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

MATTER OF PRIVILEGE  (Hansard p. 3223, 9.30 am)
Mr Hobbs rose on a matter of privilege.

ASSENT TO BILLS
Letter from the Governor was reported, informing the House that His Excellency the Administrator had, in the name and on behalf of Her Majesty, assented to the following Bills on 27 October 2004—
A Bill for an Act to amend legislation about natural resources (Natural Resources Legislation Amendment Act 2004 – Act No. 33 of 2004)
A Bill for an Act to amend the TAB Queensland Limited Privatisation Act 1999 and for other purposes (TAB Queensland Limited Privatisation Legislation Amendment Act 2004 – Act No. 35 of 2004)
A Bill for an Act to amend particular Acts to increase child safety, and for other purposes (Child Safety Legislation Amendment Act (No. 2) 2004 – Act No. 36 of 2004)
A Bill for an Act to declare particular parts of Queensland to be local government areas under the Local Government Act 1993, establish new local governments for the areas, and apply provisions of that Act to the areas and local governments, and for other purposes (Local Government (Community Government Areas) Act 2004 – Act No. 37 of 2004)
A Bill for an Act to amend the Primary Industry Bodies Reform Act 1999 (Primary Industry Bodies Reform Amendment Act 2004 – Act No. 41 of 2004)

STATEMENT BY SPEAKER – RESIGNATION OF MR ROBERT NEEDHAM
Mr Speaker made the following statement—

‘Honourable Members—

I advise the House that, on 3 November 2004, I received the resignation of Mr Robert Needham as Parliamentary Crime and Misconduct Commissioner in accordance with section 311 of the Crime and Misconduct Act 2001. The resignation was effective immediately.’

Paper: Mr Speaker, during his speech, tabled the following paper—
Letter, dated 3 November 2004, from Mr R M Needham, Parliamentary Commissioner, tendering his resignation

STATEMENT BY SPEAKER – SMITH FAMILY’S 2004 CHRISTMAS APPEAL
Mr Speaker made the following statement—

“Honourable Members—

Today at 1.45 pm, the Premier will launch the Smith Family’s 2004 Christmas Appeal on the Speaker’s Green.

I have been asked to advise all Honourable Members that they are welcome to attend the launch.

No RSVP is required.”
PETITIONS

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

Mr Wells from 165 petitioners requesting the House to ensure the land adjacent to the main northern rail line from Ye bri Street to Water Street, Kallangur is not developed for high density residential and is protected as a wild life corridor/greenspace.

Mr Wellington from 1,397 petitioners requesting the House to prevent the proposed residential and golf course development behind the village of Montville from being approved by the Maroochy Shire Council and for Montville and its surrounds to be protected from further urbanization and development by including it as part of the green belt of regional landscape in the new Urban Management Plan being put in place by the State government.

The following E-petition, sponsored by the Member indicated, was received—

Mr Livingstone from 128 petitioners requesting the House to protect and allow the public display of the Sandstone abutments of the Heiner Road overbridge, Heiner Road and the Wharf Branch Railway at North Ipswich as significant and unique pieces of Australia's heritage and incorporate and feature them into any new development in this precinct for future generations.

PAPERS TABLED DURING THE RECESS

The Clerk informed the House that the following papers, received during the recess, were tabled on the dates indicated—

22 October 2004—
   Erratum to Explanatory Notes to the Education Legislation Amendment Bill 2004 tabled on 19 October 2004
   Gold Coast Hospital Foundation – Annual Report 2003-04

27 October 2004—
   Chicken Meat Industry Committee – Annual Report 2003-04
   Queensland Rural Adjustment Authority – Annual Report 2003-04
   Sugar Authority – Annual Report 2003-04
   Sugar Industry Commissioner – Annual Report 2003-04
   Ayr Cane Protection and Productivity Board – Annual Report and Financial Statements 1 July 2003 – 31 March 2004
   Inkerman Cane Protection and Productivity Board – Annual Report and Financial Statements 1 July 2003 – 31 March 2004
   Invicta Cane Protection and Productivity Board – Annual Report and Financial Statements 1 July 2003 – 31 March 2004
   Isis Cane Protection and Productivity Board – Annual Report 2003-04
   Mackay Cane Protection and Productivity Board – Annual Report 1 July 2003 – 30 April 2004
   Rocky Point Cane Protection and Productivity Board – Annual Report 2003-04
   Valuers Registration Board of Queensland – Annual Report 2003-04
   Mining Safety and Health Advisory Council – Annual Report 2003-04
   Coal Mining Safety and Health Advisory Council – Annual Report 2003-04
   Boards of Examiners – Annual Report 2003-04
   Gladstone Area Water Board – Annual Report 2003-04
   Murray-Darling Basin Commission – Annual Report 2002-03

