2001-03



# LEGISLATIVE ASSEMBLY OF QUEENSLAND

# FIRST SESSION OF THE FIFTIETH PARLIAMENT

# **VOTES AND PROCEEDINGS**

NO. 119

WEDNESDAY, 28 MAY 2003

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#### 1 MEETING OF THE ASSEMBLY

The Assembly met at 9.30am, pursuant to adjournment. The Acting Speaker (Honourable J. Fouras) read prayers.

#### 2 PETITIONS

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

Mr Springborg from 133 petitioners requesting the House to ensure any legislation regarding the proposed Community Ambulance cover that is put in place is equitable whereby no single citizen or family unit pays more than one levy.

Mr Rowell from 646 petitioners requesting the House to review the community ambulance cover scheme as there is a range of inequities within the proposed collection system and to ensure the ambulance service is funded in a fair and equitable manner.

#### 3 MINISTERIAL PAPER TABLED BY THE CLERK

The following ministerial paper was tabled by The Clerk—

Minister for Transport and Minister for Main Roads (Mr Bredhauer)—

Response from the Minister for Transport and Minister for Main Roads (Mr Bredhauer) to a paper petition presented by Mrs C Scott from 213 petitioners regarding the Collinsville to Mt Coolon Road

#### 4 MINISTERIAL STATEMENTS (Hansard p. 2183, 9.32am)

(a) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the launch of the Centre for Native Floriculture.

Paper: Mr Beattie, during his statement, tabled the following paper—
List entitled UQ invitees at Launch of Centre for Native Floriculture, Speaker's
Green, Parliament House, Wednesday, 28 May 2003

- (b) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Dr David Nichol and the Princess Alexandra Hospital's use of interactive video technology in renal surgery.
- (c) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to independent fuel retailers.
- (d) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Aspley Community Cabinet and the forthcoming Springwood Community Cabinet.
- (e) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to his meeting with new Brisbane Lord Mayor, Tim Quinn, and the Brisbane City Council Partnership and the Capital City Policy and Taskforce.
- (f) Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) made a ministerial statement relating to the opening game at Suncorp Stadium.
- (g) Minister for Education (Ms Bligh) made a ministerial statement relating to the Macarthur Coal Shares for School Program.
- (h) Minister for Employment, Training and Youth and Minister for the Arts (Mr M Foley) made a ministerial statement relating to the Breaking the Unemployment Cycle program.

Paper: Mr Foley, during his statement, tabled the following paper—
Copy of an article from the Fraser Coast Chronicle, dated 20 May 2003, entitled From street to strength

- (i) Minister for State Development (Mr Barton) made a ministerial statement relating to the Sanctuary Cove International Boat Show.
- (j) Minister for Environment (Mr Wells) made a ministerial statement relating to a trial by Caltex of E10 unleaded petrol.
- (k) Minister for Public Works and Minister for Housing (Mr Schwarten) made a ministerial statement relating to the QCOSS Report on Public Housing in Queensland.

- (I) Minister for Primary Industries and Rural Communities (Mr Palaszczuk) made a ministerial statement relating to drought relief.
- (m) Minister for Tourism and Racing and Minister for Fair Trading (Ms Rose) made a ministerial statement relating to the Ministerial Council on Consumer Affairs to be held in Sydney on 1 August 2003.
- (n) Minister for Natural Resources and Minister for Mines (Mr Robertson) made a ministerial statement relating to the use of municipal sewage in sugar irrigation.
- (o) Minister for Emergency Services and Minister Assisting the Premier in North Queensland (Mr Reynolds) made a ministerial statement relating to the installation of new blue cats eyes on fire hydrants and the increased risk of fire in winter.

#### 5 MOTION WITHOUT NOTICE – HOURS AND ORDER OF BUSINESS FOR TODAY

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

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

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

The Order of Business shall then be Government Business followed by a 30 minute adjournment

Question put and agreed to.

# 6 STANDING AND SESSIONAL ORDERS - VEGETATION (APPLICATION FOR CLEARING) BILL

Leader of the House (Ms Bligh), by leave, moved – That so much of the Standing and Sessional Orders be suspended to enable the Vegetation (Application for Clearing) Bill to pass through all its remaining stages at this week's sitting.

Question put.

The House divided.

$\Lambda V$	ES	63	
ΑY	⊏0	ხა—	

Attwood Barry Barton Beattie Bligh Boyle Bredhauer Briskey Choi Clark, E Clark, L	Croft Cummins Cunningham, J Edmond English Fenlon Foley, M Hayward Jarratt Keech Lavarch	Lawlor Lee Livingstone Lucas Mackenroth Male McGrady McNamara Mickel Miller Molloy	Mulherin Nelson-Carr Nuttall Palaszczuk Pearce Phillips Pitt Poole Purcell Reeves * Reilly	Reynolds Roberts, N Robertson Rodgers Rose Schwarten Scott, C Scott, D Shine Smith Spence	Stone Strong Struthers Sullivan, C Sullivan, T * Welford Wells Wilson
NOES 22—					
Bell Copeland Cunningham, E Flynn	Foley, C Hobbs Hopper Horan	Johnson Lee Long Lester * Lingard	Malone Quinn Roberts, E Rowell	Seeney Sheldon Simpson Springborg	Watson * Wellington

<sup>\*</sup> Tellers

Question agreed to.

