

~~of applications for commercial release licenses. The time taken to approve field trials will be reduced from 170 days to 150 days, unless the Regulator considers there to be a significant risk in which case the evaluation process will remain unchanged at 170 days.~~

~~Other amendments to the act proposed by the Bill will make various changes to the gene technology regulatory scheme. These changes include: the reduction of the regulatory burden for low risk dealings; clarification of the circumstances in which licence variations can be made; clarification of the circumstances under which the Regulator can direct a person to comply with the Act; the provision of power to the Regulator to issue a licence to protect persons inadvertently dealing with a genetically modified organism so as to enable appropriate disposal of such organisms.~~

~~As a result of these amendments, the resources of the Gene Technology Regulator will be more efficiently utilised in the evaluation of an application for the intentional release of genetically modified organisms. The changes will also enable the Regulator to more readily respond to emergency scenarios where the use of genetically modified organisms is the best available option.~~

~~Extensive consultation with the community, industry and governments was undertaken during the review of the corresponding Commonwealth legislation, the Gene Technology Act 2000 (Cth), and the submissions to this review formed the basis for the Queensland Review. Further consultation was undertaken in the course of the Queensland Review.~~

~~There was a high level of support for the existing scope of the legislation which focuses on the health and safety of people and the environment. The Commonwealth Review Panel concluded that the policy objectives of the Commonwealth Act remain valid and concluded that the scope of the Commonwealth Act should not be broadened to include economic, social and marketing issues. It also found the Commonwealth Act to be rigorous, with a high level of transparency in relation to the regulatory system.~~

~~However, the Commonwealth Review Panel found that implementation of the Commonwealth Act over the past five years highlighted the need for minor amendments to the regulatory system. The Panel noted no evidence of adverse impacts on markets and concluded the moratoria were having detrimental, rather than beneficial impacts. It recommended that all jurisdictions should reaffirm their commitment to a nationally consistent scheme, including a nationally consistent approach to market considerations, and work together to develop a national coexistence framework.~~

~~Submissions to the Queensland Review supported the recommendations made in the Commonwealth Review and urged Queensland to amend its own gene technology legislation to align with the Commonwealth legislation. These submissions were also very supportive of the approach taken in Queensland towards a co-existence framework and Queensland's position of NOT implementing a moratorium for trade and marketing purposes.~~

~~The Gene Technology Amendment Bill 2007 is in keeping with the Government's Smart State objective.~~

~~I commend the Bill to the House.~~

~~Debate, on motion of Mr McArdle, adjourned.~~

DRUGS MISUSE AMENDMENT BILL

First Reading

Hon. KG SHINE (Toowoomba North—ALP) (Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland) (12.32 pm): I present a bill for an act to amend the Drugs Misuse Act 1986 and the Drugs Misuse Regulation 1987. I present the explanatory notes, and I move—

That the bill be now read a first time.

Motion agreed to.

Second Reading

Hon. KG SHINE (Toowoomba North—ALP) (Attorney-General and Minister for Justice and Minister Assisting the Premier in Western Queensland) (12.32 pm): I move—

That the bill be now read a second time.

The Queensland government is tough on those who produce, supply, possess and traffick in illicit drugs. The maximum penalties for drug offences are among the highest available in the country. This bill is an important tool in further strengthening Queensland's drug laws by creating new offences and increasing maximum penalties for unlawful possession, supply, production and trafficking of a range of dangerous drugs.

Following an amendment in 2001 to relocate amphetamine and methylamphetamine to schedule 1 of the Drugs Misuse Regulation, the Queensland government undertook a review of the scheduling of dangerous drugs with a view to identifying whether this legislation adequately reflected the dangerousness of drugs to the individual person and society and whether it was keeping pace with the changing face of the illicit drug industry. As a result, a number of key areas in both the Drugs Misuse Act 1986 and Drugs Misuse Regulation 1987 were identified for amendment to achieve these goals. I seek leave to incorporate the balance of my second reading speech in *Hansard*.

Leave granted.

Consequently, under this Bill the drug "ecstasy" (MDMA) and the drug known as "death" (PMA) will be elevated from schedule 2 to schedule 1 of the regulation. This amendment reflects concerns particularly with the rising prevalence of ecstasy and the potential for PMA to cause lethal harm.

I am aware of a popular perception in the community that ecstasy is a benign social drug enjoyed in the "party" setting. Characterising ecstasy as a "party drug" however sends a dangerous message to young people: that some drugs are acceptable

and less dangerous in certain social settings. This fails to recognise the dire consequences that can result from taking the substance.

