

1998–99

LEGISLATIVE ASSEMBLY OF QUEENSLAND

**VOTES AND PROCEEDINGS**

NO. 38

FIRST SESSION OF THE FORTY–NINTH PARLIAMENT

TUESDAY, 25 MAY 1999

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**1 MEETING OF THE HOUSE**

The House met at 9.30am pursuant to adjournment. The Speaker (Honourable R K Hollis) read prayers.

**2 ASSENT TO BILLS**

Letter from the Governor was reported, informing the House that His Excellency the Governor had, in the name of Her Majesty, assented to the following Bills on 30 April 1999—

A Bill for an Act to amend the Criminal Code, and for other purposes (*Criminal Code (Stalking) Amendment Act 1999* – Act No. 18 of 1999)

A Bill for an Act to make various amendments of Queensland statute law (*Statute Law (Miscellaneous Provisions) Act 1999* – Act No. 19 of 1999)

A Bill for an Act to provide for the control generally of sources of ionising radiation and harmful non-ionising radiation, and for other purposes (*Radiation Safety Act 1999* – Act No. 20 of 1999)

A Bill for an Act to amend the *Legislative Assembly Act 1867* and the *Officials in Parliament Act 1896 (Parliamentary Members (Office of Profit) Amendment Act 1999* – Act No. 21 of 1999)

A Bill for an Act to amend the *Police Powers and Responsibilities Act 1997* and certain other Acts to clarify requirements relating to the keeping of registers under those Acts, and for other purposes (*Police Powers and Responsibilities and Other Acts (Registers) Amendment Act 1999* – Act No. 22 of 1999)

A Bill for an Act to amend the *Retail Shop Leases Act 1994 (Retail Shop Leases Amendment Act 1999* – Act No. 23 of 1999)

**3 PETITION**

The following petition, lodged with The Clerk by the Member indicated, was received—

Mr Schwarten, from 15 petitioners, requesting the House not to increase the already extremely high market share of the major retail chains by extending to them the right to sell takeaway liquor.

**4 PAPERS TABLED DURING THE RECESS**

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

7 May 1999—

Annual Reports for 1998—

- Board of Teacher Registration
- Board of Trustees of the Brisbane Grammar School
- Board of Trustees of the Ipswich Girls' Grammar School
- Board of Trustees of the Rockhampton Grammar School
- Board of Trustees of the Toowoomba Grammar School
- Griffith University
- James Cook University
- Queensland University of Technology (Volumes 1 and 2)
- University of Queensland (and Appendices)
- University of Southern Queensland
- Board of Trustees of the Townsville Grammar School

10 May 1999—

Annual Reports for 1998—

- Cane Protection and Productivity Boards
- Queensland Pork Producers' Organisation / State Council
- Queensland Cane Growers' Council and Controlled Entities

13 May 1999—

Queensland Theatre Company – Annual Report 1998

14 May 1999—

Annual Reports for 1998—

Board of Trustees of the Brisbane Girls' Grammar School  
Board of Trustees of the Ipswich Grammar School  
Central Queensland University

18 May 1999—

Auditor-General's Report No. 5 1998–99 on Audits performed for 1997–98 as at 31 March 1999

## 5 STATUTORY INSTRUMENTS

The following statutory instruments were tabled by The Clerk—

*Bills of Sale and Other Instruments Act 1955—*

Bills of Sale and Other Instruments Regulation 1999, No. 79

*Bills of Sale and Other Securities Amendment Act 1999—*

Proclamation – the provisions of the Act that are not in force commence 7 May 1999, No. 78

*Civil Justice Reform Act 1998—*

Civil Justice Reform (Postponement of Automatic Commencement) Regulation 1999, No. 70

*Commissions of Inquiry Act 1950—*

Commissions of Inquiry (Queensland Constitutional Review Commission) Regulation 1999, No. 85

*Corrective Services Legislation Amendment Act 1999—*

Proclamation – the provisions of the Act that are not in force commence 1 May 1999, No. 72

*Electricity Act 1994—*

Electricity Amendment Regulation (No. 3) 1999, No. 75

*Forestry Act 1959—*

Forestry Legislation Amendment Regulation (No. 1) 1999, No. 76

Forestry (State Forests) Amendment Regulation (No. 1) 1999, No. 87

*Gas Pipelines Access (Queensland) Act 1998—*

Gas Pipelines Access (Queensland–Postponement) Regulation 1999, No. 86

*Nature Conservation Act 1992—*

Nature Conservation (Duck and Quail Harvest Period) Notice 1999, No. 77

*Land and Resources Tribunal Act 1999—*

Proclamation – the provisions of the Act stated in the schedule commence 30 April 1999, No. 71

*Land Tax Act 1915—*

Land Tax Regulation 1999, No. 83

*Liens on Crops of Sugar Cane Act 1931—*

Liens on Crops of Sugar Cane Regulation 1999, No. 80

*Pay-roll Tax Act 1971—*

Pay-roll Tax Regulation 1999, No. 84

*Plant Protection Act 1989—*

Plant Protection (Banana Black Sigatoka–Torres Strait Islands) Quarantine Notice 1999, No. 81

*Primary Producers' Organisation and Marketing Act 1926—*

Primary Producers' (Levy on Cane Growers) Amendment Regulation (No. 1) 1999, No. 74

*Revenue and Other Legislation Amendment Act 1999—*

Proclamation – certain provisions of the Act commence in accordance with the schedule, No. 82

*South Bank Corporation Act 1989—*

South Bank Corporation Amendment Regulation (No. 1) 1999, No. 88

*Transport Operations (Passenger Transport) Act 1994—*

Transport Operations (Passenger Transport) Amendment Regulation (No. 1) 1999, No. 73

