

1996–97

LEGISLATIVE ASSEMBLY OF QUEENSLAND

VOTES AND PROCEEDINGS

NO. 85

SECOND SESSION OF THE FORTY–EIGHTH PARLIAMENT

WEDNESDAY, 19 NOVEMBER 1997

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1 MEETING OF THE HOUSE

The House met at 9.30am pursuant to adjournment. The Speaker (Honourable N J Turner) read prayers.

2 PETITIONS

The following petitions, lodged with The Clerk by the Members indicated, were received—

Mr Beattie, from 13 petitioners, requesting the House to agree in principle to fund the inner city rail loop service connecting the central business district of the City to the Valley, Bowen Hills, RNA Showgrounds and RBH and on via Normanby Terrace to the CBD by the year 2000 and instruct Q Rail accordingly.

Mr Carroll, from 125 petitioners, requesting the House to enforce the existing law on abortion and to take suitable measures to stop the abuse of the law.

Mr Connor, from 189 petitioners, requesting the House to reopen the closed tracks in the Nerang State Forest and allow the immediate and future use of these tracks by cyclists, bush walkers and equestrians as was previously the case in the Nerang State Forest and if any further information is required on the subject that this information should be sourced through an ombudsman rather than sourced from parties who may be self serving.

Mr Horan, from 32 petitioners, requesting the House to ensure that the State and Federal Governments of Australia immediately send appropriately qualified people to Israel to look at the program to help heroin addicts, as recommended by Dr Andre Waismann, to evaluate and learn about the program and if it is as good as it seems, then to quickly set up trials in all States of Australia.

Mr Horan, from 28 petitioners, requesting the House to ensure that the Lady Ramsay Child Care Centre at Royal Women's Hospital (Brisbane), will continue as a public sector service when a new centre is built on campus and that this centre be used as a model for other hospital based child care centres built as part of Queensland Health's capital works agenda.

Mr Johnson, from 1,182 petitioners, requesting the House to (a) air-condition all Central Highland schools by 2000 and award retrospective funding to those schools air-conditioned during 1996 onwards, (b) fund, in the form of 50% of the total cost of air-conditioning the schools and, of the schools have not raised enough for their share, the Government provide a low interest loan or act as guarantor for a commercial loan and (c) sign an undertaking by all political parties to meet these requests.

Miss Simpson, from 350 petitioners, requesting the House to confer on the area of land known as Portion 877 in the Shire of Maroochy protected conservation status to preserve this unique flora and fauna habitat as a matter of urgency.

Miss Simpson, from 3,411 petitioners, requesting the House to review the sentencing act for juvenile offenders so that they may be named and receive the same sentences as that of adult offenders in relation to serious crimes and acts of violence against the person.

Mr J Sullivan, from 29 petitioners, requesting the House to ensure the "Bribie Island Connector Road" is not constructed over Caboolture Airfield, but is constructed along such a route and in such a manner so as (a) not to reduce the existing runway dimensions, (b) not infringe upon the take-off and approach paths to the existing runways, (c) not reduce the existing number of runways and (d) not obstruct vehicular access to the airfield, thereby guaranteeing the continued operation of warplanes and other aviation related activities and events upon the airfield.

Mr T Sullivan, from 73 petitioners, requesting the House to provide adequate facilities with recurrent funding and staffing which will service the needs of young people with learning difficulties.

3 MINISTERIAL STATEMENTS

(a) Deputy Premier, Treasurer and Minister for the Arts (Mrs Sheldon), by leave, made a ministerial statement relating to the BizArts program.

- (b) Minister for Health (Mr Horan), by leave, made a ministerial statement relating to the Surgery on Time program.
- (c) Minister for Economic Development and Trade and Minister Assisting the Premier (Mr Slack), by leave, made a ministerial statement relating to export award winners, Queensland Cotton.
- (d) Minister for Tourism, Small Business and Industry (Mr Davidson), by leave, made a ministerial statement relating to retail sales.
- (e) Minister for Environment (Mr Littleproud), by leave, made a ministerial statement relating to an article in *The Courier-Mail* of 15 November entitled "Smog covers clean air image" and the Air Quality Report.
- (f) Minister for Mines and Energy (Mr Gilmore), by leave, made a ministerial statement relating to accidental deaths by electrocution and the use of safety switches.
- (g) Minister for Natural Resources (Mr Hobbs), by leave, made a ministerial statement relating to recommendations of the Water Infrastructure Taskforce.
- (h) Minister for Transport and Main Roads (Mr Johnson), by leave, made a ministerial statement relating to a question without notice from Mr Beattie on 18 November concerning the Maritime Program Project Report.

