of the National Rail Safety Regulator will collect annual accreditation fees from accredited rail transport operators to cover the costs to undertake regulatory functions only. They do not collect the investigation component of the fee that rail operators currently pay in Queensland. Therefore, the bill includes an adjusted rail safety investigation fee, which the Department of Transport and Main Roads will collect from high-frequency accredited rail transport operators to cover the costs of the Australian Transport Safety Bureau undertaking no-blame rail safety investigations in Queensland. In recognition of the important contribution tourist and heritage railways make to Queensland's tourism industry and cultural heritage, the Department of Transport and Main Roads will pay the annual accreditation fees for tourist and heritage rail operations in Queensland for the foreseeable future.

The bill includes a commencement date of the end of 30 June 2017 to give industry, the Office of the National Rail Safety Regulator and the Department of Transport and Main Roads certainty to aid in the transition. Both the Department of Transport and Main Roads and the Office of the National Rail Safety Regulator have dedicated resources to manage the implementation and transition to the Rail Safety National Law. The rail safety national law was developed in consultation with all Australian states and territories and also the rail industry, unions and other representative groups.

I will briefly reflect on the consultation that has occurred. The Australasian Railway Association, the Association of Tourist and Heritage Rail Australia, and the Rail, Tram and Bus Union were members of the National Rail Safety Regulator Advisory Committee during the development of the rail safety national law. This is testament to this being a piece of legislation that will bring the rail safety environment in Queensland into a nationally harmonised and safe environment that will endure for more than 150 years into the future.

First Reading

Hon. SJ HINCHLIFFE (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (1.00 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Transportation and Utilities Committee

Madam DEPUTY SPEAKER (Ms Farmer): Order! In accordance with standing order 131, the bill is now referred to the Transportation and Utilities Committee.

Sitting suspended from 1.00 pm to 2.30 pm.

SERIOUS AND ORGANISED CRIME LEGISLATION AMENDMENT BILL

Introduction

Hon. YM D'ATH (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (11.30 am): I present a bill for an act to amend the Bail Act 1980, the Child Protection (Offender Reporting) Act 2004, the Corrective Services Act 2006, the Crime and Corruption Act 2001, the Crime and Corruption Regulation 2015, the Criminal Code, the Criminal Law (Criminal Organisations Disruption) and Other Legislation Amendment Act 2013, the Criminal Proceeds Confiscation Act 2002, the Disability Services Act 2006, the District Court of Queensland Act 1967, the Drugs Misuse Act 1986, the Evidence Act 1977, the Liquor Act 1992, the Liquor Regulation 2002, the Motor Dealers and Chattel Auctioneers Act 2014, the Peace and Good Behaviour Act 1982, the Peace and Good Behaviour Regulation 2010, the Penalties and Sentences Act 1992, the Penalties and Sentences Regulation 2015, the Police Powers and Responsibilities Act 2000, the Police Powers and Responsibilities Regulation 2012, the Police Service Administration Act 1990, the Racing Act 2002, the Racing Integrity Act 2016, the Second-hand Dealers and Pawnbrokers Act 2003, the Security Providers Act 1993, the State Penalties Enforcement Regulation 2014, the Summary Offences Act 2005, the Tattoo Parlours Act 2013, the Tow Truck Act 1973, the Transport Operations (Passenger Transport) Act 1994, the Weapons Act 1990 and the Working with Children (Risk Management and Screening) Act 2000, to amend the legislation mentioned in schedule 1 and to make a regulation under the Criminal

Code, for particular purposes. I table the bill and the explanatory notes. I nominate the Legal Affairs and Community Safety Committee to consider the bill.

Tabled paper: Serious and Organised Crime Legislation Amendment Bill 2016.

Tabled paper: Serious and Organised Crime Legislation Amendment Bill 2016, explanatory notes.

I am pleased to introduce the Serious and Organised Crime Legislation Amendment Bill 2016. The main objective of the Serious and Organised Crime Legislation Amendment Bill 2016 is to implement a new organised crime regime in Queensland to tackle serious and organised crime in all its forms. The regime draws on the recommendations of the three reviews commissioned by the government into organised crime: the Queensland Organised Crime Commission of Inquiry; the Taskforce on Organised Crime Legislation; and the statutory review of the Criminal Organisation Act 2009. A further object is to improve the clarity, administration and operation of particular occupational and industry licensing acts through a number of technical and editorial amendments.

