

~~I table for the benefit of the House the draft strong and sustainable resource communities policy and the Coordinator-General's enhanced draft social impact assessment guideline that would become a statutory instrument. These documents have been revised following consultation. These documents further support the government's comprehensive and integrated approach to managing FIFO workforce arrangements.~~

~~Tabled paper: Document, undated, titled 'Strong and sustainable resource communities (SSRC) — Draft policy framework'.~~

~~Tabled paper: The Coordinator-General: Draft Social impact assessment guideline, October 2016.~~

~~The bill also amends the Mineral Resources Act 1989 to prohibit underground coal gasification, or UCG, and in situ oil shale gasification activities. In 2009, the Queensland government established a process for three companies to undertake limited UCG trials to establish the commercial and environmental viability of this potential industry. The government was always going to consider whether this technology was appropriate for Queensland after the completion of the trial process.~~

~~As a part of this process, an independent scientific panel produced a report on the UCG trial. While the panel remained open to the possibility that the UCG concept is feasible, it also found that sufficient scientific and technical information was not yet available to reach a final conclusion, particularly in relation to potential commercial scale UCG projects. This uncertainty, along with the issues associated with the trial projects to date, has led the government to the decision that the potential issues of allowing projects to grow to commercial scale are simply not acceptable.~~

~~On 18 April 2016, the Minister for Environment and Heritage Protection and Minister for National Parks and the Great Barrier Reef and I announced the government's decision to ban all UCG activity in Queensland. The prohibition of UCG activities also means that in situ oil shale gasification activities will be prohibited. Activities relating to environmental rehabilitation and the decommissioning and removal of plant and equipment will still need to be actively carried out where UCG activities have been conducted. The environmental rehabilitation will be monitored by the Department of Environment and Heritage Protection.~~

~~This bill delivers on the commitments made the government, commitments made in the best interests of our vital regional communities. The commitments are a demonstration of this government's will to deliver economic development opportunities in a way that is balanced against critical social and environmental considerations. I commend the bill to the House.~~

First Reading

~~Hon. AJ LYNHAM (Stafford—ALP) (Minister for State Development and Minister for Natural Resources and Mines) (12.42 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 Infrastructure, Planning and Natural Resources Committee

~~Madam DEPUTY SPEAKER (Ms Farmer): In accordance with standing order 131, the bill is now referred to the Infrastructure, Planning and Natural Resources Committee.~~

TRANSPORT OPERATIONS (ROAD USE MANAGEMENT) (OFFENSIVE ADVERTISING) AMENDMENT BILL

Introduction

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (12.42 pm): I present a bill for an act to amend the Transport Operations (Road Use Management) Act 1995 for particular purposes. I table the bill and the explanatory notes. I nominate the Transportation and Utilities Committee to consider the bill.

Tabled paper: Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016.

Tabled paper: Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016, explanatory notes.

I am pleased to introduce the Transport Operations (Road Use Management) (Offensive Advertising) Amendment Bill 2016 to the Queensland parliament. The aim of this bill is to ensure that

vehicles that are registered in Queensland are not driving around with sexist, obscene or otherwise offensive advertising displayed on them.

Advertising on the sides of vehicles is visible to all other road users. Unlike some other forms of advertising, you cannot simply switch it off or turn the page if you find it offensive or if you would rather your children were not exposed to it. If you are following a vehicle that has some offensive advertisement on it, it can be very difficult to avoid.

It is true, of course, that the overwhelming majority of advertising that appears on vehicles is perfectly acceptable and is a legitimate means to advertise a business. There has, however, been some long-standing community concern about the sexually explicit, misogynistic or otherwise offensive images and slogans that appear on some vehicles, particularly vans. That concern has been growing.

In response to that concern, in July this year, the Attorney-General and Minister for Justice and Minister for Training and Skills announced that the government would introduce legislation to regulate offensive advertising on vehicles. Complaints about offensive advertising are currently made to the Advertising Standards Bureau, or the ASB as it is known. The ASB applies a well-respected process, based on international best practice, for considering and resolving those complaints.

Three features of that process are notable. Firstly, the process is based around the Australian Association of National Advertisers' Code of Ethics, which seeks to ensure that advertisements are, amongst other things, decent and truthful. For example, the code requires that advertising does not depict material in a way that is discriminatory; that sexual appeal should not be employed in a way that is degrading to any individual or group; and that sex, sexuality and nudity should be treated with sensitivity relative to the audience.

Secondly, the assessment of complaints is handled by the Advertising Standards Board, which is made up of 20 people that represent the diversity of the Australian community. Members of the board are individually and collectively independent of the advertising industry. Thirdly, the ASB's process provides procedural fairness, as an advertiser is able to respond to any complaints made about their ad before the board makes a determination, and a review is available if the advertiser—or the complainant—does not agree with the board's determination.