4 ABSENCE OF PREMIER DURING QUESTION TIME

Leader of Government Business (Mr FitzGerald) informed the House of the absence of the Premier (Mr Borbidge) during Question Time today.

5 SUSPENSION OF STANDING AND SESSIONAL ORDERS – HOURS AND ORDER OF BUSINESS FOR THIS DAY'S SITTING

Leader of Government Business (Mr FitzGerald), by leave, moved – That notwithstanding anything contained in the Standing and Sessional Orders, for this day's sitting, the House will continue to meet past 7.30pm.

Private Members' motions will be debated between 6 and 7pm.

The House will then break for dinner and resume its sitting at 8.30pm.

Government Business will take precedence for the remainder of the day's sitting, except for a 30-minute adjournment debate.

Question put and agreed to.

6 CRIMINAL JUSTICE COMMISSION – PAPERS

Chairman of the Parliamentary Criminal Justice Committee (Mr Lester) tabled the following papers—

Criminal Justice Commission—

Submission in Response to the Crime Commission Bill 1997

Submission in Response to the Police Powers and Responsibilities Bill 1997

7 NOTICE OF MOTION

8 PRIVATE MEMBERS' STATEMENTS

Private Members' statements were made.

9 QUESTIONS WITHOUT NOTICE

Questions without notice were asked.

Paper: Mr Wells tabled the following paper—

Schedule of Executive Pay Scales at Queensland Ambulance Service

Questions continued.

Questions concluded.

10 POLICE POWERS AND RESPONSIBILITIES BILL

Order of the day read for the adjourned debate on the motion of the Minister for Police and Corrective Services and Minister for Racing (Mr Cooper) – That the Bill be now read a second time.

Debate resumed.

Question put and passed.

Bill read a second time.

Bill committed on the motion of Mr Cooper.

In Committee

In the Chair – The Chairman

Clauses 1 to 15 agreed to.

Clause 16 (*Gaining access to crime scenes*)—

The following amendment was proposed by Mrs Cunningham—

At page 16, lines 24 and 26, ‘may be’—

omit, insert—

‘the police officer reasonably suspects is’.

Debate ensued.

Question – That the words proposed to be omitted stand part of the Clause – put and negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 16, as amended, agreed to.

Clause 17 agreed to.

Clause 18 (*Crime scene warrant*)—

The following amendment was proposed by Mr Cooper—

At page 17, line 24, after ‘must’—

insert—

‘, if reasonably practicable,’.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 18, as amended, agreed to.

Clauses 19 to 26 agreed to.

Clause 27 (*Searching vehicles without warrant*)—

The following amendment was proposed by Mr Cooper—

At page 25, lines 3 and 4, ‘stop, and detain a vehicle, detain the’—

omit, insert—

‘stop a vehicle, detain a vehicle and any’.

Question – That the words proposed to be omitted stand part of the Clause – put and negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 27, as amended, agreed to.

Clause 28 agreed to.

Clause 29 (*Powers under search warrants*)—

The following amendment was proposed by Mr Cooper—

At page 29, lines 16 to 19—

omit, insert—

‘(m) if authorised under the warrant—power to do whichever of the following is authorised—

(i) to search anyone or anything in or on or about to board, or be put in or on, a transport vehicle;

(ii) to take a vehicle to, and search for evidence of the commission of an offence that may be concealed in a vehicle at, a place with appropriate facilities for searching the vehicle.’.

Question – That the words proposed to be omitted stand part of the Clause – put and negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 29, as amended, agreed to.

Clauses 30 to 32 agreed to.

Clause 33 (*Procedural requirements—notice to produce*)—

The following amendment was proposed by Mr Cooper—

At page 32, after line 26—

insert—

(7A) A document produced under this section is taken to have been seized under this Act.’

