THURSDAY, 31 MAY 2001

Mr SPEAKER (Hon. R. K. Hollis, Redcliffe) read prayers and took the chair at 9.30 a.m.

MINISTERIAL STATEMENT

Human Cloning

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.31 a.m.), by leave: The Prime Minister has confirmed that human cloning will be on the agenda of the COAG meeting to be held on 8 June in Canberra. I table a copy of the communique from his office.

Rapid developments in medical and reproductive technology have opened up the potential for experimental work that could lead to cloning of human beings. The creation of duplicate humans through cloning techniques is not supported by the Queensland government. Cloning of human beings is contrary to the Universal Declaration on the Human Genome and Human Rights. Australia is a signatory to the declaration, which states—

Practices which are contrary to human dignity, such as reproductive cloning of human beings, shall not be permitted.

As well as being contrary to human dignity, cloning is unsafe. The first mammal that was cloned in 1997, Dolly the sheep, was the source of considerable interest. What many were not aware of at that time was the number of failed attempts which preceded Dolly. There were more than 270 failed attempts at cloning in order to produce one cloned sheep. This is not something we can allow to occur with human beings.

The World Health Organisation has also affirmed that 'cloning for the replication of individuals is ethically unacceptable and contrary to human dignity and integrity. Cloning of humans is banned in a significant number of European nations, in the United Kingdom and in Japan. Immediately after recent congressional hearings in the United States, the intention to introduce legislation to ban cloning of human beings was announced. Earlier this month in Canada the Health Minister presented draft legislation to ban the cloning of humans.

In December 1998 the Australian Health Ethics Committee of the National Health and Medical Research Council produced a report titled *Scientific, ethical and regulatory aspects relevant to human cloning*. The recommendations of that report have been considered nationally, and health ministers in all states and territories have agreed to work toward a prohibition on cloning of human beings that is consistent across Australia.

The cloning of humans has been prohibited for some time in three Australian states. Queensland will soon follow suit. I will be making our view known clearly at the COAG meeting. In the near future, cabinet will consider a proposal to prepare legislation to prohibit the cloning of human beings and attempts to clone humans. We will ensure that tough penalties are in place to deter anyone who might consider attempting to clone a human being.

MINISTERIAL STATEMENT

Premier's Literary Awards

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.34 a.m.), by leave: The midnight oil is being burned in hundreds of homes around Queensland and the sound of keyboards being pounded can be heard across the state as authors polish their manuscripts in the hope of realising their dreams. They are preparing for Australia's richest literary competition, the $150,000 Queensland Premier's Literary Awards that I had the pleasure of launching at the State Library on Friday with my colleague the Minister for the Arts who, as we all know, is a very literary person.

A highlight of the launch was a reading by internationally acclaimed Queensland actress Diane Cilento of an extract from David Malouf's famous novel *Johnno*, which is set in post-war Brisbane. Another feature of this year's awards is the inclusion of an additional prize of $15,000 for the best nonfiction book. The Queensland Premier's Literary Awards are about investing in the future of our state. This is the third year that they have been held.

One of our most successful writers, Nick Earls, once said that any Queenslander who wanted a career as a writer had to take a boat trip to England. Not anymore. A career as a successful

Queensland writer can begin with a mouse click onto the government's web site. Last year the awards attracted 565 entries from around Australia, including 233 entries from Queensland. This was a 30 per cent increase in entries over the first year of the awards. I expect to see even more entries this year, particularly as the extra category of best nonfiction book has been added this year. This boosts total prize money for the awards to $150,000, with $145,000 going to the authors of the eight winning categories, plus an extra $5,000 to ensure that a Queensland author's work is published. We did not do that initially, but we have decided to do it to ensure that the winner has an opportunity to have their work published.

Mr Foley: It is a very important initiative, Mr Premier.

Mr BEATTIE: The minister is absolutely right. The categories for writers to enter are: the best fiction book, $25,000; the best literary or media work advancing public debate, $25,000; the best manuscript from an emerging Queensland author, $20,000 and, better still, my department will provide an extra $5,000 to the University of Queensland Press to ensure that the manuscript is published; the best history book, $15,000; the best children's book, $15,000. Did the minister say that Kevin Lingard was going to enter?

Mr Foley: I am encouraging him.

Mr BEATTIE: I would be delighted. He should do it. The best stage drama will win $15,000—perhaps he could enter that category; the best film and television script, $15,000; and the new category of best nonfiction book, with a prize of $15,000.

These awards are doing more than rewarding the talents of Australian writers; they are helping to establish the reputations of some very talented writers and Queensland's cultural reputation. I urge all Queensland authors to get behind these awards. I remind everyone in the House that we have enough American junk being published in Australia and, indeed, being shown on our TV screens. It is about time that we had more Australian material published. This is about giving Australian writers a go.

While the awards are open to national competition, at one time the Minister for the Arts and I did consider whether we could legally restrict the competition to Queensland entrants only. Unfortunately, we discovered that under the constitution we could not—darn—under section 92, which relates to free interstate trade. Notwithstanding that, the awards do encourage Australian and Queensland writers, and it is something that we should all be very proud of.

MINISTERIAL STATEMENT

University of the Sunshine Coast Innovation Centre

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.37 a.m.), by leave: As members would be aware, two of my government's top priorities are jobs creation and cementing Queensland's place as the Smart State. Tomorrow I will officially open a Sunshine Coast project that will help us achieve both of those aims.

The $7 million Innovation Centre at the University of the Sunshine Coast is a great example of what can be achieved when state, federal and local governments, businesses and educational facilities work together. The centre will act as an incubator for new, high-tech enterprises, providing flexible space, networking opportunities, a growing range of support services and attractive cost and lease structures. Stage 1 will cater for 19 business enterprises, while stage 2 will be home to a total of 40 tenants. The Innovation Centre will speed up the development of those new high-tech businesses.

This project is about making Queensland the Smart State. Just as importantly, it is about jobs. Once the new enterprises are clearly established, we will start to see the creation of new jobs. Those jobs will be sustainable, new millennium jobs that will take us into the future.

The Innovation Centre will be the crucial link between new business enterprises, increased local economic activity and long-term job creation. It reflects the role regional universities can play as starting points for growth and development in regional centres. I commend our regional universities for their effort. I believe that they will continue to make a significant contribution.

Queensland is truly the action state of Australia. There is much evidence of that. This year we are hosting the Goodwill Games—the biggest sporting event in the world. And we are hosting CHOGM, the biggest political event in the world. There are a lot of things happening in a number of areas, and I intend to deal with some of them, in particular those relating to the Centenary of Federation.

Here in Queensland we have worked hard to ensure that the views and aspirations of all Queenslanders are included in our centenary celebrations. The celebration program for the Centenary of Federation embraces that principle. With that in mind, Centenary of Federation Queensland provided a grant of more than $98,000 to the State Library for a special exhibition, 'A gift of presence—the spirit of reconciliation'. The exhibition was curated by former ABC journalist and broadcaster Wayne Coolwell and consists of photographs, statements on reconciliation, a touring exhibition and an education web site.

Tomorrow night I will join the Minister for the Arts, Matt Foley, to officially open the exhibition. This is National Reconciliation Week so it is a fitting time for the exhibition to begin. It will run until 21 October. The exhibition features 47 people aged between 13 and 103 from all across Queensland who are represented by their images and personal statements. I urge all members to participate and invite them all to attend.

The Queensland government has ensured that all Queenslanders irrespective of where they live in this great state have the chance to celebrate the Centenary of Federation. I saw that the other day when I was in Charleville with Heather. We saw a number of expenditures for the Centenary of Federation—for example, the tent, the display, the performances and the work at the Charleville Showground, all of which has been effective.

I know the people of Mount Isa are starting to become excited about the Federation Outback spectacular heading their way. That event, to be held under the stars in Mount Isa on 30 June, will feature international stars John Farnham, Olivia Newton-John and Anthony Warlow. That is not a bad—

Mr McGrady: And me.

Mr BEATTIE: The minister is the fourth star. They will pay to go and see the first three. I am sure they will go along to see Tony for free.

As members can appreciate, with the Centenary of Federation we have sought to encourage events across the whole of the state. That is why western Queensland and in this case Mount Isa are getting major events. And we saw that in Charleville the other day. This is a once in a lifetime performance. It is a tribute to the people of the outback as well as a celebration of the 100th birthday of a nation.

However, the cultural activities of Queensland do not just extend to the outback. I wish to mention the role of one of my senior ministers, the Deputy Premier, in an event very close to his heart. Tomorrow I will have the privilege of officially opening the Crackerjack Carnival—an annual fundraising event that supports the Clem Jones Youth and Welfare Centre at Carina. I know the Deputy Premier and Treasurer would want me to invite all honourable members to attend this major cultural event. The festival is staged on 17 hectares of land at Carina that was once a dump with a swamp. Thanks to the vision of Clem Jones, Roland Cowen, Mick Foley and, of course, the Deputy Premier and many others there are now sports fields, playing areas and facilities for at least 17 sports and welfare clubs.

Those involved with the Clem Jones Youth and Welfare Centre, including the current president—I should mention him—Terry Mackenroth, are very concerned with the problems of youth, and that is where the funding is aimed. The centre has been incredibly successful in identifying the needs of young people in the local community. I commend their work. It is a great day and I encourage the community to come out in force this week to support the Crackerjack Carnival.

One other event that is around the corner is Queensland Day. I remind members of this very important landmark, which will involve a week of celebrations. While Queensland Day itself is next Wednesday, 6 June, the week's activities will begin with an event on the Speaker's Green on Saturday afternoon, when we will announce four additional Queensland greats to stand beside our first Queensland great—World War I veteran Ted Smout, who was honoured with this award on Australia Day. I will also be announcing the Queenslander of the Year and the Young Queenslander of the Year at that time here at Parliament House.

MINISTERIAL STATEMENT

Literacy and Numeracy

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Education) (9.43 a.m.), by leave: Literacy and numeracy are the cornerstones of a good education. In a changing world, literacy means more than just reading; it means the ability to confidently use and communicate through

new technologies. As part of the Beattie government's Smart State vision and commitment to improved literacy, I am pleased to announce that I will be launching a new report here at Parliament House tomorrow by the Board of Teacher Registration entitled *Literacy in teacher education standards for pre-service programs*.

The report is the result of a two-year project by the Board of Teacher Registration's Professional Education Committee, which is made up of representatives of universities, teacher employers, teachers, unions and parents. It has been developed as part of the board's ongoing review of guidelines of teacher education to ensure that Queensland teachers remain at the front of their profession. It is a quality report, and I commend it to honourable members.

The report found that there is a wide range of excellent and innovative teacher education programs already in place across Queensland's universities. But the report also found that, while all programs addressed literacy, there was a big variation in their approach, and a need was also identified by some new teachers for extra assistance in the area of new technologies and literacy.

The board's report responds to the changing times and views on literacy and proposes new standards for pre-service literacy programs. The standards are designed to increase comparability of outcomes of pre-service literacy education across our universities, while allowing diversity in the programs themselves.

The proposed standards are the most comprehensive in Australia and aim to help universities ensure that new teachers are best prepared to teach both traditional literacy, such as reading and writing, at all levels, and the many 'new literacies' and multi-literacies needed to operate in the changing world, such as using the Internet effectively and communicating with a diverse range of people.

The board will collaborate with universities on the introduction of the standards, which could come into effect as soon as next year. The new standards have been developed to supplement Queensland's existing guidelines for teacher education and will apply to—

personal competence in all forms of literacy, including information and communications technology;

knowledge of essential literacy theories;

ability to implement English-literacy programs at all levels;

knowledge of literacies needed to teach subjects other than English.

These standards are a national education first. They are about giving our teachers the best tools in a changing world to ensure that we get literacy right from the start. They will provide Queensland universities with a blueprint for best practice and see them lead the nation in pre-service training for teachers in literacy.

I congratulate and support the Board of Teacher Registration on their report and I applaud the collaborative effort of all the stakeholders in the development of these new practice standards. The Board of Teacher Registration shares the government's Smart State goals of literacy and literacy education. It is this sort of partnership and commitment to ensuring the best education for our children that will see Queensland realise its Smart State vision. I look forward to launching the report tomorrow and I commend it to all teachers and people interested in the literacy and education of our young children.

MINISTERIAL STATEMENT

Police Resources

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province) (9.47 a.m.), by leave: It is with a great deal of pride that I report to all members on the Beattie government's progress in its bid to increase Queensland police numbers to the target of 9,100 serving officers by the year 2005.

Late last week I had the pleasure of joining with the Queensland Police Commissioner to officiate at the fourth police induction ceremony for this year. The ceremony saw a further 99 graduates from Brisbane's Oxley Academy inducted into the Queensland Police Service. Seventy-eight were new graduates, while a further 21 were officers graduating from the Police Acquired Competency Education Program, a Queensland training course for officers who have served in other states or countries.

On 23 March I attended my first graduation ceremony, and 36 per cent of those new graduates were women. The Police Service has a target of 40 per cent. We are not quite there yet, but we are certainly getting there. All officers will begin their duties as first-year constables and they will be deployed to a range of areas in accordance with the needs and priorities identified by the Queensland Police Service. They will undergo a further 12 months field training, starting off with a mentoring program which pairs them with an experienced officer to allow them to gain the benefit of their policing knowledge.

I am also proud to report to the House that in response to the Beattie government's commitment to increase police numbers by 300 officers during each year of this term the Police Service is currently undertaking its largest recruiting drive ever. The service academy at Oxley now accepts intakes of about 80 new recruits every two months. Previously, it had accepted only three rounds of intakes each year. This will be complemented by the continuation of the Police Acquired Competency Education Program for former police officers from other jurisdictions. In fact, I can advise the House that the Queensland Police Service is currently assessing 32 applications from current or former police officers from New Zealand. In response, the Queensland Police Service will be sending a team to interview the applicants in the next couple of weeks and arrange medicals on the spot.

It seems that the good reputation of the Queensland Police Service has spread across the Tasman, and why wouldn't it? We have a great Police Service. This new recruitment system is designed to ensure that the government's commitment to lift police numbers from 7,644 at the beginning of this year to 9,100 by the year 2005 is met in full.

As many members will be aware, the Beattie Labor government has placed an emphasis on the importance of having more police on the ground. We are committed to strengthening the Police Service so that we can limit crime and improve life in Queensland communities. I have received assurances from the Queensland Police Commissioner that the record recruitment drive will not detract from the service's commitment to attract high-calibre applicants and to deliver high-quality training.

This latest induction is concrete proof that our Labor government is actively working to fulfil its pledge to increase police numbers by about 300 officers a year. I have every confidence that the Queensland government will be in a position to deliver on its target of 9,100 serving officers by the year 2005.

MINISTERIAL STATEMENT

Gladstone Region Sustainable Schools Project

Hon. D. M. WELLS (Murrumba—ALP) (Minister for Environment) (9.50 a.m.), by leave: The Minister for Education, the Minister for Public Works and Minister for Housing and I would like to invite all honourable members to a presentation by 12 outstanding students from Gladstone State High School. The presentation, titled *A snapshot of a school eco efficient audit*, will take place in room A35 commencing at 12.15 p.m.

In 1999 Gladstone State High School established the Gladstone Region Sustainable Schools Project. This program is one aspect of the larger Gladstone Region Sustainability Project, which involves industry, community and government. The students work with the assistance and guidance of teachers and local community and industry mentors to illustrate how schools can benefit economically, with reduced water, energy and maintenance costs; socially, with improved student outcomes; and environmentally, with waste management and vegetation issues, by developing their school sites as sustainable communities.

Research shows that Queensland state schools are major users of energy and water in Queensland, with estimated costs for energy in 1998 being $14.5 million and more than $8 million for water and water-related charges. To minimise these costs and to improve the environmental performance of Queensland schools, the Environmental Protection Agency is working with a range of stakeholders, including all levels of government, industry and the community, to create a demonstration sustainable school in Gladstone. The school project was allocated a grant of $85,000 from the Environmental Protection Agency and the Australian Greenhouse Office with a similar level of in-kind contributions committed by local businesses. The grants were used by Gladstone State High School to explore best practice environmental performance.

Through the project the students have developed a draft school sustainability audit. The audit can be used as a blueprint by other schools. The audit will allow them to measure their environmental, economic and social performance. The success of this project has been a collaborative effort between the students, teachers, government, industry and community mentors. Mentors include Gladstone Power House, Queensland Aluminium, Suncor Industries, Queensland Cement Limited, Central Queensland University, Gladstone Area Water Board and the Environmental Protection Agency.

I would like to congratulate all parties involved in the unique project. They have played an integral part and have been instrumental in the success of the project. I would also like to invite all honourable members to see the presentation today at 12.15 p.m. in room A35 and also to watch the Rock and Roll Circus, a theatre troupe which has taken inspiration from the students' presentation and which will be performing a piece to promote the concept of sustainability on the Speakers Green from 1 p.m. today.

MINISTERIAL STATEMENT

Fire Ants

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries and Rural Communities) (9.53 a.m.), by leave: In leading the fight-back against fire ants, the Department of Primary Industries has deployed its best scientists and is also drawing on interstate and international expertise. In fact, there was a meeting in Brisbane yesterday of the national scientific advisory panel, which is working with the department on the problem. Next month, the department will host three American experts, including Professor Dart Drees, who coordinates the Texas fire ant research and management project.

While the fire ant has been unable to be eradicated in the United States, we believe the advice from US experts will be important in our campaign. However, I can inform the House that the surveillance results in Queensland to date are quite encouraging. Infestations of fire ants remain largely confined to Fisherman Islands and the Wacol-Goodna areas. I have circulated a copy of the department's *Prime News* special edition on the fire ant campaign. It is very informative and an important tool in our ongoing campaign.

The department has received more than 12,000 calls from the public to alert DPI to suspect detections or to seek information about fire ants. In addition, the department has been proactive in undertaking surveillance work in areas where the fire ant has not been detected. This was the case at the Brookfield Showgrounds recently. This case is a prime example of how fire ants can be spread unwittingly. I understand that soil from Wacol was moved to the Brookfield site last year, prior to the discovery of fire ants in Brisbane earlier this year. This example demonstrates why we have to be so strict with our quarantine procedures. For the benefit of the honourable member for Moggill, I can advise the House that the Department of Primary Industries applied treatment at the showgrounds for a second time yesterday, and it will continue to monitor the infestation.