Prior to the last election, the Palaszczuk government promised the people of Queensland that in government we would establish a commission of inquiry into the extent and nature of organised crime in Queensland and its economic and societal impacts. The commission, headed by Mr Michael Byrne QC, identified the illicit drug market, online child sex offending, including the child exploitation material market, and sophisticated financial crimes such as cold-call or 'boiler room' investment frauds as key organised crime threats in Queensland.

The Palaszczuk government also committed to review the suite of 2013 legislation known as the VLAD laws, which were introduced by the LNP government. The task force was chaired by the Hon. Alan Wilson QC and its membership consisted of senior representatives from the Queensland Police Service, the Queensland Police Union, the Queensland Police Commissioned Officers' Union of Employees, the Queensland Law Society, the Bar Association of Queensland, the Public Interest Monitor, the Department of Justice and Attorney-General and the Department of Premier and Cabinet. The task force was given broad terms of reference to consider whether the suite of legislation introduced in 2013 by the Newman government was effectively facilitating the successful detection, investigation, prevention and deterrence of organised crime and how it should be repealed or amended.

A statutory review was also conducted of the Criminal Organisation Act 2009. The new organised crime regime is informed by the careful and considered recommendations of these three bodies of work commissioned by the government. This new regime is being introduced to be operationally strong and legally robust. The regime heralds a return to traditional criminal law approaches and well-proven methods of crime detection, investigation and prosecution.

The initiatives in the bill are not limited to outlaw motorcycle gangs because, as the commission of inquiry identified, serious criminal activity and organised crime extends far beyond those gangs. A proper response to serious and organised crime must be agile enough to counter the threats to the community posed by all forms of organised crime including child exploitation, drug trafficking and financial crimes.

The regime in this bill is built to withstand all stages of the criminal justice system and, ultimately, is designed to secure actual convictions of serious and organised criminals which will act as a strong deterrent factor against future criminal activity. The regime draws on the ideas and initiatives underpinning the three reviews but with some crucial enhancements to ensure it meets the community's expectations, prioritises police officer and public safety, and injects judicial oversight across key elements of the regime.

The bill will repeal some elements of the 2013 laws which the task force found to be unnecessary, excessive and disproportionate. What the new regime delivers is a comprehensive approach to serious organised crime. The key elements of the new regime are:

- a new consorting offence;
- public safety protection orders consisting of public safety orders, restricted premises orders and fortification removal orders;
- extension of the banning of 'colours' to all public places, not just licensed venues;
- new offences and increased penalties for child exploitation material offences, sophisticated financial crimes and drug trafficking; and
- improved powers for police to utilise the new organised crime regime and to investigate and gather evidence of crimes associated with child exploitation and financial crimes.

Importantly, this bill will ensure appropriate safeguards and oversight of these new powers, ensuring that the community can have confidence in the laws and the administration of justice as well as empowering police to target serious and organised crime to keep our communities safe.

The new consorting offence inserted into the Criminal Code under the bill will prevent and deter convicted criminals from establishing, building and maintaining criminal networks. The consorting offence is substantially based on the New South Wales approach which has survived a constitutional challenge and been used successfully against organised crime groups including securing actual convictions. It will be an offence for a person to consort with two convicted offenders on two or more occasions. A convicted offender must be a person convicted of an offence that is punishable by at least a maximum penalty of five years imprisonment or another prescribed offence often associated with organised crime. Before a person can be convicted of the new consorting offence, they must receive an official written warning from a police officer. The offence will not apply to persons under 18 years of age. There is a specific defence that allows for participation in civic life.

The bill provides an important and practical safeguard requiring the Public Interest Monitor to provide an annual report on these official warnings which must be tabled in parliament. The bill also creates a new comprehensive public safety protection order scheme in the Peace and Good Behaviour Act to provide a multilevel strike against organised crime.