*Transport Operations (Road Use Management) Act 1995—*

Transport Infrastructure (Roads) Amendment Regulation (No. 1) 1999, No. 89

*University of Southern Queensland Act 1998—*

University of Southern Queensland Statute No. 1 (Admission of Students) 1999

University of Southern Queensland Statute No. 2 (Entitlement to Degrees and Other Awards) 1999

University of Southern Queensland Statute No. 4 (Fees) 1999

University of Southern Queensland Statute No. 5 (Election of Elected Members of the Council) 1999

University of Southern Queensland Statute No. 6 (University Rules) 1999

**6 MINISTERIAL RESPONSE TO A PARLIAMENTARY COMMITTEE REPORT**

The following response to a parliamentary committee report, received during the recess, was tabled by The Clerk—

Interim response from the Premier (Mr Beattie) to a report of the Legal, Constitutional and Administrative Review Committee entitled "The preservation and enhancement of individuals' rights and freedoms in Queensland: Should Queensland adopt a bill of rights?".

**7 MINISTERIAL RESPONSES TO PETITIONS**

The following responses to petitions, received during the recess, were tabled by The Clerk—

- (a) Response from the Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford) to a petition presented by Mr Reeves from 72 petitioners, regarding the use of environmentally unfriendly packing products;
- (b) Response from the Minister for Health (Mrs Edmond) to a petition presented by Mr Stephan from 3,536 petitioners, regarding services provided by the Gympie Hospital; and
- (c) Response from the Minister for Health (Mrs Edmond) to a petition presented by Mr Turner from 280 petitioners, regarding the Transplantation and Anatomy Amendment Bill introduced on 10 November 1998.

**8 MINISTERIAL NOTICE OF MOTION****9 MINISTERIAL STATEMENTS**

- (a) Premier (Mr Beattie), by leave, made a ministerial statement relating to Biotechnology.
- (b) Premier (Mr Beattie), by leave, made a ministerial statement relating to the Queensland Constitutional Review Commission.
- (c) Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder), by leave, made a ministerial statement relating to regional development in Queensland.
- (d) Minister for Tourism, Sport and Racing (Mr Gibbs), by leave, made a ministerial statement relating to the sale of alcohol in unlicensed premises and proposed amendments to the *Liquor Act*.
- (e) Minister for Police and Corrective Services (Mr Barton), by leave, made a ministerial statement relating to matters of security at Sir David Longland Correctional Centre.
- (f) Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development (Mr McGrady), by leave, made a ministerial statement relating to the electricity market.
- (g) Minister for Aboriginal and Torres Strait Islander Policy and Minister for Women's Policy and Minister for Fair Trading (Ms Spence), by leave, made a ministerial statement relating to Aboriginal and Torres Strait Islander Advisory Board.
- (h) Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford), by leave, made a ministerial statement relating to successful co-operative research centre grants.

- (i) Minister for Primary Industries (Mr Palaszczuk), by leave, made a ministerial statement relating to a recent trade mission to the United Arab Emirates and Saudi Arabia.

*Paper:* Mr Palaszczuk, during his statement, tabled the following paper—  
Various documents gathered during a trade mission to the United Arab Emirates and Saudi Arabia

**10 SUSPENSION OF STANDING AND SESSIONAL ORDERS – HOURS AND ORDER OF BUSINESS FOR 25 AND 26 MAY 1999**

Leader of the House (Mr Mackenroth), by leave, moved – That notwithstanding anything contained in the Standing and Sessional Orders, for this day's sitting, the House will continue to meet past 7.30pm.

Private Members' motions will be debated between 6pm and 7pm.

The House can then break for dinner and resume its sitting at 8.30pm.

Private Members' Bills will be debated from 8.30pm to 11pm followed by a 30-minute adjournment debate.

And tomorrow, Private Members' motions will be debated between 5.30pm and 6.30pm, followed by a 30-minute adjournment debate.

Question put and agreed to.

**11 PAPER**

Mr Nelson tabled the following paper—

Various documents pertaining to investigation by Queensland Health

**12 SCRUTINY OF LEGISLATION COMMITTEE – PAPER**

Chairman of the Scrutiny of Legislation Committee (Mrs Lavarch) tabled the following paper—

Scrutiny of Legislation Committee—

Alert Digest No. 6 of 1999

*Ordered* to be printed.

**13 PARLIAMENTARY CRIMINAL JUSTICE COMMITTEE – PAPER**

Chairman of the Parliamentary Criminal Justice Committee (Mr Lucas) tabled the following paper—

Parliamentary Criminal Justice Committee—

Criminal Justice Commission report entitled "Crime Prevention Partnerships in Queensland"

**14 NOTICES OF MOTION**

**15 FREEDOM OF INFORMATION AMENDMENT BILL**

Leader of the Opposition (Mr Borbidge), by leave, moved – That leave be granted to bring in a Bill for an Act to amend the *Freedom of Information Act 1992*.

Question put and agreed to.

Bill and Explanatory Notes presented by Mr Borbidge, Bill read a first time and *ordered* to be printed.

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

Debate ensued.

Attorney-General and Minister for Justice and Minister for the Arts (Mr Foley) moved – That the debate be now adjourned.

Question put and agreed to.

*Ordered* – That the resumption of the debate be made an order of the day for tomorrow.

**16 PRIVATE MEMBERS' STATEMENTS**

Private Members' statements were made.

**17 QUESTIONS WITHOUT NOTICE**

Questions without notice were asked.

**18 GENERAL BUSINESS – MATTERS OF PUBLIC INTEREST**

Matters of public interest were debated.

*Papers:* Mr Cooper, during his speech, tabled the following papers—  
 Draft minutes of meeting of Queensland Fisheries Management Authority Board on 5 February 1999  
 Letter from the Chairman, Queensland Fisheries Management Authority to the Minister for Primary Industries (Mr Palaszczuk) relating to Pilchard Fishing General Fisheries Permit PRN00017E  
 List of appointees to Queensland Fisheries Management Authority

Debate continued.