#### 7 NOTICE OF MOTION

Mrs E Cunningham gave notice that she will move – That this House calls on both the State Government and Federal Government to increase their funding commitment to affordable housing needs in Queensland.

#### **8** QUESTIONS WITHOUT NOTICE (Hansard p. 2198, 10.30am)

Questions without notice were asked.

Paper: Leader of the Opposition (Mr Springborg) tabled the following paper—

Statutory Declaration by David Scott

Questions continued.

Paper: Mr Johnson tabled the following paper—

Transcript of ABC interview with Mrs Lorraine Bird, former Member for Whitsunday

relating to the Sex Offenders Reporting Bill

Questions continued.

Paper. Premier and Minister for Trade (Mr Beattie) tabled the following paper—

Document entitled Child abuse hypocrite! Enough is Enough

Questions continued.

Paper: Minister for Education (Ms Bligh) tabled the following paper—

List of 2003 Showcase awards for excellence – Area Awards

Questions continued. Questions concluded.

#### 9 MINISTERIAL STATEMENT (Hansard p. 2211, 11.30am)

Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to paedophilia.

Papers: Mr Beattie, during his statement, tabled the following papers—

- 1. Transcript 4QR 8am News on Monday, 18 August 1997 relating to paedophilia
- 2. Transcript 4QR interview by Anna Reynolds with Bob Bottom on Monday, 18 August 1997 relating to Alford and paedophilia
- 3. Diary page for 18 August
- 4. Letter, dated 18 August 1997, to the Member for Gladstone (Mrs E Cunningham) from then Leader of the Opposition (Mr Beattie)
- 5. Copy of media release, dated 19 August 1997, by Lorraine Bird entitled *Investigating paedophilia claims more important than politics*
- Article from The Courier-Mail, dated 20 August 1997, entitled Borbidge blasts MP over child sex claims
- 7. Media release, dated 20 August 1997, by Lorraine Bird entitled *Bird won't be gagged by Premier over paedophilia*
- 8. Extract from *Hansard*, dated 20 August 1997, containing a Private Member's Statement by Mr Beattie entitled *Paedophilia in Whitsunday electorate* (p.3002)
- 9. Extract from *Hansard*, dated 20 August 1997, containing a Question Without Notice from Beattie entitled *Paedophilia: Comments by Member for Whitsunday*', (p.3006)
- 10. Extract from *Hansard*, dated 20 August 1997, containing a Question Without Notice from Beattie entitled *Paedophilia* (p.3007)
- 11. Article from *The Courier-Mail*, dated 21 August 1997, entitled *Whitsunday tourism operators hit back*
- 12. Extract from *Hansard*, dated 21 August 1997, containing a Notice of Motion moved by Mr Beattie relating to paedophilia (p.3091)
- 13. Extract from *Hansard*, dated 21 August 1997, containing a Question Without Notice asked by Mr Elder relating to *Paedophilia*, *Whitsunday electorate* (pp.3102-3105)
- 14. Media release, dated 21 August 1997, by Lorraine Bird entitled *Bird disappointed* in police response over paedophilia claims
- 15. Extract from *Hansard*, dated 21 August 1997, containing a motion moved by Mr Beattie relating to paedophilia and subsequent debate on the motion (pp.3142-3153)
- 16. Copy of letter, dated 25 August 1997, from Mr Beattie to Mr Frank Clair, Chair of the Criminal Justice Committee
- 17. Extract from *Hansard*, dated 28 August 1997, containing statement by Mr Beattie (p.3368)
- 18. Transcript 4QR 11am News on Thursday, 12 March 1998

- 19. Excerpt from *Hansard*, dated 15 September 1998, containing notification of the tabling of a Criminal Justice Commission report entitled *Inquiry into allegations of misconduct in the investigation of paedophilia in Queensland: Kimmins report* (p.2152), together with a copy of the report
- 20. Media release, dated 30 August 1998, by the Premier (Mr Beattie) entitled *Beattie* meets with MP
- 21. Article from *The Courier-Mail* dated 31 August 1998, entitled *MP will not quit over sex claims*
- 22. Article from *The Courier-Mail* dated 1 September 1998, entitled *Beattie raises* pressure on MP to quit
- 23. Extract from *Hansard*, dated 15 September 1998, private member's statement by Member for Gladstone, titled, 'Members of Parliament: judicial process'
- 24. Media release, dated 22 January 2000, by the Premier (Mr Beattie) entitled Government in strife must work harder than ever
- 25. Email, dated 28 May 2003, from Brendon Strong entitled *FYI Springborg letter* re child sex allegations, together with a transcript of a 4QR Andrew Carroll interview with Lorraine Bird on Wednesday, 29 November 2000
- 26. Notice of Motion by Deputy Leader of the Opposition (Mr Elder), dated 17 April 1996 relating to an inquiry into paedophilia
- 27. Extract from *Hansard*, dated 1 May 1996, containing debate on a motion by Mr Elder relating to a paedophilia inquiry, (pp.863-874)
- 28. Extract from *Hansard*, dated 7 August 1996, containing a Private Member's Statement by Leader of the Opposition (Mr Beattie) entitled *Performance by Government* (pp.2093-2094)
- 29. Extract from *Hansard*, dated 19 August 1997, containing Questions Without Notice by Mr Beattie relating to the Children's Commissioner and the paedophilia royal commission (pp.2910-2912)
- 30. Extract from *Hansard*, dated 26 August 1997, speech during the Matters of Public Interest by Mr Beattie relating to the Crime Commission, (pp.3185-3187)
- 31. Media release by the Minister for Families, Youth and Community Care/Disability Services (Ms Bligh), dated 25 November 1998 entitled *Discussion paper released on review of Children's Commission Act*
- 32. Extract from *Hansard*, dated 17 November 1998, containing the debate on the disallowance of the *Commissions of Inquiry (Forde Inquiry Evidence)* Regulation 1998 (pp.3191-3206)
- 33. Media release, dated 8 June 1999, by the Minister for Families, Youth and Community Care/Disability Services (Ms Bligh) entitled Forde heralds new beginning in the care of Queensland children
- 34. Extract from *Hansard*, dated 8 June 1999, containing a Ministerial Statement by Minister for Families, Youth and Community Care/Disability Services (Ms Bligh) relating to the Forde inquiry (pp.2149-2152)
- 35. Extract from *Hansard* p 58214 October 1999, containing a statement by the Minister for Families, Youth and Community Care/Disability Services (Ms Bligh) during the Estimates Committee G Public Hearing

