



LEGISLATIVE ASSEMBLY OF QUEENSLAND FIRST SESSION OF THE FIFTY-FIRST PARLIAMENT

VOTES AND PROCEEDINGS

NO. 3 – THURSDAY, 18 MARCH 2004

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MEETING OF PARLIAMENT

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

COMMISSION TO ADMINISTER OATH OR AFFIRMATION OF ALLEGIANCE AND OF OFFICE

Mr Speaker reported that Her Excellency the Governor has been pleased to issue the following Commission under the Public Seal of the State, authorising him to administer the oath or affirmation of allegiance and of office to such Members as might hereafter present themselves to be sworn, which was read by the Clerk—

Constitution of Queensland 2001

To the Honourable RAYMOND KEITH HOLLIS, Speaker of the Legislative Assembly of Queensland.

I, QUENTIN BRYCE, Governor, acting under section 22 of the *Constitution of Queensland 2001*, authorise you to administer to any member of the Legislative Assembly of Queensland the Oath or Affirmation of Allegiance and of Office that is required to be taken or made by every member before the member if permitted to sit or vote in the Legislative Assembly.

[signed]
Quentin Bryce

RECORDED in the Register of Patents, No. 46, page 73, on 16 March 2004.

[signed] P Vidgen
Clerk of the Executive Council

OPENING OF PARLIAMENT – GOVERNOR'S SPEECH

Mr Speaker reported that Her Excellency the Governor, on Wednesday 17 March 2004, delivered a Speech to Parliament of which, for greater accuracy, he had obtained a copy. Members took the Speech as read.

AUDITOR-GENERAL – REPORT

Mr Speaker informed the House that he had received the following report from the Auditor-General—
Audit Report No. 5 2003-04 – Results of Audits Performed for 2002-03 Local Governments

SPEAKER'S STATEMENT – HANSARD REPORTERS IN HOUSE

Mr Speaker made the following statement—

"Honourable Members—

You will notice that Hansard Reporters are on the floor of the House today.

This is part of a trial that is being conducted to see whether having Hansard Reporters on the floor for the first two hours of proceedings will assist in picking up all parts of members statements made during this time, including interjections.

As a trial I would appreciate receiving any comments from members about this trial."

SPEAKER'S STATEMENT – NOTE TAKING IN GALLERY

Mr Speaker made the following statement—

"Honourable Members—

It has long been the practice to prohibit note taking in the galleries of the House.

This practice, originating in very early times, was probably designed to prevent a number of varying records of what was said or done in the House.

In modern times, this rule appears anachronistic and unjustifiable, especially given that the Assembly's proceedings are now broadcast to the world at large.

I advise that I have instructed that note taking no longer be prohibited in the galleries.

Restrictions on unauthorised photography or filming, displaying signs or banners and disorderly conduct such as interjecting or applauding are justifiable and will continue to be prohibited as they risk bringing disorder or disruption to proceedings."

SPEAKER'S STATEMENT – FLAGS IN CHAMBER

Mr Speaker made the following statement—

"Honourable members—

In the last Parliament, the issue of flags in the House was raised.

I undertook to investigate the issue in full and report back to the House in due course.

I investigated this issue in the context of:

- (a) the practice in other Australian and New Zealand jurisdictions;
- (b) established flag etiquette; and
- (c) the physical configuration of the Legislative Assembly chamber and its close environs, such as the main entrance.

In respect of the practice in other jurisdictions, it is clear that there are varying practices. It seems that on some occasions much is determined by the physical configuration of the relevant chamber.

In one jurisdiction the Australian, Territory, and Aboriginal and Torres Strait Islander flags are flown. In other jurisdictions, no flag is flown and it has never been raised as an issue.

As members are aware, a flag should only be displayed in a manner befitting the emblem. If flags are flown inside a building, they must be mounted in a particular way on a horizontal surface or on a staff.

Taking into account these matters, and the physical restraints of the chamber and its entrances, I am not convinced it is practical to display flags in the chamber in an appropriate and safe way.

In terms of desk flags, I have come to the very firm view that desk flags of any nature should not be displayed in the chamber during its normal sittings.

I take this view for a number of reasons, including:

- (a) I do not wish to see flags used as a protest;
- (b) I do not want different flags displayed in the chamber which may lead to apparent or perceived division in the chamber;
- (c) I do not wish to be placed in the position of ruling what different flags should or should not be displayed on individual members' desks; and
- (d) I do not want to see the issue of flags trivialised.

In my view, using a desk flag to send any word of message – even a message as well meaning as support for the flag – is no different to protest banners/badges etc being banned from the chamber.

Finally, I would like to stress to Members that as a passionate lover of flags and a committed vexillologist, I have found this issue very, very difficult.

It is the type of decision that will always stir different emotions and beliefs – but I trust that members will understand my reasons and accept the decision."

SPEAKER'S STATEMENT – COURT OF APPEAL, DEFAMATION CASE

Mr Speaker made the following statement—

"Honourable members—

I advise the House that I have engaged counsel to seek leave to appear on my behalf, as amicus curia (or friend of the court), at a matter scheduled to be heard in the Court of Appeal late this month.

The Appeal is from a ruling in a defamation case on a point of law only, but at its heart lies issues concerning the powers, rights and immunities of this House.

My only purpose in briefing counsel is to ensure that the powers, rights and immunities of this House are upheld appropriately."

SPEAKER'S STATEMENT – RESPONSE TO RESOLUTION OF THE HOUSE

Mr Speaker made the following statement—

"Honourable members—

I advise the House that on 1 December 2003, I received advice from the Speaker of the House of Representatives that a resolution of this House that I had forwarded had been received and tabled in the House of Representatives."

Paper: Mr Speaker tabled the following paper—

Letter, dated 1 December 2003, from Hon. Neil Andrew, Speaker of the House of Representatives to the Speaker relating to the resolution of the Queensland Legislative Assembly regarding Pauline Hanson and David Etteridge

SPEAKER'S STATEMENT – FORMER MEMBER FOR KEPPEL – TRAVEL REPORT

Mr Speaker made the following statement—

"Honourable members—

I advise the House that on 9 January 2004, the Clerk received a travel report from the former Member for Keppel, Hon Vince Lester. I table the report."

Paper: Mr Speaker tabled the following paper—

Report from Honourable V P Lester, MP, former Member for Keppel relating to the 49th Commonwealth Parliamentary Conference in Dhaka, Bangladesh from 4 to 12 October 2003

DEATH OF ALEXANDER McLACHLAN WILSON (Hansard p. 20, 9.41 am)

Premier and Minister for Trade (Mr Beattie), by leave, moved—

- (1) That this House desires to place on record its appreciation of the services rendered to this State by the late Alexander McLachlan Wilson, a former Member of the Parliament of Queensland.
- (2) That Mr Speaker be requested to convey to the family of the deceased gentleman the above resolution, together with an expression of the sympathy and sorrow of the Members of the Parliament of Queensland, in the loss they have sustained.

Debate ensued.

Leader of the Opposition (Mr Springborg) seconded the motion.

Debate continued.

Members signified their assent by standing in silence in their places.

PETITIONS

The following paper petitions presented by the Members indicated were received—

Mr Pitt from 2292 petitioners requesting the House to ensure that the gates of the Innisfail State High School remain open during lunch hours for students to cross the road to access lunches.

Mrs Lavarch from 16 petitioners requesting the House provide traffic lights, including pedestrian crossings, at the existing Petrie roundabout located at the junction of Dayboro Road, River Street, Gympie Road, Anzac Avenue and Whites Road, Petrie.

Mr Seeney from 151 petitioners requesting the House to rectify the unreliable supply and fluctuating voltage of electricity in the town of Taroom and surrounding area.

Mr McArdle from 4 petitioners requesting the House to refuse the application from Mooloolaba Tavern Pty Ltd for a detached bottle shop and extended hours permit.

Mr McArdle from 1020 petitioners requesting the House to: not approve the request for the property known as Tripcony/Hibiscus Caravan Park site to freehold; develop a united strategic

direction for the future of the site; return the property to the trusteeship of Caloundra City Council and to not allow any commercial, state, local or public interest convert the property to freehold land in the future.

Mr Lawlor from 61 petitioners requesting the House to advise the Gold Coast City Council that the House will not agree to the recommendations contained in the "Gold Coast Harbour Vision 2020 Project – Report No. 1" and is against any commercial development of the Broadwater (including Wavebreak Is) and the western foreshore and any further reclamation.

The following E-petitions sponsored by the Members and former Member indicated were received—

Ms Molloy from 235 petitioners requesting the House stop all present mining activities and reject the mining lease application No. 50203 and further to stop any future mining of minerals in the North Arm district.

Mr Choi from 54 petitioners requesting the House to restore the land at 48-68 Windemere Road, Alexandra Hills from proposed development to green space habitat under Redlands Shire Council green space mapping.

Mr Wellington from 294 petitioners requesting the House to make strong representations to the British Government calling for the situation whereby British Age Pensioners resident in Queensland are denied indexation for their pensions by the British Government.

Ms Phillips from 111 petitioners requesting the House to take all steps possible to assist the Fellowship provide the Help for the Rural Caregivers of the Mentally Ill Program until the end of the financial year (June 2004).

Mr Lingard from 102 petitioners requesting the House call for a review of the current policies and procedures within the *Child Protection Act* (1999) in an eclectic approach to strengthening the laws, interventions and resources available to provide an unconditional response to the child's need for protection from harm, even in situations of harm where the harm is caused by the child's own actions or by someone outside the home.

Mr Roberts from 129 petitioners requesting the House support lowering the voting age to either 16 or 17 for a more inclusive democratic process whereby younger people would be given the opportunity to make a meaningful contribution to their community by electing members of Parliament which best represent their interests.