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 33, as amended, agreed to.

Clauses 34 to 51 agreed to.

Clause 52 (*Effect of unforeseen delays on detention*)—

The following amendment was proposed by Mr Barton—

At page 44, lines 7 to 12—

omit, insert—

‘Example of unforeseen time out—

A police car used to transport a suspect from Burketown to Mount Isa breaks down or can not get through because of impassable roads and the magistrate can not be contacted by phone or radio.’

Debate ensued.

Question – That the words proposed to be omitted stand part of the Clause – put and negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 52, as amended, agreed to.

Clauses 53 to 56 agreed to.

Clause 57—

The following amendment was proposed by Mr Cooper—

At page 47, line 26, **(1)(c)**—

omit, insert—

(1)(b)(ii)’.

Question – That the expressions proposed to be omitted stand part of the Clause – put and negated.

Question – That the expressions proposed to be inserted be so inserted – put and agreed to.

Clause 57, as amended, agreed to.

Clauses 58 to 61 agreed to.

Clause 62 (*Performing medical and dental procedures with consent*)—

The following amendment was proposed by Mr Cooper—

At page 51, line 30, **‘under subsection (2)’—**

omit, insert—

‘under subsection (3) with another person’s help’.

Question – That the words proposed to be omitted stand part of the Clause – put and negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 62, as amended, agreed to.

Clauses 63 to 67 agreed to.

Clause 68 (*Surveillance Warrants*)—

The following amendment was proposed by Mrs Cunningham—

At page 56, line 14, after **‘In particular’—**

insert—

‘, and being mindful of the highly intrusive nature of a surveillance warrant’.

Debate ensued.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

The following amendment was proposed by Mrs Cunningham—

At page 56, lines 16 and 17—

omit, insert—

‘(b) for a class A device—if the warrant is issued, the likely extent of interference with the privacy of—

(i) the suspect; or

(ii) any other occupant of the place;’.

Debate ensued.

Question – That the words proposed to be omitted stand part of the Clause – put and negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

The following amendments were proposed by Mr Cooper—

At page 56, line 31, after **‘to be at’—**

insert—

'a public place or'.

At page 57, line 1, 'warrant'—

omit, insert—

'application'.

Question – That the words proposed to be omitted stand part of the Clause – put and negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

The following amendment was proposed by Mrs Cunningham—

At page 57, lines 7 to 9—

omit, insert—

'(13) Also, the issuer must not issue a warrant for the use of—

(a) a class A device in the office of a practising lawyer unless the application for the warrant relates to the lawyer's involvement in a serious indictable offence; or

(b) a class A device that is a visual surveillance device if the issuer reasonably believes using the device will interfere with the privacy of an individual in a dwelling.

'(13A) If an application under subsection (13)(1)(b) is refused and the commissioner reasonably believes the person to whom the application relates is involved in organised crime, the commissioner may ask the Queensland Crime Commission Management Committee to refer the suspected organised crime to the crime commission for investigation.'.

Debate ensued.

Question – That the words proposed to be omitted stand part of the clause – put and agreed to.

Clause 68, as amended, agreed to.

Clause 69 (*Emergency use of surveillance devices*)—

The following amendment was proposed by Mrs Cunningham—

At page 58, line 24, '7'—

omit, insert—

'2 working'.

Debate ensued.

Question – That the expression proposed to be omitted stand part of the Clause – put and negated.

Question – That the expression and word proposed to be inserted be so inserted – put and agreed to.

Clause 69, as amended, agreed to.

Clause 70 agreed to.

Clause 71 (*Disclosure of information obtained using surveillance warrant*)—

The following amendment was proposed by Mr Cooper—

At page 60, lines 6 and 21, '70'—

omit, insert—

'69'.

Question – That the expression proposed to be omitted stand part of the Clause – put and negated.

Question – That the expression proposed to be inserted be so inserted – put and agreed to.

Clause 71, as amended, agreed to.

Clauses 72 and 73 agreed to.

Clause 74 (*Covert search warrants*)—

The following amendment was proposed by Mrs Cunningham—

At page 62, line 22, after 'warrant'—

insert—

', and being mindful of the highly intrusive nature of a covert search warrant'.