### 10 COMMUNITY AMBULANCE COVER BILL (Hansard p. 2214, 11.47am)

Order of the day read for the adjourned debate on the motion of the Minister for Emergency Services and Minister Assisting the Premier in North Queensland (Mr Reynolds) – That the Bill be now read a second time.

Debate resumed.

Debate adjourned on the motion of Mr Cummins.

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

#### 11 MINISTERIAL STATEMENT (Hansard p. 2227, 2.30pm)

Minister for Education (Ms Bligh), by leave, made a ministerial statement relating to Mr Keith Wright and Astute Tuition.

#### 12 COMMUNITY AMBULANCE COVER BILL (Hansard p.2228, 2.35pm)

Order of the day read for the adjourned debate on the motion of the Minister for Emergency Services and Minister Assisting the Premier in North Queensland (Mr Reynolds) – That the Bill be now read a second time.

Debate resumed.

Question put.

The House divided.

AYES 63-

Croft	Lee	Nelson–Carr	Reynolds	Stone
Cummins	Livingstone	Nolan	Roberts, N	Strong
Cunningham, J	Lucas	Nuttall	Robertson	Struthers
Edmond	Mackenroth	Palaszczuk	Rodgers	Sullivan, C
English	Male	Pearce	Rose	Sullivan, T *
Fenlon	McGrady	Phillips	Schwarten	Welford
Foley, M	McNamara	Pitt	Scott, C	Wells
Hayward	Mickel	Poole	Scott, D	Wilson
Jarratt	Miller	Purcell	Shine	
Keech	Molloy	Reeves *	Smith	
Lawlor	Mulherin	Reilly	Spence	
Foley, C	Johnson	Malone	Seeney	Watson *
Hobbs	Lee Long	Quinn	Sheldon	Wellington
	Cummins Cunningham, J Edmond English Fenlon Foley, M Hayward Jarratt Keech Lawlor	Cummins Livingstone Cunningham, J Lucas Edmond Mackenroth English Male Fenlon McGrady Foley, M McNamara Hayward Mickel Jarratt Miller Keech Molloy Lawlor Mulherin	Cummins Livingstone Nolan Cunningham, J Lucas Nuttall Edmond Mackenroth Palaszczuk English Male Pearce Fenlon McGrady Phillips Foley, M McNamara Pitt Hayward Mickel Poole Jarratt Miller Purcell Keech Molloy Reeves * Lawlor Mulherin Reilly  Foley, C Johnson Malone	Cummins Livingstone Nolan Roberts, N Cunningham, J Lucas Nuttall Robertson Edmond Mackenroth Palaszczuk Rodgers English Male Pearce Rose Fenlon McGrady Phillips Schwarten Foley, M McNamara Pitt Scott, C Hayward Mickel Poole Scott, D Jarratt Miller Purcell Shine Keech Molloy Reeves * Smith Lawlor Mulherin Reilly Spence

Roberts. E

Rowell

Simpson

Springborg

Cunningham, E

Question agreed to.

Question put and agreed to.

Bill read a second time.

Bill committed on the motion of Mr Reynolds.

Hopper

Horan

In Committee

Clauses 1 to 19, as read, agreed to.

Ordered - To report progress and ask leave to sit again.

Lester \*

Lingard

In the House

Reported – That the Committee had considered the Bill, made progress, and asked leave to sit again.

Ordered – That further consideration of the Bill in Committee of the Whole House be made an order of the day for a later hour of the sitting.

# 13 MOTION WITHOUT NOTICE – HOUSE TO NOTE MEMBER FOR MARYBOROUGH (Hansard p.2259, 5.37pm)

Leader of the House (Ms Bligh), by leave, moved – That the House note the election of the Member for Maryborough.

Debate ensued.

Question put and agreed to.

#### 14 STATEMENT BY ACTING SPEAKER - DEBATE ON NOTICE OF MOTION

The Acting Speaker made the following statement—

'Honourable Members-

Before proceeding to debate on this motion I need to make a number of things clear about the boundaries of debate allowed.