The scheme contains three new orders: restricted premises orders, public safety orders and fortification removal orders. A breach of any one of these three orders will be an indictable criminal offence. The restricted premises order will enable a premises to be declared by the Magistrates Court to be 'restricted' if a police officer has a reasonable suspicion that certain unlawful or disorderly conduct is occurring there. The declaration will enable police to enter and search the premises without a warrant at any time and to seize certain property including furniture, entertainment systems, pool tables, stripper poles and the like. The Police Commissioner may forfeit any property that is lawfully seized under the order to the state.

023 The outlaw motorcycle gang clubhouses that were 'closed' under the 2013 laws will be automatically declared to be restricted premises to ensure they cannot reopen. The task force report noted that a similar scheme operating in New South Wales was used successfully to dismantle 30 outlaw motorcycle gang clubhouses in its first 20 months of operation. Public safety orders will allow a commissioned police officer or the Magistrates Court to order that a person, or a group of persons is prohibited from entering or attending an event or place if their presence is a serious risk to public safety. Police will be empowered to make these public safety orders for up to seven days. For any order longer than seven days an application must be made to the Magistrates Court. This ensures that police are fully equipped to rapidly respond to changing environments to protect the Queensland community. The Public Interest Monitor will provide an annual report on the police issued public safety orders which must be tabled in parliament.

Fortification removal orders empower police to apply to the Magistrates Court to seek an order directing the removal or modification of fortifications that are excessive for the lawful use of a property. If a person does not comply with the court order, police can enter the property and use any force or equipment necessary to remove or modify the fortifications. Police are further empowered to issue stop and desist notices if they observe excessive fortifications being built on a property. Police will have 14 days from issuing the notice to make an application to the court for a fortification removal order.

If a person breaches the stop and desist notice during this period, an evidentiary presumption will provide that the grounds for the court to make a fortification removal order are satisfied unless a person can prove otherwise. The new consorting offence, public safety protection orders and associated police powers must be reviewed by a retired Supreme Court or District Court judge five years after their commencement.

The task force accepted that members of the public have the right to enjoy themselves in licensed premises free from any fear or intimidation that the presence of 'colour-wearing outlaw motorcycle gang members might incite. The government considers that the same should apply to public places generally. The bill creates a new offence in the Summary Offences Act that criminalises the wearing or carrying of prohibited items in a way that they can be seen in any public place and makes it clear that this includes in or on a vehicle in a public place. This extends the prohibition on wearing these items that already exists in relation to licensed venues.

This initiative builds on the acknowledgement in the task force report that colours are used to intimidate, influence, recruit and mark out territory. Our initiative fixes the glaring inconsistency with the LNP's suite of laws, that is, under the LNP's laws the intimidation by outlaw motorcycle gang members

wearing colours towards a family eating dinner in a licensed restaurant is recognised but not if they are eating next door in an unlicensed café with the same outlaw motorcycle gang behaviour occurring. The wearing of colours is tightly controlled by outlaw motorcycle gangs. They make a deliberate statement of membership and are designed to create a climate of fear and intimidation among members of the general community with an implicit threat of violence in the event of any confrontation with the wearer. This can facilitate criminal activity by members of outlaw motorcycle gangs because of a reluctance on the part of the public to report crime committed by such members. The QPS has advised of several incidents where witnesses have been reluctant to come forward due to the fear and intimidation caused by the wearing of colours.

The Australian Crime and Intelligence Commission has identified outlaw motorcycle gangs as one of the most high-profile manifestations of organised crime which have an active presence in all Australian states and territories. Outlaw motorcycle gangs have become one of the most identifiable components of Australia's criminal landscape and identify themselves through the use of colours. To provide additional deterrence against repeat offending, the maximum penalty for the offence will escalate upon a second and subsequent offences. The offences relating to 'colours' contained in the Liquor Act will be retained, except for the offence prohibiting people from wearing colours in licensed venues as this conduct will be covered by the new Summary Offences Act offence.

In accordance with the recommendations of the task force, the maximum penalties for certain offences will be reduced. The bill will also provide adequate and appropriate protections for licensees and their employees. To facilitate these offences, a regulation, sitting under the Liquor Act, will list identified organisations including the 26 outlaw motorcycle gangs currently declared as criminal organisations. In cases where new criminal organisations appear, or existing organisations seek to change names, the regulation also allows for further entities to be added to the list of identified organisations if certain criteria are met. The Attorney-General will need to be satisfied that if the colours of the organisation were worn in any public place it would cause people to feel threatened, fearful or intimidated or would adversely impact people's health and safety. In determining this, the Attorney-General will need to look at whether anyone, while they were a participant in the organisation, engaged in serious criminal activity, or committed offences relating to public acts of violence, damage to property or disorderly or threatening behaviour.