This amendment will mean that maximum penalties for unlawful possession, supply and trafficking of ecstasy and PMA will be increased.

In addition, all of the drugs contained in Schedule 2A of the regulation, which consisted largely of steroids, rohypnol and ephedrine will be elevated to Schedule 2.

The effect of this is that the maximum penalty for the offences of unlawful possession, supply or trafficking of these substances will increase significantly.

Currently, unlawful possession of a Schedule 2A drug attracts a maximum penalty of 2 years imprisonment. Under the amendments, the new maximum penalty for possessing this same drug will be 15 years imprisonment.

In order to keep pace with the dynamic nature of drug production the term "dangerous drug" has been expanded. What this means is that drugs that are not named in schedules, but have similar structure and pharmacological effect, will attract the same penalties.

This amendment will target underground chemists who make slight changes to the molecular structure of existing illicit drugs to create new drugs not covered by the law.

The government has taken a vigilant approach with this Bill in terms of drug production. Up to now there were some offenders involved in the production of dangerous drugs who evaded the law by simply producing one substance or item used in the production process.

New offence provisions have been created making it an offence to produce certain substances that are regularly used as ingredients in other dangerous drugs (for example: a person who extracts pseudoephedrine from cold and flu medication and on-sells that to a person who then uses it to produce methamphetamine).

The Bill means that this person can now be charged with producing and supplying a relevant substance or thing. These new offences each carry a maximum penalty of 15 years imprisonment.

In addition we have strengthened the defence provision contained in section 124 of the Act to ensure that it is not abused. Generally speaking it is not unlawful for a person to possess a dangerous drug if it has been prescribed to them for medical purposes and they are using it for medical purposes.

Section 124 recognises that there may be some occasions when a person will give a small amount of their prescription drug to a friend, neighbour or relative who they think may be suffering from the same type of medical condition.

The section provides a defence to a charge of supplying a drug contained in Schedule 5 to another in these circumstances and provides a defence for possession for the recipient. Section 124 and Schedule 5 are amended to strengthen the criteria and to better capture the drugs to which the defence can attach.

Currently controlled substances are subject to a recording regime under the Act. There is however no requirement that the details kept on the Register be provided to or lodged with the Police.

In practice the industry that manufactures and sells controlled substances does in fact provide copies of relevant transactions, including identity documentation, to the Queensland Police Service on a voluntary basis. This Bill formalises that practice.

It also extends the practice to the sale of items that can be used in the production of a dangerous drug (for example pill presses). The information gathered from these 'end user declarations' will assist law enforcement authorities in identifying criminal behaviour associated with the manufacture of dangerous drugs but will be strictly limited for this purpose.

Mr Speaker, in continuously monitoring the effectiveness of the drug legislation, this government has confirmed its strong stand against the dangerous drugs that have such devastating effect on our community.

I commend the Bill to the House.

Debate, on motion of Mr McArdle, adjourned.

~~WATER AND OTHER LEGISLATION AMENDMENT BILL; SOUTH EAST QUEENSLAND WATER (RESTRUCTURING) BILL~~

~~Second Reading (Cognate Debate)~~

~~Water and Other Legislation Amendment Bill resumed from 16 October (p. 3561).~~

~~South East Queensland Water (Restructuring) Bill resumed from 30 October (p. 3906).~~

~~**Dr FLEGG** (Moggill—Lib) (12.34 pm): My remarks will predominantly centre on the South East Queensland Water (Restructuring) Bill. Let me say at the outset that the haste with which this bill has been brought to the House is only exceeded by the haste of the government in seizing ratepayer funded water assets. The briefing for this bill is to take place at lunchtime today. To the minister I would say, 'Thanks for nothing.' This is an important bill that deserves proper process and deserves proper consideration. To have raced it on with very little~~

~~**Mr FRASER:** Point of order, Madam Deputy Speaker. I draw the Leader of the Liberal Party's attention to the standing orders. This bill has laid upon the table of the House in accordance with the standing orders of this parliament.~~

~~**Madam DEPUTY SPEAKER** (Ms van Litsenburg): There is no point of order.~~

~~**Dr FLEGG:** The briefing has not yet taken place. It is in the best interests of Queenslanders that these matters are debated in a fully informed and thoroughly thought out manner. This does not fit those criteria.~~