1992–93

LEGISLATIVE ASSEMBLY OF QUEENSLAND

VOTES AND PROCEEDINGS

No. 35

FIRST SESSION OF THE FORTY–SEVENTH PARLIAMENT

FRIDAY, 16 JULY 1993

CONTENTS

Adjournment .......................................................... 481
Attendance ............................................................. 481
Distinguished Visitors ............................................... 477
Grain Industry (Restructuring) Amendment Bill ........... 478
Jurisdiction of Courts (Cross–vesting) Amendment Bill ...... 479
Magistrates Courts Jurisdiction Amendment Bill ........... 478
Meeting of Assembly ............................................... 476
Ministerial Statement—
  Overseas visit to Geneva and the United Kingdom ....... 477
Motion Without Notice – Leave to Move Not Granted ........ 477
Notices of Motion .................................................. 477
Papers ................................................................. 476
Penalties and Sentences Legislation Amendment Bill ..... 479
Petitions .............................................................. 476
Questions ............................................................ 478
Statutory Instruments ............................................... 476
Transport Legislation Amendment Bill (No. 2) ............ 478
Workers’ Compensation Amendment Bill .................. 479
Workers’ Compensation Amendment Regulation (No. 1) 1993 – Motion for Disallowance 479
1 MEETING OF ASSEMBLY
The Assembly met at 10am pursuant to adjournment. The Speaker (The Honourable J Fouras) read prayers.

2 PETITIONS
The following petitions, lodged with the Clerk by the Members indicated, were tabled—
Mr Casey and Ms Simpson, from 25 and 59 petitioners, respectively, praying that sufficient funds be provided in the 1993/94 Budget to enable State Education Department Subsidies (SEDS) to continue to provide adequate funding for Community Kindergartens and that extra funding be also provided for The Creche and Kindergarten Association.
Mr J Goss, from 17 petitioners, praying for the introduction of a mini bus feeder system to service Bald Hills residential areas connecting the railway station, schools and shopping centre.
Mr J Goss, from 33 petitioners, praying that the Parliament of Queensland will object to the proposed tax for the Ambulance Service.
Mr Davidson, from 776 petitioners, praying that a permit be granted to the Tewantin Bus Company to enable it to transport pensioner clients to and from their places of residence on specified days.

3 STATUTORY INSTRUMENTS
The following statutory instruments were tabled by the Clerk—
City of Brisbane Act—
City of Brisbane Regulation 1993, No. 258
Credit Act—
Credit Amendment Regulation (No. 2) 1993, No. 259
Dental Act—
Dental Amendment By-law (No. 1) 1993, No. 261
Government Owned Corporations Act—
Proclamation—remaining provisions of the Act not in force commence 19 July 1993, No. 256
Harbours Act—
Harbours (Gladstone Port Authority) Amendment By-law (No. 1) 1993, No. 257
Local Government Act—
Reference dated 8 July 1993 of a reviewable local government matter to the Local Government Commissioner. The reference relates to a proposal submitted by the City of Gold Coast
Withdrawal of a reference of a reviewable local government matter to the Local Government Commissioner by the Minister for Housing, Local Government and Planning in respect of a proposal submitted by the Gatton Shire Council. Reference withdrawn on 6 July 1993
Mineral Resources Act—
Mineral Resources Amendment Regulation (No. 8) 1993, No. 262
National Parks and Wildlife Act—
National Park 26 County of Tate (Extension) Order 1993, No. 263
Nursing Act—
Proclamation—provisions of the Act specified in the Schedule commence 19 July 1993, No. 260

4 PAPERS
The following papers were tabled—
(a) Deputy Premier, Minister for Administrative Services and Minister for Rural Communities (Mr Burns)—
(b) Minister for Housing, Local Government and Planning (Mr Mackenroth)—
Report on the complete redistribution of Electoral Wards for Brisbane
(c) Minister for Justice and Attorney-General and Minister for the Arts (Mr Wells)—
   (i) Response to Recommendations contained in the Parliamentary Committee of Public Works Report of an Inquiry into the Cairns Courthouse, Police Headquarters and Watchhouse Complex

(d) Minister for Family Services and Aboriginal and Islander Affairs (Ms Warner)—
   Island Industries Board – Report for year ended 31 January 1993

(e) Minister for Health (Mr Hayward)—
   Response to Recommendations contained in the Parliamentary Committee of Public Works Report of an Inquiry into the Kirwan Psychiatric Rehabilitation Centre

(f) Minister for Environment and Heritage (Ms Robson)—

5 Ministerial Statement

Minister for Employment, Training and Industrial Relations (Mr Foley), by leave, made a ministerial statement in relation to his visit to Geneva as a member of the Australian Delegation to the 80th Conference of the International Labour Organisation and to examine developments in industrial relations in the United Kingdom.