MINISTERIAL STATEMENT

Beattie Labor Government; Natural Resources Management

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (9.56 a.m.), by leave: The proper management of our natural resources is one of the biggest issues facing Queensland today. To ensure the future social, economic and ecological health of our state, we need to strike a balance now between environmental sustainability and the economic viability of communities throughout Queensland. The Beattie Labor government recognises the importance of this task, and during its first 100 days of this term has demonstrated its commitment to this goal.

We are working in partnership with land-holders, conservationists and community groups throughout Queensland to achieve effective natural resource management outcomes. For example, the government is currently finalising water resource strategies for the entire state. We now have tough vegetation management controls in place and have established a number of initiatives to stop salinity becoming a major problem in Queensland. We have also introduced water laws aimed at improving the security of supply for users, ensuring that future water developments are sustainable, and protecting the health of our rivers and catchments.

In March, I had the pleasure of launching a number of workshops to kick off the National Action Plan for Salinity and Water Quality in Queensland. Queensland has committed $81 million over seven years to this initiative, with matching funding coming from the Commonwealth government. The national action plan aims to enhance water quality in priority catchments and waterways and to identify and repair areas of existing land and water degradation caused by salinity.

Another achievement has been the resounding success of the Beattie government's rural water use efficiency financial incentives scheme, with well over 900 primary producers participating in the $11 million scheme. Water is a precious resource that affects everything we do as Queenslanders, whether it be in the home, on the land in primary production, or turning the wheels of industry. Because water is such a finite resource, particularly in rural areas, it is essential that primary producers are encouraged to use water in the most cost effective and efficient way possible.

The Rural Water Use Efficiency Initiative is about helping farmers access the best technology available to get the most out of every drop of water available. The Beattie government is also helping farmers to make the most out of our increasing efforts to protect and preserve the environment. Earlier this year, cabinet gave authority for the preparation of the Forestry Act amendment bill. This legislation will make it possible for Queensland landowners to use the carbon-absorbing properties of trees and other vegetation on their land to profit from an anticipated worldwide carbon credit trading scheme.

These are just a few of the major initiatives undertaken so far by the Beattie government to ensure the proper management of Queensland's natural resources now and into the future.

MINISTERIAL STATEMENT

Winter Fire Safety Campaign

Hon. M. F. REYNOLDS (Townsville—ALP) (Minister for Emergency Services and Minister Assisting the Premier in North Queensland) (9.58 a.m.), by leave: While the official start to winter occurs this Friday, 1 June—tomorrow—the past fortnight has seen the mercury drop quite dramatically right across Queensland. So it is timely for me to mention fire safety this winter. Tomorrow I will officially launch the Queensland Fire and Rescue Authority's 2001 winter fire safety campaign, which this year is especially designed to care for older Queenslanders. It is quite pertinent that I will be doing that in my home city of Townsville. If one reads the *Townsville Bulletin* this morning, one can see the headline 'North shivers in coldest May'. In the past 10 days Townsville has experienced temperatures of only eight or nine degrees five times.

Honourable members interjected.

Mr REYNOLDS: I thought members would think that was pretty tough. We seriously need to consider how safe our elderly relatives and neighbours are from the threat of fire. Do older Queenslanders live in homes protected by smoke alarms? Can they change the batteries in their smoke alarms? Could they escape a fire if they needed to? These are just a few of the questions firefighters across the state will be asking as part of the winter fire safety campaign. People aged over 65 are among the most at risk from preventable fire deaths. The winter months from June to September are of course the most dangerous. Last year 30 people died in structural fires in Queensland, many of which could have been prevented with simple safety precautions. Faulty electrical equipment such as heaters and electric blankets are potentially fatal. Winter electrical equipment needs to be checked before being put to use, particularly if it has been in storage since last winter. Care also needs to be taken with candles, gas lamps and open fires.

This winter our firefighters are encouraging children, grandchildren and great-grandchildren to help make sure their relatives are safe. We want families to think about their neighbours and ask if they are fire safe. Latest figures from the QFRA show that 72 per cent of Queensland homes are now fitted with smoke alarms. That is an increase of more than 30 per cent in the past five years. I think that is a great achievement. Unfortunately, there are still thousands of homes without them. By now everyone should know that smoke alarms save lives. Queenslanders need to ensure that smoke alarms are properly installed and operating in their homes. However, it is often difficult for older people to climb ladders to install smoke alarms or to change batteries when they run out. This campaign will help us help our grandparents to be safe this winter.

The 2001 campaign will run until the end of August. It has been coordinated with help from a range of bodies, including the Office of the Ageing, Queensland Health, the Alzheimers

Association of Queensland, the Ethnic Communities Council of Queensland, the Older Person's Advocacy Service and the Safety in Residential Dwellings Task Force. Over the past few years thousands of children have been trained in vital fire safety messages through the Fire Ed program. It is these youngsters and their parents whom we are now calling on to help make sure information is passed on to older Queenslanders. Community safety programs like Operation Safe Home, Smokeout Australia and Seniors Fire Ed will be featured in the coming months and our firefighters will be holding community-based events to highlight fire safety. Our firefighters can only do so much. Fire safety is everyone's responsibility. I encourage honourable members and all Queenslanders to call on our older relatives and neighbours to make 2001 a fire-safe winter.

MINISTERIAL STATEMENT

Industrial Relations

Hon. G. R. NUTTALL (Sandgate—ALP) (Minister for Industrial Relations) (10.02 a.m.), by leave: I rise to make an important statement in relation to the achievements of the Department of Industrial Relations in the 100 days since the February re-election of the Labor government in Queensland. This government can be proud of its commitment to setting new standards for today's workplaces that benefit not only employees and employers but the greater community. Only recently the Premier and I announced a cut in WorkCover premiums to 1.55 per cent, which is by far the lowest average premium rate for employers in Australia. At a time when other state's workers compensation schemes are in the red, the Labor Queensland government has slashed $120 million from employers' WorkCover bills in an effort to encourage greater job creation and increased investment in the state.

I am also pleased to say that at the same time we are bringing more workers under the workers compensation safety net and further improving services and benefits for workers. More employment and greater investment opportunities mean a stronger economy for Queensland, and that is good news for everyone. Another major achievement within my department has been the improvements to long service leave entitlements for Queensland workers, the first improvements in long service leave entitlements since 1964. Under these improvements, workers will have access to long service leave after 10 years, not 15, as well as access to pro rata payments after seven years.

The government reaffirmed its strong commitment to pay equity for Queensland women in March with the release of the report of the pay equity inquiry. Those inquiry recommendations are now under consideration. The Labor government also commissioned a report on working time arrangements in Queensland, which clearly indicated that Queenslanders were working longer hours than ever. Our government is now leading the country in research in this area. We are now pursuing further research into the effects of longer working hours on workplace health and safety and the effects on work, family and our communities.

Finally, a work and family unit is being created within my department which will implement pilot programs in workplaces to evaluate family-friendly initiatives across both public and private sectors. We are also introducing an updated work and family package for public sector employees, including paid adoption leave, paid paternity leave and pre-natal leave to better assist employees with their family responsibilities. The Department of Industrial Relations came into being on 22 February. I am sure honourable members will agree that a lot has been achieved in such a short time. I congratulate the people of my department on their efforts in driving the vision for reformed workplaces to better balance work and family commitments for all Queensland workers.

MINISTERIAL STATEMENT

Bioprospecting

Hon. P. T. LUCAS (Lytton—ALP) (Minister for Innovation and Information Economy) (10.05 a.m.), by leave: Queensland's biological resources are a major source of new drugs and other therapeutic treatments. Some products already being developed include a pain reliever from marine animal toxins; a sunscreen from coral, a natural ultraviolet blocking compound; a natural agricultural insecticide from a eucalypt species; a herbicide also developed from marine coral; and an extract from a common weed, effective in early trials as a treatment for non-melanoma skin cancer. The growing international interest in our biological resources has spurred us to develop a comprehensive policy to facilitate ecologically sustainable access to the state's biological resources and encourage biotech firms to invest in our scientific and commercial

infrastructure in return for access to our biological resources. My department is preparing a discussion paper and will consult widely on this bioaccess policy with industry, government bodies, environmental groups, the Aboriginal and Torres Strait Islander community and others.

Some of the benefits of bioprospecting to the state are found in the pioneering arrangement with the pharmaceutical company AstraZeneca. In 1993 AstraZeneca entered into a joint venture with Griffith University to screen Queensland biota for bioactive compounds. Subsequent contracts were negotiated with the Queensland Herbarium and the Queensland Museum for the collection and supply of plant and animal species. I stress that AstraZeneca is not the only bioprospecting company in Queensland. Others include small start-up companies, university research units, medical institutes and well-established bodies such as the CSIRO and the Australian Institute of Marine Science. The CSIRO and AIMS have particularly large collections of Queensland marine organisms and insects.

The AstraZeneca arrangement benefits Queensland science and the Queensland economy in many ways. In the past, companies and research institutes took samples from Queensland state forests and other areas for small collection fees. The biological material and intellectual property was shifted offshore to the detriment of Queensland science and industry. There was very little return to the state. The AstraZeneca arrangement has helped change that. It has brought $45 million in state-of-the-art screening laboratories at Queensland's Griffith University and 43 research jobs. It has also enabled the Queensland Herbarium and Queensland Museum to collect, identify and classify new plant and marine species that it otherwise would not have been able to do, resulting in the discovery of 60 new Queensland plant species and hundreds of animal species. AstraZeneca does not have exclusive access to Queensland biota. It has sole access to the samples collected but not the species. In other words, it can have the gum tree leaf but not every gum leaf on every gum tree in Queensland.

Future agreements will invest substantially in our research and development capacity, our ability to commercialise discoveries within Queensland itself and to boost local jobs growth. These benefits will be governed by strict environmental controls and will also seek to give appropriate recognition of traditional knowledge about bush tucker and bush medicine. Biological resources—plants, insects, marine organisms and micro-organisms—are very significant sources of new drugs and therapeutics. We are also very much aware that these rich resources come with a caretaker role—one that will ensure their survival and prosperity in the future. That is why the Beattie government is seeking to ensure the people of the world have access to any potential life-saving treatments that may be developed, as well as putting in place controls to protect and conserve our unique wildlife for generations to come. It may be that the next cure for cancer, Alzheimers disease or some other terrible illness or disease does not come from Queensland, but I would like to think, as I am sure all members in this House would, that we are not doing anything to hold up or destroy any chance that such a cure can be developed and can be developed here.

MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Report

Mrs ATTWOOD (Mount Ommaney—ALP) (10.09 a.m.): I lay upon the table of the House report No. 46 of the Members' Ethics and Parliamentary Privileges Committee, *Report on a citizen's right of reply No. 11*. I commend the report and the committee's recommendation to the House.

I take this opportunity to briefly update members on the adoption of the proposed Code of Ethical Standards. Following the adoption of the Statement of Fundamental Principles by the House on 17 May 2000, a number of procedural matters and the new standing order regarding the declaration of pecuniary interests in debate await adoption by the House. The Premier has given notice of motions to deal with these matters. When those matters have been finalised the MEPPC will prepare a booklet for members, in accordance with the previous MEPPC's recommendations, incorporating all components of the Code of Ethical Standards as adopted by the House.

PRIVATE MEMBERS' STATEMENTS

Ethanol

Mr HORAN (Toowoomba South—NPA) (Leader of the Opposition) (10.10 a.m.): In light of the fact that Queensland continues to run last in the unemployment stakes, the National Party

would like to put forward a very positive and exciting proposal to improve employment prospects in Queensland, help the environment and provide for import replacement. I refer to a proposal by the Petro Group to develop a pilot ethanol plant on the Darling Downs using the corn crop. If successful, this proposal could have enormous benefits for areas such as the Burnett, Wide Bay, Emerald, Bowen, the Burdekin and the Atherton Tableland. It is a very exciting proposal to use some 53,000 tonnes of corn per annum, which would produce 20 million litres of fuel, 16,000 tonnes of feedlot distilled grains and a very substantial amount of carbon dioxide for industrial usages.

There is a wonderful chance for the government to get behind this proposal in the way that it got behind Virgin Airlines. Here is a Queensland born and bred proposal which has so many benefits in terms of job creation, economic activity, import replacement and a better environment through a better blend of fuels in motor vehicles. The United States is now the second-largest producer of ethanol in the world. Many of the vehicles there are running on 10 per cent ethanol. If ever there were a project that could complement the pilot projects in north Queensland and by BP in Brisbane—those two projects are supported by the Commonwealth government—then this is it. This proposal could be good news for rural and regional Queensland and could help improve the dreadful job statistics that we have.

I urge the Premier and the Minister for State Development to get behind this project. It is a good project. It is a Queensland project. It is logical, it is practical and it will bring enormous benefits to this state. Particularly, it could provide job opportunities for young Queenslanders throughout regional Queensland. Of course, the added bonus is the boost to the environment.

Time expired.

Woodridge Electorate

Mrs DESLEY SCOTT (Woodridge—ALP) (10.12 a.m.): This government is serious about creating jobs. A great deal is being done in my electorate. First, we are taking the matter of education and training seriously. Logan now has a TAFE college and university and many training opportunities. We are making sure that our students have every opportunity to gain skills and a level of education and training which will equip them to readily access employment. The community renewal and urban renewal programs are injecting much-needed funding and jobs into our local economy, and a number of major projects are under way. The team of professionals in our State Development Department is highly motivated and skilled to assist new businesses and encourage business expansion.

I wish to address the real cause of high unemployment in Woodridge. Back in the 1970s and 1980s, when this opposition was in government, it bought up huge tracts of cheap land and built literally hundreds of homes in the area, but there was poor transport, little infrastructure and few jobs. It was into this area that it dumped the unemployed, single parent families, the disabled and all those who had very few options left in life.

One might call my electorate the hospital for social ills. We bring them in and plug them into our wonderful network of support, counselling, job skilling, parenting, budgeting and health programs. We have a support program to fit all. When these people have gained employment and have landed on their feet, many move on to other areas and another needy family moves in. And so our pool of unemployed remains. The action of the then government was a mistake that should never be repeated. Today our government wisely spreads housing throughout many different areas and so enables communities to care for those in need.

Time expired.

Mr Ernest Fong On

Ms LEE LONG (Tablelands—ONP) (10.14 a.m.): I rise to note the recent passing of a well-known Atherton resident—a quiet achiever who was loved and respected by many. Ernest Fong On—Ernie to his friends—was born in Atherton in 1913 and grew up there with his parents and siblings Maud, Alice, Grace and John. His father, George, had opened a mixed business in Chinatown on the outskirts of town in 1907. He was also a corn dealer and interpreter for the Chinese community. In 1929 the family went back to China on the last steam boat, the *Saint Albans*, so that the children could further their education. Then in 1935 part of the family, including George and Ernie, returned to Atherton and started a mixed business named Consumer Cash Store. Some years later, when the rest of the family returned, they moved into a business in

a store they owned in Main Street. Fong On's Store in the early days was renowned for the peanuts they roasted in a drum in the backyard of the shop.

Ernie was a keen sportsman. He played football and was captain of the local tennis team. He was elected a councillor for the Atherton shire in 1949 and was a strong lobbyist for the first town library and for the local school high top, which enabled local children to live at home instead of being sent away to boarding school. He was an active member of the chamber of commerce and a foundation member of the Tableland Anglers Society, which introduced the first food chain into Tinaroo Falls Dam, which ultimately supported the stock of barramundi now existing in that dam. Being community minded, he helped to establish a hostel for out-of-town children so that they could attend school in Atherton. Another of his achievements was the establishment of the CSIRO.

Ernie married Sadie Chin Tie from Townsville in 1957, and he and Sadie raised their niece and nephew after their mother passed away at a young age. Over the years, the business in Main Street expanded and was eventually sold. Ernie had diversified into a Toyworld shop and became a director of this chain. Ernie had many good friends who attended his birthday parties, the last of which, his 88th, he celebrated two and a half weeks before his death. He was a kind, generous and patient man who had a strong community spirit. He will be sadly missed by all.

Time expired.

Centenary of Federation Commemorative Coins

Ms PHILLIPS (Thuringowa—ALP) (10.16 a.m.): I take this opportunity to congratulate Jennifer Gray from the Thuringowa electorate. Jennifer's design has recently been chosen for Queensland's Centenary of Federation 20c piece. Jennifer is an extremely talented young woman. She was born in New Guinea and came to live in north Queensland as a small child. It was last year as a year 12 student at Ingham High that she created her brilliant 20c piece design. Jennifer has since moved to live in Thuringowa and is studying engineering at James Cook University.

A statewide schools competition was conducted to select the design that best reflected what Australian youth consider to be special about their own state. Jennifer's design, which has been described as beautifully expressive, uses the surface of the coin as a time clock. The hour hand points to Federation in 1901 while the minute hand indicates our centenary in 2001. Between the two dates she has footprints that commence bare-footed and become shoe prints, reflecting the transformation of our society. Superimposed on the coin are representational symbols of animals, the sea, the stars and sun in the sky and modern day Australia. The story begins with a stylised gecko leaving ripples in the water. It ends with a computer chip board, denoting the present age of technology. It is a truly remarkable and sophisticated work from such a young person. The 20c coin, along with the centenary $1 and 50c coins, will be released soon by the Australian Mint, and members as well as the general public should look out for Jennifer's beautiful 20c pieces. I am sure that they will quickly become collectors items.

Hotels

Mr COPELAND (Cunningham—NPA) (10.18 a.m.): Those of my colleagues who represent regional electorates will be aware of the massive support that regional hotels commit to sporting and community groups through sponsorship and donations. Unfortunately, it appears that around 82 of those regional hotels around Queensland will be hit by the state government's new pub tax, costing them in excess of $60,000 per year. This will mean that regional communities will be the big loser, with a dramatic drop in sponsorship and donations supporting local development. One hotel in my electorate facing the new state government tax injects nearly $70,000 into the community in sponsorship every year. This includes $28,000 in support of local cricket, $20,000 for the support and development of Rugby League and $17,000 for local touch football. The list goes on, covering a wide range of activities that receive valuable support—from bull-riding competitions to car racing and, perhaps of greatest importance, sizeable donations distributed amongst local schools for fete days and fundraising.

