1. As part of the Queensland Government’s 100 day action plan, the Government committed to ‘*commence drafting legislative amendments to install the Independent Public Advocate as a statutory authority’*, within the first 30 days.
2. The Public Advocate is established under the *Guardianship and Administration Act 2000* as an integral part of Queensland’s guardianship system, which protects and promotes the rights of adults with impaired decision-making capacity.
3. The Public Advocate performs the function of systems advocacy for adults with impaired decision-making capacity. Systems advocacy involves exploring patterns of problems, gaps and needs in systems (such as legislation, policy or programs); and suggesting workable solutions for Government.
4. The Government reviewed the role, functions and powers of the Public Advocate and decided to give additional powers to the Public Advocate to strengthen its systems advocacy role and independence.
5. The Guardianship and Administration and Other Legislation Amendment Bill 2012 delivers on this pre-election commitment and amends the *Guardianship and Administration Act 2000* to provide the Public Advocate with a right to access information and to prepare a report to the Minister, which is to be tabled concerning important systemic issues.
6. The Bill also amends:
* the *Electoral Act 1992* to remove administrative funding for political parties and independent members;
* the *Electrical Safety Act 2002* to remove the statutory ‘Commissioner for Electrical Safety’ position and replace this with a ‘chairperson’ role, and to remove the standing committee status of the Electrical Safety Education Committee and the Electrical Equipment Committee from being nominated statutory committees, with a consequential amendment to the *Work Health and Safety Act 2011*;
* the *Penalties and Sentences Act 1992* toexclude the offence under section 33 of the *Bail Act 1980* from the imposition of the offender levy;
* the *Queensland Civil and Administrative Tribunal Act 2009* to: remove some restrictions on the exercise of stated tribunal’s powers; and to enable former judges who are senior or ordinary members to sit as judicial members on a broader range of matters, with consequential amendments to the *Legal Profession Act 2007* and the *Motor Accident Insurance Act 1994*; and
* the *Trustee Companies Act 1968* to facilitate: voluntary transfers of trustee company business; and compulsory transfers of trustee company business to the Public Trustee of Queensland (with consent) where the licence of the trustee company has been cancelled.
1. Cabinet approved the introduction of the Guardianship and Administration and Other Legislation Amendment Bill 2012 into the Legislative Assembly.
2. *Attachments*
* [Guardianship and Administration and Other Legislation Amendment Bill 2012](Attachments/Guardianship%20Bill.PDF)
* [Explanatory Notes](Attachments/Guardianship%20ExNotes.PDF)