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MEETING OF THE ASSEMBLY

The Assembly met at 9.30 am, pursuant to adjournment. The Speaker (Honourable A McGrady) read prayers.

MATTER OF PRIVILEGE (Hansard p. 739, 9.30 am)

Dr Flegg rose on a matter of privilege.

PETITIONS

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

Mr Caltabiano, from 5,000 petitioners, requesting the House to construct, man, maintain and fully-fund a 24 hour a day fire station in Nerang.

Mr Caltabiano, from 59 petitioners, requesting the House to call on the Government to commit to maintain Queensland’s free hospital system and scrap plans for the implementation of levies and means testing for Queensland patients.

MINISTERIAL STATEMENTS (Hansard p. 740, 9.40 am)

(a) Premier (Mr Beattie) made a ministerial statement relating to the South East Queensland Planning Authority.

(b) Premier (Mr Beattie) made a ministerial statement relating to the introduction of full retail contestability of electricity and gas supply in Queensland.

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

   - Energy Competition Committee—
     - Consultation Paper No. 3, dated 28 February 2006, titled Electricity Full Retail Competition Proposed Policy Positions
     - Consultation Paper No. 4, dated 28 February 2006, titled Gas Full Retail Competition Proposed Policy Positions

(c) Premier (Mr Beattie) made a ministerial statement relating to the Papua New Guinea gas pipeline and the Gove Lateral pipeline project.

(d) Premier (Mr Beattie) made a ministerial statement relating to professional skills shortages in Queensland.

(e) Premier (Mr Beattie) made a ministerial statement relating to the forthcoming Summit on Obesity.

(f) Deputy Premier, Treasurer and Minister for State Development, Trade and Innovation (Ms Bligh) made a ministerial statement relating to an Environmental Impact Statement for the Gold Coast marine development project for the Spit.

(g) Minister for Natural Resources, Mines and Water (Mr Palaszczuk) made a ministerial statement relating to water supply and the South East Queensland Water Commission.

(h) Minister for Health (Mr Robertson) made a ministerial statement relating to the 13 Health medical helpline.

(i) Minister for Energy and Aboriginal and Torres Strait Islander Policy (Mr Mickel) made a ministerial statement relating to the results of an independent review of Energex and Ergon Energy Call Centres.

(j) Minister for Police and Corrective Services (Ms Spence) made a ministerial statement relating to the International Transfer of Prisoners Scheme and the transfer of a prisoner from a Queensland prison.

(k) Minister for Environment, Local Government, Planning and Women (Ms Boyle) made a ministerial statement relating to the ministerial approval of the Attunga Heights development at Noosa.

(l) Minister for Emergency Services (Mr Purcell) made a ministerial statement relating to instances where bystanders have saved lives.

(m) Minister for Transport and Main Roads (Mr Lucas) made a ministerial statement relating to Queensland’s new taxi security cameras.
(n) Minister for Public Works, Housing and Racing (Mr Schwarten) made a ministerial statement relating to the Kelvin Grove Urban Village Project and the appointment of Mr Bill Grant as Project Director.

LEGAL, CONSTITUTIONAL AND ADMINISTRATIVE REVIEW COMMITTEE – PAPERS
Chair of the Legal, Constitutional and Administrative Review Committee (Dr L Clark) tabled the following papers—
Legal, Constitutional and Administrative Review Committee—
Submissions received by the Legal, Constitutional and Administrative Review Committee’s inquiry, Voices and Votes

MEMBERS’ ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE – PAPER
Chair of the Members’ Ethics and Parliamentary Privileges Committee (Mrs Attwood) tabled the following paper—
Members’ Ethics and Parliament Privileges Committee—
Report No. 73 – Matter of Privilege Referred by the Speaker on 16 February 2006 Relating to Alleged Reflections on the Speaker

MOTION WITHOUT NOTICE – RETIREMENT VILLAGES (PROXY VOTING) AMENDMENT BILL – BILL DISCHARGED AND WITHDRAWN
Member for Nicklin (Mr Wellington), by leave, moved – That the Retirement Villages (Proxy Voting) Amendment Bill, be discharged from the Notice Paper.
Question put and agreed to.
Mr Wellington moved – That the Bill be withdrawn.
Question put and agreed to.

PRIVATE MEMBER’S STATEMENT (Hansard p. 750, 10.28 am)
A Private Member’s statement was made.