This motion seeks to establish a Select Committee and refer a Bill currently before the House to that Committee. In debating the motion members cannot anticipate debate on the actual Bill. That is, the merits of the Bill itself cannot be debated. Rather, debate must be

Flynn
\* Tellers

confined to reasons why the Committee should be established and the Bill should or should not be referred to the Committee.'

# 15 NOTICE OF MOTION - SELECT COMMITTEE ON PARLIAMENTARY ENTITLEMENTS (Hansard p.2263, 5.57pm)

Mr Wellington, pursuant to notice, moved—

- (1) (a) That a select committee, to be known as the Select Committee on Parliamentary Entitlements, be appointed to inquire into and report on the entitlements of members of the Legislative Assembly.
  - (b) That the committee consist of 8 members of the Legislative Assembly.
  - (c) That the committee consist of Mr Speaker (ex officio) (Chair), Hon P Beattie, Hon A Bligh (Deputy Chair), Mr Flynn, Hon T Mackenroth, Mr Quinn, Mr Springborg and Mr Wellington.
  - (d) That the committee have all the powers and privileges under Chapter XIII of the Standing Rules and Orders.
  - (e) The Chairman of the committee or the Deputy Chairman when acting as Chairman, shall have a deliberative vote and in the event of an equality of votes shall also have a casting vote.
  - (f) That the committee report to the House by 21 August 2003.
- (2) That the Parliament of Queensland Act Amendment Bill (No. 2) introduced on 15 May 2003 be considered by the committee and that debate on that Bill be postponed until the committee reports.
- (3) That the foregoing provisions of this resolution, so far as they may be inconsistent with the Standing and Sessional Orders, have effect notwithstanding anything contained in the Standing and Sessional Orders.

Debate ensued.

Question put.

The House divided.

AYES 6-

Bell	Cunningham, E	Foley, C	Lee Long *	Roberts, E	Wellington *
NOES 74—					
Attwood Barry Barton Beattie Bligh Boyle Bredhauer Briskey Choi Clark, L Copeland Croft Cummins	Cunningham, J Edmond English Fenlon Foley, M Hayward Hobbs Hopper Horan Jarratt Johnson Keech Lawlor	Lee Lester Lingard Livingstone Lucas Mackenroth Male Malone McGrady McNamara Mickel Miller Mulherin	Nelson-Carr Nolan Nuttall Palaszczuk Pearce Phillips Pitt Poole Purcell Reeves Reilly Reynolds Roberts, N	Robertson Rodgers Rose Rowell Schwarten Scott, C Scott, D Seeney Sheldon Shine Simpson Smith Spence	Springborg Stone Strong Struthers Sullivan, C Sullivan, T * Watson * Welford Wilson

<sup>\*</sup> Tellers

Question negatived

#### 15 COMMUNITY AMBULANCE COVER BILL (Hansard p.2272, 8.30pm)

Order of the day read for the further consideration of the Bill in Committee of the Whole House.

In Committee

Clauses 20 and 21, as read, agreed to. New Clause 21A— The following amendment was proposed by Mr Malone—At page 20, after line 2—
insert—

# 'Division 5—General limitations on liability to pay levy'

#### '21A Limitation by capacity

- '(1) Subsection (2) applies to a person if, under this Act, and apart from this section, the person would be required—
- (a) to pay the levy, or to pay an amount referable to the levy, in any capacity in relation to an on-supply arrangement; and
- (b) to pay the levy in the person's capacity as 1 or more of the following—
  - (i) the non-contestable customer under a standard contract;
  - (ii) the owner under a power card arrangement;
  - (iii) the contestable customer under a contestable sale arrangement.
- '(2) Despite any other provision of this Act, the person is not required to pay the levy in any capacity mentioned in subsection (1)(b).
- '(3) Subsection (4) applies to a person if, under this Act, and apart from this section, the person—
- (a) would not be required to pay the levy, or to pay an amount referable to the levy, in any capacity in relation to an on-supply arrangement; and
- (b) would be required to pay the levy in the person's capacities as 2 or more of the following—
  - (i) the non-contestable customer under a standard contract;
  - (ii) the owner under a power card arrangement;

Lee Long

- (iii) the contestable customer under a contestable sale arrangement.
- '(4) Despite any other provision of this Act, the person is required to pay the levy in only 1 of the capacities mentioned in subsection (3)(b).'.

Quinn

Sheldon

Wellington

#### Debate ensued.

Question put – That Mr Malone's amendment be agreed to.

Foley C

The Committee divided.

#### AYES 21—

Rell

Copeland Cunningham, E Flynn	Hobbs Horan Johnson	Lester * Lingard Malone	Roberts, E Rowell Seeney	Simpson Springborg Watson *	weimigton
NOES 59—					
Attwood Barry Barton Beattie Bligh	Cummins Cunningham, J Edmond English Fenlon	Lee Livingstone Lucas Mackenroth McGrady	Nelson–Carr Nolan Nuttall Palaszczuk Pearce	Reilly Reynolds Roberts, N Robertson Rodgers	Smith Spence Stone Strong Struthers
Boyle	Foley, M	McNamara	Phillips	Rose	Sullivan, C
Bredhauer	Hayward	Mickel	Pitt	Schwarten	Sullivan, T *
Choi	Jarratt	Miller	Poole	Scott, C	Welford
Clark, L	Keech	Molloy	Purcell	Scott, D	Wilson
Croft	Lawlor	Mulherin	Reeves *	Shine	

<sup>\*</sup> Tellers

Question negatived.

