

~~These amendments give all employees the enjoyment of a break from work at a special time of the year, or an entitlement to penalty rates on each of the prescribed public holidays if they choose or are required to work on those days, as well as ensure hardworking Queenslanders get a well-deserved break later in the year. This bill will ensure Queensland has modern and effective holiday laws which meet the needs of Queensland workers, employers and the community.~~

~~The bill also includes a minor and straightforward amendment to the Land Sales Act 1984 that will recognise development permits issued by the Urban Land Development Authority involving land in urban development areas declared under the Urban Land Development Authority Act 2007; and the Urban Land Development Authority as a 'planning authority' similar to local governments under the Sustainable Planning Act 2009. Amendments to the act are required so that UDA development approvals are treated in the same manner as approvals issued under the Sustainable Planning Act. The amendments are technical and clarify the policy intent of the act.~~

~~The bill also amends the Liquor Act 1992 to reduce the regulatory burden on clubs. Currently, under the Liquor Act 1992, the club secretary is required to keep on the club premises a register of the name of each member of a reciprocal club visiting the premises and the name of the reciprocal club, if the club has a community club licence, community other licence or a restricted club licence. Generally, to comply with this legislative requirement, clubs request visitors, including members of reciprocal clubs, to sign in upon entry.~~


~~Recently, the RSL (Queensland Branch) has requested that members of the organisation be able to enter an RSL or services club without signing in, provided they are a member of the RSL and at least one RSL club or services club. In recognition of the service RSL members have done for this country, the bill bestows honorary membership on RSL members who are also members of an RSL or services club and removes the requirement for an RSL or services club to keep a register of RSL honorary members visiting the club. The bill also removes the requirement for RSL or services clubs to keep a register of Australian Defence Force visitors who produce a current service identity card. This means that when an RSL honorary member or an Australian Defence Force member goes to an RSL or services club for a drink or a meal they will not have to sign in.~~

~~In addition, the bill also reduces the regulatory burden on clubs generally by removing the legislative requirement for clubs to maintain a register for visitors from reciprocal clubs if they provide evidence they are a member of a reciprocal club on entry. The bill does not force clubs to remove their registration requirements for visitors who are members of reciprocal clubs. It will be up to the individual club to decide whether or not they would like to put this practice in place. If the club decides to keep the requirement for visiting members of reciprocal clubs to be placed on their register via signing in or an alternative form such as a swipe card this must be stated in the club's rules.~~

~~The bill also clarifies the term 'register,' clearly outlining that a register can be in a hard copy or electronic form. Electronic registers are the way of the future, allowing clubs to easily identify their members and members of a reciprocal club, as well as evaluate point of sale purchases and attendance at the club. It also allows members to use their card to receive player loyalty points and discounts on purchases at the club.~~

~~These amendments in the bill are a small but important step in reducing the regulatory burden on community clubs and club members more broadly, and will allow clubs to focus more on providing services to our local communities rather than complying with legislation. I commend the bill to the House.~~

### **First Reading**

~~ **Hon. CR DICK** (Greenslopes—ALP) (Minister for Education and Industrial Relations) (7:53 pm): 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.~~

~~**Mr DEPUTY SPEAKER** (Mr Wendt): In accordance with standing order 131, the bill is now referred to the Legal Affairs, Police, Corrective Services and Emergency Services Committee.~~

## **POLICE POWERS AND RESPONSIBILITIES (MOTOR VEHICLE IMPOUNDMENT) AMENDMENT BILL**

**Introduction and Referral to the Legal Affairs, Police, Corrective Services and**

## Emergency Services Committee

 **Hon. NS ROBERTS** (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (7.53 pm): I present a bill for an act to amend the Police Powers and Responsibilities Act 2000 for particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs, Police, Corrective Services and Emergency Services Committee to consider the bill.

*Tabled paper:* Police Powers and Responsibilities (Motor Vehicle Impoundment) Amendment Bill.

*Tabled paper:* Police Powers and Responsibilities (Motor Vehicle Impoundment) Amendment Bill, explanatory notes.

The type 1 vehicle impoundment scheme was introduced by the Labor government in November 2002 to target hoon drivers. The vehicle impoundment scheme was enhanced by Labor in July 2007 through the introduction of the type 2 vehicle impoundment scheme, which targets recidivist offenders who commit offences that present a further danger to themselves or other members of the community.

The Queensland Police Service conducted an evaluation of the type 2 vehicle impoundment scheme for the period between 1 July 2007 and 30 June 2009. As a result of the evaluation, a number of recommendations were developed and designed to improve the type 2 vehicle impoundment scheme. Where appropriate, the Bligh government has incorporated these recommendations into the bill. Further improvements to the vehicle impoundment scheme generally were also identified. These improvements include amending analogous provisions of the type 1 vehicle impoundment scheme to ensure the type 1 and 2 vehicle impoundment schemes are consistent. These changes to the vehicle impoundment schemes will make it more practical to operational police officers while addressing multiple high-risk driving behaviours.

Enhancing community safety in Queensland is one of the Bligh government's top priorities. This government will continue to implement and improve strategies which contribute to safer communities. Impounding the motor vehicles of hoons and those who repeatedly engage in offences that create a danger for themselves or other road users is one of those important strategies.

Additionally, the changes to the vehicle impoundment schemes outlined in this bill will achieve significant savings in police and court time and send a strong message of deterrence to those drivers who would contemplate committing a vehicle impoundment offence. The explanatory notes provide the necessary detail of the purpose of each proposed amendment. Some of the more significant amendments are as follows.

