER (trading as Mystique Lingerie and Adult Shop)	CPA CFA	Selling prohibited magazines and films	Brisbane MC 1/12/04	Fined \$3200 Costs \$100
BeDaring The Adult Shop P/L Caboolture	CPA CFA	Selling prohibited magazines and films	Brisbane MC 8/12/04	Fined \$3200
BeDaring The Adult Shop P/L Caloundra	CPA CFA	Selling prohibited magazines and films	Brisbane MC 15/12/04	Fined \$2400
Origin Energy LPG Ltd	TMA	Short weight packaging	Brisbane MC 01/02/05	Fined \$1500
Dean Wayne MESSAGE	FTA	Failing to supply information	Brisbane MC 02/02/05	Fined \$600 Costs \$38
Jet Technologies Australia Pty Ltd	TMA	Providing short measures of pre-packed articles	Brisbane MC 09/02/05	Fined \$5000
Barry John HEENAN (trading as Hibiscus Lingerie and Adult Shop)	CPA CFA	Selling prohibited magazines and films	Holland Park MC 11/02/05	Fined \$1500

Defendant	Act	Offence	Court/ Tribunal Date	Result/Order
Ardha Marion HEENAN (trading as Hibiscus Lingerie and Adult Shop)	CPA CFA	Selling prohibited magazines and films	Holland Park MC 11/02/05	Fined \$1500
Dean Wayne MESSAGE	FTA	Falsely representing he had insurance	Sandgate MC 16/02/05	Fined \$4000 Costs \$64
M LOVEJOY (trading as Obsession Adult Shop)	CPA CFA	Selling prohibited magazines and films	Maroochydore MC 17/02/05	Fined \$1500
Simon Patrick SCANLON	FTA	False or misleading representation and door to door breaches	Brisbane MC 23/02/05	Fined \$9000
David WARRICK	FTA	Door to door breaches	Toowoomba MC 25/02/05	Fined \$5500
Amanda BYRNE	PAMDA	Breaches of trust account monies, unlicensed	CCT 8/03/05	Licence permanently disqualified and from being an Executive Officer of a corporation holding a licence Fined \$7500 Costs \$9000
Simon Patrick SCANLON	FTA	False or misleading representations and door to door breaches	Inala MC 11/03/05	Fined \$6000 Costs \$60
Raymond Leslie VINCENT	PAMDA	Provided misleading information to Police. Unprofessional conduct.	CCT 11/03/05	Licence suspended and disqualified for two years from holding licence under PAMDA Disqualification deferred for two years on condition that no further offence is committed under PAMDA Fined \$1500 Costs \$1258
Gregory Norman STEGMAN	PAMDA	Marketeting	CCT 15/03/05	Fined \$20 000 Compensation \$20 000 Costs \$8498 Licence suspended six months Prohibition six months
Stegman International Consulting Pty Ltd	PAMDA	Marketeting	CCT 15/03/05	See Gregory Norman Stegman
Gregory Michael BOURKE	PAMDA	Marketeting	CCT 15/03/05	Fined \$10 000 Compensation \$10 000 Costs \$8498 License suspended six months Prohibition six months

Successful court and tribunal actions for breaches of legislation 2004–05

Fair trading (continued)

Defendant	Act	Offence	Court/ Tribunal Date	Result/Order
Richard EBBOTT	PAMDA	Marketsteering	CCT 15/03/05	Fined \$18 000 Compensation \$11 935 Costs \$6623
Stephen Andrew PATERSON	FTA	Failing to comply to section 90 notice	Brisbane MC 16/03/05	Fined \$1200 Costs \$49.50
Jacqueline Marie ISRAEL	PAMDA	Marketsteering	CCT 16/03/05	Fined \$4000 Compensation \$3872 Costs \$6000 Licence cancelled and suspended for 12 months Prohibition 12 months
Daniel John CROKE	PAMDA	Marketsteering	CCT 22/03/05	Fined \$12 500 Costs – to be negotiated Compensation – \$49 262.90 Prohibited for four years
Chesterfield No. 2 Pty Ltd	PAMDA	Marketsteering	CCT 22/03/05	Fined \$62 500 Costs to be Negotiated Compensation \$44 262.40 Prohibited for four years
Molly Malones Townsville Pty Ltd	SPA	Failing to complete security providers register	Townsville MC 22/03/05	Fined \$600 Costs \$63.20
Maurice CULLEN	FTA	Misleading conduct re. quantity of sale of water	Beaudesert MC 23/03/05	Fined \$350 Costs \$400
Anton LAURICH	FTA	Misleading conduct re. quantity of sale of water	Beaudesert MC 23/03/05	Fined \$350 Costs \$400
Robert Daniel NOLAN	PAMDA	Misappropriation of trust monies	CCT 24/03/05	Licence disqualified for 10 years Fined \$3750 Costs \$1335
Douglas SCOTTORN	PAMDA	Unprofessional conduct	CCT 24/03/05	Costs \$1377
Vijendra NATH	BNA	Displaying unregistered business name	Brisbane MC 30/03/05	Fined \$1000 Costs \$250
Paul Arnold LEAVERS	CCC	Loan Shark	Brisbane SC 30/03/05	Fined \$45 000 Permanent ban
Trina Kym LEAVERS	CCC	Loan Shark	Brisbane SC 30/03/05	See Paul Leavers

Defendant	Act	Offence	Court/ Tribunal Date	Result/Order
George Lloyd JONES	FTA	False representations	Brisbane MC 30/03/05	Fined \$40 000
George Lloyd JONES	PAMDA	Unlicensed motor dealing	Brisbane MC 30/03/05	Fined \$5000
Timothy MCNAMARA	PAMDA	Misappropriation of trust monies	CCT 6/04/05	Fined \$1500 Costs \$1258
The Wello Pty Ltd	FTA	False representation of price of goods	Cleveland MC 15/04/05	Fined \$4000 Costs \$65.60
Warren McLAREN	FTA	Unconscionable conduct	Brisbane SC 27/04/05	Restrained from: purchasing property for on-selling, advertising property for sale to public, stating property is available without deposit, assisting purchasers to obtain finance or legal representation, taking or enforcing second mortgages over properties
John Gunther	FTA	Unconscionable conduct	Brisbane SC 27/04/05	Gunther, Summa Petere and Talitha Cumi to pay compensation \$54 217.25. All victims released from further 2nd mortgage payments. Reference to second mortgages to be removed from titles. See Warren McLaren for further details
Talitha Cumi Pty Ltd	FTA	Unconscionable conduct	Brisbane SC 27/04/05	Gunther, Summa Petere and Talitha Cumi to pay compensation \$54 217.25. All victims released from further second mortgage payments. Reference to second mortgages to be removed from titles. See Warren McLaren for further details
Summa Petere Pty Ltd	FTA	Unconscionable conduct	Brisbane SC 27/04/05	Gunther, Summa Petere and Talitha Cumi to pay compensation \$54 217.25. All victims released from further second mortgage payments. Reference to second mortgages to be removed from titles. See Warren McLaren for further details
Angelo DIBIASE	PAMDA	Convicted of indictable offence Not eligible to be employed as a registered employee	CCT 28/04/05	Licence disqualified for 10 years and from being an Executive Officer of a corporation holding a licence under PAMDA Costs \$1376

Successful court and tribunal actions for breaches of legislation 2004–05

Fair trading (continued)

Defendant	Act	Offence	Court/ Tribunal Date	Result/Order
Northern Sun Realty Pty Ltd	PAMDA	Marketsteering	CCT 28/04/05	Licence disqualified for one year Prohibited for one year from being involved in sale/promotion of residential property in Qld Fined \$30 000
Starlink Promotions Pty Ltd	PAMDA	Marketsteering	CCT 28/04/05	Licence disqualified for one year Prohibited for one year from being involved in sale/promotion of residential property in Qld Fined \$30 000
Phillip HALL	PAMDA	Marketsteering	CCT 28/04/05	Licence disqualified for one year and from being Executive Officer of a corporation holding a licence Prohibited for one year from being involved in sale/promotion of residential property in Qld Fined \$6000
Gregory CUMERFORD	PAMDA	Unsuitable to hold a licence	CCT 5/05/05	Fined \$1500
Ronald Sidney DAVIDSON	PAMDA	Unlicensed motor dealing	Beenleigh MC 9/05/05	Fined \$4500
Woolworths Limited	FTA	False representation of price of goods	Brisbane MC 11/05/05	Fined \$4500
Simon Patrick SCANLON	FTA	Failing to respond to section 90 notice	Brisbane MC 18/05/05	Fined \$1800 Costs \$64.25
Michael HOLLAND	FTA	Failing to respond to section 90 notice	Beenleigh MC 25/05/05	Fined \$6800 Costs \$64.25
Lumeah Office Management Pty Ltd	PAMDA	Unsuitable to hold a licence	CCT 26/05/05	Licence disqualified for 10 years Fined \$3750 Costs \$1258
Valerie Joy SANT	PAMDA	Unsuitable to hold a licence	CCT 26/05/05	Licence disqualified for 10 years and from being an Executive Officer of a corporation holding a licence Fined \$2250

Defendant	Act	Offence	Court/ Tribunal Date	Result/Order
Pamela Dawn SPENCER	PAMDA	False odometer representation Unlicensed motor dealer Tampering with odometer	Southport MC 30/05/05	Fined \$23 500
Simon Patrick SCANLON	FTA	Door to door breaches	Beenleigh MC 3/06/05	Fined \$10 000 Costs \$64.25
James STEWART	FTA	Failing to comply to section 90 notice	Brisbane MC 8/06/05	Fined \$2000 Costs \$64.25
Peter David CHAVASSE	PAMDA	Convicted of indictable offence Not eligible to be employed as a registered employee	CCT 9/06/05	Fined \$1000 Costs \$1376
David WARRICK (Toowoomba Carpet Cleaning and Pest Control Services)	FTA	Failing to comply with prescribed contract. Accepting monies prior to cooling off period end date. Suppling service prior to end of cooling off period.	Toowoomba MC 10/06/05	Fined \$20 000 Costs \$64.25
Narelle Linda RYAN	FTA	False representations in relation to experience/affiliations, and business approvals.	Brisbane MC 15/06/05	Fined \$36 000 Costs \$209.25
Biotec Restoration Pty Ltd	TMA	Deficient measurement of pre-packed articles	Maroochydore MC 16/06/05	Fined \$7500 Costs \$62.20
James STEWART	FTA	Door to door breaches	Ipswich MC 20/06/05	Fined \$7500 Costs \$64.25
Thomas OLIVER	FTA	False representation that defendant was a government approved valuer	Southport MC 27/06/05	Fined \$2500 Costs \$63.20 Compensation \$2200