When that hotel is slugged with the 10 per cent tax, the first expenses that will be forced to receive the chop will be these community donations and sponsorships. In effect, they will be stripped from the Toowoomba community to finance a $300 million super stadium in the heart of Brisbane. Toowoomba, like many other regional cities, will not stand to receive one tangible

benefit from the super stadium but, instead, will receive massive sponsorship cutbacks for local sporting development and local community groups.

The 1999 review of gaming in Queensland highlighted the need for a greater return of benefits to the community from the gaming industry. From what I have outlined here today, it is very evident that this will not be the case for regional communities such as Toowoomba. Regional sporting and community groups will be made to suffer at the hands of a state government that is hell-bent on taking money from regional Queensland to pump into the redevelopment of Brisbane city.

Time expired.

Gaven Electorate, Traffic Management

Mr POOLE (Gaven—ALP) (10.21 a.m.): Recently I had the pleasure to attend the official commissioning of the Department of Main Roads South Coast-Hinterland District Traffic Management Centre at Nerang in the south end of the Gaven electorate. The Honourable Steve Bredhauer, MP, Minister for Transport and Minister for Main Roads and member for Cook, officially opened the Nerang centre. The south coast hinterland district covers 6,200 square kilometres, including 1,050 kilometres of state-controlled roads.

Members would be aware that the Gold Coast has more than 400,000 permanent residents and three million tourists annually. Members may not be aware that the annual daily average traffic flow on the Pacific Motorway, which passes through the heart of the electorate of Gaven, is 65,000 vehicles—at its busiest it is 86,000 vehicles—and it is forecast to increase to a projected peak of 100,000 vehicles per day by the year 2011.

The centre provides an advanced traffic management system. The new Nerang centre can now coordinate up to 300 traffic signals to allow for smoother traffic flow. Closed circuit televisions allow operators to manage the network. There are currently 50 cameras operating in the Gold Coast region. The closed circuit television cameras monitor traffic flow and allow operators to manage the network. Variable message signs are used to inform motorists of traffic conditions and alternative routes. All this information is fed into the Main Roads web site for motorists to access up-to-date traffic conditions.

The Nerang traffic management centre provides a number of other benefits for the community. These include early detection and response to incidents, including breakdowns and debris on the road. It provides the latest traffic, roadwork and incident information to the community. The Nerang centre is contributing to improved safety on our roads and, hopefully, fewer accidents, fewer delays and reduced driver frustration. There are currently 12 staff at the centre, and there are plans to increase the levels of operation in the future. The centre has the potential for cooperation of a number of Queensland government departments involved in traffic management, including the police, ambulance, fire service and the Gold Coast City Council. I welcome the facility to my electorate, and I wish to recognise the potential of the Gaven electorate.

Time expired.

Dairy Industry

Mr HOPPER (Darling Downs—Ind) (10.23 a.m.): The dairy package that was announced to farmers is extremely flawed. There are too many farmers who will miss out—and I mean miss out. It is simply not fair. Once again, it has divided the industry; and the way it is distributed will further break down the unity in which our once great dairying industry shared. When farmers are divided, they are easily controlled and, generally, it is easier to push forward change in the industry. The package payment is based on percentage of production over the quota they owned.

Too many farmers will get nothing. Very good farmers who produced a heck of a lot of milk and owned only a small amount of quota will miss out on this package. The big get bigger, the rich get richer, and so on. One of the farmers in my district has ceased supplying milk. However, he is still milking his cows and feeding the milk to his beef calves. He is doing this to establish a beef herd to enable him to exit the dairy industry. His cost of production was greater than his return. He ceased milk producing only two months ago. The point I want to make is that he will not get one cent. He would have got $40,000.

I ask the Premier and the Minister for Primary Industries to join with me and lobby our federal government to change the distribution of this package and ensure that the struggling farmers will get something. Our federal government released this package one day before the budget was released, and the normal consumer out there thinks this package is given by the government in the budget. The package comes from an 11c levy on milk, and it is taxed for the next eight years. The government is giving us nothing. The farmers exiting the industry cannot get welfare payments, as this package is classed as income for the next eight years. There has not been one mention of the $400 million to $500 million in tax that our federal government is going to milk out of our once great dairying industry.

Runaway Bay Ambulance Station

Mrs CROFT (Broadwater—ALP) (10.24 a.m.): I rise to inform the House of a recent visit to the Broadwater electorate by the Minister for Emergency Services. The minister and I visited the Runaway Bay ambulance depot to meet with staff and inspect the facilities. Acting area manager Tony Hayson and the regional executive director Richard Galeano were there with nearly 20 ambulance officers from Runaway Bay, Southport and Sanctuary Cove Security. I would like to thank them for their warm welcome. Acting officer in charge, Mr Ted Hayton, gave the minister and me a tour of the station facilities and an insight into the daily running of the station.

Queensland ambos are always thinking. And one of the latest initiatives conceived by the Queensland Ambulance Service is the disaster dogs. I had the pleasure of meeting chief trainer and dog handler Craig Murray. The disaster dogs are trained not only to find lost people faster but also to determine if they are injured, deceased or still alive.

I would also like to congratulate ambulance officer Scott Brown, who was presented with his diploma of health science in pre-hospital care by the minister. On receiving his diploma, Scott spoke of how his study, which also incorporated practical training, was relevant to the duties of an ambulance officer and the problems that officers face on a daily basis. Scott also made mention of the teamwork and comradeship he has enjoyed. Scott has joined a hardworking and caring team at Runaway Bay and looks set for a long career as an ambulance officer. Broadwater residents welcome Scott to the area. And once again, I offer him my congratulations.

Runaway Bay Ambulance Station is centrally located to serve the people of the region and is well recognised for its quick response times. I am very proud of the Queensland Ambulance Service and would like to commend all of the team at Runaway Bay for their dedication and compassion.

Education

Mr JOHNSON (Gregory—NPA) (Deputy Leader of the National Party) (10.26 a.m.): In the House this morning, the Minister for Education made reference to a new program for literacy and numeracy in this state. I applaud the minister in relation to upgrading education standards in any way at all within this state.

The other thing I want to touch on is the issue of one-teacher schools right across rural and remote Queensland. The teachers in those schools are certainly doing a great job. But at the end of the day, some of them are under great stress because of their obligations to teaching children, in some instances, from years 1 to 7—maybe 23, 24 or 25 kids on many occasions—and their obligations to the children, to the families and to the communities at large. I urge the minister to pay particular attention to the situation in relation to one-teacher schools and the needs of children in those isolated and remote communities.

It distresses me a great deal that, in this House last evening, when I was speaking on the Racial and Religious Offences Bill 2001, the member for Noosa interjected on me but would not repeat what the interjection was. What she said was, 'No, but they seem to deny them a decent education'—referring to people who are less fortunate than probably many of us. I remind the member for Noosa that if she wants to play in the big league, she should not play funny games in here.

The situation is that we are talking about a real issue here, namely, education. I say this to the member: if she would like to read my maiden speech in this place, which I made about 11 years ago, she will see exactly and precisely what I said about education. The member is probably a very nice person—no doubt she is—but when she has a comment to make she should make sure that it is constructive and positive.

Time expired.

Ross Llewellyn Motors, Ipswich

Mr LIVINGSTONE (Ipswich West—ALP) (10.28 a.m.): I bring to the attention of the House a dishonest statement that was reported in last Saturday's *Queensland Times*. The statement referred to a local member of parliament obtaining a quote from a high-profile Ipswich car dealer and accepting the quote, only to purchase the car in Brisbane.

I wish to make the following points. I am the only local member of parliament to purchase a vehicle in Ipswich recently. I have not been in the Ross Llewellyn Motors showroom in the last four years. I did not ask Ross Llewellyn Motors for a quote, and subsequently did not receive one. I have not purchased a car in Brisbane. In fact, I have not bought a car in Brisbane in my life. I have bought every one of my cars in Ipswich.

I received one quote only from an Ipswich motor dealer, and that was Blue Ribbon Motors, where I have bought every car for the last 30 years. The owners of Blue Ribbon Motors have been personal friends of my family for the past 25 years, and I strongly support loyalty—something the manager or management of Ross Llewellyn Motors knows very little about.

During the mid 1990s, when I was either Government Whip or Opposition Whip, I made sure that every Commodore I drove did not come via Q-Fleet but from the local dealer, which just happened to be Ross Llewellyn Motors in Ipswich, because I believe the government should support local dealers where possible. The management of Ross Llewellyn Motors might also like to know that the service provided to me by Blue Ribbon Motors in the last 25 years could not be beaten.

Finally, I ask the *Queensland Times* and anyone else who wants to deal with Ross Llewellyn Motors to be very careful when they get their facts from Wade Llewellyn, because he is obviously an unmitigated liar.

Mr SPEAKER: Order! The time for private members' statements has expired.

QUESTIONS WITHOUT NOTICE

Lang Park

Mr HORAN (10.30 a.m.): I refer the Premier to his refusal on Tuesday to give the House a guarantee that the full cost of the Lang Park project will not exceed the currently quoted price of $284 million, and I ask again: can the Premier give this guarantee?

Mr BEATTIE: I thank the honourable member for his question. Unfortunately, because of continual rude interruptions when I was seeking to respond, I was unable to complete my answer. But as soon as I completed my time in question time and I was doing an opening of a building, I gave to the media a detailed answer to the member's question to ensure that, as usual, we are full, open and accountable.

What I indicated was this: the Lang Park proposal will be, in fact, handled by a contractor. I will just go through the member's question, both this one and the previous one. Tenders are currently out. It will be handled by the normal process. A contractor will be found to run it. It will be supervised by the Department of Public Works under the minister, Robert Schwarten, which was the process we indicated.

The Leader of the Opposition raised issues about whether the money would be in the budget. We have established, as he knows, an infrastructure fund. Any funds associated with the infrastructure fund, in the normal way, will be included in the budgetary process. The Lang Park Trust, of course, will be the body that will be borrowing the money. Their money obviously will not be included in our budgetary process, because that is obviously borrowed by the Lang Park Trust. That is normal practice that will be followed. We have indicated what the budget amount is, and obviously we will be working very hard—as we always do on these things—to stick to that budgetary amount.

On Monday, when Tom Barton and I reported to cabinet on the pedestrian bridge, we had a discussion in cabinet, because we have been concerned about the delays. We have been concerned about the difficulties of building an icon structure, not a eyesore, which is what our target was. One of the things that cabinet agreed to on Monday was that we would be introducing a clause—which no other government has done, but we will do it—in agreements, in the tendering process, in the purchasing policy, in the various areas of government tendering, which requires a consideration to be taken into account for those contractors who do not stick to things

like price and timing. In other words, past performance will be relevant to the issuing of new contracts. We are the first government to ever do it. Frankly, we are not prepared to put up with delays. Queensland governments over a long period have been. We have been affected by it.

We have been open and transparent about this. I notice that there has been some reporting of what the Minister for Transport said about road costs. I welcome that. We have never hidden it. We are up front about it. We have gone through the detail. The Minister for State Development did it this week. One of the things we need to do is clearly improve the practices of government. Cabinet resolved to do that on Monday and, therefore, there will be a condition for future contracts, and that will be on the basis of past performance.

I think that is fair, and I say to all contractors who deal with government: we expect performance. We expect performance in relation to cost, and we expect performance in relation to time.

Privatisation of Government Asset

Mr HORAN: I refer the Treasurer to his privatisation of the Brisbane Markets and his move towards the backdoor privatisation of the Dalrymple Bay coal terminal. I ask: what other public assets currently returning a revenue stream to the people does he plan to sell off?

Mr MACKENROTH: There are no plans to privatise any other assets. I made a ministerial statement a couple of weeks ago in relation to the process that we will go through to sell the Brisbane Markets. We believe that that will provide for a better market for the fruit and vegetable growers. The government does not need to be in the business of owning the market; it is not core government business, and it makes sense to do that.

In relation to Dalrymple Bay, that is a matter that is presently under tender, and I do not wish to go too much into that. But we did announce over a year ago that we would sell the lease—not privatise, but sell the lease—on Dalrymple Bay.

Dr Watson: A 99-year lease.

Mr MACKENROTH: No, it was in the budget. We will sell the lease. We will still own it. We have gone through a very lengthy process where people have tendered for that. Those tenders are presently being evaluated, and we will make a decision on that in the coming weeks. But there are no plans to privatise any other state assets.

Airtrain Citylink

Ms LIDDY CLARK: I refer the Premier to the fact that Brisbane has now joined the list of international cities with a rail link from the city centre to the airport, and I ask: can the Premier tell the House if Airtrain Citylink has proved to be a success since he opened it on 7 May?

Mr BEATTIE: The answer to that question is: yes. I welcome the question from the local member. The local member, the member for Clayfield, has been present when we have had a number of openings and ceremonies associated with this project, conducted by both the Minister for Transport and me. So we know that she is enthusiastic. We know that she is supportive of the project, because it reduces the number of cars travelling through her electorate. Isn't it good to have an intelligent member for Clayfield?

Government members: Hear, hear!

Mr BEATTIE: To be a Smart State, we have to provide innovative answers to car dependency. Innovation is not only about providing smart choices for commuters; it is also about being innovative in delivering key projects. The Airtrain Citylink service that links Brisbane's international and domestic airport terminals to the Citytrain network and the Gold Coast is a sound example of the government and QR working in partnership with the private sector. It also shows what a can-do government can deliver.

This $220 million project is fully funded by the private sector but has the full support of my government. It is already proving to be a success. In the first three weeks of operation, Airtrain moved more than 30,000 passengers to and from Brisbane Airport. Airtrain delivers to the travelling public a safe, comfortable, accessible, efficient and integrated service to and from the airport.

This is an exciting new era for public transport in south-east Queensland. My government is delivering a well-planned and well-managed integrated transport system. Indeed, it costs $9 to the city and $22 to the coast. Both of those are very moderate prices.

My government is meeting the challenge to encourage more people to consider public transport and leave the private car at home, not just in Clayfield but right across the south-east corner. We are backing that up by not only providing the infrastructure and services—like the South East Busway and Airtrain—but integrating different modes of public transport and, importantly, undertaking public education campaigns to be TravelSmart in the Smart State.

If members add together the Airtrain Citylink and the South East Busway, they would find that they are the two most significant public transport initiatives in Queensland for perhaps 25 years. When they add those to the M1—the major corridor to the Gold Coast—they find that we are delivering infrastructure in an unprecedented way to improve the movement of people around the south-east corner. We need to be sensible about these proposals. We need to ensure that they are delivered. That is something of which this government has been proud.

In terms of transport generally, clearly if we add together what has happened with Virgin Airlines and what has happened with Qantas locating its major facilities here, we find that this government is developing a vision for public transport and a vision for transport generally in this state. With the Aviation Centre of Excellence, which we are pursuing at the Brisbane Airport, and what we are doing in conjunction with Boeing—developing high IT, developing that end of the market—we are going to see an unprecedented new era in aviation travel in this state.

Reconciliation Queensland

Mr JOHNSON: I refer the Minister for Aboriginal and Torres Strait Islander Policy to yesterday's ministerial statement by the Attorney-General and Minister for Justice regarding Reconciliation Week, and I ask: has Reconciliation Queensland prepared the business plan that it undertook to provide as part of the reconciliation forum, which included the Department of the Premier and Cabinet, multicultural affairs, DATSIP, ATSI and Reconciliation Queensland? Can the minister confirm that the funding allocated to Reconciliation Queensland has been spent mainly on office accommodation without any reconciliation outcomes being delivered?

Ms SPENCE: I am happy to talk about Reconciliation Week and, indeed, Reconciliation Queensland. The organisation Reconciliation Queensland sprung out of the Council for Aboriginal Reconciliation. The Queensland government has committed funding of $100,000 to that organisation.

It would be fair to say that Reconciliation Queensland has been very active this year in its activities. Last Saturday I participated in a Sorry Day ceremony in Brisbane. The group helped to organise a very big ceremony at Musgrave Park, which went all day. I was pleased to speak on behalf of the government at that ceremony. This Sunday I will also speak at the Roma Street Forum as part of the Mabo Day celebrations. The organisation of that day has been assisted by Reconciliation Queensland also.

As well as these two activities in Brisbane, reconciliation has its tentacles throughout Queensland. During this week, reconciliation events have been held in all parts of the state. I am sure that many members would acknowledge that and, indeed, have been a part of those reconciliation events.

I am very proud of the fact that this group is made up mainly of volunteers from throughout the state. There are an enormous number of reconciliation groups throughout the state. The fact that the group is assisted by maintaining a small administrative staff here in Brisbane is a small price to pay to support those many voluntary groups throughout Queensland. I am pleased and proud of the fact that this state government is the first government in Queensland to be involved in reconciliation activities. We were one of the first state governments to—

Mr JOHNSON: I rise to a point of order. The minister has not answered my question. I asked where the money has been spent.

Mr SPEAKER: Order! There is no point of order.

Ms SPENCE: I am not sure what the honourable member is alluding to. I have said clearly that we have committed $100,000 to supporting the activities of Reconciliation Queensland. I am very proud of the fact that the Queensland government was one of the first governments to commit itself to funding that organisation. I understand that with that $100,000 they will be supporting a small administrative staff in Brisbane, but they are also supporting many

reconciliation activities throughout this state. Instead of knocking Reconciliation Queensland, why doesn't the member get involved in its activities? He has never been involved in the reconciliation council in this state. His lack of involvement in this issue is an embarrassment to us all.

Crime

Mr PURCELL: I refer the Premier to the latest crime figures from the Australian Bureau of Statistics and the report entitled *Recorded crime Australia 2000*, and I ask: how does Queensland compare with the rest of Australia?

Mr BEATTIE: The good news from this report is that Queensland is below the national average in seven of the 12 crime categories in which a national crime rate could be calculated. We are below the national average in seven of the 12 crime categories.

Queensland recorded one of the lowest rates of motor vehicle theft in 2000—28 per cent below the national average. The rate of assault remained virtually unchanged in Queensland from 1999 to 2000, which means that the Queensland rate of assault was 29 per cent lower than the national average. The rate of unlawful entry was five per cent below the national average.

My government's approach to crime is consistent. We are tough on crime and we are tough on the causes of crime. As the Minister for Police told the parliament yesterday, since we came to government we have increased police spending by 15 per cent to $827 million in the current financial year. That is double the increase under the previous coalition government.