Debate concluded.

**19 LIQUOR (EVICTIONS, UNLICENSED SALES AND OTHER MATTERS) AMENDMENT BILL**

Minister for Tourism, Sport and Racing (Mr Gibbs), by leave, moved – That leave be granted to bring in a Bill for an Act to amend the *Liquor Act 1992*.

Question put and agreed to.

Bill and Explanatory Notes presented by Mr Gibbs, Bill read a first time and *ordered* to be printed.

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

Debate ensued.

Mr Healy moved – That the debate be now adjourned.

Question put and agreed to.

*Ordered* – That the resumption of the debate be made an order of the day for tomorrow.

**20 COMMONWEALTH PLACES (MIRROR TAXES ADMINISTRATION) BILL**

Treasurer (Mr Hamill), by leave, moved – That leave be granted to bring in a Bill for an Act to provide for the administration and operation of State taxing laws that are applied as Commonwealth laws in relation to Commonwealth places, and for other purposes.

Question put and agreed to.

Bill and Explanatory Notes presented by Mr Hamill, Bill read a first time and *ordered* to be printed.

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

Debate ensued.

Dr Watson moved – That the debate be now adjourned.

Question put and agreed to.

*Ordered* – That the resumption of the debate be made an order of the day for tomorrow.

**21 CHARITABLE AND NON-PROFIT GAMING BILL**

Treasurer (Mr Hamill), by leave, moved – That leave be granted to bring in a Bill for an Act to regulate gaming conducted to raise funds for charitable and non-profit purposes, and for related purposes.

Question put and agreed to.

Bill and Explanatory Notes presented by Mr Hamill, Bill read a first time and *ordered* to be printed.

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

Debate ensued.

Dr Watson moved – That the debate be now adjourned.

Question put and agreed to.

*Ordered* – That the resumption of the debate be made an order of the day for tomorrow.

**22 INDUSTRIAL RELATIONS BILL**

Minister for Employment, Training and Industrial Relations (Mr Braddy), by leave, moved – That leave be granted to bring in a Bill for an Act with respect to industrial relations in Queensland and for related purposes, and to amend the *Public Service Act 1996*.

Question put and agreed to.

Mr Braddy informed the House that he had received the following message from the Governor—

**"MESSAGE  
INDUSTRIAL RELATIONS BILL 1999  
Constitution Act 1867, section 18**

I, MAJOR GENERAL PETER ARNISON, Governor, recommend to the Legislative Assembly a Bill for the appropriation of the consolidated fund that is intituled—

**A Bill for an Act relating to industrial relations in Queensland, and for other purposes**

Peter Arnison  
**GOVERNOR**

21 May 1999"

Bill and Explanatory Notes presented by Mr Braddy, Bill read a first time and *ordered* to be printed.

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

Debate ensued.

Mr Santoro moved – That the debate be now adjourned.

Question put and agreed to.

*Ordered* – That the resumption of the debate be made an order of the day for tomorrow.

**23 FINANCIAL SECTOR REFORM (QUEENSLAND) BILL**

Treasurer (Mr Hamill), by leave, moved – That leave be granted to bring in a Bill for an Act to repeal certain Acts and to amend the *Family Security Friendly Society (Distribution of Moneys) Act 1991*, *Financial Intermediaries Act 1996* and certain other Acts, and for other purposes.

Question put and agreed to.

Bill and Explanatory Notes presented by Mr Hamill, Bill read a first time and *ordered* to be printed.

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

Debate ensued.

Dr Watson moved – That the debate be now adjourned.

Question put and agreed to.

*Ordered* – That the resumption of the debate be made an order of the day for tomorrow.

**24 SUPERANNUATION (STATE PUBLIC SECTOR) AMENDMENT BILL**

Treasurer (Mr Hamill), by leave, moved – That leave be granted to bring in a Bill for an Act to amend the *Superannuation (State Public Sector) Act 1990*.

Question put and agreed to.

Bill and Explanatory Notes presented by Mr Hamill, Bill read a first time and *ordered* to be printed.

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

Debate ensued.

Dr Watson moved – That the debate be now adjourned.

Question put and agreed to.

*Ordered* – That the resumption of the debate be made an order of the day for tomorrow.

**25 PRIMARY INDUSTRIES LEGISLATION AMENDMENT BILL**

Minister for Primary Industries (Mr Palaszczuk), by leave, moved – That leave be granted to bring in a Bill for an Act to amend legislation about primary industries.

Question put and agreed to.

Bill and Explanatory Notes presented by Mr Palaszczuk, Bill read a first time and *ordered* to be printed.

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

Debate ensued.

Mr Beanland moved – That the debate be now adjourned.

Question put and agreed to.

*Ordered* – That the resumption of the debate be made an order of the day for tomorrow.



**26 ACQUISITION OF LAND AMENDMENT BILL**

Minister for Environment and Heritage and Minister for Natural Resources (Mr Welford), by leave, moved – That leave be granted to bring in a Bill for an Act to amend the *Acquisition of Land Act 1967*, and for related purposes.

Question put and agreed to.

Bill and Explanatory Notes presented by Mr Welford, Bill read a first time and *ordered* to be printed.

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

Debate ensued.

Mr Lester moved – That the debate be now adjourned.

Question put and agreed to.

*Ordered* – That the resumption of the debate be made an order of the day for tomorrow.

**27 JUSTICE LEGISLATION (MISCELLANEOUS PROVISIONS) BILL (NO. 2)**

Attorney-General and Minister for Justice and Minister for the Arts (Mr Foley), by leave, moved – That leave be granted to bring in a Bill for an Act to amend Acts administered by the Attorney-General and Minister for Justice and Minister for The Arts.

