

protecting them from being exposed to material that may harm them. It will also give adult gamers the right to make informed choices about what they want to see and hear in a computer game.

The bill creates a range of new offences that generally reflect the enforcement regime for films. The bill prohibits the public demonstration of an R18+ computer game in the presence of a minor; prohibits the private demonstration of an R18+ computer game in the presence of a minor unless the person demonstrating the game is a parent or guardian or has their consent; and prohibits the sale or delivery of an R18+ computer game to a minor. R18+ computer games cannot be demonstrated in a public place unless the games are clearly marked and the markings displayed before they are demonstrated.

On 26 September this year, the Commonwealth gazetted the new Guidelines for the Classification of Computer Games. These guidelines incorporate the new R18+ computer game rating, which is legally restricted to adults. R18+ content can contain high impact violence, but violence that is, in context, frequently gratuitous, exploitative and offensive to a reasonable adult will not be permitted. Actual sexual violence and implied sexual violence that is visually depicted, interactive, not justified by context is also not permitted nor are depictions of simulated sexual activity that are explicit and realistic. Material which exceeds the R18+ category will be refused classification and will not be able to be legally sold anywhere in Australia. In accordance with the Intergovernmental Agreement on Censorship, I now table these guidelines.

Tabled paper: Guidelines for the Classification of Computer Games.

In addition to establishing the new regime for R18+ plus computer games, the bill will also amend the Neighbourhood Disputes Resolution Act 2011 to add the additional words 'dividing fences and trees'. This will remove any ambiguity which currently exists about the act and will make it clear that the legislation only applies to fence and tree disputes and not general neighbourhood disputes.

The bill also amends the Recording of Evidence Act 1962 to enable implementation of the government's decision to outsource the recording and transcribing of legal proceedings in Queensland. Proceedings in the Supreme Court, the District Court, the Magistrates Court, the Queensland Civil and Administrative Tribunal, the Queensland Industrial Court, the Queensland Industrial Relations Commission, the Childrens Court, the Coroners Court, the Planning and Environment Court, the Land Court, the Land Appeal Court and the Mental Health Court will be able to be recorded and transcribed under the outsourced model. Preparations are already well underway in the Department of Justice and Attorney General to put the outsourced work to tender. The government is confident that outsourcing will result in a more timely service for judges, magistrates, tribunal members and parties to proceedings. Outsourcing is also anticipated to save the government up to \$6 million per annum. This move will bring Queensland into line with other states like New South Wales, Victoria and Western Australia, which already outsource some or all of their court recording and transcription. These amendments are about enhancing the delivery of justice in Queensland and simultaneously achieving savings and assisting in returning the state to a sound fiscal position. I commend the bill to the House.

First Reading



Hon. JP BLEIJIE (Kawana—LNP) (Attorney General and Minister for Justice) (7.36 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.

Referral to the Legal Affairs and Community Safety Committee

Mr DEPUTY SPEAKER (Mr Ruthenberg): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

SOUTH EAST QUEENSLAND WATER (RESTRUCTURING) AND OTHER LEGISLATION AMENDMENT BILL 2012

Message from Governor



Hon. MF McARDLE (Caloundra—LNP) (Minister for Energy and Water Supply) (7.37 pm): I present a message from Her Excellency the Governor.

The Deputy Speaker read the following message—

MESSAGE

SOUTH EAST QUEENSLAND WATER (RESTRUCTURING) AND OTHER LEGISLATION AMENDMENT BILL 2012

Constitution of Queensland 2001, section 68

I, PENELOPE ANNE WENSLEY AC, Governor, recommend to the Legislative Assembly a Bill intituled—

A Bill for an Act to amend the *South-East Queensland Water (Distribution and Retail Restructuring) Act 2009*, the *South East Queensland Water (Restructuring) Act 2007*, the *Water Act 2000*, the *Water Fluoridation Act 2008* and the *Water Supply (Safety and Reliability) Act 2008* to facilitate the restructuring of the South East Queensland bulk water industry and for other purposes, and to make minor or consequential amendments of Acts as stated in the schedule.

