

2001–03



LEGISLATIVE ASSEMBLY OF QUEENSLAND

FIRST SESSION OF THE FIFTIETH PARLIAMENT

VOTES AND PROCEEDINGS

NO. 145

THURSDAY, 27 NOVEMBER 2003

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1 MEETING OF THE ASSEMBLY

The Assembly met at 9.30am, pursuant to adjournment. The Speaker (Honourable R. K. Hollis) read prayers.

2 CRIME AND MISCONDUCT COMMISSION – REPORT

Mr Speaker informed the House that he had received the following report from the Crime and Misconduct Commission—

An investigation of matters relating to the conduct of the Hon. Ken Hayward MP

3 AUDITOR-GENERAL – REPORT

Mr Speaker informed the House that he had received the following report from the Auditor-General—

Audit Report No. 3 of 2003-04 – Results of the Audit of Certain Matters in relation to the Honourable the Member for Kallangur

4 STATEMENT BY SPEAKER – RE-APPOINTMENT OF PARLIAMENTARY CRIME AND MISCONDUCT COMMISSIONER

Mr Speaker made the following statement—

'I have to report that Mr Robert Martin Needham has been re-appointed as the Parliamentary Crime and Misconduct Commissioner for a further term of three years.'

5 PETITIONS

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

Mr Quinn from 3774 petitioners requesting the House to establish a police beat within Tewantin that will operate in conjunction with a fully-manned 24 hour police station at Coolum and, further, to amend the resource allocation model used by the Queensland Police Service to ensure that policing resources are appropriately allocated to properly service areas of high growth and population fluctuations attributable to high levels of tourism.

Mr Quinn from 487 petitioners requesting the House to ensure that the State Government acknowledges the concerns of local residents who oppose the proposed disability upgrade of Corinda Railway Station which would see the removal of the existing ramps replaced with stairs.

6 MINISTERIAL PAPER TABLED BY THE CLERK

The following ministerial paper was tabled by The Clerk—

Minister for Local Government and Planning (Mrs J Cunningham)—

Response from the Minister for Local Government and Planning (Mrs J Cunningham) to paper petitions presented by Mr Lawlor from 82 and 139 petitioners respectively regarding the Gold Coast Harbour Vision 2020 Project – Report No. 1, prepared by the Gold Coast City Council

7 MINISTERIAL PAPER

The following ministerial paper was tabled—

Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond)—

Mental Health Court - Report 1 July 2002 – 30 June 2003

8 MINISTERIAL STATEMENTS (Hansard p. 5259, 9.34am)

- (a) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Women in the Smart State.

Papers: Mr Beattie, during his statement, tabled the following papers—
Women in the Smart State Services Directory 2003-2008
Women in the Smart State Directions Statement 2003-2008
Women in the Smart State 2003-2008: An Overview

- (b) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the implementation of the Multicultural Queensland Policy.

Paper: Mr Beattie, during his statement, tabled the following paper—
Report by Multicultural Affairs Queensland – Community Engagement Division
entitled *Implementation of the Multicultural Queensland Policy 2002-2003*

- (c) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to overseas trade and investment offices.
- (d) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Public Sector Awards.
- (e) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to skilled migration.

Paper: Mr Beattie, during his statement, tabled the following paper—
Document entitled *Queensland Government Position Statement on Skilled Migration*

- (f) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Schoolies Week.
- (g) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to land clearing in Queensland.
- (h) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to health services in Queensland.
- (i) Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province (Mr McGrady) made a ministerial statement relating to alleged inappropriate behaviour by a police officer at Schoolies Week.
- (j) Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) made a ministerial statement relating to Queensland's health service.
- (k) Minister for Environment (Mr Wells) made a ministerial statement relating to environmental achievements.
- (l) Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services and Minister for Seniors (Ms Spence) made a ministerial statement relating to International Day for People with a Disability and departmental achievements in 2003.

Paper: Ms Spence, during her statement, tabled the following paper—
Document summarising the department's achievements in 2003

- (m) Minister for Primary Industries and Rural Communities (Mr Palaszczuk) made a ministerial statement relating to fire ant baits and departmental achievements in 2003.
- (n) Minister for Tourism and Racing and Minister for Fair Trading (Ms Rose) made a ministerial statement relating to departmental achievements in 2003.
- (o) Minister for Local Government and Planning (Mrs J Cunningham) made a ministerial statement relating to departmental achievements in 2003.
- (p) Minister for Emergency Services and Minister Assisting the Premier in North Queensland (Mr Reynolds) made a ministerial statement relating to departmental achievements in 2003.
- (q) Minister for Transport and Minister for Main Roads (Mr Bredhauer) made a ministerial statement relating to the trial of seat belts on school buses.