QUESTIONS WITHOUT NOTICE (Hansard p. 751, 10.30 am)
Questions without notice were asked.
Papers: Minister for Environment, Local Government, Planning and Women (Ms Boyle) tabled the following papers—
Copy of a letter, dated 20 December 2005, from a Charters Towers resident (name and address deleted) to Ms Boyle relating to flying foxes at Charters Towers
Minister’s Speech Notes (undated) in relation to her answer to a question without notice

MATTER OF PRIVILEGE (Hansard p. 759, 11.09 am)
Deputy Leader of the Opposition (Mr Seeney) rose on a matter of privilege suddenly arising.
Debate ensued.

MATTER OF PRIVILEGE (Hansard p. 763, 11.30 am)
Minister for Health (Mr Robertson) rose on a matter of privilege suddenly arising.
MINISTERIAL STATEMENT (Hansard p. 763, 11.32 am)
Minister for Health (Mr Robertson), by leave, made a ministerial statement relating to the matter of privilege raised by Dr Flegg earlier today and asked that the matter be referred to the Members’ Ethics and Parliamentary Privileges Committee.
Mr Speaker asked Mr Robertson to write to him on the matter.

PROPERTY AGENTS AND MOTOR DEALERS AND OTHER ACTS AMENDMENT BILL (Hansard p. 763, 11.33 am)
Order of the day read for the adjourned debate on the motion of the Minister for Tourism, Fair Trading and Wine Industry Development (Ms Keech) – That the Bill be now read a second time.
Debate ensued.
Debate adjourned on the motion of Ms Keech.

STATEMENT BY SPEAKER – MATTER OF PRIVILEGE RAISED BY THE DEPUTY LEADER OF THE OPPOSITION
Mr Speaker made the following statement—

‘Honourable Members—
The Member for Callide rose on a matter of privilege during the course of Question Time.
Current Standing Order 30 provides:

30. Documents read or cited by member
A document read or cited by a member may be ordered to be tabled pursuant to a motion moved without notice, amendment or debate by another member.

A Member has no right to demand that a document read or cited by another Member be tabled by that Member. A Member has the right to move a motion, without notice, that a document read or cited by another Member be ordered to be tabled.

This morning during Question Time, the Minister for the Environment in answering a question was reading to the House extracts from a letter from a teacher from Charters Towers.
During the course of the Minister’s answer, the Member for Callide rose and said (and I quote):

“Can I call on the minister to table the letter that she is quoting from for the information of the House”

The Minister replied (and I quote):

“I will be pleased to table the letter”

A short while later a dispute arose as to whether the letter was tabled and whether it had been altered prior to it being tabled.
At that time the Member for Callide stated (and I quote):

“As I understand the Standing Orders of this House, unless they have been changed without the House being advised, I am entitled to ask the Minister to table the document that she is reading from – not an abridged version, not a changed version, not an edited version.”

Later still, the Member rose on the point of privilege, alleging that the letter tabled by the Minister had been altered by blacking out sections prior to it being tabled and this was a breach of privilege.
The Minister explained that she had tabled the full and unchanged document the Minister had been reading from and, in addition, had tabled a copy of the letter to which that document quoted, with the author’s name eliminated.

Honourable Members, it is important to stress that Standing Order 30 does not give Members a right to demand that a document being cited or read by another Member be tabled. What the Standing Order does give is a right to each Member to move a motion, without notice, that a document being cited or read be tabled. Only the House can order a Member to table a document.
Now, if the House did make such an order, the document effectively comes into the possession of the House at that time and any tampering with the document may be a contempt.
However, that is not what occurred in this instance. In this case the Member for Callide simply asked for the letter being quoted to be tabled, and the Minister agreed. It was up to the Minister as to what and when she tabled, she was not bound by any order of the House.

What appears to in fact happened is that the Minister provided both her speech notes, which included quotes from the letter, and a copy of the letter with the name of the sender eliminated for tabling. The Minister was required to table neither. In the absence of an order for tabling, any Member may alter a document prior to their tabling.

Initially, the Minister’s speech notes were forwarded to Hansard, but were retrieved and tabled. Both the letter and speech notes have been tabled.

In short, there is no matter of privilege.

Finally, I note a suggestion by the Member for Callide that in someway there has been a change in Standing Orders 30 in recent times.

Previous Standing Order 298 provided:

**Documents Read or Cited by Member**

298. A document read or cited by a Member may be ordered to be laid upon the Table.

As members can see, there has been no substantive change in Standing Orders. It has always been for the House to order the tabling of a document, not for a member to simply demand.