In response to the findings of the commission of inquiry, the bill creates new offences and increases penalties for existing offences in relation to child exploitation material, sophisticated financial crimes and illicit drugs. The bill provides for significant amendments to the offence of trafficking in illicit drugs. The amendments acknowledge the criminality of trafficking in illicit drugs and the health and social concerns associated with the illicit drug trade.

Given the seriousness of the offence and its known links to organised crime, the bill provides that the maximum penalty of 25 years imprisonment will apply to all dangerous drugs, regardless of whether the drug is heroin, steroids or cannabis. Additionally, the current mandatory minimum 80 per cent non-parole period, which applies for offences of trafficking, will be removed by the bill and the offence will be restored to the serious violent offence regime under the Penalties and Sentences Act. This restores the court's sentencing discretion and addresses the recent adverse comments of the Court of Appeal, which highlighted, among other concerns, that the mandatory 80 per cent non-parole period created delays in our criminal justice system and potential inequity in sentencing.

The bill will make the following amendments in response to the increasing prevalence and seriousness of cold call investment or 'boiler room' fraud and evolving threats in financial crimes, particularly identity crime, that may not be adequately deterred by existing penalties:

- an increase in the maximum penalties for existing aggravated offences of fraud from 12 to 14 years imprisonment;
- the creation of a new circumstance of aggravation for the offence of fraud, carrying a maximum penalty of 20 years imprisonment, where the property or yield to the offender from the fraud is $100,000 or more;
- the creation of a new circumstance of aggravation for the offence of fraud, carrying a maximum penalty of 20 years imprisonment, where the offender participates in carrying on the business of committing fraud; and
- an increase in the maximum penalties for the offences relating to obtaining or dealing with identification information, from three to five years imprisonment.

The bill will enable police and Crime and Corruption Commission officers to apply for a warrant to require a person, either the suspect or a specified person with the necessary information, to provide information necessary, such as passwords, to gain access to information stored electronically. Police and CCC officers will also be able to seek a further order if a person of interest has more than one level of security hiding relevant evidence.

One of the most worrying aspects raised in the commission of inquiry was the expansion of the child exploitation material market and the utilisation of technology to produce and distribute material. This bill provides new offences and expanded powers in response to the proliferation of child exploitation material over the internet, the increased use of technology to promote and distribute offending material as well as to conceal offending. The bill creates three new offences in the Criminal Code that target administrators of websites connected with child exploitation material. Each new offence has a maximum penalty of 14 years imprisonment. The new offences will target persons who:

- knowingly administer websites used to distribute child exploitation material;
- knowingly encourage the use of, promote or advertise websites used to distribute child exploitation material;
- and distribute information about how to avoid detection of, or prosecution for, an offence involving child exploitation material.

024 The bill will also increase the maximum penalties for the offence of involving a child in making child exploitation material and the offence of making child exploitation material from 14 to 20 years imprisonment.

In recognition that this market and these offences are prevalent on the internet, the bill establishes a new circumstance of aggravation for each of the existing child exploitation offences as well as the new offences that will apply where the darknet—or a similar hidden network or anonymising service—is used in the commission of the offence. The new circumstance of aggravation will increase the relevant maximum penalty. For the offence of involving a child in making child exploitation material and the offence of making child exploitation material the penalty will increase from 20 years to 25 years imprisonment. For the remaining offences the penalty will increase from 14 years to 20 years imprisonment.

The bill also creates a new offence in the Criminal Code which will support the new child exploitation and criminal crime offences and increased penalties by providing that it is an offence for a person to fail to comply with an order in a search warrant requiring them to provide access information. This offence is punishable by a maximum of five years imprisonment. The bill also delivers key sentencing reforms for serious and organised criminals, whether they be involved in OMCGs, child exploitation material, sophisticated financial crimes or drug trafficking.