Clauses 22 to 25, as read, agreed to.

Clause 26 (Consolidation arrangement does not affect liability for levy)—

The following amendment was proposed by Mr Malone—

(1) At page 21, line 6, 'Consolidation arrangement does not affect'— omit, insert—

'Limit on'.

(2) At page 21, lines 7 to 13—omit. insert—

'(1) The object of this section is to ensure that a person does not have to pay the levy in relation to more than 1 standard contract.

Wellington

- '(2) A standard contract (the "relevant contract") is taken to be an exempt arrangement under this Act if it would not otherwise be an exempt arrangement, but the following circumstances apply—
- (a) 1 person (the **"relevant customer"**) is the non-contestable customer for each of 2 or more standard contracts (the **"group"**);
- (b) the relevant contract is 1 of the standard contracts in the group;
- (c) the relevant contract is not the primary standard contract for the group.
- '(3) A standard contract is the primary standard contract for the group if—
- (a) it is the first standard contract of the group to have commenced; or
- (b) if it is not clear that the relevant contract is not the first standard contract of the group to have commenced—the relevant customer has notified the relevant electricity retailer for the contract in the approved form that the contract is to be the primary standard contract for the group.'.

Sheldon

#### Debate ensued.

Question put – That Mr Malone's amendment be agreed to.

The Committee divided.

#### AYES 21—

Rell

Copeland Cunningham, E Flynn	Hobbs Horan Johnson	Lester * Lingard Malone	Roberts, E Rowell Seeney	Simpson Springborg Watson *	weilington
NOES 59—					
Attwood Barry Barton Beattie Bligh Boyle Bredhauer Choi Clark, L Croft	Cummins Cunningham, J Edmond English Fenlon Foley, M Hayward Jarratt Keech Lawlor	Lee Livingstone Lucas Mackenroth McGrady McNamara Mickel Miller Molloy Mulherin	Nelson–Carr Nolan Nuttall Palaszczuk Pearce Phillips Pitt Poole Purcell * Reeves *	Reilly Reynolds Roberts, N Robertson Rodgers Rose Schwarten Scott, C Scott, D Shine	Smith Spence Stone Strong Struthers Sullivan, C Sullivan, T Welford Wilson

<sup>\*</sup> Tellers

Question negatived.

Clause 26, as read, agreed to.

Clauses 27 to 39, as read, agreed to.

Clause 40 (Levy on each power card arrangement)—

The following amendment was proposed by Mr Malone—

(1) At page 26, line 22, 'on each power card arrangement'—
omit. insert—

### 'liability limit'.

- (2) At page 26, lines 23 and 24—omit. insert—
- '(1) The object of this section is to ensure that a person does not have to pay the levy in relation to more than 1 power card arrangement.
- '(2) A power card arrangement (the "relevant arrangement") is taken to be an exempt arrangement under this Act if it would not otherwise be an exempt arrangement, but the following circumstances apply—
- (a) 1 person (the **"relevant owner"**) is the owner for each of 2 or more power card arrangements (the **"group"**);
- (b) the relevant arrangement is 1 of the power card arrangements in the group;
- (c) in relation to each power card arrangement in the group, the relevant owner does not have in place, and could not reasonably put in place, a system for recovery, from any occupier of the power card premises for the arrangement, of levy amounts payable for the arrangement by the relevant owner from time to time;
- (d) the relevant arrangement is not the primary power card arrangement for the group.
- '(3) A power card arrangement is the primary power card arrangement for the group if—
- (a) it is the first power card arrangement of the group to have commenced; or

(b) if it is not clear that the relevant arrangement is not the first power card arrangement of the group to have commenced—the relevant owner has notified the relevant electricity retailer for the arrangement in the approved form that the arrangement is to be the primary power card arrangement for the group.'.

Quinn

Sheldon

Wellington

Debate ensued.

Question put – That Mr Malone's amendment be agreed to.

Lee Long

The Committee divided.

Hobbs

#### AYES 21—

Copeland

Cunningham, E Hopp Flynn Horar Foley, C Johns	n Lingard	Roberts, E Rowell Seeney	Simpson Springborg Watson *	
NOES 59—				
Attwood Cumr Barry Cunn. Bligh Edmo Boyle Englis Bredhauer Fenlo Briskey Foley Choi Hayw Clark, E Jarrat Clark, L Keecl Croft Lawlo	ingham, J Livingstone ond Lucas sh Mackenroth on McGrady v, M McNamara vard Mickel tt Miller h Molloy	Nelson–Carr Nolan Nuttall Palaszczuk Pearce Phillips Pitt Poole Purcell * Reeves *	Reilly Reynolds Roberts, N Robertson Rodgers Rose Schwarten Scott, C Scott, D Shine	Smith Spence Stone Strong Struthers Sullivan, C Sullivan, T Welford Wilson

<sup>\*</sup> Tellers

Question negatived.

Clause 40, as read, agreed to.

Ordered – To report progress and ask leave to sit again.

#### In the House

Reported – That the Committee had considered the Bill, made progress, and asked leave to sit again.

Ordered – That further consideration of the Bill in Committee of the Whole House be made an order of the day for a later hour of the sitting.

#### 16 MOTION WITHOUT NOTICE - COMMUNITY AMBULANCE COVER BILL

Leader of the House (Ms Bligh), by leave, moved – That, under the provisions of Standing Order 273, the Community Ambulance Cover Bill be declared an urgent Bill and the following time limits apply to enable the Bill to be passed through its remaining stages at this day's sitting—

- (a) Report from Committee of the Whole House by 11.30pm;
- (c) Third reading by 11.35pm; and
- (d) Title agreed by 11.36pm.

At the times so specified, Mr Speaker or the Chairman, as the case may be, shall put all remaining questions necessary to pass the Bill, including clauses and schedules en bloc and any amendments to be moved by the Minister in charge of the Bill, without further amendment or debate

Question put – That the motion be agreed to.

The House divided.

### AYES 59—

Attwood	Cummins	Lee	Nelson-Carr	Reilly	Smith
Barry	Cunningham, J	Livingstone	Nolan	Reynolds	Spence
Bligh	Edmond	Lucas	Nuttall	Roberts, N	Stone
Boyle	English	Male	Palaszczuk	Robertson	Strong
Bredhauer	Fenlon	McGrady	Pearce	Rodgers	Struthers
Briskey	Foley, M	McNamara	Phillips	Rose	Sullivan, C
Choi	Hayward	Mickel	Pitt	Schwarten	Sullivan, T
Clark, E	Jarratt	Miller	Poole	Scott, C	Welford
Clark, L	Keech	Molloy	Purcell *	Scott, D	Wilson
Croft	Lawlor	Mulherin	Reeves *	Shine	

#### NOES 21-

Copeland	Hobbs	Lee Long	Quinn	Sheldon	Wellington
Cunningham, E	Hopper	Lester *	Roberts, E	Simpson	
Flynn	Horan	Lingard	Rowell	Springborg	
Foley, C	Johnson	Malone	Seeney	Watson *	

<sup>\*</sup> Tellers

Question agreed to.

#### 17 COMMUNITY AMBULANCE COVER BILL (Hansard p.x, xpm)

Order of the day read for the further consideration of the Bill in Committee of the Whole House.

#### In Committee

Clauses 41 to 53, as read, agreed to.

Clause 54 (Consolidation arrangement does not affect liability for levy)—

The following amendment was proposed by Mr Malone—

(1) At page 32, line 1, 'Consolidation arrangement does not affect'— omit. insert—

'Limit on'.

(2) At page 32, lines 2 to 8—omit, insert—

- **'(1)** The object of this section is to ensure that a person does not have to pay the levy, whether directly or indirectly, in relation to more than 1 on-supply arrangement.
- '(2) An on-supply arrangement (the "relevant arrangement") is taken to be an exempt arrangement under this Act if it would not otherwise be an exempt arrangement, but the following circumstances apply—
- (a) 1 person (the **"relevant on-supplier"**) is the on-supplier for each of 2 or more on-supply arrangements (the **"group"**);
- (b) the relevant arrangement is 1 of the on-supply arrangements in the group;
- (c) in relation to each on-supply arrangement in the group, the relevant on-supplier does not have in place, and could not reasonably put in place, a system for recovery, from any owner or occupier of the separate area under the arrangement, or from another person, of levy amounts payable for the arrangement by the relevant on-supplier from time to time;
- (d) the relevant arrangement is not the primary on-supply arrangement for the group.
- '(3) For subsection (2), an on-supply arrangement is the primary on-supply arrangement for the group if—
- (a) it is the first on-supply arrangement of the group to have commenced; or
- (b) if it is not clear that the relevant arrangement is not the first on-supply arrangement of the group to have commenced—the relevant on-supplier has notified the relevant electricity retailer for the arrangement in the approved form that the arrangement is to be the primary on-supply arrangement for the group.
- **'(4)** Also, an on-supply arrangement (also the **"relevant arrangement"**) is taken to be an exempt arrangement under this Act if it would not otherwise be an exempt arrangement, but the following circumstances apply—
- (a) the relevant arrangement is 1 of 2 or more on-supply arrangements (also the "group");
- (b) in relation to each on-supply arrangement in the group—
  - (i) the on-supplier for the arrangement recovers levy amounts payable for the arrangement by the on-supplier from time to time; and
  - (ii) 1 person (the **"relevant payer"**), who is the same person for each of the onsupply arrangements in the group, is obliged to pay, whether or not directly to the on-supplier for the arrangement, levy amounts payable for the on-supply arrangement by the on-supplier from time to time; and
  - (iii) the relevant payer does not have in place, and could not reasonably put in place, a system for recovery from anyone else any amount paid under subparagraph (ii);
- (c) the relevant arrangement is not the primary on-supply arrangement for the group.
- '(5) For subsection (4), an on-supply arrangement is the primary on-supply arrangement for the group if—

- (a) it is the first on-supply arrangement of the group to have commenced; or
- (b) if it is not clear that the relevant arrangement is not the first on-supply arrangement of the group to have commenced—the relevant payer has notified the on-supplier for the arrangement in the approved form that the arrangement is to be the primary on-supply arrangement for the group.
- '(6) If the on-supplier for an on-supply arrangement receives an approved form under subsection (5)(b) that is properly completed, the on-supplier must notify the relevant electricity retailer for the arrangement in the approved form of the notification received from the relevant payer not later than 28 days after receipt of the relevant payer's notification.'.