Debate ensued.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

The following amendment was proposed by Mrs Cunningham—

At page 64, line 8, after 'orders'—

insert—

'in the interests of justice'.

Debate ensued.

Question – That the words proposed to be inserted be so inserted – put and agreed to.
 Clause 74, as amended, agreed to.
 Clauses 75 to 86 agreed to.
 Clause 87—
 Debate ensued.

Distinguished Visitors: The Chairman drew the Committee's attention to the presence in the Speaker's Gallery of bus drivers, Mr Bob Hawkins and Mr Wayne Peters and their wives, Daphne and Joy.

Debate continued.
 Clause 87 agreed to.

Clause 88 (*Direction may be given to person*)—

The following amendment was proposed by Mr Barton—

At page 70, after line 3—

insert—

'(1A) However, a police officer must not give a direction under subsection (1) that interferes with a person's right of peaceful assembly unless it is reasonably necessary in the interests of—

(a) public safety; or

(b) public order; or

(c) the protection of the rights and freedoms of other persons.'

Debate ensued.

At 2.30pm: Temporary Chairman (Mr J Goss) took the Chair.

Debate continued.

Papers: Mr Cooper, during the debate, tabled the following papers—
 Extracts from the Criminal Code

Debate continued.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 88, as amended, agreed to.

Clauses 89 to 94 agreed to.

Clause 95 (*Right to communicate with friend, relative or lawyer*)—

The following amendment was proposed by Mr Cooper—

At page 73, lines 22 and 23—

omit, insert—

'(7) Subsections (4) to (6) do not apply to a person to whom section 96 or 97 applies.'

Question – That the words proposed to be omitted stand part of the Clause – put and negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 95, as amended, agreed to.

Clause 96 (*Questioning of Aboriginal people and Torres Strait Islanders*)—

The following amendment was proposed by Mr Cooper—

At page 73, line 28, after '95(1)'—

insert—

', (2) and (3)'.
 Question – That the word and expressions proposed to be inserted be so inserted – put

and agreed to.

Clause 96, as amended, agreed to.

Clause 97 (*Questioning of children*)—

The following amendment was proposed by Mr Cooper—

At page 74, line 25, after '95(1)'—

insert—

', (2) and (3)'.
 Question – That the word and expressions proposed to be inserted be so inserted – put

and agreed to.

Clause 97, as amended, agreed to.

Clauses 98 and 99 agreed to.

Clause 100 (*Provision of information relating to a person in custody*)—

The following amendment was proposed by Mr Cooper—

At page 76, line 4, from 'if', to line 7, 'the police officer'—

omit, insert—

'if—

(a) the person in custody refuses, in writing, to agree to giving the information; or

(b) the police officer'.

Question – That the words proposed to be omitted stand part of the Clause – put and negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 100, as amended, agreed to.

Clauses 101 and 102 agreed to.

Clause 103 (*Rights of a person in custody to be electronically recorded*)—

The following amendment was proposed by Mr Cooper—

At page 77, line 7, 'part'—

omit, insert—

'division'.

Question – That the word proposed to be omitted stand part of the Clause – put and negated.

Question – That the word proposed to be inserted be so inserted – put and agreed to.

The following amendment was proposed by Mr Barton—

At page 77, line 8, 'if practicable,'—

omit.

Debate ensued.

Question put – That the words proposed to be omitted stand part of the Clause.

The Committee divided.

AYES, 43

Baumann	FitzGerald	Johnson	Quinn	Tanti
Beanland	Gamin	Laming	Rowell	Turner
Borbidge	Gilmore	Lester	Santoro	Veivers
Carroll*	Grice	Lingard	Sheldon	Warwick
Connor	Harper	Littleproud	Simpson	Watson
Cooper	Healy	McCauley	Slack	Wilson
Cunningham	Hegarty	Malone	Springborg*	Woolmer
Davidson	Hobbs	Mitchell	Stephan	
Elliott	Horan	Perrett	Stoneman	

NOES, 42

Ardill	D'Arcy	Hollis	Nunn	Smith
Barton	De Lacy	Lavarch	Nuttall	Spence
Beattie	Dollin	Livingstone*	Palaszczuk	Sullivan, J
Bird	Edmond	Lucas	Pearce	Sullivan, T*
Bligh	Elder	Mackenroth	Purcell	Welford
Braddy	Foley	McElligott	Roberts	Wells
Bredhauer	Fouras	McGrady	Robertson	
Briskey	Hamill	Milliner	Rose	
Campbell	Hayward	Mulherin	Schwarten	

Pairs – Mr Radke (AYES) and Mr W Goss (NOES)

**Tellers*

Question agreed to.

