



TRANSPORT AND PUBLIC WORKS COMMITTEE

Members present:

Mr SR King MP (Chair)
Mr CE Boyce MP
Mr RI Katter MP
Mrs JR Miller MP
Mr BJ Mellish MP
Mr TJ Sorensen MP

Staff present:

Ms D Jeffrey (Committee Secretary)
Ms M Telford (Assistant Committee Secretary)

PUBLIC BRIEFING—INQUIRY INTO THE PLUMBING AND DRAINAGE BILL 2018

TRANSCRIPT OF PROCEEDINGS

MONDAY, 5 MARCH 2018

Brisbane

MONDAY, 5 MARCH 2018

The committee met at 9.46 am.

CHAIR: I declare open the public departmental briefing for the committee's inquiry into the Plumbing and Drainage Bill 2018. Thank you for your interest and your attendance here today. Some of you look familiar; we have done this before. I would like to start by acknowledging the traditional owners of the land on which our parliament stands. My name is Shane King, member for Kurwongbah and chair of the committee. The other committee members here with me today are: Mr Ted Sorensen, member for Hervey Bay and deputy chair; Mr Colin Boyce, member for Callide; Mr Bart Mellish, member for Aspley; and Mrs Jo-Ann Miller, member for Bundamba.

On 15 February 2018 the Minister for Housing and Public Works introduced the bill to parliament. The parliament has referred the bill to this committee for examination with a reporting date of 9 April 2018. The purpose of today is to assist the committee with its examination of the bill.

The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. The proceedings are being recorded by Hansard and broadcast live on the parliament's website. Media may be present and will be subject to the chair's direction at all times. The media rules endorsed by the committee are available from committee staff if required. All those present today should note that it is possible you might be filmed or photographed during the proceedings.

I ask everyone to turn mobile phones off or to silent mode. Only the committee and invited departmental officers may participate in the proceedings. Any person may be excluded from the hearing at the discretion of the chair or by order of the committee under the standing orders. I remind committee members that officers from the department are here to provide factual or technical information. Any questions about government or opposition policy should be directed to the responsible minister or shadow minister or left to debate on the floor of the House. I also ask that if departmental officers take a question on notice they provide the information to the committee by 4 pm on Monday, 12 March.

BASSETT, Mr Brett, Commissioner, Queensland Building and Construction Commission

NEUENDORF, Ms Anne, Manager, Strategic Policy, Building Industry and Policy, Department of Housing and Public Works

RIVERS, Mr Don, Assistant Director-General, Department of Housing and Public Works

VENMANS, Mr Harry, Executive Director, Building Construction and Maintenance, Department of Housing and Public Works

WALKER, Mr Lindsay, Director, Strategic Policy, Building Industry and Policy, Department of Housing and Public Works

CHAIR: I now welcome representatives from the Department of Housing and Public Works and the Queensland Building and Construction Commission. Would anyone like to make an opening statement?

Mr Rivers: Good morning, Mr Chair, and members of the committee. My name is Don Rivers. I am the assistant director-general of the Building Industry and Policy Division within the Department of Housing and Public Works. Today staff from the department, along with Mr Brett Bassett, the Queensland Building and Construction Commissioner, and I are here to provide the committee with a brief on the Plumbing and Drainage Bill 2018.

The bill repeals the Plumbing and Drainage Act 2002 and establishes a new Plumbing and Drainage Act 2018. The bill also amends the Queensland Building and Construction Commission Act 1991 to establish a new occupational mechanical services licence including medical gas. Mr Chair, Brisbane

as you are aware, the 2017 bill lapsed following the dissolution of the 55th Queensland Parliament last year. Prior to the lapsing, 17 submissions were received from the former committee in response to the 2017 bill. The department has reviewed those submissions and will include a full commentary on all submissions in the department's briefing paper to the committee.

Departmental officers, with permission from the former Public Works and Utilities Committee, contacted relevant stakeholders to clarify points of issue and address certain concerns in their submission. This feedback has resulted in a number of changes to the 2017 bill. Based on the feedback received to date, there is broad support across industry stakeholders for the proposed bill. The department looks forward to reviewing any additional submissions lodged as part of this current process.