We continue to increase police numbers by about 300 officers each year, with a view to reaching the target of 9,100 sworn officers in 2005. That is what we have promised and that is what we will deliver. We are also committed to tackling the causes of crime. One of the best ways to prevent people turning to crime is to help them into employment.

I am also pleased to advise the House of some detail of the latest survey of skilled job vacancies from the Commonwealth employment department. I know that the member for Bulimba is interested in the area of skilled jobs. The survey shows that skilled job vacancies in Queensland recorded growth this month for the first time in 12 months. At the same time, vacancies nationally continued to decline. Queensland recorded a 0.3 per cent trend increase this month. Nationally, the decline was 1.2 per cent in trend terms for the month of May, after a decline of 1.5 per cent in April. We are increasing and they are going backwards. That reflects the policies that this government has been pursuing and that the Minister for Employment, Training and Youth and I have referred to this week.

I remind everybody that in the federal budget Peter Costello and John Howard are predicting an increase of almost one per cent in unemployment in this nation. That matter was not given any great credence. It is a little like the last budget we saw from the Borbidge government, which predicted that unemployment would continue to rise. In the last Borbidge budget, unemployment went up. We now have the Howard-Costello budget showing that unemployment is going up. That is a hopeless commitment to Australians when the National and Liberal parties in Canberra are saying that unemployment will go up.

Community Cabinets

Mr HOPPER: My question is to the Premier and Minister for Trade. I might say that this is my first question to the Premier. I am well aware of the results that the community is receiving from the country cabinet meetings and I am well aware of fact that the government will hold further cabinet meetings in north and central Queensland. As the Premier is aware of the Labor vote that came out of the seat of Darling Downs, could he keep in mind the fact that the people of Dalby and I would like the opportunity of meeting with him and his cabinet in Dalby during this term of government?

Mr BEATTIE: Isn't it good to have someone being positive in the House. I thank the member for that. Because of the way that the member has asked the question and the positive way that he has approached the issue, I am prepared to give that detailed consideration. I will mention that in the past we have visited Toowoomba and Jondaryan. We have also been to Roma, Winton, Mount Isa, Longreach and Barcaldine.

This weekend we will hold a community cabinet meeting in Toowoomba and, obviously, we will be meeting deputations from all around the Darling Downs. I extend an open invitation to the member. I would be delighted if he joined us on Sunday and Monday. We have invited him

privately, but I invite him publicly. We would love him to be with us on Sunday and Monday. If anyone from his area wants to send a delegation to meet with ministers, they will be available on Sunday. I would like the member to extend an invitation to those people. I take on board the member's request, because I think it is a very worthy one.

I refer to another matter that the member raised this morning in relation to the dairy industry. We agree with what the member said. The Commonwealth has estimated that 80 per cent of remaining Queensland producers will be eligible, with an average payment of $27,350. Those producers with less than 35 per cent market milk access in 1998-99 will get no further assistance. Those are the people that the member was talking about. It is anticipated that some areas of the eastern and northern downs that supply Toowoomba and Warwick factories will be in this category.

The member is quite right. I give him a public commitment that the Minister for Primary Industries and I will stand with him and we will pressure the federal government to ensure that the dairy farmers in the Darling Downs area get a fair go. Under the current scheme, which as the member knows is—

Honourable members interjected.

Mr SPEAKER: Order! The House will come to order.

Mr Horan interjected.

Mr SPEAKER: Order! The Leader of the Opposition will come to order.

Mr BEATTIE: Mr Speaker, with a rowdy and disruptive opposition it is very difficult to give the Independent member the courtesy that he is entitled to. I point out again that we will stand with him to ensure that the areas of the eastern and northern downs that supply Toowoomba and Warwick get a fair go. As he correctly pointed out this morning, this is not federal government money; it is 11c put on every litre of milk. That was a scheme that Henry Palaszczuk took to the ministerial council meeting. We wanted to support that scheme, but we also wanted the producers in that area to be given a fair go.

Clearly the federal government has short-changed those people. It is about time that the National Party and Liberal Party in Queensland stood up for Queensland, instead of kowtowing to John Howard, Peter Costello and John Anderson, who are selling the dairy farmers out.

Crime

Mr REEVES: I refer the Minister for Police and Corrective Services to the Premier's comments today in relation to a national crime report, and I ask: can the minister elaborate on other recorded crime rates contained in this report?

Mr McGRADY: I am more than happy to reiterate some of the figures which the Premier has already mentioned in the parliament this morning, and I thank the honourable member for the question. As the Premier outlined a few moments ago, Queensland is below the national average in seven out of 12 crime categories for which the national crime rate could be calculated between the years 1999 and 2000. Let me go over those figures again. Queensland is 46 per cent below the national average in the category of robbery and 10 per cent below the national average in the area of other theft. Again, when it comes to motor vehicle theft, Queensland recorded one of the lowest rates in Australia at 28 per cent below the national average. It is certainly a concern to the people affected by these robberies, but it is good news for the people of this state because it highlights something that I mentioned in the parliament yesterday—crime is not peculiar to Queensland. Crime exists in every community right across this nation. Last night, the ABC's *Lateline* program reported on the British election. What was the No. 1 priority in that campaign? Law and order! The American presidential campaign was held late last year. What was the No. 1 priority? Law and order! And what was the No. 1 priority in the Italian election campaign? Law and order! There is nothing peculiar about Queensland.

From Queensland's point of view, the crime rate figures are encouraging. On the whole we compare extremely favourably with other jurisdictions. It concerns me that rather than members of the opposition trying to highlight the good aspects of this state, at every single opportunity they knock and knock again. I was somewhat concerned last week when the Leader of the Liberal Party—the person who claims to have the highest conservative vote in the state—was knocking the police for the robbery at Coorparoo. What does that do? It sends the message right across the state and nation that Queensland is a place that we should be concerned about. The

member comes from an area with a strong tourist industry and which spends a lot of money promoting—

Time expired.

Department of Families, Industrial Action

Mr LINGARD: I direct a question to the Minister for Families. At the beginning of March I wrote to the minister regarding the concerns of senior citizens in my electorate. Now, three months later, I have received an answer stating—

Due to industrial action being imposed by some staff members employed in the Department of Families, a full response to your correspondence will be unavoidably delayed.

I ask the minister: what should I tell the senior citizens?

Ms SPENCE: I am afraid that the member will have to tell them that. It is no secret that the staff in three of the area offices in the Department of Families have applied work bans. We make no secret about that. The result of those work bans is that some ministerial correspondence is being delayed. We are in constant communication with the union and we have ensured that the union does not place bans on any activity that will directly affect client service. The most important thing is that we fulfil our responsibilities in dealing with the people of Queensland. We have been to the Industrial Commission about this issue and we are still in negotiations with the unions about the types of activities covered by their work bans. I am confident that the department is working very closely with our staff and the unions to resolve these issues.

But as the honourable member would be only too well aware, this is a staff that has been suffering from acute workloads—and they have made no secret of that—in the last few years. They are obviously advocating to and lobbying this government for more funds out of next month's budget. I am very pleased to be able to say that we are going to provide that. In the meantime, we are working our way through this industrial issue.

Employment Programs

Mrs CARRYN SULLIVAN: I refer the Minister for Employment, Training and Youth to a series of programs aimed at helping young people and the mature aged find employment, and I ask: can the minister explain how these programs will work?

Mr FOLEY: These programs will work by targeting those most in need in the area of unemployment, namely, young people and the people who have become the forgotten unemployed—the mature-age unemployed. We promised these programs prior to the election, and we will be delivering them from 1 July.

Yesterday I had the privilege of launching the first of them, called Get Set for Work. That is a program targeted to help young people. It is a one-year program to help 500 young people aged between 15 and 24 who left school early. It will fund community and government organisations to provide them with training to a value of $6,000 and a wage subsidy of $4,000 for employers who take them on. In this way we hope to do something to help the young people directly—something to provide an incentive to employers.

In addition to that, the second program which we are implementing with respect to young people, which we promised and which we are delivering on, is Youth for the Environment and Local Communities. Under this program grants of up to $16,000 will be available for public sector and not-for-profit community organisations who take on 15 to 24 year old trainees in environmental protection, horticulture and waste management. It involves programs like planting trees along the edges of creeks and riverbanks to help revegetation. This program will offer 1,200 positions over the next three years.

At the other end of the spectrum, we have the mature-age unemployed. Many of these suffer from a false perception that you can't teach an old dog new tricks. It is that misconception, that false perception, that stereotype, that gets in the way of these people getting a fair go. So we are doing two things. Firstly, we are providing assistance for those people with a mature-age Back to Work program to provide help with basic information technology and to help get them job ready; and, secondly, a $4,000 wage subsidy to employers who take on employees in the over 45 long-term unemployed category. I have asked the member for Algester, Ms Karen Struthers, in particular to monitor the implementation of the program for the mature-age unemployed. Both

young people and mature-age people are Queenslanders who have a great deal to contribute to our society and to our economy.

I thank the Premier for his strong initiative in this area. We cannot afford to turn our back on these people both for humanitarian reasons and for good old economic reasons, because they have got so much to contribute to this state. They have got a wealth of experience and expertise and we are going to work with them.

Anzac Cove, Premier's Visit

Dr WATSON: I refer the Premier to his recent pilgrimage to Anzac Cove and his comments in support of Australia's armed forces, and I ask: why did the Queensland government reject a proposal to help underwrite an air show at Amberley to help celebrate the 80th anniversary of the RAAF, thus leaving the federal government to commit $220,000 to underwrite it, and does he believe other state premiers have got their priorities wrong by helping to underwrite air shows in their state instead of flying themselves to Anzac Cove?

Mr BEATTIE: Let me say a number of things about that question. Firstly, yes, I did attend Anzac Cove, as I have already reported to this parliament. I laid a wreath at Anzac Cove, at Lone Pine, on behalf of all Queenslanders, including this parliament. I believe it is important that all leaders from time to time make visits and pay their tributes and respect to the Anzac tradition of this nation. As I said, I laid a wreath on behalf of this parliament and all Queenslanders. The wreath said 'on behalf of the people of Queensland'. I stand by that because I think it is important that, as Premier of this state, I recognise what the diggers have done for this nation.

Dr Watson interjected.

Mr BEATTIE: I will answer every stage of the question. That was the first stage. Let's come to the second stage. Let's talk about the air show. The private operators of the air show—and it is run by private operators, not the Commonwealth government—put a proposal to us—

Dr Watson interjected.

Mr BEATTIE: Hang on, I will give the member a detailed answer. Let's not be rude about this.

They put a proposal to the Queensland government that basically said that if there was a profit they would keep it, but if there was a loss Queensland taxpayers would pay for it. I have to tell the honourable member that the Queensland government is not prepared to go down a road where we would underwrite a private operation for an air show when the people who should have paid for it were the federal government. Did we draw the line on this? Yes, we did, and what happened? Is there going to be an air show at Ipswich? Yes! How much money is going into it from the Queensland taxpayer to a private company? Nothing! Why? Because the Commonwealth government should have funded it from the beginning!

We had a number of communications with the organisers. A number of people at the federal government level did talk to us about it, to my officers in particular.

An opposition member interjected.

Mr BEATTIE: Yes, but did it go to Victoria? No, it did not. It came here because we are smart enough to get these shows at minimum cost. I have already told the member opposite that I have Scottish ancestry, and I use it at every opportunity. We have the show; the federal government should have paid for it in the first place.

Opposition members interjected.

Mr Mackenroth: They attack you for spending money; they attack you for not spending money.

Mr BEATTIE: You cannot win. This is the whinge of the day.

The bottom line is that this was a private company; it was not put on by the federal government. One of the great impediments to the air show is that it is being organised at a time when we have maximum police requirements for the Goodwill Games and CHOGM. That meant that our police energy for security matters was at CHOGM and was associated with the Goodwill Games. We said to the organisers, 'Hang on. Talk to us about the timing. Don't just rush off and set an arbitrary date,' which they did. Surely the sensible thing would have been to talk to us about the timing. The outcome is that we got the air show at the lowest possible price. Is that a good outcome? You bet!

Mr SPEAKER: Order! Before calling the member for Mulgrave, I welcome to the public gallery teachers and year 11 economics students from Cleveland District State High School in the electorate of Cleveland. I also welcome to the public gallery students, parents and teachers from Serviceton State School in the electorate of Inala.

Four-Year Parliamentary Terms

Mr PITT: I refer the Premier to a decision made by cabinet before the last state election that Queensland would be better governed if governments were elected for four-year terms, and I ask: has he reached a decision on whether there should be a referendum on four-year terms?

Mr BEATTIE: I thank the honourable member for the question because I know he has a particular interest in this subject. Let's be blunt. I am disappointed that the political leaders in this state could not agree on a very basic principle that every other state in Australia has, which is four-year parliamentary terms. We are the only state in Australia without four-year terms.

Opposition members interjected.

Mr BEATTIE: For heaven's sake! Mr Speaker, these guys are just continually being rude. They disrupt the parliament. On every occasion that we are asked questions, answers for which we have a three-minute limit, they are so rude that we do not even get a chance to answer them.

Mr Rowell interjected.

Mr SPEAKER: Order! The member for Hinchinbrook will cease interjecting. That is my final warning.

Mr BEATTIE: We are the only parliament in Australia that does not have a four-year term. When we were re-elected I said to Bob Quinn and the Leader of the National Party that we were interested in pursuing a fixed four-year term; cabinet had made a decision on it. I asked for their support in the same way I had with Rob Borbidge previously. Along with us, the Liberal Party has had the decency to put Queensland first on this issue. I say to Bob Quinn: well done; it is good to see that at least on some issues you are prepared to make a statement of principle. We were prepared to do that.

The Leader of the National Party has shown no vision, no leadership. The reason he is not prepared to support it is that, because he thinks he cannot win the next election, he wants to try to have a go at the one after that. That is what it is about. It is not about putting Queensland first. Where is the leadership on this issue? Where is the vision? There is absolutely none. He is negative. He is whingeing. He is putting the National Party's self-interest ahead of the interests of the people of Queensland. It is about self-interest and National Party greed, where Queensland comes last. There is no direction and no vision, only negativity. That sums up the lot of the National Party in one go.

Let's look at the issue. One issue does come out of all this. If honourable members look at the differences between the National Party and the Liberal Party, they will see that they have no basis on which to ever form a coalition. Look at the differences. They do not agree on four-year parliamentary terms, daylight saving, gun laws and tree clearing. That would tear any government apart. It means that there can never, ever again be a coalition government in this state. If they stick to these differences, they cannot work together. If they cannot work together in opposition, they cannot work together in government. It is easier to work together in opposition than it is in government. If they are torn apart in opposition, then they will be torn to pieces in government.

What we are seeing is an inability on the part of the National Party and the Liberal Party to come to any policy agreement. It means, therefore, that I have to seriously consider whether we go ahead with a referendum. I am not prepared to waste taxpayers' money if we cannot get the leaders in this state to lead.

Native Title; Mining Industry

Mr SEENEY: I refer the Minister for Natural Resources and Minister for Mines to the predictions of his predecessor just before the last election that Queensland was on the brink of a mining boom and the failure of that prediction to materialise due to the failed state native title legislation and his predecessor's failure to address that issue. I also refer him to the Premier's statements yesterday in regard to the Gold Coast convention centre that native title there was a legal nightmare, that he had instructed the department to resolve the issue within a fortnight and that he was prepared to use the compulsory acquisition process to ensure that that project

proceeds, and I ask: given that he has agreed to be judged by his performance on removing the native title impediments currently preventing the mining industry from proceeding, will he be prepared to similarly use the compulsory acquisition process to assist the great Queensland mining industry to provide the jobs and the economic growth that Queensland so badly needs?

Mr ROBERTSON: The one thing that I will not be doing, nor will this government, is going down the path that the Borbidge government took. When native title came in, what did they do for the mining industry? They froze it! Nothing happened—not one lease was issued—for the two years that they were in government. The only government that has got the industry going is the Beattie government.

Through the alternative state provisions we have enabled mining leases and exploration permits, particularly in the low impact area, to go ahead. My predecessor and I pumped additional resources into the Department of Mines to deal with the backlog—the backlog created by the Borbidge government. As a result of those additional resources—some 21 additional staff and $1.7 million extra that has been put into that area of my department—we are starting to see exploration permits coming through. We are starting to see the explorers back out there.

Why is that important? Because we know that mines have finite lives! Unless we are able to get those explorers out there—not in the term of this government, not in the term of the next government but certainly in the term of the government after that—new mines will not be coming on line. That is why when I met with the Queensland Mining Council I took up its challenge. It nominated the No. 1 issue as getting the explorers back out there, and I accepted that challenge. We will be doing whatever we can to assist the mining industry to get back out there.

The indigenous land use agreement is still being negotiated through the Queensland Indigenous Working Group. Departmental officers from my department are in Aboriginal communities discussing and negotiating. We are starting to see some outcomes. I give the House some examples of our achievements. New applications are being processed promptly under the alternative state provisions. Of 208 applications made since the provisions commenced in September—that is, the alternative state provisions—60 grants have been made and 36 proposals for grants have been made.

As I have already said, we have employed an additional 21 tenure staff to help the existing 32 officers clear the current backlog. The government is committed to ensuring that the flow of backlog applications will be regulated so that native title parties are not overwhelmed. We want to ensure we have a planned approach. We want explorers back out there and settlement with indigenous communities, but we want to do that sensibly and allow all parties to achieve mutually acceptable outcomes for the good of our great mining industry.

Agriculture Advancing Australia

Mr MULHERIN: I refer the Minister for Primary Industries and Rural Communities to the federal government's admission this week that it has allocated $6 million towards advertising its program Agriculture Advancing Australia. I ask: with this massive advertising budget, will the federal government increase its funding to the AAA program?

Mr PALASZCZUK: I thank the honourable member for the question. This is indeed a very important issue. The Agriculture Advancing Australia program is the safety net that the federal government provides for primary producers throughout Australia. Unfortunately, in last week's budget the federal government projected that rural assistance would be reduced from $303 million in the year 2000-01 to $190 million in 2001-02 to $130 million in 2002-03. The federal government also announced—and this is the telling point—that the AAA program, Agriculture Advancing Australia, would expire in the 2003-04 financial year. That means that the safety net will be gone.