Glossary

A&A	Auctioneers and Agents Act 1971	FTA	Fair Trading Act 1989
BNA	Business Names Act 1962	MC	Magistrates Court
CC	Criminal Code	PAMDA	Property Agents and Motor Dealers Act 2000
CCA	Consumer Credit (Queensland) Act 1994	SC	Supreme Court
CCC	Consumer Credit Code	SPA	Security Providers Act 1993
CCT	Commercial and Consumer Tribunal	TMA	Trade Measurement Act 1990
CFA	Classification of Films Act 1991		
CPA	Classification of Publications Act 1991		
DC	District Court		

Successful court and tribunal actions for breaches of legislation 2004–05

Liquor licensing

Defendant	Liquor Act 1992	Offence	Court/ Tribunal Date	Result/Remark
AICHHOLYER, Matthew (Employee)	Section 155	Allow minor on premises	August 2004	Fined \$500
Cradview Pty Ltd (Licensee)	Section 155	Allow minors on premises	August 2004	Fined \$600
BEWICK, Annette Jean (Employee)	Section 156	Supply liquor to unduly intoxicated person	August 2004	Fined \$300
CHAMBERS, Una Anne (Licensee)	Section 156	Allow supply of liquor to unduly intoxicated person	August 2004	Fined \$1000
North Toowoomba Bowls Club Inc (Licensee)	Section 155	Allow minors on premises	November 2004	Fined \$2000
North Toowoomba Bowls Club Inc (Licensee)	Section 155	Allow minors on premises	November 2004	Fined \$2000
Mojo (Qld) Pty Ltd (Licensee)	Section 155	Allow minor on premises	November 2004	Fined \$3000
SCHOLTES, Gregory Leonard (Nominee)	Section 155	Allow minor on premises	November 2004	Fined \$2000
Capeband Pty Ltd (Licensee)	Section 149A	Provide adult entertainment without a permit	February 2005	Fined \$2000
Charley Thao Nguyen LE (Nominee)	Section 149A	Provide Adult entertainment without a permit	February 2005	Fined \$1000
Australian Premier Products Pty Ltd	Section 169	Sell liquor without a licence	July 2004	Fined \$100 000
McDonald, Gregory John	Section 168B	Possession more than the prescribed liquor limit in a restricted area	December 2004	Fined \$1500
SCHMIDT, Rudolf	Section 156	Supply liquor to minor in a public place	January 2005	Fined \$300
Brazilian Touch Pty Ltd	Section 169	Sell liquor without a licence	October 2004	Fined \$1250
Karma Gold Pty Ltd (Licensee)	Section 156	Supply liquor to unduly intoxicated person	November 2004	Fined \$600
Lambropoulis, Diane (Nominee)	Section 156	Supply liquor to unduly intoxicated person	November 2004	Fined \$300
Yount, Matt	Section 157	Minor – consume liquor in public place	October 2004	Fined \$250
Industry Co Pty Ltd (Licensee)	Section 155	Allow minors on premises	November 2004	Withdrawn due to deregistration of company
Mekhanikov, Vadim (Nominee)	Section 155	Allow minors on premises	November 2004	Fined \$7500
Lake, Shaun (Nominee)	Section 155	Allow minor on premises	November 2004	Fined \$850

Defendant	Liquor Act 1992	Offence	Court/ Tribunal Date	Result/Remark
Lake, Shaun (Nominee)	Section 185	Obstruct an Investigator	November 2004	Fined \$200
Rembrook Pty Ltd (Licensee)	Section 155	Allow minor on premises	March 2005	Fined \$3750
Pullos, Les (Nominee)	Section 155	Allow minor on premises	March 2005	Fined \$750
Riored Pty Ltd	Section 169	Sell liquor without a licence	March 2005	Fined \$1500
Sullivan, Mathew	Section 169	Sell liquor without a licence	March 2005	Fined \$750
Thorogood, Ross Roy (Licensee)	Section 155	Allow minor on premises	June 2005	Fined \$600
Mongan, Judith Catherine (Licensee)	Section 155	Allow minor on premises	June 2005	Fined \$600
Zeal Corporation (Aus) Pty Ltd (Licensee)	Section 156	Allow liquor to be supplied to a minor on licensed premises	February 2005	Fined \$12 000
Williams, Craig (Nominee)	Section 156	Allow liquor to be supplied to a minor on licensed premises	February 2005	Fined \$7500
Zeal Corporation (Aus) Pty Ltd (Licensee)	Section 226	Breach of condition – Noise	February 2005	Fined \$250
Zeal Corporation (Aus) Pty Ltd (Licensee)	Section 226	Breach of condition – Noise	February 2005	Fined \$250
Williams, Craig (Nominee)	Section 226	Breach of condition – Noise	February 2005	Fined \$250
Williams, Craig (Nominee)	Section 226	Breach of condition – Noise	February 2005	Fined \$250
Gibbons, Carl	Section 169	Sell, carry and expose liquor for sale without a licence or permit	February 2005	Fined \$2000
Jacob, Kirk Jamison	Section 164	Drunk/disorderly on licensed premises	February 2005	Fined \$300
Fisher, Neil William (Nominee)	Section 164	Drunk/disorderly on licensed premises	February 2005	Fined \$350
Fisher, Neil William (Nominee)	Section 145A	Fail to keep licence at premises	February 2005	Pen and Sent Act
Club B Pty Ltd (Licensee)	Section 149A	Provide adult entertainment without a permit	June 2005	Fined \$500
Charger, Ronald Robert	Section 168B	Possession more than the prescribed liquor limit in a restricted area	May 2005	Fined \$150
Dixon, Neil Alan	Section 171	Carry liquor for sale without a licence or permit	November 2004	Fined \$2000
Akl, Raji Sleimum	Section 231A	Provide false/misleading information	February 2005	Fined \$1000
Cruz-Cellis, Michael Angelo (Employee)	Section 156	Supply liquor to unduly intoxicated person	February 2005	Fined \$1000
Hellawell, Mark (Employee)	Section 155	Allow minor on premises	May 2005	Fined \$500

Successful court and tribunal actions for breaches of legislation 2004–05

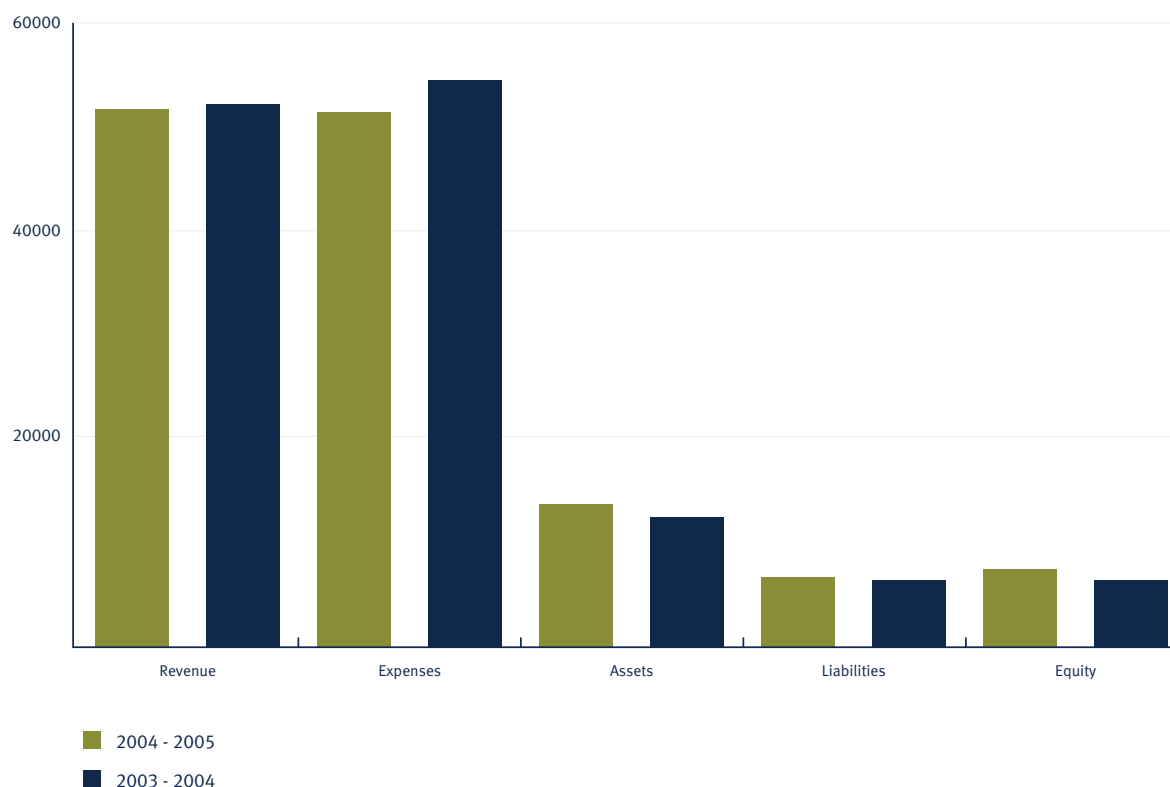
Liquor licensing (continued)

Defendant	Liquor Act 1992	Offence	Court/ Tribunal Date	Result/Remark
Market St Management P/L (Licensee)	Section 149B	Fail to supervise adult entertainment	January 2005	Fined \$2500
Russell, Suzanne (Nominee)	Section 149B	Fail to supervise adult entertainment	January 2005	Fined \$900
Andresen, Gaynor (Employee)	Section 149B	Fail to supervise adult entertainment	January 2005	Fined \$400
The Three Stoogers (TTS) P/L (Licensee)	Section 149	Fail to exercise control of premises	February 2005	Fined \$1500
Lincoln, Anthony James (Employee)	Section 155AA	Allowed minors to enter adult entertainment premises	February 2005	Fined \$1200
Bert Cheong & Co P/L	Section 169	Carrying liquor for sale – unlicensed	May 2005	Fined \$850
Mavart Pty Ltd, (Licensee)	Section 155	Allow minor on premises	December 2004	Fined \$475
Fraser, Matthew (Nominee)	Section 155	Allow minor on premises	December 2004	Fined \$475
Serres Pty Ltd (Licensee)	Section 155	Allow minor on premises	December 2004	Fined \$600
Smith, Andrea (Nominee)	Section 155	Allow minor on premises	December 2004	Fined \$750
Schefe, Zachary (Employee)	Section 156	Allow liquor to be supplied to a minor on licensed premises	December 2004	Fined \$500
Cornelius, Joss (Employee)	Section 156	Supply liquor to a minor on licensed premises	December 2004	Fined \$500
Kings Beach Hotel P/L (Licensee)	Section 155	Allow minor on premises	March 2005	Fined \$900
Queensland Resorts Pty Ltd (Licensee)	Section 146	Supply liquor at unauthorised time	April 2005	Fined \$1000
Hackett, Michael Leslie (Nominee)	Section 146	Supply liquor at unauthorised time	April 2005	Fined \$500
Wineaway Pty Ltd	Section 169	Sell liquor without a licence	March 2005	Fined \$500
Wineaway Pty Ltd	Section 171	Carry liquor for sale without a licence or permit	March 2005	Fined \$200
Wineaway Pty Ltd	Section 169	Sell liquor without a licence	March 2005	Fined \$750
My Shout (Qld) Pty Ltd	Section 169	Sell liquor without a licence	February 2005	Fined \$1000
Gleeson, Jason Robert (Employee)	Section 147	Allow consumption of liquor after hours	April 2005	Fined \$3000
Davis, Colin Mervyn	Section 169	Sell liquor without a licence	May 2005	Fined \$100
Diehm, Tamara Jade	Section 185	Obstruct an Investigator AND drunk and disorderly on licensed premises.	April 2005	Fined \$400

Financial snapshot

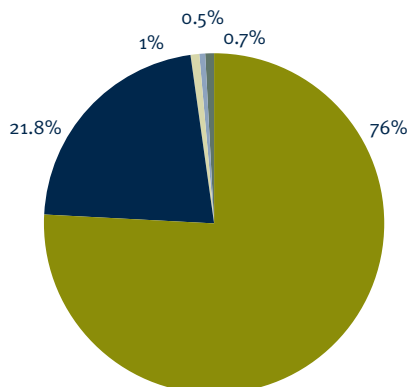
The following analysis is provided as an overview of the department's financial statements for 2004–05. Where appropriate, comparison has been provided to the 2003–04 financial statements.