The bill is essentially the same as the 2017 bill but incorporates three minor amendments, two of which were drafted in response to submissions received by the previous committee. The first amendment was to correct an omission of the word 'not' in one clause, clause 78(2), which was correctly identified by several submitters. This amendment clarifies the obligation on the owner of a premises which discharges kitchen greywater in an unsewered area.

The second amendment was to omit part 7 of the bill relating to the general provisions about investigators. Part 7 provisions were transferred to the QBCC Act following commencement of certain provisions of the Building Industry Fairness (Security of Payment) Act 2017 on 10 November last year. The third amendment was in response to concerns expressed around implementation. The bill revises the original commencement date of 2 July 2018 to one to be set by proclamation to allow sufficient time for industry, local government and community to prepare for implementation.

The bill delivers on three key objectives. It reduces regulatory burden and restructures the plumbing laws so that they are easier to understand. It introduces a stronger penalty framework to promote compliance and provides for plumbing products including WaterMark products to be prohibited if they are found to be defective or not fit for purpose. It also introduces a new mechanical service licence that will protect the health and safety of industry and the public in high-risk buildings.

The bill forms part of the Queensland Building Plan and is the first step in the plumbing and drainage reforms delivering a new act, a new regulation and a modernised Queensland plumbing and wastewater code. The proposed plumbing law reforms represent collaboration over a three-year period between the department and members of the Queensland plumbing industry including licensees and the community as part of a comprehensive consultation program.

The bill provides for a new regulation that will implement a streamlined plumbing permit process, which stimulates both cost and time savings through faster approvals and reduced construction time frames, benefitting the construction industry and Queensland home owners. The bill will reduce current permit approval time frames on most residential buildings by 18 days and will save Queensland home owners an estimated \$640 in holding costs for a \$255,000 block of land. These savings are the result of reducing current permit approval time frames for most residential buildings from 20 to two business days.

The commercial construction industry will also benefit as permits will be issued within 10 business days for complex residential and commercial premises such as multiunit buildings, a 50 per cent reduction in the current permit application time frame. Standards will not be compromised. All permit work will still require inspection by local government to ensure compliance with the relevant laws and codes.

The bill promotes structural reform across the plumbing laws to improve consistency and enhance compliance by having one process or one time frame in lieu of many and by grouping similar provisions together, making it easier for the user to navigate the plumbing laws. To promote clarity and operation of use, administrative and technical provisions have been removed from the act and transferred to the most appropriate regulatory instrument: the regulation or the Queensland Plumbing and Wastewater Code. In addition, the bill removes out-of-date, redundant and duplicated laws and standardises terminology, time frames and administrative processes where possible across all plumbing laws. The bill will result in a modernised and streamlined new act reduced in size by over 25 per cent which will support licensees to perform their jobs more easily.

The bill introduces a stronger penalties framework to provide a greater deterrent for breaches of the plumbing laws, with similar offences aligned to promote consistency across other legislation. There are increased penalties for those individuals who repeatedly perform, direct or supervise unlicensed plumbing work or commit offences which pose a risk to public health, safety and the environment. These provisions have been developed and refined in close consultation with stakeholders from industry and the community to minimise the risk unlicensed work poses to the community and to the environment.

The bill provides for the plumbing regulation to prohibit certain plumbing products and in doing so complements the government's nonconforming building product laws. This will provide an additional safety net to the existing WaterMark scheme by allowing the government to promptly enact the regulation to prohibit any plumbing product, including WaterMark products, if it is found to be defective or not fit for purpose or poses a public health risk.

As I mentioned earlier, a comprehensive consultation process was completed over a three-year period. In 2014, a three-day workshop involving initial consultation with key plumbing and building stakeholders informed proposals which were released in a discussion paper later that year. Proposed plumbing reforms including feedback from that discussion paper and an exposure draft of the plumbing bill were included in the Queensland Building Plan, which was released for stakeholder feedback between November 2016 and March 2017. This was supported by information sessions conducted across Queensland.

