



The Hon Dr Anthony Lynham MP
Minister for Natural Resources, Mines and Energy

Your ref A420651
Our refs MO4116, CTS 30278/18

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Mr Neil Laurie
The Clerk of the Parliament
Parliament House
Cnr George and Alice Streets
BRISBANE QLD 4000

Dear Mr Laurie

Thank you for your letter of 27 February 2019, forwarding for response petition 2981-18 (the petition) as tabled in the Legislative Assembly on 26 February 2019.

In response to the petition I advise that the Valuers Registration Board of Queensland (the Board) was established under the *Valuers Registration Act 1965* and continues under section 5 of the *Valuers Registration Act 1992* (VR Act). The Board's main functions are to:

- o protect the public through the registration of valuers;
- o authorise the investigation of complaints about the conduct of registered valuers;
- o take disciplinary action and commence proceedings in a court;
- o refer matters to the Queensland Civil and Administrative Tribunal; and
- o maintain a register of valuers and register of specialist retail valuers.

The independent, statutory position of Valuer-General was reinstated in Queensland by the *Land Valuation Act 2010* (LV Act). Prior to the LV Act, the *Valuation of Land Act 1944* (VOL Act) was the relevant legislation and the position of Valuer-General existed in the VOL Act until it was removed in 1992. The functions of the Valuer-General under the LV Act and the role of the Board, including the chairperson, under the VR Act are distinct and do not conflict.

From 1966 (inception of the Board) until the end of the appointment period following the removal of the position of Valuer-General in 1992, Valuers-General served as chairpersons of the Board. This was a reflection of the independent status of the position of Valuer-General and its association with monitoring and upholding professional valuation standards in Queensland.

Mr Neil Bray was appointed as a member of the Valuer's Registration Board (the Board) under section 6(1)(a) of the VR Act and was appointed as chairperson by the Governor in Council under section 16(1) of the VR Act. He is a registered valuer, a Fellow of the Australian Property Institute (API) and a Fellow of the Royal Institution of Chartered Surveyors.

Prior to taking up his current appointment as Queensland Valuer-General, Mr Bray was the Valuer-General for South Australia for over 10 years. He has been awarded the Meritorious Service Award by the National President of the API in recognition of service on the National Professional Board and contributions in the area of government valuation. He is a past President and Vice President of the API's Queensland Divisional Council. He continues to be involved in monitoring professional standards, and ensuring that the API's code of professional

conduct remains relevant to the modern valuation professional. He represents Australasian Valuers-General on the Australian Valuation Standards Committee (AVSC).

The AVSC is responsible for the development and implementation of valuation technical and professional policy matters, on behalf of members of the API, on a national basis. The Board utilises the API's code of professional conduct - to retain registration, valuers must abide by the code. The AVSC is currently involved in a review of the code.

As Valuer-General, Mr Bray is an independent, statutory officer with no management involvement or financial interest in private sector valuation enterprises. Section 212 of the LV Act prescribes a restriction on the Valuer-General engaging in private sector employment without prior ministerial approval. The Valuer-General, as chairperson of the Board, negates any accusation of bias relating to the receipt of complaints and subsequent Board authorised investigations of private valuers.

There is a formal process for Board members to declare any potential conflicts of interest - members are provided with a draft agenda in the week before a meeting which enables the declaration of conflicts. Mr Bray, as Valuer-General, excuses himself from any proceedings that involve valuers employed by the State Valuation Service and has no influence on Board deliberations associated with those matters. This applies equally to other Board members who may have an association with a valuer subject to a complaint and would continue to apply if another Board member was chairperson. Conflicts of interest could occur, whether the Valuer-General or another member of the Board is chairperson, and the conflicted member would excuse themselves from that proceeding.

Mr Bray's API commitments, together with his ongoing provision of strategic and operational responses for current and emerging valuation issues, and his role as the Queensland Government's independent, expert authority on all land valuation matters, support his appointment as chairperson of the Board.

I provide you with this response for tabling pursuant to Standing Order 125(3). Any enquiries regarding this response can be referred to Mr Simon Zanatta, Chief of Staff, on telephone 3719 7360.

Yours sincerely



Dr Anthony Lynham MP
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