The bill implements the unanimous recommendation of the task force that the VLAD Act be repealed. The VLAD Act is excessive and disproportionate and riddled with serious prosecutorial challenges. The bill replaces the VLAD Act and circumstances of aggravation introduced into the Criminal Code in 2013 with a new serious organised crime circumstance of aggravation. This new circumstance of aggravation will be placed in the Penalties and Sentences Act and will apply to a specific, targeted list of offences.

The 2013 laws placed varying definitions of ‘criminal organisation’ and ‘participant’ across Queensland’s statute book, and this was properly criticised in the High Court of Australia. The new circumstance of aggravation introduces consistent definitions of ‘criminal organisation’ and ‘participant’ for all Queensland legislation. This will assist judges, legal practitioners and law enforcement and will generally aid the better administration of justice in Queensland. The new definition of ‘criminal organisation’ will capture both traditional, hierarchical organised crime groups like OMCGs as well as shapeshifting, opportunistic groups of offenders like paedophile rings and boiler room frauds. The new definition of ‘participant’ will focus on individuals who are actively involved in a criminal organisation or who identify and promote themselves as being involved in a criminal organisation.

The circumstance of aggravation will capture offending by participants that is committed at the direction of, in association with, or for the benefit of a criminal organisation. Persons convicted of this circumstance of aggravation will be punished by a tough mandatory sentencing regime that can only be avoided if the defendant cooperates with law enforcement. In addition to the term of imprisonment imposed for the prescribed offence, a person whose offending is aggravated by the new serious organised crime circumstance of aggravation will serve an additional fixed mandatory component of their sentence of seven years imprisonment or the equivalent of the maximum penalty of the offence,

whichever is lesser. This seven years imprisonment will be served wholly in a corrective services facility without any eligibility for parole and cannot be mitigated or reduced in any way in the absence of cooperation with law enforcement agencies.

The court will also be required to make an organised crime control order for the convicted person. This new sentencing regime utilises elements of the VLAD Act that law enforcement found to be effective; that is, it deters and punishes participation in criminal organisations but also encourages cooperation with law enforcement. However, the sentencing regime in the bill does not include sentences that are completely disproportionate to the criminal conduct of the offender as the VLAD Act did. The bill provides for transitional arrangements for any individuals that have pleaded guilty and who have been sentenced under the VLAD Act.

The new organised crime control order, which I mentioned earlier, makes Queensland the first Australian jurisdiction to inject this initiative into its sentencing regime to target serious organised crime offenders. Other Australian jurisdictions and the United Kingdom have introduced civil law based pre-conviction control orders but, as identified by the task force and COA review, these non-conviction orders have been rarely used. These post-conviction organised crime control orders reflect the findings of the task force and the COA review that utilisation of the criminal justice process provides the most efficient and effective means of issuing these orders. Based on the data released in July 2016 by the United Kingdom National Crime Agency there are 155 current serious crime prevention orders in place, which is the initiative that inspired Queensland's new control order regime. All are conviction based; that is, to the best of our knowledge there are currently no non-conviction based control orders in place in the UK. The success of that regime lies with its conviction based focus.

The control order will be a mandatory consequence of a conviction of the new serious organised crime circumstance of aggravation. The court will be empowered to set any conditions it considers appropriate to protect the public by preventing, restricting and disrupting the offender's involvement in serious criminal activity. For example, conditions in a control order could be used to prohibit who an offender mixes with, or to prevent the person from attending certain places, or to place restrictions on their use of electronic devices or to restrict where they may work. An organised crime control order can be up to five years, and any breach will be a serious criminal offence punishable by escalating terms of imprisonment.

The court will also have the power to make control orders on a discretionary basis in three circumstances: firstly, when sentencing a person for any indictable offence if the court is satisfied on the balance of probabilities that the offender was a participant in a criminal organisation at the time. It does not matter if the criminal offence for which they have been convicted does not relate to their participation in a criminal organisation; secondly, when sentencing a person for the consorting offence the court may make a limited control order which can only include place restrictions and conditions that prohibit who the offender can keep company with; thirdly, in sentencing an offender for contravention of a control order, or alternatively the court may extend the length or conditions of the existing control order. This is in addition to any other penalty that may be imposed. These particular control orders will be limited to two years in duration.