28 October 2004—
   Response from the Minister for Tourism, Fair Trading and Wine Industry Development (Mrs Keech) to paper petitions presented by Mr Wellington from 121 and 9 petitioners relating to a request to reject an application for a liquor licence for Tenancy 2, 102 Howard Street, Nambour

29 October 2004—
   The National Trust of Queensland – Annual Report 2003-04
   Queensland Nursing Council – Annual Report 2003-04
   Princess Alexandra Hospital Foundation – Annual Report 2003-04
   Toowoomba Hospital Foundation – Annual Report 2003-04
Report by the Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) on the Queensland Treasury Corporation visit to World Financial Centres from 19 to 30 September, 2004

1 November 2004—
Queensland Information Commissioner – Annual Report 2003-04
CS Energy Ltd – Annual Report 2003-04
CS Energy Ltd – Statement of Corporate Intent 2003-04
ENERGEX Limited – Annual Report 2003-04
ENERGEX Retail Pty Ltd – Annual Report 2003-04
ENERGEX Limited – Statement of Corporate Intent 2003-04
Enertrade – Annual Report 2003-04
Enertrade – Statement of Corporate Intent 2003-04
Ergon Energy Corporation Limited – Annual Report 2003-04
Ergon Energy Corporation Limited – Statement of Corporate Intent 2003-04
Powerlink Queensland – Annual Report 2003-04
Powerlink Queensland – Statement of Corporate Intent 2003-04
Stanwell Corporation Limited – Annual Report 2003-04
Stanwell Corporation Limited – Statement of Corporate Intent 2003-04
Tarong Energy Corporation Limited – Annual Report 2003-04
Tarong Energy Corporation Limited – Statement of Corporate Intent 2003-04
Administrative Arrangements Order (No. 3) 2004

2 November 2004—
Response from the Minister for Health (Mr Nuttall) to e-petitions sponsored by (a) Mrs Smith from 194 petitioners relating to funding for the Mental Health Association (Gold Coast Branch), (b) Mr Lee from 348 petitioners regarding the lack of recognition and services for Chronic Fatigue Syndrome/Fibromyalgia and (c) Mr English from 83 petitioners regarding funding for Huntington’s Disease
Queensland Treasury – Annual Report 2003-04 (includes Addendum to p. 122 Overseas travel)
Golden Casket Lottery Corporation Limited – Annual Report 2003-04
Golden Casket Lottery Corporation Limited – Statement of Corporate Intent 2003-04
Queensland Investment Corporation – Annual Report 2003-04
Queensland Investment Corporation – Statement of Corporate Intent 2003-04
Motor Accident Insurance Commission – Annual Report 2003-04
QSuper Board of Trustees and the Government Superannuation Office – Annual Report 2003-04

3 November 2004—
Justice and Other Legislation Amendment Bill 2004 – Replacement Explanatory Notes
Guardianship and Administration Tribunal – Annual Report 2003-04
Queensland Magistrates Court – Annual Report 2003-04
Department of Housing – Annual Report 2003-04
Residential Tenancies Authority – Annual Report 2003-04
Queensland Building Services Authority – Annual Report 2003-04
Department of Public Works – Annual Report 2003-04
Board of Professional Engineers of Queensland – Annual Report 2003-04
Board of Architects – Annual Report 2003-04
Queensland State Archives – Annual Report 2003-04
Queensland Harness Racing Board – Annual Report 2003-04
Trustees of Parklands Gold Coast – Annual Report 2003-04
Greyhound Racing Authority – Annual Report 2003-04
Queensland Thoroughbred Racing Board – Annual Report 2003-04
Response from the Minister for Natural Resources and Mines (Mr Robertson) to a paper petition presented by Mrs Menkens from 159 petitioners relating to the future development of water delivery in Collinsville and the water infrastructure management plan in the Bowen River-Broken River Scheme
Australian College of Tropical Agriculture – Annual Report 2003-04
Dalby Agricultural College Board – Annual Report 2003-04
Emerald Agricultural College – Annual Report 2003-04
Longreach Pastoral College – Annual Report 2003-04
Department of Employment and Training – Annual Report 2003-04
Department of Industrial Relations – Annual Report 2003-04 and Financial Statements (Volumes 1 and 2)
Q-Comp – Annual Report 2003-04
QLeave – Annual Report 2003-04 and Extracts from the QLeave Annual Report 2003-04