	Notes	2005 \$'000	2004 \$'000
Revenues from ordinary activities		51,510	52,149
Expenses from ordinary activities	1	51,445	54,349
Total current assets	2	6,841	5,850
Total non-current assets		6,715	6,483
Total assets		13,556	12,288
Total current liabilities	3	6,425	6,078
Total liabilities		6,425	6,078
Total equity		7,131	6,210



- 1 The reduction in expenditure is primarily due to the loss on disposal of Gatton racecourse (\$1.6M) in 2003–04.
- 2 The increase in current assets is primarily due to an appropriation receivable (\$0.794M) for the 2004–05 year.
- 3 The increase is due to a contribution (\$0.6M) in 2004–05 from the Department of Communities for the Smart Service Queensland initiative, the remaining balance (\$0.538M) will be expended in 2005–06.

Revenue from ordinary activities

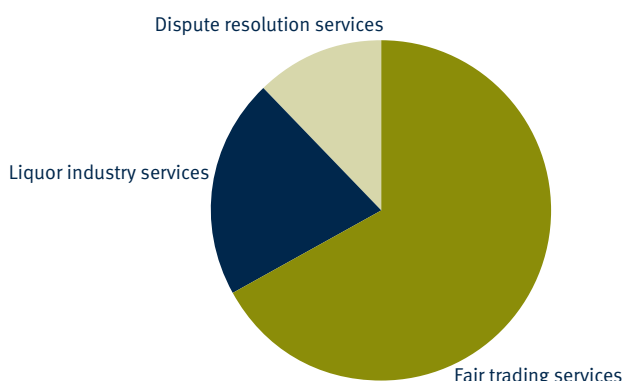


Output revenue	76%
User charges	21.8%
Taxes, fees and fines	1%
Grants and other contributions	0.5%
Other revenue	0.7%

Total revenue from ordinary activities totalled \$51.5 million during 2004–05. Output revenue which represents contributions from the Queensland Government was the largest revenue source for the department at \$39.2 million. This equates to 76% of total revenue.

The department levied \$11.2 million in user charges for a range of services including searches of the Office of Fair Trading’s Register of Encumbered Vehicles. User charges represent 21.8% of total revenue.

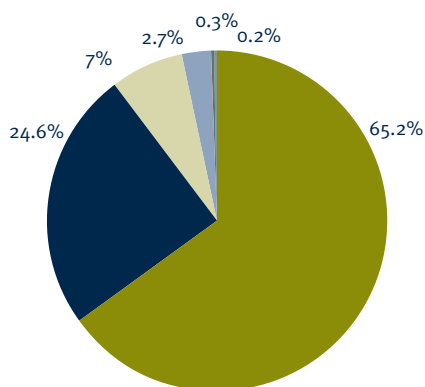
Revenue by output



Fair trading services	\$34.5M*	67%
Liquor industry services	\$10.8M	20.9%
Dispute resolution services	\$6.2M	12.1%

* This figure represents controlled revenue. On behalf of the Government, the Office of Fair Trading collects an additional \$60.5 million in administered revenue from registration and licensing fees and interest paid by financial institutions on Trust Account balances.

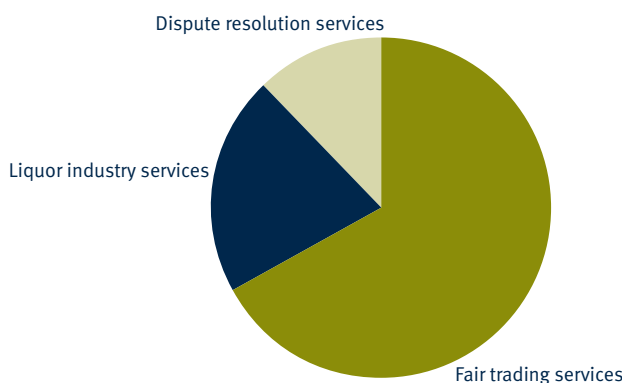
Expenses from ordinary activities



Employee expenses	65.2%
Supplies and services	24.6%
Other expenses	7%
Depreciation and amortisation	2.7%
Grants and subsidies	0.3%
Loss on disposal of noncurrent assets	0.2%

Total expenses from ordinary activities totalled \$51.4 million in 2004–05. The main expense item for the department was \$33.6 million for employee expenses, which represented 65.2% of total expenses.

Expenses by output



Fair trading services	\$34.4M	67%
Liquor industry services	\$10.8M	20.9%
Dispute resolution services	\$6.2M	12.1%

Department of Tourism, Fair Trading and Wine Industry Development Statement of Financial Performance

For year ended 30 June 2005

	Notes	2005 \$'000	2004 \$'000
Revenues from ordinary activities			
Output revenue	2	39,165	38,344
User Charges	3	11,196	11,937
Taxes, fees and fines	4	532	277
Grants and other contributions	5	242	1,026
Other	6	375	565
Total revenues from ordinary activities		51,510	52,149
Expenses from ordinary activities			
Employee expenses	7	33,551	33,657
Supplies and services	8	12,628	11,774
Equity return expense	9	-	590
Depreciation and amortisation	10	1,397	1,517
Grant and subsidies	11	163	2,052
Losses from disposal of non-current assets	12	89	1,572
Other	13	3,617	3,175
Total expenses from ordinary activities excluding borrowing costs		51,445	54,337
Borrowing costs	14	-	12
Operating result from ordinary activities		65	(2,200)
Net operating result		65	(2,200)
Non-Owner transaction changes in equity			
Net increase in asset revaluation reserve	23	-	-
Net amount of each revenue, expense, valuation or other adjustment not disclosed above recognised as a direct adjustment to equity	23	-	-
Total revenues, expenses and valuation adjustments recognised directly in equity		-	-
Total changes in equity other than those resulting from transactions with owners as owners	23	65	(2,200)

The accompanying notes form part of these statements.

Department of Tourism, Fair Trading and Wine Industry Development Statement of Financial Position

For year ended 30 June 2005

	Notes	2005 \$'000	2004 \$'000
Current assets			
Cash Assets	15	3,783	4,299
Receivables	16	2,452	1,382
Other	17	606	169
Total current assets		6,841	5,850
Non-current assets			
Plant and equipment	18	4,113	3,970
Intangibles	19	2,602	2,468
Total non-current assets		6,715	6,438
Total Assets		13,556	12,288
Current liabilities			
Payables	20	2,728	2,721
Provisions	21	3,159	3,261
Other	22	538	96
Total current liabilities		6,425	6,078
Total liabilities		6,425	6,078
Net assets		7,131	6,210
Equity			
Contributed equity	23	(45,406)	(46,262)
Retained surpluses	23	52,537	52,472
Total equity		7,131	6,210

The accompanying notes form part of these statements.

Department of Tourism, Fair Trading and Wine Industry Development Statement of Cash Flows

For year ended 30 June 2005

	Notes	2005 \$'000	2004 \$'000
Cash flows from operating activities			
<i>Inflows:</i>			
Output receipts		38,223	37,784
User charges		11,072	11,709
Taxes, fees and fines		532	277
Grants and other contributions		671	698
Interest receipts		185	168
GST collected from customers		165	227
GST input tax credits from ATO		1,686	1,525
Other		173	324
<i>Outflows:</i>			
Employee expenses		(33,762)	(33,166)
Supplies and services		(12,769)	(10,575)
Grants and subsidies		(163)	(2,052)
Borrowing costs		-	(12)
Equity return expense		-	(590)
GST paid to suppliers		(1,808)	(1,442)
GST remitted to ATO		(167)	(255)
Other		(3,608)	(3,383)
Net cash provided by (used in) operating activities	24	430	1,237
Cash flows from investing activities			
<i>Outflows:</i>			
Payments for plant and equipment		(1,659)	(582)
Net cash provided by (used in) investing activities		(1,659)	(582)
Cash flows from financing activities			
<i>Inflows:</i>			
Equity injection		30	139
<i>Outflows:</i>			
Borrowing redemptions		-	(39)
Equity withdrawal		-	(1,310)
Net cash provided by (used in) financing activities		30	(1,210)
Net increase (decrease) in cash held		(1,199)	(555)
Cash transfers from restructure		683	390
Cash at beginning of financial year		4,299	4,464
Cash at end of financial year	15	3,783	4,299

The accompanying notes form part of these statements.

Department of Tourism, Fair Trading and Wine Industry Development Statement of Financial Performance by Outputs/Major Activities - Controlled

For year ended 30 June 2005

	Liquor Industry Services		Dispute Resolution Services		Fair Trading Services		Executive and Corporate Services		Office of Director-General		Racing Industry Services		Tourism		Total	
	2005 \$'000	2004* \$'000	2005 \$'000	2004* \$'000	2005 \$'000	2004* \$'000	2005 \$'000	2004 \$'000	2005 \$'000	2004 \$'000	2005 \$'000	2004 \$'000	2005 \$'000	2004 \$'000	2005 \$'000	2004 \$'000
Allocation of revenues and expenses from ordinary activities to corporate services (disclosure only)																
Output revenue	8,033	7,329	4,623	1,826	16,924	17,620	7,626	7,415	1,959	1,421	-	2,733	-	-	39,165	38,344
User charges	256	211	16	-	10,761	10,203	161	124	2	1	-	1,398	-	-	11,196	11,937
Taxes, fees and fines	1	-	12	11	519	264	-	-	-	-	-	2	-	-	532	277
Grants and other contributions	60	144	12	458	19	335	89	89	62	-	-	-	-	-	242	1,026
Other	6	5	6	-	333	500	29	59	1	-	-	1	-	-	375	565
Corporate services allocation	1,731	1,683	909	884	5,265	5,120	(7,905)	(7,687)	-	-	-	-	-	-	-	-
Office of Director-General allocation	675	474	674	474	675	474	-	-	(2,024)	(1,422)	-	-	-	-	-	-
Revenues from ordinary activities	10,762	9,846	6,252	3,653	34,496	34,516	-	-	-	-	-	4,134	-	-	51,510	52,149
Expenses from ordinary activities																
Employee expenses	5,741	5,297	2,811	1,592	19,131	19,587	4,536	5,259	1,332	713	-	1,209	-	-	33,551	33,657
Supplies and services	1,808	1,560	1,187	541	6,477	6,862	2,713	1,655	443	493	-	663	-	-	12,628	11,774
Equity return expense	-	34	-	-	-	506	-	-	-	-	-	-	-	-	-	590
Depreciation and amortisation	2	-	-	-	139	10	6	10	16	20	-	174	-	-	1,397	1,517
Grants and subsidies	2	-	-	-	-	-	-	-	-	-	-	-	-	-	163	2,052
Losses from disposal of non-current assets	5	9	2	-	76	16	4	1	2	-	-	1,546	-	-	89	1,572
Other	520	496	577	136	1,844	1,856	489	527	187	106	-	54	-	-	3,617	3,175
Corporate services allocation	1,731	1,684	909	884	5,265	5,120	(7,905)	(7,688)	-	-	-	-	-	-	-	-
Office of Director-General allocation	672	458	672	458	672	459	-	-	(2,016)	(1,375)	-	-	-	-	-	-
Total expenses from ordinary activities excluding borrowing costs	10,761	9,831	6,249	3,636	34,435	35,212	-	-	-	-	-	5,658	-	-	51,445	54,337
Borrowing costs	-	-	-	-	-	-	-	-	-	-	-	12	-	-	-	12
Surplus (deficit) from ordinary activities	1	15	3	17	61	(696)	-	-	-	-	-	(1,536)	-	-	65	(2,200)
Extraordinary items	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Operating result	1	15	3	17	61	(696)	-	-	-	-	-	(1,536)	-	-	65	(2,200)
Non-Owner transaction changes in equity																
Net increase in asset revaluation reserve	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Net amount of each revenue, expense, valuation or other adjustment not disclosed above recognised as a direct adjustment to equity	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total revenues, expenses and valuation adjustments recognised directly in equity	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total changes in equity other than those resulting from transactions with owners as owners	1	15	3	17	61	(696)	-	-	-	-	-	(1,536)	-	-	65	(2,200)

*the 2004 amounts have been restated for comparative purposes.

The accompanying notes form part of these statements.

Department of Tourism, Fair Trading and Wine Industry Development Statement of Financial Performance

For year ended 30 June 2005

	Notes	2005 \$'000	2004 \$'000
EXPENSES AND REVENUES ADMINISTERED ON BEHALF OF THE WHOLE OF GOVERNMENT			
Revenues			
Grants and other contributions	29	539	1,401
Taxes, fees and fines	30	39,485	37,715
Administered item revenue	31	44,037	45,460
Interest revenue	32	24,221	23,004
Other	33	1,250	600
Total revenues		109,532	108,180
Expenses			
Employee expenses	34	-	1,133
Supplies and services	35	-	608
Depreciation and amortisation	36	-	44
Grants and subsidies	37	43,915	44,017
Other	38	764	1,089
Total expenses		44,679	46,891
Net surplus before transfers to Government		64,853	61,289
Transfers of Administered Revenue to Government		64,852	61,289
Net Surplus		1	-

The accompanying notes form part of these statements.

Department of Tourism, Fair Trading and Wine Industry Development Statement of Financial Position

For year ended 30 June 2005

	Notes	2005 \$'000	2004 \$'000
ASSETS AND LIABILITIES ADMINISTERED ON BEHALF OF THE WHOLE OF GOVERNMENT			
Current Assets			
Cash	39	162	1,803
Receivables	40	4,751	4,110
Other	41	-	6
Total current assets		4,913	5,919
Non-current assets			
Plant and equipment	42	-	148
Total non-current assets		-	148
Total Administered Assets		4,913	6,067
Current Liabilities			
Payables	43	5,106	4,439
Provisions	44	-	99
Other	45	-	949
Total current liabilities		5,106	5,487
Total Administered Liabilities		5,106	5,487
Administered Net Assets		(193)	580
Equity			
Contributed equity	46	(3,689)	(2,915)
Retained surpluses	46	3,496	3,495
Total Administered Equity		(193)	580

The accompanying notes form part of these statements.

Department of Tourism, Fair Trading and Wine Industry Development Statement of Cash Flows

For year ended 30 June 2005

	Notes	2005 \$'000	2004 \$'000
CASH FLOWS ADMINISTERED ON BEHALF OF THE WHOLE OF GOVERNMENT			
Cash flows from operating activities			
<i>Inflows:</i>			
Administered item revenue		43,140	46,454
User charges		-	-
Taxes, fees and fines		39,459	37,715
Grants and other contributions		539	1,401
GST collected from customers		-	3
GST input tax credits from ATO		16	84
Interest receipts		24,182	22,752
Other		561	201
<i>Outflows:</i>			
Transfers to Government		(63,706)	(60,860)
Employee expenses		11	(1,120)
Supplies and services		(531)	(1,103)
Grants and subsidies		(43,915)	(44,017)
GST paid to suppliers		(9)	(83)
GST remitted to ATO		-	(1)
Other		(658)	(438)
Net cash provided by (used in) operating activities	47	(911)	988
Cash flows from investing activities			
<i>Outflows:</i>			
Payments for plant and equipment		-	(11)
Net cash provided by (used in) investing activities		-	(11)
Cash flows from financing activities			
<i>Inflows:</i>			
Equity injections		-	297
<i>Outflows:</i>			
Equity withdrawals		-	-
Net cash provided by (used in) financing activities		-	297
Net increase (decrease) in cash held		(911)	1,274
Cash transfers from restructure		(730)	-
Cash at beginning of financial year		1,803	529
Cash at end of financial year	39	162	1,803

The accompanying notes form part of these statements.

Department of Tourism, Fair Trading and Wine Industry Development Statement of Financial Performance by Outputs/Major Activities - Administered

For year ended 30 June 2005

	Liquor Industry Services		Dispute Resolution Services		Fair Trading Services		Executive and Corporate Services		Office of Director-General		Racing Industry Services		Tourism		Total	
	2005 \$'000	2004 \$'000	2005 \$'000	2004 \$'000	2005 \$'000	2004 \$'000	2005 \$'000	2004 \$'000	2005 \$'000	2004 \$'000	2005 \$'000	2004 \$'000	2005 \$'000	2004 \$'000	2005 \$'000	2004 \$'000
Revenues																
Grants and other contributions	539	1,401	-	-	-	-	-	-	-	-	-	-	-	-	539	1,401
Taxes, fees and fines	2,826	2,674	350	332	36,309	34,709	-	-	-	-	-	-	-	-	39,485	37,715
Administered item revenue	-	-	-	2,251	661	593	-	-	-	-	-	-	-	-	44,037	45,460
Interest revenue	-	-	-	-	24,221	23,004	-	-	-	-	-	-	-	-	24,221	23,004
Other	1	15	4	11	1,245	574	-	-	-	-	-	-	-	-	1,250	600
Total revenues	3,366	4,090	354	2,594	62,436	58,880	-	-	-	-	-	-	-	-	109,532	108,180
Expenses																
Employee expenses	-	-	-	1,133	-	-	-	-	-	-	-	-	-	-	-	1,133
Supplies and services	-	-	-	608	-	-	-	-	-	-	-	-	-	-	-	608
Depreciation and amortisation	-	-	-	44	-	-	-	-	-	-	-	-	-	-	-	44
Grants and subsidies	539	1,401	-	-	-	-	-	-	-	-	-	-	-	-	43,915	44,017
Other	-	-	-	466	764	623	-	-	-	-	-	-	-	-	764	1,089
Total expenses	539	1,401	-	2,251	764	623	-	-	-	-	-	-	-	-	44,679	46,891
Net surplus (deficit) before transfers to Government	2,827	2,689	354	343	61,672	58,257	-	-	-	-	-	-	-	-	64,853	61,289
Transfers of administered revenue to Government	2,826	2,689	354	343	61,672	58,257	-	-	-	-	-	-	-	-	64,852	61,289
Net surplus (deficit)	1	-	-	-	-	-	-	-	-	-	-	-	-	-	1	-

The accompanying notes form part of these statements.

Department of Tourism, Fair Trading and Wine Industry Development

Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

Objectives of the Department

The Department of Tourism, Fair Trading and Wine Industry Development exists to foster an effective and ethical marketplace and encourage responsible and sustainable growth in the tourism and liquor industries in Queensland. The department is funded for the outputs it delivers principally by parliamentary appropriations. It also provides the following on a fee for service basis:

- Register of encumbered vehicles searches;
- Trade measurement services;
- Measurement laboratory services;
- Sale of publications and resource materials; and
- Training courses and seminars.

1 Summary of Significant Accounting Policies

The significant policies which have been adopted in the preparation of the financial statements are:

(a) Basis of Accounting

This financial report is a general purpose financial report that has been prepared in accordance with applicable Australian Accounting Standards (principally AAS 29 Financial Reporting by Government Departments), the Treasurer's Minimum Reporting Requirements for the year ended 30 June 2005, and other authoritative pronouncements.

Except where stated, the historical cost convention is used.

The accounting policies adopted by the department are materially consistent with those for the previous year.

(b) The Reporting Entity

The financial statements include the value of all assets, liabilities, equities, revenues and expenses of the department.

The following body is within the Minister's portfolio, but is not deemed a controlled entity of the department in accordance with AAS 24 "Consolidated Financial Reports".

- Tourism Queensland - Statutory Body

(c) Administered Transactions and Balances

The department administers, but does not control, certain resources on behalf of the Government. In doing so, it has responsibility and is accountable for administering related transactions and items, but does not have the discretion to deploy the resources for the achievement of the department's objectives.

Administered transactions and balances relating to administered resources are identified separately in shaded administered statements and notes.

(d) Trust and Agency Transactions and Balances

The department undertakes certain trustee transactions on behalf of the *Funeral Benefits Trust Fund* and the *Commercial and Consumer Tribunal Trust Fund*.

As the department acts only in a custodial role in respect of these transactions and balances, they are not recognised in the financial statements but are disclosed in Note 27. Applicable audit arrangements also are shown.

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

(e) Output Revenue/Administered Revenue

Appropriations provided under the Annual Appropriation Act are recognised as revenue when received. Amounts appropriated to the department for transfer to other entities in accordance with legislative or other requirements are reported as 'administered' revenues.

(f) User Charges, Taxes, Fees and Fines

User charges and fees controlled by the department are recognised as revenues when invoices for the related services are issued. User charges and fees are controlled by the department where they can be deployed for the achievement of departmental objectives.

Taxes, fees and fines collected but not controlled, by the department are reported as administered revenue. Refer to Note 30

(g) Grants and other Contributions

Grants, donations, and gifts that are non-reciprocal in nature are recognised as revenue in the year in which the department obtains control over them. Where grants are received that are reciprocal in nature, revenue is accrued over the term of the funding arrangements.

Contributed assets are recognised at their fair value. Contributions of services are recognised only when a fair value can be determined reliably and the services would be purchased if they had not been donated.

(h) Cash Assets

For the purposes of the Statement of Financial Position and the Statement of Cash Flows, cash assets include all cash and cheques receipted but not banked at 30 June as well as deposits at call with financial institutions.

(i) Receivables

Trade debtors are recognised at the nominal amounts due at the time of the sale or service delivery. Settlement on these amounts is required within 30 days from invoice date.

The collectability of receivables is assessed periodically with provision being made for doubtful debts. All known bad debts have been written off at 30 June.

(j) Acquisitions of Assets

Actual cost is used for the initial recording of all asset acquisitions. Cost is determined as the value given as consideration plus costs incidental to the acquisition, including all other costs incurred in getting the assets ready for use, including architects' fees and engineering design fees.

Where assets are received free of charge from another Queensland Department (whether as a result of a machinery-of-Government or other involuntary transfer), the acquisition cost is recognised as the gross carrying amount in the books of the transferor immediately prior to the transfer together with any accumulated depreciation.

Assets acquired at no cost or for nominal consideration, other than from an involuntary transfer from another Queensland department, are recognised at their fair value at date of acquisition in accordance with AAS 21 – *Acquisitions of Assets*.

(k) Plant and Equipment

All items of plant and equipment, except intangibles, with a cost or other value in excess of \$2,000 are recognised for financial reporting purposes in the year of acquisition. Items with a lesser value are expensed in the year of acquisition.

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

(l) Amortisation and Depreciation of Intangibles, Plant and Equipment

Plant and equipment is depreciated on a straight-line basis so as to allocate the net cost or revalued amount of each asset, less its estimate residual value, progressively over its estimated useful life to the department.

Assets under construction (work-in-progress) are not depreciated until they reach service delivery capacity.

Where assets have separately identifiable components that are subject to regular replacement, these components are assigned useful lives distinct from the asset to which they relate and are depreciated accordingly.

Any expenditure that increases the originally assessed capacity or service potential of an asset is capitalised and the new depreciable amount is depreciated over the remaining useful life of the asset to the department.

The depreciable amount of improvements to or on a leasehold property is allocated progressively over the estimated useful lives of the improvements or the unexpired period of the lease, whichever is the shorter.

The unexpired period of the lease includes any option period where exercise of the option is probable.

The cost of software development has been amortised over the estimated useful life of the software.

For each asset class of depreciable asset the following depreciation and amortisation rates were used:

Class	Rate
Buildings	2.5%
Leasehold improvements	10.0%
Plant and Equipment	
- computers	20.0 – 33.3%
- motor vehicles	14.3 – 20.0%
- furniture and fittings	6.7%
- other equipment	10.0 – 14.3%
Infrastructure	5.0%
Intangibles	10.0 – 20.0%

(m) Revaluation of Non-Current Physical Assets

Buildings are measured at fair value in accordance with AASB 1041 *Revaluation of Non-Current Assets* and Queensland Treasury's *Non-Current Asset Accounting Guidelines for the Queensland Public Sector*.

All other non-current assets, principally plant and equipment and intangibles are measured at cost.

Non-current physical assets measured at fair value are comprehensively revalued at least once every five years with interim valuations, using appropriate indices, being otherwise performed on an annual basis where there has been a material variation in the index.

(n) Leases

A distinction is made in the financial statements between finance leases, that effectively transfer from the lessor to the lessee substantially all risks and benefits incidental to ownership, and operating leases, under which the lessor retains substantially all risks and benefits.

No non-current assets have been acquired by means of a finance lease.

Operating lease payments are representative of the pattern of benefits derived from the leased assets and are expensed in the periods in which they are incurred.

(o) Intangibles

Intangible assets with a cost or other value greater than \$50,000 are recognised in the financial statements, items with a lesser value being expensed. Each intangible asset is amortised over its estimated useful life to the agency, less any anticipated residual value.

Internal Use Software

Costs associated with the development of computer software have been capitalised and are amortised on a straight-line basis over the period of expected benefit to the department.

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

(p) Payables

Trade creditors are recognised upon receipt of the goods or services ordered and are measured at the agreed purchase/contract price, gross of applicable trade and other discounts. Amounts owing are unsecured and are generally settled on 30 day terms.

(q) Employee Benefits

Wages, Salaries, Annual Leave and Sick Leave

Wages, salaries and annual leave due but unpaid at reporting date are recognised in the Statement of Financial Position at the remuneration rates expected to apply at the time of settlement and include related on-costs such as payroll tax, WorkCover premiums, long service leave levies and employer superannuation contributions.

Prior history indicates that on average, sick leave taken each reporting period is less than the entitlement accrued. This is expected to recur in future periods. Accordingly, it is unlikely that existing accumulated entitlements will be used by employees and no liability for unused sick leave entitlements is recognised.

As sick leave is non-vesting, an expense is recognised for this leave as it is taken.

Long Service Leave

Under the Queensland Government's long service leave scheme a levy is made on the department to cover this expense. Amounts paid to employees for long service leave are claimed from the scheme as and when leave is taken.

No provision for long service leave is recognised in the financial statements, the liability being held on a whole-of-Government basis and reported in the financial report prepared pursuant to AAS 31 *Financial Reporting by Governments*.

Superannuation

Employer superannuation contributions are paid to QSuper, the superannuation plan for Queensland Government employees, at rates determined by the State Actuary.

No liability is recognised for accruing superannuation benefits in these financial statements, the liability being held on a whole-of-Government basis and reported in the financial report prepared pursuant to AAS 31 *Financial Reporting by Governments*.

(r) Allocation of Revenues and Expenses from Ordinary Activities to Corporate Services

The department discloses revenues and expenses attributable to corporate services in the Statement of Financial Performance by Outputs/Major Activities.

(s) Outputs/Major Activities of the Department

The identity and purpose of the outputs/major activities undertaken by the department during the year are as follows:

Liquor Industry Services

This output regulates the sale and supply of liquor throughout Queensland with the aim of encouraging responsible consumption of liquor and socially responsible and safe liquor industry practices. Part of this output's activities also includes supporting the growth and development of the wine industry in Queensland and promotion of the wine industry to national and international markets.

Fair Trading Services

This output promotes fair trading in the marketplace and thereby greater consumer and business confidence and economic growth through strategies which deliver responsible trading practices, more informed businesses and consumers, and effective consumer protection.

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

Dispute Resolution Services

This output provides dispute resolution and information services through two sub-outputs – the Commercial and Consumer Tribunal and the Office of the Commissioner for Body Corporate and Community Management.

The Commercial and Consumer Tribunal provides an independent, impartial and accessible judicial system for resolving disputes, reviewing decisions and disciplinary proceedings under various empowering Acts that cover a range of industry areas.

The Office of the Commissioner of Body Corporate and Community Management provides accessible, equitable, responsive and authoritative information and dispute resolution services to body corporate and community management stakeholders.

Tourism

The department manages a grant payable to Tourism Queensland that assists the marketing and development of Queensland's tourism industry.

Information about the department's expenses and revenues that are reliably attributable to these outputs/activities is set out in the Statement of Financial Performance by Outputs/Major Activities.

(t) Insurance

The department's non-current physical assets and other risks are insured through the Queensland Government Insurance Fund, premiums being paid on a risk assessment basis. In addition, the department pays premiums to WorkCover Queensland in respect of its obligations for employee compensation.

(u) Rounding and Comparatives

Amounts included in the financial statements have been rounded to the nearest \$1,000 or, where that amount is \$500 or less, to zero.

Comparative information has been restated where necessary to be consistent with disclosures in the current reporting period.

(v) Services Received Free of Charge or For Nominal Value

Contributions of services are recognised only if the services would have been purchased if they had not been donated and their fair value can be measured reliably. Where this is the case, an equal amount is recognised as revenue and an expense.

(w) Contributed Equity

Non-reciprocal transfer of assets and liabilities between wholly-owned Queensland State Public Sector entities as a result of machinery-of-Government changes, are adjusted to 'Contributed Equity' in accordance with UIG Abstract 38 *Contributions by Owners Made to Wholly-Owned Public Sector Entities*. Appropriations for equity adjustments are similarly designated.

(x) Taxation

The Department of Tourism, Fair Trading and Wine Industry Development is a State body as defined under the *Income Tax Assessment Act 1936* and is exempt from Commonwealth taxation with the exception of Fringe Benefits Tax and Goods and Services Tax (GST). As such, GST credits receivable from/payable to the ATO are recognised and accrued.

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

(y) Adoption of International Financial Reporting Standards

The Financial Reporting Council has determined that all entities preparing general purpose financial statements will apply the Australian Equivalents to International Financial Reporting Standards (IFRSs) for reporting periods beginning on or after 1 January 2005.

The department has established an IFRS Work Group to assist in the implementation of the new reporting requirements, and will establish a steering committee to oversee this implementation. All Australian Equivalents to IFRSs have been reviewed for policies, procedures, systems and financial impacts arising from such changes.

To date, the department has identified the following likely impacts arising from the adoption of Australian Equivalents to IFRSs:

- The introduction of AASB 136 Impairment of Assets requires an annual impairment test to be performed on all non-current physical and intangible assets. This may result in a write-down of the value of plant and equipment and intangible assets. As the impairment test has not previously been applied to the public sector, an assessment of the effect is still ongoing and cannot be quantified at this time.

Policy decisions made at a whole-of-Government level in relation to the limiting of options in the Australian Equivalent to IFRSs may have additional impacts on financial reports prepared using these Standards.

In addition to the amendments required on adoption of Australian Equivalents to International Financial Reporting Standards, a number of mandated policies will be introduced, the commencement date of which will coincide with the implementation of new Standards. The major impacts of these new policies are outlined below.

The impact of mandated revised asset recognition thresholds is expected to result in \$1.018M being posted as a reduction to the relevant asset class and accumulated depreciation.

In addition, an adjustment of \$0.303M is expected to be made in the Income Statement for write-off of assets purchased during 2004-05 which no longer meet the requirements for capitalisation and any accumulated depreciation for those assets for the 2004-05 year. There will also be an adjustment of \$0.324M to write back depreciation charged in 2004-05 for assets written off as a result of the new thresholds at 1 July 2004.