Paper: Mr Bredhauer, during his statement, tabled the following paper—
Report, dated October 2003, entitled *Contract Report: Evaluation of the Seat Belt Trial in Queensland: Final Report*

- (r) Minister for State Development (Mr Barton) made a ministerial statement relating to the construction of the Eidsvold Weir.
- (s) Minister for Employment, Training and Youth and Minister for the Arts (Mr M Foley) made a ministerial statement relating to a new program to assist women prisoners obtain jobs.

- (t) Minister for Education (Ms Bligh) made a ministerial statement relating to science education in Queensland schools.

9 NOTICE OF MOTION – NEW STANDING RULES AND ORDERS

Premier and Minister for Trade (Mr Beattie), pursuant to notice, moved – That this House amends the Standing Rules and Orders of the Legislative Assembly by:

- (a) omitting the current Chapter XVI – Petitions (Standing Orders 219-238A);
- (b) inserting the proposed Chapter XVI – Petitions (Standing Orders 219-225), circulated in my name; viz—

PROPOSED NEW CHAPTER XVI OF STANDING RULES AND ORDERS OF THE LEGISLATIVE ASSEMBLY **“CHAPTER XVI - PETITIONS**

219. Purpose and effect

(1) The following requirements and provisions set out in this Chapter relate to the petitioning of the Legislative Assembly (“the House”).

(2) The House shall recognise two types of petitions:

- (a) Paper petitions; and
- (b) Electronic petitions (“E-Petitions”).

220. Paper petitions

A paper petition is a petition:

- (a) in the correct form, stating a grievance and containing a request for action by the House;
- (b) fairly written or printed, and free from erasures and interlineations;
- (c) physically signed by at least one person on the sheet on which the petition is written or printed;
- (d) lodged by a Member with the Clerk for presentation to the House.

221. Electronic petition (“E-Petition”)

(1) An E-Petition is a petition:

- (a) in the correct form, stating a grievance and containing a request for action by the House;
- (b) sponsored by a Member and lodged with the Clerk for publication on the Parliament’s Internet Website for a nominated period (“posted period”);
- (c) persons may elect to indicate their support of the petition (“join the petition”) by electronically providing their name, address (including postcode), email address and signifying their intention to join the petition.

(2) The posted period for an E-Petition is to be a minimum of one week and a maximum of six months from the date of publication on the Parliament’s Internet Website.

(3) The member sponsoring the E-Petition must provide the Clerk with the details of the petition in the correct form; the posted period and a signed acknowledgment that they are prepared to sponsor the E-Petition.

(4) Once published on the Parliament’s Internet Website an E-Petition cannot be altered.

(5) Only one E-Petition dealing with substantially the same grievance and requesting substantially the same action by the House shall be published on the Parliament’s Internet Website at the same time.

(6) Once the posted period for an E-Petition has elapsed, a paper copy of the petition shall be printed by the Clerk in full (including the names, addresses and email addresses of the persons who joined the petition) and presented to the House in the name of the Member that sponsored the E-Petition.

(7) An E-Petition published on the Parliament’s Internet Website, but not presented to the House prior to the dissolution of the Parliament, shall be presented to the subsequent Parliament and becomes a petition of the subsequent Parliament.

(8) An E-Petition cannot be sponsored after the dissolution of the Parliament.

222. Correct form for all petitions

(1) All petitions shall be in the following correct form—

“PETITION

TO: The Honourable the Speaker and Members of the Legislative Assembly of Queensland.

The Petition of (a) citizens of Queensland or

(b) residents of the State of Queensland or

(c) electors of the Division of

draws to the attention of the House

(State Grievance)

Your petitioners, therefore request the House to

(State action required)

Name and address of principal petitioner

(Here follows the Signatures)

(2) The text of the grievance and action required in each petition shall not exceed 250 words in total.

223. General Rules for Petitions

(1) A petition shall be in the English language, or if in another language shall be accompanied by an English translation, certified by the member who sponsors or lodges it to be a true and correct translation.

(2) A petition of a company must be made under its common seal (if the company has a common seal).

(3) Letters, affidavits, or other documents may not be attached to a petition and, in the case of E-Petitions, no reference to Universal Resource Locators (URLs) or other links or web based references are permitted in the petition.

(4) A petition must be respectful, decorous and temperate and not contain any unparliamentary language or otherwise offend any rule or practice of the House.

(5) Application shall not be made by a petition for any grant of public money, nor for compounding debts due to the Crown, nor for the remission of duties payable by any person, unless it is first recommended by the Governor.

(6) In respect of paper petitions, signatures shall be written upon the petition itself, and not pasted upon it, or otherwise affixed or transferred to it.

(7) Persons must sign paper petitions by their names or marks, and by no one else, except in case of incapacity from sickness.

(8) Persons must join an E-Petition by filling out their correct details and personally agreeing to join the E-Petition, and by no one else, except in case of incapacity from sickness.

