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MEETING OF THE ASSEMBLY
The Assembly met at 9.50 am due to an unforeseen emergency. The Speaker (Honourable R K Hollis) read prayers.

MATTER OF PRIVILEGE  (Hansard p. 681, 9.50 am)
Mr Hopper rose on a matter of privilege.

TIMING OF BUSINESS FOR TODAY
Mr Speaker asked Members to please note that all business of the House today will be put back 20 minutes.

PETITIONS
The following paper petitions, lodged with the Clerk by the Members indicated, were received—
Mr Wellington from 828 petitioners requesting the House to ensure that the Moreton Mill Weir is retained and maintained for the enjoyment of the people of Nambour
Mr Langbroek from 192 petitioners requesting the House to establish a shop front police station in Redland Bay to ensure the continuity of community-based policing and that a visible and accessible police presence remains throughout the entire construction of a new station until it is completed.
Mr Mackenroth from 244 petitioners requesting the House to direct the construction of the proposed ambulance station from the junction of Wiles Street and Ferguson Road at Camp Hill to a different site where its impact will be minimised.
Mrs Reilly from 510 petitioners requesting the House to offer Lot 2, Registered Plan 219164, Ward Numinbah, within the 380 hectare Springbrook property known as the Settlement to the Gold Coast City Council to hold in trust to manage and maintain for active and passive recreational purposes for the people of Queensland.

MINISTERIAL PAPERS TABLED BY THE CLERK
The following ministerial papers were tabled by The Clerk—

*Minister for Energy and Aboriginal and Torres Strait Islander Policy (Mr Mickel)—*
Replacement response from the Minister for Energy and Aboriginal and Torres Strait Islander Policy (Mr Mickel) to an e-petition sponsored by Ms Barry from 101 petitioners regarding a request to reconsider the settlement of wages to the indigenous community

*Minister for Environment, Local Government, Planning and Women (Ms Boyle)—*
Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to a paper petition presented by Mr Wellington from 1591 petitioners regarding horse riding in South East Queensland State Forests and a request to make provision in the proposed new tenure for Forest Reserves to have some of the already existing fire trails and degraded tracks set aside as Conservation Park Corridors

MINISTERIAL STATEMENTS  (Hansard p. 682, 9.53 am)
(a) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Translink and funding for public transport infrastructure in south east Queensland.

*Papers:* Mr Beattie, during his statement, tabled the following papers—
Document by Queensland Transport document titled *Draft Translink Network Plan’ dated February 2005*
Queensland Transport Draft Translink network Plan brochures for the regions of Gold Coast, Eastern Region, Sunshine Coast, Southern Region, Western Region, Northern Region and Brisbane City Region

(b) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the opening of the Gladstone Port access road.
(c) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to insurance reforms.

*Paper:* Mr Beattie, during his statement, tabled the following paper—
Queensland Government brochure titled *Public liability insurance advice for not-for-profit organisations*

(d) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to education exports grants.

(e) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Australia Week in Moscow.

(f) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to a reception to celebrate Greek National Independence Day.

(g) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to nominations for the Queensland Multicultural Awards.

(h) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the promotion of the Queensland wine industry and a Bucharest wine festival.

(i) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to a summit on the relief and reconstruction effort in Indonesia following the tsunami.

(j) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to the 81st Community Cabinet held in Ipswich and the next Community Cabinet meeting to be held at the University of Queensland.

*Paper:* Mr Beattie, during his statement, tabled the following paper—
Copy of an advertisement titled *Good news for Ipswich – Springfield to Yamanto Road link a smart link*

(k) Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to public service staff numbers.

(l) Minister for Education and the Arts (Ms Bligh) made a ministerial statement relating to the national orchestra review and the Queensland Symphony Orchestra.

(m) Minister for Employment, Training and Industrial Relations (Mr Barton) made a ministerial statement relating to the Industry Training Partnerships Program.

(n) Minister for State Development and Innovation (Mr McGrady) made a ministerial statement relating to a recent visit to the United Kingdom and Europe to encourage skilled migrant workers to make a permanent move to Queensland.

(o) Minister for Health (Mr Nuttall) made a ministerial statement relating to a clinical audit of surgical services at the Bundaberg Base Hospital.

(p) Minister for Public Works, Housing and Racing (Mr Schwarten) made a ministerial statement relating to major capital works projects.

(q) Minister for Transport and Main Roads (Mr Lucas) made a ministerial statement relating to Translink.