In total, over the last three years representatives from 41 key industry organisations have come together on 22 separate occasions to represent their members' interests and provide technical expertise. A total of 25 statewide roadshows have been held to encourage participation, and 813 online survey responses and 364 written submissions were received from industry, licensees and the community over the course of the plumbing review.

The bill establishes a new mechanical services licence that will improve health and safety protections for the community in high-risk buildings such as hospitals, residential apartments and shopping centres. Currently, there is no occupational licence in Queensland for either mechanical services work or medical gas work. This reform reflects the need for an occupational licence and will address stakeholder concerns about the health and safety risks associated with this type of work. This licence will regulate the construction, installation, replacement, repair, alteration, maintenance, testing and commissioning of mechanical heating and cooling systems. It also includes the installation of medical gas systems and work associated with large-scale air-conditioning systems where legionella comprised the highest risk.

The new mechanical services occupational licence targets larger risk buildings, which was identified following consultation with industry. Owners of class 1A and class 10 buildings, which covers detached houses, townhouses, sheds or garages, will not be affected. The bill also excludes the manufacture of pipe or ducting, gas work regulated under the Petroleum and Gas (Production and Safety) Act 2004 and the installation of single head split air-conditioning systems from the occupational licensing requirements. However, if the value of work exceeds \$3,300, a contractor's licence will be needed for the installation of the single head split air-conditioning systems.

The reforms in the bill will require licensees to attain benchmark technical qualifications and licensing requirements for mechanical services work including medical gas work in Queensland. Stakeholders requested the regulation of medical gas work to minimise the risk to vulnerable members of society. In the initial committee briefing, the department's director-general referred to the tragedies that occurred involving medical gas installations and two infants in 2016 in a New South Wales hospital.

The new mechanical services licence will be administered through the Queensland Building and Construction Commission, which is well positioned to both administer and regulate this type of work. Consultation was undertaken as part of the Queensland Building Plan process, with the proposed licence initially based on the Victorian mechanical services licensing model. The consultation also included the regulation of medical gas. In response to stakeholders' feedback, which expressed concerns about applying the Victorian model in Queensland, the mechanical services licence class was refined. Four classes of medical services licence are proposed to recognise the specialised trades that perform this type of work including air-conditioning and refrigeration practitioners, plumbers and gas work technicians. Many submitters have suggested the technical qualifications for the mechanical services licence should also reflect this breakup.

While the technical qualifications are not contained in the bill, the department is working closely with industry to determine the appropriate training and experience requirements. Appropriate transitional provisions are also proposed which will provide industry enough time to prepare for the new licensing requirements. These transitional provisions will allow individuals who are currently performing the work unlicensed, including under the employment of a contractor licensee, the time required to undertake the necessary qualifications or, alternatively, demonstrate that they have the required skills and experience to obtain the new licence. This concludes my opening remarks.

CHAIR: Thank you, Mr Rivers. Does the QBCC have anything to add?

Mr Bassett: No, thank you, Chair.

Mr BOYCE: The only thing I would like to say about that is in regard to medical gas. Is an alternative having different threads and fittings on those sorts of things?

Mr Rivers: It is probably something that we could look at.

Ms Neuendorf: The scope of work talks about things in a broader sense, as opposed to drilling down to the specific fittings that could be used. That type of work is something that will not change, the way it is done. It is merely regulating that the person who is performing that work will have to be licensed.

Mr BOYCE: I am aware of that. It seems to me that, in the case of those children who suffered, if it was impossible to hook up the wrong gas to the wrong pipe you would alleviate that problem.

Mr Rivers: I think what happened was that the actual gas line connected up to the incorrect wall outlet.

Mr BOYCE: Therefore, if you had fittings that would not fit—

Mr Rivers: A fail-safe fitting.

Mr BOYCE: Yes. I thought that was a prudent thing to do.

Ms Neuendorf: You are suggesting that, rather than the licensing regime, we look at the standard?

Mr BOYCE: No, as well as the licence. It is quite easy to hook the wrong hose up to the wrong outlet. That is a simple thing. If you cannot do it, if it is impossible because that hose will not fit on there, you cannot mess it up.