Question put and agreed to.

Bill and Explanatory Notes presented by Mr Foley, Bill read a first time and *ordered* to be printed.

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

Debate ensued.

Mr Beanland moved – That the debate be now adjourned.

Question put and agreed to.

*Ordered* – That the resumption of the debate be made an order of the day for tomorrow.

**28 NOTICE OF MOTION – STANDING ORDER 158**

Leader of the House (Mr Mackenroth), pursuant to notice, moved – That Standing Order 158 of the Standing Rules and Orders of the Legislative Assembly be omitted and replaced with the following—

**“No Member to vote if pecuniarily interested**

**158.** No Member shall be entitled to vote in any division upon a question (not being a matter of public policy) in which he or she has a direct pecuniary interest not held in common with the rest of the subjects of the Crown. The vote of a Member may not be challenged except on a substantive motion moved immediately after the division is completed, and the vote of a Member determined to be so interested shall be disallowed.”

Question put and agreed to.

**29 NOTICE OF MOTION – REGISTERS OF MEMBERS' AND RELATED PERSONS' INTERESTS**

Leader of the House (Mr Mackenroth), pursuant to notice, moved – That—

- (a) the Resolution of the House dated 19 April 1989 establishing the Members' and Related Persons' Registers of Interests, as amended on 27 November 1990, 2 March 1993 and 11 March 1999 be replaced with the provisions set out in the attachment to this Resolution;
- (b) the provisions of this Resolution take effect from 1 July 1999; and
- (c) from 1 July 1999, the provisions of this Resolution continue in force unless and until amended or revoked by the Legislative Assembly in this or a subsequent Parliament.

**Attachment to resolution relating to Members' and Related Persons' Register of Interests****Preamble**

1. It is vital that in a representative democracy the public have confidence in the integrity of their elected representatives;
2. It is also vital that elected representatives be continually reminded that they exercise a public trust which should not be subject to any private interest;

3. It is also in the interests of elected representatives that they be able to demonstrate that at all times they have made scrupulous disclosure of their private interests;
4. The Legislative Assembly requires its Members to demonstrate a commitment to maintain the highest possible standard of propriety and to avoid and declare any potential conflict of interest;
5. The Members' and Related Persons' Registers of Interests are mechanisms to encourage and foster transparency, accountability and openness; and
6. The following provisions be recognised as the minimum disclosure required by Members and that Members be aware that the following provisions are not intended to be an exhaustive list of all possible financial arrangements which require, in the spirit of the resolution, to be declared.

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### **SCHEDULE**

- |        |  |
|--------|--|
| Form 1 | Statement of the Interests of a Member                               |
| Form 2 | Statement of the Interests of a Member's related persons             |
| Form 3 | Notice of Change of Details contained in Statement of Interests      |
| Form 4 | Notice of 'No Change' of Details contained in Statement of Interests |

## **PART 1 – PRELIMINARY**

### **Definitions**

1. In this resolution, unless the contrary intention appears—
 

“**calendar month**” means a period commencing at the beginning of a day of one of the 12 months of the year and ending immediately before the beginning of the corresponding day of the next month or, if there is no such corresponding day, ending at the end of the next month;

“**child**”, in relation to a Member, includes an adopted child, a step-child or an ex-nuptial child of the Member;

“**Clerk**” means The Clerk of the Parliament;

“**committee**” means the Members’ Ethics and Parliamentary Privileges Committee;

“**company**” means a company, whether a private company or a public company;

“**debenture**” includes debenture stock, bonds, notes and any other document evidencing or acknowledging indebtedness of a company in respect of money that is deposited with or lent to the company;

“**de facto spouse**” means a person who is living as the spouse of the Member although not legally married to that Member;

“**gift**” means—

(a) the transfer of money, property or other benefit—

- (i) without recompense; or
- (ii) for a consideration substantially less than full consideration; or

(b) a loan of money or property made on a permanent, or an indefinite, basis;

but does not include upgraded travel provided by an airline.

“**joint venture**” means an undertaking carried on by 2 or more persons in common otherwise than as partners;

“**Member**” means a Member of the Legislative Assembly;

“**month**” means a calendar month;

“**nominee company**” means a company whose principal business is the business of holding marketable securities as a trustee or nominee;

“**officer**”, in relation to a company, means—

(a) director or secretary of the company; or

(b) any other person who is concerned, or takes part, in the management of the company;

“**partnership**” includes a joint venture;

“**private company**” means a proprietary company, whether incorporated in Queensland or elsewhere;

“**public company**” means a company, other than a private company, whether incorporated in Queensland or elsewhere;

“**Register**” means—

(a) the Register of Members’ Interests; or

(b) the Register of Related Persons’ Interests;

“**Registrar**” means the Registrar of Members’ Interests;

“**related person**”, in relation to a Member, means—

(a) the spouse of the Member;

(b) a child of the Member who is wholly or substantially dependent on the Member; or

(c) any other person—

(i) who is wholly or substantially dependent on the Member; or

(ii) whose affairs are so closely connected with the affairs of the Member that a benefit derived by the person, or a substantial part of it, could pass to the Member;

“**share**” means—

(a) a share in the share capital of a company;

(b) stock;

- (c) a convertible note; or
- (d) an option;

**“sitting day”**, in relation to the Parliament, means a day on which the Parliament meets;

**“sponsored travel”** means any travel undertaken, including accommodation incidental to the travel, otherwise than in an official capacity, by the Member or a related person in respect of which a contribution (whether in cash or kind) to the cost of the travel (including incidental accommodation) is made by a person other than the Member or a related person but does not include upgraded travel provided by an airline, meals or sporting or cultural entertainment.