Clause 103, as amended, agreed to.

Clause 104 (*Recording of confessions and admissions*)—

Debate ensued.

The following amendment was proposed by Mr Cooper—

At page 77, lines 11 to 31 and page 78, lines 1 to 29—

omit, insert—

'Recording of questioning etc.

'104.(1) This section applies to the questioning of a person in custody.

'(2) The questioning must, if practicable, be electronically recorded.

Examples for subsection (2)—

1. It may be impracticable to electronically record a confession or admission of a murderer who telephones police about the murder and immediately confesses to it when a police officer arrives at the scene of the murder.

2. It may be impracticable to electronically record a confession or admission of someone who has committed an armed hold-up, is apprehended after pursuit, and makes a confession or admission immediately after being apprehended.

3. Electronically recording a confession or admission may be impracticable because the confession or admission is made to a police officer when it is not reasonably practicable to use recording facilities.

'(3) If the person makes a confession or admission to a police officer during the questioning, the confession or admission is admissible as evidence against the person in a proceeding only if it is recorded as required by this section.

'(4) If the confession or admission is electronically recorded, the confession or admission must be part of a recording of the questioning of the person and anything said by the person during questioning of the person.

'(5) If the confession or admission is written, the way the written record of the confession or admission is made must comply with subsections (6) to (10).

'(6) While questioning the person, or as soon as reasonably practicable afterwards, a police officer must make a written record in English, or cause to be made a written record in the language the person used during questioning, of the things said by or to the person during questioning.

'(7) As soon as practicable after making the record—

(a) it must be read to the person in English or, if the record is not in English, in the language the person used during questioning; and

(b) the person must be given a copy of the record.

'(8) Before reading the record to the person, an explanation, complying with the responsibilities code, must be given to the person of the procedure to be followed to comply with this section.

'(9) The person must be given the opportunity, during and after the reading, to draw attention to any error in or omission from the record he or she claims were made in the written record.

'(10) An electronic recording must be made of the reading mentioned in subsection (7) and everything said by or to the person during the reading, and anything else done to comply with this section.

'(11) In relation to the questioning, confession or admission, or confirmation of a confession or admission, of a person that is recorded under this section, a police officer must, without charge—

(a) if the recording is—

(i) an audio recording only—make a copy of the recording available to the person or the person's lawyer within 7 days after making the recording; or

(ii) a video recording only—make a copy of the recording available to the person or the person's lawyer within 14 days after making the recording; or

(b) if both audio and video recordings were made—

(i) make a copy of the audio recording available to the person or the person's lawyer within 7 days after making the recording; and

(ii) notify the person or the person's lawyer that, if the person asks, an opportunity will be provided to view the video recording; and

(c) if a transcript of an audio recording is made—on request, give to the person or the person's lawyer a copy of the transcript.

'(12) Subsection (11) applies subject to any other Act.

'(13) If a court considers this section has not been complied with or there is not enough evidence of compliance, the court may, despite the noncompliance, admit evidence to which this section applies if, having regard to the nature of and the reasons for the noncompliance and any other relevant matters, the court is satisfied, in the special circumstances of the case, admission of the evidence would be in the interests of justice.'

Question put – That the words proposed to be omitted stand part of the Clause.

The Committee divided.

