



Speech By
Mark Boothman

MEMBER FOR THEODORE

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**QUEENSLAND CIVIL AND ADMINISTRATIVE TRIBUNAL AND OTHER
LEGISLATION AMENDMENT BILL**

 **Mr BOOTHMAN** (Theodore—LNP) (12.08 pm): I rise to speak to the Queensland Civil and Administrative Tribunal and Other Legislation Amendment Bill 2018. The objectives of the bill are to amend the Queensland Civil and Administrative Tribunal Act 2009, the QCAT Act, to improve the functionality of the Queensland Civil and Administrative Tribunal. There were 13 submissions made to the committee inquiry into the bill. I thank the committee members and the secretariat staff for the work they did on this piece of legislation.

QCAT is one of the cornerstones of our legal system, with many local residents using this service for legal rulings, whether it be a neighbourhood dispute or another matter that involves a legal ruling. Within local community groups the name QCAT is known. It is an institution and a function that is highly regarded in our local community groups. The bill improves the efficiency of QCAT. The bill amends a number of provisions that include clearer guidelines that clarify that QCAT's jurisdiction is limited to claims of not more than \$25,000. It provides a legislative framework to enable QCAT to undertake different methods of dispute resolution. The bill also clarifies that an adjudicator can sit alone and still be constituted as a tribunal.

The bill also expands QCAT's jurisdiction to deal with vehicles and claims of not more than \$100,000, including caravans and RVs. In terms of caravans and RVs and claims of not more than \$100,000, up from \$25,000, many of my constituents have retired and spent a massive amount of their own funds on buying fifth wheeler caravans and motorhomes, and you would be lucky to get anything of that size for less than \$100,000. As I said, these individuals put a lot of their retirement funds into it. Therefore, it would be very difficult for them to take legal action if they are sold a lemon because they have put most of their funds into the purchase. Constituents all over the state enjoy their retirement years and there should be some type of protection, and I welcome the increase in the threshold of \$100,000 for fifth wheelers, large caravans and RVs.

During the hearings there were comments that discussed the general culture of the new car retailing sector and the need for significant improvement. A resident of my electorate is an Uber driver and therefore his livelihood revolves around his vehicle. Unfortunately, his car was just outside of its warranty period when it was struck down with mechanical failure. It took an enormous amount of time for this individual to have it repaired. He fought with the manufacturer for quite some time. Unfortunately, this situation caused an enormous amount of stress to him and his family and to his income and livelihood. Therefore, this bill will certainly be welcomed in his eyes. As alluded to by other members, the family car can be the second most valuable possession or asset in a family. For people who do not own their own homes but rent, the family car is the pinnacle asset owned.

As highlighted by members of the opposition, the 2017-18 QCAT annual report revealed that QCAT is severely under-resourced and overworked. If we are going to allow more matters to potentially go before QCAT, this will cause a greater delay in hearings and therefore slow down the process and increase frustration for our constituents who are desperate to get their matter resolved quickly and

efficiently. Therefore, the government needs to look at better resourcing the QCAT system to ensure that this additional work can be handled. As one of my constituents rightly said to me, if we do not resource QCAT the way it should be resourced, especially with additional responsibilities, it is like buying a new car with all the options but not putting fuel in the tank. He is quite right in saying that: it is like buying all of these options for a new car but not putting fuel in the tank. We need to ensure that the resourcing levels for QCAT are sufficient to handle this additional work.