Papers: Mr Foley, during his statement, tabled the following papers—
   Detailed report on his visit to Geneva, together with a full itinerary of the trip

6 Motion Without Notice – Leave to Move Not Granted

Member for Gregory (Mr Johnson) asked leave to move a motion.

Question put — That leave be granted.

The House divided.

AYES 32,

Beanland
Borridge
Byrne
Connor
Cooper
Cooper
Davidson
Elliott
Fitzgerald
Gilmore
Gois J
Healy
Hobbs
Horan
Johnson
Laming*
Lester
Lingard
Littleproud
McCauley
Mitchell
Perrett
Stephan

Quinn
Rowell
Sheldon
Simpson
Slack
Springborg^

Stoneman
Veivers
Watson

NOES 53,

Ardill
Barton
Beattie
Bennett
Bird
Braddy
Bredhauer
Briskey
Budd
Bums
Campbell
Casey
Clark
Comben
D’Arcy
Davies
De Lacy
Dollin
Edmond
Elder
Fenlon
Foley
Gibbs
Goss W
Hamill
Hayward
Hollis
Livingstone*
McElligott
McGrady
Mackenroth
Milliner
Nunn

Nuttall
Palaszczuk
Pearce
Pitt*
Power
Purcell
Pyke
Roberson
Rose
Smith

Spence
Sullivan J
Sullivan T
Szczebank
Vaughan
Warner
Welford
Wels
Woodgate

* Tellers

Question resolved in the negative.

7 Distinguished Visitors

Mr Speaker informed the House of the presence in the gallery of 30 National Party members from interstate.

8 Notices of Motion
9 Questions

Questions were asked.

Papers:
The Treasurer (Mr De Lacy) tabled the following papers—
List of railway line closures under Nationals
List of railway stations closed under Nationals
List of schools closed 1957 to 1992

Paper:
Minister for Education (Mr Comben) tabled the following paper—
List of schools closed 1957 to 1992

Papers:
Leader of the Opposition (Mr Borbidge) tabled the following papers—
Letter from Minister for Transport and Minister Assisting the Premier on Economic and Trade Development (Mr Hamill) to the Member for Keppel (Mr Lester) concerning the Yeppoon branch railway line

Paper:
Deputy Leader of the Coalition (Mrs Sheldon) tabled the following paper—
Extract from Hansard containing a Ministerial Statement by the Minister for Education (Mr Comben)

Paper:
Member for Merrimac (Mr Quinn) tabled the following paper—
Review of Environmental Education Centres and Outdoor Education Centres

10 Transport Legislation Amendment Bill (No. 2)

Minister for Transport and Minister Assisting the Premier on Economic and Trade Development (Mr Hamill) moved – That leave be granted to bring in a Bill for an Act to amend certain Acts relating to transportation.

Question put and passed.

Bill and Explanatory Notes presented by Mr Hamill, Bill read a first time and ordered to be printed.

Mr Hamill moved – That the Bill be now read a second time.

Debate ensued.

Mr Johnson moved – That the debate be now adjourned.

Resumption of the debate ordered for tomorrow.

11 Grain Industry (Restructuring) Amendment Bill

Minister for Primary Industries (Mr Casey) moved – That leave be granted to bring in a Bill for an Act to amend the Grain Industry (Restructuring) Act 1991.

Question put and passed.

Bill and Explanatory Notes presented by Mr Casey, Bill read a first time and ordered to be printed.

Mr Casey moved – That the Bill be now read a second time.

Debate ensued.

Mr Perrett moved – That the debate be now adjourned.

Resumption of the debate ordered for tomorrow.

12 Magistrates Courts Jurisdiction Amendment Bill

Minister for Justice and Attorney–General and Minister for the Arts (Mr Wells) moved – That leave be granted to bring in a Bill for an Act relating to the jurisdiction of Magistrates Courts, and for other purposes.

Question put and passed.

Bill and Explanatory Notes presented by Mr Wells, Bill read a first time and ordered to be printed.

Mr Wells moved – That the Bill be now read a second time.

Debate ensued.

Mr Beanland moved – That the debate be now adjourned.

Resumption of the debate ordered for tomorrow.
13 **Jurisdiction of Courts (Cross-vesting) Amendment Bill**

Minister for Justice, Attorney-General and Minister for the Arts (Mr Wells) moved – That leave be granted to bring in a Bill for an Act to amend the *Jurisdiction of Courts (Cross-vesting) Act 1987*.

Question put and passed.

Bill and Explanatory Notes presented by Mr Wells, Bill read a first time and ordered to be printed.

Mr Wells moved – That the Bill be now read a second time.

Debate ensued.

Mr Beanland moved – That the debate be now adjourned.

Resumption of the debate ordered for tomorrow.

14 **Workers’ Compensation Amendment Bill**

Minister for Employment, Training and Industrial Relations (Mr Foley) moved – That leave be granted to bring in a Bill for an Act to amend the *Workers’ Compensation Act 1990*.

Question put and passed.

Bill and Explanatory Notes presented by Mr Foley, Bill read a first time and ordered to be printed.

Mr Foley moved – That the Bill be now read a second time.

Debate ensued.

Mr FitzGerald moved – That the debate be now adjourned.

Resumption of the debate ordered for tomorrow.

15 **Workers’ Compensation Amendment Regulation (No. 1) 1993 – Motion for Disallowance**

Deputy Leader of the Coalition (Mrs Sheldon), on behalf of Mr Santoro, pursuant to notice, moved – That the Workers’ Compensation Amendment Regulation (No. 1) 1993 tabled in Parliament on 14 July 1993 be disallowed.

Debate ensued.

*Paper:* Member for Mooloolah (Mr Laming), during his speech, tabled the following paper—

Audit of Wages Declaration

Debate continued.

Question put.

The House divided.

A YE S 2 9 ,

Beanland  
Borbidge  
Connor  
Davidson  
Elliott  
FitzGerald  
Johnstone  
Johnson  
Laming*  
Rowell  
Quinn  
Stephan

Gilmore  
Goss J  
Grice  
Healy  
Hobbs  
Horan  
Laming*  
Littleproud  
McCauley  
Mitchell  
Perrett  
Springborg*

Bennett  
Bird  
Bredder  
Brissie  
Budd  
Bums  
Campbell  
Clark  
D’Arcy  
De Lacy  
Edmond  
Elder  
Fenlon  
Foley  
Gibbs  
Hamill  
Hayward  
Hollis  
Livingstone*  
MacKenroth  
Milliner  
Nunn  
Nuttall  
Palaszczuk  
Palaszczuk  
Pearce  
Pitt  
Power  
Purcell  
Pyke  
Robson  
Rose  
Smith  
Spence  
Sullivan J

Barton  
Beattie  
Bennett  
Bird  
Bredder  
Brissie  
Budd  
Bums  
Campbell  
Clark  
D’Arcy  
De Lacy  
Edmond  
Elder  
Fenlon  
Foley  
Gibbs  
Hamill  
Hayward  
Hollis  
Livingstone*  
MacKenroth  
Milliner  
Nunn  
Nuttall  
Palaszczuk  
Palaszczuk  
Pearce  
Pitt  
Power  
Purcell  
Pyke  
Robson  
Rose  
Smith  
Spence  
Sullivan J

*Tellers

Question resolved in the negative.

16 **Penalties and Sentences Legislation Amendment Bill**

Order of the day read for the adjourned debate on the motion of the Minister for Justice and Attorney-General and Minister for the Arts (Mr Wells) – That the Bill be now read a second time.

Debate resumed.
Paper: The Member for Mooloolah (Mr Laming), during his speech, tabled the following paper—
Summary of signatures to petitions requesting heavier penalties for convicted child molestors Feb–May 1993

Question put and passed, and Bill read a second time.
Bill committed on the motion of Mr Wells.

In Committee

In the Chair: Temporary Chairman, Mr Bredhauer.
Clauses 1 to 8 agreed to.