**“spouse”**, in relation to a Member, includes a de facto spouse of the Member;

**“statement of interests”** means—

- (a) a statement of interests (Member); or
- (b) a statement of interests (related persons);

**“statement of interests (Member)”** means the statement of a Member's interests required to be given by the Member to the Registrar under clause 5;

**“statement of interests (related persons)”** means the statement of the interests of a Member's related persons required to be given by the Member to the Registrar under clause 5;

**“trade or professional organisation”** means a body (whether incorporated or unincorporated) of—

- (a) employers or employees; or
- (b) persons engaged in a profession, trade or other occupation;

being a body the object, or an object, of which is the furtherance of its own professional, industrial or economic interests or those of any of its Members’;

**“year”** means period of 12 months commencing on 1 January.

#### **Interpretation – terms relating to companies**

- 2.(1) A person is taken to have a controlling interest in shares in a company if the person is able—
  - (a) to dispose of, or to exercise control over the disposal of, the shares; or
  - (b) where the shares are voting shares – to exercise, or to control the exercise of, any voting powers attached to the shares.
- (2) The question whether a company is a subsidiary of another company is to be determined in the same manner as the question whether a corporation is a subsidiary of another corporation is determined for the purposes of the Corporations Law of Queensland.
- (3) A reference in this resolution to the holding company of another company is a reference to a company of which that other company is a subsidiary.

#### **Interpretation – forms**

- 3.(1) In this resolution, a reference to a form by number is a reference to the form so numbered in the Schedule.
- (2) Strict compliance with a form in the Schedule is not necessary and substantial compliance, or such compliance as the circumstances of a particular case allow, is sufficient.

#### **Registrar**

- 4.(1) There is to be a Registrar of Members' Interests.
- (2) The Clerk is to be the Registrar.

## PART 2 – STATEMENTS OF INTERESTS

### Giving of statements

- 5.(1)** In accordance with resolutions adopted by the Legislative Assembly and in a form determined by the Members' Ethics and Parliamentary Privileges Committee from time to time each Member shall within one month of making and subscribing an oath or affirmation as a Member, provide to the Registrar of Members' Interests a statement of—
- (a) the Member's Registrable Interests as at the date of the election;
  - (b) the Registrable Interests, as at the date of the election, of which the Member is aware of related persons.
- (2)** A Member must notify the Registrar in writing of any change in the details contained in the last statement of interests given by the Member within one month of becoming aware of the change.
- (3)** Where in any year there is no change to the details contained in the last statement of interests given by the Member the Member is required to complete and lodge a 'no changes' of interests return. This form is required to be submitted to the Registrar within one month after 30 June each year and shall cover the period from the preceding 30 June or the last occasion upon which the Member supplied a statement of interest to the 30 June of the current year.
- (4)** A Member is required to include in a statement of interests details relating to the interest of a related person only if the Member is aware of the interest.
- (5)** A Member is not required to give, in any year—
- (a) more than one statement of interests (Member); or
  - (b) more than one statement of interests (related persons); or
  - (c) more than one 'no changes' of interest declaration.

### Form of statements and notice of change of details

- 6.(1)** A statement of interests (Member)—
- (a) must be in accordance with Form 1; and
  - (b) is to relate only to interests held by the Member—
    - (i) alone; and
    - (ii) jointly or in common with a related person.
- (2)** A statement of interests (related persons)—
- (a) must be in accordance with Form 2; and
  - (b) is to relate only to interests held by related persons otherwise than jointly or in common with the Member.
- (3)** A notice of change of the details contained in a statement of interests must be in accordance with Form 3.
- (4)** A notice of no change in details must be in accordance with Form 4.
- (5)** The Committee may, by resolution, alter any of the above forms and notice of such alteration is to be made by the Chairman of the Committee to the Legislative Assembly within 5 sitting days.

### Disclosure of interests

- 7.** A statement of interests required to be given by a Member must contain the following details—
- (a) in respect of any company in which the Member or a related person is a shareholder or has a controlling interest in shares—
    - (i) the name of the company;

- (ii) where the shareholding or interest constitutes a controlling interest in the company – details of the shareholdings of the company in any other company;
- (iii) where the shareholding or interest is held in a private company, the details of the investments or beneficial interests of the company, but the value of those investments or beneficial interests need not be disclosed; and
- (iv) where the shareholding or interest is held in a private company that is the holding company of another company—
  - (A) details of the investments or beneficial interests of the holding company, but the value of those investments or beneficial interests need not be disclosed;
  - (B) the name of any company that is a subsidiary of the holding company;
  - (C) the name of any company that is a subsidiary of any company that is the holding company's subsidiary; and
  - (D) the details of the investments or beneficial interests of those subsidiary companies, but the value of those investments or beneficial interests need not be disclosed;
- (b) in respect of any company of which the Member or a related person is an officer—
  - (i) the name of the company;
  - (ii) the nature of the office held; and
  - (iii) the nature of the activities of the company;
- (c) in respect of any family or business trust or nominee company in which the Member or a related person holds a beneficial interest—
  - (i) the name or a description of the trust, or the name of the company, as the case requires;
  - (ii) the nature of the activities of the trust or company;
  - (iii) the nature of the interest; and
  - (iv) details of the investments and beneficial interest of the trust, but the value of those investments or beneficial interests need not be disclosed.
- (d) in respect of any family or business trust in which the Member or a related person is a trustee—
  - (i) the name or a description of the trust; and
  - (ii) the nature of the activities of the trust;
- (e) in respect of any partnership in which the Member or a related person has an interest—
  - (i) the name or a description of the partnership;
  - (ii) the nature of the activities of the partnership; and
  - (iii) the nature of the interest;
- (f) in respect of any real estate in which the Member or a related person has an interest—
  - (i) the location of the relevant property (by reference to suburb or area);
  - (ii) the approximate size of the property;
  - (iii) the purpose for which the property is and is intended to be used; and