**MATTER OF PRIVILEGE** (Hansard p. 780, 2.35 pm)

Deputy Leader of the Opposition (Mr Seeney) rose on a matter of privilege.

**PROPERTY AGENTS AND MOTOR DEALERS AND OTHER ACTS AMENDMENT BILL** (Hansard p. 776, 2.35 pm)

Order of the day read for the adjourned debate on the motion of the Minister for Tourism, Fair Trading and Wine Industry Development (Ms Keech) – That the Bill be now read a second time.

Debate ensued.

Question put and agreed to.

Bill read a second time.

Consideration in detail—

Clauses 1 to 3, as read, agreed to.

Clause 4 (Amendment of s 4 (Exemption—auctions))—

The following amendment was proposed by Mrs Stuckey—

At page 9, lines 7 to 12—

**omit, insert—**

‘with the amounts.

‘(2) Also, chapter 7 does not apply to a sale by way of a relevant auction by a person if—

(a) the person conducting the sale holds a licence corresponding to an auctioneer’s licence granted under a corresponding law or a law of another country that provides for the same matter as chapter 7; and

(b) the chief executive approves the person to conduct the sale; and

(c) the person conducting the sale is properly supervised and instructed by an auctioneer.

‘(3) For subsection (2), the person may apply to the chief executive in the approved form for approval to conduct the sale.

‘(4) The chief executive must approve or refuse to approve the person’s application within 14 days after the person makes the application.

‘(5) In this section—

**relevant auction** means a sale of livestock as part of an internationally recognised tourist event.

Example of an internationally recognised tourist event—

*Magic Millions Carnival*.

Debate ensued.

Question put – That Mrs Stuckey's amendment be agreed to.

The House divided.
AYES 22—

Caltabiano
Copeland
Flegg
Hobbs
Hopper *
Horan
Johnson
Langbroek
Lee Long
Lingard
Malone
McArdle
Menkens
Messenger
Pratt
Quinn
Rickuss
Rogers *
Rowell
Seeney

NOES 54—

Attwood
Barton
Beattie
Bligh
Boyle
Briskey
Choi
Clark, E
Clark, L
Croft
Cummins
Keech
Cummingham, E
Lavarch
Fenlon
Finn
Fouras
Fraser
Hayward
Hoolihan
Jarratt
Hedge
Lee
Livingstone
Lucas
Male
McNamara
Mickel
Miller
Molloy
Mulherin
Nelson–Carr
Nolan
Palaszczuk
Pearce
Pitt
Purcell
Quinn
Rogers *
Rowell
Pitt
Smith
Stone
Sullivan, C
Sullivan, T *
Wallace
Welford
Wells
Wilson

Tellers *

Question negatived.

Clause 4, as read, agreed to.

Clauses 5 to 89, as read, agreed to.

Schedules 1 and 2, as read, agreed to.

Consideration in detail completed—

Ms Keech moved – That the Bill be now read a third time.

Question put and agreed to.

Ms Keech moved – That the long title of the Bill be agreed to.

Question put and agreed to.

DISABILITY SERVICES BILL (Hansard p. 787, 4.03 pm)

Order of the day read for the adjourned debate on the motion of the Minister for Communities, Disability Services and Seniors (Mr Pitt) – That the Bill be now read a second time.

Debate ensued.

Debate adjourned on the motion of Mr Messenger.

SPECIAL ADJOURNMENT

Acting Leader of the House (Mr Pitt) moved – That the House at its rising do adjourn until 9.30 am on Tuesday, 28 March 2006.

Question put and agreed to.

ADJOURNMENT (Hansard p. 796, 5.00 pm)

Acting Leader of the House (Mr Pitt) moved – That this House do now adjourn.

Debate ensued.

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

Consultation brochure from Queensland Rail, dated February 2006, relating to the proposed upgrade of Indooroopilly Station

Debate continued.

Papers: Mrs Pratt, during her speech, tabled the following papers—

Letter, dated 10 February 2006, from John A Salmon to Mr Foley regarding Wide Bay Brickworks Pty Ltd, together with his submission to the Minister for Justice and Attorney–General (Mrs Lavarch) and enclosures

Debate continued.

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


Debate continued.
Question put and agreed to.
The House adjourned at 5.30 pm.

**ATTENDANCE**
The following Members were present—

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