AYES, 42

Ardill	D'Arcy	Hollis	Nunn	Smith
Barton	De Lacy	Lavarch	Nuttall	Spence
Beattie	Dollin	Livingstone*	Palaszczuk	Sullivan, J
Bird	Edmond	Lucas	Pearce	Sullivan, T*
Bligh	Elder	Mackenroth	Purcell	Welford
Braddy	Foley	McElligott	Roberts	Wells
Bredhauer	Fouras	McGrady	Robertson	
Briskey	Hamill	Milliner	Rose	
Campbell	Hayward	Mulherin	Schwarten	

NOES, 43

Baumann	FitzGerald	Johnson	Quinn	Tanti
Beanland	Gamin	Laming	Rowell	Turner
Borbidge	Gilmore	Lester	Santoro	Veivers
Carroll*	Grice	Lingard	Sheldon	Warwick
Connor	Harper	Littleproud	Simpson	Watson
Cooper	Healy	McCauley	Slack	Wilson
Cunningham	Hegarty	Malone	Springborg*	Woolmer
Davidson	Hobbs	Mitchell	Stephan	
Elliott	Horan	Perrett	Stoneman	

Pairs – Mr W Goss (AYES) and Mr Radke (NOES)

*Tellers

Question negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 104, as amended, agreed to.

Clause 105 (*List of interview friends and interpreters*)—

The following amendment was proposed by Mr Barton—

At page 78, line 31, ‘, so far as is reasonably practicable,’—
omit.

Debate ensued.

Question – That the words proposed to be omitted stand part of the clause – put and negated.

The following amendment was proposed by Mr Barton—

At page 79, line 3, ‘, so far as is reasonably practicable,’—
omit.

Question – That the words proposed to be omitted stand part of the clause – put and negated.

Clause 105, as amended, agreed to.

Clauses 106 to 107 agreed to.

Clause 108 (*Requirements after property is seized*)—

The following amendments were proposed by Mr Cooper—

At page 80, lines 13 to 15—

omit, insert—

‘(c) it is destroyed because it has no intrinsic value; or

(d) it is disposed of because it is perishable; or

(e) it is destroyed because it is a dangerous drug or a thing used in or for manufacturing a dangerous drug; or’.

At page 81, lines 12 and 13—

omit, insert—

‘(5) However, if no application is to be made because subsection (1)(a), (b), (c), (d) or (e) applies to the thing, a police officer must deal with the thing in the way specified in the responsibilities code.’.

Question – That the words proposed to be omitted stand part of the Clause – put and negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 108, as amended, agreed to.

Clauses 109 and 110 agreed to.

Clause 111 (*Protecting the dignity of persons during search*)—

The following amendment was proposed by Mr Barton—

At page 82, line 6, ‘, if practicable,’—
omit.

Question – That the words proposed to be omitted stand part of the clause – put and negated.

Clause 111, as amended, agreed to.

Clause 112 (*Supplying police officer's details etc.*)—

The following amendment was proposed by Mr Cooper—

At page 83, lines 9 and 10, 'after exercising the relevant power'—
omit.

At page 83, after line 26—

insert—

'(6A) Subsection (5) does not apply to a search of a vehicle under part 3.'

Question – That the words proposed to be omitted stand part of the Clause – put and negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 112, as amended, agreed to.

Clause 113 agreed to.

Clause 114 (*Parent and chief executive must be advised of arrest of child*)—

The following amendment was proposed by Mr Barton—

At page 84, line 12, 'promptly'—

omit, insert—

‘, without unreasonable delay,’.

Question – That the words proposed to be omitted stand part of the Clause – put and negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Clause 114, as amended, agreed to.

Clauses 115 to 117 agreed to.

Clause 118 (*Record of execution of warrant or order*)—

The following amendment was proposed by Mr Barton—

At page 85, lines 25 and 26, ‘, if reasonably practicable,’—

omit.

Debate ensued.

At 4.33pm: The Chairman resumed the Chair.

Question – That the words proposed to be omitted stand part of the clause – put and agreed to.

Clause 118, as read, agreed to.

Clause 119 (*Alternative accommodation to be provided in some cases*)—

The following amendment was proposed by Mr Barton—

At page 86, line 10, after 'arrange'—

insert—

'suitable'.

Question – That the word proposed to be inserted be so inserted – put and agreed to.

Clause 119, as amended, agreed to.

Clauses 120 to 139 agreed to.

Schedule 1—

The following amendments were proposed by Mr Cooper—

At page 95, line 3, '7'—

omit, insert—

'8'.

At page 95, after line 7—

insert—

'Environmental Protection Act 1994'.

At page 95, line 11—

omit.

