CONTENTS

ADJOURNMENT ............................................................................................................................... 1203
ATTENDANCE ............................................................................................................................... 1203
EVIDENCE (PROTECTION OF CHILDREN) AMENDMENT BILL ................................................... 1197
FARM DEBT MEDIATION BILL ........................................................................................................ 1203
HOUSING BILL ................................................................................................................................. 1201
LAND ACQUISITION AMENDMENT BILL ...................................................................................... 1196
MATTERS OF PRIVILEGE ............................................................................................................... 1197
MEETING OF THE ASSEMBLY ....................................................................................................... 1194
MINERAL RESOURCES AND ANOTHER ACT AMENDMENT BILL .............................................. 1200
MINISTERIAL PAPER....................................................................................................................... 1194
MINISTERIAL PAPERS TABLED BY THE CLERK .......................................................................... 1194
MINISTERIAL STATEMENTS........................................................................................................... 1194
NOTICE OF MOTION........................................................................................................................ 1196
NOTICE OF MOTION (DEBATED)— .............................................................................................. 1196
TRANSPORT ................................................................................................................................ 1201
PARLIAMENT OF QUEENSLAND (CHANGE OF POLITICAL STATUS) BILL ............................... 1196
PETITIONS........................................................................................................................................ 1194
POLICE SERVICE ADMINISTRATION (ALCOHOL AND DRUG TESTING) AMENDMENT BILL .. 1197
POSTPONED ORDERS – GENERAL BUSINESS ........................................................................... 1202
PRIVATE PROPERTY PROTECTION BILL ..................................................................................... 1196
QUESTIONS WITHOUT NOTICE .................................................................................................. 1197
SUGAR INDUSTRY AMENDMENT BILL ...................................................................................... 1202
1 MEETING OF THE ASSEMBLY
The Assembly met at 9.30am, pursuant to adjournment. The Speaker (Honourable R. K. Hollis) read prayers.

2 PETITIONS
The following paper petitions, lodged with the Clerk by the Members indicated, were received—
Mr Malone from 153 petitioners requesting the House to take the necessary measures to provide residents in the localities situated west of Mackay along the Peak Downs Highway and the Pioneer Valley with access to a timely and reliable ambulance service which eliminates the need for any further health or safety risks to the sick or injured.
Mrs E Cunningham from 241 petitioners requesting the House to note their concerns at the number of traffic jams occurring in peak hour between the Kin Kora roundabout and the Garden Lovers roundabout, Dawson Highway Gladstone and to ensure an urgent review is done to identify ways to rectify this problem.
Mrs E Cunningham from 217 petitioners requesting the House to note that funding for the Gladstone Base Hospital has not kept pace with the needs of the region and to: increase the financial allocation to the Gladstone Hospital; increase staff at the hospital (nurses, doctors and specialist); and reopen closed wards to ensure adequate bed space.
Mrs E Cunningham from 766 petitioners requesting the House to support the private member’s bill, Farm Debt Mediation Bill, currently before the House which provides a transparent process for both the farming families and financial institutions to adhere to.
Mr Wellington from 337 petitioners requesting the House to reduce the speed limit on the Nambour Connection Road in the vicinity of the intersection with Blackall Street to 60 kilometres per hour.
Miss Simpson from 4908 petitioners requesting the House to fund a Public Radiation Therapy Centre at Nambour Hospital.

3 MINISTERIAL PAPERS TABLED BY THE CLERK
The following ministerial papers were tabled by The Clerk—
Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province (Mr McGrady)—
Response from the Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province (Mr McGrady) to a paper petition presented by Mr Wells from 33 petitioners regarding speeding and noisy traffic using Moreton Downs Drive, Moreton Downs (Hansard p. 3357)
Minister for Environment (Mr Wells)—
Response from the Minister for Environment (Mr Wells) to a paper petition presented by Mr Johnson from 635 petitioners regarding the introduction of container deposit legislation similar to that operating in South Australia (Hansard p.3359)

4 MINISTERIAL PAPER
The following ministerial paper was tabled—
Minister for State Development (Mr Barton)—
Statement by the Coordinator General giving details of negotiations to acquire native title rights and interests for an infrastructure facility of significance relating to the Burnett River Dam

5 MINISTERIAL STATEMENTS (Hansard p. 3360, 9.34am)
(a) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the first World Suicide Prevention Day and the launch of the Queensland Government suicide prevention strategy 2003-2008.
Paper: Mr Beattie, during his statement, tabled the following paper—

(b) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to blue cards.