Lingard

Rowell

Simpson

Debate ensued.

Question put – That Mr Malone's amendment be agreed to.

lohnson

The Committee divided.

#### AYES 18-

Coneland

Cunningham, E	Hopper	Lee Long	Malone	Seeney	Watson *
Foley, C	Horan	Lester *	Quinn	Sheldon	Wellington
NOES 58—					
Attwood Barry Bligh Boyle Bredhauer Briskey Choi Clark, E	Cummins Cunningham, J Edmond English Fenlon Foley, M Hayward Jarratt	Lee Livingstone Lucas McGrady McNamara Mickel Miller Molloy	Nolan Nuttall Palaszczuk Pearce Phillips Pitt Poole Purcell *	Reynolds Roberts, N Robertson Rodgers Rose Schwarten Scott, C Scott, D	Spence Stone Strong Struthers Sullivan, C Sullivan, T Welford Wilson
Clark, L	Keech	Mulherin	Reeves *	Shine	
Croft	Lawlor	Nelson–Carr	Reillv	Smith	

<sup>\*</sup> Tellers

Question negatived.

Clause 54, as read, agreed to.

Clauses 55 to 112, as read, agreed to.

Hobbs

Clause 113-

Debate ensued.

Paper. Mr Horan, during his speech, tabled the following paper—

Queensland Ambulance Service mailing list form

Debate continued.

Limitation of debate: And the time for consideration of the Bill having expired—

Question put – That Clauses 113 to 173 and the Schedule, as read, be agreed to. The Committee divided.

#### AYES 57—

Attwood Barry Bligh Boyle Bredhauer Briskey Choi Clark, E Clark, L Croft	Cummins Cunningham, J Edmond English Fenlon Foley, M Hayward Jarratt Keech Lawlor	Lee Livingstone Lucas McGrady McNamara Mickel Miller Molloy Mulherin Nelson-Carr	Nolan Nuttall Palaszczuk Pearce Phillips Pitt Poole Purcell * Reeves * Reilly	Reynolds Roberts, N Robertson Rodgers Rose Schwarten Scott, C Scott, D Shine Smith	Spence Stone Strong Sullivan, C Sullivan, T Welford Wilson
NOES 20—					
Copeland Cunningham, E Flynn Foley, C	Hobbs Hopper Horan Johnson	Lee Long Lester * Lingard Malone	Quinn Roberts, E Rowell Seeney	Sheldon Simpson Watson * Wellington	

Question agreed to.

<sup>\*</sup> Tellers

Mr Reynolds moved - That the Temporary Chairman now leave the Chair and report the Bill without amendment to the house.

Question put.

The Committee divided.

#### AYES 57—

Attwood	Cummins	Lee	Nolan	Reynolds	Spence
Barry	Cunningham, J	Livingstone	Nuttall	Roberts, N	Stone
Bligh	Edmond	Lucas	Palaszczuk	Robertson	Strong
Boyle	English	McGrady	Pearce	Rodgers	Sullivan, C
Bredhauer	Fenlon	McNamara	Phillips	Rose	Sullivan, T
Briskey	Foley, M	Mickel	Pitt	Schwarten	Welford
Choi	Hayward	Miller	Poole	Scott, C	Wilson
Clark, E	Jarratt	Molloy	Purcell *	Scott, D	
Clark, L	Keech	Mulherin	Reeves *	Shine	
Croft	Lawlor	Nelson-Carr	Reilly	Smith	

#### NOES 20-

Copeland	Hobbs	Lee Long	Quinn	Sheldon
Cunningham, E	Hopper	Lester *	Roberts, E	Simpson
Flynn	Horan	Lingard	Rowell	Watson *
Foley, C	Johnson	Malone	Seeney	Wellington

<sup>\*</sup> Tellers

Question agreed to.

In the House

Bill reported without amendment.

Mr Reynolds moved – That the Bill be now read a third time.

Question put.

The House divided.

### AYES 58—

Attwood Barry Bligh Boyle Bredhauer Briskey Choi Clark, E Clark, L	Cummins Cunningham, J Edmond English Fenlon Foley, M Hayward Jarratt Keech	Lee Livingstone Lucas Male McGrady McNamara Mickel Miller Molloy	Nelson–Carr Nolan Nuttall Palaszczuk Pearce Phillips Pitt Poole Purcell *	Reilly Reynolds Roberts, N Robertson Rodgers Rose Schwarten Scott, C Scott, D	Smith Spence Stone Strong Sullivan, C Sullivan, T Welford Wilson
Croft	Lawlor	Mulherin	Reeves *	Shine	
NOES 20—					

Copeland	Hobbs	Lee Long	Quinn	Sheldon
Cunningham, E	Hopper	Lester *	Roberts, E	Simpson
Flynn	Horan	Lingard	Rowell	Watson *
Foley, C	Johnson	Malone	Seeney	Wellington

<sup>\*</sup> Tellers

Question agreed to.

Title agreed to.

## 18 WEAPONS (HANDGUNS AND TRAFFICKING) AMENDMENT BILL (Hansard p. x, xpm)

Order of the day read for the adjourned debate on the motion of the Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province (Mr McGrady) - That the Bill be now read a second time. Debate resumed.