- (iv) the nature of the interest;
- (g) in respect of any liability (excluding department store and credit card accounts) of the Member or a related person or a trust of which a Member or a related person is a beneficiary or a private company of which a Member or a related person is a shareholder—
  - (i) the nature of the liability; and
  - (ii) the name of the creditor concerned;
 unless—
  - (i) it arises from the supply of goods or services supplied in the ordinary course of any occupation of the Member or business of the trust or private company in which the Member or related person has an interest which is not related to the Member's duties as a Member of the Legislative Assembly; or
  - (ii) the debt is for an amount of \$10,000 or less;
- (h) details of any debenture or similar investment held by the Member or a related person;
- (i) in respect of any savings or investment account of the Member or a related person held with a bank, building society, credit union or other institution—
  - (i) the nature of the account; and
  - (ii) the name of the institution concerned;
- (j) gifts valued at more than \$500 from one source, or where two or more gifts are made from one source during the return period exceed, in aggregate, \$500 provided that a gift received by a Member, the Member's spouse or dependent children from family members or personal friends in a purely personal capacity need not be registered unless the Member judges that an appearance of conflict of interest may be seen to exist;
- (k) in respect of any sponsored travel received by the Member or a related person—
  - (i) the source of the contribution concerned; and
  - (ii) the purpose of the travel.
- (l) any other source of income over \$500 per annum received by—
  - (i) the Member or a related person; or
  - (ii) a private company, or a trust, in which the Member or a related person holds an interest;
 or where the source of income is under \$500, where that income might, in the judgment of the Member, involve sensitivity or be capable of misconstruction;
- (m) details of any other asset of the Member or a related person the value of which exceeds \$5000, other than—
  - (i) household and personal effects;
  - (ii) a motor vehicle used only or mainly for personal use; and
  - (iii) superannuation entitlements;
- (n) the name of any political party, trade or professional organisation of which the Member or related person is a Member, or the name of any other organisation of which the Member is an officeholder or financial contributor donating \$500 or more in any single calendar year to that organisation;

- (o) any other interest (whether or not of a pecuniary nature) of the Member or a related person—
  - (i) of which the Member is aware; and
  - (ii) that raises, appears to raise, or could foreseeably raise, a conflict between the Member's private interest and his or her duty as a Member.

### Questions concerning statements

- 8.(1)** If a question relating to whether a matter should or should not be included in a statement of interests is raised by a Member with the Registrar, the Registrar must—
  - (a) subject to the terms of any resolution of the Legislative Assembly affecting the matter – attempt to resolve the matter without referring it to the Committee; and
  - (b) if the matter is not so resolved – refer the matter to the Committee.
- (2)** A reference of a matter to the Committee—
  - (a) must be made in general terms; and
  - (b) except with the consent of the Member, must not disclose the name of the Member.
- (3)** The Committee must—
  - (a) consider any matter referred to it; and
  - (b) if the name of the Member has been disclosed to it – give the Member the opportunity to be heard;

after which it must decide whether the matter should or should not be included by the Member in the statement of interests concerned.
- (4)** The Registrar must immediately notify the Member of the decision of the Committee.
- (5)** If the Member informs the Committee in writing that he or she does not agree with the decision of the Committee, the Committee must—
  - (a) make a report to the Legislative Assembly; and
  - (b) with the report, recommend the action that should be taken in relation to the matter.
- (6)** A report under subclause (5)—
  - (a) must be made in general terms; and
  - (b) must not disclose the name of the Member.

## PART 3 – REGISTERS

### Keeping of Registers

- 9.(1)** The Registrar must keep, in such forms as the Registrar considers appropriate—
  - (a) a Register of Members' Interests; and
  - (b) a Register of Related Persons' Interests.
- (2)** As soon as practicable after receiving a statement of interests from a Member, the Registrar must—
  - (a) in the case of a statement of interests (Member) – enter in the Register of Members' Interests the relevant details contained in the statement; and
  - (b) in the case of a statement of interests (related persons) – enter in the Register of Related Persons' Interests the relevant details contained in the statement.



- (3) As soon as practicable after receiving a notice of change of details under subclause 5(2), the Registrar must make such alteration to the details entered in the relevant Register as is necessary to reflect the change.

#### **Custody of Registers**

10. The Registrar is to have the custody of—
- (a) each Register;
  - (b) each statement of interests received by the Registrar under clause 5; and
  - (c) any notice of change of details received by the Registrar under subclause 5(2).

#### **Tabling of Register of Members' Interests**

11. As soon as practicable after—
- (a) the first sitting day of each Parliament; and
  - (b) the 30th day of June in each subsequent year during the life of that Parliament;
- the Speaker must cause a copy of the Register of Members' Interests to be laid before the Legislative Assembly.

#### **Publishing of Register of Members' Interests**

12. The Register tabled in accordance with 11(a) above shall be immediately published as a Parliamentary paper.

#### **Inspection of Registers**

- 13.(1) The Registrar must, at the request of a person, permit the person to inspect the Register of Members' Interests during normal business hours of the office of the Clerk.
- (2) The Registrar must, on request, make the Register of Related Persons' Interests available to—
- (a) the Speaker;
  - (b) the Premier;
  - (c) any other Leader in the Legislative Assembly of a political party;
  - (d) the Chairman and Members of the Members' Ethics and Parliamentary Privileges Committee;
  - (e) the Criminal Justice Commission.

### **PART 4 – COMPLAINTS**

#### **Allegations by Members**

- 14.(1) A Member may make an allegation against another Member that the other Member has failed to comply with the requirements relating to the disclosure of a matter under this resolution.
- (2) The allegation must be made, in writing, to the Registrar.
- (3) The Registrar must—
- (a) refer the allegation to the Committee; and
  - (b) give the details of the allegation to the Member against whom the allegation is made.