Question – That the words proposed to be omitted stand part of the Schedule – put and negated.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Schedule 1, as amended, agreed to.

Schedule 2 agreed to.

Schedule 3—

The following amendments were proposed by Mr Cooper—

At page 99, after line 23—

insert—

‘ “**electronically recorded**” means audio recorded or video recorded.’.

At page 102, line 7—

omit, insert—

‘ “**photograph**” includes photocopy and videotape.’

The following amendment was proposed by Mr Cooper—

At page 106, line 11—

omit.

Question – That the words proposed to be omitted stand part of the Schedule – put and negatived.

Question – That the words proposed to be inserted be so inserted – put and agreed to.

Schedule 3, as amended, agreed to.

Bill to be reported with amendments.

Mr Speaker resumed the Chair.

Bill reported with amendments

Bill, as amended, *ordered* to be taken into consideration.

Mr Cooper, by leave, moved – That the Bill be now read a third time.

Bill read a third time and passed.

Title agreed to.

11 EAGLE FARM RACECOURSE BILL

Minister for Police and Corrective Services and Minister for Racing (Mr Cooper), by leave, moved – That leave be granted to bring in a Bill for an Act to transfer the Eagle Farm racecourse lands to the Queensland Turf Club Ltd and for other purposes.

Question put and agreed to.

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

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

Debate ensued.

Mr Barton moved – That the debate be now adjourned.

Question put and agreed to.

Ordered – That the resumption of the debate be made an order of the day for tomorrow.

12 OFFSHORE MINERALS BILL

Minister for Mines and Energy (Mr Gilmore), by leave, moved – That leave be granted to bring in a Bill for an Act relating to exploration for, and the recovery of, minerals (other than petroleum) in the first 3 nautical miles of the territorial sea in relation to Queensland, and for related purposes.

Question put and agreed to.

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

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

Debate ensued.

Mr Barton moved – That the debate be now adjourned.

Question put and agreed to.

Ordered – That the resumption of the debate be made an order of the day for tomorrow.

13 CRIME COMMISSION BILL

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

Debate resumed.

Debate adjourned on the motion of Mr Barton.

Ordered – That the resumption of the debate be made an order of the day for a later hour of the sitting.

14 NOTICE OF MOTION – GOVERNMENT ADVERTISING

Leader of the Opposition (Mr Beattie), pursuant to notice, moved – That this House—

Condemns the Premier and the Treasurer for ignoring the findings of the Fitzgerald Inquiry by once again wasting and mismanaging the public's money on political

propaganda in newspapers and on television in a desperate bid to try to stop the plummeting ratings of the Liberals and Nationals;

Reminds the Government and the public that, having examined the way in which the National Party Government of the 1980s misused the public's money on political advertising, The Fitzgerald Report said, "There is no legitimate justification for taxpayers' money to be spent on politically-motivated propaganda";

And further—

Requires the Government to change its wrong priorities, stop wasting millions of dollars in this way and ensure that no Government advertising contains photographs or references to its Ministers; and

And calls on the Government to spend these millions of dollars on basic services for Queenslanders.

Debate ensued.

Paper: Leader of the Opposition (Mr Beattie), during his speech, tabled the following paper—
Government advertising in the *Sunday-Mail* of 16 November 1997 entitled "Smartlicence slashes red tape for small business"

Debate continued.

The following amendment was proposed by Leader of Government Business (Mr FitzGerald)—

All words after 'this House'—

omit, insert—

'Notes the need for all Governments to keep the public informed of significant projects and initiatives and calls on the Government to ensure that no advertising contains photographs and references to its Ministers except when it is deemed necessary to promote Queensland interstate and overseas.'"

Debate ensued.

Question put – That the words proposed to be omitted stand part of the question.

The House divided.