What does the AAA program do for primary producers? Simply, it helps our farming families in times of crisis and need with income support, interest rate subsidies, grants for structural adjustment, exceptional circumstances assistance—that is why the honourable member for Mackay asked this question, because he knows how important exceptional circumstances assistance is to our farming communities—financial counselling, training and innovation grants.

This decision by the federal government to pull back on rural assistance, including the AAA program, dramatically shows how short-sighted and mean spirited this government is. To promote the phase-out of this program, the federal government has announced that it will spend $6 million on a communications program. This federal government is more interested in appearing to assist

our farming communities than actually doing it. The federal government is taking a knife to the safety net for rural Australia. It has also been suggested that the AAA package now stands for advertise, advertise, advertise! The warning for farming families across Australia is stark: if the federal government is re-elected later this year, it will abandon primary producers and also abandon rural Australia.

In conclusion, this type of assistance to rural Australia was introduced by Paul Keating. It will take a very brave government and a very brave minister to undo such initiatives introduced by Paul Keating when he was the Prime Minister of Australia.

Sessional Order, Private Members' Bills

Mr WELLINGTON: I refer the Minister for Education and Leader of the House to the fact that yesterday in this House she quoted from part of the sessional orders which deal with the debating of private members' bills. She then went on to give her interpretation of the wording of the sessional orders when she used words to the effect that—and I refer the minister to page 1257 of *Hansard*—private members' bills 'will be debated within 90 days' and that 'that right is contained in the sessional orders'. I ask: will the minister now change the wording of the sessional orders so that the wording in the sessional orders is more consistent with her interpretation and advice to all members of the House?

Ms BLIGH: I thank the member for Nicklin for the question. If there is any confusion, I am very happy to have the opportunity to provide clarification to members about the sessional orders and the application of them to debates in the House.

Clause 11 of the sessional orders relates to the debating of private members' bills. I think it is very clear and does not require any further clarification. It states very clearly—

... if a Bill introduced by a Member, who is not a Minister of the Crown—

that is, a private member—

has laid upon the table of the House for a period exceeding ninety days and has not passed all stages, that Bill will be brought on for debate on the following sitting Wednesday evening.

That simply guarantees that where a private member brings in a bill the government cannot let that bill just sit on the table for three years and not debate it. That does not mean that the bill has to sit on the table for 90 days, but it does mean that if it is on the table for 90 days it must be debated and the government cannot let it sit on the table any longer.

Mr WELLINGTON: I rise to a point of order. That is not what the minister said in this chamber yesterday, and that is why I am asking for clarification of what she said. I thank her for referring to the actual quote in *Hansard*.

Ms BLIGH: Again, it says it must be debated within 90 days. I read the clause into *Hansard* and gave my interpretation of it, which I think is very clear—that is, that the bill must be debated within 90 days. If it lays on the table for 90 days and there is no debate, it has to be debated. I am very pleased to have had the opportunity to clarify it. It simply means that every private member of this House has the right to put a bill on the *Notice Paper* and that that bill cannot sit on the table of the House for longer than 90 days. If that occurs, there is a trigger which enables that bill to be debated on the next sitting Wednesday evening. Does that clarify it for the member?

Mr Wellington: No, but I will talk to the minister later.

Ms BLIGH: The member did ask the question. As I said, I am very pleased to have the opportunity to clarify it, but this is not an opportunity to debate it. If the member would like to have a further discussion with me outside the chamber after question time, I am very happy to do that, as I am for any other member of the House.

As I said yesterday, the interpretation that was put on the activity of the government and the government's decision to put its legislation forward was a waste of the time of this House. The decision to give precedence to government bills which needed to be passed by a certain time otherwise regulations would have fallen over and serious business would have been unregulated was an important decision. I make no apology for it. Yesterday in this chamber we finished all those bills that the government needed to get through. Every bill that had a time pressure on it got through and members were then given the opportunity to debate private members' bills last night.

Long Service Leave

Mr HAYWARD: I refer the Minister for Industrial Relations to the long service leave amendments recently passed by the House. I ask: when will these improvements be available to Queensland workers?

Mr NUTTALL: I thank the honourable member for his question. For the first time since 1964 this House has passed improvements to long service leave for workers in Queensland. Those improvements will take effect from this Sunday.

Mr Seeney: That's the way. Look at us.

Mr NUTTALL: If the member opposite wants to be the shadow minister for industrial relations, he should talk to his leader. The member has an opinion on everything. Three days from now, on 3 June, all Queensland employees will be able to access two months long service leave after 10 years instead of three months after 15 years. They will also be entitled under some circumstances to have access to pro rata payments for long service leave after seven years.

These improvements have been made to reflect today's more mobile work force. Ten years is now considered a long time to be with one employer. More importantly, these changes have been made in consultation with both employers and employees in this state. The amendments apply to part-time and full-time employees in Queensland and include a cashing out arrangement in some circumstances. These improvements are a great benefit for all Queensland workers and they represent the fulfilment of an election commitment by this government.

Road Funding

Mr HOBBS: I refer the Minister for Transport and Minister for Main Roads to the 60 per cent increase in Roads to Recovery funding provided by the federal government to local government for local roads. Can the minister give a categorical guarantee that state Main Roads funding to councils will not be reduced because of the increased federal funding?

Mr BREDHAUER: I thank the honourable member for the question, because it gives me an opportunity to place on the record some of the difficulties we have had with the federal government in terms of it not meeting its obligation for funding national highways and other roads in Queensland, and also to clarify for the benefit of the honourable member and all those councils out there the commitment we make when we bring down the Roads Implementation Program in November every year.

The Roads Implementation Program is a five-year indicative program in which we commit funding for the first two years, as has happened every year since 1995. When the Roads Implementation Program is brought down, the funding for the first two years is committed and the funding for the last three years is indicative. So in relation to the Roads Implementation Program which we brought down last year, the funding for the first two years is committed and the funding for the subsequent years is indicative.

Mr Johnson: You have said that three times.

Mr BREDHAUER: I know that for the benefit of some of the slower members opposite we have to speak slowly and from time to time repeat ourselves—repeat ourselves—to make sure the message gets through—gets through—because those opposite just do not seem to understand. It does not seem to matter how many times I say it; they just do not seem to understand. The funding for the Roads Implementation Program that was brought down in November last year is committed for the first two years. In relation to the Roads Implementation Program to be brought down in November this year, the funding will be committed for the first two years.

My warning to the local governments out there is that the $1.2 billion that has been allocated by the Commonwealth nationally through the Roads to Recovery program is one-off funding for a program that will last for four years. It has given no commitment beyond that. After four years that money will disappear, because the Commonwealth has made no commitment to further funding. If local governments go out and employ additional people to undertake work funded through the Roads to Recovery program, they may face the prospect of laying those people off after four years. Unlike the federal government, this government has given a commitment to local governments that we will help them to sustain employment levels permanently.

National Weeds Program

Mrs CHRISTINE SCOTT: Could the Minister for Natural Resources and Minister for Mines please update the House on Queensland's key role in the development of national strategies to tackle Australia's 20 most noxious weeds?

Mr ROBERTSON: I thank the honourable member for the question. Obviously an issue such as this is of significant importance to the Charters Towers electorate. Weeds are estimated to cost Australia at least $3.3 billion per year in lost production and control costs. Queensland is thought to contribute at least $500 million to this total. Consequently, Queensland is very proactive in tackling weeds, which are a significant problem impacting on the environment and rural production. We currently spend some $6 million a year in land protection measures to combat weeds. Queensland is leading the nation in the fight against weeds.

Three years ago the Commonwealth established the National Weeds Program to develop and fund national strategies to tackle Australia's 20 weeds of national significance. I heard the comments of the member for Mirani in this place a couple of days ago. He suggested that Queensland had done nothing in terms of processing its applications under the National Weeds Program. I do not know where the member for Mirani has been, but it was only two weeks ago in this place that I made a statement to explain to the House exactly where we were up to in respect of applications under the National Weeds Program. I said then that Queensland had accepted responsibility for developing nine of the 20 plans in relation to weeds of national significance. I indicated to the House that the deadline for those applications was 31 May—today. I can announce today that our applications for funding under the National Weeds Program will be lodged today. The weeds about which we are making applications for funding are parthenium weed, prickly acacia, mesquite, Parkinsonia, rubber vine, lantana, cabomba, pond apple and hymenachne. That indicates our commitment to fighting the weed problem.

The member for Mirani should have understood from my statement two weeks ago that the reason we could not get applications to the Commonwealth before now is that it actually did not release the guidelines for this program until January this year. It announced the program two years ago, but it actually did not finalise the guidelines until January this year. In terms of nine of the 20 weeds of national significance, Queensland has worked flat out to meet the 31 May deadline. I am pleased to say that that deadline has been met. That demonstrates this government's commitment to rural Queensland.

Oral Health Services

Ms LEE LONG: My question is directed to the Minister for Health. The Beattie Labor government opened a new dental clinic in the grounds of the Mareeba Hospital just last month. There was all the pomp and paraphernalia, and the minister even sent a representative all the way from Townsville to conduct the opening. This new clinic, which cost the taxpayers nearly half a million dollars, is now closed because—you guessed it—there are no dentists. The minister's stock answer, that we cannot get dentists to leave Brisbane, just does not wash any more. Are the Health Minister and the Beattie Labor government really serious about looking after regional health services and supplying staff for same?

Mrs EDMOND: I am delighted that the member is so pleased with her new oral health surgery. In the past, of course, the poor surgery was one of the factors in not being able to attract people to that service, so I am really pleased that the member is out there supporting it in the community in the way she has been. I am delighted that the member for Mundingburra, the parliamentary secretary to the Minister for Health, was able to represent me at that opening, talk to the people of Atherton and Mareeba about the issues they have with the health service and feed those issues back to me.

Answering this question gives me the opportunity to highlight one of the problems we are facing in Queensland Health in relation to oral health services. Some members may have read it in the *Courier-Mail* on Monday. That is, the federal government in its wisdom last week made yet another 10,000 people in Queensland eligible for oral health services but provided not one extra cent. Over the last two years an additional 100,000 people and their dependants are now eligible for oral health services, yet the federal government took $20 million—one third—from the adult oral health budget in Queensland. And the member asks us why we have the odd problem in recruitment and in dealing with the number of people who are eligible for those services!

It does not take long to work out that taking $20 million out of the $60 million adult oral health program makes a difference. We have put that money back, but our ability to continue to

expand the service to meet the growing numbers of people the federal government keeps putting into the service is limited without extra funding from the Commonwealth government. I ask the member to join with the Labor Party and the Liberal and National parties around Australia, because all of them are lobbying the federal minister to have oral health services re-funded by the Commonwealth government. I look forward to the day, at the end of the year, when a federal Labor government will re-fund that service.

Mr SPEAKER: Order! The time for questions has expired.

CORPORATIONS (ADMINISTRATIVE ACTIONS) BILL
CORPORATIONS (ANCILLARY PROVISIONS) BILL
CORPORATIONS (COMMONWEALTH POWERS) BILL

Cognate Debate

Hon. A. M. BLIGH (South Brisbane—ALP) (Leader of the House) (11.30 a.m.), by leave, without notice: I move—

That so much of the Standing and Sessional Orders be suspended to enable the Corporations (Administrative Actions) Bill, the Corporations (Ancillary Provisions) Bill and the Corporations (Commonwealth Powers) Bill to be introduced and passed as cognate Bills for all of their stages—

(a) one question being put 'That leave be granted to bring in the Bills';

(b) one question being put in regard to the first readings;

(c) one question being put in regard to the printing of the Bills;

(d) one question being put in regard to the second readings;

(e) the consideration of the Bills together in Committee of the Whole House;

(f) one question being put for the Committee's report stage; and

(g) one question being put for the third readings and titles.

Motion agreed to.

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (11.31 a.m.), by leave, without notice: I move—

That leave be granted to bring in a Bill for an Act relating to administrative actions taken by Commonwealth authorities or officers of the Commonwealth under certain State laws relating to corporations;

a Bill for an Act to enact ancillary provisions relating to the enactment by the Parliament of the Commonwealth of new corporations legislation and new ASIC legislation and for other purposes; and

a Bill for an Act to refer certain matters relating to corporations and financial products and services to the Parliament of the Commonwealth for the purposes of section 51(xxxvii) of the Constitution of the Commonwealth.

Motion agreed to.

First Reading

Bills and explanatory notes presented and bills, on motion of Mr Welford, read a first time.

Second Reading

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (11.32 a.m.): I move—

That the bills be now read a second time.

This package of bills follows historic negotiations between the Commonwealth and the states to place the national scheme for corporate regulation on a secure constitutional foundation. The bills reflect the commitment of the Queensland government to achieving an effective, uniform system of corporate regulation across Australia.

The current scheme for the regulation of corporations, companies and securities commenced operation on 1 January 1991. The relevant legislation in Queensland is the Corporations (Queensland) Act 1990. The current scheme is underpinned by heads of agreement, which were agreed on 29 June 1990, and a supplementary agreement, the corporations agreement. The agreement establishes the Ministerial Council for Corporations (MINCO), which is constituted by the relevant Commonwealth, state and territory ministers responsible for the national scheme law, as the primary forum where all matters relating to corporations, securities and corporate governance are discussed and voted on.

The current scheme has worked remarkably well. The parties to the corporations agreement have, in general, complied with its spirit and letter, and there has been little discord between the states and the Commonwealth about the operation of the Corporations Law in Australia. However, recent challenges and decisions of the High Court of Australia have cast doubt on the constitutional framework which supports the Corporations Law.

The difficulties associated with the current system of corporate regulation have been identified by the High Court in two significant cases. The first case was decided in June 1999. In re Wakim: ex parte McNally the High Court held by a majority that chapter iii of the Commonwealth constitution does not permit state jurisdiction to be conferred on federal courts. Effectively, this decision removed the jurisdiction of the federal court in most states and territories to resolve Corporations Law matters, unless cases fell within the court's accrued jurisdiction or in certain other circumstances. This decision denied litigants a choice of forum for the resolution of such disputes.

The second case was the Queen v. Hughes, decided in May last year. There the High Court held that the conferral of a power, coupled with a duty, on a Commonwealth officer or authority by a state law must be referable to a Commonwealth head of power. This means that if a Commonwealth authority, such as the Director of Public Prosecutions or the Australian Securities and Investments Commission, has a duty under the Corporations Law, that duty must be supported by a head of power in the Commonwealth constitution. This decision casts doubt on the ability of Commonwealth agencies to exercise some functions under the Corporations Law.

These decisions of the High Court prompted the Standing Committee of Attorneys-General and the Ministerial Council for Corporations to meet to resolve the problems facing the national Corporations Law scheme. On 25 August 2000 Commonwealth, state and territory ministers reached an historic in-principle agreement in Melbourne, whereby states would refer to the Commonwealth parliament the power to enact the Corporations Law as a Commonwealth law and make amendments to that law subject to the terms of the corporations agreement. These bills reflect the commitment of the Queensland government to ensuring that the uncertainty that now prevails in the business community over the future of corporate regulation in Australia is resolved as quickly as possible.

I shall refer first to the Corporations (Commonwealth Powers) Bill. This bill firstly enables the Commonwealth parliament to enact the proposed Corporations Bill and the Australian Securities and Investments Commission Bill. A copy of the Commonwealth bills, which constitute the tabled text for the purposes of this bill, are available in the Parliamentary Library for reference by members.

Secondly, it enables the Commonwealth to amend those laws, or regulations made under them, in the future as long as the amendments are confined to the matters of corporate regulation, the formation of corporations, and the regulation of financial products and services, but only to the extent of making express amendments to the bills referred to the Commonwealth parliament. This is called the amendment reference.

The bill provides in clause 1(3) that the act is not intended to allow for laws to be made pursuant to the amendment reference with the sole or main underlying purpose or object of regulating industrial relations matters. The Queensland government fought hard to ensure that such changes first and foremost protected the economic and job security of workers, the only basis on which we would contemplate a change to states' rights. Queensland played an integral role in ensuring that industrial relations matters continue to be specifically excluded from the matters referred to the Commonwealth parliament. This exclusion is to ensure that the Commonwealth cannot use the referred powers to legislate in the area of industrial relations or to override state laws dealing with industrial relations.

The bill provides that the reference of power is to terminate five years after the Commonwealth corporations legislation commences or at an earlier time by proclamation. The term of the referral can also be extended beyond five years by proclamation. The states have agreed to give the referral for only five years because the referral of power by the states to the Commonwealth is not a permanent solution to the problems of the current scheme. At the request of ministers, the Commonwealth has given a firm undertaking to examine long-term solutions to address the problems arising from the decisions of the High Court in Wakim and Hughes, including constitutional change. The states can terminate the referral earlier, by proclamation, if, for example, the Commonwealth parliament makes amendments to the new Corporations Act which go beyond what was envisaged when the referral was made, such as in the area of the environment.

The bill also provides for the termination of the power of the Commonwealth to amend the referred laws, by proclamation. However, if only the amendment reference is terminated, the effect of the Commonwealth Corporations Bill is that the state would cease to be part of the new scheme unless all of the states also revoke the reference, giving six months notice of their intention to do so. This underlines the importance of the corporations agreement, which will govern the scope of the referral. The corporations agreement is an intergovernmental agreement and, in formal terms, is not legally binding. However, the states place great weight on it, and have agreed to refer powers in the terms of the bill before the House on the understanding that the Commonwealth will abide by both the spirit and the letter of the agreement.

I now turn to the Corporations (Administrative Actions) Bill. The object of this bill is to give validity to certain potentially invalid administrative actions taken before the commencement of the proposed Commonwealth Corporations Act 2001 by Commonwealth authorities or officers acting under powers or functions conferred on them by laws of the state relating to corporations. Legislation of each state and the Northern Territory confers functions relating to the administration and enforcement of the Corporations Law on ASIC, the Australian Securities and Investments Commission, the Commonwealth Director of Public Prosecutions and the Australian Federal Police. These bodies are responsible for the investigation and prosecution of offences under the Corporations Law.

If the view of the High Court in Hughes prevails, the Commonwealth would not be able to authorise its authorities or officers to undertake a function under state law involving the performance of a duty, particularly a function having potential to adversely affect the rights of individuals, unless the function could be supported by a head of Commonwealth legislative power. Although the court found that the particular exercise of the prosecution function by the Commonwealth Director of Public Prosecutions in question in Hughes was valid, it made no finding about the validity of the conferral of the prosecution function generally, or of other functions under the Corporations Law scheme. The decision in Hughes may have implications for the validity of a range of administrative actions taken by Commonwealth authorities and officers under the Corporations Law scheme and the previous cooperative scheme.