(9) A person cannot sign or join the same paper petition or E-Petition more than once.

(10) The correct form of the petition (including the name, address and, in the case of an E-Petition the email address, of the principal petitioner) must appear on each page of the petition to be presented to the House.

224. Presentation of petitions to the House

(1) At the appointed time in the order of business of the House the Speaker will ask the Clerk to read the list of petitions lodged.

(2) Every petition presented to the House in accordance with (1) is deemed to have been received by the House unless a motion that it not be received is moved immediately and agreed to.

225. Duties and powers of the Speaker and Clerk regarding petitions

(1) The Clerk may return a paper petition not in conformity with these Standing Orders to the member who lodged the petition.

(2) The Clerk may decline to publish an E-Petition on the Parliament's Internet Website not in conformity with these Standing Orders and advise the sponsoring member accordingly.

(3) The Clerk or a member may seek a ruling from the Speaker about the conformity of any petition with these Standing Orders.

(4) The Speaker or the Clerk may allow a petition not in strict compliance with these rules to be presented or published, but only if the non-compliance is minor and relates to the form of the petition and not its substance.

(5) The Clerk shall ensure that the details of all petitions received after these Standing Orders are adopted, together with all ministerial responses received are published on the Parliament's Internet Website. The details may be removed after the dissolution of each Parliament.

(6) The Clerk is authorised to create and maintain an appropriate Internet Website on which to publish electronic petitions, paper petitions, responses to petitions and explanatory information and do all things necessary in order to give effect to these Standing Orders.

(7) The Clerk must dispose of all electronic personal data related to the posting and joining of an E-Petition within six months after an electronic petition is printed and presented to the House.

226. Instructions to members lodging or sponsoring petitions

(1) A member lodging a paper petition shall place their name and signature at the beginning of that petition and indicate the number of petitioners.

(2) A member lodging or sponsoring a petition shall take care that it is in conformity with these Standing Orders.

(3) A member cannot lodge or sponsor their own petition.

(4) If a member desires a paper petition to be presented on a particular sitting day, the member must lodge the petition with the Clerk of the Parliament at least two hours prior to the time set for the commencement of the meeting of the House on that sitting day.

(5) If a member desires a number of petitions to be presented together on a particular sitting day, then the member may request the Clerk to hold any petitions lodged or sponsored for presentation on a particular day.

227. Petitions referred to a Minister and responses tabled and published

(1) The Clerk shall refer a copy of the material parts of every petition presented to and received by the House to the Minister responsible for the administration of the matter which is the subject of the petition.

- (2) The Minister may forward the Clerk's advice to another Minister for response.
- (3) The Minister may forward a response ("ministerial response") to a petition to the Clerk and the Clerk shall:
- (a) table the response;
 - (b) forward a copy of the response to the member who presented the petition; and
 - (c) ensure the response is published on the Parliament's Internet Website.
- (4) If the House is not sitting when the Clerk receives a ministerial response to a petition, the response is deemed to be tabled when it is received by the Clerk.
- (5) The details of all ministerial responses to petitions received by the Clerk and deemed to be tabled and the day they are received by the Clerk must be recorded in the Votes and Proceedings and Hansard on the next sitting day."
- (c) inserting after Standing Order 158A the proposed Standing Order 158B (relating to the disclosure in representations or communication of pecuniary interests) circulated in my name; viz—

**PROPOSED AMENDMENT TO STANDING RULES AND ORDERS
NEW STANDING ORDER 158B**

"158B Disclosure in representations or communications of pecuniary interest

In any representation or communication which a member may have with other members or with Ministers or servants of the Crown, a member shall disclose any pecuniary interest (of which the member is aware) that the member or a related person (as defined by the resolution for Members' Register of Interest) has in the subject matter of the representation or communication, if such pecuniary interest is significantly greater than the interest held in common with subjects of the Crown or members of the House generally."

and

- (d) inserting after Standing Order 301 the proposed Standing Order 301A (Papers Forwarded By A Minister Or The Governor During Recess Deemed Tabled) circulated in my name. viz—

**PROPOSED AMENDMENT TO STANDING RULES AND ORDERS
NEW STANDING ORDER 301A**

"301A. Papers forwarded by a minister or the governor during recess deemed tabled

- (1) A Minister or the Governor may table any paper or report concerning the affairs of the State when the House is not sitting.
- (2) A Minister or the Governor may table a paper or report when the House is not sitting by providing the paper or report to the Clerk of the Parliament with a request that the paper or report be tabled.
- (3) Papers or reports provided in accordance with (2) are deemed to have been tabled in the House on the day they are received by the Clerk of the Parliament.
- (4) The details of all papers or reports tabled and the day they are received by the Clerk of the Parliament during a recess must be recorded in the Votes and Proceedings and Hansard on the next sitting day."

Question put and agree to.