The bill provides the Queensland Police Service and the Crime and Corruption Commission with extensive powers to ensure they have all the tools they need to enforce the new regime. The powers provided to police under the bill are also intended to protect the safety of front-line officers who must engage with serious and organised criminals as part of their duties. Associated with the new consorting offence, police will have the power to stop and search a person or a vehicle without a warrant. Police will also have the power to require a person to provide their name, address and date of birth. If it is necessary to confirm a person's identity, police can detain a person in order to take their identifying particulars, for example, fingerprints or a photograph. Police will be required to destroy these identifying particulars as soon as possible after a person's identity has been confirmed.

Police will also have the power to issue a 'move on' direction after issuing an official consorting warning in order to disrupt the interaction. Police will also have the power to stop, search and detain a person or a vehicle without a warrant if they reasonably suspect a person to be committing the new offence of wearing or carrying prohibited items in a public place. Police will also have the power to seize anything that may be evidence of the commission of this offence. Police are provided with powers to enforce the new public safety protection orders in the Peace and Good Behaviour Act and the control orders in the Penalties and Sentences Act. These powers include being able to require persons to provide their name and address and stopping persons and their vehicles for the purpose of serving the orders. In terms of a contravention of control orders, the police will also have the power to search a person and/or vehicle.

The bill amends the Police Powers and Responsibilities Act to allow police officers to apply for a search warrant for a premises if they reasonably believe disorderly activities are taking place and are likely to take place again. Further, police may make an application for a search warrant for a premises on the basis that they reasonably suspect there is property at that premises that a person is prohibited from possessing under a control order. In recognition of the extensive, but necessary, new powers being provided to police, the bill importantly also amends the Police Powers and Responsibilities Regulation to provide that certain new powers provided to police as part of this legislation are 'enforcement acts' for the purposes of the Police Powers and Responsibilities Act. This means that a person will be able to obtain information from the register about the use of the powers against themselves or their property. It also means that information about the exercise of these powers will be kept by the Commissioner of Police in a register that will be able to be utilised by the person appointed to review some of the initiatives in this bill five years from their commencement.

025 The Crime and Corruption Commission's immediate response function will be retained under the bill, but amendments will require the Crime Reference Committee to have oversight of this important function. The bill amends the penalty regime for contempt of the CCC. It replaces the mandatory minimum penalties introduced in 2013 with an escalating maximum penalty scheme for repeated contempt. This new penalty scheme implements the task force recommendation and was designed in consultation with the CCC.

As I said before, the bill provides for the repeal of a number of elements in the 2013 laws which are excessive and unnecessary. Notably with respect to the Crime and Corruption Act, the bill repeals the exclusion of fear of retribution as a reasonable excuse for not complying with orders under the CCC's powers of compulsion; the ability of the CCC to withhold potentially exculpatory evidence from persons charged with criminal offences; and the exclusion of a person's right to apply for financial assistance for legal representation at a crime hearing under the immediate response function.

The bill also provides for the repeal of the Criminal Organisation Act and makes amendments consequential to its repeal. It also repeals the 2013 circumstance of aggravation whereby a participant in a criminal organisation is liable to a greater penalty for evading police. Importantly the mandatory minimum sentencing regime that was introduced in 2012 to support the 'no police pursuit' policy will not be impacted in any way by the removal of the 2013 circumstance of aggravation.

The bill also repeals the 2013 changes to the Corrective Services Act which established the criminal organisation segregation order scheme; the 2013 amendments to the Bail Act which placed participants in a criminal organisation in a show-cause position when applying for bail in all cases; the 2013 recruitment offence under section 60C of the Criminal Code—the offence at section 60C is replaced with an offence based on the recruitment which currently sits at section 100 of the Criminal Organisation Act and adopts the corresponding increased maximum penalty; and the 2013 changes to the Police Service Administration Act that provided the Police Commissioner with the ability to publish the criminal history of participants in criminal organisations.