PAPERS TABLED PRIOR TO THE CONSTITUTION OF THE 51ST PARLIAMENT OF QUEENSLAND

The Clerk informed the House that the following papers, received prior to the constitution of the 51st Parliament of Queensland, were deemed to have been tabled by the Clerk of the Parliament on the dates indicated—

23 January 2004—

Letter of transmittal and Crime and Misconduct Commission Report – The prosecution of Pauline Hanson and David Ettridge: a report on an inquiry into issues raised in a resolution of Parliament

5 February 2004—

Interim government response from the Premier and Minister for Trade and Acting Minister for Tourism, Racing and Fair Trading (Mr Beattie) to Report No. 65 of the Public Accounts Committee titled *Review of Audit Reports – Events Management*

19 February 2004—

President of the Industrial Court of Queensland in respect of The Industrial Court of Queensland, The Queensland Industrial Relations Commission and The Queensland Industrial Registry – Annual Report 2002-03

4 March 2004—

ANZ Executors & Trustee Company Limited and its Controlled Entity – Financial Report for the year ended 30 September 2003

Tower Trust – Financial Report for the year ended 30 September 2003

8 March 2004—

Bureau of Sugar Experiment Stations – Annual Report for the period 1 July 2002-31 August 2003

Moreton Cane Protection and Productivity Board – Annual Report for the period ended 30 September 2003

Late tabling statement by the Minister for Primary Industries and Fisheries (Mr Palaszczuk) regarding the Bureau of Sugar Experiment Stations Annual Report for the period 1 July 2002-31 August 2003 and the Moreton Cane Protection and Productivity Board Annual Report for the period ended 30 September 2003

15 March 2004—

Parliamentary Crime and Misconduct Committee – Report No. 64 titled *Three Year Review of the Crime and Misconduct Commission*

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by the Clerk—

Liquor Act 1992—

Liquor Amendment Regulation (No. 3) 2003, No. 230 and Explanatory Notes for No. 230

Liquor Amendment Regulation (No. 5) 2003, No. 240 and Explanatory Notes for No. 240

Superannuation (State Public Sector) Act 1990—

Superannuation (State Public Sector) Amendment of Deed Regulation (No. 2) 2003, No. 291

Training Reform Act 2003—

Proclamation commencing remaining provisions, No. 293

Transport Infrastructure and Another Act Amendment Act 2003—

Proclamation commencing remaining provisions, No. 294

Transport Infrastructure Act 1994—

Transport Infrastructure (State-controlled Roads) Amendment Regulation (No. 1) 2003, No. 295

Coroners Act 2003—

Proclamation commencing remaining provisions, No. 296

Coroners Regulation 2003, No. 297

Justices Act 1886, Registration of Births, Deaths and Marriages Act 1962, Small Claims Tribunals Act 1973—

Justice Legislation Amendment Regulation (No. 1) 2003, No. 298

Personal Injuries Proceedings Act 2002—

Personal Injuries Proceedings Amendment Regulation (No. 1) 2003, No. 299

State Penalties Enforcement Act 1999—

State Penalties Enforcement Amendment Regulation (No. 10) 2003, No. 300

Community Services (Aborigines) Act 1984—

Community Services (Aborigines) Amendment Regulation (No. 2) 2003, No. 301

Community Services (Torres Strait) Act 1984—

Community Services (Torres Strait) Amendment Regulation (No. 1) 2003, No. 302

Plant Protection Act 1989—

Plant Protection Amendment Regulation (No. 4) 2003, No. 303 and Explanatory Notes and Regulatory Impact Statement for No. 303

Liquor Act 1992—

Liquor Amendment Regulation (No. 6) 2003, No. 304 and Explanatory Notes for No. 304

Funeral Benefit Business Act 1982, Trust Accounts Act 1973—

Funeral Benefit Business Amendment Regulation (No. 1) 2003, No. 305

Integrated Planning Act 1997—

Integrated Planning Amendment Regulation (No. 4) 2003, No. 306

Private Employment Agents Act 1983—

Private Employment Agents (Postponement of Expiry) Regulation 2003, No. 307

Research Involving Human Embryos and Prohibition of Human Cloning Act 2003—

Research Involving Human Embryos and Prohibition of Human Cloning Regulation 2003, No. 308

Proclamation commencing certain provisions, No. 309

Justice and Other Legislation Amendment Act 2003—

Proclamation commencing certain provisions, No. 310

Food Production (Safety) Act 2000, State Penalties Enforcement Act 1999—

State Penalties Enforcement and Another Regulation Amendment Regulation (No. 1) 2003, No. 311

Motor Vehicles Securities and Other Acts Amendment Act 2003—

Proclamation commencing remaining provisions, No. 312

Local Government Act 1993—

Local Government Legislation Amendment Regulation (No. 2) 2003, No. 313

Electricity Act 1994—

Electricity Amendment Regulation (No. 3) 2003, No. 314

Transport Operations (Marine Pollution) Act 1995—

Transport Operations (Marine Pollution) Amendment Regulation (No. 3) 2003, No. 315 and Explanatory Notes and Regulatory Impact Statement for No. 315

Superannuation (State Public Sector) Act 1990—

Superannuation (State Public Sector) Amendment Regulation (No. 1) 2003, No. 316

Water Act 2000—

Water Resource (Warrego, Paroo, Bulloo and Nebine) Plan 2003, No. 317 and Explanatory Notes for No. 317

Water Resource (Border Rivers) Plan 2003, No. 318 and Explanatory Notes for No. 318

Water Resource (Moonie) Plan 2003, No. 319 and Explanatory Notes for No. 319

Industrial Relations Act 1999—

Industrial Relations (Tribunals) Amendment Rule (No. 2) 2003, No. 320

Coastal Protection and Management Act 1995—

Coastal Protection and Management Legislation Amendment Regulation (No. 2) 2003, No. 321

Grammar Schools and Other Legislation Amendment Act 2003—

Proclamation commencing remaining provisions, No. 322

Education (General Provisions) Act 1989—

Education (General Provisions) Amendment Regulation (No. 2) 2003, No. 323

Hospitals Foundations Act 1982—

Hospitals Foundations Amendment Regulation (No. 2) 2003, No. 324

Police Powers and Responsibilities Act 2000—

Police Powers and Responsibilities Amendment Regulation (No. 7) 2003, No. 325

Transport Operations (Marine Pollution) Act 1995—

Transport Operations (Marine Pollution) Amendment Regulation (No. 4) 2003, No. 326

Transport Operations (Marine Pollution) Amendment Regulation (No. 5) 2003, No. 327

State Penalties Enforcement Act 1999—

State Penalties Enforcement Amendment Regulation (No. 11) 2003, No. 328

Nature Conservation Act 1992, State Penalties Enforcement Act 1999—

Nature Conservation and Other Legislation Amendment Regulation (No. 2) 2003, No. 329

Forestry Act 1959, Nature Conservation Act 1992—

Forestry and Nature Conservation Legislation Amendment Regulation (No. 1) 2003, No. 330

Forestry Act 1959—

Forestry (State Forests) Amendment Regulation (No. 2) 2003, No. 331

Housing Act 2003—

Proclamation commencing remaining provisions, No. 332

Fire and Rescue Service Act 1990, Housing Act 2003, Residential Tenancies Act 1994, State Penalties Enforcement Act 1999, Statutory Bodies Financial Arrangements Act 1982—

Housing Regulation 2003, No. 333

Superannuation (State Public Sector) Act 1990—

Superannuation (State Public Sector) Amendment Notice (No. 1) 2003, No. 334

*Agricultural Chemicals Distribution Control Act 1966, Agricultural Standards Act 1994
Chemical Usage (Agricultural and Veterinary) Control Act 1988—*

Primary Industries Legislation Amendment Regulation (No. 2) 2003, No. 335

Manufactured Homes (Residential Parks) Act 2003—

Proclamation commencing remaining provisions, No. 336

Manufactured Homes (Residential Parks) Regulation 2003, No. 337

Valuation of Land Act 1944—

Valuation of Land Amendment Regulation (No. 2) 2003, No. 338

Coal Mining Safety and Health Act 1999—

Coal Mining Safety and Health Amendment Regulation (No. 1) 2003, No. 339

Local Government Legislation Amendment Act 2003—

Proclamation commencing remaining provisions, No. 340

Disaster Management Act 2003—

Proclamation commencing certain provisions, No. 341

Water Act 2000—

Water Allocation and Management (Fitzroy Basin) Amendment Plan (No. 1) 2003, No. 342 and
Explanatory Notes for No. 342

South Bank Corporation Act 1989—

South Bank Corporation (Modified Building Units and Group Titles) Amendment Regulation (No. 1)
2003, No. 343

Public Service Act 1996—

Public Service Amendment Regulation (No. 1) 2003, No. 344

Education and Other Legislation (Student Protection) Amendment Act 2003—

Proclamation commencing remaining provisions, No. 345

Education (Accreditation of Non-State Schools) Act 2001—

Education (Accreditation of Non-State Schools) Amendment Regulation (No. 1) 2003, No. 346

Training and Employment Act 2000—

Training and Employment Amendment Regulation (No. 1) 2003, No. 347

Health Act 1937—

Health Legislation Amendment and Repeal Regulation (No. 1) 2003, No. 348

Public Health (Infection Control for Personal Appearance Services) Act 2003—

Public Health (Infection Control for Personal Appearance Services) (Postponement) Regulation
2003, No. 349

Public Health (Infection Control for Personal Appearance Services) Regulation 2003, No. 350

Proclamation commencing certain provisions, No. 351

State Development and Public Works Organisation Act 1971—

State Development and Public Works Organisation (State Development Areas) Amendment
Regulation (No. 2) 2003, No. 352

Police Powers and Responsibilities (Forensic Procedures) Amendment Act 2003—

Proclamation commencing remaining provisions, No. 353

Police Powers and Responsibilities Act 2000—

Police Powers and Responsibilities Amendment Regulation (No. 8) 2003, No. 354

Police Powers and Responsibilities Amendment Regulation (No. 9) 2003, No. 355

Police Powers and Responsibilities Amendment Regulation (No. 10) 2003, No. 356

Weapons Act 1990—

Weapons Legislation Amendment Regulation (No. 2) 2003, No. 357

Transport Operations (Road Use Management) Act 1995—

Transport Legislation Amendment Regulation (No. 3) 2003, No. 358

Justice and Other Legislation Amendment Act 2003—

Proclamation commencing remaining provisions, No. 359

Births, Deaths and Marriages Registration Act 2003—

Proclamation commencing remaining provisions, No. 360

Adoption of Children Act 1964, Births, Deaths and Marriages Registration Act 2003, Transplantation and Anatomy Act 1994—

Births, Deaths and Marriages Registration Regulation 2003, No. 361

State Penalties Enforcement Act 1999—

State Penalties Enforcement Amendment Regulation (No. 12) 2003, No. 362

Environmental Legislation Amendment Act 2003—

Proclamation commencing certain provisions, No. 363

Queensland Building Services Authority Act 1991—

Queensland Building Services Authority Amendment Regulation (No. 4) 2003, No. 364