#### **Consideration of allegations**

- 15.(1) The Committee must consider each allegation referred to it and, for that purpose, may—
- (a) give each Member concerned the opportunity to be heard; and

- (b) obtain information from such other persons, and make such inquiries, as it thinks fit;  
after which it may—
  - (c) make a report to the Legislative Assembly; and
  - (d) with the report, recommend the action that should be taken in relation to the matter.
- (2) The Committee must not make a report unless—
- (a) it has given the Member against whom the allegation has been made the opportunity—
    - (i) to be heard; and
    - (ii) to make written submissions; and
  - (b) it has given the persons that the Member nominates the opportunity to be heard.

### **Complaints by public**

- 16.(1) A person may make a complaint alleging that a Member has failed to comply with the requirements relating to the disclosure of a matter under this resolution.
- (2) The complaint must be made, in writing, to the Registrar.
  - (3) The Registrar must, before taking any further action in relation to the complaint, inform the complainant in writing that parliamentary privilege does not extend to any communication between the complainant and the Registrar.
  - (4) The Registrar may require the complainant to give to the Registrar—
    - (a) details of the complainant's name and address;
    - (b) details, or further details, of the complaint; and
    - (c) copies of any documents or other material available to the complainant supporting the complaint.
  - (5) The Registrar may refuse to take any further action in relation to the complaint if the complainant refuses or fails to comply with a requirement under subclause (4).
  - (6) If the Registrar believes on reasonable grounds that there is evidence to support an allegation the subject of the complaint, the Registrar must—
    - (a) refer the matter to the Committee; and
    - (b) give the details of the complaint to the Member concerned.

### **Consideration of complaints**

- 17.(1) Where a complaint is referred to it, the Committee—
- (a) may request the Member concerned to provide an explanation of the allegation the subject of the complaint; and
  - (b) must, if the Member disputes the allegation—
    - (i) give the Member the opportunity to be heard;
    - (ii) give the persons that the Member nominates the opportunity to be heard; and
    - (iii) obtain information from such other persons, and make such inquiries, as it thinks fit.
- (2) The Committee must make a report to the Legislative Assembly in respect of the complaint—
- (a) if the Member concerned disputes the allegation the subject of the complaint – on completion of its consideration of the complaint;

- (b) if the Member confirms the allegation – on receiving notice to that effect; and
  - (c) if the Member does not, within a reasonable period, respond to a request given to him or her under paragraph (1)(a) – on the expiration of the period.
- (3) The Committee must, with the report, recommend the action that should be taken.
- (4) The Committee must not, in the report, make a finding that is adverse to the Member concerned unless it has given the Member—
- (a) full particulars of the complaint; and
  - (b) the opportunity to be heard in relation to the complaint.

### Explanatory Notes

18. The Committee, either on its own initiative or upon request of the Registrar, may produce and publish explanatory notes to further explain the requirements of this resolution and the information to be included in the Registers.

## PART 5 – ENFORCEMENT

### Effect of failure to comply with requirements

19. A Member who knowingly—
- (a) fails to give a statement of interests to the Registrar under subclause 5(1);
  - (b) fails to notify the Registrar under subclause 5(2) of a change of details contained in a statement of interests; or
  - (c) gives to the Registrar a statement of interests, or gives information to the Registrar or Committee, that is false, incomplete or misleading in a material particular;
- is guilty of a contempt of the Parliament and may be dealt with accordingly.

The following amendments were proposed by Mr Mackenroth—

- (a) To the definition of "sponsored travel" in the motion so that it will read as follows—  
' **sponsored travel or accommodation** means any travel undertaken, including accommodation incidental to the travel, or any accommodation benefit received, otherwise than in an official capacity, by the Member or a related person in respect of which a contribution (whether in cash or kind) to the cost of the travel (including incidental accommodation) or the accommodation is made by a person other than the Member or a related person but does not include upgraded travel provided by an airline, or upgraded accommodation, or meals or sporting or cultural entertainment.'
- (b) To 7(k) of the motion so that it will read as follows—  
'(k) in respect of any sponsored travel or accommodation received by the Member or a related person—  
(i) the source of the contribution concerned; and  
(ii) the purpose of the travel.'

Debate ensued.

The following amendments were proposed by Mrs E Cunningham—

- (a) That in the definition of "sponsored travel" the words "meals or sporting or cultural entertainment" be deleted; and
- (b) In section 7 "Disclosure of Interests" sub-section (j) after the word 'gifts' the words 'hospitality, meals, sporting or cultural entertainment' be added and also the sum of '\$500' be deleted and the sum of '\$100' be inserted.'

Debate ensued.

Question – That Mrs Cunningham's amendments be agreed to – put and negatived.

Question – That Mr Mackenroth's amendments be agreed to – put and agreed to.

Motion, as amended, agreed to.

**30 STATUTORY INSTRUMENTS AND ANOTHER ACT AMENDMENT BILL**

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

Debate resumed.

Question put and passed.

Bill read a second time.

Bill committed on the motion of Mr Beattie.

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*In Committee*

Clauses 1 and 2 agreed to.

Clause 3 (*Replacement of s 56 (Exemptions from expiry)*)—

The following amendment was proposed by Mr Black—

At page 5, lines 25 to 26—

*omit.*

Debate ensued.

Question – That Mr Black's amendment be agreed to – put and negatived.

Clause 3, as read, agreed to.

Clause 4 (*Amendment of s 59 (Regulations)*)—

The following amendment was proposed by Mr Beattie—

At page 6, line 16, after 'Act'—

*insert—*

'if there are reasonable grounds for considering the subordinate legislation to be uniform subordinate legislation'.

