

~~Tabled paper: Superannuation (State Public Sector) Amendment Bill.~~

~~Tabled paper: Superannuation (State Public Sector) Amendment Bill, explanatory notes.~~

### ~~Second Reading~~

~~Hon. AP FRASER (Mount Coot thā ALP) (Treasurer and Minister for Employment and Economic Development) (11.49 am): I move—~~

~~That the bill be now read a second time.~~

~~The bill amends the Superannuation (State Public Sector) Act 1990 to allow non public sector employers of spouses and former spouses of existing QSuper members who have a QSuper account to contribute to the fund. This makes QSuper's arrangements consistent with other public sector and local government schemes. In addition, the bill contains provisions to reinforce that the purchasers of a government asset are bound by the QSuper rules, in relation to the superannuation conditions of employees transferred as part of the sale.~~

~~Since July 2007, QSuper Ltd, a company wholly owned by the QSuper Board, has administered QSuper. At that time, a small number of staff were directly employed by the company with the remainder being Treasury employees engaged under an employment services agreement. This bill facilitates the permanent transfer of these staff to the company from 1 July 2009 and gives them a 12 month period in which they may elect to 'revert' back to public sector employment. The bill contains provisions to protect the existing benefits, entitlements and remuneration for the employees concerned, who will then be employed directly by the company under an enterprise bargaining agreement. I commend the bill to the House.~~

~~Debate, on motion of Mr Nicholls, adjourned.~~

## INDUSTRIAL RELATIONS AMENDMENT BILL

### First Reading

**Hon. CR DICK** (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (11.51 am): I present a bill for an act to amend the Industrial Relations Act 1999, for particular purposes. I present the explanatory notes, and I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

*Tabled paper:* Industrial Relations Amendment Bill.

*Tabled paper:* Industrial Relations Amendment Bill, explanatory notes.

### Second Reading

**Hon. CR DICK** (Greenslopes—ALP) (Attorney-General and Minister for Industrial Relations) (11.51 am): I move—

That the bill be now read a second time.

Since the election of the Rudd government, there have been ongoing discussions between the federal government and the states about a national industrial relations system to replace Work Choices. The Commonwealth's Fair Work Act 2009 codifies the current situation in which the President of the Australian Industrial Relations Commission—to be renamed Fair Work Australia—and the heads of the state tribunals together discuss matters of interjurisdictional cooperation and enter into written arrangements regarding administrative support. Through the Workplace Relations Ministers Council, the states have made it clear that, if they are to join a national uniform system, there should be a place for state institutions in the delivery of that system, including state tribunals.

We are arguing that Queensland Industrial Relations Commission members could be utilised in the new Fair Work Australia industrial relations system. This could be done by making greater use of the current system whereby commissioners hold dual appointments to both the state and federal commissions. While the federal government has given no commitments about the final outcome it proposes, it has promised to discuss the utilisation of state institutions with the various states over the coming months. I seek leave to have the remainder of my speech incorporated in *Hansard*.

Leave granted.

The majority of the provisions in the Commonwealth's *Fair Work Act 2009* are to commence on 1 July 2009. As I mentioned earlier, that legislation highlights the role of the president of Fair Work Australia and the president's working relationship with the heads of the state industrial relations commissions. This raises some difficulties in Queensland with regard to dealing with the

Australian Industrial Relations Commission or Fair Work Australia, because in this state it is the vice-president, rather than the president, who is responsible for most of the administrative functions of the commission.

The Industrial Relations Amendment Bill 2009 before us remedies this situation. The bill transfers the necessary powers from the vice-president to the president of the Queensland Industrial Relations Commission. The bill places the Queensland Industrial Relations Commission in the best possible position to take advantage of any national industrial relations system that may emerge.

The amendments before us will clarify the roles of the vice-president and president within the Queensland Industrial Relations Commission without interfering in its independence, changing the nature of its powers or fettering their use. The amendments will also strengthen the administration of the Queensland Industrial Relations Commission by removing any confusion associated with the president and vice-president having various administrative responsibilities and will ensure that the status and seniority of the president's position is appropriately acknowledged. The amendments will align the Queensland Industrial Relations Commission with the administrative structure of industrial tribunals in most other jurisdictions.

Debate, on motion of Mr Springborg, adjourned.

## ~~CORONERS AND OTHER ACTS AMENDMENT BILL~~

### ~~First Reading~~

~~Hon. CR DICK (Greenslopes ALP) (Attorney General and Minister for Industrial Relations) (11.53 am): I present a bill for an act to amend the Coroners Act 2003, the Births, Deaths and Marriages Registration Act 2003 and the Cremations Act 2003 for particular purposes. I present the explanatory notes, and I move—~~

~~That the bill be now read a first time.~~

~~Question put—That the bill be now read a first time.~~

~~Motion agreed to.~~

~~Bill read a first time.~~

~~Tabled paper: Coroners and Other Acts Amendment Bill.~~

~~Tabled paper: Coroners and Other Acts Amendment Bill, explanatory notes.~~

### ~~Second Reading~~

~~Hon. CR DICK (Greenslopes ALP) (Attorney General and Minister for Industrial Relations) (11.53 am): I move—~~

~~That the bill be now read a second time.~~

~~It is now more than five years since the Coroners Act 2003 came into force. The 2003 act ushered in a new era for the state's coronial system. It repealed the 1958 Coroners Act, established an Office of the State Coroner and modernised and centralised the Queensland coronial regime. It focused the coronial regime on finding the truth of what happened in order to prevent deaths from similar causes happening in the future. This was a significant change from the old coronial system with its undue emphasis on criminality.~~

~~This bill is the result of an operational review of the act conducted by the Department of Justice and Attorney General to identify any necessary changes to enhance its effectiveness. The bill does not change the fundamental philosophy or the policies underpinning the act. The amendments are aimed at clarifying the scope or operation of particular provisions and improving and refining procedures in the system. In particular, there are amendments to the definitions of various categories of reportable deaths. I seek leave to have the remainder of my speech incorporated in Hansard.~~

~~Leave granted.~~

~~The definition of "death in care" in relation to children in care is extended to ensure it captures all "out-of-home" placements.~~

~~While these deaths are within the intent of the current definition, because of the way the definition is framed, a range of "in care" situations would not be covered by the definition.~~

~~The new definition of "death in custody" will capture deaths in detention under all state and commonwealth laws (subject to specified exceptions).~~

~~At present, the definition is limited to detention by police, or under the *Corrective Services Act 2006* or *Juvenile Justice Act 1992*.~~

~~There will also be a new, specific category for deaths which happened in the course of, or as a result of, police operations, other than deaths in custody which will continue to be classified as deaths in custody for the purposes of the act.~~

~~For example, the death of a third party bystander or a police officer in the course of an attempt by police to detain a suspect would not be a death in custody, but would be a death in the course of a police operation.~~

~~In general, these changes are not expected to significantly extend the jurisdiction of the coroner.~~

~~The majority of deaths caught by the new definitions would currently be reportable under some existing category—for example, a violent or otherwise unnatural death.~~

~~The purpose of these changes is to ensure that deaths that are properly within the policy intent of these categories are classified and treated as such—that is, they will be subject to the specific investigation, or inquest, requirements that apply to these deaths.~~

~~The bill also replaces the current requirement to report a death that "was not reasonably expected to be the outcome of a health procedure" with a new category of "health care related deaths".~~