A number of Commonwealth authorities have functions and powers under the current scheme, including ASIC and the Commonwealth Director of Public Prosecutions. Many or all actions by these Commonwealth authorities are likely to be valid, because they could be supported by the Commonwealth's legislative powers. However, the validity of each action can only be determined on a case-by-case basis, having regard to the particular circumstances of each action.

The bill provides that every invalid administrative action taken under the current or previous scheme has (and is deemed always to have had) the same force and effect as it would have had if it had been taken at the relevant time by a duly authorised state authority or officer of the state.

Corporations (Ancillary Provisions) Bill

The third and final bill in this group of cognate bills is the Corporations (Ancillary Provisions) Bill. Honourable members will appreciate that a number of consequential and transitional amendments to state legislation will need to be dealt with before the new scheme commences. The effect of this bill is twofold. Firstly, the bill updates references in Queensland legislation from the old Corporations Law regime to the new Commonwealth Corporations Act. Secondly, the new Corporations Act states that it is not intended to cover the field in the area of corporations. This means that any indirect inconsistencies between the Commonwealth act and any Queensland act will not result in the invalidity of the Queensland provisions.

However, as a result of the referral of corporations power, any direct inconsistencies between Queensland legislation and the Commonwealth act will result in invalidity due to the operation of section 109 of the Commonwealth constitution, which provides that the Commonwealth provision, in the event of inconsistency, will prevail. In order to protect these Queensland provisions, therefore, some legislation needs to be amended to insert declarations that the Corporations Act will not apply to those provisions.

The schedules make amendments that fall into distinct categories:

(a) amendment of provisions referring to the Corporations Law, or any part of it, so that they refer in future to the Corporations Act of the Commonwealth, or the relevant part of it;

(b) correction of references to particular provisions of the Corporations Law so that they are read in future as references to the correct provisions of the Corporations Act (this includes

amendments consequential on the Corporate Law Economic Reform Program Act 1999—CLERP);

(c) similar amendment and correction in relation to existing references to the Companies (Queensland) Code and other code acts;

(d) in accordance with part 1.1A of the proposed Corporations Act of the Commonwealth (dealing with the interaction between Commonwealth legislation and state provisions), provisions to continue certain existing exemption, exceptions and exclusions from the operation of the Corporations Law that apply under state law;

(e) the re-enactment of provisions in acts that apply particular provisions of the Corporations Law as if they were part of those acts, so that the provisions continue to apply as state law;

(f) other miscellaneous adjustments necessary for the new corporations scheme.

The schedule does not amend every reference in the statute book to the Corporations Law or its predecessors. The Corporations (Ancillary Provisions) Bill contains a safety net translation for references that are not directly amended. This means that unamended references to the Corporations Law will be read as including a reference to the new Corporations Act, unless the context otherwise requires.

However, there are some references to the Corporations Law that have been identified in our state laws as continuing to be correct as they currently read, whether because they are historically correct or for any other reason, and these will be preserved by regulations made under the Corporations (Ancillary Provisions) Bill. I commend the bills to the House.

Debate, on motion of Mr Springborg, adjourned.

MOTOR VEHICLES SECURITIES AND OTHER ACTS AMENDMENT BILL

Second Reading

Debate resumed from 3 April (see p. 242).

Mr SPRINGBORG (Southern Downs—NPA) (11.45 a.m.): At the outset I indicate that the opposition will be supporting the Motor Vehicles Securities and Other Acts Amendment Bill, introduced into parliament by the minister some time ago. I want to make some general comments about the bill.

As the explanatory notes indicate on the first page, the bill will amend the act to provide for the registration of security interests over boats, implement recommendations of the National Vehicle Security Project and make other miscellaneous amendments to allow for streamlining of procedures, recognise computerisation of the register and other existing practices, and validate the collection of some fees.

The Register of Encumbered Vehicles, which has been in place for some time now, has been an extremely useful system. It is something that we have to look at from time to time and amend as contemporary issues change. Of course, there are always challenges which are ahead of government in its administration. There are references in the explanatory notes and elsewhere to the recognition of the latest in technology and the recognition of changing circumstances in the community.

Since this legislation was introduced to parliament a little while ago, I have undertaken to talk to those who have been directly affected by the bill. There seems to be no objection that I can uncover, so I believe that industry at large is generally very supportive of the bill. However, there are some issues that I believe we should be considering, and I will come to those later.

The Register of Encumbered Vehicles, since established, has provided an extremely important protection for people in the community at large. On behalf of consumers, we need to ensure that systems are in place so that when they purchase a motor vehicle they can investigate whether it is subject to an encumbrance. The existing system has provided that ability. Recently, consumers have also been able to ascertain whether a vehicle is stolen. By using this register, consumers have been able to assure themselves that they are not buying a dud or a problem. The existing system has worked particularly well. It also has national linkage.

This legislation seeks to expand the register to include boats. This is a very important move which has the support of the Boating Industry Association of Queensland, as outlined to me in correspondence which I have had with it. There is no doubt that a lot of people in the community enjoy boating as a hobby and as a leisure opportunity. Many people's livelihoods are based on

the operation of a boat. Boats can be a form of transport, a form of employment or a form of leisure. Boating is not enjoyed as much in my part of the world as it is in the minister's part of the world and that of many of my colleagues. A visit to some of the places along the coast will reveal the investment and pride that people have in their boats. It is easy to understand why it makes perfect sense to extend the existing provisions of Queensland law to cover boats. This legislation will extend the protection previously available to those purchasing motor vehicles to include those who seek to purchase a boat.

If a person goes to purchase a boat from a second-hand dealer, certificates have to be presented at the time of purchase so that people are able to see the status of ownership of their boat. If people are in possession of a clearance certificate and something untoward occurs down the track, they do have recourse. Under the auction scenario, a certificate would be produced after the auction, and recourse would be available to the purchaser in the event that there are encumbrances over the vessel. I understand that this has operated in New South Wales since 1996 and it has been broadly welcomed for the reasons that I have outlined.

One thing that the Boating Industry Association of Queensland has indicated very strongly to me is that with boat thefts now happening around Queensland it is very important to have a protection like this in place. As I mentioned a moment ago, one only has to go to some of the areas of Queensland where boating is very popular to see the value of the boats and to see why they would be a target for thieves. Some boats are worth tens of thousands, if not hundreds of thousands or millions of dollars. Therefore, a protection needs to be put in place.

The issue of hull identification numbers has been raised with me. No doubt the minister will give consideration to this matter. I know that her department is aware of the issue, which also ties in with the Department of Transport. That is extremely important if we are going to take the next step. Some of the major manufacturers of larger boats include some form of more formal identification on their boats. The Boating Industry Association of Queensland would like to see that extended to all manufacturers of boats. It would also like to see a register formed, which would be linked across all Australian states.

Whilst the REVS system will be implemented in Queensland in the first instance, there is the potential for it to be linked to other registers. Once boats are placed on the REVS system, ultimately we will be able to link up with New South Wales and, potentially, other places. That is extremely important, because boats are bought and sold around the country. There is a great degree of logic in pursuing a hull identification system not only in Queensland but also right around Australia for the reasons that I have previously outlined. As I understand it, New South Wales and Western Australia have gone down this track. South Australia will come on line in July of this year and the other states should come on line at some future time.

I understand that, whilst the minister may have a predisposition to do something like this, other departmental involvement will be required. In particular, the Department of Transport will be required to enact the necessary legislation to cause some of these things to happen. However, there is obviously some degree of interest for the minister in this matter because of the REVS systems and the fair trading issues. I am not sure of all of the legislative requirements that would need to come to pass if the hull identification numbering system was introduced in Queensland, however I am sure that it is an issue that the minister will continue to have an interest in on behalf of the people who raise those matters with her.

Other issues contained in the legislation include matters relating to the streamlining of procedures. It is extremely important to recognise the computerisation of the register and other existing practices and to validate the collection of some fees. Basically, those are consequential matters. As I indicated earlier, contemporary issues arise from time to time relating to improvements in technology. People might think that they are implicit in legislation, but they may need legislative amendment to provide carriage and effect. Basically, that is what this does.

The implementation of the recommendations of the national vehicle security project make sense. I understand that this matter has been worked on for some time now. Basically, the bill gives effect to that.

I commend the minister for introducing amendments to the bill which will be moved in the committee stage of the debate. The minister will put into legislation her promise to provide a scheme to protect consumers who purchase vehicles that have been flood damaged. The minister's amendments, which will be debated in the committee stage, provide that effect. Basically, they place an onus on insurance companies and, I understand, other formal dealers that dispose of vehicles to provide information to customers. However, I understand that there

would be a problem in extending that to apply to the private sale of vehicles. That is related to issues of fundamental principles and what may have been held by courts in times past. All we can do is to seek to put laws in place governing insurance companies and the formal second-hand dealers. My understanding is that, basically, the minister has turned over all of the stones that she needed to to meet the commitment that she made a month or two ago after the flooding event in Queensland. In her summing-up, I would very much like to hear the minister comment on the real effect of those commitments.

I understand that other consequential amendments will be introduced as part of the later amendments that the minister tabled in the last session of parliament. Basically, they pick up issues that have arisen since the original bill was introduced.

By and large, the opposition has pleasure in supporting the bill that has been presented to the parliament by the minister. We will be raising a couple of rather minor issues in the committee stage of the debate. We may want to question the minister about flood damaged vehicles, depending upon the answer that she provides to the parliament.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (11.56 p.m.): I also rise to support the bill and to commend the minister for the extension of the REVS system to vessels. There are a couple of things that I want to raise with the minister about the current Register of Encumbered Vehicles—REVS.

Some time ago the REVS system was introduced with a lot of publicity. However, a generation of people may not realise that it is available to them. One of the strengths of REVS is its accessibility. I have used it myself. When teenagers purchase vehicles it really is a comfort to know that, simply with a phone call, one can get information verbally that is authoritative to ensure that the vehicle that a young person, in particular, or an older person is interested in is unencumbered.

Currently, one can pay for that service by credit card, and there are a couple of other options. I ask the minister to consider ensuring that more non-credit card options are available to callers. Not everyone has a credit card. The last time I called, which would be 12 or 18 months ago, there was obviously a weighted preference for credit card payment. However, not everyone has a credit card. Some people voluntarily give up credit cards when they have difficulty budgeting for or controlling them. Those people should not be disadvantaged when accessing REVS information.

I am sure that there are instances when REVS does not receive the payment that it should for information that is given verbally. Perhaps it could hold out on providing written documentation until it received payment. The number of people who do not pay for over-the-phone information is really insignificant in comparison to the protection that the service gives to the community. Perhaps that loss of income could be regarded as a community service obligation. I ask the minister to consider not restricting access to REVS information by phone to credit card holders because a big segment of the community will not be able to access it.

I support vehemently the shop locally principle, and another strength of the REVS system relates to that. In a lot of regional centres—perhaps not vindictively—second-hand car dealers know they have a bit of a captive audience. Therefore, they send the cheaper layer of second-hand vehicles south and keep only the more expensive second-hand vehicles. Young people or people on a limited budget have to go outside their local area to buy a second-hand vehicle in their budget range. Again, it means that they are probably visiting territory they are unfamiliar with. Without casting aspersions on anyone, they are dealing with car yard owners they do not know. It is great to have the ability to ring up and get that REVS confirmation not only in relation to cars from car yards but also those from private sales. I commend the minister for extending this concept to boats.

The minister is giving consideration to a national linkage in the future. I hope that happens sooner rather than later. I noted the difficulty in transferring this scheme to vessels. Because there is much unique identifying data on a vehicle, it works very easily. REVS officers ask for a number of identifiers over the phone. I am wondering how they will manage to identify a boat. Will that information be accessible over the phone just as it is for vehicles and, if so, how will they identify a particular boat and be able to give authoritative information on it? I commend the staff of REVS. Although I do not ring them often, they have always been very helpful. They are patient when people call seeking information about the system. They are very helpful and try to give the best service possible.

In common with the member for Southern Downs, I commend the minister for the inclusion, at least in a restricted sense, of the requirement to acknowledge flood damage on vehicles.

Usually when there is a flood, as occurred in Brisbane not so long ago, a significant number of vehicles are affected and people can unwittingly purchase a car whose reliability and performance would be impaired because of flood damage. It should be done up front and honestly. This amendment will not affect those dealers who are up front and honest. It will affect only those people trying to sell a car under false pretences.

I commend the minister for the bill and the REVS scheme, which is a wonderful program of great help to consumers. I look forward to the passage of the bill.

Mr CHOI (Capalaba—ALP) (12.01 p.m.): I also rise in support of the Motor Vehicles Securities and Other Acts Amendment Bill 2001 and to commend the minister and her staff for introducing this bill into the House. This bill amends the Motor Vehicles Securities Act 1986, which provides in essence for the registration of security interests such as mortgages and charges over motor vehicles and trailers. The original Motor Vehicles Securities Act 1986 also sets out rules for the extinguishments of security interests and the priorities of security interests held by different financiers.

The register is linked to similar registers in New South Wales, South Australia, Victoria, the Northern Territory and the ACT. This register is commonly known as the Register of Encumbered Vehicles, or REVS. Last year, approximately 170,000 security interests were listed on the register, and 750,000 searches were performed through the register in Queensland alone.

I purchased my first car in 1976. It was a 1961 Hillman Hunter.

Mr Springborg: And you still have it.

Mr CHOI: It is still going strong!

As an 18 year old lad it was important to have a car, which provided not only personal freedom but also comfort at the numerous drive-in venues Sydney had to offer. It was a good car, but every time I turned right the engine would stall and the car would stop—going absolutely nowhere. If I turned left, it would just keep going. If I wanted to turn right, I had to go left around the block. Not only was my car politically inclined; it actually foretold the state of political affairs for Queensland years ahead of its time! I paid a king's ransom of $400 for the car. Little did I know that the seller of the vehicle still owed the financier several hundred dollars. If REVS were in existence at the time, it would have saved me a lot of agony and embarrassment.

REVS is working so well that the government is now proposing to extend it to cover boats also, hence the requirement to introduce this amendment bill. Currently, security interests over boats can be registered in Queensland on the Bills of Sale Register, under the Bills of Sale and Other Instruments Act. While that register has benefited from recent modernisation and computerisation, its effectiveness is nevertheless limited in protecting financiers' interests over specific chattels.

The Bills of Sale Register is indexed by the name of the debtor and not by specific, unique identifiers describing the boat in question. This legislation before the House requires registration number, hull identification number, engine number, length of boat, manufacturer and date of manufacture to be registered. This will provide more certainty for financiers and in the long run should have the effect of making finance for the purchase of a boat more widely available.

The bill also includes some strong consumer protection features. Second-hand dealers and auctioneers who sell second-hand boats must provide to purchasers a REVS certificate relating to that boat. The dealer must also provide the buyer with a security interest certificate immediately before entering into an agreement to sell the boat. This certificate will be provided along with an accompanying notice which explains the effect of the certificate to the buyer and advises the buyer to get legal advice should an interest be registered. If the certificate and accompanying explanatory notice are not provided and it turns out that there was an interest registered at that time, the buyer may choose later to void the contract and receive a refund of any moneys paid.

In a similar way, the bill also protects consumers of boats purchased through auction. Therefore, this bill will also cause the Second-hand Dealers and Collectors Act and the Property Agents and Motor Dealers Act to be amended accordingly. Offences include failing to provide the certificate, failing to request acknowledgment of a receipt, failing to retain a copy as required, failing to produce a copy to an inspector, and charging more for the certificate than is permitted by regulation.

This is a good, sensible bill with the purpose of extending the REVS scheme, which works extremely well in the motor vehicle industry, to cover boats. It is another example of the Beattie

Labor government continuing to protect the consumers of Queensland. It is in the best interests of all Queenslanders that this bill be passed. I commend this bill to the House.

Mr JOHNSON (Gregory—NPA) (Deputy Leader of the Opposition) (12.06 p.m.): I rise in relation to the matter of appropriate identification of marine vessels, in particular recreational vessels. Importantly, each year some 700 vessels, worth almost $5 million, are stolen in this state. I congratulate the minister on bringing about this change to the legislation. It is a sad reality, though, that the significant improvements that have been made to the security of motor vehicles means that boats are increasingly becoming targets for thieves. This is also because boat ownership is increasing. Therefore, the opportunity for theft increases, as does the ability to trade in stolen vessels.

In this state the family boat is becoming an icon of the leisure society. Mr Deputy Speaker, you would know that full well, as the representative of an area adjacent to the Wide Bay-Hervey Bay region. Sadly, boats are also becoming the target of the criminal element, which is being driven by the increasing dependence on drugs that we are witnessing in this state. This ongoing delay in establishing a hull identification system has made Queensland a target for boat theft, given the introduction of an anti-theft scheme in New South Wales some time ago.

Unfortunately, this government has walked away from a promise by the Minister for Transport after he assumed power in 1998 to introduce a hull identification number system similar to the vehicle identification number system. In each subsequent budget the Minister for Transport has blamed his tight budgetary situation for being unable to introduce this fundamental step in the security of vessel ownership. As the explanatory notes to this legislation reveal, the process for extending the REVS register to vessels commenced in 1997 under the coalition government. At the same time, Queensland Transport was finalising the design of the TRAILS database, which had also identified the need for a unique hull identification number as a fundamental requisite for identification.

The minister tried to push the responsibility for the cost of the scheme back to the insurance industry, even though more than half of vessels in Queensland are not insured. The proposed hull identification number scheme being progressed by the former Borbidge government required hull identification numbers to be permanently included on the hull. Major Queensland boat manufacturers have been including hull identification on their vessels for some time so they can sell in the New South Wales and other interstate markets and the overseas market. That is a proud achievement of the former Borbidge government.

While the Queensland Nationals support this legislation in relation to the expansion of the REVS register to include vessels, the boating community in this state knows full well that there is only a half-baked measure in relation to vessel theft. I call on the honourable the minister to take this up with her colleague the Minister for Transport to make absolutely certain that this concern is eliminated.

Mr Springborg interjected.