4 November 2004—
Office of the Adult Guardian – Annual Report 2003-04
Response from the Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) to a paper petition presented by Mr Wellington from 6 petitioners relating to Ambulance Cover charges on electricity accounts
The Public Trustee of Queensland – Annual Report 2003-04
Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition presented by Mr Pitt from 1440 petitioners regarding Goondi Railway Crossing at Innisfail

5 November 2004—
Department of Justice and Attorney-General – Annual Report 2003-04
Training and Employment Board – Annual Report 2003-04
Training Ombudsman – Annual Report 2003-04
Response from the Minister for Transport and Main Roads (Mr Bredhauer) to a paper petition presented by Mrs Lavarch from 225 petitioners relating to a request to provide traffic lights and pedestrian crossings at the Petrie roundabout

8 November 2004—
Response from the Minister for Communities, Disability Services and Seniors (Mr Pitt) to paper petitions presented by (a) Mr Mulherin from 36 petitioners regarding the present practice of dealing with young people under the age of 18 years as adults within the Queensland criminal justice system and (b) Mr Mulherin from 164 petitioners regarding the present practice of imprisoning young people under 18 years of age in prisons with adult offenders

STATUTORY INSTRUMENTS
The following statutory instruments were tabled by the Clerk—


Police Powers and Responsibilities Act 2000—

Police Powers and Responsibilities Amendment Regulation (No. 5) 2004, No. 221

Primary Industries and Other Legislation Amendment Act 2003—

Primary Industries and Other Legislation Amendment (Postponement) Regulation 2004, No. 222

Electricity Act 1994—

Electricity Amendment Regulation (No. 2) 2004, No. 223

Forestry Act 1959—

Forestry (State Forests) Amendment Regulation (No. 1) 2004, No. 224

Police Powers and Responsibilities Act 2000—

Police Powers and Responsibilities Amendment Regulation (No. 6) 2004, No. 225

Private Health Facilities Act 1999—

Private Health Facilities (Standards) Amendment Notice (No. 1) 2004, No. 226

Education (General Provisions) Act 1989—

Education (General Provisions) Amendment Regulation (No. 2) 2004, No. 227

Weapons Act 1990—

Weapons Amendment Regulation (No. 1) 2004, No. 228


Transport Operations (Road Use Management) and Other Legislation Amendment Regulation (No. 1) 2004, No. 229
Transport Operations (Passenger Transport) Act 1994—
Transport Operations (Passenger Transport) Amendment Regulation (No. 2) 2004, No. 230

Primary Industries Legislation Amendment Regulation (No. 1) 2004, No. 231

Plant Protection Act 1989—
Plant Protection Amendment Regulation (No. 5) 2004, No. 232

Local Government Act 1993—
Local Government Legislation Amendment Regulation (No. 2) 2004, No. 233

Building Act 1975—
Standard Building Amendment Regulation (No. 3) 2004, No. 234 and Explanatory Notes for No. 234

Australian Crime Commission (Queensland) Act 2003—
Australian Crime Commission (Queensland) Regulation 2004, No. 235

Mineral Resources Act 1989—
Mineral Resources Amendment Regulation (No. 2) 2004, No. 236

Consumer Credit (Queensland) Act 1994—
Consumer Credit Amendment Regulation (No. 1) 2004, No. 237

Marine Parks and Other Legislation Amendment and Repeal Regulation (No. 1) 2004, No. 238 and Explanatory Notes and Regulatory Impact Statement for No. 238

Integrated Planning Act 1997—
Integrated Planning Amendment Regulation (No. 4) 2004, No. 239

Marine Parks Act 1982—

MINISTERIAL PAPER TABLED BY THE CLERK
The following ministerial paper was tabled by The Clerk—

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

MINISTERIAL PAPERS
The following Ministerial papers were tabled—

Premier and Minister for Trade (Mr Beattie)—
Office of the Queensland Parliamentary Counsel – Annual Report 2003–04
South Bank Corporation – Annual Report 2004
Parliamentary Contributory Superannuation Fund – General Purpose Financial Statements for the year ended 30 June 2004
Crime and Misconduct Commission – Annual Report 2003-04
Queensland Ombudsman – Annual Report 2003-04

MINISTERIAL STATEMENTS (Hansard p. 3227, 9.35 am)
(a) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Tourism Queensland and Australian Outback Travel Group.
(b) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Queensland Brain Institute.

(c) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to AusBiotech 2004.

Papers: Mr Beattie, during his statement, tabled the following papers—
Folder of documents relating to the AusBiotech 2004 conference
Advertisement, placed by the Queensland Government in *The Courier-Mail* on 9 November 2004, relating to AusBiotech 2004

(d) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Queensland’s Indigenous art.

Paper: Mr Beattie, during his statement, tabled the following paper—
Aboriginal and Torres Strait Islander Art 2005 Calendar

(e) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the fourth round of Smart State Research Facilities Fund.

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

(g) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to plant discoveries and biodiversity.

(h) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the Smart State Strategy Summit.

Paper: Mr Beattie, during his statement, tabled the following paper—
*Smart State Summit Outcomes*

(i) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to his recent visit to North West Queensland.

(j) Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) made a ministerial statement relating to the draft South East Queensland Regional Plan consultation.

(k) Minister for Education and the Arts (Ms Bligh) made a ministerial statement relating to the review of the Board of Teacher Registration.

Paper: Ms Bligh, during her statement, tabled the following paper—
Document titled *Review of the Powers and Functions of the Board of Teacher Registration*

(l) Minister for Employment, Training and Industrial Relations (Mr Barton) made a ministerial statement relating to skills shortages in Queensland.

(m) Minister for Public Works, Housing and Racing (Mr Schwarten) made a ministerial statement relating to the inquiry into the integrity of Queensland Racing.

(n) Minister for Transport and Main Roads (Mr Lucas) made a ministerial statement relating to road plans for the Ipswich area and the death of Jo Oliphant.

(o) Minister for Primary Industries and Fisheries (Mr Palaszczuk) made a ministerial statement relating to the citrus canker outbreak.

(p) Minister for Natural Resources and Mines (Mr Robertson) made a ministerial statement relating to SunWater’s Annual Report 2003-04.

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

(q) Minister for Communities, Disability Services and Seniors (Mr Pitt) made a ministerial statement relating to volatile substance misuse.

(r) Minister for Emergency Services (Mr Cummins) made a ministerial statement relating to (i) the funeral of Mr Paul Austin, (ii) SES week and (iii) recent floods.
MOTION WITHOUT NOTICE – COGNATE BILLS
Leader of the House (Ms Bligh), by leave, moved – That, in accordance with Standing Order 129, the Appropriation Bill (No. 2) and the Appropriation (Parliament) Bill (No. 2) be treated as cognate Bills for their remaining stages—
(a) one question being put in regard to the second readings;
(b) the consideration of the Bills in detail together; and
(c) one question being put for the third readings and long titles.
Question put and agreed to.

PARLIAMENTARY CRIME AND MISCONDUCT COMMITTEE – PAPERS
Chair of the Parliamentary Crime and Misconduct Committee (Mr Wilson) tabled the following papers—
Parliamentary Crime and Misconduct Committee—
   Report No. 65 – Annual Report 2003-04
Crime and Misconduct Commission—
   Exploring drug use: Prevalence and patterns among emergency department patients

SCRUTINY OF LEGISLATION COMMITTEE – PAPER
Chair of the Scrutiny of Legislation Committee (Mr Hayward) tabled the following paper—
Scrutiny of Legislation Committee—
   Alert Digest No. 8 of 2004

PRIVATE MEMBERS’ STATEMENTS (Hansard p. 3240, 10.22 am)
Private Members’ statements were made.

Papers: Mr Wellington, during his speech, tabled the following papers—
   Non-conforming petitions and correspondence relating to the proposed Montville developments
Statements continued.
Statements concluded.

QUESTIONS WITHOUT NOTICE (Hansard p. 3242, 10.30 am)
Questions without notice were asked.

Paper: Minister for Education and the Arts (Ms Bligh) tabled the following paper—
   A list of Smart School Subsidy Scheme 2005-06 recipients
Questions continued.
Questions concluded.

MOTION WITHOUT NOTICE – HOURS AND ORDER OF BUSINESS FOR TODAY
Leader of the House (Ms Bligh), by leave, moved – That notwithstanding anything contained in the Standing and Sessional Orders, for this day’s sitting, the House can continue to meet past 9.00 pm to consider Government Business until the adjournment is moved to be followed by a 30 minute adjournment debate.
Question put and agreed to.

MATTERS OF PUBLIC INTEREST (Hansard p. 3253, 11.29 am)
Matters of public interest were debated.
MINISTERIAL STATEMENT (Hansard p. 3263, 12.25 pm)
Premier and Minister for Trade (Mr Beattie), by leave, made a ministerial statement relating to (i) Queensland’s infrastructure, (ii) cardiac catheter laboratories and (iii) the Expansion of Museum Magnet School program.

CHILD PROTECTION (OFFENDER REPORTING) BILL (Hansard p. 3266, 12.38 pm)
Minister for Police and Corrective Services (Ms Spence) presented a Bill for an Act to require particular offenders who commit sexual, or particular other serious, offences against children to keep police informed of their whereabouts and other personal details for a period of time, to reduce the likelihood that they will re-offend, and to facilitate the investigation and prosecution of any future offences that they may commit, and for related purposes and Explanatory Notes and moved – That the Bill be now read a First time.
Question put and agreed to.
Ms Spence moved – That the Bill be now read a second time.
Debate ensued.
Mr Lingard moved – That the debate be now adjourned.
Question put and agreed to.

ELECTRICITY AMENDMENT BILL (NO. 2) (Hansard p. 3268, 12.51 pm)
Minister for Energy (Mr Mickel) presented a Bill for an Act to amend the Electricity Act 1994 and Explanatory Notes and moved – That the Bill be now read a First time.
Question put and agreed to.
Mr Mickel moved – That the Bill be now read a second time.
Debate ensued.
Mr Lingard moved – That the debate be now adjourned.
Question put and agreed to.

SUPERANNUATION LEGISLATION AMENDMENT BILL (Hansard p. 3271, 2.00 pm)
Order of the day read for the adjourned debate on the motion of the Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) – That the Bill be now read a second time.
Debate ensued.
Question put and agreed to.

POSTPONED ORDER – GOVERNMENT BUSINESS
Deputy Premier, Treasurer and Minister for Sport (Mr Mackenroth) – That Government Business Order of the Day No. 2 be postponed until a later hour of the sitting.
Question put and agreed to.

JUSTICE AND OTHER LEGISLATION AMENDMENT BILL (Hansard p. 3273, 2.11 pm)
Order of the day read for the adjourned debate on the motion of the Minister for Education and the Arts (Ms Bligh) – That the Bill be now read a second time.
Debate ensued.
Question put and agreed to.
Paper: Attorney-General and Minister for Justice (Mr Welford), during his speech, tabled the following paper—
Explanatory Notes to amendments in committee to the Justice and Other Legislation Amendment Bill

Bill read a second time.

Consideration in detail—

Clause 1, as read, agreed to.

Clause 2 (Commencement)—

The following amendment was proposed by Attorney-General and Minister for Justice (Mr Welford)—

At page 10, line 7, ‘section 6(2),’ and footnote—

omitted, inserted—
‘sections 6(2), 35 and 36A,\(^1\).’

Debate ensued.

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

Clauses 3 to 34, as read, agreed to.

Clause 35 (Amendment of s 29 (affidavit))—

The following amendment was proposed by Mr Welford—

At page 21, lines 17 to 27—

omitted, inserted—

‘35 Amendment of s 19 (Meaning of property)

Section 19(a)—

inserted—

‘(iii) property of someone else that is under the effective control of the person; and’.’

Debate ensued.

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

Clause 35, as amended, agreed to.

Clause 36, as read, agreed to.

New Clause 36A—

The following amendment was proposed by Mr Welford—

At page 23, after line 22—

inserted—

‘36A Amendment of s 87 (Enforcement of order against property under effective control)

(1) Section 87(4), after ‘to which’—

inserted—

‘other’.

(2) Section 87(5), from ‘property,’—

omitted, inserted—

‘property to the extent stated in the declaration.’.

(3) Section 87(6), ‘as if the property were the controlling person’s property’—

omitted.’

Debate ensued.

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

Clauses 37 to 60, as read, agreed to.

Clause 61 (Amendment of s 16 (Appointment of president and other members of Land Court))—

The following amendment was proposed by Mr Welford—

Page 33, line 10—

omitted, inserted—

‘(1) Section 16(3A), after ‘section 17’—

inserted—

‘or under the Land and Resources Tribunal Act 1999, section 27A’.

(2) Section 16—’.

\(^1\) Sections 6(2), 35 and 36A will commence on assent, relying on the Acts Interpretation Act 1954, section 15A
(Commencement of Acts on date of assent)
Debate ensued.

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

Clause 61, as amended, agreed to.

Clauses 62 to 113, as read, agreed to.

Clause 114 (Insertion of new ss 23A-23D)—

The following amendment was proposed by Mr Welford—

At page 54, line 22, ‘it is irrelevant to the assessment that’—

omit, insert—

‘any damages assessed must not be reduced because’.

Debate ensued.

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

Clause 114, as amended, agreed to.

Clauses 115 to 119, as read, agreed to.

Schedule, as read, agree to.

Consideration in detail completed—

Mr Welford moved – That the Bill, as amended, be read a third time.

Question put and agreed to.

Mr Welford moved – That the long title of the Bill be agreed to.

Question put and agreed to.

EDUCATION LEGISLATION AMENDMENT BILL

(Hansard p. 3284, 3.25 pm)

Order of the day read for the adjourned debate on the motion of the Minister for Education and the Arts (Ms Bligh) – That the Bill be now read a second time.

Debate ensued.

Debate adjourned on the motion of Ms Bligh.

COMMISSION FOR CHILDREN AND YOUNG PEOPLE AND CHILD GUARDIAN AMENDMENT BILL

(Hansard p. 3297, 4.52 pm)

Premier and Minister for Trade (Mr Beattie) presented a Bill for an Act to amend the Commission for Children and Young People and Child Guardian Act 2000 and for other purposes and Explanatory Notes and moved – That the Bill be now read a First time.

Question put and agreed to.

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

Debate ensued.

Mr Messenger moved – That the debate be now adjourned.

Question put and agreed to.

EDUCATION LEGISLATION AMENDMENT BILL

(Hansard p. 3300, 5.09 pm)

Order of the day read for the adjourned debate on the motion of the Minister for Education and the Arts (Ms Bligh) – That the Bill be now read a second time.

Debate ensued.

Question put and agreed to.

Bill read a second time.

Consideration in detail—

Clause 1, as read, agreed to.

Clause 2 (Commencement)—

The following amendment was proposed by Ms Bligh—

At page 6, lines 5 and 6—

omit, insert—

‘2 Commencement

‘1 The following provisions commence on 1 January 2005—

• section 21 (other than to the extent it inserts the definitions financial data and non-State school in receipt of subsidy)

• sections 22 to 24 and 41.’
‘(2) Part 2 commences on a day to be fixed by proclamation.’.

**Paper:** Ms Bligh, during her speech, tabled the following paper—
Explanatory Notes to amendments in committee to the Education Legislation Amendment Bill

Debate ensued.

**Question** – That Ms Bligh’s amendment be agreed to – put and agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 15, as read, agreed to.

Clause 16—

Debate resumed.

**Question put** – That clause 16, as read, stand part of the Bill.

The House divided.

**AYES 58—**

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**NOES 18—**

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Tellers *

**Question agreed to.**

Clause 16, as read, agreed to.

Clauses 17 to 26, as read, agreed to.

Clause 27—

Debate ensued.

**Question put** – That Clause 27, as read, stand part of the Bill.

The House divided.

**AYES 62—**

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Tellers *

**Question agreed to.**

Clause 27, as read, agreed to.

Clauses 28 to 40, as read, agreed to.

**Clause 41 (Insertion of new s 76B)—**

The following amendment was proposed by Ms Bligh—

At page 41, after line 22—
insert—
“(2) However, the chief executive may waive, entirely or partly, payment of the fee if the chief executive is satisfied payment of the fee would cause financial hardship to the person liable to pay it.’.’.

Debate ensued.
Question – That Ms Bligh’s amendment be agreed to – put and agreed to.
Clause 41, as amended, agreed to.
Clause 42, as read, agreed to.

Consideration in detail completed—
Ms Bligh moved – That the Bill, as amended, be read a third time.
Question put and agreed to.
Ms Bligh moved – That the long title of the Bill be agreed to.
Question put and agreed to.

WORKERS’ COMPENSATION AND REHABILITATION AND OTHER ACTS AMENDMENT BILL

Order of the day read for the adjourned debate on the motion of the Minister for Employment, Training and Industrial Relations (Mr Barton) – That the Bill be now read a second time.
Debate ensued.

Paper: Mr Barton, during his speech, tabled the following paper—
Letter, dated 9 November 2004, to the Chair of the Scrutiny of Legislation Committee

Bill read a second time.

Consideration in detail—
Clauses 1 to 20, as read, agreed to.
Clause 21 (Amendment of s 150 (Total incapacity—workers whose employment is governed by an industrial instrument))—

Paper: Mr Barton, during his speech, tabled the following paper—
Explanatory Notes to amendments in committee to the Workers’ Compensation and Rehabilitation and Other Acts Amendment Bill

The following amendment was proposed by Mr Barton—
At page 22, line 5, ‘65%’—
omit, insert—
‘70%’.

Debate ensued.
Question – That Mr Barton’s amendment be agreed to – put and agreed to.
Clause 21, as amended, agreed to.
Clauses 22 to 106, as read, agreed to.
Clause 107 (Amendment of s 118 (Prohibition notice))—

The following amendment was proposed by Mr Barton—
At page 66, after line 2—
insert—
‘(2A) Section 118(6)(a), ‘an immediate’—
omit, insert—
‘the’.’.

Question – That Mr Barton’s amendment be agreed to – put and agreed to.
Clause 107, as amended, agreed to.
Clauses 108 to 112, as read, agreed to.
Clause 113 (Replacement of pt 17, divs 2 and 3)—

The following amendment was proposed by Mr Barton—
At page 67, lines 23 to 26 and page 68, lines 1 to 5—
omit, insert—
‘(2) The advisory standards mentioned in the notice, and as in force immediately before the commencement of this section—
(a) are continued in force as codes of practice; and
(b) expire 10 years after their commencement.'
‘(3) To remove any doubt, it is declared that subsection (2)(b) does not prevent a statutory instrument, mentioned in the subsection and being continued in force, from being amended or repealed before its expiry under this Act.

‘191 Existing codes of practice

‘(1) The industry codes of practice mentioned in the Workplace Health and Safety (Industry Codes of Practice) Notice 1999, and as in force immediately before the commencement of this section—
(a) are continued in force as codes of practice; and
(b) expire 10 years after their commencement.

‘(2) To remove any doubt, it is declared that subsection (1)(b) does not prevent a statutory instrument, mentioned in the subsection and being continued in force, from being amended or repealed before its expiry under this Act.’.

Question – That Mr Barton’s amendment be agreed to – put and agreed to.
Clause 113, as amended, agreed to.
Clauses 114 to 131, as read, agreed to.
Clause 132 (Insertion of new pt 16)—
The following amendment was proposed by Mr Barton—
At page 76, lines 2 to 5—
omit, insert—
‘(1) The codes of practice mentioned in the Electrical Safety (Codes of Practice) Notice 2002, and as in force immediately before the commencement of this section, expire 10 years after their commencement.

‘(2) To remove any doubt, it is declared that subsection (1) does not prevent a code of practice mentioned in the subsection from being amended or repealed before its expiry under this Act.’.

Question – That Mr Barton’s amendment be agreed to – put and agreed to.
Clause 132, as amended, agreed to.
Clauses 133 to 136, as read, agreed to.
New clauses 137-138—
The following amendment was proposed by Mr Barton—
At page 77, after line 7—
insert—
‘Part 7 Amendment of Trading (Allowable Hours) Act 1990

‘137 Act amended in pt 7
‘This part amends the Trading (Allowable Hours) Act 1990.

‘138 Insertion of new pt 9
‘After section 48—
insert—

‘Part 9 Provisions for 26 December 2004

‘49 Definitions for pt 9
‘In this part—
south-east Queensland area see section 31B.
trading hours order see section 31B.

‘50 Displacement of trading hours order
‘(1) This part applies only to a non-exempt shop in the south-east Queensland area to which the trading hours order applies.

‘(2) Despite section 28, the trading hours order does not apply to a non-exempt shop in the south-east Queensland area to the extent the order is inconsistent with this part.

‘51 Allowable hours on Sunday 26 December 2004
‘(1) On Sunday 26 December 2004, the occupier of a non-exempt shop, other than an excluded shop, must ensure the shop is closed. Maximum penalty—40 penalty units.

‘(2) In this section—
excluded shop means a non-exempt shop in the following areas as defined in the trading hours order—
(a) gold coast area;
‘52 Work on Sunday 26 December 2004 to be on a voluntary basis
‘An employer must not require an employee to work on Sunday 26 December 2004 unless the employee agrees, in writing, to work on that day.
Maximum penalty—16 penalty units.

‘53 Expiry of part
‘This part expires on 31 March 2005.’.

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

AYES 59—
Attwood
Barry
Barton
Beattie
Bligh
Boyle
Choi
Clark, E
Clark, L
Croft
Cummins
Jarratt
Mickel
Poole
Smith
English
Lavarch
Miller
Pratt
Stone
Finlon
Lawlor
Molloy
Mulherin
Purcell
Reeves *
Struthers
Finn
Lee
Nelson–Carr
Nolan
Reilly
Sullivan, C
Foley
Lee Long
Nolan
Roberts, N
Wellington
Fouras
Livingstone
Nuttall
Robertson
Wallace
Fraser
Mackenroth
Palaszczuk
Pearce
Schwarten
Wells
Hayward
Male
Pitt
Shine
Hoolihan
McNamara
Copeland
Horan
Lingard
Quinn
Simpson
Johnson
Malone *
Rickuss
Springborg
Knuth
McArdle
Rowell
Stuckey
Langbroek
Messenger
Simpson

NOES 19—
Copeland
Flegg
Hobbs
Hopper *
Tellers *
Horan
Lingard
Quinn
Simpson
Johnson
Malone *
Rickuss
Springborg
Knuth
McArdle
Rowell
Stuckey

Question agreed to.

Schedule (Minor amendments)—
The following amendment was proposed by Mr Barton—
At page 80, line 15, before ‘days’—
insert—
‘business’.
Debate ensued.
Question – That Mr Barton’s amendment be agreed to – put and agreed to.
Schedule, as amended, agreed to.

Consideration in detail completed—
Mr Barton moved – That the Bill, as amended, be read a third time.
Question put and agreed to.
Mr Barton moved – That the long title of the Bill be agreed to.
Question put and agreed to.

ADJOURNMENT (Hansard p. 3344, 11.17 pm)
Leader of the House (Ms Bligh) moved – That this House do now adjourn.
Debate ensued.

Papers: Mrs Sullivan, during her speech, tabled the following papers—
Letter, dated 7 August 2001, from Dr Michael Wooldridge, Minister for Health and Aged Care to the Hon W M Edmond MLA, Minister for Health
Document, dated 28 February 2000, titled Statement of issues relating to the care of Ben Kendall
Deed of Settlement, dated October 2000, between Corporation of Trustees of Order of Sisters of Mercy in Queensland, Guy Kendall and Kathy Kendall
Letter, dated 5 May 1998, from Executive Director, Mater Childrens Hospital to Mrs Kendall
Document, dated 19 October 2000, titled Draft mediation outcomes

Debate continued.
Question put and agreed to.
The House adjourned at 11.45 pm.

**ATTENDANCE**

The following Members were present—

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