And the House having continued to sit till 12 midnight—

THURSDAY, 29 MAY 2003

Debate continued. Question put. The House divided. AYES 55-Attwood Cummins Sullivan, C Mollov Roberts, N Lee Lester Mulherin Sullivan, T Barry English Rodgers Bligh Fenlon Lingard Nelson-Carr Rowell Watson \* Hayward Livingstone Wellington Boyle Nolan Scott, C Briskey Hopper Male Pearce Scott. D Wilson **Phillips** Choi Horan Malone Shine Clark, E Jarratt McGrady Pitt Simpson Poole Clark, L Johnson McNamara Smith Copeland Keech Mickel Purcell Stone Reeves \* Croft Lawlor Miller Strong NOES 5— Foley, C Cunningham, E Lee Long \* Roberts, E \* Flynn \* Tellers Question agreed to. Bill read a second time. Bill committed on the motion of Mr McGrady. In Committee Clauses 1 to 22, as read, agreed to. Paper: Mr McGrady tabled the following paper— Explanatory Notes to Amendments in Committee to the Weapons (Handguns and Trafficking) Amendment Bill New Clause 22A-The following amendment was proposed by Mr McGrady— At page 20, after line 23 insert-'22A Amendment of s 29B (Arrangements for surrender of suspended or revoked licences and weapons) Section 29B(8), definition "approved receipt", 'section 71(2)(b)' omit. insert-'section 71(3)'.'. Debate ensued. Question – That Mr McGrady's amendment be agreed to – put and agreed to. Clauses 23 to 30, as read, agreed to. Clause 31 (Replacement of s 53 (An unlicensed person may use a weapon at an approved range))-The following amendment was proposed by Mr McGrady— At page 28, line 25, after 'under this section'insert-'because the person is not, or is no longer, a fit and proper person to hold a licence'. Debate ensued. Question – That Mr McGrady's amendment be agreed to – put and agreed to. Clause 31, as amended, agreed to. Clauses 32 to 39, as read, agreed to. Clause 40 (Amendment of s 72 (Annual returns by licensed dealers))— The following amendment was proposed by Mr McGrady-At page 31, line 11, 'omit,'omit. Debate ensued. Question – That Mr McGrady's amendment be agreed to – put and agreed to. Clause 40, as amended, agreed to.

Clauses 41 to 73, as read, agreed to.

Clause 74 (Amendment of s 163 (Evidentiary provisions))—

The following amendment was proposed by Mr McGrady—At page 61, lines 7 to 12—omit. insert—

- '(ca) a certificate purporting to be signed by the commissioner or deputy commissioner that the commissioner or deputy commissioner, acting personally under section 15(5) or 18(7), approved the rejection of an application for a licence or the renewal of a licence because a person was not a fit and proper person is evidence of the matter; and
- (cb) a certificate purporting to be signed by the commissioner or deputy commissioner that the commissioner or deputy commissioner, acting personally under section 28(4) or 29(3), approved the suspension or revocation of a licence because a person was not a fit and proper person is evidence of the matter; and'.'.

Debate ensued.

Question – That Mr McGrady's amendment be agreed to – put and agreed to.

Clause 74, as amended, agreed to.

Clauses 75 to 77, as read, agreed to.

Clause 78 (Amendment of sch 2)—

The following amendment was proposed by Mr McGrady—

At page 69, after line 14-

insert-

"category M" weapon see the Weapons Categories Regulation 1997, section 7A.".

Debate ensued.

Question – That Mr McGrady's amendment be agreed to – put and agreed to.

Clause 78, as amended, agreed to.

Clauses 79 to 88, as read, agreed to.

Bill to be reported with amendments.

In the House

Bill reported with amendments.

Ordered – That the Bill, as amended, be taken into consideration.

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

Question put and agreed to.

Bill read a third time and passed.

Title agreed to.

#### 19 ADJOURNMENT

Leader of the House (Ms Bligh) moved – That this House do now adjourn.

Question put and agreed to.

The House adjourned at 3.54am.

#### 20 ATTENDANCE

The following members were present—

Attwood	Cunningham, E	Lavarch	Molloy	Roberts, E	Springborg
Barry	Cunningham, J	Lawlor	Mulherin	Roberts, N	Stone
Barton	Edmond	Lee	Nelson-Carr	Robertson	Strong
Beattie	English	Lee Long	Nolan	Rodgers	Struthers
Bell	Fenlon	Lester	Nuttall	Rose	Sullivan, C
Bligh	Flynn	Lingard	Palaszczuk	Rowell	Sullivan, T
Boyle	Foley, C	Livingstone	Pearce	Schwarten	Watson
Bredhauer	Foley, M	Lucas	Phillips	Scott, C	Welford
Briskey	Hayward	Mackenroth	Pitt	Scott, D	Wellington
Choi	Hobbs	Male	Poole	Seeney	Wells
Clark, E	Hopper	Malone	Purcell	Sheldon	Wilson
Clark, L	Horan	McGrady	Quinn	Shine	
Copeland	Jarratt	McNamara	Reeves	Simpson	
Croft	Johnson	Mickel	Reilly	Smith	
Cummins	Keech	Miller	Revnolds	Spence	

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Votes and Proceedings No. 119 – Wednesday, 28 May 2003

J FOURAS
ACTING SPEAKER

N J LAURIE THE CLERK OF THE PARLIAMENT