Mr JOHNSON: Absolutely! We are talking about introducing new concepts to make this legislation stronger against theft. As the shadow minister, the member for Southern Downs, has rightfully said, it strengthens the issue in question. I urge the minister to make absolutely certain that that does happen.

This development will assist, but it will not really have any integrity until the boats themselves can be appropriately identified, and that is exactly what I am saying. With the $46 million windfall funding that Queensland is getting courtesy of the GST agreement with the Commonwealth government that the Beattie government rushed to sign and so, therefore, embraces, I believe that the minister has no excuse for not introducing the hull identification system in the forthcoming budget. I call again on the Minister for Tourism to speak with her colleague in relation to this. This is a very contentious issue, but one that is certainly going to have a lot of worth in terms of not only the security of ownership of boats in this state but also the promotion of sales of boats within this state.

Yesterday or the day before in this House we heard the Minister for State Development talking about the member for Broadwater in relation to the boat show down at Hope Island. Boats are a real growth industry in this state. If we are going to be up there in the marketplace, we must have all these measures in place to make absolutely certain that we are competitive for the right reasons in the domestic market as well as in the international market. I cannot reinforce that enough. It is not an issue to play politics with; it is an issue about business, security of ownership

and promotion of sales for our Queensland boat builders. I trust that the minister will take those remarks on board.

Mr WELLINGTON (Nicklin—Ind) (12.12 p.m.): I rise to speak to the Motor Vehicles Securities and Other Acts Amendment Bill 2001. I will be supporting this bill and I congratulate the minister on it. Today more than ever we see vehicles for sale moving quickly and easily across state borders and, accordingly, I congratulate the minister on her attempts to provide consumers with more security in relation to their various purchases of motor vehicles or marine vessels. I only hope that the cost of administering this service will be kept as low as possible and, accordingly, that the fees will always be as low as reasonably possible.

So often today we hear calls for the government to reduce red tape and to reduce fees. Unfortunately because of the way our economy is moving, the government has had to respond with more legislation because of the growth in illegal activities and the ease with which motor vehicles and motor vessels move across our state borders for sale. I commend the bill to the House.

Ms BOYLE (Cairns—ALP) (12.13 p.m.): I am another member of this House who has had a personal experience that demonstrates the need for this bill. Some years ago now—in fact, it was before I lived in Cairns—I got up one morning, got ready for work on time, bolted out into the driveway and discovered that my vehicle was gone. I looked around somewhat dazed, thinking, 'Who has taken the car?' before it dawned on me that the vehicle apparently had been stolen. I reported it duly, of course, to the police. Some three days later—around midnight, I might say—I got a call from a local police officer to tell me that the vehicle had, in fact, been repossessed because there were debts over the vehicle about which we clearly had not known when we had purchased it in good faith. While the system has improved somewhat since then—and I dare say that people do not get caught as frequently as they did then—nonetheless it has still not been good enough, particularly across the borders.

I was not long elected as the member for Cairns in 1998 when a local solicitor and his client petitioned me for help. They were lost in a mire of requirements to determine whose fault it was that the client had also bought a vehicle in good faith believing that appropriate checks had been done by the police only to discover later that there was a considerable debt over the vehicle. The cost to him, the frustration and the disruption to his business was significant, and it was a matter of some eight or nine months before the situation was resolved.

Those are just two examples of possibly thousands from around the state that indicate why we need this bill and, in particular, why we need its essential element, which is the national linkage to the motor vehicles securities registers in New South Wales, Victoria, South Australia, the Northern Territory and the ACT. It means that financiers can register an interest in one state and it will immediately be recognised in all those other states and territories forming the REVS network. This brings about certain administrative efficiencies for business and thereby lowers costs as only the one registration fee is payable. In addition consumers, financiers and other businesspeople can search the registers in all participating states and territories in the one transaction and pay only the one fee. Because motor vehicles are so easily transportable and because our country is so large and we rely on our motor vehicles, this national dimension to the REVS system is absolutely integral to its success.

I must say on behalf of many people in Cairns and the far north that the extension of the REVS register to cover boats will be very welcome. It is commonly said that those who move to Cairns, particularly from New South Wales and Victoria, buy a boat before they buy a house. The level, therefore, of boat registrations amongst people of the Cairns area is proportionately quite high.

The most significant amendments in the bill change the priority rules so that they conform with those in other jurisdictions. This is important. The aim is that, if two financiers with interests over the same vehicle are in dispute over whose security interest prevails, then the result will be the same no matter where the vehicle is located.

Another amendment changes the rules for providing compensation when there is an error on the register through no fault of either the financier or the consumer. Currently, if a purchaser buys a vehicle which is subject to a registered interest but the security interest certificate fails to reveal that interest, the financier can repossess the vehicle. The purchaser must then apply to the Office of Fair Trading for compensation and may receive compensation if the office has made an error. But this is the circumstance in which that solicitor and his client had found the exigencies, the difficulties and the slowness of paperwork and the arguments.

In response to Professor Duggan's recommendations, the provisions in this bill have been changed so that in such cases the purchaser retains the vehicle and the financier may apply for compensation. This is much more reasonable and workable, of course, for the consumer and is, I am pleased to say, the preferred position also of industry. It is also of obvious benefit to the broader community. It is important, too, to welcome the provisions requirement to inform potential purchasers of water-damaged vehicles, particularly in this state of Queensland. I commend the bill to the House.

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) (12.18 p.m.), in reply: I thank all members for their contributions. I thank in particular members of the opposition who have supported this bill. In summary, the bill does two main things. Firstly, it extends the Register of Encumbered Vehicles to cover boats. That will allow boat buyers to have pretty much the same protection as car buyers. It will also give the finance industry confidence in lending for boat purchases. That, of course, can only benefit all involved in the Queensland boating industry—manufacturing and retail—as well as consumers.

In time, the full range of REVS services will become available to boat buyers, including information about stolen boats and written-off boats. The legislation allows this to occur when the data becomes available. Of course, we have to rely on information from the police, the Department of Transport and insurers. Consumers buying boats from dealers will be provided with a REVS certificate by the dealer and a statutory notice explaining the certificate. The amendments which will be made in the committee stage of the debate will allow information about flood-damaged vehicles to be included on REVS. This is a major consumer protection measure and is supported by the MTAQ.

I turn now to address issues raised by members during the debate, particularly the member for Southern Downs and the member for Gregory. In relation to HINs, or hull identification numbers, I appreciate the need to ensure that it is as easy as possible to identify boats. Hull identification numbers are not compulsory in Queensland. Nevertheless, I understand that most new boats do in fact have a HIN and that these are registered with Queensland Transport. Even though it has been acknowledged that HINs are not the responsibility of the Office of Fair Trading and will not be dealt with in this bill, I assure the member for Southern Downs that I will continue to raise the issue with my colleagues the Minister for Police and the Minister for Transport. New South Wales has compulsory HINs and REVS for boats. Western Australia has compulsory HINs but not REVS.

It is envisaged that nationwide REVS for boats will occur as more states join the system. The Office of Fair Trading is also working with other states to expedite a national uniform system which will be a benefit to everybody. In relation to the stolen boats information referred to by the member for Gregory, the bill envisages and allows for inclusion of stolen boat information on REVS. The information will be included when it is available. As is the case with cars, the information will need to be provided by the police. The police and the Department of Transport are aware that OFT stands ready to provide stolen boat information on REVS.

The member for Gladstone raised two issues. One issue related to the amount of education about the system and whether people know about REVS. Even though she and other members have indicated that they have used it—and I have to say that it was a service that I was not aware of for some time—the Office of Fair Trading produces a wonderful brochure entitled 'Psst!' which provides advice on buying a second-hand car. The Office of Fair Trading also produces and distributes on a continuing basis fact sheets for persons of all ages buying used cars and consumer information advice relating to all aspects of dealing with used-car dealers. However, I take on board her point that not everybody knows about REVS. I will talk to my staff as to how we can do more to promote it, because it is in the consumer's best interests to access the expert advice which is compiled in a reader-friendly manner. It gives people really good tips when they buy a vehicle, including getting information from the Register for Encumbered vehicles.

The other issue raised by the member for Gladstone related to the payment by phone as opposed to credit card. OFT is examining the feasibility of BPay phone transactions using savings and cheque accounts, and that service should be available in 12 to 18 months. Service and payment can also be made over the counter at Office of Fair Trading offices throughout Queensland and Smart Licence offices. Whilst talking about the cost of the REVS service, the member for Nicklin asked how much it costs to get a certificate. The cost of a certificate is $7.60. That represents a minimal amount in the purchase of a fairly substantial item such as a car or boat.

Mr Terry Sullivan: Does that include GST?

Mrs ROSE: It is GST free; it does not attract GST. There are no plans to increase the cost. OFT keeps the cost to a minimum and ensures that REVS fees attract only CPI increases. I thank government members for their contributions. I am glad that the member for Cairns got her vehicle back and I was pleased to hear about the very efficient police officer who called her at midnight to notify her that her vehicle had in fact been repossessed.

Motion agreed to.

Committee

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) in charge of the bill.

Clause 1, as read, agreed to.

Clause 2—

Mrs ROSE (12.26 p.m.): I move government amendment No. 1—

1 Clause 2—

At page 6, lines 8 to 13—

omit, insert—

'• section 3;

• section 6(2) (to the extent it inserts the definitions "auctioneer", "Auctioneers and Motor Dealers legislation", "identifying particulars", "insurer" and "water damaged motor vehicle");

• section 7 (to the extent it inserts section 5B);

• section 8(3);

• section 19(3A);

• section 25 (to the extent it inserts sections 30A to 30G, 30H, 30I to 30M, 30N to 30P, 30Q to 30X, 30Y to 30Z, 30ZA to 30ZE and 30ZF to 30ZG);

• section 26;

• section 27 (to the extent it inserts sections 44A, 45 and 46);

• part 2A;

• section 31

• section 31A

• sections 32A to 32C

• section 34 (to the extent it inserts the definition "water damaged motor vehicle")

• section 38(2) and schedule 2.'.

Amendment agreed to.

Clause 2, as amended, agreed to.

Clauses 3 to 5, as read, agreed to.

Clause 6—

Mrs ROSE (12.27 p.m.): I move government amendments Nos 2 to 4—

2 Clause 6—

At page 7, after line 16—

insert—

' "auctioneer" means an auctioneer under the Auctioneers and Motor Dealers legislation.

"Auctioneers and Motor Dealers legislation" means the Auctioneers and Agents Act 1971 or the Property Agents and Motor Dealers Act 2000.'.

3 Clause 6—

At page 7, after line 20—

insert—

' "identifying particulars", of a motor vehicle, means the following—

(a) registration number, including the name of the State the vehicle is registered in;

(b) make, model and body type;

(c) year of manufacture;

(d) engine number;

(e) chassis number or vehicle identification number.

"insurer" means a body corporate authorised under the Insurance Act 1973 (Cwlth) to carry on insurance business.'.

4 Clause 6—

At page 7, after line 23—

insert—

' "water damaged motor vehicle" see section 5B.'.'.

Most of the amendments being made in the committee stage implement a new consumer protection initiative in response to a spate of flood-damaged vehicles being sold at auction in Queensland. These amendments will enable the motor vehicles securities register to include information about water-damaged motor vehicles. These amendments insert relevant definitions of 'auctioneer' and 'auctioneers and motor dealers legislation' into the Motor Vehicles Securities Act 1986. The current legislation regulating auctioneers is the Auctioneers and Agents Act 1971. However, this will be replaced on 1 July by the Property Agents and Motor Dealers Act 2000.

Mr SPRINGBORG: We do not object to these amendments, but I rise on a matter of clarification. As I understand it, there will be an issue of compulsion for auctioneers and those people who deal in such vehicles. Is that right?

Mrs ROSE: There is a requirement and an onus of responsibility on them to provide the information for the register.

Mr SPRINGBORG: I thank the minister. I asked a number of questions in my contribution during the second reading debate about its application, and because I was otherwise distracted I am not sure if the minister answered them when she summed up the second reading debate. The application cannot extend to private sales, because there is no way the government can compel such a thing, but it is as much as the government can possibly do to address this issue.

Mrs ROSE: Yes. A lot of it is making sure that consumers are aware that it exists. So at every opportunity we make sure that we provide information and advice and advise people that if they are going to buy a used vehicle they should check with REVS for a very small fee.

Mr MICKEL: This is a very important amendment. I congratulate the minister for listening to the people affected, certainly in my area, by the floods that came through south-eastern Queensland on 9 March this year. Interestingly, many of the flooded areas were in locations heavily populated with motor vehicle dealerships, around the Moorooka and Coorparoo area.

Many hundreds of new and near-new vehicles were immersed and subsequently written off by insurers. That is their right, and I do not have a problem with that. They then sold the written-off vehicles at auction. These vehicles are valuable as wrecks, since many of the parts—body panels, glass, wheels, tyres, plastic components and so on—can be recovered and recycled. That is a legitimate business. The point about that auction is that purchasers were fully informed about the history of the vehicles and no doubt bought them at bargain basement prices.

Unfortunately, unlike vehicles written off in accidents or by thieves, there is little to show that flooded vehicles are wrecks. It is completely different from a house that has been flooded. In that situation maps are available and people can go out and buy that house if they wish, knowing that it is in a flood-prone area. People in local government would be aware of that, but that is not and was not the situation with motor vehicles. Professional mechanics and consumers who know where to look can detect a vehicle that has been flooded—they can find the telltale signs of flood damage, such as mud inside the doors and behind the dashboards—but most car buyers do not look for such things.

Indeed, these vehicles are wrecks. They are quite rightly described as time bombs just waiting to go off inside consumers' wallets. That is now even more the case, as modern cars have sophisticated electronic systems, ignition control, valve timing and other diagnostics. These systems are expensive to replace and fail without warning and their service is radically shortened by being flooded. So putting information on REVS protects Queensland's consumers from substantial losses.

I congratulate the minister on behalf of the people in my area who are looking for consumer protection and who would not have known. I am very pleased that the minister listened when we raised this matter in the government party room. Equally, I am very grateful to the motor vehicle dealers and the motor vehicle repairers who first put this suggestion to me. I am so pleased that it was taken up by the government.

There is a question I would like to put to the minister. It concerns vehicles that are purchased at auctions such as I have described, where people buy the vehicles only for the compliance plates. In other words, it is not a car parts deal; it is a compliance plates deal. Compliance plates can then be transferred to stolen or other wrecked vehicles, which may be made up of two or

more cars. I am seeking the minister's guidance in relation to this sort of mischief, particularly where compliance plates are purchased and then transferred to a stolen vehicle. The member for Hervey Bay would be familiar with this as I think his predecessor was involved in this sort of activity prior to his election into this place. I am seeking the minister's guidance. Again, I thank her for her prompt action on this issue.

Mrs ROSE: There is a national transport initiative, which I understand is being introduced next year, called the wrecks register. There will be two parts to the wrecks register. The first relates to the total write-off. In other words, if a vehicle has been totally written off, it will not be able to be re-registered. And it is illegal to remove compliance plates from vehicles. This wrecks register will actually solve that problem. Also, a vehicle that has been partially damaged will be on the wrecks register and it must be reinspected before re-registration.

Amendments agreed to.

Clause 6, as amended, agreed to.

Clause 7—

Mrs ROSE (12.35 p.m.): I move government amendments Nos 5 and 6—

5 Clause 7—

At page 8, line 1, 'and 5B'—

omit, insert—

'to 5C'.

6 Clause 7—

At page 8, line 14—

omit, insert—

' 5B Meaning of "water damaged motor vehicle"

'A motor vehicle is a "water damaged motor vehicle" if the vehicle—

(a) is insured against damage by water; and

(b) on or after 8 April 1986, is so severely damaged by water that the vehicle's insurer decides it is uneconomic to repair the vehicle.

Example of paragraph (b)—

A motor vehicle is so severely damaged by flood that the cost of repairing the vehicle is more than its value or insured value.

' 5C Application of declared sections'.

Amendment 5 inserts a consequential cross-reference.

Amendments agreed to.

Clause 7, as amended, agreed to.

Clause 8—

Mrs ROSE (12.35 p.m.): I move government amendment No. 7—

7 Clause 8—

At page 9, lines 7 to 13—

omit, insert—

'(2) Section 6(3)—

omit, insert—

'(3) The register may be kept in the way the chief executive considers appropriate.'.

'(3) Section 6—

insert—

'(4) The chief executive—

(a) must also include in the register—

(i) the particulars of water damaged motor vehicles notified to the chief executive under section 30ZF or 44A;[1] and

(ii) the day the particulars mentioned in subparagraph (i) were included in the register; and

(b) may include in the register any particulars of stolen motor vehicles the chief executive considers appropriate.'.'.

1 Section 30ZF (Notification of insurer's intention to sell water damaged motor vehicle) or 44A(Chief executive may require notice about water damaged motor vehicles)

This amendment provides that the chief executive must include in the motor vehicle securities register the particulars of water-damaged motor vehicles notified to him or her under the act. The

chief executive must also include on the register the day the particulars are included in the register.

Mr SPRINGBORG: There may be a perfectly good reason for this—it may very well be in line with the fact that the minister has brought forward amendments which seek to make sure that there is a requirement to notify of water-damaged motor vehicles—but clause 8 indicates at section 4—

The chief executive may also include in the register any particulars of stolen motor vehicles or boats the chief executive considers appropriate.

Paragraph 4(b), in the amendment, states—

may include in the register any particulars of stolen motor vehicles the chief executive considers appropriate.

There is no reference in the amendment's amendment to boats. There is probably a perfectly good reason for that, but I have not taken a brief on it.

Mrs ROSE: It is to allow us to include all the stolen vehicles next year.

Amendment agreed to.

Clause 8, as amended, agreed to.

Clauses 9 to 18, as read, agreed to.

Clause 19—

Mrs ROSE (12.38 p.m.): I move government amendment No. 8—

8 Clause 19—

At page 14, after line 14—

insert—

'(3A) Section 22(3)—

insert—

'(aa) if identifying particulars for a motor vehicle are included on the register identifying the vehicle as a stolen or a water damaged motor vehicle—state that fact; and'.'.

This amendment provides that when the chief executive issues a security interest certificate for a vehicle that certificate must also indicate if the vehicle in question is water damaged or stolen.

Amendment agreed to.