10 PRIVATE MEMBERS' STATEMENTS (Hansard p. 5278, 10.15am)

Private Members' statements were made.

11 QUESTIONS WITHOUT NOTICE (Hansard p. 5281, 10.30am)

Questions without notice were asked.

Paper: Leader of the Opposition (Mr Springborg) tabled the following paper—
Extract from *Working with QBuild*, namely, section 2.0 Becoming a Registered Contractor with QBuild

Questions continued.

Paper: Premier and Minister for Trade (Mr Beattie) tabled the following paper—
Letter, dated 24 November 2003, from Cameron Prout, Executive Director, Heart Foundation to Mr Beattie relating to the National Heart Foundation Kellogg Local Government Awards

Questions continued.

Questions concluded.

12 MINISTERIAL STATEMENT (Hansard p. 5293, 11.31am)

Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to the Crime and Misconduct Commission and Auditor-General reports regarding the conduct of the Member for Kallangur, Mr Hayward.

13 MOTION WITHOUT NOTICE – REFERRAL TO MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Premier and Minister for Trade (Mr Beattie), by leave, moved – That this Parliament refers to the Members' Ethics and Parliamentary Privileges Committee an examination of:

1. recent amendments to Part 4, and particularly Section 71 of *Parliament of Queensland Act 2001*, and make recommendations on the appropriate scope of provisions on members transacting business with an entity of the state;
2. amendments to procedures and practices covering travel expenditure and pecuniary interests of Members of Parliament as recommended by the Crime and Misconduct Commission and the Auditor General; and
3. any other matters that the Committee deems relevant that have been raised by the Crime and Misconduct Commission and the Auditor General.

Question put and agreed to.

14 PERSONAL EXPLANATION (Hansard p. 5294, 11.36am)

Mr Hayward, by leave, made a personal explanation.

15 LEGAL PROFESSION BILL (Hansard p. 5295, 11.40am)

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

Clauses 1, as read, agreed to.

Clause 2 (Commencement)—

The following amendment was proposed by Mr Welford—

At page 22, line 7—

omit, insert—

‘(1) Section 379 and schedule 1, to the extent it amends the *Coroners Act 2003* and the *Cremations Act 2003*, commence or are taken to have commenced on 30 November 2003.

‘(2) The remaining provisions of this Act commence on a day to be fixed by proclamation.’

Paper: Mr Welford, during his speech, tabled the following paper—

Explanatory Notes to Amendments in Committee to the Legal Profession Bill

Debate continued.

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

Clause 2, as amended, agreed to.

Clauses 3 to 156, as read, agreed to.

Clause 157 (Pre-emptory cancellation of local practising certificate following removal of name from interstate roll)—

The following amendment was proposed by Mr Welford—

At page 109, lines 8 to 14—

omit, insert—

‘(2) The relevant regulatory authority must cancel the local practising certificate.

‘(3) The relevant regulatory authority may, but need not, give the individual notice of the date on which it proposes to cancel the local practising certificate.

‘(4) The relevant regulatory authority must give the individual notice of the cancellation, unless notice of the date of the proposed cancellation was previously given.’.

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

Clause 157, as amended, agreed to.

Clauses 158 to 172, as read, agreed to.

Clause 173 (Making a complaint)—

The following amendment was proposed by Mr Welford—

At page 117, lines 20 to 23—

omit, insert—

‘(a) an Australian lawyer;

(b) a relevant regulatory authority;

(c) the chief executive officer, however expressed, of the department or agency in which the officer is a government legal officer or, if the chief executive officer may delegate that power, a delegate.’.

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

Clause 173, as amended, agreed to.

Clauses 174 to 216, as read, agreed to.

Clause 217 (General provisions about disclosure of information)—

The following amendment was proposed by Mr Welford—

At page 143, line 28, ‘228’¹⁰¹,—

omit, insert—

‘376B’.

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

Clause 217, as amended, agreed to.

Clauses 218 to 226, as read, agreed to.

Clause 227 (Reports to Minister)—

The following amendment was proposed by Mr Welford—

At page 147, lines 8 to 16—

omit, insert—

‘227 Annual and other reports to the Minister

‘(1) By 31 October after the end of each financial year, the commissioner must give to the Minister a report for the immediately preceding financial year.

‘(2) The report must deal with the system established under this Act for dealing with complaints.

‘(3) Also the Minister may, by written notice, ask the commissioner to provide a report at any time for a period stated in the Minister’s request about the system or about an aspect of the system stated in the notice.

‘(4) If the Minister makes a request under subsection (3), the commissioner must comply with the request and give the relevant report to the Minister by the date stated in the notice.

‘(5) The commissioner may include other matters the commissioner considers appropriate in a report under this section, including, for example, recommendations about the system.

‘(6) The Minister must table in the Legislative Assembly a report given to the Minister under subsection (1), within 14 days after receiving the report.’.