(sgd)

GOVERNOR

Date: 30 OCT 2012

Tabled paper: Message, dated 30 October 2012, from Her Excellency the Governor recommending the South East Queensland Water (Restructuring) and Other Legislation Amendment Bill 2012.

Introduction



Hon. MF McARDLE (Caloundra—LNP) (Minister for Energy and Water Supply) (7.37 pm): I present a bill for an act to amend the South-East Queensland Water (Distribution and Retail Restructuring) Act 2009, the South East Queensland Water (Restructuring) Act 2007, the Water Act 2000, the Water Fluoridation Act 2008 and the Water Supply (Safety and Reliability) Act 2008 to facilitate the restructuring of the South East Queensland bulk water industry and for other purposes, and to make minor or consequential amendments of acts as stated in the schedule. I table the bill and the explanatory notes. I nominate the State Development, Infrastructure and Industry Committee to consider the bill.

Tabled paper: South East Queensland Water (Restructuring) and Other Legislation Amendment Bill 2012.

Tabled paper: South East Queensland Water (Restructuring) and Other Legislation Amendment Bill 2012, Explanatory Notes.

The South East Queensland Water (Restructuring) and Other Legislation Amendment Bill 2012 delivers on the government's commitment to amalgamate the three South-East Queensland—SEQ—bulk water entities and establish a single integrated water authority responsible for delivering water to the region. This first step will deliver significant savings at the corporate level, with the abolition of three boards and executives.

029 The new entity and its board has one primary deliverable: a supply network that delivers high-quality water at the lowest cost possible. The decision to consolidate the businesses into a single supply authority simplifies the complex and costly industry structure put in place by the previous government. The bill will allow the businesses of LinkWater and the SEQ Water Grid Manager to be integrated into the Queensland Bulk Water Supply Authority, with the amalgamation expected to take effect by regulation from 1 January 2013.

The move from three bulk water businesses to one will deliver immediate benefits by cutting the bureaucracies put in place by the previous government, reducing the number of board members and senior executives across the industry and allowing the new business to progressively target duplication in administrative and corporate costs. Importantly, the appointment of the new board will very much be a trigger for a new and positive way to do business—that is, planning for the future to ensure a strong Queensland that supports industry investment and growth, engaging with stakeholders to ensure customers' needs are met and ensuring the optimal use of infrastructure to drive efficiencies and savings to ultimately reduce water bills.

The bill also provides for the abolition of the Queensland Water Commission. Unlike the bulk water businesses, the Queensland Water Commission has no operational role in the South East Queensland water market. It was established by the previous government at the height of severe drought conditions to develop and implement appropriate policies, actions and restrictions to manage the region's rapidly dwindling water supplies. The Queensland Water Commission has played an important role in developing long-term supply plans and demand management strategies for South East Queensland and, with the hearts and minds of the community, delivered water savings at the household and business level that were unheard of. The Queensland Water Commission also managed the legislative and contractual framework governing the South East Queensland water market, as well as providing independent advice on the impacts of petroleum tenure activities on underground water. South East Queensland has now nearly full water storages and a strongly embedded water efficient ethos within the community. The continuing need for a commission, a stand-alone, dedicated source of policy advice, has receded.

The aggregation of ownership and operational responsibility for all grid assets across the region will give the bulk water authority the capacity to fulfil its rightful role in planning for South East Queensland's supply needs. The bill marks a decisive break with the central planning approach favoured by the previous government, devolving decision-making to the entity that will ultimately be accountable to its bulk water customers. The bill provides for direct bulk water supply agreements between the merged business and its customers, including the two South East Queensland distributor-

retailers and the water businesses of Gold Coast, Redland and Logan City councils. The direct supply relationship will help reset accountabilities, ensuring customers properly identify their demand needs and the bulk water entity plans and times the construction and maintenance of infrastructure to meet that demand. The bill also allows for a regulation to set appropriate levels of service objectives for the region, ensuring a clear linkage with the South East Queensland Regional Plan and enabling service levels to reflect community expectations on water security and infrastructure investment required to meet growing or changing demand. The bulk water authority will need to demonstrate how it will achieve these objectives. The community will have the opportunity to make comment on the regulation, on their views on water demand and water security.

There has been some media comment about the potential removal of South East Queensland's water restrictions. Again I stress that the South East Queensland community continues to use water efficiently. The demise of the Queensland Water Commission does not mean that South East Queensland will forget the memories of the millennium drought. With the dissolution of the Queensland Water Commission, the specific powers and functions of service providers will be more closely aligned with arrangements outside South East Queensland. For instance, business customers will no longer be subject to direction from the Queensland Water Commission to prepare and comply with water efficiency management plans. This will be a matter for the service provider to decide. South East Queensland service providers will be empowered to apply restrictions where necessary and may be subject to a direction from the Water Supply Regulator. What we have now is time to consider the best way to manage and implement future restrictions and any necessary compliance programs. We are not losing or throwing anything away. Rather, the water businesses, the bulk and the council water businesses together, must keep the community engaged and informed on water security and water usage. A fair and equitable restriction regime will be developed and consulted on within the next 12 months. The current market rules, which prescribe detailed procedures, approvals and protocols governing the activities of South East Queensland bulk and council water businesses, will be replaced by a South East Queensland Bulk Water Supply Code focusing on key areas of interaction between the bulk entity and its customers. The overriding objective is to simplify the complex operating and regulatory environment while allowing government to maintain appropriate oversight and policy responsibility in key areas such as water pricing.

The Queensland Water Commission's functions as they relate to obtaining and analysing data about the impacts of underground water rights will be taken over by a new statutory office, the Office of Groundwater Impact Assessment. The functions of the office will be separated from those of the departmental chief executive under the Water Act 2000, ensuring a proper segregation of roles—that is, one agency will not be charged with the dual roles of preparing and approving underground water impact reports. The bill also removes a number of costly processes imposed on South East Queensland councils under the previous government's Fairer Water Prices for SEQ Amendment Act 2011, including the preparation of a five-year price path commencing 1 July 2013. South East Queensland councils have strongly argued that such mandated token processes fail to recognise their responsibility and accountability to residents. The one-off publication of a five-year price path by councils does nothing to reduce prices or improve their accountability to residents. The South East Queensland councils and the government both have a job to do to keep water prices as low as possible.

The bill also amends the Water Fluoridation Act 2008, which imposes a mandatory obligation on a public potable water supplier to fluoridate a relevant public potable water supply for which they are responsible if the supply services at least 1,000 members of the public. Since April 2012, a number of water suppliers have requested deferral or exemption from the requirement to fluoridate due to the upfront and ongoing cost of fluoridation, the lack of appropriately trained staff to operate the fluoridation infrastructure and the need to rectify ongoing water quality problems as a matter of priority. While the act enables a water supplier to apply for an exemption from the requirement that they must fluoridate, the current criteria do not adequately recognise some of the challenges being faced by water suppliers. In response to this situation, it is proposed that the act be amended to expand the criteria under which a water supplier may apply for an exemption. The new grounds for exemption have been developed having regard to the challenges facing water suppliers as well as the object of the act, which is to promote good oral health by the safe fluoridation of drinking water. The underlying object of the act is to provide the greatest number of Queenslanders access to fluoridated water. The proposed exemptions will not detract from this intention as it is intended, for example, that if a water supply provides drinking water to more than 10,000 people it will be fluoridated. I commend the bill to the House.

First Reading



Hon. MF McARDLE (Caloundra—LNP) (Minister for Energy and Water Supply) (7.47 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.

Referral to the State Development, Infrastructure and Industry Committee

Mr DEPUTY SPEAKER (Mr Ruthenberg): Order! In accordance with standing order 131, the bill is now referred to the State Development, Infrastructure and Industry Committee.