The bill increases the period of impoundment for the first type 1 vehicle related offence and the second type 2 vehicle related offence from 48 hours to seven days. This increase in the initial impoundment period signifies the Bligh government's commitment to eliminate this irresponsible and inappropriate driving on Queensland roads. However, if a driver continues to commit offences, this bill allows police to automatically impound a motor vehicle for 28 days for the second and later offences for the type 1 vehicle impoundment scheme and the third and later offences for the type 2 vehicle impoundment scheme. This amendment will create considerable savings for police through eliminating the paperwork required of police officers to complete court applications for an impounding order. Further savings will be achieved by police and courts through no longer requiring the courts to conduct a hearing of an application for an impounding order.

The introduction of the automatic impoundment period is balanced through the provision of a safeguard that allows for the return of a motor vehicle where: the impoundment would cause severe financial or physical hardship to an owner or usual driver; or the owner had no knowledge of, and did not consent to, the driving that caused the impoundment.

The bill gives police officers the flexibility to appropriately deal with hooning behaviour. For the first repeat offence and subsequent offences of a type 1 vehicle related offence, a police officer who believes it appropriate may make an application to a court for an impounding order for up to three months if the police officer does not consider the automatic impoundment period sufficiently deals with the offending behaviour. Similarly, for the second repeat offence and subsequent offences of a type 2 vehicle related offence, a police officer may make a court application for an impounding order for up to three months. In both instances, a court can properly determine if the seriousness of the matter warrants the subject vehicle being impounded for longer than the automatic impoundment period.

This government's commitment to road safety is reinforced through the introduction of high-end speeding as an additional type 2 vehicle related offence. High-end speeding occurs when a person drives more than 40 kilometres per hour above the speed limit. Speeding has been identified as a leading factor in road crashes both internationally and in Australia, despite current speed management strategies. This bill will incapacitate or deter these drivers from recommitting this type of offence through the loss of their vehicle for a period of time as well as the costs associated with the impoundment process.


Currently, a vehicle may only be impounded or forfeited under the type 2 impoundment scheme if the offender repeatedly commits a type 2 vehicle related offence of the 'same kind'. This bill removes this limitation so that an offender who repeatedly commits any of the offences within the suite of type 2 vehicle related offences may have their vehicle impounded. This amendment will have little effect on the

majority of offenders who do not continue to commit offences but will significantly empower the impoundment regime for those offenders who persistently commit type 2 vehicle related offences.

The bill streamlines and further improves the vehicle impoundment scheme by: allowing proceedings to commence by a ticket for the first type 2 vehicle related offence rather than by way of notice to appear or arrest; removing the requirement to notify registered security interest holders of the impoundment of a motor vehicle for the initial impoundment period; increasing the time for making an application to the court for a further sanction from 48 hours to seven days; and allowing enforcement action to be taken against repeat type 2 offenders who are non-owner-drivers where the owner may have a defence under section 107 of the Police Powers and Responsibilities Act.

The proposed amendments in this bill ensure that our laws remain modern and responsive. The Bligh government is serious about sending a strong message to hoons that their dangerous and antisocial behaviour on our roads is unacceptable.

### First Reading


 **Hon. NS ROBERTS** (Nudgee—ALP) (Minister for Police, Corrective Services and Emergency Services) (8.00 pm): 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.

 **Mr DEPUTY SPEAKER** (Mr Wendt): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs, Police, Corrective Services and Emergency Services Committee.


## ~~WEAPONS AMENDMENT BILL~~

~~Resumed from p. 3616.~~

### ~~Consideration in Detail~~

~~Clauses 1 to 4, as read, agreed to.~~

~~Clause 5—~~

 **Mr LANGBROEK** (8.01 pm): ~~This clause refers to the meaning of public monuments. I see that the explanatory notes mention that there was a gap in the previous act that meant that these public monuments had to be registered and that under this bill these deactivated war related weapons or imitations of weapons that were on public display will not have to be licensed and registered. My question is whether the minister can provide detail about how many public monuments there are or whether there are any public monuments around the state that will not be covered by this provision.~~

~~I also point out that earlier this year we had a scrutiny of legislation committee conference. I remember at that conference the honourable member for Murrumba took part in a debate about whether the explanatory notes should triumph the legislation should be considered instead of the legislation because of their definition. It is interesting to note that the minister was taking me to task before about some question that I had not asked the minister for education. I think I had asked about knives in schools, yet I had not pursued the relevant details with the other agencies. It is interesting to see at page 4 of the explanatory notes that we have a reference to clause 6 of the bill. It states—~~

~~Clause 6 of the Bill creates a provision applicable to permanently inoperable artillery items that are publicly displayed.~~

~~Unfortunately, when I turn to the bill itself, I see that clause 6 is headed 'Amendment of s 10A (Adequate knowledge of weapon)' and that clause 5 is the section of the bill that applies to the permanently inoperable artillery items. Thankfully, I think the honourable member for Murrumba was part of the winning side that decided that the legislation as written should always predominate over the explanatory notes. Is that correct, honourable member for Murrumba? I think it is. Thankfully, that will be the case, otherwise the explanatory notes from our pedantic minister would clearly not have been correct.~~

~~I come back to my question, which is about public monuments. Obviously, we have had this ruling that up until now public monuments have to be registered. Under this legislation, they are not going to have to be registered. But I seek some clarification from the minister as to whether there will be any public monuments not captured by this proposed change and what happens to those that fall outside the proposed change and, obviously, the licences that they have to seek.~~

~~**Mr ROBERTS:** My apologies, I missed the last comments that the member made. In answer to the issue about how many, I do not know how many precisely there would be in the community, but I think it would be fair to say that there would be hundreds, if not many hundreds. In every community you~~