(r) Minister for Primary Industries and Fisheries (Mr Palaszczuk) made a ministerial statement relating to the biological control of insect pests and the white-collared ladybird.

(s) Minister for Natural Resources and Mines (Mr Robertson) made a ministerial statement relating to the Commonwealth’s commitment to the National Action Plan and the Natural Heritage Trust beyond 2007.

(t) Minister for Tourism, Fair Trading and Wine Industry Development (Ms Keech) made a ministerial statement relating to a successful prosecution under the *Property Agents and Motor Dealers Act 2000.*

(u) Minister for Energy and Aboriginal and Torres Strait Islander Policy (Mr Mickel) made a ministerial statement relating to the status of the Somervilie Report recommendations to enhance electricity distribution and service delivery.
Paper: Mr Mickel, by leave, during his statement, tabled the following paper—
Progress report by Mr Mickel titled *Electricity Distribution and Service Delivery (EDSD) (Somerville Report)* – Progress Report as at 22 March 2005

(v) Minister for Emergency Services (Mr Cummins) made a ministerial statement relating to the efforts of Team Foxtrot in Banda Aceh.

PARLIAMENTARY CRIME AND MISCONDUCT COMMITTEE – PAPERS (Hansard p. 697, 10.42 am)
Chair of the Parliamentary Crime and Misconduct Committee (Mr Wilson) tabled the following papers—

*Parliamentary Crime and Misconduct Commissioner*—
A report on a review by the Parliamentary Crime and Misconduct Commissioner of the actions of the Crime and Misconduct Commission in its investigation of the theft of money from a safe at the Maroochydore Police Station

*Parliamentary Crime and Misconduct Committee*—
Media statement, dated 23 March 2005, by Mr Wilson titled *Maroochydore Police Station theft*

NOTICE OF MOTION – DISALLOWANCE OF STATUTORY INSTRUMENT
Leader of the Opposition (Mr Springborg) gave notice that he will move – That the Public Service Amendment Regulation (No. 1) 2005 (Subordinate Legislation No. 25 of 2005), tabled in the Parliament on 8 March 2005, be disallowed.

NOTICE OF MOTION
Leader of the Opposition (Mr Springborg) gave notice that he will move – That this House notes that the Premier has never sacked a Minister for dishonesty or incompetence, and calls on the Premier to finally apply basic performance and ethical standards by sacking the Minister for Emergency Services rather than continuing to tolerate and defend Ministerial incompetence, dishonesty and abuse of power as he has done in the past.

LOCAL GOVERNMENT (APPROVED PENSIONERS RATE SUBSIDY) AMENDMENT BILL (Hansard p. 695, 10.45 am)
Member for Beaudesert (Mr Lingard) presented a Bill for an Act to amend the *Local Government Act 1993* to provide for the extension of the pensioner rate subsidy scheme to particular retirement village residents and Explanatory Notes and moved – That the Bill be now read a first time.
Question put and agreed to.
Mr Lingard moved – That the Bill be now read a second time.
Debate ensued.
Minister for Environment, Local Government, Planning and Women (Ms Boyle) moved – That the debate be now adjourned.
Question put and agreed to.

QUESTIONS WITHOUT NOTICE (Hansard p. 699, 10.48 am)
Questions without notice were asked.

*Paper:* Minister for Emergency Services (Mr Cummins) tabled the following paper—
Copy of Queensland Fire and Rescue Service Maintenance Inspection Report No. 56287

Questions continued.

MATTER OF PRIVILEGE (Hansard p. 700, 10.55 am)
Premier and Minister for Trade (Mr Beattie) rose on a matter of privilege.

Questions resumed.
**Paper:** Mr Beattie tabled the following paper—
Copy of a fax containing an extract from the *Sugar Times* of 8 to 21 March 2005 titled *Sugar Package*

Questions continued.

**MATTER OF PRIVILEGE**  (Hansard p. 701, 11.01 am)
Leader of the Opposition (Mr Springborg) rose on a matter of privilege.

Questions resumed.

**MOTION WITHOUT NOTICE**
Leader of the Opposition (Mr Springborg) moved – That the Minister table all documents in his possession in relation to this matter.

Debate ensued.

Question put – That Mr Springborg’s motion be agreed to.

The House divided.

**AYES 26—**

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**NOES 57—**

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**Tellers * **

Question negatived.

**MATTER OF PRIVILEGE**  (Hansard p. 702, 11.10 am)

Minister for Emergency Services (Mr Cummins) rose on a matter of privilege.

**Papers:**  Minister for Emergency Services (Mr Cummins) tabled the following papers—
A copy of Queensland Fire and Rescue Service Maintenance Inspection Report No. 56287
Speech notes titled *Bola-Jondaryan*
A copy of a table headed *Accommodation name and inspection dates*

Questions resumed.

**Papers:**  Mr Foley tabled the following papers—
Copy of a Queensland Government letter titled *Open letter to the people of Maryborough*
Copy of a Queensland Health document titled *Maryborough Hospital: Services into the 21st Century – The Facts*

Questions continued.

Questions concluded.
TIMING OF BUSINESS FOR TODAY

Mr Speaker advised the House that lunch will commence at 1 pm and the normal schedule will apply from 2.30 pm.

STATEMENT BY SPEAKER – CONDUCT OF MEMBERS

Mr Speaker made the following statement—

‘Honourable members—

I am very concerned about the uproar in this chamber this morning and the repeated defiance of the chair. I want to give advance warning to everybody in this House that this behaviour will not be further tolerated. I will be taking firm action if I have a repeat of that situation.’

MINISTERIAL STATEMENT (Hansard p. 710, 11.51 am)

Premier and Minister for Trade (Mr Beattie) made a ministerial statement relating to Freedom of Information requests for documents pertaining to his travel to Palm Island.

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

Documents covered by The Courier Mail application for documents held by the Premier’s office relating to Palm Island travel
Documents covered by the Opposition application for documents held by the Premier’s office relating to Palm Island travel
Further documents relating to applications for documents held by the Premier’s office relating to Palm Island travel
Copy of a Crime and Misconduct Commission report, dated March 2005, titled Palm Island Airfare Controversy
Bundle of press clippings pertaining to the recent appointment of the Freedom of Information Commissioner

HEALTH LEGISLATION AMENDMENT BILL (Hansard p. 710, 11.54 am)

Order of the day read for the adjourned debate on the motion of the Minister for Health (Mr Nuttall) – That the Bill be now read a second time.

Debate ensued.

Question put and agreed to.

Consideration in detail—

Clauses 1 to 5, as read, agreed to.

Clause 6 (Insertion of new pts 7 and 7A)—

The following amendment was proposed by Dr Flegg—

Page 22, lines 22 to 24—

‘63AA Limitation on appointment

‘(1) The chief executive may appoint a person as an inspector only if the chief executive receives a complaint from an interested person about an unauthorised disclosure of confidential information.

‘(2) In this section—

interested person, in relation to confidential information, means any of the following persons—

(a) a person to whom the confidential information relates;
(b) a representative of a person to whom the confidential information relates;
(c) if the person to whom the confidential information relates is deceased—the person’s next of kin;
(d) if the person to whom the confidential information relates is a child—the child’s parent or guardian.

unauthorised disclosure, in relation to confidential information, means a disclosure of the information in contravention of section 62A(1).

‘63 Functions

‘An inspector has the functions of—
(a) investigating and enforcing compliance with part 7 in relation to the complaint mentioned in section 63AA(1) for which the inspector was appointed; and
(b) monitoring and enforcing compliance with this part.’.

Debate ensued.

Question put – That Dr Flegg’s amendment be agreed to.
The House divided.

AYES 25—

Copeland  Hopper *  Lee Long  Messenger  Rowell
Cunningham, E  Horan  Lingard  Pratt  Seeney
Flegg  Johnson  Malone *  Quinn  Simpson
Foley  Knuth  Mc Ardle  Rickuss  Stuckey
Hobbs  Langbroek  Menkens  Roberts, E  Wellington

NOES 55—

Attwood  Croft  Jarratt  Miller  Reynolds  Sullivan, C
Barry  Cummins  Keech  Molloy  Roberts, N  Sullivan, T *
Barton  Cunningham, J  Lavarch  Mulherin  Robertson  Wallace
Beattie  English  Lawlor  Nelson–Carr  Schwarten  Wells
Bligh  Fenton  Lee  Nolan  Scott  Wilson
Boyle  Finn  Lucas  Nuttall  Shine
Briskley  Fournas  Male  Pearce  Smith
Choi  Fraser  McGrady  Poole  Spence
Clark, E  Hayward  McNamara  Purcell  Stone
Clark, L  Hoolihan  Mickel  Reeves *  Struthers

Tellers *

Question negatived.

Clause 6, as read, agreed to.

Clauses 7 to 45, as read, agreed to.

Clause 46 (Insertion of pt 4, div 6A)—

The following amendments were proposed by Mr Nuttall—

At page 76, line 26, ‘or step-child’—

omit.

At page 77, lines 5 to 8—

omit, insert—

‘(b) a corporation whose directors and shareholders are all registrants; or
(ba) a corporation—

(i) whose directors and shareholders are a combination of registrants and relatives of the registrants; and

(ii) in which the majority of shares are held by registrants; and

(iii) in which only registrants hold voting shares; or’.

At page 80, lines 13 to 22—

omit, insert—

‘139H Restriction on number of pharmacy businesses in which a person may have beneficial interest

‘(1) A registrant must not have a beneficial interest in more than 5 pharmacy businesses at the same time.

Maximum penalty—200 penalty units.

‘(2) For subsection (1), a registrant has a beneficial interest in a pharmacy business if the registrant—

(a) owns the pharmacy business; or

(b) is a director of, or shareholder in, a corporation that owns the pharmacy business.’.

At page 80, after line 32—

insert—

‘139I Certain arrangements about control of pharmacy business void

‘A bill of sale, mortgage, lease, franchise, agency or other service or commercial arrangement for a pharmacy business is void to the extent it—

(a) gives to a person, other than the owner of the business—

(i) the right to control in whole or part the way in which the business is carried on; or

(ii) the right to receive any consideration that varies according to the profits or takings of the business; or
(b) requires goods or services for the business to be obtained from a stated person or body.'

Debate ensued.

Paper: Mr Nuttall, during his speech, tabled the following paper—
Explanatory Notes to Mr Nuttall’s amendments to the Health Legislation Amendment Bill

Debate continued.

Debate adjourned on the motion of Mr Copeland.

STATEMENT BY SPEAKER – STANDING ORDER 234

Mr Speaker made the following statement—

‘Honourable Members—

Prior to the commencement of this debate, I would like to emphasise that Standing Order 234 which deals with personal reflections on Members not only applies to statements made by Members in the House but includes other proceedings such as notices of motion.

Today, I gave careful consideration to the motion that is about to be debated as I consider the motion as drafted comes close to transgressing that Standing Order.

I decided not to rule the motion out of order, but rather decided to warn Members that in the future, I will have no hesitation in ruling motions out of order which transgress Standing Order 234.

I expect debate on the motion to also observe the Standing Order.’

NOTICE OF MOTION – MINISTER FOR EMERGENCY SERVICES (Hansard p. 747, 5.32 pm)

Leader of the Opposition (Mr Springborg), pursuant to notice, moved – That this House notes that the Premier has never sacked a Minister for dishonesty or incompetence, and calls on the Premier to finally apply basic performance and ethical standards by sacking the Minister for Emergency Services rather than continuing to tolerate and defend Ministerial incompetence, dishonesty and abuse of power as he has done in the past.

Debate ensued.

The following amendment was proposed by the Premier and Minister for Trade (Mr Beattie)—

‘That all words after ‘notes’ are deleted and the following words inserted—

‘That Peter Beattie as Premier requires the highest standards of performance and propriety of his Cabinet and all Members of his Government.’

Debate ensued.

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

The House divided.

AYES 49—

Attwood  English  Lavarch  Nelson–Carr  Reynolds  Sullivan, C
Barton  Fenlon  Lawlor  Nuttall  Roberts, E  Wallace
Bligh  Finn  Lee  O’Brien  Robertson  Wells
Boyle  Fours  Lucas  Palaszczuk  Schwarten  Wilson
Clark, E  Fraser  Male  Pearce  Scott
Clark, L  Hayward  McNamara  Poole  Shine
Croft  Hoolihan  Mickel  Purcell  Smith
Cummins  Jarratt  Molloy  Reeves  Spence
Cunningham, J  Keech  Mulherin  Reilly  Stone

NOES 24—

Copeland  Hobbs  Knuth  McArdle  Quinn  Simpson
Cunningham, E  Hopper  Langbroek  Menkens  Rickuss  Springborg
Flegg  Horan  Lingard  Messenger  Rowell  Stuckey
Foley  Johnson  Malone  Pratt  Seeney  Wellington

Tellers *

Question agreed to.

Question put – That the motion, as amended, be agreed to.

The House divided.
AYES 49—

Attwood          English         Lavarch          Nelson-Carr      Reynolds          Sullivan, C
Barton           Fenlon          Lawlor           Nuttall           Roberts, E        Wallace
Bligh            Finn            Lee              O'Brien           Robertson        Wells
Boyle            Fours           Lucas            Palaszczuk        Schwarten        Wilson
Clark, E         Fraser          Male             Pearce            Scott
Clark, L         Hayward         McNamara         Poole             Shine
Croft            Hoolihan        Mickel           Purcell           Smith
Cummins          Jarratt         Molloy           Reeves            Spence
Cunningham, J    Keech           Mulherin         Reilly            Stone

NOES 24—

Copeland            Hobbs          Knuth            McArthur          Quinn            Simpson
Cunningham, E       Hopper *       Langbroek        Menkens           Rickuss           Springborg
Flegg               Horan          Lingard          Messenger         Rowell            Stuckey
Foley               Johnson        Malone *         Pratt             Seeney            Wellington

Tellers *

Question agreed to.

Motion, as agreed—
That this House notes that Peter Beattie as Premier requires the highest standards of performance and propriety of his Cabinet and all members of his Government.

STATEMENT BY DEPUTY SPEAKER – MR SPEAKER AND TIMING FOR BUSINESS TODAY

Deputy Speaker (Mr Fouras) made the following statement—

‘I advise honourable members that the Speaker has become ill and has been taken away by ambulance. He is in hospital having tests at the moment and his condition is stable. This session for Private Members' Bills, which is now 15 minutes late, will conclude at 10.15 pm.’

TRANSPORT LEGISLATION AMENDMENT REGULATION (NO. 3) 2004 – MOTION FOR DISALLOWANCE
(Hansard p. 758, 7.45 pm)


Debate ensued.

Papers: Minister for Transport and Main Roads (Mr Lucas), during his speech, tabled the following papers—

Chart depicting the legislative history of section 213 of the Queensland Road Rules
Copy of Notice Paper for Wednesday 23 March 2005, page 2

Debate continued.

Question put.

The House divided.

AYES 24

Copeland            Hopper *       Langbroek        McArthur          Quinn            Seeney
Flegg               Horan          Lee Long         Menkens           Rickuss           Simpson
Foley               Johnson        Lingard          Messenger         Roberts, E        Springborg
Hobbs               Knuth          Malone *         Pratt             Rowell            Stuckey
NOES 56

Attwood  Croft  Jarratt  Mickel  Reilly  Sullivan, C
Barry  Cummins  Keetch  Molloy  Roberts, N  Sullivan, T *
Barton  Cunningham, E  Lavarch  Mulherin  Robertson  Wallace
Beatlie  Cunningham, J  Lawlor  Nelson–Carr  Schratten  Wellington
Bligh  English  Lee  Nuttall  O’Brien  Smith
Boyle  Fenlon  Livingstone  Palaszczuk  Spence  Stone
Briskey  Finn  Lucas  Pearce  Stone  Struthers
Choi  Fraser  Male  Reeves  Reeves *
Clark, E  Hayward  McGrady  McNamara  Sullivan, T
Clark, L  Hoolihan  McNamara  Reeves *

Tellers *

Question negatived.

ENVIRONMENTAL PROTECTION AND OTHER LEGISLATION AMENDMENT REGULATION (NO 1) 2004 – MOTION FOR DISALLOWANCE  (Hansard p. 776, 9.47 pm)

Mr Rickuss, pursuant to notice, moved – That Part 4, section 32 of the Environmental Protection and Other Legislation Amendment Regulation (No. 1) 2004 (Subordinate Legislation No. 316 of 2004) tabled in the Parliament on 22 February 2005, be disallowed.
Debate ensued.
Debate adjourned on the motion of Mr Horan.

ADJOURNMENT  (Hansard p. 781, 10.14 pm)

Acting Leader of the House (Ms Boyle) moved – That this House do now adjourn.
Debate ensued.

Paper:  Mr Copeland, during his speech, tabled the following paper—
A Rotary International "Bowelscan" kit

Debate continued.
Question put and agreed to.
The House adjourned at 10.45 pm.

ATTENDANCE

The following Members were present—

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

R K HOLLIS
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT

BY AUTHORITY
GOVERNMENT PRINTER, QUEENSLAND

2005-03