Mr Rivers: We will take that on notice and have discussions with industry about it.

CHAIR: Reflecting on that, I suppose if it was the fitout of the building and it is a soldered line onto the wrong fitting, it does not matter what the fitting would be. It is a good point that you raise. This is the regulation—the fitting out of the building. I think what the member is saying refers to the actual plug, that you can only plug a certain line into a certain outlet.

Mr BOYCE: Absolutely. In industrial gas application, you cannot hook up oxygen to a fuel gas line, for example. It simply will not fit. The same thing could be possible, I believe, in the medical application where if you have nitrous oxide versus oxygen, for example, you cannot swap one for the other because the fittings simply will not fit.

Mr Rivers: Thank you.

CHAIR: I have a question about the WaterMark products. During the previous inquiry on the 2017 bill, a submitter raised some queries around provisions relating to the WaterMark products. They said that the bill might contradict the legislation. Can you please clarify the WaterMark product provisions and how a contractor would be able to determine if the product is unsuitable, despite it having a WaterMark certification? I remember last time we talked about a certain WaterMark product that may be suitable for rural use but not domestic use, even though they are still both WaterMark products.

Mr Rivers: I think you might have made the comparison at the last hearing about cyclone rods suitable for sheds and barns but not suitable for residences.

CHAIR: Yes, we went through that with the building products one.

Mr Rivers: I will refer to Mr Walker.

Mr Walker: It is an interesting question about how we will let industry know that a particular WaterMark product, that has the WaterMark insignia on it, for instance, is prohibited in Queensland. What we are proposing to do there is to have a website that would obviously make people aware if they were looking for that as well. We would also use our communication tools—our news flashes and our guidelines and the like—to publish quite broadly to industry through the Master Plumbers, through the union, through HIA, through the Master Builders and other interested stakeholder organisations that a particular item is prohibited now and not fit to be used in Queensland.

We would also take steps in terms of the nonconforming building products to have that listed as part of the nonconforming building products register, which would go broader—I hope I am not getting this wrong, Mr Commissioner; please correct me if I am wrong—and also be highlighted to suppliers of products in Queensland to make them aware that the product was a prohibited WaterMark product and, as a result, could not be installed in Queensland. It then becomes a nonconforming building product and cannot be applied to anyone in Queensland. That is my Brisbane

understanding. We would have a fairly wide approach to ensure that the practitioner, at the end of the day, who has been given this product to install is aware that it is a prohibited item at the time he comes to install it.

CHAIR: I believe there was an example of a tap that could be used out on a cattle property, but if it was installed in a domestic dwelling and used for hot water instead of cold water all of a sudden the lead content could be released, but they are both WaterMark certified.

Mr Walker: I am not sure that a high lead content tap would ever get a WaterMark. Perhaps if I gave a different example that I am aware of.

CHAIR: Yes, a better one. That might have been the building products one. The two bills blended.

Mr Walker: We had an experience in the past three or four years where a douche toilet seat was given a WaterMark by a certified assessment body under the WaterMark scheme. A number of the local governments in Queensland raised concerns with us. We then went to the WaterMark administrators in Canberra and said that we were not quite sure that the product met the requirements. As a result of that process, that WaterMark approval was withdrawn, as I understand it, because it did not meet the requirements for back flow for that particular device. What happened there was a slight delay of six or 12 months, or something like that, where the product still had a WaterMark and could be lawfully installed in Queensland. With the new legislation we are proposing, we will be able to pass a regulation in the meantime and immediately have that item put onto the prohibited list. As a result, it would then not be able to be installed in Queensland. It just provides us with a bit more flexibility to deal with the issues in Queensland in a very responsive way.

CHAIR: I note what you said with the product recalls. Quite often the Electrical Safety Office will send a notice out to everyone who is registered that says 'do not use this particular product'. It is effective. However, I am not often installing electrical stuff anymore.

Mrs MILLER: I have a couple of questions in relation to the word 'not' that you referred to, Mr Rivers. When was the department aware that a mistake had been made in relation to the legislation?