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

Clause 227, as amended, agreed to.

Clause 228 (Offence of improper disclosure of information) and Clause 229 (Protection from liability)—

Question – That Clauses 228 and 229, as read, stand part of the Bill – put and negatived.

Clauses 230 to 330, as read, agreed to.

Clause 331 (Confidentiality of suitability report)—

The following amendments were proposed by Mr Welford—

At page 186, line 9, ‘the board or’—

omit.

At page 186, lines 11 and 12, ‘the board or’—

omit.

At page 186, line 28, ‘relevant’—

¹ Section 376B (Offence of improper disclosure of information)

omit, insert—

‘regulatory’.

At page 186, line 31, ‘relevant’—

omit, insert—

‘regulatory’.

At page 187, after line 23—

insert—

‘(5) Subsection (1) does not apply to information in a suitability report if that information was given or obtained by the relevant authority other than as part of the suitability report.

Example for subsection (5)—

A suitability report may contain information that an applicant may have already disclosed, including name, address, or some information about previous convictions or a previous disqualification from being a lawyer.’.

Question – That Mr Welford's amendments be agreed to – put and agreed to.

Clause 331, as amended, agreed to.

Clauses 332 to 376, as read, agreed to.

New Clauses 376A to 376C—

The following amendment was proposed by Mr Welford—

At page 212, after line 1—

insert—

‘376A Information sharing among entities with functions under Act

‘(1) This section applies to each of the following (each of which is an “entity”)—

- (a) the board;
- (b) the law society;
- (c) the bar association;
- (d) the commissioner.

‘(2) An entity that holds a document or information (the “information holder”) about a person may allow another entity (the “information seeker”) access to the document or give the information to the information seeker if—

- (a) the information holder considers allowing the access or giving the information is consistent with the information holder’s or information seeker’s functions under a relevant law; and
- (b) allowing the access or giving the information is done under a written arrangement between the information holder and information seeker as mentioned in subsection (3).

‘(3) An entity must have a written arrangement with another entity providing for the way in which the entity, as an information holder, and its officers may, under subsection (2), allow access to a document or give information to the other entity, as an information seeker, and its officers.

‘(4) Despite subsection (2), the information holder may not allow access to a suitability report about a person, or give information about a person in a suitability report, in contravention of section 331(1).

Note—

Section 331 (Confidentiality of suitability report) states when the board or a regulatory authority may disclose a suitability report or information in a suitability report.

‘376B Offence of improper disclosure of information

‘(1) A person who discloses information obtained in the administration of this Act commits an offence, unless the disclosure is—

- (a) authorised or required by this Act or another Act; or
- (b) made in connection with the administration of this Act; or
- (c) made with the consent of the person to whom the information relates; or
- (d) made in connection with legal proceedings under a relevant law or of any report of those proceedings, including proceedings before the tribunal or the committee relating to a discipline application; or
- (e) made with other lawful excuse.

Maximum penalty—200 penalty units.

‘(2) For the purposes of and without limiting subsection (1), a person who receives information directly or indirectly from a corresponding authority is taken to have obtained the information in the administration of this Act.

‘(3) This section does not apply to the following disclosures of information—

- (a) a disclosure that does not identify or help in identifying—
- (i) a complainant; or
- (ii) an Australian lawyer or law practice employee, who is the subject of a complaint or an investigation matter, or a law practice that employs the lawyer or employee; or
- (iii) a person associated with the complainant, Australian lawyer, law practice employee or law practice;
- (b) a disclosure by an investigator to the commissioner and, if the investigator was nominated by a regulatory authority, to the regulatory authority.

‘(4) This section is not limited by another provision of this Act—

- (a) allowing an entity to disclose information; or
- (b) requiring an entity to protect information.

‘376C Protection from liability

‘(1) An Act official is not civilly liable to someone for an act done, or omission made, honestly and without negligence under this Act.

‘(2) If subsection (1) prevents a civil liability attaching to an Act official, the liability attaches instead to the State.

‘(3) This section does not apply to an act done, or omission made, for which liability is excluded under section 216, 267 or 291.²

‘(4) In this section—

“Act official” means—

- (a) the commissioner or the staff of the commission; or
- (b) an investigator involved in the conduct of an investigation under chapter 3;³ or
- (c) a disciplinary body, any member of the disciplinary body or a panel member; or
- (d) the Brisbane registrar and other registrars; or
- (e) a mediator to whom a matter is referred under chapter 3; or
- (f) a regulatory authority; or
- (g) a member of the staff of an entity mentioned in paragraphs (b) to (f).

“civil liability” includes liability for the payment of costs ordered to be paid in a proceeding for an offence against this Act.’

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

Clauses 377 to 405, as read, agreed to.