Debate ensued.

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

Clause 4, as amended, agreed to.

Clauses 5 to 8 agreed to.

Clause 9 (*Amendment of sch 3 (Dictionary)*)—

The following amendment was proposed by Mr Black—

At page 8, lines 3 to 5, 'or declared under a regulation to be uniform subordinate legislation'—

*omit.*

Debate ensued.

Question – That Mr Black's amendment be agreed to – put and negatived.

The following amendment was proposed by Mr Beattie—

At page 8, line 3, after 'regulation'—

*insert—*

'under section 59(2)'.

Debate ensued.

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

Clause 9, as amended, agreed to.

Schedule agreed to.

Bill to be reported with amendments.

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*In the House*

Bill reported with amendments.

*Ordered* – That the Bill, as amended, be taken into consideration.

Mr Beattie, by leave, moved – That the Bill be now read a third time.

Bill read a third time and passed.

Title agreed to.

**31 POSTPONED ORDER – GOVERNMENT BUSINESS**

Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development (Mr McGrady) moved – That Government Business Order of the Day No. 2 be postponed until a later hour of the sitting.

Question put and agreed to.

**32 COAL MINING SAFETY AND HEALTH BILL AND MINING AND QUARRYING SAFETY AND HEALTH BILL**

Order of the day read for the adjourned debate on the motion of the Minister for Mines and Energy and Minister Assisting the Deputy Premier on Regional Development (Mr McGrady) – That the Bills be now read a second time.

Debate resumed.

Debate adjourned on the motion of Mr Johnson.

*Ordered* – That the resumption of the debate be made an order of the day for tomorrow.

**33 NOTICE OF MOTION – HARDWOOD TIMBER INDUSTRY**

Mr Lester, pursuant to notice, moved – That this House undertakes only to support a regional forest agreement based on an increase in jobs in the south-east Queensland hardwood timber industry through improved productivity, improved forest management and the development of hardwood plantations with adequate financial support from the State and Commonwealth Governments.

Debate ensued.

*Distinguished visitor:* Mr Speaker informed the House of the presence in the Gallery of the Honourable Gough Whitlam, AC QC, former Prime Minister of Australia.

Debate continued.

The following amendment was proposed by Deputy Premier and Minister for State Development and Minister for Trade (Mr Elder)—

Delete all words after 'undertakes' and insert—

'to support a regional forest agreement based on an increase in jobs through the development of a world class timber industry incorporating a high level of value adding, downstream processing, improved productivity, a comprehensive, adequate and representative reserve system and expansion of softwood and hardwood plantations with adequate financial support from the State and Commonwealth Governments.'

Debate ensued.

Question put – That Mr Elder's amendment be agreed to.

The House divided.

**AYES, 44**

Attwood	Cunningham, J	Mackenroth	Purcell*	Welford
Barton	Edmond	McGrady	Reeves	Wellington
Beattie	Elder	Mickel	Reynolds	Wells
Bligh	Fenlon	Mulherin	Roberts	Wilson
Boyle	Foley	Musgrove	Robertson	
Braddy	Gibbs	Nelson–Carr	Rose	
Bredhauer	Hamill	Nuttall	Schwarten	
Briskey	Hayward	Palaszczuk	Spence	
Clark	Lavarch	Pearce	Struthers	
Cunningham, E	Lucas	Pitt	Sullivan*	

**NOES, 40**

Baumann*	Elliott	Johnson	Mitchell	Sheldon
Beanland	Feldman	Kingston	Nelson	Simpson
Black	Gamin	Knuth	Paff	Slack
Borbidge	Grice	Laming	Prenzler	Springborg
Connor	Healy	Lester	Quinn	Stephan
Cooper	Hegarty*	Lingard	Rowell	Turner
Dalglish	Hobbs	Littleproud	Santoro	Veivers
Davidson	Horan	Malone	Seeney	Watson

Pairs – Messrs D'Arcy and Fouras (AYES) and Mr Goss and Ms Pratt (NOES)

\*Tellers

Question agreed to.

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

**34 WEAPONS AMENDMENT BILL**

Order of the day read for the adjourned debate on the motion of Mr Feldman – That the Bill be now read a second time.

Debate resumed.

Debate adjourned on the motion of Mr Turner.

*Ordered* – That the resumption of the debate be made an order of the day for tomorrow.

**35 ADJOURNMENT**

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

Debate ensued.

Question agreed to.

The House adjourned at 11.26pm.

**36 ATTENDANCE**

The following Members were present—

Attwood	D'Arcy	Johnson	Nuttall	Simpson
Barton	Davidson	Kingston	Paff	Slack
Baumann	Edmond	Knuth	Palaszczuk	Spence
Beanland	Elder	Laming	Pearce	Springborg
Beattie	Elliott	Lavarch	Pitt	Stephan
Black	Feldman	Lester	Prenzler	Struthers
Bligh	Fenlon	Lingard	Purcell	Sullivan
Borbidge	Foley	Littleproud	Quinn	Turner
Boyle	Fouras	Lucas	Reeves	Veivers
Braddy	Gamin	Mackenroth	Reynolds	Watson
Bredhauer	Gibbs	Malone	Roberts	Welford
Briskey	Grice	McGrady	Robertson	Wellington
Clark	Hamill	Mickel	Rose	Wells
Connor	Hayward	Mitchell	Rowell	Wilson
Cooper	Healy	Mulherin	Santoro	
Cunningham, E	Hegarty	Musgrove	Schwarten	
Cunningham, J	Hobbs	Nelson	Seeney	
Dalglish	Horan	Nelson–Carr	Sheldon	

**R K HOLLIS**  
Speaker

**R D DOYLE**  
The Clerk of the Parliament