The task force found that sections 60A and 60B of the Criminal Code were vulnerable to constitutional challenge and very difficult to prosecute successfully. Nevertheless, the government has listened to the Queensland Police Service's advice that there needs to be a seamless operational transition to the new regime. The bill provides for sections 60A and 60B of the Criminal Code to be repealed after two years to ensure a smooth transition from the old laws to the new and that an operational gap, as accepted by the task force as a possibility, does not eventuate. Ultimately, the new consorting offence, the public safety protection order scheme and the new postconviction control orders will deliver this under the new regime. The transitional arrangements simply ensure sufficient time for these new initiatives to come into operation and to properly come into their own. Recognising the criticisms of section 60A and 60B by the task force, the bill amends those offences to ensure that during this transitional period they will be indictable offences and punishable by maximum penalties rather than mandatory minimum penalties.

The 2013 laws also made substantial changes to occupational and industry licensing laws in Queensland. The result was a hasty approach that fails to properly balance the rights of individuals with the need to protect the community. Accordingly, the bill will restore robust, fair and transparent occupational and industry licensing frameworks in Queensland. It will ensure that people wanting to work in a regulated industry will be assessed on the basis of their past behaviour, as well as actual convictions for offences, particularly those associated with organised crime. In the event that a licence or approval is refused or cancelled on grounds of suitability, the affected person will be afforded natural justice. These amendments will effectively integrate licensing laws with its comprehensive approach to dealing with serious and organised crime in all its forms.

The new organised crime regime draws upon the expertise of the three inquiries commissioned by the government. It also reflects the government's commitment to provide the community with strong laws that protect their safety and wellbeing. Importantly, it protects the safety of our law enforcement officers, who every day risk their own safety to protect ours.

This new regime represents the Palaszczuk government delivering yet another election commitment to the people of Queensland. We promised to take a mature, evidence based approach to tackling organised crime, and that is exactly what we have done. I would like to thank Michael Byrne QC along with Alan Wilson QC and the members of the task force, all of whom brought their particular expertise in the criminal justice system to contribute to an important piece of public policy.

I want to thank Department of Justice and Attorney-General officials for their hard work in delivering this comprehensive package, along with other government agencies, especially the Queensland Police Service, the police minister, the Police Commissioner and the Department of the Premier and Cabinet.

Importantly, this bill will go through a proper parliamentary committee process—an opportunity to participate that members of the House and members of the public were denied under the former government. In contrast, this government is drawing on the evidence of the commission of inquiry, the review of Criminal Organisation Act and the task force report and is happy to involve stakeholders and members of the public in a proper parliamentary process. This government is delivering on our commitment to Queenslanders—delivering a comprehensive and effective new regime to tackle organised crime in all its forms. I commend the bill to the House.

First Reading

Hon. YM D'ATH (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (3.05 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Legal Affairs and Community Safety Committee

Mr DEPUTY SPEAKER (Mr Furner): Order! In accordance with standing order 131, the bill is now referred to the Legal Affairs and Community Safety Committee.

~~HEAVY VEHICLE NATIONAL LAW AND OTHER LEGISLATION AMENDMENT BILL~~

~~Introduction~~

~~**Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (3.05 pm): I present a bill for an act to amend the Heavy Vehicle National Law Act 2012 and the Transport Operations (Passenger Transport) Act 1994 for particular purposes. I table the bill and the explanatory notes. I nominate the Transportation and Utilities Committee to consider the bill.~~

~~*Tabled paper:* Heavy Vehicle National Law and Other Legislation Amendment Bill 2016.~~

~~*Tabled paper:* Heavy Vehicle National Law and Other Legislation Amendment Bill 2016, explanatory notes.~~

~~I am pleased to introduce the Heavy Vehicle National Law and Other Legislation Amendment Bill 2016. The bill amends both the Heavy Vehicle National Law Act 2012 and the Transport Operations (Passenger Transport) Act 1994. The Heavy Vehicle National Law Act 2012 is administered by the National Heavy Vehicle Regulator and provides for the consistent regulation of heavy vehicles over 4.5 tonnes across most of Australia. The national law establishes requirements for heavy vehicle registration; mass, dimension and loading; fatigue management; vehicle standards; and enforcement. The Heavy Vehicle National Law is part of a program of national reforms advocated by the Council of Australian Governments to establish single regulatory environments across the Australian economy.~~

~~The changes proposed in this bill were supported at the Transport and Infrastructure Council in June 2016 by all participating jurisdictions. This endorsement followed extensive consultation undertaken by the National Transport Commission in developing the bill with state and territory transport~~