Schedule 1 (Acts amended)—

The following amendments were proposed by Mr Welford—

At page 226, after line 7—

insert—

‘CORONERS ACT 2003

‘1 Section 71(6), ‘sections 10(8) and 13 do’ and footnote—

omit, insert—

‘section 41⁴ does’.

‘2 Sections 73(2), 80(2) and 82(4), ‘section 15(4)’ and footnotes—

omit, insert—

‘section 43(4)⁵’.

‘3 Section 97—

omit.

‘4 Schedule 2, definitions “de facto partner” and “spouse”—

omit.

‘CREMATIONS ACT 2003

‘1 Section 17—

² Section 216 (Liability for publicising disciplinary action), 267 (Protection of members etc.) or 291 (Protection of members etc.)

³ Chapter 3 (Complaints, investigation matters and discipline)

⁴ Section 41 (Functions of magistrates generally)

⁵ Section 43 (Suspension of magistrate by Governor in Council)

omit.

‘2 Schedule, definitions “de facto partner” and “spouse”—

omit.’

At page 234, line 20, ‘“lawyer”’—

omit, insert—

‘“legal practitioner”’.

Question – That Mr Welford's amendments be agreed to – put and agreed to.

Schedule 1, as amended, agreed to.

Schedules 2 to 5, 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.

16 AMNESTY INTERNATIONAL – HUMAN RIGHTS (Hansard p. 5314, 2.51pm)

Minister for Environment (Mr Wells), by leave, moved – That this House join Amnesty International in its campaign against human rights violations in Myanmar.

Debate ensued.

Question put and agreed to.

17 SPECIAL ADJOURNMENT (VALEDICTORY) (Hansard p. 5320, 3.23pm)

Leader of the House (Ms Bligh) moved – That the House, at its rising, do adjourn to 9.30 am on a date and at a time to be fixed by Mr Speaker in consultation with the Government of the State.

Debate ensued.

Paper: Mr Mickel, by leave, during his speech, tabled the following paper—

Document entitled *So you think it's a circus! Stacks of speeches on the Queensland Liberals* by John Mickel

Debate continued.

Question put and agreed to.

18 ADJOURNMENT

Minister for Education (Ms Bligh) moved – That this House do now adjourn.

Debate ensued.

Question put and agreed to.

The House adjourned at 6.05pm.

19 ATTENDANCE

The following members were present—

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

20 ASSENT TO BILLS

Letter from the Governor was reported, informing the House that Her Excellency the Governor had, in the name of Her Majesty, assented to the following Bills on 3 December 2003—

A Bill for an Act to amend the *Police Powers and Responsibilities Act 2000* and other legislation, and for other purposes (*Police Powers and Responsibilities and Other Legislation Amendment Act 2003* – Act No. 92 of 2003)

A Bill for an Act to amend the *Parliamentary Contributory Superannuation Act 1970* and the *Superannuation (State Public Sector) Act 1990* (*Superannuation Legislation Amendment Act 2003* – Act No. 93 of 2003)

A Bill for an Act to amend legislation administered by the Minister for Tourism and Racing and the Minister for Fair Trading, and for other purposes (*Tourism, Racing and Fair Trading (Miscellaneous Provisions) Act 2003* – Act No. 94 of 2003)

A Bill for an Act to amend the *Environmental Protection Act 1994*, and for other purposes (*Environmental Protection Legislation Amendment Act 2003* – Act No. 95 of 2003)

A Bill for an Act to amend particular environmental legislation (*Environmental Legislation Amendment Act 2003* – Act No. 96 of 2003)

A Bill for an Act to provide for admission to, and the regulation of, the legal profession, and for other purposes (*Legal Profession Act 2003* – Act No. 97 of 2003)

21 PAPERS TABLED DURING THE RECESS

The following papers, received during the recess, were tabled prior to the dissolution of the 50th Parliament on 13 January 2004—

28 November 2003—

Queensland's Category 2 Water Authorities – Summary of Annual Reports and Financial Statements 2002-03

Queensland's River Improvement Trusts – Summarised Annual Report 2002-03

Nature Conservation Act 1992—

Code of Practice – Aviculture

Code of Practice – Captive reptile and amphibian husbandry

Code of Practice – Care of orphaned, sick or injured protected animals by wildlife care volunteers

Code of Practice – Emu farming

Code of Practice – Crocodile farming

Code of Practice of the Australasian Regional Association of Zoological Parks and Aquaria Queensland – Minimum standards for exhibiting wildlife in Queensland

1 December 2003—

Auditor-General of Queensland Report No. 4 2003-04 - Results of Audits Performed for 2002-03 as at 30 September 2003

Response from the Attorney-General and Minister for Justice (Mr Welford) to an e-petition sponsored by Mr Springborg from 101 petitioners regarding the right to silence in Queensland criminal cases

Response from the Minister for Natural Resources and Minister for Mines (Mr Robertson) to an e-petition sponsored by Mr Hobbs from 125 petitioners regarding the effect of taxes on water users and their communities