Community Services (Aborigines) Act 1984—

Community Services (Aborigines) Amendment Regulation (No. 3) 2003, No. 365

Plant Protection Act 1989—

Plant Protection Amendment Regulation (No. 5) 2003, No. 366

Fisheries Act 1994—

Fisheries Amendment Regulation (No. 4) 2003, No. 367

Fisheries Management Plans Amendment Management Plan (No. 4) 2003, No. 368

Property Agents and Motor Dealers Act 2000—

Property Agents and Motor Dealers Amendment Regulation (No. 2) 2003, No. 369

Water Act 2000—

Water Amendment Regulation (No. 5) 2003, No. 370

Integrated Planning and Other Legislation Amendment Act 2003—

Proclamation commencing certain provision, No. 371

Major Sports Facilities Act 2001—

Major Sports Facilities Amendment Regulation (No. 2) 2003, No. 372

State Penalties Enforcement Act 1999, Transport Operations (Road Use Management) Act 1995—

Transport Legislation Amendment Regulation (No. 4) 2003, No. 373

Drugs Misuse Act 1986—

Drugs Misuse Amendment Regulation (No. 1) 2003, No. 374

Nature Conservation Act 1992, State Penalties Enforcement Act 1999—

Nature Conservation and Other Legislation Amendment Regulation (No. 3) 2003 and Explanatory Notes for No. 375

Nature Conservation and Other Legislation Amendment Regulation (No. 4) 2003 and Explanatory Notes and Regulatory Impact statement for No. 376

Marine Parks Act 1982—

Marine Parks (Moreton Bay) Amendment Zoning Plan (No. 1) 2003 and Explanatory Notes and Regulatory Impact statement for No. 377

Fisheries Act 1994—

Fisheries Amendment Regulation (No. 5) 2003 and Explanatory Notes and Regulatory Impact statement for No. 378

Fisheries Management Plans Amendment Management Plan (No. 5) 2003 and Explanatory Notes and Regulatory Impact statement for No. 379

Liquor Act 1992—

Liquor Amendment Regulation (No. 7) 2003 and Explanatory Notes for No. 380

Liquor Amendment Regulation (No. 8) 2003 and Explanatory Notes for No. 381

Liquor Amendment Regulation (No. 9) 2003, No. 382

Nature Conservation Act 1992—

Nature Conservation (Macropod Harvest Period) Notice 2003, No. 383

Community Services (Aborigines) Act 1984, Community Services (Torres Strait) Act 1984—

Community Services Legislation Amendment Regulation (No. 3) 2003, No. 384

Community Services (Aborigines) Act 1984—

Community Services (Aborigines) Amendment Regulation (No. 4) 2003, No. 385

Financial Administration and Audit Act 1977

Financial Management Amendment Standard (No. 2) 2003, No. 1 of 2004

Education (General Provisions) Act 1989—

Education (General Provisions) Amendment Regulation (No. 1) 2004, No. 2

Water Act 2000—

Water Amendment Regulation (No. 1) 2004, No. 3

Plant Protection Act 1989—

Plant Protection Amendment Regulation (No. 1) 2004, No. 4

Police Powers and Responsibilities Act 2000—

Police Powers and Responsibilities Amendment Regulation (No. 1) 2004, No. 5

Health Services Act 1991—

Health Services Amendment Regulation (No. 1) 2004, No. 6

Civil Liability Act 2003—

Civil Liability (Postponement) Regulation 2004, No. 7

Liquor Act 1992—

Liquor Amendment Regulation (No. 1) 2004, No. 8

Nature Conservation Act 1992—

Nature Conservation (Wildlife) Amendment Regulation (No. 1) 2004, No. 9

Workplace Health and Safety Act 1995—

Workplace Health and Safety (Advisory Standards) Amendment Notice (No. 1) 2004, No. 10

Duties Act 2001, Land Tax Act 1915—

Revenue Legislation Amendment Regulation (No. 1) 2004, No. 11

Tourism, Racing and Fair Trading (Miscellaneous Provisions) Act 2003—

Proclamation commencing remaining provisions, No. 12

Introduction Agents Act 2001—

Introduction Agents Amendment Regulation (No. 1) 2004, No. 13

Property Agents and Motor Dealers Act 2000, Transport Operations (Road Use Management) Act 1995—

Property Agents and Motor Dealers and Other Legislation Amendment Regulation (No. 1) 2004, No. 14

Residential Services (Accreditation) Act 2002—

Residential Services (Accreditation) Amendment Regulation (No. 1) 2004, No. 15

Security Providers Act 1993—

Security Providers Amendment Regulation (No. 1) 2004, No. 16

Travel Agents Act 1988—

Travel Agents Amendment Regulation (No. 1) 2004, No. 17

Community Services (Aborigines) Act 1984—

Community Services (Aborigines) Amendment Regulation (No. 1) 2004, No. 18

MINISTERIAL RESPONSES TO PETITIONS

The following ministerial responses to petitions, received after the dissolution of the Fiftieth Parliament on the dates indicated were tabled by The Clerk —

16 January 2004—

Response from the Minister for Transport and Minister for Main Roads (Mr Bredhauer) to a paper petition presented by Mr Johnson from 138 petitioners regarding the completion of the Caboolture Bypass

2 February 2004—

Response from the Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) to a paper petition presented by Mr Johnson from 22 petitioners regarding public liability insurance

MOTION WITHOUT NOTICE – APPOINTMENT OF CHAIRMAN OF COMMITTEES

Premier and Minister for Trade (Mr Beattie), by leave, moved – That Mr Demetrios Fouras be appointed Chairman of Committees of the Whole House.

Question put and agreed to.

ADMINISTRATIVE ARRANGEMENTS (Hansard p. 30, 10.05 am)

Premier and Minister for Trade (Mr Beattie) informed the House that, on 12 February 2004, in accordance with the Constitution of Queensland 2001, Her Excellency the Governor accepted certain administrative arrangements, viz—

(a) Accepted the resignations of—

ANNA MARIA BLIGH as Minister for Education;

MATTHEW JOSEPH FOLEY as Minister for Employment, Training and Youth and Minister for the Arts;

WENDY MARJORIE EDMOND as Minister for Health and Minister Assisting the Premier on Women's Policy;

THOMAS ALFRED BARTON as Minister for State Development;

ANTHONY McGRADY as Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria

Minerals Province;

STEPHEN DOMINIC BREDHAUER as Minister for Transport and Minister for Main Roads;

DEAN MacMILLAN WELLS as Minister for Environment;

ROBERT EVAN SCHWARTEN as Minister for Public Works and Minister for Housing;

JUDITH CAROLINE SPENCE as Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and

Minister for Disability Services and Minister for Seniors;

HENRY PALASZCZUK as Minister for Primary Industries and Rural Communities;

STEPHEN ROBERTSON as Minister for Natural Resources and Minister for Mines;

NITA IRENE CUNNINGHAM as Minister for Local Government and Planning;

MICHAEL FRANCIS REYNOLDS as Minister for Emergency Services and Minister Assisting the Premier in North

Queensland;

GORDON RICHARD NUTTALL as Minister for Industrial Relations; and

PAUL THOMAS LUCAS as Minister for Innovation and Information Economy

(b) Accepted the resignations of—

Matthew Joseph Foley, Wendy Marjorie Edmond, Stephen Dominic Bredhauer, Dean MacMillan Wells and Nita Irene Cunningham as members of the Executive Council of Queensland

(c) Appointed—

PETER DOUGLAS BEATTIE to be Premier and Minister for Trade and to be a member of the Executive Council of Queensland;

TERENCE MICHAEL MACKENROTH to be Deputy Premier, Treasurer and Minister for Sport;

ANNA MARIA BLIGH to be Minister for Education and the Arts;

THOMAS ALFRED BARTON to be Minister for Employment, Training and Industrial Relations;

ANTHONY McGRADY to be Minister for State Development and Innovation;

GORDON RICHARD NUTTALL to be Minister for Health;

ROBERT EVAN SCHWARTEN to be Minister for Public Works, Housing and Racing;

JUDITH CAROLINE SPENCE to be Minister for Police and Corrective Services;

RODNEY JON WELFORD to be Attorney-General and Minister for Justice;

PAUL THOMAS LUCAS to be Minister for Transport and Main Roads;

HENRY PALASZCZUK to be Minister for Primary Industries and Fisheries;

STEPHEN ROBERTSON to be Minister for Natural Resources, Mines and Energy;

MICHAEL FRANCIS REYNOLDS to be Minister for Child Safety;
 FREDERICK WARREN PITT To be Minister for Communities and Disability Services;
 MARGARET MAJELLA KEECH to be Minister for Tourism, Fair Trading and Wine Industry Development;
 REGINALD JOHN MICKEL to be Minister for Environment;
 DESLEY CAROLE BOYLE to be Minister for Local Government and Planning;
 CHRISTOPHER PAUL CUMMINS to be Minister for Emergency Services; and
 ELIZABETH ANNE CLARK to be Minister for Aboriginal and Torres Strait Islander Policy.

(d) Appointed those ministers to be members of the Executive Council.

(e) Appointed the following parliamentary secretaries on the dates indicated—

12 February 2004—

KAREN LEE STRUTHERS, as Parliamentary Secretary to the Premier (Multicultural Affairs) and Minister for Trade;
 NEIL STUART ROBERTS, as Parliamentary Secretary to the Deputy Premier, Treasurer and Minister for Sport;
 JO-ANN ROSLYN MILLER as Parliamentary Secretary to the Minister for Health; and
 PATRICK DOUGLAS PURCELL as Parliamentary Secretary to the Minister for Public Works, Housing and Racing.

19 February 2004—

LINDY HELENA NELSON-CARR, as Parliamentary Secretary to the Premier in North Queensland; and
 LINDA DENISE LAVARCH, as Parliamentary Secretary to the Minister for State Development and Innovation

(f) Accepted the resignation of—

DESLEY CAROLE BOYLE as Minister for Local Government and Planning

(g) Appointed—

DESLEY CAROLE BOYLE as Minister for Local Government, Planning and Women

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

Queensland Government Extraordinary Gazettes dated 12, 19 and 26 February and 11 March 2004

APPOINTMENT OF LEADER OF THE HOUSE

Premier and Minister for Trade (Mr Beattie) informed the House that arrangements have been made and the Honourable the Speaker informed accordingly, for the Honourable Anna Bligh, Minister for Education and the Arts, to be Leader of the House.