(z) Implementation of the Shared Service Initiative

Implementation of the Shared Service initiative commenced on 1 July 2003. Under this initiative, shared service providers (SSPs) were established to provide a standard suite of corporate services to client departments and in some agreed instances provide additional out of scope services. Standard software application support and infrastructure for all corporate service applications for the five large-scale SSPs (as well as other agreed non-standard services) is provided by CorpTech.

The SSP for this department is Corporate Solutions Queensland (CSQ) for which the Department of Employment and Training is the host agency. The host agency for CorpTech is Queensland Treasury.

On 1 October 2004, additional assets and liabilities and staff were transferred to CSQ from this department, for facilities management and document records management functions. The relevant amounts are disclosed in note 26.

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

2	Reconciliation of Payments from Consolidated Fund to Output Revenue Recognised in Statement of Financial Performance	2005	2004
		\$'000	\$'000
	Budgeted output appropriation	40,078	38,549
	Less equity return abolished from 1 July 2004	(336)	-
	Transfers from/to other departments	-	164
	Transfers from/to other headings	(1,103)	(250)
	Lapsed appropriation	(416)	(679)
	Total output receipts	38,223	37,784
	Less: opening balance of output revenue receivable		(12)
	Plus: closing balance of output revenue receivable	794	668
	Plus: opening balance of output revenue unearned	96	-
	Plus: CCT opening balance of unearned appropriation from administered	52	-
	Less: closing balance of output revenue unearned	-	(96)
	Output revenue recognised in Statement of Financial Performance	39,165	38,344

Closing balance of output receivable for 2003-2004 relates to the Office of Racing that was transferred to the Department of Housing on 12 February 2004.

Reconciliation of Payments from Consolidated Fund to Equity Adjustment recognised in Contributed Equity (Note 23)

Budgeted equity adjustment appropriation	(1,073)	(1,334)
Transfers from other department	-	261
Transfers to other headings	1,103	148
Equity adjustment payments appropriated	30	(925)
Less: Non appropriated equity withdrawal	-	(246)
Equity adjustment recognised in Contributed Equity (Note 23)	30	(1,171)

The additional equity adjustment for 2004-2005 reflects the one-off removal of the budgeted equity withdrawal to enable additional purchase of IT equipment and software.

3 User Charges

Register of encumbered vehicles	10,062	9,516
Trade measurement licences, regulations and weighbridges	307	364
Measurement laboratory fees	168	113
Publications and resource materials	106	142
Commonwealth Censorship Board charges	60	59
Training courses and seminars	168	77
Racing Science Centre charges	-	1,380
Racing sample analysis testing	-	18
Sale of other goods and services	325	268
Total	11,196	11,937

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

4	Taxes, fees and fines revenue	2005	2004
		\$'000	\$'000
	Appeal fees Racing Appeals Tribunal	12	11
	Consumer Credit fines	454	230
	Residential Services accreditation fees	65	34
	Other	1	2
	Total	532	277
5	Grants and Other Contributions		
	Contributed assets – below fair value:		
	Computer gift with purchase	-	4
	Remodelling of leased premises	-	324
	Resources received free of charge or below fair value:		
	Remodelling of leased premises	12	224
	Criminal search	-	294
	Laboratory analysis service	8	2
	Storage	89	28
	Other	133	150
	Total	242	1,026
6	Other Revenues		
	Interest received from bank accounts	201	170
	Legal fees recovered	111	301
	Expenditure recovery from prior years	40	61
	Plant and equipment write on	1	2
	Proceeds from disposal of minor equipment	4	4
	Written off vehicle register administration fee	14	19
	Miscellaneous revenue	4	8
	Total	375	565
7	Employee Expenses/Number of Employees/Chief Executive's Remuneration		
	Employee expenses:		
	Wages and salaries	29,352	29,447
	Employer superannuation contributions	3,299	3,281
	Long service leave levy	429	418
	Workers' compensation premium	146	138
	Other	325	373
	Total	33,551	33,657

The number of employees includes both full-time employees and part-time employees measured on a full-time equivalent basis is:

Number of Employees:	482	518
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Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

Chief Executive's Remuneration:

The Director-General of the department was paid in the following salary band:

CEO2	Min. \$179,748	Max. \$203,475
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In addition to the base superannuable salary, the Chief Executive is also eligible for a bonus, based on an assessment by the Premier and Minister for Trade. The total of such bonuses paid to the Chief Executives of all departments is published in the Annual Report of the Office of Public Service Merit and Equity.

The superannuable salary does not include industry and like allowances, leave loading and fringe benefits such as private use of a motor vehicle and employer superannuation contributions.

8	Supplies and Services	2005	2004
		\$'000	\$'000
	Shared services provider payments	2,100	1,096
	Professional services	1,770	1,775
	Information technology costs	1,745	1,633
	Consultants, contractors and agency staff	1,285	1,457
	Materials	1,085	1,148
	Travel	506	456
	Other	4,137	4,209
	Total	12,628	11,774
9	Equity Return Expense		
	Equity return expense	-	590
	Total	-	590
	The Queensland Government has decided that an equity return will not be required for 2004-05 and subsequent years.		
10	Depreciation and Amortisation		
	Depreciation and amortisation incurred in respect of:		
	Buildings	-	39
	Leasehold improvements	304	277
	Plant and equipment	593	688
	Internal use software	500	513
	Total	1,397	1,517
11	Grants and Subsidies		
	Racing Club assistance grants	-	2,012
	Other	163	40
	Total	163	2,052
12	Losses from disposal of non-current assets		
	Losses from the disposal of non-current assets	89	1,572
	Total	89	1,572

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

13 Other Expenses	2005	2004
	\$'000	\$'000
External audit fees	36	45
Bad and doubtful debts	2	19
Operating lease rentals	3,502	3,035
Insurance premiums - QGIF	40	48
Resources provided below fair value	9	13
Special Payments		
Ex-gratia payments	28	15
Total	3,617	3,175
14 Borrowing Cost		
Interest	-	12
Total	-	12
No borrowing costs were recognised during the period as part of the carrying amount of any qualifying assets.		
15 Cash Assets		
Imprest accounts	13	13
Cash at bank and on hand	2,651	3,365
Trust funds	1,119	921
Total	3,783	4,299
Note: The total for cash assets reconciles to cash at the end of the financial year as disclosed in the Statement of Cash Flows.		
16 Receivables		
Trade debtors	1,120	1,005
Less: Provision for doubtful debts	-	-
	1,120	1,005
GST receivable	352	231
GST payable	(7)	(10)
Long service leave reimbursements	117	104
Output revenue	794	-
Interest receivable	66	48
Travel advances	10	4
Total	2,452	1,382
17 Other Current Assets		
Prepayments	574	136
Other	32	33
Total	606	169

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

18 Plant and Equipment	2005	2004
	\$'000	\$'000
Leasehold improvements		
Work in progress	-	239
At Cost	3,184	2,954
Less: Accumulated depreciation	(1,445)	(1,186)
	1,739	2,007
Buildings		
At Cost	10	10
Less: Accumulated depreciation	(4)	(3)
	6	7
Plant and equipment		
Work in progress	-	10
At Cost	7,100	6,585
Less: Accumulated depreciation	(4,732)	(4,639)
	2,368	1,956
Total	4,113	3,970

Independent valuation of buildings are performed at least every five years using 'fair value' principles. In the interim, where material, the department applies indices as provided by the Australian Bureau of Statistics for Buildings. The last independent valuation was undertaken on 1 July 2001 by the Department of Natural Resources and Mines.

Plant and equipment and leasehold improvements are valued at cost in accordance with Queensland Treasury's Non-current Asset Accounting Guidelines for the Queensland Public Sector (May 2001).

The department has assets with a written down value of zero still being used in the provision of services. These assets will be retired/replaced when they cease to have a service capability.

The amounts below are the original acquisition costs of these assets.

Asset Class

Leasehold Improvements	315	45
Plant and Equipment – Computers	2,299	2,606
Plant and Equipment – Motor Vehicles	83	83
Plant and Equipment – Other Equipment	438	330
	3,135	3,064

Asset Reconciliation

	Land		Leasehold Improvements		Buildings		Plant and Equipment		Infrastructure		Total	
	2005	2004	2005	2004	2005	2004	2005	2004	2005	2004	2005	2004
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount at 1 July	-	1,294	2,007	1,960	7	2,746	1,956	3,175	-	3	3,970	9,178
Acquisitions	-	-	36	-	-	-	916	407	-	-	952	407
Contributed Assets	-	-	-	324	-	-	-	4	-	-	-	328
Stocktake adjustments	-	-	-	-	-	-	1	2	-	-	1	2
Disposals	-	(370)	-	-	(1,175)	(23)	(27)	-	-	(23)	(1,572)	
Transfer assets (to)/from other Departments	-	(924)	-	-	(1,525)	(38)	(934)	-	(3)	(38)	(3,386)	
Transfer assets (to)/from Administered	-	-	-	-	-	-	148	(2)	-	-	148	(2)
Transfer to another asset class	-	-	-	-	-	-	-	19	-	-	-	19
Depreciation	-	-	(304)	(277)	(1)	(39)	(592)	(688)	-	-	(897)	(1,004)
Carrying amount at 30 June	-	-	1,739	2,007	6	7	2,368	1,956	-	-	4,113	3,970

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

19 Intangibles	2005	2004		
	\$'000	\$'000		
Internal Use Software:				
Work in progress	540	74		
At cost	4,374	4,206		
Accumulated amortisation	(2,312)	(1,812)		
Total	2,602	2,468		
20 Payables				
Long service leave levy payable	96	100		
Trade creditors and accrued payables	2,632	2,621		
Total	2,728	2,721		
21 Provisions				
Current				
Employee benefits: Annual leave	3,159	3,261		
Total	3,159	3,261		
22 Other Current Liabilities				
Unearned appropriation	-	96		
Unearned revenue - contributions	538	-		
Total	538	96		
23 Changes in Equity	Accumulated Surplus		Contributed Equity	
	2005	2004	2005	2004
	\$'000	\$'000	\$'000	\$'000
Balance 1 July	52,472	53,268	(46,262)	(40,938)
Net surplus	65	(2,200)	-	-
Non – Owner changes in equity recognised in the Statement of Financial Performance:				
- Transfers between reserves	-	1,404	-	-
Transactions with Owners as Owners				
- Equity Adjustments (Note 2)	-	-	30	(1,171)
- Net assets transferred (MOG change)	-	-	(21)	(4,088)
- Assets transferred to other Departments	-	-	(9)	-
- Net leave liabilities transferred to (from) other Departments	-	-	82	(65)
- Net assets/liabilities transferred from Administered	-	-	774	-
Balance 30 June	52,537	52,472	(45,406)	(46,262)