Mr Rivers: I may get this wrong, so I will refer to Mr Walker. We did receive submissions on the previous bill and quite rightly submitters pointed out that the 'not' was actually not included and should have been and needed to be changed.

Mrs MILLER: Internally within the department, it went all through the department, across to Parliamentary Counsel and a bill was prepared that was wrong. It was only submitters who found out the mistake.

Mr Walker: Don, I am happy to answer that question. Member, you are absolutely right. It is a 300-page piece of legislation. We have worked closely with our stakeholders throughout the process and we have benefitted significantly all throughout as a result of that close cooperation. I remember being very embarrassed when I had the error brought to my attention. I was very grateful for the assistance that we received from our stakeholders who identified the issue for us.

Mrs MILLER: Are you prepared to apologise to our committee, to the department and to the parliament for this huge error?

Mr Walker: I do not know that I would characterise it in those terms. In terms of any apologies that you feel are necessary, I am happy to make them personally.

Mrs MILLER: Thank you. Mr Rivers, in relation to this huge error, what processes have been put in place internally within the department to make sure that this error will not occur again? Even though it is only one word, it would have had a huge implication for the administration of this particular act or bill.

Mr Rivers: The department has gone through very thoroughly with the bill and with the act and, to the best of its ability, has convinced itself that everything that is in the act and the bill is correct.

Mrs MILLER: At the moment. I am talking about any future legislation.

Mr Rivers: Absolutely. As Mr Walker said, we were embarrassed by that error. We endeavour to make sure that everything we produce is accurate. We will be taking that on board for future legislation.

Mrs MILLER: What about Parliamentary Counsel? Has the department advised Parliamentary Counsel in relation to this? They could have picked it up as well.

Mr Rivers: I am pretty sure that we have spoken to Parliamentary Counsel.

Mrs MILLER: Okay, that is good. Will the training that you have been talking about be provided by TAFE, private providers or both?

Mr Walker: For the mechanical services?

Mrs MILLER: Yes.

Mr Rivers: I will ask Ms Neuendorf to answer that.

Ms Neuendorf: The training will be provided by registered training organisations. We still have to work with industry to finalise what those qualifications will be. If they are apprenticeships, for example, that would be through the normal regime. If they are a unit of competency, it would be through the registered training organisations.

Mrs MILLER: If you are currently licensed, who is going to pay for the training?

Ms Neuendorf: When you say 'currently licensed'—

Mrs MILLER: You want everyone to be trained up to the new standards, which is perfectly acceptable. I want to know who pays for the training.

Ms Neuendorf: There are a number of things to work through with the training. For example, you have air-conditioning refrigeration contractors. Depending on where we land with the technical qualifications, they could potentially already have the qualifications needed, so there will be no requirement for them to upskill. In relation to the installation of medical gas, again we have to work with industry to identify exactly what the skill set is that is out there. We are also looking at generous transitional provisions and working with industry so that there is sufficient time to identify and upskill people in relation to it, if that is needed.

Mrs MILLER: My question is: who pays? I know that you have to go through this process, but who pays for the training in the end, because training costs money?

Ms Neuendorf: It would be the licensee. If they are not adequately trained to meet the licensing requirements, they will have to make sure that they do obtain those qualifications.

Mrs MILLER: If this is delivered through the TAFE system, have there been any discussions between your department and TAFE Queensland in terms of subsidising any such training, and the same with private providers? Obviously this is going to be a requirement, and it is good that it is a requirement of government. I do not have a problem with that, except for the cost. Do you expect the training cost to be hundreds of dollars or thousands of dollars? Has any work been done on this at all?

Ms Neuendorf: We have been consulting with the registered training organisations. I certainly cannot give you a specific cost because, again, it depends on the individual needs. Again, to use the example of the air-conditioning refrigeration contractors, there would be zero cost if they meet the new requirements once they are determined. In relation to the mechanical services plumbing licence, again we have to work with the registered training organisations and the relevant organisations to identify exactly what the training is. It may be a case that industry already has individuals out there with those qualifications. New people coming in, like with any licence, would have to meet those qualifications. Yes, we will be working with registered training organisations and industry before we finalise the qualifications and ascertain the costs in relation to those.