AYES, 43

Ardill	D'Arcy	Hayward	Mulherin	Schwarten
Barton	De Lacy	Hollis	Nunn	Smith
Beattie	Dollin	Lavarch	Nuttall	Spence
Bird	Edmond	Livingstone*	Palaszczuk	Sullivan, J
Bligh	Elder	Lucas	Pearce	Sullivan, T*
Braddy	Foley	Mackenroth	Purcell	Welford
Bredhauer	Fouras	McElligott	Roberts	Wells
Briskey	Gibbs	McGrady	Robertson	
Campbell	Hamill	Milliner	Rose	

NOES, 43

Baumann	FitzGerald	Horan	Perrett	Stoneman
Beanland	Gamin	Johnson	Quinn	Tanti
Borbidge	Gilmore	Laming	Rowell	Veivers
Carroll*	Goss, J	Lester	Santoro	Warwick
Connor	Grice	Lingard	Sheldon	Watson
Cooper	Harper	Littleproud	Simpson	Wilson
Cunningham	Healy	McCauley	Slack	Woolmer
Davidson	Hegarty	Malone	Springborg*	
Elliott	Hobbs	Mitchell	Stephan	

Pairs – Mr W Goss (AYES) and Mr Radke (NOES)

**Tellers*

The numbers being equal, Mr Speaker cast his vote with the 'NOES'.

Question negated.

Question put – That the words proposed to be inserted be so inserted.

The House divided.

AYES, 43

Baumann	FitzGerald	Horan	Perrett	Stoneman
Beanland	Gamin	Johnson	Quinn	Tanti
Borbidge	Gilmore	Laming	Rowell	Veivers
Carroll*	Goss, J	Lester	Santoro	Warwick
Connor	Grice	Lingard	Sheldon	Watson
Cooper	Harper	Littleproud	Simpson	Wilson
Cunningham	Healy	McCauley	Slack	Woolmer
Davidson	Hegarty	Malone	Springborg*	
Elliott	Hobbs	Mitchell	Stephan	

NOES, 43

Ardill	D'Arcy	Hayward	Mulherin	Schwarten
Barton	De Lacy	Hollis	Nunn	Smith
Beattie	Dollin	Lavarch	Nuttall	Spence
Bird	Edmond	Livingstone*	Palaszczuk	Sullivan, J
Bligh	Elder	Lucas	Pearce	Sullivan, T*
Braddy	Foley	Mackenroth	Purcell	Welford
Bredhauer	Fouras	McElligott	Roberts	Wells
Briskey	Gibbs	McGrady	Robertson	
Campbell	Hamill	Milliner	Rose	

Pairs – Mr Radke (AYES) and Mr W Goss (NOES)

**Tellers*

The numbers being equal, Mr Speaker cast his vote with the 'AYES'.

Question agreed to.

Motion, as amended, agreed to.

15 CRIME COMMISSION BILL

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

Debate resumed.

Debate adjourned on the motion of Leader of Government Business (Mr FitzGerald).

Ordered – That the resumption of the debate be made an order of the day for tomorrow.

16 ADJOURNMENT

Leader of Government Business (Mr FitzGerald) moved – That this House do now adjourn.

Debate ensued.

Paper: Miss Simpson, during her speech, tabled the following paper—

Petition from 2,895 residents of Queensland concerning sentencing of juveniles

Debate continued.

Question agreed to.

The House adjourned at 11.38pm.

17 ATTENDANCE

The following Members were present—

Ardill	De Lacy	Hobbs	Mulherin	Smith
Barton	Dollin	Hollis	Nunn	Spence
Baumann	Edmond	Horan	Nuttall	Springborg
Beanland	Elder	Johnson	Palaszczuk	Stephan
Beattie	Elliott	Laming	Pearce	Stoneman
Bird	FitzGerald	Lavarch	Perrett	Sullivan, J
Bligh	Foley	Lester	Purcell	Sullivan, T
Borbidge	Fouras	Lingard	Quinn	Tanti
Braddy	Gamin	Littleproud	Radke	Veivers
Bredhauer	Gibbs	Livingstone	Roberts	Warwick
Briskey	Gilmore	Lucas	Robertson	Watson
Campbell	Goss, J	Mackenroth	Rose	Welford
Carroll	Grice	McCauley	Rowell	Wells
Connor	Hamill	McElligott	Santoro	Wilson
Cooper	Harper	McGrady	Schwarten	Woolmer
Cunningham	Hayward	Malone	Sheldon	
D'Arcy	Healy	Milliner	Simpson	
Davidson	Hegarty	Mitchell	Slack	

N J TURNER
Speaker

R D DOYLE
The Clerk of the Parliament