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

24 Reconciliation of Net Surplus/Deficit to Net Cash	2005	2004
Provided by (Used in) Operating Activities	\$'000	\$'000
Surplus/deficit from ordinary activities	65	(2,200)
Non-cash items:		
Depreciation/amortisation	1,397	1,517
Net assets assumed/(relinquished)	-	(1,024)
Net liability (assumed)/relinquished	62	313
Net assets transferred from administered	68	-
Net liabilities transferred from administered	(172)	-
Asset write ons	(1)	(330)
Loss on sale of non current assets	89	1,572
Net leave liability transfer (from)/to other departments	82	(65)
Change in assets and liabilities:		
(Increase)/Decrease in receivables	(121)	247
(Increase)/Decrease in LSL reimbursements receivables	(13)	(63)
(Increase)/Decrease in interest revenue receivables	(16)	(2)
(Increase)/Decrease in GST input tax credits receivables	(121)	46
(Increase)/Decrease in output revenue receivables	(794)	12
(Increase)/Decrease in other assets	(1)	(18)
(Increase)/Decrease in prepayments	(438)	194
Increase/(Decrease) in creditors	164	807
Increase/(Decrease) in GST payable	(3)	(59)
Increase/(Decrease) in other taxes payable	(153)	59
Increase/(Decrease) in employee provisions	(102)	194
Increase/(Decrease) in output revenue payables	(96)	96
Increase/(Decrease) in unearned revenue	538	(61)
Increase/(Decrease) in LSL payables	(4)	2
Net cash provided by (used in) operating activities	430	1,237

25 Commitments for Expenditure

Non-Cancellable Operating Lease

Commitments under operating leases are inclusive of anticipated GST and are payable as follows:

Not later than one year	4,880	4,743
Later than one year and not later than five years	7,221	7,209
Later than five years	1,427	1,883
	<u>13,528</u>	<u>13,835</u>

Operating leases are entered into as a means of acquiring access to office accommodation, storage facilities, motor vehicles and telecommunication services. Lease payments are generally fixed, but with inflation escalation clauses on which contingent rentals are determined.

No renewal or purchase options exist in relation to operating leases and no operating leases contain restrictions on financing or other leasing activities.

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

26 Shared Service Initiative Arrangements

On 1 October 2004, as a result of the Shared Service Initiative, the following assets and liabilities were transferred to Corporate Solutions Queensland (refer note 12).

Corporate Solutions Queensland	\$'000
<i>Assets transferred from the department</i>	
Cash	47
Plant and equipment	36
Total Assets	83
<i>Liabilities transferred from the department</i>	
Provisions	62
Total Liabilities	62
Total Net Assets	21
Number of Employees transferred:	14

The number of employees includes both full-time employees and part-time employees measured on a full-time equivalent basis.

27 Trust Transactions and Balances

As the department performs only a custodial role in respect of these transactions and balances, they are not recognised in the financial statements, but are disclosed here for information purposes.

Funeral Benefits Trust Fund

The Funeral Benefits Trust Fund is authorised under the *Funeral Benefit Business Act 1982*, Section 9 (1).

Fees received by the department for providing trustee services are included in user charges, sale of other goods and services (Note 3) and totalled \$27,387 (2004: \$25,595).

Trust Expenses and Revenues	2005 \$'000	2004 \$'000
<i>Expenses</i>		
Grants and subsidies	78	100
Other	41	40
Total Expenses	119	140
<i>Revenues</i>		
Accrued Interest (QTC)	221	205
Total Revenues	221	205
Net Surplus	102	65
Trust Assets and Liabilities		
<i>Current Assets</i>		
Cash	1	1
Investment	3,966	3,898
Total Current Assets	3,967	3,899
Total Assets	3,967	3,899
<i>Current Liabilities</i>		
Payables	-	34
Total Current Liabilities	-	34
Net Assets	3,967	3,865

The Queensland Audit Office performed the audit of the department's trust transactions for 2004-05.

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

Commercial and Consumer Tribunal Trust Fund

The Commercial and Consumer Tribunal Trust Fund is authorised under the *Commercial and Consumer Tribunal Act 2004*, Section 144.

	2005 \$'000	2004 \$'000
Trust Expenses and Revenues		
<i>Revenues</i>		
Interest on Bank	10	13
Total Revenues	10	13
Net Surplus/(Deficit)	10	13
Trust Assets and Liabilities		
<i>Current Assets</i>		
Cash	108	195
Total Current Assets	108	195
Total Assets	108	195
<i>Current Liabilities</i>		
Security Deposits	76	173
Total Current Liabilities	76	173
Net Assets	32	22

The Queensland Audit Office performed the audit of the department's trust transactions for 2004-05.

28 Financial Instruments

Interest Rate Risk Exposure

The department's exposure to interest rate risk and the effective interest rates of financial assets and financial liabilities are shown in the following table.

Maturity Date:

	Floating Rate \$'000	1 year or less \$'000	1 to 5 years \$'000	More than 5 years \$'000	Non Interest Bearing \$'000	Total \$'000	Weighted Average Rate %
Financial Assets							
Cash	3,783	-	-	-	-	3,783	4.55
Receivables	-	-	-	-	2,452	2,452	N.A.
	3,783	-	-	-	2,452	6,235	
Financial Liabilities							
Payables	-	-	-	-	2,728	2,728	N.A.
	-	-	-	-	2,728	2,728	

○ The floating rate represents the most recently administered market rate applicable to the instrument at 30 June 2005.

○ The fixed interest rates represent weighted average market interest rates.

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

Credit Risk Exposure

The maximum exposure to credit risk at balance date in relation to each class of recognised financial assets is the carrying amount of those assets net of any provision for doubtful debts as indicated in the Statement of Financial Position.

No significant credit risks have been identified.

Net Fair Value

The net fair value is determined as follows:

- The net fair value of cash and cash equivalents and non-interest bearing monetary financial assets and financial liabilities approximate their carrying amounts.
- The net fair value of other monetary financial assets and financial liabilities is based on market prices where a market exists, or has been determined by discounting expected future cash flows by the current interest rate for financial assets and liabilities with similar risk profiles.

The carrying amounts and estimated net fair values of financial assets and financial liabilities held at balance date are given below:

	Total Carrying Amount		Net Fair Value	
	2005 \$'000	2004 \$'000	2005 \$'000	2004 \$'000
Financial Assets				
Cash	3,783	4,299	3,783	4,299
Receivables	2,452	1,382	2,452	1,382
Total	6,235	5,681	6,235	5,681
Financial Liabilities				
Payables	2,728	2,721	2,728	2,721
Total	2,728	2,721	2,728	2,721

29 Grants and Other Contributions

	2005 \$'000	2004 \$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Wine Equalisation Tax rebate	539	1,401
Total	539	1,401

30 Taxes, Fees and Fines

	2005 \$'000	2004 \$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Liquor licences and permits	1,911	1,942
Fair Trading fees	17,432	13,961
Other regulatory fees	19,028	20,950
Fines	1,114	862
Total	39,485	37,715

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

31 Administered Item Revenue

	2005 \$'000	2004 \$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Budgeted administered item appropriation	44,364	46,484
Transfers to other headings	-	(30)
Lapsed appropriation	(1,224)	-
Total administered item revenue	43,140	46,454
Less: Opening balance of appropriation receivable	-	(45)
Plus: Closing balance of appropriation unearned	949	-
Less: transfer portion of closing balance of appropriation unearned to controlled for CCT	(52)	-
Less: Closing balance of appropriation unearned	-	(949)
Total	<u>44,037</u>	<u>45,460</u>
Reconciliation of Payments from Consolidated Fund and Equity		
Adjustment recognised in General Equity		
Budgeted equity adjustment appropriation	-	165
Plus transfers from other headings	-	132
Equity Adjustment recognised in Contributed Equity	-	297
The Commercial & Consumer Tribunal was transferred from administered to controlled funding from 1 July 2004.		

32 Interest

	2005 \$'000	2005 \$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Interest revenue	24,221	23,004
Total	<u>24,221</u>	<u>23,004</u>

33 Other Revenue

	2005 \$'000	2004 \$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
User charges	4	9
Subrogation recoveries	1,245	574
Proceeds from disposal of minor equipment	-	2
Expenditure recovery from prior years	-	15
Miscellaneous	1	-
Total	<u>1,250</u>	<u>600</u>

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

34 Employee Expenses /Number of Employees

	2005	2004
	\$'000	\$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
• Employee Expenses:		
Wages and salaries	-	1,002
Employer superannuation contributions	-	110
Long service leave levy	-	14
Other	-	7
Total	<u>-</u>	<u>1,133</u>
• Number of Employees:	-	21
The number of employees includes both full-time employees and part-time employees measured on a full-time equivalent basis.		

35 Supplies and Services

	2005	2004
	\$'000	\$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Professional services	-	249
Materials	-	82
Other	-	277
Total	<u>-</u>	<u>608</u>

36 Depreciation and Amortisation

	2005	2004
	\$'000	\$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Depreciation and amortisation was incurred in respect of:		
Plant and equipment	-	44
Total	<u>-</u>	<u>44</u>

37 Grants and Subsidies

	2005	2004
	\$'000	\$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Tourism Queensland	43,376	42,616
Wine Equalisation Tax rebate	539	1,401
Total	<u>43,915</u>	<u>44,017</u>

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

38 Other Expenses

	2005	2004
	\$'000	\$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Operating lease rentals	-	404
Bad & doubtful debts	80	-
Ex-gratia payments	-	7
Property Agents and Motor Dealers claims	658	593
Resources provided below fair value	26	30
Losses from the disposal of non-current assets	-	55
Total	<u>764</u>	<u>1,089</u>

39 Cash Assets

	2005	2004
	\$'000	\$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Cash at bank	162	1,803
Total	<u>162</u>	<u>1,803</u>

40 Receivables

	2005	2004
	\$'000	\$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Trade debtors	3,141	2,689
Less: Provision for doubtful debts	(293)	(450)
	<u>2,848</u>	<u>2,239</u>
GST receivable	-	7
Interest receivable	1,903	1,864
Total	<u>4,751</u>	<u>4,110</u>

41 Other Current Assets

	2005	2004
	\$'000	\$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Prepayments	-	6
Total	<u>-</u>	<u>6</u>

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

42 Plant and Equipment

	2005 \$'000	2004 \$'000				
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS						
Plant and equipment						
At Cost	-	382				
Less: Accumulated depreciation	-	(234)				
Total plant and equipment	<u>-</u>	<u>148</u>				
The department has assets with a written down value of zero still being used in the provision of services. These assets will be retired/replaced when they cease to have a service capability.						
Asset Class						
Plant and Equipment – Computers	-	68				
Plant and Equipment – Furniture	-	45				
Plant and Equipment – Other equipment	-	47				
	<u>-</u>	<u>160</u>				
Reconciliation						
	Leasehold Improvements		Plant and Equipment		Total	
	2005	2004	2005	2004	2005	2004
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount at 1 July	-	62	148	174	148	236
Acquisitions	-	-	-	9	-	9
Disposals	-	(55)	-	-	-	(55)
Transfer assets (to)/ from Controlled	-	-	(148)	2	(148)	2
Depreciation	-	(7)	-	(37)	-	(44)
Carrying amount at 30 June	<u>-</u>	<u>-</u>	<u>-</u>	<u>148</u>	<u>-</u>	<u>148</u>