APPOINTMENT OF GOVERNMENT WHIP AND DEPUTY GOVERNMENT WHIPS

Premier and Minister for Trade (Mr Beattie) informed the House that Mr Terry Sullivan has been appointed Government Whip and Mr Philip Reeves and Ms Rachel Nolan have been appointed Deputy Government Whips.

OPPOSITION APPOINTMENTS

Leader of the Opposition (Mr Springborg) informed the House of the following Opposition appointments—

Mr Springborg—

Leader of the Opposition, Leader of the Nationals, Shadow Attorney-General, Shadow Minister for Justice and Shadow Minister for Trade

Mr Seeney—

Deputy Leader of the Opposition, Deputy Leader of the Nationals, Shadow Treasurer, Shadow Minister for Natural Resources, Mines and Energy and Shadow Minister responsible for Decentralisation

Mr Copeland—

Shadow Minister for Health and the Nationals' Parliamentary Party Secretary

Mr Hobbs—

Shadow Minister for State Development and Innovation

Mr Hopper—

Shadow Minister for Public Works and Housing and Shadow Minister for Racing and Opposition Whip

Mr Horan—

Shadow Minister for Primary Industries and Fisheries

Mr Johnson—

Shadow Minister for Police and Corrective Services and Shadow Minister for Aboriginal and Torres Strait Islander Policy

Mr Knuth—

Shadow Minister for Communities and Disabilities

Mr Lingard—

Shadow Minister for Tourism, Shadow Minister for Fair Trading and Wine Industry Development, Shadow Minister for Sport and Leader of Opposition Business

Mr Malone—

Shadow Minister for Local Government and Planning and Deputy Opposition Whip

Mrs Menkens—

Shadow Minister for Child Safety

Mr Messenger—

Shadow Minister for Education and the Arts

Mr Rickuss—

Shadow Minister for Environment

Mr Rowell—

Shadow Minister for Emergency Services, Shadow Minister for Employment, Training and Industrial Relations and Shadow Minister responsible for Northern Development.

Miss Simpson—

Shadow Minister for Transport and Main Roads, Shadow Minister for Urban Infrastructure and Shadow Minister for Women

REPORT OF EXPENSES – OFFICE OF THE LEADER OF THE OPPOSITION

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

Report of Expenses of the Office of the Leader of the Opposition for the period of 1 July 2003 to 31 December 2003.

LIBERAL PARTY APPOINTMENTS

Leader of the Liberal Party (Mr Quinn) informed the House of the following Liberal Party appointments—

Mr Quinn—

Leader of Parliamentary Liberal Party and spokesman on Treasury, Urban Development, Sport, Trade, Primary Industries, Fisheries, and Aboriginal and Torres Strait Islander Affairs

Dr Flegg—

Deputy Leader of the Liberal Party and spokesman on Health, Transport and Main Roads, and the Environment.

Mr McArdle—

Spokesman on the Attorney-General and Justice, State Development and Innovation, Local Government and Planning, and Emergency Services and Liberal Party whip

Mr Langbroek—

Spokesman on Education and the Arts, Police and Corrective Services, Public Works, Housing and Racing, and Natural Resources, Mines and Energy

Ms Stuckey—

Spokesman on Tourism, Fair Trading and Wine Industry Development, Child Safety, Communities and Disability Services, Employment, Training and Industrial Relations, and Women's Issues

MINISTERIAL STATEMENTS (Hansard p. 33, 10.12 am)

- (a) Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to the proposed new Standing Rules and Orders of the Queensland Legislative Assembly and the proposed new sitting program circulated in the Chamber.

Paper: Mr Beattie, during his statement, tabled the following paper—
Draft Standing Rules and Orders of the Queensland Legislative Assembly – March 2004

- (b) Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to the public report of ministerial expenses.

Paper: Mr Beattie, during his statement, tabled the following paper—
Public Report of Ministerial Expenses – 1 July 2003 to 31 December 2003

- (c) Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to a security upgrade to Mr Beattie's private residence.

Paper: Mr Beattie, during his statement, tabled the following paper—
Letter, dated 1 March 2004, to Mr L Scanlan, Auditor-General, relating to a security upgrade of the Premier's residence following a home invasion

- (d) Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to a trade mission to Israel and Europe.

- (e) Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to the recent terrorist bombings in Spain.

- (f) Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to indigenous communities in Cape York.

- (g) Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to the disappearance of Daniel Morecombe and Red Ribbon Day to be held on Tuesday, 20 April 2004.

MOTION WITHOUT NOTICE – SESSIONAL ORDERS – 51ST PARLIAMENT

Leader of the House (Ms Bligh), by leave, moved – That from the beginning of Question Time today, unless otherwise ordered and notwithstanding anything contained in the Standing Orders, the Sessional Orders for the 51st Parliament circulated in my name, be adopted; viz—

SESSIONAL ORDERS FOR 51ST PARLIAMENT (FIRST SESSION)

Days and Hours of Sitting and Order of Business

1. (a) The House shall sit on Tuesday, Wednesday and Thursday from 9.30 am until by its own resolution the House adjourns.

- (b) The Order of Business for each Sitting Day shall be as follows—

9.30 am – 10.30 am (each day) —

Prayers
Messages from the Governor
Matters of Privilege
Speakers Statements
Motions of Condolence
Petitions
Notification and tabling of papers by the Clerk
Ministerial Papers
Ministerial Notices of Motion
Government Business Notices of Motion
Ministerial Statements
Any other Government Business
Personal Explanations
Reports

Notices of Motion (including motions for debate from 5.30 pm to 6.30 pm on Wednesday)
 Private Members' Bills
 Debating of Committee Reports (on each Thursday only)
 Private Members' Statements (Time limit: 2 minutes)

10.30 am – 11.30 am (each day) —

Question Time

11.30 am – 12.30 pm (Tuesday)—

Matters of Public Interest (Time limits: Leader of the Opposition or nominee 10 minutes, other members 5 minutes.)

12.30 pm – 1.00 pm (Tuesday)—

Government Business

11.30 am – 1.00 pm (Wednesday and Thursday)—

Government Business

1.00 pm – 2.00 pm (each day) —

Lunch break

2.00 pm – 6.30 pm (Tuesday)—

Government Business

2.00 pm – 5.30 pm (Wednesday)—

Government Business

5.30 pm – 6.30 pm (Wednesday)—

Private Members' Motion (Time limits – mover 10 minutes, other members 5 minutes.)

2.00 pm until adjournment moved (Thursday)—

Government Business

6.30 pm - 7.30 pm (Tuesday and Wednesday)—

Dinner break

7.30 pm - 9.00 pm (Tuesday)—

Government Business

7.30 pm – 10.00 pm (Wednesday)—

Disallowance Motions, Private Members' Bills or Government Business (in accordance with Sessional Order 1(c))

(c) On a Wednesday after debate of Private Members' Motion—

- (i) if there are no Disallowance Motions or Private Members Bills to debate (in accordance with the requirements of Sessional Orders 9 and 11), the adjournment may be either moved immediately or otherwise the House will break for dinner between 6.30 pm and 7.30 pm and then commence with Government Business until 10.00 pm when the adjournment will be moved
- (ii) if there are Disallowance Motions or Private Members Bills to debate (in accordance with the requirements of Sessional Orders 9 and 11), the House will break for dinner between 6.30 pm and 7.30 pm and then commence with Disallowance Motions, Private Members' Bills or Government Business until 10.00 pm when the adjournment will be moved.

(d) The motion "That this House do now adjourn" may only be moved by the Member occupying the position of Leader or Acting Leader of Government Business in the House.

(e) As soon as the motion in (d) is moved, there will be an Adjournment Debate for 30 Minutes and then the question shall be put. (Time limit of 3 minutes for each member.)

(f) The motion "That this House do now adjourn" may be moved by the Leader or Acting Leader of Government Business at any time despite the order of business.

(g) If the House sits on any day other than a Tuesday, Wednesday or Thursday, then unless otherwise ordered, the order of business shall be as follows:

From 9.30 am to 10.30 am —

Prayers

Messages from the Governor

Matters of Privilege

Speaker's Statements

Motions of Condolence

Petitions

Notification and tabling of Papers by the Clerk

Ministerial Papers

Ministerial Notices of Motion

Government Business Notices of Motion

Ministerial Statements
 Any other Government Business
 Personal Explanations
 Reports
 Notices of Motion
 Question Time (for remaining time until 10.30 am)

10.30 am- 1.00 pm—

Government Business

1.00 pm – 2.00 pm—

Lunch break

2.00 pm – until Adjournment moved—

Government Business

Debate on Address-in-Reply

2. (a) Standing Orders No. 17 and 305 are suspended

(b) Debate on the Address-in-Reply, shall be anytime within the time set aside for Government Business

(c) Debate on the Address-in-Reply, together with any amendments, shall be no longer than 28 hours

(d) Debate on the Address-in-Reply may be adjourned at any time to consider any other business

(e) At the expiration of a maximum of 28 hours of debate, without further amendment or debate, the Speaker shall put the question for the adoption of the Address-in-Reply together with any questions for amendments that have previously been moved.

Questions

3. Standing Orders 67A to 70 are suspended and replaced by the following Standing Orders:

“Questions to Ministers

67A. (1) Questions may be asked orally without notice or on notice for written reply.

(2) At 10.30 am on Tuesday, Wednesday and Thursday, questions may be put to a Minister without notice relating to public affairs with which he or she is officially connected, to proceedings pending in the Legislative Assembly, but discussion must not be anticipated, or to any matter of administration for which he or she is responsible.

(3) The total period allowed each day for the asking of questions without notice shall not exceed one hour. Every Member is entitled to ask one question on notice each sitting day, which should be lodged with the Clerks at the Table within two hours from the commencement of the day's sitting.

Questions to Members

68. (1) A Member may put a question of which notice has been given, in lieu of a question to a Minister—

(a) to any other Member of the House relating to any bill or motion, connected with the business of the House on the Business Paper of which the Member has charge; and

(b) to the chairman of a committee relating to the activities of that committee, however such question shall not attempt to interfere with the committee's work or anticipate its report or refer to any evidence taken or documents presented to such committee.

(2) Questions may not be put to the Speaker.

Number of questions allowed each sitting day

69. (1) The number of questions which may be asked by any Member without notice shall not exceed one on any sitting day, except for the Leader of the Opposition who may ask two questions without notice.

(2) If an answer to a question without notice requires too much detail, the Minister may request the Member to place the question on notice to be answered on the next day of sitting.

Notice of questions

69A. (1) A question on notice from a Member is to be delivered to the Clerks at the Table.

(2) A question on notice shall be typed or fairly written, signed by the Member, and answered and supplied to the Table Office within 30 calendar days.

Rules for questions

69B. The following general rules shall apply to questions—

(a) In asking a question, no argument or opinion shall be offered, or any fact stated, except so far as is necessary to explain the question.

(b) Questions shall be brief and relate to one issue.

(c) Questions shall not contain—

(i) arguments;

(ii) inferences;

(iii) imputations; or

- (iv) hypothetical matters.
- (c) Questions shall not ask—
 - (i) for an expression of opinion or
 - (ii) for a legal opinion.
- (d) Questions shall not be asked which reflect on, or are critical of, the character or conduct of those persons whose conduct may only be challenged on a substantive motion.
- (e) Questions shall not contain statements of fact or names of persons unless they are strictly necessary to render the question intelligible.
- (f) The Speaker may direct that the language of a question be changed if, in the opinion of the Speaker, it is unbecoming or does not conform with the Standing Orders.
- (g) Questions shall not be unduly lengthy.

General rules for answers

70. The following general rules shall apply to answers—

- (a) In answering a question, a Minister or Member shall not debate the subject to which it refers.
- (b) An answer shall be relevant to the question.
- (c) The answer to each question shall not exceed 3 minutes."

Nomination of Temporary Chair

- 4. (1)** Standing Order 13 is suspended.
- (2)** The Speaker shall nominate a panel of not more than eight Members to act as temporary Chairs of Committees when requested by, or in the absence of, the Chairman of Committees.
- (3)** Any temporary Chair while acting under this Standing Order shall have all the powers of the Chairman of Committees of the whole House, but shall immediately give place to the Chairman of Committees on their return and at his request.
- (4)** If a vacancy occurs in the panel, the Speaker may nominate another Member to fill such vacancy.

Debating of Committee Reports

- 5. (1)** On presentation of a committee report, the Member presenting the report may make a statement to the House for a period not exceeding 5 minutes and a notice of motion may then be given that the House take note of the report on Thursday next
- (2)** On each Thursday, following Private Members' Bills and prior to Private Members' Statements, notices of motion for the noting of reports may be moved and debated without amendment
- (3)** Members may speak on any such motion for 3 minutes.

Expiry of notices of motion

- 6.** All General Business – Notices of Motion appearing on the Business Paper shall be deleted from the Business Paper after the expiration of thirty days from the day on which notice is given.

Putting of amendments

- 7. (1)** Standing Orders 90 to 92 are suspended.
- (2)** In respect of every amendment the Speaker shall put a question – "That the amendment be agreed to", which shall be resolved by the House in the affirmative or negative.

Bills Presented by a Member, read a First Time and Printed

- 8.** Standing Order 241 is suspended and replaced by the following:

Bills Presented by a Member, read a First Time and Printed

- 241.** (a) A Bill shall be presented by the Member who has obtained leave to bring in the same, and immediately after the presentation of the Bill the Question shall be put, "That the Bill be now read a First time," and "That the Bill be printed," both without amendment or debate.
- (b) Immediately after the Bill is printed, a Question shall be proposed "That the Bill be now read a second time" and the Member who has presented the Bill shall forthwith proceed to give an explanation of the Bill.
- (c) During or after such explanatory speech, additional information to assist in the understanding of the Bill may be Tabled for incorporation in "Hansard".
- (d) Further Debate on the Question "That the Bill be now read a second time" shall be adjourned for a period of at least thirteen whole calendar days.
- (e) When a Message is required, recommending that an appropriation of money be made for the Bill, such Message shall be presented to Mr Speaker and read to the House immediately after leave is granted to present the Bill.

Disallowance motions

- 9.** Standing Order 37A is suspended and replaced by the following:

Disallowance of statutory instruments¹

- (1) When notice of a motion to disallow a statutory instrument or guideline pursuant to an Act² has been given, such motion shall be considered within seven sitting days after notice has been given.
- (2) The motion shall be set down to be considered during the time set aside for the debate of Private Members' Bills and such motions shall take precedence during that time until disposed of.
- (3) Despite (2), the Leader of the House may direct that the motion be set down to be considered in Government Business.
- (4) When the motion is called on it shall be debated and decided and if not moved, shall lapse.
- (5) Time for a debate of such motion is allocated as follows: Maximum of two hours debate; Mover of the motion, fifteen minutes; seconder of the motion and any other Member, ten minutes; Minister in reply, twenty minutes.

Power to Order Withdrawal of Disorderly Member

10. Standing Order 123A is suspended and replaced by the following:

Power to Order Withdrawal of Disorderly Member

123A.(1) The Speaker, or the Chairman of Committees, may, after warning such Member, order any Member who in his or her opinion, continues to be grossly disorderly, to withdraw immediately from the Legislative Assembly Chamber. The Speaker or the Chairman of Committees may order the Member to withdraw in accordance with the provisions of subsections (2) or (3).

- (2) A Member ordered to withdraw immediately from the Legislative Assembly Chamber under this Standing Order must do so forthwith, and must, during the remainder of the day's sitting, absent himself from the Legislative Assembly Chamber.

Without prejudice to any other right power or remedy of the House or of the Speaker or the Chairman, the Speaker or Chairman may without further warning but otherwise in the manner provided in the Standing Order as to Order in the House name any Member who having been ordered to withdraw under this Standing Order fails to withdraw immediately from the Legislative Assembly Chamber or to absent himself from the Legislative Assembly Chamber during the remainder of the day's sitting.

- (3) A Member ordered to withdraw immediately from the Legislative Assembly Chamber under this Standing Order must do so forthwith, and must, during the remainder of the day's sitting remain absent from the Legislative Assembly Chamber. However, the Member may enter the Chamber during the ringing of the bells for the purpose of voting in a division. Once the Speaker or Chairman of Committees has declared the numbers the Member must withdraw immediately from the Legislative Assembly Chamber.

Without prejudice to any other right power or remedy of the House or of the Speaker or the Chairman, the Speaker or Chairman may without further warning but otherwise in the manner provided in the Standing Order as to Order in the House name any Member who having been ordered to withdraw under this Standing Order fails to withdraw immediately from the Legislative Assembly Chamber or to remain absent from the Legislative Assembly Chamber as set out in this subsection.

Debating of Private Members' Bills

11. (1) If a Bill introduced by a Member, who is not a Minister of the Crown, has laid upon the table of the House for a period exceeding ninety days and has not passed all stages, that Bill will be brought on for debate on the following sitting Wednesday evening. The House will continue to debate that Bill on each following sitting Wednesday evening until consideration of that Bill has been finalised.
- (2) Notwithstanding anything contained in Standing Order 109 the maximum period for which a member can speak on the second reading of the bill, other than the mover, is 10 minutes.

Restrictions on identifying at-risk children in Questions

12. (1) A member may ask any question without or on notice of a Minister concerning a child subject to the *Child Protection Act 1999* or the *Juvenile Justice Act 1992* so long as the question complies with this order and other existing orders.
- (2) A member should ensure that any question concerning a child subject to the *Child Protection Act 1999* or the *Juvenile Justice Act 1992* is asked in a non-identifying manner such as by replacing any identifying features likely to lead to the identification of the child with a cipher such as "[name withheld]".
- (3) A member choosing to replace an identifying feature with a cipher when asking a question shall provide the Clerk of the Parliament with the "key" to the full identifying features relating to the question.
- (4) Any member of the Legislative Assembly who so requests shall be granted access to the "key" to the full identifying features relating to the question by the Clerk of the Parliament.
- (5) For the purpose of this order, the term "non-identifying manner" refers to information which if published would identify, or is likely to lead to the identification of, a child the subject of either the *Child Protection Act 1999* or the *Juvenile Justice Act 1992*.

Restrictions on tabling documents identifying a children

¹ Sections 50 and 51 of the *Statutory Instruments Act 1992* provides for disallowance, by resolution of the Legislative Assembly, of subordinate legislation. Sections 6 and 7 of the Act define "statutory instruments". Section 9 of the Act defines which instruments are "subordinate legislation".

² For example, s.296 of the *Crime and Misconduct Act 2001* enables the House to disallow guidelines by the Parliamentary Crime and Misconduct Committee.

13. (1) A Member must ensure that when tabling any documents concerning a child or children subject to the *Child Protection Act 1999* or the *Juvenile Justice Act 1992* the document be tabled in a non-identifying manner such as by replacing any identifying features likely to lead to the identification of the child with a cipher such as '[name withheld]'.
- (2) A Member choosing to replace an identifying feature with a cipher when tabling a document shall provide The Clerk of the Parliament with the 'key' to the full identifying features relating to the document.
- (3) Any Member of the Legislative Assembly who so requests shall be granted access to the 'key' to the full identifying features relating to the document by The Clerk of the Parliament.
- (4) For the purpose of this order, the term 'non-identifying manner' refers to information which if published would identify, or is likely to lead to the identification of, a child the subject of either the *Child Protection Act 1999* or the *Juvenile Justice Act 1992*.

Speaking times – Committee of the Whole House

14. Standing Order 109 to the extent that it deals with speaking times in Committee of the Whole House on a Bill is suspended and replaced by the following speaking times:

<u>Committee On a Bill</u>	No limit
Member in Charge of Bill	1 x 20 minutes; 2 x 10 minutes; or 1 x 10 minutes and 2 x 5 minutes
Leader of Opposition or Nominee (on each question) Other Members (on each question)	1 x 10 minutes; or 2 x 5 minutes

Members' Register of Interests

15. Appendix I, titled Members' Register of Interest, shall replace the resolution establishing the Register of Members and Related Persons' Interests last amended on 19 June 2002.

APPENDIX 1 TO SESSIONAL ORDERS ADOPTED ON 18 MARCH 2004

MEMBERS' REGISTER OF INTERESTS

The provisions of this Resolution continue in force unless and until amended or revoked by the Legislative Assembly in this or a subsequent Parliament.

PREAMBLE

1. It is vital that in a representative democracy the public have confidence in the integrity of their elected representatives;
2. It is also vital that elected representatives be continually reminded that they exercise a public trust which should not be subject to any private interest;
3. It is also in the interests of elected representatives that they be able to demonstrate that at all times they have made scrupulous disclosure of their private interests;
4. The Legislative Assembly requires its Members to demonstrate a commitment to maintain the highest possible standard of propriety and to avoid and declare any potential conflict of interest;
5. The Members' and Related Persons' Registers of Interests are mechanisms to encourage and foster transparency, accountability and openness; and
6. The following provisions be recognised as the minimum disclosure required by Members and that Members be aware that the following provisions are not intended to be an exhaustive list of all possible financial arrangements which require, in the spirit of the resolution, to be declared.

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PART 1 – PRELIMINARY**Definitions**

1. In this resolution, unless the contrary intention appears—

“**calendar month**” means a period commencing at the beginning of a day of one of the 12 months of the year and ending immediately before the beginning of the corresponding day of the next month or, if there is no such corresponding day, ending at the end of the next month;

“**child**”, in relation to a Member, includes an adopted child, a step-child or an ex-nuptial child of the Member;

“**Clerk**” means The Clerk of the Parliament;

“**committee**” means the Members' Ethics and Parliamentary Privileges Committee;

“**company**” means a company, whether a private company or a public company;

“**debenture**” includes debenture stock, bonds, notes and any other document evidencing or acknowledging indebtedness of a company in respect of money that is deposited with or lent to the company;

“**de facto partner**”, in relation to a Member, has the same meaning as s.32DA of the *Acts Interpretation Act 1954*;

“**gift**” means—

(a) the transfer of money, property or other benefit—

(i) without recompense; or

(ii) for a consideration substantially less than full consideration; or

(b) a loan of money or property made on a permanent, or an indefinite, basis;

but does not include upgraded travel provided by an airline.

“**joint venture**” means an undertaking carried on by 2 or more persons in common otherwise than as partners;

“**Member**” means a Member of the Legislative Assembly;

“**month**” means a calendar month;

“**nominee company**” means a company whose principal business is the business of holding marketable securities as a trustee or nominee;

“**officer**”, in relation to a company, means—

(a) director or secretary of the company; or

(b) any other person who is concerned, or takes part, in the management of the company;

“**partnership**” includes a joint venture;

“**private company**” means a proprietary company, whether incorporated in Queensland or elsewhere;

“**public company**” means a company, other than a private company, whether incorporated in Queensland or elsewhere;

“**Register**” means—

(a) the Register of Members' Interests; or

(b) the Register of Related Persons' Interests;

“**Registrar**” means the Registrar of Members' Interests;

“**related person**”, in relation to a Member, means—

(a) the spouse of the Member;

(b) a child of the Member who is wholly or substantially dependent on the Member; or

(c) any other person—

- (i) who is wholly or substantially dependent on the Member; or
- (ii) whose affairs are so closely connected with the affairs of the Member that a benefit derived by the person, or a substantial part of it, could pass to the Member;

“share” means—

- (a) a share in the share capital of a company;
- (b) stock;
- (c) a convertible note; or
- (d) an option;

“sitting day”, in relation to the Parliament, means a day on which the Parliament meets;

“sponsored travel or accommodation” means any travel undertaken, including accommodation incidental to the travel, or any accommodation benefit received, otherwise than in an official capacity, by the Member or a related person in respect of which a contribution (whether in cash or kind) to the cost of the travel (including incidental accommodation) or the accommodation is made by a person other than the Member or a related person but does not include upgraded travel provided by an airline, or upgraded accommodation, or meals or sporting or cultural entertainment.

“spouse”, in relation to a Member, includes a de facto partner of a member;

“statement of interests” means—

- (a) a statement of interests (Member); or
- (b) a statement of interests (related persons);

“statement of interests (Member)” means the statement of a Member’s interests required to be given by the Member to the Registrar under clause 5;

“statement of interests (related persons)” means the statement of the interests of a Member’s related persons required to be given by the Member to the Registrar under clause 5;

“trade or professional organisation” means a body (whether incorporated or unincorporated) of—

- (a) employers or employees; or
- (b) persons engaged in a profession, trade or other occupation;

being a body the object, or an object, of which is the furtherance of its own professional, industrial or economic interests or those of any of its Members’;

“year” means period of 12 months commencing on 1 January.

Interpretation – terms relating to companies

2. (1) A person is taken to have a controlling interest in shares in a company if the person is able—
 - (a) to dispose of, or to exercise control over the disposal of, the shares; or
 - (b) where the shares are voting shares – to exercise, or to control the exercise of, any voting powers attached to the shares.
- (2) The question whether a company is a subsidiary of another company is to be determined in the same manner as the question whether a corporation is a subsidiary of another corporation is determined for the purposes of the Corporations Law of Queensland.
- (3) A reference in this resolution to the holding company of another company is a reference to a company of which that other company is a subsidiary.

Interpretation – forms

3. (1) In this resolution, a reference to a form by number is a reference to the form so numbered in the Schedule.
- (2) Strict compliance with a form in the Schedule is not necessary and substantial compliance, or such compliance as the circumstances of a particular case allow, is sufficient.

Registrar

4. (1) There is to be a Registrar of Members’ Interests.
- (2) The Clerk is to be the Registrar.

PART 2 – STATEMENTS OF INTERESTS

Giving of statements

5. (1) In accordance with resolutions adopted by the Legislative Assembly and in a form determined by the Members’ Ethics and Parliamentary Privileges Committee from time to time each Member shall within one month of making and subscribing an oath or affirmation as a Member, provide to the Registrar of Members’ Interests a statement of—
 - (a) the Member’s Registrable Interests as at the date of the election;
 - (b) the Registrable Interests, as at the date of the election, of which the Member is aware of related persons.
- (2) A Member must notify the Registrar in writing of any change in the details contained in the last statement of interests given by the Member within one month of becoming aware of the change.

- (3) Where in any year there is no change to the details contained in the last statement of interests given by the Member the Member is required to complete and lodge a 'no changes' of interests return. This form is required to be submitted to the Registrar within one month after 30 June each year and shall cover the period from the preceding 30 June or the last occasion upon which the Member supplied a statement of interest to the 30 June of the current year.
- (4) A Member is required to include in a statement of interests details relating to the interest of a related person only if the Member is aware of the interest.
- (5) A Member is not required to give, in any year—
 - (a) more than one statement of interests (Member); or
 - (b) more than one statement of interests (related persons); or
 - (c) more than one 'no changes' of interest declaration.

Form of statements and notice of change of details

- 6. (1) A statement of interests (Member)—
 - (a) must be in accordance with Form 1; and
 - (b) is to relate only to interests held by the Member—
 - (i) alone; and
 - (ii) jointly or in common with a related person.
- (2) A statement of interests (related persons)—
 - (a) must be in accordance with Form 2; and
 - (b) is to relate only to interests held by related persons otherwise than jointly or in common with the Member.
- (3) A notice of change of the details contained in a statement of interests must be in accordance with Form 3.
- (4) A notice of no change in details must be in accordance with Form 4.
- (5) The Committee may, by resolution, alter any of the above forms and notice of such alteration is to be made by the Chairman of the Committee to the Legislative Assembly within 5 sitting days.

Disclosure of interests

- 7. (1) A statement of interests required to be given by a Member must contain the following details—
 - (a) in respect of any company in which the Member or a related person is a shareholder or has a controlling interest in shares—
 - (i) the name of the company;
 - (ii) where the shareholding or interest constitutes a controlling interest in the company – details of the shareholdings of the company in any other company;
 - (iii) where the shareholding or interest is held in a private company, the details of the investments or beneficial interests of the company, but the value of those investments or beneficial interests need not be disclosed; and
 - (iv) where the shareholding or interest is held in a private company that is the holding company of another company—
 - (A) details of the investments or beneficial interests of the holding company, but the value of those investments or beneficial interests need not be disclosed;
 - (B) the name of any company that is a subsidiary of the holding company;
 - (C) the name of any company that is a subsidiary of any company that is the holding company's subsidiary; and
 - (D) the details of the investments or beneficial interests of those subsidiary companies, but the value of those investments or beneficial interests need not be disclosed;
 - (b) in respect of any company of which the Member or a related person is an officer—
 - (i) the name of the company;
 - (ii) the nature of the office held; and
 - (iii) the nature of the activities of the company;
 - (c) in respect of any family or business trust or nominee company in which the Member or a related person holds a beneficial interest—
 - (i) the name or a description of the trust, or the name of the company, as the case requires;
 - (ii) the nature of the activities of the trust or company;
 - (iii) the nature of the interest; and
 - (iv) details of the investments and beneficial interest of the trust, but the value of those investments or beneficial interests need not be disclosed.
 - (d) in respect of any family or business trust in which the Member or a related person is a trustee—
 - (i) the name or a description of the trust; and
 - (ii) the nature of the activities of the trust;
 - (e) in respect of any partnership in which the Member or a related person has an interest—

- (i) the name or a description of the partnership;
 - (ii) the nature of the activities of the partnership; and
 - (iii) the nature of the interest;
 - (f) in respect of any real estate in which the Member or a related person has an interest—
 - (i) the location of the relevant property (by reference to suburb or area);
 - (ii) the approximate size of the property;
 - (iii) the purpose for which the property is and is intended to be used; and
 - (iv) the nature of the interest;
 - (g) in respect of any liability (excluding department store and credit card accounts) of the Member or a related person or a trust of which a Member or a related person is a beneficiary or a private company of which a Member or a related person is a shareholder—
 - (i) the nature of the liability; and
 - (ii) the name of the creditor concerned;
 - unless—
 - (i) it arises from the supply of goods or services supplied in the ordinary course of any occupation of the Member or business of the trust or private company in which the Member or related person has an interest which is not related to the Member's duties as a Member of the Legislative Assembly; or
 - (ii) the debt is for an amount of \$10,000 or less;
 - (h) details of any debenture or similar investment held by the Member or a related person;
 - (i) in respect of any savings or investment account of the Member or a related person held with a bank, building society, credit union or other institution—
 - (i) the nature of the account; and
 - (ii) the name of the institution concerned;
 - (j) gifts valued at more than \$500 from one source, or where two or more gifts are made from one source during the return period exceed, in aggregate, \$500 provided that a gift received by a Member, the Member's spouse or dependent children from family members or personal friends in a purely personal capacity need not be registered unless the Member judges that an appearance of conflict of interest may be seen to exist;
 - (k) in respect of any sponsored travel or accommodation received by the Member or a related person—
 - (i) the source of the contribution concerned; and
 - (ii) the purpose of the travel.
 - (l) any other source of income over \$500 per annum received by—
 - (i) the Member or a related person; or
 - (ii) a private company, or a trust, in which the Member or a related person holds an interest;
 - or where the source of income is under \$500, where that income might, in the judgment of the Member, involve sensitivity or be capable of misconstruction;
 - (m) details of any other asset of the Member or a related person the value of which exceeds \$5000, other than—
 - (i) household and personal effects;
 - (ii) a motor vehicle used only or mainly for personal use; and
 - (iii) superannuation entitlements;
 - (n) the name of any political party, trade or professional organisation of which the Member or related person is a Member, or the name of any other organisation of which the Member is an officeholder or financial contributor donating \$500 or more in any single calendar year to that organisation;
 - (o) any other interest (whether or not of a pecuniary nature) of the Member or a related person—
 - (i) of which the Member is aware; and
 - (ii) that raises, appears to raise, or could foreseeably raise, a conflict between the Member's private interest and his or her duty as a Member.
- (2) A Minister or other Office Holder (recognised by s.112 of the *Parliament of Queensland Act 2001*) is not required to include in a statement of interests details of interests that are held by or imposed upon them in their capacity as Minister or Office Holder.

Examples—

- Shares held by a Minister in a statutory or company government owned corporation on behalf of the State are not required to be included.
- The fact that the Premier, Speaker and Leader of the Opposition are trustees in the Parliamentary Contributory Superannuation Fund under the *Parliamentary Contributory Superannuation Act 1970* is not required to be included.

Questions concerning statements

8. (1) If a question relating to whether a matter should or should not be included in a statement of interests is raised by a Member with the Registrar, the Registrar must—
 - (a) subject to the terms of any resolution of the Legislative Assembly affecting the matter – attempt to resolve the matter without referring it to the Committee; and
 - (b) if the matter is not so resolved – refer the matter to the Committee.
- (2) A reference of a matter to the Committee—
 - (a) must be made in general terms; and
 - (b) except with the consent of the Member, must not disclose the name of the Member.
- (3) The Committee must—
 - (a) consider any matter referred to it; and
 - (b) if the name of the Member has been disclosed to it – give the Member the opportunity to be heard; after which it must decide whether the matter should or should not be included by the Member in the statement of interests concerned.
- (4) The Registrar must immediately notify the Member of the decision of the Committee.
- (5) If the Member informs the Committee in writing that he or she does not agree with the decision of the Committee, the Committee must—
 - (a) make a report to the Legislative Assembly; and
 - (b) with the report, recommend the action that should be taken in relation to the matter.
- (6) A report under subclause (5)—
 - (a) must be made in general terms; and
 - (b) must not disclose the name of the Member.

PART 3 – REGISTERS

Keeping of Registers

9. (1) The Registrar must keep, in such forms as the Registrar considers appropriate—
 - (a) a Register of Members' Interests; and
 - (b) a Register of Related Persons' Interests.
- (2) As soon as practicable after receiving a statement of interests from a Member, the Registrar must—
 - (a) in the case of a statement of interests (Member) – enter in the Register of Members' Interests the relevant details contained in the statement; and
 - (b) in the case of a statement of interests (related persons) – enter in the Register of Related Persons' Interests the relevant details contained in the statement.
- (3) As soon as practicable after receiving a notice of change of details under subclause 5(2), the Registrar must make such alteration to the details entered in the relevant Register as is necessary to reflect the change.

Custody of Registers

10. The Registrar is to have the custody of—
 - (a) each Register;
 - (b) each statement of interests received by the Registrar under clause 5; and
 - (c) any notice of change of details received by the Registrar under subclause 5(2).

Tabling of Register of Members' Interests

11. As soon as practicable after—
 - (a) the first sitting day of each Parliament; and
 - (b) the 30th day of June in each subsequent year during the life of that Parliament;
 the Speaker must cause a copy of the Register of Members' Interests to be laid before the Legislative Assembly.

Publishing of Register of Members' Interests

12. The Register tabled in accordance with 11(a) above shall be immediately published as a Parliamentary paper.

Inspection of Registers

13. (1) The Registrar must, at the request of a person, permit the person to inspect the Register of Members' Interests during normal business hours of the office of the Clerk.
- (2) The Registrar must, on request, make the Register of Related Persons' Interests available to—
 - (a) the Speaker;
 - (b) the Premier;
 - (c) any other Leader in the Legislative Assembly of a political party;
 - (d) the Chairman and Members of the Members' Ethics and Parliamentary Privileges Committee;

- (e) the Criminal Justice Commission;
- (f) the Auditor-General.

PART 4 – COMPLAINTS

Allegations by Members

- 14. (1)** A Member may make an allegation against another Member that the other Member has failed to comply with the requirements relating to the disclosure of a matter under this resolution.
- (2)** The allegation must be made, in writing, to the Registrar.
- (3)** The Registrar must—
 - (a) refer the allegation to the Committee; and
 - (b) give the details of the allegation to the Member against whom the allegation is made.

Consideration of allegations

- 15. (1)** The Committee must consider each allegation referred to it and, for that purpose, may—
 - (a) give each Member concerned the opportunity to be heard; and
 - (b) obtain information from such other persons, and make such inquiries, as it thinks fit; after which it may—
 - (c) make a report to the Legislative Assembly; and
 - (d) with the report, recommend the action that should be taken in relation to the matter.
- (2)** The Committee must not make a report unless—
 - (a) it has given the Member against whom the allegation has been made the opportunity—
 - (i) to be heard; and
 - (ii) to make written submissions; and
 - (b) it has given the persons that the Member nominates the opportunity to be heard.

Complaints by public

- 16. (1)** A person may make a complaint alleging that a Member has failed to comply with the requirements relating to the disclosure of a matter under this resolution.
- (2)** The complaint must be made, in writing, to the Registrar.
- (3)** The Registrar must, before taking any further action in relation to the complaint, inform the complainant in writing that parliamentary privilege does not extend to any communication between the complainant and the Registrar.
- (4)** The Registrar may require the complainant to give to the Registrar—
 - (a) details of the complainant's name and address;
 - (b) details, or further details, of the complaint; and
 - (c) copies of any documents or other material available to the complainant supporting the complaint.
- (5)** The Registrar may refuse to take any further action in relation to the complaint if the complainant refuses or fails to comply with a requirement under subclause (4).
- (6)** If the Registrar believes on reasonable grounds that there is evidence to support an allegation the subject of the complaint, the Registrar must—
 - (a) refer the matter to the Committee; and
 - (b) give the details of the complaint to the Member concerned.

Consideration of complaints

- 17.(1)** Where a complaint is referred to it, the Committee—
 - (a) may request the Member concerned to provide an explanation of the allegation the subject of the complaint; and
 - (b) must, if the Member disputes the allegation—
 - (i) give the Member the opportunity to be heard;
 - (ii) give the persons that the Member nominates the opportunity to be heard; and
 - (iii) obtain information from such other persons, and make such inquiries, as it thinks fit.
- (2)** The Committee must make a report to the Legislative Assembly in respect of the complaint—
 - (a) if the Member concerned disputes the allegation the subject of the complaint – on completion of its consideration of the complaint;
 - (b) if the Member confirms the allegation – on receiving notice to that effect; and
 - (c) if the Member does not, within a reasonable period, respond to a request given to him or her under paragraph (1)(a) – on the expiration of the period.
- (3)** The Committee must, with the report, recommend the action that should be taken.

- (4) The Committee must not, in the report, make a finding that is adverse to the Member concerned unless it has given the Member—
- (a) full particulars of the complaint; and
 - (b) the opportunity to be heard in relation to the complaint.

Explanatory Notes

18. The Committee, either on its own initiative or upon request of the Registrar, may produce and publish explanatory notes to further explain the requirements of this resolution and the information to be included in the Registers.

PART 5 – ENFORCEMENT

Effect of failure to comply with requirements

19. A Member who knowingly—
- (a) fails to give a statement of interests to the Registrar under subclause 5(1);
 - (b) fails to notify the Registrar under subclause 5(2) of a change of details contained in a statement of interests; or
 - (c) gives to the Registrar a statement of interests, or gives information to the Registrar or Committee, that is false, incomplete or misleading in a material particular;
- is guilty of a contempt of the Parliament and may be dealt with accordingly.

Motion seconded by Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth).

The following amendment was proposed by Mr Wellington—

That the question be amended by inserting after the words “circulated in my name,” the words “as amended to indicate that Ministerial Statements will cease at 10.15 am each day.”

Amendment seconded by Mrs E Cunningham.

Debate ensued.

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

Question – That the motion be agreed to – put and agreed to.

MOTION WITHOUT NOTICE – SESSIONAL ORDERS – PARLIAMENTARY COMMITTEES AND SELECT COMMITTEE ON TRAVELSAFE

Leader of the House (Ms Bligh), by leave, moved – That for this Session unless otherwise ordered and notwithstanding anything contained in the Standing Orders, appointment of members to parliamentary committees and the establishment of the Travelsafe Committee, circulated in my name, be adopted; viz—

PARLIAMENTARY COMMITTEES – APPOINTMENT AND MEMBERSHIP—

Members be appointed to parliamentary committees as follows—

Legal, Constitutional and Administrative Review Committee—

Dr L Clark (Chair), Mr McNamara, Mr Lee, Mr Fraser, Miss Simpson, Mr Rickuss, Mr McArdle

Members' Ethics and Parliamentary Privileges Committee—

Mrs Attwood (Chair), Mr Wells, Mrs Scott, Mr Finn, Mr Horan, Mr Messenger, Ms Lee Long

Parliamentary Crime and Misconduct Committee—

Mr Wilson (Chair), Mr Choi, Mr English, Ms Molloy, Mr Hobbs, Mr Copeland, Mrs E Cunningham

Public Accounts Committee—

Mr Fenlon (Chair), Ms Barry, Ms Jarratt, Mr Wallace, Mr Rowell, Mrs Menkens, Mr Langbroek

Public Works Committee—

Mr Livingstone (Chair), Ms Stone, Ms Male, Mr Poole, Mr Lingard, Mr Malone, Miss E Roberts

Scrutiny of Legislation Committee—

Mr Hayward (Chair), Mr Mulherin, Mrs Sullivan, Mr Lawlor, Mr Johnson, Mrs Stuckey, Mr Wellington

Standing Orders Committee—

Mr Speaker (ex officio) (Chair), Mr Beattie, Mr Mackenroth, Ms Bligh, Mr Springborg, Mr Seeney, Mr Lingard

SELECT COMMITTEE ON TRAVELSAFE – APPOINTMENT AND MEMBERSHIP—

- (1) That a select committee, to be known as the Select Committee on Travelsafe, be appointed to inquire into and report on all aspects of road safety and public transport in Queensland. In particular the Committee shall monitor, investigate and report on—
 - (a) issues affecting road safety including the causes of road crashes and measures aimed at reducing deaths, injuries and economic costs to the community;
 - (b) the safety of passenger transport services, and measures aimed at reducing the incidence of related deaths and injuries; and
 - (c) measures for the enhancement of public transport in Queensland and reducing dependence on private motor vehicles as the predominant mode of transport.
- (2) That the committee consist of Mr Pearce (Chair), Mr Briskey, Mrs Croft, Mrs Reilly, Mr Hopper, Mr Flegg, Mr Foley
- (3) That the committee have power to call for persons, documents and other things notwithstanding any prorogation of the Parliament.

- (4) That the committee may examine witnesses on oath or affirmation.
- (5) That a quorum consists of four members of the committee.
- (6) That the Chair of the committee or the Deputy Chair when acting as Chair, shall have a deliberative vote and in the event of an equality of votes shall also have a casting vote.
- (7) That as soon as practicable after the end of each year ending 30 June the committee shall prepare a report on the operations of the committee during that year.
- (8) That the foregoing provisions of this resolution, so far as they may be inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

Question put and agreed to.

NOMINATION OF PANEL OF TEMPORARY CHAIRMEN

Mr Speaker nominated the following Members to form the Panel of Temporary Chairmen for the present Parliament—

Mrs Peta-Kaye Croft, Member for Broadwater
 Mr Andrew Fraser, Member for Mount Coot-tha
 Ms Jan Jarratt, Member for Whitsunday
 Ms Carolyn Male, Member for Glass House
 Mr Jason O'Brien, Member for Cook
 Mr Robert Poole, Member for Gaven
 Mr Kerry Shine, Member for Toowoomba North
 Mr Craig Wallace, Member for Thuringowa

QUESTIONS WITHOUT NOTICE (Hansard p. 51, 10.32 am)

Questions without notice were asked.

Paper: Premier and Minister for Trade (Mr Beattie), during his speech, tabled the following paper—
 Document titled *Queensland Government Land Clearing Proposal Socio-Economic Impact, Report for the Commonwealth Government by the Australian Bureau of Agricultural and Resource Economics and the Bureau of Rural Sciences within Agriculture, Fisheries and Forestry Australia*

Questions continued.

Paper: Premier and Minister for Trade (Mr Beattie), during his speech, tabled the following paper—
 Queensland Land Clearing Proposal – Socio-Economic Impact, May 2003

Questions continued.

Questions concluded.

VEGETATION MANAGEMENT AND OTHER LEGISLATION AMENDMENT BILL (Hansard p. 63, 11.32 am)

Minister for Natural Resources, Mines and Energy (Mr Robertson), by leave, moved – That leave be granted to bring in a Bill for an Act to amend legislation about vegetation management, and for other purposes.

Question put and agreed to.

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

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

Debate ensued.

Deputy Leader of the Opposition (Mr Seeney) 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.

DUTIES AMENDMENT BILL (Hansard p. 67, 11.51 am)

Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth), by leave, moved – That leave be granted to bring in a Bill for an Act to amend the *Duties Act 2001*.

Question put and agreed to.

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

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

Debate ensued.

Deputy Leader of the Opposition (Mr Seeney) 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.

SUGAR INDUSTRY REFORM BILL (Hansard p. 69, 12.01 pm)

Minister for Primary Industries and Fisheries (Mr Palaszczuk), by leave, moved – That leave be granted to bring in a Bill for an Act to amend the *Sugar Industry Act 1999* to implement the commitment by the sugar industry and government to comprehensive reform for the long term future of the sugar industry, and for other purposes.

Question put and agreed to.

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

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

Debate ensued.

Papers: Mr Palaszczuk, during his speech, tabled the following papers—

Hheads of Agreement relating to reform of the Queensland sugar industry between Queensland Government, Canegrowers and the Australian Sugar Milling Council

Letter, dated 12 March 2004, from Ian J Ballantyne, General Manager, Canegrowers, to the Minister relating to the "Sugar Industry Act 1999 Amendment Bill" (sic)

Letter, dated 12 March 2004, from J M Craigie, General Manager, Australian Sugar Milling Council, to the Minister relating to the Sugar Industry Reform Bill 2004

Debate continued.

Mr Horan 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.

BUILDING AND CONSTRUCTION INDUSTRY PAYMENTS BILL (Hansard p. 71, 12.15 pm)

Minister for Public Works, Housing and Racing (Mr Schwarten), by leave, moved – That leave be granted to bring in a Bill for an Act to imply terms in construction contracts, to provide for adjudication of payment disputes under construction contracts, and for other purposes.

Question put and agreed to.

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

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

Debate ensued.

Mr Hopper 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.

NATURAL RESOURCES AND OTHER LEGISLATION AMENDMENT BILL (Hansard p. 73, 12.18 pm)

Minister for Natural Resources, Mines and Energy (Mr Robertson), by leave, moved – That leave be granted to bring in a Bill for an Act to amend legislation about natural resources, and for other purposes.

Question put and agreed to.

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

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

Debate ensued.

Mr Hopper 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.

MOTION WITHOUT NOTICE – INTRODUCTION OF PRIVATE MEMBER'S BILL

Leader of the House (Ms Bligh), by leave, moved – That so much of Standing and Sessional Orders be suspended to enable the Member for Nicklin to immediately introduce a Private Members' Bill.
Question put and agreed to.

RETIREMENT VILLAGES (PROXY VOTING) AMENDMENT BILL (Hansard p. 75, 12.22 pm)

Member for Nicklin (Mr Wellington), by leave, moved – That leave be granted to bring in a Bill for an Act to amend *the Retirement Villages Act 1999*.

Question put and agreed to.

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.

Minister for Local Government and Planning (Ms Boyle) 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.

GOVERNOR'S OPENING SPEECH – ADDRESS-IN-REPLY (Hansard p. 75, 12.26 pm)

Mr Hoolihan moved – That the following address be presented to the Governor in reply to the speech delivered by Her Excellency in opening this, the First Session of the 51st Parliament of Queensland—

"May it please Your Excellency—

We, the Members of the Legislative Assembly of Queensland, wish to assure Your Excellency of our continued respect for the Crown and loyalty to the system of government in this State and to tender our thanks for the speech with which you opened the First Session.

The various measures to which Your Excellency referred, and all other matters that may be brought before us, will receive our careful consideration, and we shall strive to deal with them so that our endeavours may contribute to the advancement and prosperity of the people of this State."

Debate ensued.

Debate adjourned on the motion of the Minister for Aboriginal and Torres Strait Islander Policy (Ms Clark).

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

SPECIAL ADJOURNMENT

Minister for Aboriginal and Torres Strait Islander Policy (Ms Clark) moved – That the House at its rising do adjourn until 9.30 am on Tuesday, 20 April 2004.

Question put and agreed to.

ADJOURNMENT (Hansard p. 120, 5.38 pm)

Minister for Aboriginal and Torres Strait Islander Policy (Ms Clark) moved – That this House do now adjourn.

Debate ensued.

Paper: Mrs E Cunningham, during her speech, tabled the following paper—

Letter, dated 23 February 2004, to the Queensland Parliament from Maria Mohrholz of 38 Boyne Crescent Gladstone

Debate continued.

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

Various documents relating to a land proposal at 818 Rode Road, Stafford Heights

Debate continued.

Question put and agreed to.

The House adjourned at 6.07 pm.

ATTENDANCE

The following members were present—

<i>Attwood</i>	<i>English</i>	<i>Keech</i>	<i>McNamara</i>	<i>Pratt</i>	<i>Simpson</i>
<i>Barry</i>	<i>Fenlon</i>	<i>Knuth</i>	<i>Menkens</i>	<i>Purcell</i>	<i>Smith</i>
<i>Barton</i>	<i>Finn</i>	<i>Langbroek</i>	<i>Messenger</i>	<i>Quinn</i>	<i>Spence</i>
<i>Beattie</i>	<i>Flegg</i>	<i>Lavarch</i>	<i>Mickel</i>	<i>Reeves</i>	<i>Springborg</i>
<i>Bligh</i>	<i>Foley</i>	<i>Lawlor</i>	<i>Miller</i>	<i>Reilly</i>	<i>Stone</i>
<i>Boyle</i>	<i>Fouras</i>	<i>Lee</i>	<i>Molloy</i>	<i>Reynolds</i>	<i>Struthers</i>
<i>Briskey</i>	<i>Fraser</i>	<i>Lee long</i>	<i>Mulherin</i>	<i>Rickuss</i>	<i>Stuckey</i>
<i>Choi</i>	<i>Hayward</i>	<i>Lingard</i>	<i>Nelson—Carr</i>	<i>Roberts, E</i>	<i>Sullivan, C</i>
<i>Clark, E</i>	<i>Hobbs</i>	<i>Livingstone</i>	<i>Nolan</i>	<i>Roberts, N</i>	<i>Sullivan, T</i>
<i>Clark, L</i>	<i>Hollis</i>	<i>Lucas</i>	<i>Nuttall</i>	<i>Robertson</i>	<i>Wallace</i>
<i>Copeland</i>	<i>Hoolihan</i>	<i>Mackenroth</i>	<i>O'Brien</i>	<i>Rowell</i>	<i>Wellington</i>
<i>Croft</i>	<i>Hopper</i>	<i>Male</i>	<i>Palaszczuk</i>	<i>Schwarten</i>	<i>Wells</i>
<i>Cummins</i>	<i>Horan</i>	<i>Malone</i>	<i>Pearce</i>	<i>Scott</i>	<i>Wilson</i>
<i>Cunningham, E</i>	<i>Jarratt</i>	<i>McArdle</i>	<i>Pitt</i>	<i>Seeney</i>	
<i>Cunningham, J</i>	<i>Johnson</i>	<i>McGrady</i>	<i>Poole</i>	<i>Shine</i>	

R K HOLLIS
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT