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MEETING OF THE ASSEMBLY
The Assembly met at 2.30 pm, pursuant to the instrument signed by Her Excellency the Governor on 7 December.
The Speaker (Honourable A McGrady) read prayers.
The Clerk read the instrument, *viz*—

Constitution of Queensland 2001

ELIZABETH THE SECOND, by the Grace of God, Queen of
Australia and Her other Realms and
Territories, Head of the
Commonwealth.

I, QUENTIN BRYCE, Governor, acting under Section 15(1) of the Constitution of Queensland 2001, in
the name of Her Majesty summon the Legislative Assembly of the Fifty–First Parliament to a sitting to
commence at 2.30pm on 9 December 2005 at the Legislative Assembly Chamber, Parliament House,
George Street, Brisbane.

(signed)
Quentin Bryce

Signed and sealed with the Public Seal of the State on 7 December 2005.

By Command
Anna Bligh

RECORDED in the Register of Patents, No. 46, page 129, on 7 December 2005.

(signed)
Clerk of the Executive Council

MOTION WITHOUT NOTICE – ORDER OF BUSINESS FOR TODAY’S SITTING

Leader of the House (Mr Schwarten), by leave, moved—

(1) That notwithstanding anything contained in Standing and Sessional Orders, for this day’s special
sitting of the House, the business to be considered will be as follows—
   (a) Notifications of Tablings by the Clerk;
   (b) Ministerial statements;
   (c) A personal explanation by the Member for Sandgate; and
   (d) A motion without notice to be moved by the Premier and Treasurer.

(2) The time limits for each speaker on the motion to be moved by the Premier and Treasurer shall be
as follows—
   20 minutes for mover of the motion;
   20 minutes for the Leader of the Opposition (or nominee);
   10 minutes for all other members; and
   10 minutes for reply to mover.

(3) At the conclusion of consideration of the motion, motions for a special adjournment and
adjournment shall be moved by the Leader of the House, each motion being put forthwith without
debate.

Premier and Treasurer (Mr Beattie) seconded the motion.
Question put and agreed to.

PAPERS TABLED DURING THE RECESS

The Clerk informed the House that the following papers, received during the recess, were tabled on
the dates indicated—
5 December 2005—
Response from the Minister for Environment, Local Government, Planning and Women (Ms Boyle) to a paper petition presented by Mr Knuth from 3327 petitioners regarding removal of bats from Charters Towers
Report on a decision by the Minister for Environment, Local Government, Planning and Women (Ms Boyle) regarding the call in of a development application under the Integrated Planning Act 1997 – development application in relation to the Yungaba development proposal at Main Street, Holman Street, Wharf Street and Anderson Street, Kangaroo Point from PDI (QLD) Pty Ltd lodged with the Brisbane City Council – Volumes 1, 2 and 3

6 December 2005—
Members’ Ethics and Parliamentary Privileges Committee – Information Notice No. 2 of 2005 – Reflections on the Chair
Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition presented by Mrs Stuckey from 119 petitioners regarding proposed modifications by the Department of Main Roads to intersections at Tooloona and Kitchener Streets, Tugun
Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition presented by Mr English from 195 petitioners regarding a request to install traffic lights at the intersection of Cleveland-Redland Bay Road and Magnolia Parade
Erratum to the Safe Food Queensland – Annual Report 2004-05

7 December 2005—
Response from the Minister for Transport and Main Roads (Mr Lucas) to a paper petition presented by Mr English from 888 petitioners regarding a request to build a bridge to Russell Island
Boards of Examiners – Annual Report 2004-05
Coal Mining Safety and Health Advisory Council – Annual Report 2004-05
Mining Safety and Health Advisory Council – Annual Report 2004-05
Response from the Minister for Health (Mr Robertson) to an E-petition sponsored by Mr McArdle from 224 petitioners regarding the effects of Myodil and other oil based and water contrast dyes and seeking costs of medical treatment and compensation

8 December 2005—
National Classification Code and Classification Guidelines

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

Vocational Education, Training and Employment Act 2000—
Vocational Education, Training and Employment Amendment Regulation (No. 2) 2005, No. 284

State Buildings Protective Security Act 1983—
State Buildings Protective Security Amendment Regulation (No. 1) 2005, No. 285

Education Legislation Amendment Regulation (No. 2) 2005, No. 286
The following ministerial papers were tabled by the Clerk—

**Minister for Natural Resources and Mines (Mr Palaszczuk)**—
Response from the Minister for Natural Resources and Mines (Mr Palaszczuk) to a paper petition presented by Mr Seeney from 503 petitioners regarding the naming of a dam currently under construction on the Burnett River

**Minister for Justice and Attorney-General (Mrs Lavarch)**—
REPORT TABLED BY THE CLERK
The following report was tabled by the Clerk—

Report pursuant to Standing Order 158 (Clerical errors or formal changes to any bill) detailing amendments to certain Bills, made by the Clerk, prior to assent by Her Excellency the Governor, viz—

Justice and Other Legislation Amendment Bill 2005
Amendment made to Bill
After Clause 27—
At page 19, line 6, ‘Appeals Cost’—
omit, insert—
‘Appeal Costs’.
Clause 28—
At page 19, line 8, ‘Appeals Cost’—
omit, insert—
‘Appeal Costs’.

MINISTERIAL STATEMENTS (Hansard p. 4717, 2.33 pm)
(a) Minister for Justice and Attorney-General (Mrs Lavarch) made a ministerial statement relating to the Crime and Misconduct Commission report into the Honourable Gordon Nuttall, MP, and the circumstances which led to this special sitting of the House.

Paper: Mrs Lavarch, during her statement, tabled the following papers—
Letter, dated 9 December 2005, from the Attorney-General to the Clerk of the Parliament relating to a report from the Crime and Misconduct Commission into its investigation into the Honourable Gordon Nuttall MP tabled in the Legislative Assembly on 7 December 2005

(b) Premier and Treasurer (Mr Beattie) made a ministerial statement relating to developments following the tabling of the Crime and Misconduct Commission report into the Honourable Gordon Nuttall, MP.

Papers: Mr Beattie, during his statement, tabled the following papers—
Letter, dated 7 December 2005, from Mr Nuttall to the Premier resigning from the Cabinet
Letter, dated 7 December 2005, from Mr Nuttall to Her Excellency the Governor resigning from the Executive Council
Statement, dated 7 December 2005, by Mr Nuttall
Media release by the Crime and Misconduct Commission, dated 7 December 2005, titled Investigation into Minister Gordon Nuttall completed
Copy of Queensland Government Gazette – Extraordinary, dated Wednesday 7 December 2005

PERSONAL EXPLANATION (Hansard p. 4719, 2.43 pm)
Mr Nuttall made a personal explanation.

MOTION WITHOUT NOTICE – CRIME AND MISCONDUCT COMMISSION REPORT AND THE MEMBER FOR SANDGATE (Hansard p. 4720, 2.46 pm)
Premier and Treasurer (Mr Beattie) moved – That, notwithstanding anything contained in Standing and Sessional Orders—
1. the House notes the Crime and Misconduct Commission’s report (the report) on its investigation into allegations against the Honourable Gordon Nuttall MP tabled by the Attorney-General and Minister for Justice on 7 December 2005;
2. the House notes the report by the Commissioner of the Queensland Police Service on these matters;
3. the House notes the resignation of the Member for Sandgate as a Minister and a Member of the Executive Council on 7 December 2005;
4. the House notes the Ministerial Statements made today by the Honourable the Premier and Treasurer and the Honourable the Attorney-General and Minister for Justice about the matters the subject of the report;

5. the House notes the Member’s statement and apology to the House today about the matters the subject of the report;

6. the House determines under section 38 (Decisions on contempt) of the Parliament of Queensland Act 2001 that the Member’s conduct be now dealt with by this Parliament as a contempt; and

7. the House accepts the Member’s resignation as a Minister and a member of the Executive Council and the apology made today to the Parliament as the appropriate penalty in accordance with section 39 (Assembly’s power to deal with contempt) of the Parliament of Queensland Act 2001.

Motion seconded by Deputy Premier and Minister for Finance, Minister for State Development, Trade and Innovation (Ms Bligh).

Debate ensued.

_______________

And Mr Lingard rising on a point of order—

Speaker’s ruling—

Mr Speaker ruled – Any resolution of the House overrides any other decision which has been taken.

_______________

Debate resumed.

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

Chapter 8 of the Criminal Code Act 1899


Section 37 Parliament of Queensland Act 2001

Section 39 Parliament of Queensland Act 2001

Section 40 Parliament of Queensland Act 2001

Section 47 Parliament of Queensland Act 2001

Extract from Hansard, dated 16 September 1999 – Notice of Motion – Member for Ipswich West

Extract from Hansard, dated 17 September 1999 – Member for Ipswich West – Mr Speaker’s admonishment

Members’ Ethics and Parliamentary Privileges Committee Report No. 35 titled Report on a Matter of Privilege – A Member Making a Deliberately Misleading Statement in a "Dissenting Report"

Extract from Hansard, dated 12 May 1998 – Ministerial Statement by the Honourable J M Sheldon, MP

Article by Scott Emerson in The Australian, dated 13 May 1998 titled Gaffe has Sheldon in sorry state

Article by John Lehmann in The Courier-Mail, dated 30 April 1998 titled Say sorry for foolish comment, Sheldon told

Extract from Hansard, dated 16 June 1992 – Matter of Privilege concerning a breach of privilege by the Member for Landsborough

Members’ Ethics and Parliamentary Privileges Committee Report No 52 titled Report on a Matter of privilege – Matter Referred to the Committee on 9 April 2002

Debate continued.

The following amendment was proposed by the Leader of the Opposition (Mr Springborg)—

Delete all words after ‘That’ and insert the following—

‘this House resolves to refer the report of the Crime and Misconduct Commission into allegations concerning the Honourable Gordon Nuttall MP to the independent Director of Public Prosecutions for consideration.’

Amendment seconded by Mr Quinn.
Debate ensued.

**Paper:** Minister for Police and Corrective Services (Ms Spence), during her speech, tabled the following paper—
Document titled *Time Line Sequence of Key Events in Gordon Nuttall Investigation*

Debate continued.

**Papers:** Minister for Child Safety (Mr Reynolds), by leave, during his speech, tabled the following papers—
Bundle of press clippings

Debate continued.

Question put – That Mr Springborg’s amendment be agreed to.
The House divided.

**AYES 23—**

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**Tellers *—**

Question negatived.

Question put – That the motion be agreed to.
The House divided.

**AYES 52—**

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**Tellers *—**

Question agreed to.

**SPECIAL ADJOURNMENT**

Leader of the House (Mr Schwarten) moved – That the House at its rising do adjourn until 9.30 am on Tuesday, 14 February 2006.

Question put and agreed to.
ADJOURNMENT

Leader of the House (Mr Schwarten) moved – That this House do now adjourn.
Question put and agreed to.
The House adjourned at 8.03 pm.

ATTENDANCE

The following Members were present—

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A McGRADY
SPEAKER

N J LAURIE
CLERK OF THE PARLIAMENT