National Australia Trustees Limited – Annual Financial Report 30 September 2003

Perpetual Trustees Australia Limited – Annual Report 2002-03

Perpetual Trustees Queensland Limited – Annual Financial Report 2002-03

2 December 2003—

Response from the Minister for Environment (Mr Wells) to a paper petition presented by Mr Wellington from 108 petitioners regarding access to Mapleton Forest Reserve

Response from the Minister for Environment (Mr Wells) to a paper petition presented by Mrs Smith from 2200 petitioners regarding the survival of koalas in the Gold Coast region

Office of the Adult Guardian – Annual Report 2002-03

3 December 2003—

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 Quinn from 290 petitioners regarding street-based prostitutes in the Brunswick Street area in New Farm and Fortitude Valley

Response from the Minister for Emergency Services and Minister Assisting the Premier in North Queensland (Mr Reynolds) to a paper petition presented by Mr Choi from 179 petitioners regarding the possible placement of an ambulance station on the corner of Randall Road and Old Cleveland Road East, Birkdale

Interim government response from the Premier and Minister for Trade (Mr Beattie) to Report No. 42 of the Legal, Constitutional and Administrative Review Committee entitled Hands on Parliament – A parliamentary committee inquiry into Aboriginal and Torres Strait Islander peoples' participation in Queensland's democratic processes

Office of the Public Advocate – Annual Report 2002-03

4 December 2003—

Replacement copy – Board of Professional Engineers Annual Report 2002-03

5 December 2003—

Guardianship and Administration Tribunal Annual Report 2002-03

9 December 2003—

Statement of Paul Fennelly, Coordinator-General, giving details of negotiations to acquire land by agreement by the proponent of an infrastructure facility of significance with the owners of land which may contain native title to be taken by the Coordinator-General under section 125(6) of the *State Development and Public Works Organisation Act 1971*

11 December 2003—

Response from the Minister for Natural Resources and Minister for Mines (Mr Robertson) to a paper petition presented by Mr Springborg from 921 petitioners regarding the redevelopment of Lake Eacham

12 December 2003—

District Court – Annual Report 2002-03

Magistrates Courts – Annual Report 2002-03

Supreme Court – Annual Report 2002-03

Response from the Minister for Primary Industries and Rural Communities (Mr Palaszczyk) to a paper petition presented by Mr Poole from 1300 petitioners regarding the production and sale of unpasteurised bovine milk and milk products

15 December 2003—

Response from the Premier and Minister for Trade (Mr Beattie) to an e-petition sponsored by Mr Lee from 114 petitioners requesting that maroon be declared as Queensland's State colour

16 December 2003—

Response from the Minister for Emergency Services and Minister Assisting the Premier in North Queensland (Mr Reynolds) to a paper petition presented by Mr Flynn from 855 petitioners regarding the collection of the Queensland Government's Community Ambulance Cover

Statement of Paul Fennelly, Coordinator-General, giving details of negotiations by the proponent of an infrastructure facility of significance with the owners of land to be taken by the Coordinator-General, to acquire the land by agreement under section 125(6) of the *State Development and Public Works Organisation Act 1971* LOT 42 on BON 490 & LOT 57 on BON 564; Landowners Balint Farkas, Annette Campbell and Beryl Farkas

17 December 2003—

Response from the Minister for Environment (Mr Wells) to a paper petition presented by Mr Johnson from 404 petitioners regarding the introduction of Container Deposit Legislation.

Response from the Minister for Environment (Mr Wells) to a paper petition presented by Mr Choi from 721 petitioners regarding a request for wildlife warning signs in the Redland Shire.

Legal, Constitutional and Administrative Review Committee Report No. 43 – Meeting with the Queensland Ombudsman (25 November 2003) and final report on implementation of recommendations made in the Report of Strategic Review of the Offices of the Queensland Ombudsman and the Information Commissioner.

Report by the Information Commissioner to the Legal, Constitutional and Administrative Review Committee on Implementation of recommendations arising from the Strategic Management Review of the Office of the Information Commissioner by The Consultancy Bureau Pty Ltd in 2000.

Report by the Queensland Ombudsman to the Legal, Constitutional and Administrative Review Committee on Implementation of recommendations arising from the Strategic Management Review of the Office of the Queensland Ombudsman by The Consultancy Bureau Pty Ltd in 2000.