43 Payables

	2005 \$'000	2004 \$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Long service leave levy payable	-	3
Trade creditors and accrued payables	108	584
Administered revenue payable	4,998	3,852
Total	<u>5,106</u>	<u>4,439</u>

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

44 Plant and Equipment

	2005 \$'000	2004 \$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Current		
Employee benefits: Annual leave	-	99
Total	<u>-</u>	<u>99</u>

45 Other Current Liabilities

	2005 \$'000	2004 \$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Unearned revenue	-	949
Total	<u>-</u>	<u>949</u>

46 Changes in Equity

	Accumulated Surplus		Contributed Equity	
	2005 \$'000	2004 \$'000	2005 \$'000	2004 \$'000
Balance 1 July	3,495	3,495	(2,915)	(3,222)
Net surplus	1	-	-	-
Transactions with Owners as Owners:				
- Equity Injections (Note 2)	-	-	-	297
- Net assets/liabilities transferred to other Departments	-	-	-	10
- Net assets/liabilities transferred to Controlled	-	-	(774)	-
Closing Balance	<u>3,496</u>	<u>3,495</u>	<u>(3,689)</u>	<u>(2,915)</u>

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

47 Reconciliation of Net Surplus/Deficit to Net Cash Provided by (Used in) Operating Activities

	2005 \$'000	2004 \$'000
ADMINISTERED ON A WHOLE OF GOVERNMENT BASIS		
Net Surplus	1	-
Non-cash items:		
Depreciation and amortisation expense	-	44
Net assets transferred to controlled	(68)	-
Net liabilities transferred to controlled	172	10
Loss on sale of plant and equipment	-	55
Change in assets and liabilities		
(Increase)/Decrease in receivables	(609)	(862)
(Increase)/Decrease in interest revenue receivables	(39)	(247)
(Increase)/Decrease in output revenue receivables	-	45
(Increase)/Decrease in GST input tax credits receivables	7	6
(Increase)/Decrease in prepayments	6	(1)
Increase/(Decrease) in creditors	(479)	160
Increase/(Decrease) in employee provisions	(99)	11
Increase/(Decrease) in unearned revenue	(949)	949
Increase/(Decrease) in administered revenue payables	1,146	818
Net cash provided by (used in) operating activities	<u>(911)</u>	<u>988</u>

48 Contingencies

Contingent Assets

Receivables

As at 30 June 2005, the department is in discussion with a number of financial institutions in relation to interest on trust accounts held with banks under the *Property Agents and Motor Dealers Act 2000*, which the department considers is outstanding in interest remitted to the department.

The department believes that it would be misleading to estimate the amounts receivable (if any) in respect of the interest on these accounts.

Department of Tourism, Fair Trading and Wine Industry Development Notes to and Forming Part of the Financial Statements

For year ended 30 June 2005

Litigation in Progress

Receivables

As at 30 June 2005, the department has a right to pursue 100 traders/former traders to recover claims paid under the *Property Agents and Motor Dealers Act 2000* or the repealed *Auctioneers and Agents Act 1971* including the following ongoing cases:

	Cases
Magistrates Court	1

The department believes that it would be misleading to estimate the final amounts receivable (if any) in respect of these claims.

Liabilities

As at 30 June 2005, there were 39 claims under the *Property Agents and Motor Dealers Act 2000* that were awaiting determination.

As at 30 June 2005 the following cases were in progress as a result of the determination of claims by the Chief Executive, the former Auctioneers and Agents Committee or the former Property Agents and Motor Dealers Tribunal:

	Cases
District Court	1

The department believes that it would be misleading to estimate the final amounts payable (if any) in respect of these claims.

**CERTIFICATE OF THE DEPARTMENT OF TOURISM, FAIR TRADING
AND WINE INDUSTRY DEVELOPMENT**

These general purpose financial statements have been prepared pursuant to section 40(1) of the *Financial Administration and Audit Act 1977* (the Act), and other prescribed requirements. In accordance with Section 40(3) of the Act we certify that in our opinion:

- (a) the prescribed requirements for establishing and keeping the accounts have been complied with in all material respects; and
- (b) the statements have been drawn up to present a true and fair view, in accordance with prescribed accounting standards, of the transactions of the Department of Tourism, Fair Trading and Wine Industry Development for the financial year ended 30 June 2005 and of the financial position of the department at the end of that year.

Robert Broadfoot
A/Director, Financial Management Unit

Helen Ringrose
Director-General
D.N.F.S., M.B.A. (Monash),
M.P.H. (Hawaii), F.A.I.C.D.

1 September 2005

1 September 2005

INDEPENDENT AUDIT REPORT

To the Accountable Officer of the Department of Tourism, Fair Trading and Wine Industry Development

Matters Relating to the Electronic Presentation of the Audited Financial Report

The audit report relates to the financial report of the Department of Tourism, Fair Trading and Wine Industry Development for the financial year ended 30 June 2005 included on Department of Tourism, Fair Trading and Wine Industry Development's web site. The Accountable Officer is responsible for the integrity of the Department of Tourism, Fair Trading and Wine Industry Development's web site. We have not been engaged to report on the integrity of the Department of Tourism, Fair Trading and Wine Industry Development's web site. The audit report refers only to the statements named below. It does not provide an opinion on any other information which may have been hyperlinked to/from these statements. If users of the financial report are concerned with the inherent risks arising from electronic data communications they are advised to refer to the hard copy of the audited financial report, available from Department of Tourism, Fair Trading and Wine Industry Development, to confirm the information included in the audited financial report presented on this web site.

These matters also relate to the presentation of the audited financial report in other electronic media including CD Rom.

Scope

The Financial Report

The financial report of the Department of Tourism, Fair Trading and Wine Industry Development consist of the statement of financial performance, statement of financial position, statement of cash flows, notes to and forming part of the financial statements and certificates given by the Accountable Officer and Acting Director, Financial Management Unit of the Department of Tourism, Fair Trading and Wine Industry Development, for the year ended 30 June 2005.

Accountable Officer's Responsibility

The Accountable Officer is responsible for the preparation and true and fair presentation of the financial report, the maintenance of adequate accounting records and internal controls that are designed to prevent and detect fraud and error, and for the accounting policies and accounting estimates inherent in the financial report.

Audit Approach

As required by law, an independent audit was conducted in accordance with *QAO Auditing Standards* to enable me to provide an independent opinion whether in all material respects the financial report is presented fairly in accordance with the prescribed requirements, including any mandatory financial reporting requirements as approved by the Treasurer for application in Queensland.

Audit procedures included –

- examining information on a test/sample basis to provide evidence supporting the amounts and disclosures in the financial report,
- assessing the appropriateness of the accounting policies and disclosures used and the reasonableness of significant accounting estimates made by the Accountable officer,
- obtaining written confirmation regarding the material representations made in conjunction with the audit, and
- reviewing the overall presentation of information in the financial report.

Independence

The *Financial Administration and Audit Act 1977* promotes the independence of the Auditor-General and QAO authorised auditors.

The Auditor-General is the auditor of all public sector entities and can only be removed by Parliament.

The Auditor-General may conduct an audit in any way considered appropriate and is not subject to direction by any person about the way in which powers are to be exercised.

The Auditor-General has for the purposes of conducting an audit, access to all documents and property and can report to Parliament matters which in the Auditor-General's opinion are significant.

Audit opinion

In accordance with section 40 of the *Financial Administration and Audit Act 1977* -

- (a) I have received all the information and explanations which I have required; and
- (b) in my opinion -
 - (i) the prescribed requirements in respect of the establishment and keeping of accounts have been complied with in all material respects; and
 - (ii) the financial report has been drawn up so as to present a true and fair view, in accordance with the prescribed accounting standards of the transactions of the Department of Tourism, Fair Trading and Wine Industry Development for the financial year 1 July 2004 to 30 June 2005 and of the financial position as at the end of that year.

J F WELSH, FCPA
as Delegate of the Auditor-General of Queensland



Queensland Audit Office
Brisbane

Contact details

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Commercial and Consumer Tribunal

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Office of the Commissioner for Body Corporate and Community Management

Level 11, BOQ Centre
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GPO Box 1409
Brisbane Qld 4001
Tel: 1800 060 119
(8:30am to 5:00pm
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Email: BCCM@dtftwid.qld.gov.au
Web: [www.dtftwid.qld.gov.au/
dispute and resolution/bccm/](http://www.dtftwid.qld.gov.au/dispute%20and%20resolution/bccm/)

Office of Fair Trading

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Wine Industry Development Division

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Web: www.dtftwid.qld.gov.au/wine/

Regional Offices

For the cost of a local call, telephone 13 13 04.

The deaf or hearing impaired should telephone 133 677 National Relay Service (NRS).

Callers to this number quote 13 13 04

Cairns

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Cairns Qld 4870
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Reader survey

Your feedback helps us to improve our annual reporting and meet your information needs. Please return your response by facsimile **(07) 3224 7700** or complete the electronic form on our website at www.dftwid.qld.gov.au

Name: _____ Position: _____

Organisation: _____ Address: _____

Telephone: _____ Email: _____

Mailing list: Remove / Add / Correct my name/organisation

1. Please rate the following elements of the Annual Report 2004–05

	Excellent	Good	Satisfactory	Poor
Overall				
How effectively does the report communicate the department's performance and achievements for 2004–05?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Content				
How useful is the information?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How easy is it to find information?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Is enough detail provided?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How well is the information grouped and categorised?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Style				
How well is the document designed and presented?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rate the simplicity of the writing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
How clear and useful are the tables and graphs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Which section(s) of the report did you find most useful? _____

3. Which section(s) of the report did you find least useful? _____

4. How could the report be improved? _____

5. For what purpose did you read or refer to the report?

(If more than one, please indicate)

- To understand the impact of initiatives on you/your interest group
- Information for an industry
- Information for a community organisation
- Information for a government agency
- To prepare media coverage
- Research
- General interest
- Job application
- Other (please specify)

6. About you

Please indicate the group which best describes you:

- Community group
- Business sector
- Industry association
- Media representative
- Private individual
- Staff member
- Queensland Government employee
- Other Government employee
- Research institution
- Other (please specify)

Thank you for completing this survey.

Production details

Design and Print Goprint

Paper Australis Ice – cover 300 gsm

Impress Silk – internal pages 115 gsm

Impress is manufactured in Australia from timber from sustainable forest regions and uses a chlorine-free bleaching process.

Print run 250

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Queensland
Government

Annual Report

Department of Tourism, Fair Trading and Wine Industry Development
www.dtftwid.qld.gov.au