~~WEAPONS AND OTHER LEGISLATION AMENDMENT BILL~~

~~Introduction~~



Hon. JM DEMPSEY (Bundaberg LNP) (Minister for Police and Community Safety) (7.47 pm): I present a bill for an act to amend the Weapons Act 1990 for particular purposes and to make consequential amendments to the Corrective Services Act 2006 and the Penalties and Sentences Act 1992. I table the bill and the explanatory notes and I nominate the Legal Affairs and Community Safety Committee to consider the bill.

Tabled paper: Weapons and Other Legislation Amendment Bill 2012.

Tabled paper: Weapons and Other Legislation Amendment Bill 2012, Explanatory Notes.

I am pleased to introduce the Weapons and Other Legislation Amendment Bill 2012. The bill fulfils the government's commitment to crack down on the unlawful use of firearms by introducing mandatory minimum sentencing for serious firearm offences. The introduction of this new sentencing regime will give Queenslanders the toughest gun laws in Australia. The bill amends the Weapons Act to introduce mandatory minimum periods of imprisonment where a person unlawfully and without a reasonable excuse carries on the business of trafficking weapons where one of those weapons is a firearm; supplies firearms where one of those firearms is a short firearm; possesses a firearm that has been used in the commission of an indictable offence; possesses a firearm for the purpose of committing or facilitating an indictable offence; and possesses a short firearm in a public place including a vehicle.

The mandatory penalties dovetail into the existing tiered penalty regime. The new provisions are supported by amendments to the Corrective Services Act and the Penalties and Sentences Act to ensure that any date set for parole does not fall before the expiry of the mandatory minimum term of imprisonment. The mandatory minimum sentencing will not apply to any person under the age of 18 years. The new sentencing regime is not intended to capture licensed firearms owners who fail to renew their licence or find themselves unlicensed due to administrative processes beyond their control.

In this regard, the bill provides each person charged with an offence to which a mandatory minimum sentence applies with the opportunity to raise a reasonable excuse. While what constitutes a reasonable excuse for the purposes of the mandatory sentencing provisions will be objectively determined by the courts, the bill explicitly states that it will be a reasonable excuse to a charge under the new mandatory sentencing provisions for a person to show that in the 12 months preceding the commission of the offence the person possessed a valid and appropriate licence and that licence had not been surrendered, suspended or revoked under the act. This reasonable excuse does not abrogate a person's obligations under the Weapons Act and so where a person raises a reasonable defence the court will retain the capacity to impose a penalty from the existing sentencing provisions.

A firearms amnesty will coincide with the introduction of the new sentencing regime. The amnesty will comprise a voluntary hand back and registration scheme. Any member of the community who does not hold a firearms licence will be able to surrender their firearms during the amnesty period without penalty. Similarly, a person with an unregistered firearm will, during the amnesty period, have the opportunity to register that firearm without penalty. Previous firearms amnesties have proved successful in Queensland.

The government has identified a range of specific initiatives to reduce the red tape associated with weapons licensing in Queensland. In this regard, I would like to thank the Departments of National Parks, Recreation, Sport and Racing; Agriculture, Fisheries and Forestry; Health; and Natural Resources and Mines. I particularly thank Vaughan Johnson, Howard Hobbs and their staff for their valued contribution to identifying these initiatives. I also thank the Weapons Advisory Panel for the work it has undertaken examining these initiatives.

The initiatives will extend the term of a firearms licence for category A and B firearms from five years to up to 10 years; remove the obligation for an approved pistol club to provide an annual report under section 140 of the act; extend the reporting time for licensed dealers to provide an annual return under section 72 of the act; extend the reporting time for theatrical ordnance suppliers to provide an annual return under section 121 of the act; introduce a power of delegation under a new section 18D of the act to allow the representative of a shooting club to delegate functions to a member of the club's governing body or board; double the term of a permit to acquire from three months to six months; remove the obligation under section 24 for licensees to automatically deliver their firearms licence to the