(c) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to The Australian Institute for Commercialisation.

(d) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Queensland wine industry.

(e) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Rugby World Cup 2003.

(f) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to reconciliation.

(g) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the drug and alcohol testing of police officers.

(h) Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province (Mr McGrady) made a ministerial statement relating to the proposed drug and alcohol testing policy for the Queensland Police Service.

(i) Minister for Education (Ms Bligh) made a ministerial statement relating to the Year 9 literacy and numeracy test consultation paper.

Papers: Ms Bligh, during her statement, tabled the following papers—
   September 2003 Consultation paper entitled Feasibility study for a year 9 test of literacy and numeracy
   Document entitled 2002: Overview of state-wide performance in aspects of literacy and numeracy report relating to the Queensland years 3, 5 and 7 testing program

(j) Minister for Employment, Training and Youth and Minister for the Arts (Mr M Foley) made a ministerial statement relating to Poetry on the Move.

Papers: Mr Foley, during his statement, tabled the following papers—
   List of competition winners and their poems


(l) Minister for State Development (Mr Barton) made a ministerial statement relating to sugar industry regulatory reform.

(m) Minister for Transport and Minister for Main Roads (Mr Bredhauer) made a ministerial statement relating to the decision not to deregulate the taxi industry.

(n) Attorney-General and Minister for Justice (Mr Welford) made a ministerial statement relating to a trial of Justices of the Peace being available at magistrates courts.

(o) Minister for Public Works and Minister for Housing (Mr Schwarten) made a ministerial statement relating to the Suncorp Stadium pitch.

Papers: Mr Schwarten, during his statement, tabled the following papers—
   Article from the Sunshine Coast Daily (Maroochydore), dated 4 July 2003, entitled Elite players could refuse to play Origin III
   Article from the Toowoomba Chronicle, dated 4 July 2004, entitled Minister denies stadium is dangerous
   Article from The Courier–Mail, dated 4 July 2003, entitled Schwarten demands ‘better looking’ grass at stadium
   Article from The Courier–Mail, dated 5 July 2003, entitled Stadium has fresh grass in reserve
   News media extract from ABC Channel 2 news on 3 July 2003 relating to the Suncorp Stadium surface
Article from The Courier-Mail, dated 13 June 2003, entitled Row over pitch may play out in court

Document entitled Players, coaches and team officials comments regarding the Suncorp Stadium playing field

(p) Minister for Primary Industries and Rural Communities (Mr Palaszczuk) made a ministerial statement relating to Mushroom Month and the sugar industry.

(q) Minister for Tourism and Racing and Minister for Fair Trading (Ms Rose) made a ministerial statement relating to the new drive marketing campaign.

(r) Minister for Natural Resources and Minister for Mines (Mr Robertson) made a ministerial statement relating to a drought management strategy for the Logan River water supply scheme.

(s) Minister for Emergency Services and Minister Assisting the Premier in North Queensland (Mr Reynolds) made a ministerial statement relating to the bushfire season.

6 NOTICE OF MOTION

Leader of the Opposition (Mr Springborg) gave notice that he will move – That this House notes the Beattie Government’s neglect of transport issues throughout the State, particularly in deliberative policy of causing traffic congestion, its reduced capital spending on Roads and transport infrastructure, its mismanagement of public transport and its failure to adequately plan transport infrastructure to cope with Queensland's population growth.

7 PRIVATE PROPERTY PROTECTION BILL

Deputy Leader of the Opposition (Mr Seeney) moved – That leave be granted to bring in a Bill for an Act to provide for the proper consideration of the impact of legislation on private property, and for the payment of compensation for the impact.

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

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

Debate ensued.

Minister for Natural Resources and Minister for Mines (Mr Robertson) 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.

8 LAND ACQUISITION AMENDMENT BILL

Deputy Leader of the Opposition (Mr Seeney) moved – That leave be granted to bring in a Bill for an Act to amend the Land Acquisition Act 1967.

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

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

Debate ensued.

Minister for Natural Resources and Minister for Mines (Mr Robertson) 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.

9 PARLIAMENT OF QUEENSLAND (CHANGE OF POLITICAL STATUS) BILL

Member for Nicklin (Mr Wellington) moved – That leave be granted to bring in a Bill for an Act to amend the Parliament of Queensland Act 2001.

Bill and Explanatory Notes presented by Mr Wellington, Bill read a first time and ordered to be printed.
Mr Wellington moved – That the Bill be now read a second time. Debate ensued.
Mr Wellington 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.

10 QUESTIONS WITHOUT NOTICE (Hansard p.3378, 10.31am)
Questions without notice were asked.

               Matter of Privilege: Minister for Public Works and Minister for Housing (Mr Schwarten) rose on a matter of privilege.

Questions resumed.

               Matter of Privilege: Leader of the Opposition (Mr Springborg) rose on a matter of privilege.

Papers: Mr Springborg, during his speech, tabled the following papers—
Document entitled Offences against the Person - Reported Offences - Queensland
Document entitled Offences against Property - Reported Offences - Queensland

Questions resumed.
Questions concluded.

11 POLICE SERVICE ADMINISTRATION (ALCOHOL AND DRUG TESTING) AMENDMENT BILL
(Hansard p.3391, 11.30am)
Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province (Mr McGrady), by leave, moved – That leave be granted to bring in a Bill for an Act to amend the Police Service Administration Act 1990, and for other purposes.
Question put and agreed to.
Bill and Explanatory Notes presented by Mr McGrady, Bill read a first time and ordered to be printed.
Mr McGrady moved – That the Bill be now read a second time.
Debate ensued.
Mr Johnson 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 EVIDENCE (PROTECTION OF CHILDREN) AMENDMENT BILL (Hansard p.3393, 11.44am)
Order of the day read for the adjourned debate on the motion of the Attorney-General and Minister for Justice (Mr Welford) – That the Bill be now read a second time.
Debate resumed.
Question put and agreed to.
Bill read a second time.
Bill committed on the motion of Mr Welford.

In Committee

Clause 1, as read, agreed to.
Clause 2 (Commencement)—
The following amendment was proposed by Mr Welford —
At page 10, line 7, after ‘Act’—
insert—
’, other than parts 8 and 9A,’
Paper: Mr Welford tabled the following paper—
Explanatory Notes to amendments in Committee to the Evidence (Protection of Children) Amendment Bill
Debate ensued.
Question – That Mr Welford’s amendment be agreed to – put and agreed to.
Clause 2, as amended, agreed to.
Clauses 3 to 44, as read, agreed to.
New Clause 44A—

The following amendment was proposed by Mr Welford—

At page 42, after line 20—

"44A Omission of ch 2, pt 3, div 2 hdg and s 30"

"Chapter 2, part 3, division 2 heading and section 30—

omitted, insert—

"30 Notice of application"

(1) Subject to section 30A(2), the State must give notice of the application—

(a) to each person whose property the authorised commission officer or police officer
whose affidavit supports the application reasonably believes is the subject of the
application; and

(b) to anyone else the authorised commission officer or police officer whose affidavit
supports the application considers has an interest in the property the subject of the
application.

(2) Notice given under subsection (1)(a) must be accompanied by a copy of the affidavit
supporting the application.

(3) Notice given under subsection (1)(b) must include a statement informing the person that
if the person asks, the person will be given a copy of the affidavit supporting the application.

"Division 2—Making restraining orders"

(1) The Supreme Court must not hear an application for a restraining order unless satisfied
the person whose property is the subject of the application has received reasonable notice
of the application.

(2) Despite subsection (1), the court must consider the application without notice having
been given if the DPP asks the court to do so.

(3) However, the Supreme Court may, at any time before finally deciding the application,
direct the State to give notice of the application to a stated person or class of persons in the
way, and within the time, the court considers appropriate.

(4) A person whose property is the subject of the application, and anyone else who claims
to have an interest in the property, may appear at the hearing of the application.''.

Question – That Mr Welford’s amendment be agreed to – put and agreed to.
Clauses 45 and 46, as read, agreed to.
New Clauses 46A to 46C—

The following amendment was proposed by Mr Welford—

At page 43, after line 10—

"46A Amendment of s 48 (When Supreme Court may exclude prescribed
respondent’s property)"

"Section 48—

insert—

(3) The Supreme Court may require the prescribed respondent to give security satisfactory
to the court to meet any liability that may be imposed on the prescribed respondent under
this Act.’’.

"46B Amendment of s 50 (When Supreme Court may exclude applicant’s property)"

"Section 50—

insert—

(4) The Supreme Court may require the applicant to give the undertakings about the
applicant’s property the court considers appropriate.’’.

"46C Insertion of new ch 2, pt 3, div 7A"

"After section 50—

insert—

‘Division 7A—Revocation of restraining order"

"50A Application to revoke restraining order"
(1) A person whose property is the subject of a restraining order and who was not given notice of the application for the restraining order may apply to the Supreme Court to revoke the order.

(2) The application must be made within 28 days or, with the approval of the court, the further period, of not more than 3 months, after the person is notified of the making of the restraining order.

(3) The applicant must give to the State written notice of the making of the application and the grounds for the application.

(4) The restraining order remains in force until the court revokes the order or the order otherwise stops having effect.

(5) The State may present additional material to the court relating to the application to revoke the restraining order.

(6) After considering the application, the court may revoke the restraining order if satisfied, on the facts before the court, there would be no basis for making a restraining order in relation to the property.

50B Notice of revocation of restraining order

(1) On the revocation of a restraining order under section 50A, the State must give notice of the revocation to—

(a) each person whose property was restrained under the order, if known; and

(b) anyone else who was affected by the order.

(2) Subsection (1) does not require the State to notify the applicant for the revocation of the restraining order of the revocation of the order.

46D Amendment of s 120 (Notice of application for restraining order)

(1) Section 120(1), ‘The’—

omit, insert—

‘Subject to section 121(2), the’.

(2) Section 120(2) to (4) and note—

omit.

46E Replacement of s 121 (Who may be present at hearing of application made without notice)

‘Section 121—

omit, insert—

121 Hearing of application

(1) The Supreme Court must not hear an application for a restraining order unless satisfied the person whose property is the subject of the application has received reasonable notice of the application.

(2) Despite subsection (1), the court must consider the application without notice having been given if the DPP asks the court to do so.

(3) However, the Supreme Court may, at any time before finally deciding the application, direct the State to give notice of the application to a stated person or class of persons in the way and within the time the court considers appropriate.

(4) A person whose property is the subject of the application, and anyone else who claims to have an interest in the property, may appear at the hearing of the application.’.

Question — That Mr Welford’s amendment be agreed to – put and agreed to.

Clauses 47 and 48, as read, agreed to.

New Clauses 48A and 48B—

The following amendment was proposed by Mr Welford —

At page 43, after line 23—

insert—

48A Amendment of s 139 (Supreme Court may exclude prescribed respondent’s property from restraining order)

Section 139—

insert—

(4) The Supreme Court may require the prescribed respondent to give security satisfactory to the court to meet any liability that may be imposed on the prescribed respondent under this Act.

48B Amendment of s 140 (Supreme Court may exclude other property from restraining order)
‘Section 140—
insert—
(6) The Supreme Court may require the applicant to give the undertakings about the applicant’s property the court considers appropriate.’.’.

Question – That Mr Welford’s amendment be agreed to – put and agreed to.
Clauses 49 to 51, as read, agreed to.
New clauses 51A and 51B—
The following amendment was proposed by Mr Welford —
At page 45, after line 14—
insert—

‘PART 9A—AMENDMENT OF DRUG REHABILITATION (COURT DIVERSION) ACT 2000
‘51A Act amended in pt 9A
This part amends the Drug Rehabilitation (Court Diversion) Act 2000.
‘51B Amendment of s 7A (What is a “disqualifying term of imprisonment”) Section 7A(1), ‘6 months’—
omit, insert—
‘1 year’.’.

Question – That Mr Welford’s amendment be agreed to – put and agreed to.
Clauses 52 to 84, 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 Welford, 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.

13 MINERAL RESOURCES AND ANOTHER ACT AMENDMENT BILL  (Hansard p.3424, 4.12pm)
Order of the day read for the adjourned debate on the motion of the Minister for Natural Resources and Minister for Mines (Mr Robertson) – That the Bill be now read a second time. Debate resumed.

Paper: Mr Wellington, during his speech, tabled the following paper—
Copy of a submission, dated 12 August 2003, from the North Arm Watch Group on the processing of the application for the environmental authority: Papillon Mining & Exploration Pty Ltd and Papillon Jewellery Pty Ltd.

Debate continued.
Question put and agreed to.
Bill read a second time.
Bill committed on the motion of Mr Robertson.

In Committee
Clauses 1 to 5, as read, agreed to.
Bill to be reported without amendment.

In the House
Bill reported without amendment.
Mr Robertson, 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.
Order of the day read for the adjourned debate on the motion of the Minister for Public Works and Minister for Housing (Mr Schwarten) – That the Bill be now read a second time. Debate resumed. Debate adjourned on the motion of Miss Roberts. Ordered – That the resumption of the debate be made an order of the day for tomorrow.

Leader of the Opposition (Mr Springborg), pursuant to notice, moved – That this House notes the Beattie Government's neglect of transport issues throughout the State, particularly its deliberative policy of causing traffic congestion, its reduced capital spending on Roads and transport infrastructure, its mismanagement of public transport and its failure to adequately plan transport infrastructure to cope with Queensland's population growth. Debate ensued.

Distinguished visitors: Mr Speaker informed the House of the presence in the Gallery of a delegation from the Jiangsu Provincial Committee of the Chinese People’s Political Consultative Committee, led by Chairman Xu Zhonglin.

The following amendment was proposed by Minister for Transport and Minister for Main Roads (Mr Bredhauer)—

Delete all words after 'That this House' and insert the following—

‘applauds the Beattie Government for the development of Integrated Regional Transport Plans for South-East Queensland, Southern Cairns, Townsville, Mackay, Gladstone, Rockhampton, Border Rivers, Eastern Downs, and Wide Bay, Transport 2007, the joint State/Local Government Integrated Transport Planning Framework, the establishment of TransLink, the planned smart-card integration of public transport in South-East Queensland, the construction of the $599 million South-East Busway and transit project, the $135 million Inner Northern Busway, increases in public transport patronage, and a record roads budget that has seen almost 57 percent of the roads budget spent outside the State's south-east corner.’

Debate ensued. Question put – That Mr Bredhauer's amendment be agreed to. The House divided.

AYES 57—

Barry
Beattie
Boyle
Briskey
Choi
Clark, E
Clark, L
Croft
Cunningham, E
Cunningham, J

Edmond
English
Fenlon
Fouras
Hayward
Jarratt
Keech
Lawlor
Livingstone

Lucas
Mackenzie
McNamara
Mickel
Miller
Molloy
Mulherin
Nolan
Nuttall

Palaszczuk
Pearce
Phillips
Pitt
Poole
Pratt
Purcell *
Reilly
Reynolds

Roberts, N
Robertson
Rodgers
Rose
Schwarten
Scott, C
Shine
Smith
Spence
Stone

Strong
Struthers
Sullivan, C
Sullivan, T *
Welford
Wells
Wilson

NOES 16—

Copeland
Flynn
Hobbs

Hopper
Horan
Johnson

Lee Long
Lester *
Lingard

Malone
Quinn
Reid

Rowell
Simpson
Springborg

Watson *

Tellers

Question agreed to. Question put – That the motion, as amended, be agreed to. The House divided.
AYES 57—

Barry
Beattie
Boyle
Briskay
Choi
Clark, E
Clark, L
Croft
Cunningham, E
Cunningham, J

AYES 57—

Barry
Beattie
Boyle
Briskay
Choi
Clark, E
Clark, L
Croft
Cunningham, E
Cunningham, J

NOES 16—

Copeland
Flynn
Hobbs

NOES 16—

Copeland
Flynn
Hobbs

* Tellers

Question agreed to.

16 SUGAR INDUSTRY AMENDMENT BILL (Hansard p.3454, 8.30pm)

Order of the day read for the adjourned debate on the motion of the Member for Hinchinbrook (Mr Rowell) – That the Bill be now read a second time.

Debate resumed.

Question put.

The House divided

AYES 20—

Bell
Copeland
Cunningham, E
Flynn

AYES 20—

Bell
Copeland
Cunningham, E
Flynn

NOES 53—

Barry
Boyle
Briskay
Choi
Clark, E
Clark, L
Croft
Cunningham, J
Edmond

NOES 53—

Barry
Boyle
Briskay
Choi
Clark, E
Clark, L
Croft
Cunningham, J
Edmond

* Tellers

Question agreed to.

17 POSTPONED ORDERS – GENERAL BUSINESS

Minister for Primary Industries and Rural Communities (Mr Palaszczuk) moved – That General Business Order of the Day No. 2 be postponed until a later hour of the sitting.

Question put.

The House divided

AYES 53—

Barry
Boyle
Briskay
Choi
Clark, E
Clark, L
Croft
Cunningham, J
Edmond

AYES 53—

Barry
Boyle
Briskay
Choi
Clark, E
Clark, L
Croft
Cunningham, J
Edmond

* Tellers

Question negatived.

17 POSTPONED ORDERS – GENERAL BUSINESS

Minister for Primary Industries and Rural Communities (Mr Palaszczuk) moved – That General Business Order of the Day No. 2 be postponed until a later hour of the sitting.

Question put.

The House divided

AYES 53—

Barry
Boyle
Briskay
Choi
Clark, E
Clark, L
Croft
Cunningham, J
Edmond

AYES 53—

Barry
Boyle
Briskay
Choi
Clark, E
Clark, L
Croft
Cunningham, J
Edmond

* Tellers

Question negatived.
NOES 20—
Bell
Copeland
Cunningham, E
Flynn
* Tellers

Question agreed to.

18 FARM DEBT MEDIATION BILL (Hansard p.3472, 10.30pm)
Order of the day read for the adjourned debate on the motion of the Member for Gladstone (Mrs E Cunningham) – That the Bill be now read a second time.
Debate resumed.
Debate adjourned on the motion of Mr Flynn.
Ordered – That the resumption of the debate be made an order of the day for tomorrow.

19 ADJOURNMENT (Hansard p.3476, 10.56pm)
Minister for Primary Industries and Rural Communities (Mr Palaszczuk) moved – That this House do now adjourn.
Debate ensued.

Paper: Mrs E Cunningham, by leave, during her speech, tabled the following paper—
Non-conforming petition relating to mobile phone coverage in the areas of Tannum Beach Caravan Village and the beach area as a whole

Debate continued.

Paper: Ms Lee Long, during her speech, tabled the following paper—
Document entitled Save our hospital in Atherton the threat continues

Debate continued.

Question put and agreed to.
The House adjourned at 11.32pm.

20 ATTENDANCE
The following members were present—

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<th>Attwood</th>
<th>Barry</th>
<th>Barton</th>
<th>Beattie</th>
<th>Bell</th>
<th>Bligh</th>
<th>Boyle</th>
<th>Bredhauer</th>
<th>Briskey</th>
<th>Choi</th>
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<td>Stone</td>
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<td>Struthers</td>
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R K HOLLIS
SPEAKER

N J LAURIE
THE CLERK OF THE PARLIAMENT

BY AUTHORITY
K A TYNDALL, ACTING GOVERNMENT PRINTER, QUEENSLAND