Mrs MILLER: But the cost will be for the licensee?

Ms Neuendorf: Yes.

Mrs MILLER: Finally, in relation to medical gases, I am asthmatic so I am particularly interested in this area. There are thousands of people in respiratory wards in public and private hospitals across Queensland. Because of this issue, at the moment are hospital patients receiving treatment with medical gases safe?

Mr Rivers: That is probably a question for Queensland Health. I do not think we are in a position where we can answer that.

Mrs MILLER: Thank you so much.

CHAIR: I have a supplementary question about the training. Is there any time frame for the training requirements to be worked through and sorted out if this bill is passed?

Ms Neuendorf: The legislation for the mechanical services will start upon proclamation. That gives us sufficient time to work with industry and identify what would be sufficient time frames to have industry ready and to undertake the qualifications or, alternatively, they may get recognised prior learning.

CHAIR: I do not want to put you on the spot, but is it six months or three months to continue that work for the licensees?

Ms Neuendorf: Again, I cannot specify a time frame because it will depend on what we find out. When we are talking to industry they may say, 'Yes, we have people who are suitably qualified now,' or, alternatively, they may say, 'No, we need additional time.'

CHAIR: Then working through the modules and getting them ready for preparation?

Ms Neuendorf: Yes.

Mr MELLISH: With the medical gas licensing, what sort of certification were you proposing compared to what other states have or are proposing?

Ms Neuendorf: Medical gas at the moment is not regulated in Queensland, as you are aware. There is a mechanical services licence that is in Tasmania and Victoria. No other jurisdiction that I am aware of actually has a dedicated mechanical services licence that includes medical gas.

Mr MELLISH: With the proposed licensing, you mentioned in your introduction, Mr Rivers, that you are talking with industry about what it will end up being. Is that going to be a certificate II or certificate III competency course? What is the likely outcome of that, without getting into specifics if you cannot?

Ms Neuendorf: Because there are four different licence classes and there is different expertise, we would envisage that they would be apprenticeships, which is currently the case for air-conditioning refrigeration to obtain the contractor licence. Even though there is not an occupational licence, plumbing work is usually an apprenticeship and we would envisage that that would be the case again. In relation to the medical gas, there is an additional unit of competency that is currently at a national training level and we would be looking at whether that would be suitable in addition to an apprenticeship.

Mr MELLISH: I have a couple of questions on WaterMark. I am just getting my head around how that works. Individual products can be WaterMark certified. Does that go up to systems or an entire fitting or an entire bathroom? Can an entire section of a site be certified?

Mr Walker: The WaterMark scheme as it is administered nationally is quite flexible. A WaterMark can be given for a tap. It can also be given for a hot-water system, which is a grouping of plumbing products. It can also currently be given for an entire bathroom.

Mr MELLISH: The bill is proposing to be able to say that something is a nonconforming product. Are you expecting that to be applied to a small scale or a large scale or a bit of a range?

Mr Walker: That would be a matter for the government of the day to decide which items should be prohibited and then to make the necessary regulatory amendments to achieve that purpose.

Mr MELLISH: What is the process for making something a nonconforming product?

Mr Walker: If we are talking about a prohibited WaterMark, that would be to pass a regulation detailing that particular product was prohibited and a prohibited WaterMark item.

CHAIR: Say a whole bathroom as a module was WaterMark approved and you found that one particular part of it did not meet the certification. I assume the whole bathroom would lose its WaterMark certification.

Mr Walker: To be honest, I had not thought about that particular issue.

CHAIR: Neither had I.

Mr Walker: I imagine the manufacturer would probably take steps to replace that item.

CHAIR: Of course.

Mr Walker: You would think.

CHAIR: So there is a process. They could have feedback and say, 'Whoops, we will replace that particular bit.'

Mr Walker: I imagine that would be a fairly pragmatic approach.

CHAIR: That would be the good way to do it.

Mr SORENSEN: I find it fascinating that in New South Wales the wrong gas came out of the wrong pipes. Who does the certification of the project when it is finished? Do we have some certifier to make sure that the right gas comes out of the right tap at the end of the day, especially in hospitals?