Clause 9 (Replacement of s.15 (General Provisions))—
The following amendment proposed—
At page 9, line 2—
omit '147(1)(c)', insert '147(1)(b) or (c)'. (Mr Wells)

Amendments made.

Clause 9, as amended, agreed to.
Clauses 10 to 12 agreed to.

Clause 13 (Insertion of new ss.182A and 182B)—
The following amendment proposed—
At page 10, lines 26 to 27—
omit proposed subsection (3), insert—
'(3) This section has effect—
(a) subject to the Act under which the penalty is ordered to be paid; and
(b) despite section 152, whether or not a conviction is recorded.'. (Mr Wells)

Amendment made.

Clause 13, as amended, agreed to.
Clauses 14 and 15 agreed to.

Schedule 1—
The following amendments proposed—
At page 14, lines 15 to 19—
omit the proposed definition, insert—
"fine" includes the fee payable for lodging a complaint for an offence with a clerk of the court;'.
At page 15, line 4, after 'allow the'—
insert 'court or'.
At page 20, line 22—
omit 'made the original order', insert 'imposed the fine'.
At page 25, after line 11—
insert—
'76A. Section 132—
omit 'discharged', insert 'terminated'.'.

At page 25, after line 23—
insert—
'78A. Section 146(1)—
omit, insert—
'*146.(1) A court must proceed under this section if—
(a) the court—
  (i) convicts an offender of an offence for which imprisonment may be imposed; and
  (ii) is satisfied that the offence was committed during the operational period of an order made under section 144; or
(b) an offender is otherwise before the court and the court is satisfied that—
  (i) the offender was convicted, in or outside Queensland, of an offence for which imprisonment may be imposed; and
  (ii) the offence was committed during the operational period of an order made under section 144.'.'.

At page 26, lines 3 to 9—
omit proposed section 147(1), insert—
‘147.(1) A court mentioned in section 146(2), (4) or (6) that deals with the offender for the suspended imprisonment may—
(a) extend the operational period for not longer than 1 year from the making of the order under this subsection; or
(b) order the offender to serve the whole of the suspended imprisonment; or
(c) order the offender to serve the part of the suspended imprisonment that the court orders.’.

At page 27, after line 3—

insert—

‘85A. Section 157(3)(b)—
omit ‘made a recommendation of a non-parole period for the offender’,
insert ‘sentenced the offender to a term of imprisonment’. (Mr Wells)

Amendments made.
Schedule 1, as amended, agreed to.
Schedule 2 agreed to.
Bill to be reported with amendments.

Deputy Speaker Mr Briskey resumed the Chair.
Bill reported with amendments.
Bill, as amended, ordered to be taken into consideration.
Mr Wells, by leave, moved – That the Bill be now read a third time.
Question put and passed.
Bill read a third time and passed.
Title agreed to.

17 ADJOURNMENT

The Leader of the House (Mr Mackenroth) moved – That the House at its rising do adjourn to a date and at a time to be fixed by Mr Speaker in consultation with the Government of the State.
Question put and passed.
The House adjourned at 4.30pm.

18 ATTENDANCE

The following Honourable Members were present—

| Ardlill | Comben | Gilmore | Livingstone | Pyke | Sullivan T |
| Barton | Connor | Goss J | McCauley | Quinn | Szczerbanik |
| Beanland | Cooper | Goss W | McElligott | Robertson | Turner |
| Beattie | D’Arcy | Grice | McGrady | Robson | Vaughan |
| Bennett | Davidson | Hamill | MacKenroth | Rose | Veivers |
| Bird | Davies | Hayward | Milliner | Rowell | Warner |
| Borridge | De Lacy | Healy | Mitchell | Sheldon | Watson |
| Braddy | Dollin | Hobbs | Nunn | Simpson | Welford |
| Bredhauer | Edmond | Hollis | Nuttall | Slack | Wells |
| Briskey | Elder | Horan | Palaszczuk | Smith | Woodgate |
| Budd | Elliott | Johnson | Pearce | Spence | |
| Burns | Fenlon | Laming | Perrett | Springborg | |
| Campbell | FitzGerald | Lester | Pitt | Stephan | |
| Casey | Foley | Lingard | Power | Stoneman | |
| Clark | Gibbs | Littleproud | Purcell | Sullivan J | |

J FOURAS
Speaker

R D DOYLE
The Clerk of the Parliament