

~~circumstance ruling that would immediately release funding for the Brisbane City Council to rebuild these vital CityCat terminals?~~

Ms BLIGH: I thank the honourable member for the question. I answered a very similar question yesterday, and I am sorry that he was not listening. I have not sent documents. What I have done is met personally with the Prime Minister and, as a result of that meeting, established a working party between federal Treasury officials and state Treasury officials, and done so for a very good reason. There is no precedent for these sorts of facilities to be included in natural disaster relief arrangements, so we have to work through what sorts of facilities would be included in any definition of a change, what the implications of that would be, what the costs would be et cetera.

~~Those discussions have been entered into by the Commonwealth with a great deal of goodwill and we are systematically working our way through them. I, however, do share the shadow minister's concern about the CityCat terminals. They are a very important part of the public transport network of our capital city and, like him, I want to see them up and running as soon as possible. To that end, this is a good example—and I think we have waived the anticipation rule so I can talk about this—of how the Queensland Reconstruction Authority could actually help make that happen faster. Without the Reconstruction Authority and the powers available to it—and I think there are some seven CityCat terminals that are inoperable—the city council would have to submit to the department of environment, to the department of resource management and to the department of transport seven separate applications for seven separate approvals in seven separate environments.~~

~~Under this legislation they could present a plan, we could declare each of those as reconstruction areas and require decisions to be made within a dedicated time frame for each of them. This is an opportunity, I accept, for the city council. Each of these CityCat terminals has been developed over a number of years. This is a unique opportunity for them to look at everything that they have learned about what makes a good CityCat terminal over the past 15 years and rebuild to a higher and better standard that is more uniform and that will add something to the aesthetics of the cityscape.~~

~~I certainly want to see the CityCats back and operational. I understand just how important they are not only to the city council but to everyone who lives in the city and to everyone who visits it, because without them it puts more pressure on our bus and other public transport systems, including rail. I can reassure the House that the work that is being done is serious work. As I said, it is work that is being done in a spirit of goodwill and cooperation and I think a little patience would not hurt.~~

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~~Mr SPEAKER:~~ The time for question time is over.

~~ORDER OF BUSINESS~~

~~Hon. JC SPENCE (Sunnybank—ALP) (Leader of the House) (11.30 am): I advise honourable members that the House can continue to meet past 6.30 pm this day. The House can break for dinner at 6.30 pm and resume its sitting at 7.30 pm. The order of business shall then be government business, followed by a 30 minute adjournment debate.~~

FAIR TRADING INSPECTORS BILL

First Reading

 **Hon. PJ LAWLOR** (Southport—ALP) (Minister for Tourism and Fair Trading) (11.31 am): I present a bill for an act to provide for the powers of inspectors under legislation about fair trading, and to make consequential amendments, and other amendments for particular purposes, of the Funeral Benefit Business Act 1982, Introduction Agents Act 2001, Land Sales Act 1984, Manufactured Homes (Residential Parks) Act 2003, Residential Services (Accreditation) Act 2002, Retirement Villages Act 1999, Second-hand Dealers and Pawnbrokers Act 2003, Security Providers Act 1993, Tourism Services Act 2003 and Travel Agents Act 1988. 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: Fair Trading Inspectors Bill 2011.

Tabled paper: Fair Trading Inspectors Bill 2011, explanatory notes.

Second Reading

 **Hon. PJ LAWLOR** (Southport—ALP) (Minister for Tourism and Fair Trading) (11.31 am): I move—

That the bill be now read a second time.

The Fair Trading Inspectors Bill 2011 represents the Bligh government's ongoing commitment to a fairer and safer Queensland by protecting consumers and promoting a competitive, fair and informed marketplace. The bill does this by providing a stand-alone act which provides harmonised and consolidated inspectorate provisions for investigating, monitoring, and enforcing compliance with fair trading legislation. These inspectorate provisions deal with the appointment, powers and responsibilities of Office of Fair Trading inspectors, as well as offences relating to their exercise of power.

Effectively, the bill establishes that there is a spectrum of enforcement powers available to the Office of Fair Trading, ranging from least to most intrusive, relative to the seriousness of the potential breach. It is not intended, for example, that search and entry provisions be used to settle a dispute over a refund between a trader and a consumer. On the other hand, where there are serious and systemic breaches afoot, the bill provides for immediate and substantial powers that can protect consumers from suffering substantial losses.

The bill implements recommendations made by two separate reviews, the first being a 2002 internal review of the Fair Trading Act 1989, with the second being a 2007 review of the then Department of Tourism, Fair Trading and Wine Industry Development by the former Service Delivery and Performance Commission. Both reviews identified that there were inconsistencies in the inspectorate provisions contained in fair trading legislation, and that there was no substantive reason for the inconsistencies. Additionally, the bill is consistent with moves at the state and federal level to harmonise legislative provisions, creating an environment in which inspectors and traders alike are left in no doubt as to what enforcement actions are possible and appropriate.

The bill provides common inspectorate provisions for the following acts, which are referred to in the bill as 'primary acts': Funeral Benefit Business Act 1982, Introduction Agents Act 2001, Land Sales Act 1984, Manufactured Homes (Residential Parks) Act 2003, Residential Services (Accreditation) Act 2002, Retirement Villages Act 1999, Second-hand Dealers and Pawnbrokers Act 2003, Security Providers Act 1993, Tourism Services Act 2003, Travel Agents Act 1988.

The bill will also apply to the proposed new acts which repeal and split the Property Agents and Motor Dealers Act 2000 into industry-specific acts. As members would recall, on 24 November last year I introduced the Agents Financial Administration Bill, the Commercial Agents Bill, the Motor Dealers and Chattel Auctioneers Bill and the Property Agents Bill.

The bill represents a harmonisation and consolidation of the inspectorate provisions contained in fair trading legislation and has been drafted using the most recent precedent provisions developed by the Office of the Queensland Parliamentary Counsel. These precedent provisions have been developed to have sufficient regard to fundamental legislative principles. This is an acknowledgement of how critical it is to ensure that inspectorate provisions are exercised appropriately and with sufficient regard to the severity of the situation.

Members should note that the Office of Fair Trading does not merely investigate and prosecute breaches of legislation. It also proactively monitors and ensures compliance with the legislation, for instance, by conducting spot checks and requesting information and documents from traders. In fact, in 2009-10 the Office of Fair Trading monitored over 11,870 entities for compliance.

The bill therefore contains powers to enter and search places, obtain documents and information, obtain offence related and monitoring warrants, and seize and forfeit evidence. These powers essentially continue those currently available to Office of Fair Trading inspectors across fair trading legislation. The bill also introduces a new power for inspectors to stop vehicles, which is naturally required if inspectors are to be able to search vehicles. The power to stop and search vehicles is necessary as vehicles are just as likely to contain evidence as places, particularly for itinerant traders.

In order to strike an appropriate balance between generic enforcement provisions and specialisation, a schedule to the bill contains provisions which modify the common provisions in the body of the bill for certain primary acts. Finally, the bill repeals the inspectorate provisions in the primary acts and makes the necessary consequential amendments.

By addressing inconsistencies and providing a stand-alone act dealing with the appointment and powers of inspectors, the bill should improve the enforcement and compliance activities of the Office of Fair Trading. The Fair Trading Inspectors Bill 2011 represents the Bligh government's ongoing commitment to protecting consumers and promoting a competitive, fair and informed marketplace. I commend the bill to the House.

Debate, on motion of Mrs Stuckey, adjourned.