18 December 2003—

Response from the Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) to a paper petition presented by Mrs E Cunningham from 410 petitioners regarding the Hazelbrook Village Store

Response from the Minister for Natural Resources and Minister for Mines (Mr Robertson) to a paper petition presented by Ms Phillips from 2223 petitioners regarding the sale of public land in the Pioneer Park area

Response from the Minister for Tourism and Racing and Minister for Fair Trading (Ms Rose) to three paper petitions presented by Mr Johnson from 6780 petitioners in total regarding race meetings in rural, regional and remote areas

Submissions (nos 1 to 24, 26 to 28 and 30 to 32) received by the Select Committee on the Consequences of Changing Political Status in relation to the committee's inquiry into the Parliament of Queensland (Change of Political Status) Bill 2003

Non-conforming petition requested to be tabled by the Premier and Minister for Trade (Mr Beattie) from Councillor David Hinchliffe requesting the banning or phasing out of audible car alarm systems

Letter, dated 17 December 2003, from the Premier and Minister for Trade (Mr Beattie) to the Clerk of the Parliament referring to correspondence received by the Premier from the Commonwealth Parliament's Joint Standing Committee on Treaties regarding (1) proposed international treaty actions tabled in both Houses of the Commonwealth Parliament on 2 and 3 December 2003 including National Interest Analyses for each of the proposed treaty actions listed in the correspondence and (2) the inquiry into the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

19 December 2003—

Childrens Court – Annual Report 2002-03

Director of Public Prosecutions – Annual Report 2002-03

Queensland Law Reform Commission Report No. 57 – Damages in an Action for Wrongful Death

Roads Implementation Program 2003-04 to 2007-08

22 December 2003—

Travelsafe Committee Report No. 40 – Reducing the road toll for young Queenslanders - is education enough ?

Travelsafe Committee Report No. 41 – Provisional Driver and Rider Licence Restrictions

Travelsafe Committee – Novice Driver and Rider Inquiries – Conclusions and recommendations from Report No. 40 and Report No. 41

National Trust of Queensland – Annual Report 2000-01

National Trust of Queensland – Annual Report 2001-02

Government response from the Premier and Minister for Trade (Mr Beattie) to Report No. 64: Inquiry into whether the Financial Administration and Audit 1977 should be amended to permit the Queensland Audit Office to undertake services in addition to those currently specified in the Act.

Erratum – Department of Industrial Relation Annual Report 2002-3

23 December 2003—

Response from the Minister for Natural Resources and Minister for Mines (Mr Robertson) to a paper petition presented by Mr Wellington from 1058 petitioners regarding the mining of minerals in the North Arm district

Queensland Government Priorities in Progress 2002-03 Report

Statement Giving Reasons (Infrastructure Facility of Significance) Notice (No. 1) 2003

24 December 2003—

Annual Economic Report 2002-03: The Queensland Economy

Director of Mental Health – Annual Report 2002-03

Bundaberg Health Services Foundation – Annual Report 2002-03

Late tabling statement by the Minister for Health and Minister Assisting the Premier on Women's Policy regarding the Bundaberg Health Services Foundation Annual Report 2002-03

Response from the Minister for Emergency Services and Minister Assisting the Premier in North Queensland (Mr Reynolds) to a paper petition presented by Mr Flynn from 855 petitioners regarding the collection of the Queensland Government's Community Ambulance Cover (Please note that this response replaces a previous response tabled on 16 December 2003)

Response from the Minister for Emergency Services and Minister Assisting the Premier in North Queensland (Mr Reynolds) to a paper petition presented by Mrs Sheldon from 925 petitioners regarding the collection of the Queensland Government's Community Ambulance Cover

5 January 2004—

Response from the Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) to an e-petition sponsored by Mr Lee from 527 petitioners regarding adult stem cell and embryonic stem cell research

6 January 2004—

Crime and Misconduct Commission Report – Protecting children: an inquiry into abuse of children in foster care

Response from the Premier and Minister for Trade (Mr Beattie) to a paper petition presented by Mr Quinn from 2499 petitioners and an e-petition sponsored by Mr Quinn from 92 petitioners regarding the call for a Royal Commission into all forms of child abuse in Queensland

Response from the Minister for Education (Ms Bligh) to a paper petition presented by Mrs Sullivan from 516 petitioners regarding delivery of a state school in the Sandstone Point precinct

8 January 2004—

Growing Tourism in the Smart State – Progress Report 2002-2003 and Future Directions 2003-2004

12 January 2004—

Response from the Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) to a paper petition presented by Mrs E Cunningham from 250 petitions regarding funding for the Gladstone Hospital

13 January 2004—

Response from the Minister for Health and Minister Assisting the Premier on Women's Policy (Mrs Edmond) to a paper petition presented by Ms Nelson-Carr from 169 petitions regarding hearing screening services to newborn babies

22 DISSOLUTION OF PARLIAMENT

The following Proclamation was made by Her Excellency the Governor—

"PROCLAMATION

I, Quentin Bryce, Governor, dissolve the Legislative Assembly of Queensland.

[signed]

Quentin Bryce

Signed and Sealed on 13 January 2004.

By Command

[signed]

P BEATTIE

God Save the Queen"

R K HOLLIS
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT