



Hon Paul Lucas MP
Attorney-General
GPO Box 15009
CITY EAST QLD 4002
By email: bunkbeds.consultation@justice.qld.gov.au

14 October 2011

Dear Attorney-General

The following is a submission from the Accommodation Association of Australia (the Accommodation Association) to be considered as part of the public consultation the State Government is conducting about bunk bed safety in short-term accommodation premises in Queensland. The Association acknowledges that you requested that comments from stakeholders be received by earlier this week, however it has taken the Association longer than expected to craft a response that is consistent with the views of member accommodation businesses. Therefore, we respectfully submit that you still take into account the perspectives of the Accommodation Association on what is an important issue.

By way of introduction, the Accommodation Association is the national industry body for the Australian accommodation industry. Members of the Accommodation Association include major hotels, resorts, motels, motor inns, serviced and holiday apartments, bed and breakfasts, guesthouses, backpackers and time-share establishments in metropolitan, regional and rural Australia across all states and territories. The Association's membership base includes almost 2000 properties and more than 110,000 guest rooms.

The safety of guests staying at tourism accommodation businesses (or short-term accommodation businesses) is of the utmost importance. In the simplest of terms, if a tourism accommodation business does not provide a safe environment for guests, then consumers will choose to stay elsewhere and the viability of the "unsafe business" will suffer. This is the consequence of the intense competition that exists between tourism accommodation businesses, competition that ultimately promotes very high levels safety through self-regulation within the industry.

To complement this, tourism accommodation businesses across Australia invest significant capital in conforming with mandated safety requirements including the Building Code of Australia, building fire safety requirements and various other local government regulations.

To provide you with a greater understanding of the proportion of our constituency for which safety of bunk beds is a major issue, the most effective way of reflecting this is to point out that the premium segment (hotels) of the Australian accommodation industry has little or no bunk beds in guest rooms. While there are more bunk beds in motels (and motor inns) than hotels, the overall proportion of bunk beds within the motel segment is still relatively low. However, bunk beds in apartments, guesthouses, backpackers, time-share establishments and selected resorts represent a significant percentage of overall bed spaces.

The Accommodation Association is aware of recent national publicity about the safety of bunk beds. This has served as another reminder to operators of tourism accommodation businesses about the need to provide a safe environment for guests at all times.



On the specifics of the draft Fair Trading (Safety Standards) Regulation which you have provided to assist stakeholders as part of this consultation, the Accommodation Association would like to emphasise the following key points:

- Given it almost nine years since the introduction of mandatory safety standards for the manufacture and supply of bunk beds (currently, these standards do not apply to existing bunk beds in tourism accommodation businesses) and that you are proposing to give businesses until October 2013 to meet the proposed new standard for all bunks, this is an acceptable time-frame for the majority of tourism accommodation businesses that are directly affected;
- There should be a provision within the proposed regulation that if a tourism accommodation business is able to adequately demonstrate that the new requirements would cause it significant hardship, then – upon approval of the Attorney-General – they should be granted an exemption from compliance for a specified period of up to a maximum of five years from when the regulation takes effect;
- Similarly, if a tourism accommodation business is able to adequately demonstrate that the requirements would cause it significant hardship, then – upon approval of the Attorney-General and/or other relevant Minister(s) – the business should receive financial relief to assist with complying with the changes. This could take the form of temporary payroll tax relief and/or the Queensland Government providing dollar-for-dollar matched funding for eligible tourism accommodation businesses; and
- The Queensland Government should work closely with the Federal Government, including the Federal Attorney-General, to promote harmonisation of this new regulatory framework across all states and territories through the Council of Australian Governments, Standing Committee on Attorneys General and/or the Tourism Ministers' Council.

The Accommodation Association is keen to provide you with further insights about this issue through a face-to-face meeting. Our office will be in touch with your office to discuss potential times for a meeting. Alternatively, your staff and/or the Department of Justice and Attorney-General can arrange a time by contacting the Accommodation Association's government relations advisor, Mr Hamish Arthur of Kreab Gavin Anderson (02 6295 3522 or harthur@kreabgavinanderson.com).

Thank you for the opportunity to provide input and we look to receiving further information from your office about other aspects of this issue.

Yours sincerely

RICHARD MUNRO
Chief Executive Officer