In the vast majority of cases, where the ASB makes an adverse determination about a particular ad, the advertiser either withdraws the ad or modifies it to remove the offensive aspect. This self-regulation model works extremely well but it does rely on the cooperation and support of industry. If an advertiser chooses not to comply with an adverse determination then there is no power for the ASB to enforce it. The bill I am introducing allows further action to be taken where an advertiser ignores a determination made by the Advertising Standards Board.

Specifically, the bill provides that Queensland vehicle registration holders who fail to comply with an Advertising Standards Board determination will face the prospect of having the registration of the offending vehicle cancelled. These amendments have received widespread support in the media, including from the RACQ, the Advertising Standards Bureau and the peak advertising industry body, the Australian Association of National Advertisers.

The bill delivers on the government's commitment in a measured, fair and pragmatic way. The provisions are only activated once the ASB's process, including any review, has been completed and the ASB has notified the Department of Transport and Main Roads that an adverse determination has been made against a Queensland registered vehicle.

Even after the department is notified, however, the registration will not be automatically cancelled. The department will provide written notification to the registered operator of the vehicle that the registration may be cancelled on the date stated in the notice. That date will be at least 14 days from the date of the notice.

Importantly, the de-registration will not proceed, however, if the advertiser resolves the matter with the ASB by modifying or removing the advertisement. When that happens, the ASB will withdraw its notification to the department and the de-registration will not occur. The registered operator is given fair warning of the proposed de-registration and is given a further opportunity to remove the ad and keep operating the vehicle on the road.

I should state very clearly for the record that the objective of this bill is not the cancellation of vehicle registrations. What the bill is designed to achieve is the removal of offensive images and slogans from the sides of vehicles. However, ultimately, if the advertiser refuses to remove the advertisement, the registration will be cancelled. Once a registration is cancelled, the vehicle cannot be used on any Australian roads until it is re-registered. However, the bill adopts a fair and practical approach. If, for

example, the vehicle in question is a hire vehicle and it is out on hire, the chief executive of the department, or his or her delegate, will be able to delay cancellation for a reasonable period to avoid inconvenience to any customers.

To ensure these new provisions cannot be circumvented by registered operators, the bill also includes provisions to ensure that, after the department has issued a notice of proposed deregistration, the vehicle cannot be transferred to another registered operator. There will also be no refund of registration fees if the vehicle is ultimately deregistered, and the person will not be able to re-register the vehicle in Queensland unless they provide a statutory declaration that the offending advertisement has been removed.

Underpinning these amendments is the commercial imperative of all businesses to keep their vehicles on the road and to avoid adverse public comment from their customers. The ASB's process, together with the new process contained in this bill, ensures that there are multiple opportunities for advertisements to be removed from vehicles. The bill provides considerable motivation for offensive advertising to be removed voluntarily but also provides concrete follow-up action where an advertiser refuses to remove an ad. The legislation will not impact on the overwhelming majority of vehicle advertising but is targeted at only the worst examples that have no place whatsoever on our roads. I commend the bill to the House.

First Reading

Hon. MC BAILEY (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (12.50 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 Transport and Utilities Committee

Madam DEPUTY SPEAKER (Ms Farmer): Order! In accordance with standing order 131, the bill is now referred to the Transport and Utilities Committee.

~~LIMITATION OF ACTIONS (INSTITUTIONAL CHILD SEXUAL ABUSE) AND OTHER LEGISLATION AMENDMENT BILL~~

~~LIMITATION OF ACTIONS AND OTHER LEGISLATION (CHILD ABUSE CIVIL PROCEEDINGS) AMENDMENT BILL~~

~~Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill resumed from 16 August (see p. 2748) and Limitation of Actions and Other Legislation (Child Abuse Civil Proceedings) Amendment Bill resumed from 18 August (see p. 2986).~~

~~Second Reading (Cognate Debate)~~

 ~~**Hon. YM D'ATH** (Redcliffe—ALP) (Attorney General and Minister for Justice and Minister for Training and Skills) (12.51 pm) I move—~~

~~That the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill be now read a second time.~~

~~On 16 August 2016, the Premier and Minister for the Arts introduced the Limitation of Actions (Institutional Child Sexual Abuse) and Other Legislation Amendment Bill into this House. The bill was referred to the Legal Affairs and Community Safety Committee for consideration for report by 1 November 2016. The committee tabled its report on 1 November 2016 and recommended that the government bill be passed. I would like to thank the committee for its timely and detailed consideration of the bill. I would also like to thank those individuals and organisations who submitted to the committee and took the time to discuss what is a complex and sensitive issue.~~