

**Legal Affairs, Police,
Corrective Services and
Emergency Services Committee**

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Your Ref:

Our Ref: 11.1.1c

4 July 2011

Mr Anthony Quintner
President
Property Sales Association of Queensland
PO Box 863
Springwood Qld 4127

Dear Mr Quintner

Inquiry into bills - call for submissions

The Legal Affairs, Police, Corrective Services and Emergency Services Committee was established by the Legislative Assembly on 16 June 2011. It has responsibilities in the portfolio areas of Attorney-General and Justice (excluding Industrial Relations), Fair Trading, Police and Community Safety. Part of the committee's role is to consider Bills introduced into the Parliament and referred to the committee.

On 17 June 2011, the Legislative Assembly referred four bills to the committee for consideration. Those Bills are the

- Property Agents Bill
- Motor Dealers and Chattel Auctioneers Bill
- Commercial Agents Bill
- Agents Financial Administration Bill.

The four Bills were introduced on 24 November 2010. In summary, they divide the provisions currently contained in the *Property Agents and Motor Dealers Act 2000* (PAMDA) into four separate Acts. The Bills would implement reforms which follow a 2008 review of PAMDA by the former Service Delivery and Performance Commission. More details regarding the Bills are provided in the enclosed information sheet.

The committee is seeking submissions from the public and stakeholders and invites you to make a submission.

The enclosed information sheet also incorporates guidelines on making a submission.

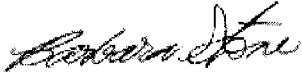
We would also appreciate your passing our call for submissions on to anyone you believe might be interested in this issue.

Please note that submissions close on Wednesday 20 July 2011.

As part of its inquiry, the committee will hold public hearings at Parliament House, Brisbane, on Wednesday 3 August 2011 from 9.30am and Wednesday, 24 August 2011 from 9.30am.

If you have any queries regarding this inquiry, please contact the committee secretariat on (07) 3406 7307. Further information about the committee and its work is available at www.parliament.qld.gov.au/lapcsesc.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Barbara Stone', written in a cursive style.

Ms Barbara Stone MP
Chair

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LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE

Inquiry into Bills

Background Information

July 2011

Introduction

The four Bills referred to the committee divide the provisions currently contained in the *Property Agents and Motor Dealers Act 2000* (PAMDA) into four separate pieces of legislation. PAMDA provides a system for the licensing and regulation of residential letting agents, real estate agents, pastoral houses, auctioneers, property developers, motor dealers and commercial agents.¹ This includes the licensing and registration of businesses and employees.²

Review of PAMDA

In 2008, the former Service Delivery and Performance Commission (SDPC) conducted a review of PAMDA and of the regulation and six codes of conduct under the Act. A key objective of the review was to reduce the regulatory burden on businesses that are regulated under PAMDA, while maintaining consumer protection.³ The SDPC review made many recommendations to achieve this objective, including a new legislative structure that would repeal PAMDA and replace it with industry-specific bills.⁴ This recommendation was supported by the Government. You are invited to comment on the resulting bills.

Four new bills

The legislative reform includes three industry-specific bills to separately regulate industries that are currently regulated under PAMDA. The industry-specific bills are the *Property Agents Bill 2010*, *Motor Dealers and Chattel Auctioneers Bill 2010* and the *Commercial Agents Bill 2010*. The reform also includes the *Agents Financial Administration Bill 2010* to address trust account and claim fund provisions across licence categories under the industry-specific bills.⁵

When the bills were introduced to the Legislative Assembly, the former Minister for Tourism and Fair Trading explained that "The bills maintain the substance and legislative intent of the current regulatory regime. However, now they also provide each of the regulated industries with a regulatory focus targeted to the specific activities of each industry."⁶

¹ *Property Agents and Motor Dealers Act 2000* (Qld) s 10

² Service Delivery and Performance Commission, *Review of Regulatory Reform (Phase 2) – Property Agents and Motor Dealers Act 2000*, March 2008, p13

³ Service Delivery and Performance Commission, *Review of Regulatory Reform (Phase 2) – Property Agents and Motor Dealers Act 2000*, March 2008, p13

⁴ Queensland, Legislative Assembly (Hansard), 24 November 2010, Hon. PJ Lawlor, Minister for Tourism and Fair Trading, p426

⁵ *Agents Financial Administration Bill 2010* (Qld), Explanatory Notes, p1

⁶ Queensland, Legislative Assembly (Hansard), 24 November 2010, Hon. PJ Lawlor, Minister for Tourism and Fair Trading, p426