In the gas industry we always had a certifier that had to go in and make sure that the equipment worked. Who certifies the work? I cannot believe that in New South Wales somebody did not certify that the right gas came out of the right pipe. It is ridiculous to think about. What safety measures do we have in Queensland to make sure that somebody certifies that at the end of the day?

Mr Rivers: I will get Ms Neuendorf to answer that one. At the end of a project the complete project is signed off by a building certifier, but you are talking about components of the work.

Mr SORENSEN: A building certifier is not equipped to do everything, so somebody has to sign off on that part of it. Surely there is some mechanism that actually signs off on which gas comes out of which pipe.

Ms Neuendorf: I thank the member for the question. At the moment there is an Australian Standard that applies to the installation of medical gas pipeline systems. As a part of that standard—it has not been called up by the National Construction Code, so it is not mandatory across the country but it is actually applied—the head anaesthetist of the hospital is responsible for signing off and certifying that the gas system has been installed correctly. I also understand from discussions with Queensland Health that they have policies and procedures in place, but I am unable to comment in relation to what those policies and procedures are.

Mrs MILLER: What procedures are in place for the anaesthetist to know that they are personally responsible for signing off on these medical gases in this state?

Ms Neuendorf: I am unable to comment in relation to that. Again, as I have said, Queensland Health has policies and procedures in place—I am not completely across their policies and unable to comment in relation to those—but it is the Australian Standard that mentions that the anaesthetist is responsible for that.

Mrs MILLER: Is the medical college for anaesthetists aware that their profession is responsible for this?

Ms Neuendorf: I am not on the Australian Standards committee.

Mrs MILLER: Can you find out for us?

Ms Neuendorf: I can certainly undertake to do this.

Mrs MILLER: As a question on notice, please.

Mr Rivers: We will take that as a question on notice. You will provide us with a question?

Mrs MILLER: The question is: will you please provide to us information in relation to whether or not the medical college responsible for anaesthetics is aware that these medical specialists are responsible for signing off on the medical gases within the hospitals where they work?

CHAIR: That will be in the transcript. Does this bill adopt the draft regulation that was tabled by the minister in October 2017—you know the document I am talking about—or will there be changes to that draft regulation?

Mr Rivers: No, there have been no changes to the tabled document.

Mrs MILLER: In relation to the training and obviously people being licensed, if they do not undertake the training and are not appropriately licensed to do this work and they do it anyway, what are the penalties?

Ms Neuendorf: The penalties are consistent with other legislation in that the first offence is a maximum penalty of 250 penalty units, for a second offence it is 300 penalty units and, if they continue, a third offence is 350 penalty units or one year imprisonment.

Mrs MILLER: In relation to these medical gases within hospitals and these tradesmen going in obviously to make sure everything is right, if it is not right is the anaesthetist still responsible? Is that person ever going to be responsible?

Ms Neuendorf: I believe these are matters that Queensland Health would have to address. As I have said, the Australian Standard that indicates the anaesthetist should be signing it off is not actually called up, so it is a matter of Queensland Health policy and procedures.

Mrs MILLER: It is the tradesman who wears the penalty rather than the anaesthetist?

Ms Neuendorf: After the regime is introduced, if an unlicensed person has performed the work then, yes, they will be the person who would wear the penalty, so to speak, for performing work unlicensed. If it is a licensed person who has performed substandard work, again they will be responsible for their work. In relation to the anaesthetist, that is a matter of Queensland Health policy and procedure.

Mrs MILLER: What if it is a private hospital? We have lots of private hospitals throughout the state. Can you take that on notice, please, and get back to us?

Mr Rivers: We will. The private hospitals may have a similar sort of process to Queensland Health for the anaesthetists, but we will take that on notice as well.

CHAIR: Are there any further questions?

Mr SORENSEN: Not at this point in time.

CHAIR: Thank you very much. There were two questions taken on notice. I ask for the answers to those to be submitted to the committee by 4 pm on Monday, 12 March. Thank you for your attendance. I declare this briefing closed.

The committee adjourned at 10.27 am.