Clause 19, as amended, agreed to.

Clauses 20 to 24, as read, agreed to.

Clause 25—

Mrs ROSE (12.39 p.m.): I move government amendment Nos 9 and 10—

9 Clause 25—

At page 18, line 14—

omit, insert—

' PART 5—INVESTIGATION AND ENFORCEMENT

' Division 1—Inspectors

' 30A Appointment and qualifications

'(1) The chief executive may appoint a public service officer as an inspector.

'(2) However, the chief executive may appoint a person as an inspector only if the chief executive is satisfied the person is qualified for appointment because the person has the necessary expertise or experience.

' 30B Appointment conditions and limit on powers

'(1) An inspector holds office on any conditions stated in—

(a) the inspector's instrument of appointment; or

(b) a signed notice given to the inspector; or

(c) a regulation.

'(2) The instrument of appointment, a signed notice given to the inspector or a regulation may limit the inspector's powers under this Act.

'(3) In this section—

"signed notice" means a notice signed by the chief executive.

' 30C Issue of identity card

'(1) The chief executive must issue an identity card to each inspector.

'(2) The identity card must—

(a) contain a recent photo of the inspector; and

(b) contain a copy of the inspector's signature; and

(c) identify the person as an inspector under this Act; and

(d) state an expiry date for the card.

'(3) This section does not prevent the issue of a single identity card to a person for this Act and other purposes.

' 30D Production or display of inspector's identity card

'(1) In exercising a power under this Act in relation to a person, an inspector must—

(a) produce the inspector's identity card for the person's inspection before exercising the power; or

(b) have the identity card displayed so it is clearly visible to the person when exercising the power.

'(2) However, if it is not practicable to comply with subsection (1), the inspector must produce the identity card for the person's inspection at the first reasonable opportunity.

'(3) For subsection (1), an inspector does not exercise a power in relation to a person only because the inspector has exercised a power of entry under section 30H(1)(b) or (2).

' 30E When inspector ceases to hold office

'(1) An inspector ceases to hold office if any of the following happens—

(a) the term of office stated in a condition of office ends;

(b) under another condition of office, the inspector ceases to hold office;

(c) the inspector's resignation under section 30F takes effect.

'(2) Subsection (1) does not limit the ways an inspector may cease to hold office.

'(3) In this section—

"condition of office" means a condition on which the inspector holds office.

' 30F Resignation

'(1) An inspector may resign by signed notice given to the chief executive.

'(2) However, if holding office as an inspector is a condition of the inspector holding another office, the inspector may not resign as an inspector without resigning from the other office.

' 30G Return of identity card

'A person who ceases to be an inspector must return the person's identity card to the chief executive within 21 days after ceasing to be an inspector unless the person has a reasonable excuse.

Maximum penalty—50 penalty units.

' Division 3—Powers of inspectors

' Subdivision 1—Entry of places

' 30H Power to enter places

'(1) An inspector may enter a place if—

(a) its occupier consents to the entry; or

(b) it is a public place and the entry is made when the place is open to the public; or

(c) the entry is authorised by a warrant; or

(d) the place is required to be open for inspection under the terms of a licence issued under the Auctioneers and Motor Dealers legislation.

'(2) For the purpose of asking the occupier of a place for consent to enter, an inspector may, without the occupier's consent or a warrant—

(a) enter land around premises at the place to an extent that is reasonable to contact the occupier; or

(b) enter part of the place the inspector reasonably considers members of the public ordinarily are allowed to enter when they wish to contact the occupier.

' Subdivision 2—Procedure for entry

' 30I Entry with consent

'(1) This section applies if an inspector intends to ask an occupier of a place to consent to the inspector or another inspector entering the place under section 30H(1)(a).

'(2) Before asking for the consent, the inspector must tell the occupier—

(a) the purpose of the entry; and

(b) that the occupier is not required to consent.

'(3) If the consent is given, the inspector may ask the occupier to sign an acknowledgment of the consent.

'(4) The acknowledgment must state—

(a) the occupier has been told—

(i) the purpose of the entry; and

(ii) that the occupier is not required to consent; and

(b) the purpose of the entry; and

(c) the occupier gives the inspector consent to enter the place and exercise powers under this Act; and

(d) the time and date the consent was given.

'(5) If the occupier signs the acknowledgment, the inspector must immediately give a copy to the occupier.

'(6) If—

(a) an issue arises in a proceeding about whether the occupier consented to the entry; and

(b) an acknowledgment complying with subsection (4) for the entry is not produced in evidence;

the onus of proof is on the person relying on the lawfulness of the entry to prove the occupier consented.

' 30J Application for warrant

'(1) An inspector may apply to a magistrate for a warrant for a place.

'(2) The application must be sworn and state the grounds on which the warrant is sought.

'(3) The magistrate may refuse to consider the application until the inspector gives the magistrate all the information the magistrate requires about the application in the way the magistrate requires.

Example—

The magistrate may require additional information supporting the application to be given by statutory declaration.

' 30K Issue of warrant

'(1) The magistrate may issue a warrant only if the magistrate is satisfied there are reasonable grounds for suspecting—

(a) there is a particular thing or activity (the "evidence") that may provide evidence of an offence against this Act; and

(b) the evidence is at the place, or may be at the place within the next 7 days.

'(2) The warrant must state—

(a) that a stated inspector may, with necessary and reasonable help and force—

(i) enter the place and any other place necessary for entry; and

(ii) exercise the inspector's powers under this Act; and

(b) the offence for which the warrant is sought; and

(c) the evidence that may be seized under the warrant; and

(d) the hours of the day or night when the place may be entered; and

(e) the date, within 14 days after the warrant's issue, the warrant ends.

' 30L Special warrants

'(1) An inspector may apply for a warrant (a "special warrant") by phone, fax, radio or another form of communication if the inspector considers it necessary because of—

(a) urgent circumstances; or

(b) other special circumstances, including, for example, the inspector's remote location.

'(2) Before applying for the special warrant, the inspector must prepare an application stating the grounds on which the warrant is sought.

'(3) The inspector may apply for the special warrant before the application is sworn.

'(4) After issuing the special warrant, the magistrate must immediately fax a copy (the "facsimile warrant") to the inspector if it is reasonably practicable to fax the copy.

'(5) If it is not reasonably practicable to fax a copy to the inspector—

(a) the magistrate must tell the inspector—

(i) what the terms of the special warrant are; and

(ii) the date and time the special warrant was issued; and

(b) the inspector must complete a form of warrant (a "warrant form") and write on it—

(i) the magistrate's name; and

(ii) the date and time the magistrate issued the special warrant; and

(iii) the terms of the special warrant.

'(6) The facsimile warrant, or the warrant form properly completed by the inspector, authorises the entry and the exercise of the other powers stated in the special warrant issued.

'(7) The inspector must, at the first reasonable opportunity, send to the magistrate—

(a) the sworn application; and

(b) if the inspector completed a warrant form—the completed warrant form.

'(8) On receiving the documents, the magistrate must attach them to the special warrant.

'(9) If—

(a) an issue arises in a proceeding about whether an exercise of a power was authorised by a special warrant; and

(b) the warrant is not produced in evidence;

the onus of proof is on the person relying on the lawfulness of the exercise of the power to prove a special warrant authorised the exercise of the power.

' 30M Warrants—procedure before entry

'(1) This section applies if an inspector named in a warrant issued under this Act for a place is intending to enter the place under the warrant.

'(2) Before entering the place, the inspector must do or make a reasonable attempt to do the following things—

(a) identify himself or herself to a person present at the place who is an occupier of the place by producing a copy of the inspector's identity card or other document evidencing the inspector's appointment;

(b) give the person a copy of the warrant or, if the entry is authorised by a facsimile warrant or warrant form mentioned in section 30L(6), a copy of the facsimile warrant or warrant form;

(c) tell the person the inspector is permitted by the warrant to enter the place;

(d) give the person an opportunity to allow the inspector immediate entry to the place without using force.

'(3) However, the inspector need not comply with subsection (2) if the inspector believes on reasonable grounds that immediate entry to the place is required to ensure the effective execution of the warrant is not frustrated.

'Subdivision 3—Powers after entry

' 30N General powers after entering places

'(1) This section applies to an inspector who enters a place.

'(2) However, if an inspector enters a place to get the occupier's consent to enter premises, this section applies to the inspector only if the consent is given or the entry is otherwise authorised.

'(3) For enforcing compliance with this Act, the inspector may—

(a) search any part of the place; or

(b) inspect, measure, test, photograph or film any part of the place or anything at the place; or

(c) take a thing, or a sample of or from a thing, for analysis or testing; or

(d) take an extract from, or copy, a document at the place; or

(e) take into or onto the place any person, equipment and materials the inspector reasonably requires for exercising a power under this Act; or

(f) require the occupier of the place, or a person at the place, to give the inspector reasonable help to exercise the inspector's powers under paragraphs (a) to (e); or

(g) require the occupier of the place, or a person at the place, to give the inspector information to help the inspector ascertain whether this Act is being complied with.

'(4) When making a requirement mentioned in subsection (3)(f) or (g), the inspector must warn the person it is an offence to fail to comply with the requirement unless the person has a reasonable excuse.

' 30O Failure to help inspector

'(1) A person required to give reasonable help under section 30N(3)(f) must comply with the requirement unless the person has a reasonable excuse.

Maximum penalty—50 penalty units.

'(2) If an individual is required under section 30N(3)(f) to give information, or produce a document, it is a reasonable excuse for the individual not to comply with the requirement that complying with the requirement might tend to incriminate the individual.

' 30P Failure to give information

'(1) A person of whom a requirement is made under section 30N(3)(g) must comply with the requirement unless the person has a reasonable excuse.

Maximum penalty—50 penalty units.

'(2) It is a reasonable excuse for an individual not to comply with the requirement that complying with the requirement might tend to incriminate the individual.

'Subdivision 4—Power to seize evidence

' 30Q Seizing evidence at a place that may be entered without consent or warrant

'An inspector who enters a place that may be entered under section 30H without the consent of the occupier and without a warrant, may seize a thing at the place if the inspector reasonably believes the thing is evidence of an offence against this Act.

' 30R Seizing evidence at a place that may only be entered with consent or warrant

'(1) This section applies if—

(a) an inspector is authorised to enter a place under section 30H only with the consent of the occupier of the place or a warrant; and

(b) the inspector enters the place after obtaining the necessary consent or warrant.

'(2) If the inspector enters the place with the occupier's consent, the inspector may seize a thing at the place if—

(a) the inspector reasonably believes the thing is evidence of an offence against this Act; and

(b) seizure of the thing is consistent with the purpose of entry as told to the occupier when asking for the occupier's consent.

'(3) If the inspector enters the place with a warrant, the inspector may seize the evidence for which the warrant was issued.

'(4) The inspector also may seize anything else at the place if the inspector reasonably believes—

(a) the thing is evidence of an offence against this Act; and

(b) the seizure is necessary to prevent the thing being—

(i) hidden, lost or destroyed; or

(ii) used to continue, or repeat, the offence.

'(5) Also, the inspector may seize a thing at the place if the inspector reasonably believes it has just been used in committing an offence against this Act.

' 30S Securing seized things

'Having seized a thing, an inspector may—

(a) move the thing from the place where it was seized (the "place of seizure"); or

(b) leave the thing at the place of seizure but take reasonable action to restrict access to it.

Examples of restricting access to a thing—

1. Sealing a thing and marking it to show access to it is restricted.

2. Sealing the entrance to a room where the seized thing is situated and marking the entrance to show access to the room is restricted.

' 30T Tampering with seized things

'If an inspector restricts access to a seized thing, a person must not tamper, or attempt to tamper, with the thing, or something restricting access to the thing, without an inspector's approval.

Maximum penalty—50 penalty units.

' 30U Power to support seizure

'(1) To enable a thing to be seized, an inspector may require the person in control of it—

(a) to take it to a stated reasonable place by a stated reasonable time; and

(b) if necessary, to remain in control of it at the stated place for a reasonable time.

'(2) The requirement—

(a) must be made by notice in the approved form; or

(b) if for any reason it is not practicable to give the notice, may be made orally and confirmed by notice in the approved form as soon as practicable.

'(3) A further requirement may be made under this section about the same thing if it is necessary and reasonable to make the further requirement.

'(4) A person of whom a requirement is made under subsection (1) or (3) must comply with the requirement unless the person has a reasonable excuse.

Maximum penalty for subsection (4)—50 penalty units.

' 30V Receipts for seized things

'(1) As soon as practicable after an inspector seizes a thing, the inspector must give a receipt for it to the person from whom it was seized.

'(2) However, if for any reason it is not practicable to comply with subsection (1), the inspector must leave the receipt at the place of seizure in a conspicuous position and in a reasonably secure way.

'(3) The receipt must describe generally each thing seized and its condition.

'(4) This section does not apply to a thing if it is impracticable or would be unreasonable to give the receipt, given the thing's nature, condition and value.

' 30W Return of seized things

'(1) If a seized thing has not been forfeited, the inspector must return it to its owner—

(a) at the end of 6 months; or

(b) if a proceeding for an offence involving the thing is started within 6 months—at the end of the proceeding and any appeal from the proceeding.

'(2) Despite subsection (1), unless the thing has been forfeited, the inspector must immediately return a thing seized as evidence to its owner if the inspector stops being satisfied its continued retention as evidence is necessary.

' 30X Access to seized things

'(1) Until a seized thing is forfeited or returned, an inspector must allow its owner to inspect it and, if it is a document, to copy it.

'(2) Subsection (1) does not apply if it is impracticable or would be unreasonable to allow the inspection or copying.

'Subdivision 5—Power to obtain information

' 30Y Power to require name and address

'(1) This section applies if—

(a) an inspector finds a person committing an offence against this Act; or

(b) an inspector finds a person in circumstances that lead, or has information that leads, the inspector to reasonably suspect the person has just committed an offence against this Act.

'(2) The inspector may require the person to state the person's name and residential address.

'(3) When making the requirement, the inspector must warn the person it is an offence to fail to state the person's name or residential address unless the person has a reasonable excuse.

'(4) The inspector may require the person to give evidence of the correctness of the stated name or residential address if the inspector reasonably suspects the stated name or address is false.

'(5) A requirement under subsection (2) or (4) is called a "personal details requirement".

' 30Z Failure to give name or address

'(1) A person of whom a personal details requirement is made must comply with the requirement unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

'(2) A person does not commit an offence against subsection (1) if—

(a) the person was required to state the person's name and residential address by an inspector who suspected the person had committed an offence against this Act; and

(b) the person is not proved to have committed the offence.

' Division 4—General enforcement matters

' 30ZA Notice of damage

'(1) This section applies if—

(a) an inspector damages property when exercising or purporting to exercise a power; or

(b) a person (the "other person") acting under the direction of an inspector damages property.

'(2) The inspector must immediately give notice of particulars of the damage to the person who appears to the inspector to be the owner of the property.

'(3) If the inspector believes the damage was caused by a latent defect in the property or circumstances beyond the inspector's or other person's control, the inspector may state the belief in the notice.

'(4) If, for any reason, it is impracticable to comply with subsection (2), the inspector must leave the notice in a conspicuous position and in a reasonably secure way where the damage happened.

'(5) This section does not apply to damage the inspector reasonably believes is trivial.

'(6) In this section—

"owner", of property, includes the person in possession or control of it.

' 30ZB Compensation

'(1) A person may claim from the chief executive the cost of repairing or replacing property damaged because of the exercise or purported exercise of a power under any of the following provisions ("declared provisions")—

- section 30H
- section 30N
- section 30Q to 30S
- section 30U.

'(2) Without limiting subsection (1), compensation may be claimed for loss or expense incurred in complying with a requirement made of the person under the declared provisions.

'(3) Compensation may be claimed and ordered to be paid in a proceeding—

(a) brought in a court with jurisdiction for the recovery of the amount of compensation claimed; or

(b) for an offence against this Act brought against the person claiming compensation.

'(4) A court may order compensation to be paid only if it is satisfied it is just to make the order in the circumstances of the particular case.

' 30ZC False or misleading information

'A person must not give information to an inspector the person knows is false or misleading in a material particular.

Maximum penalty—50 penalty units.

' 30ZD False or misleading documents

'(1) A person must not give an inspector a document containing information the person knows is false or misleading in a material particular.

Maximum penalty—50 penalty units.

'(2) Subsection (1) does not apply to a person if the person, when giving the document—

(a) tells the inspector, to the best of the person's ability, how it is false or misleading; and

(b) if the person has, or can reasonably obtain, the correct information—gives the correct information.

' 30ZE Obstructing inspectors

'(1) A person must not obstruct an inspector in the exercise of a power unless the person has a reasonable excuse.

Maximum penalty—50 penalty units.

'(2) If a person has obstructed an inspector and the inspector decides to proceed with the exercise of the power, the inspector must warn the person that—

(a) it is an offence to obstruct the inspector unless the person has a reasonable excuse; and

(b) the inspector considers the person's conduct is an obstruction.

'(3) In this section—

"obstruct" includes hinder and attempt to obstruct.

' PART 6—GENERAL'.'.

10 Clause 25—

At page 18, line 15—

omit, insert—

' 30ZF Notification of insurer's intention to sell water damaged motor vehicle

'(1) This section applies if a water damaged motor vehicle is to be sold in Queensland by or for the vehicle's insurer.

'(2) The insurer must, at least 2 days before the day the vehicle is submitted for sale, advise the nominated seller of the vehicle that the vehicle is a water damaged motor vehicle.

Maximum penalty—50 penalty units.

'(3) The insurer must, at least 2 days before the day the vehicle is submitted for sale—

(a) notify the chief executive that—

(i) the vehicle is a water damaged vehicle; and

(ii) the insurer intends to sell the vehicle; and

(b) give the chief executive the vehicle's identifying particulars or ensure that the chief executive is given the identifying particulars.

Maximum penalty—50 penalty units.

'(4) In this section—

"nominated seller", of a water damaged motor vehicle, means the person instructed, or to be instructed, by the vehicle's insurer to sell the vehicle.

' 30ZG Arrangements for fees'.'.

This amendment inserts standard powers of investigation with standard safeguards against abuse of power into the Motor Vehicle Securities Act 1986. These investigative powers are needed to enforce the new reporting requirements relating to water-damaged vehicles.

Amendments agreed to.

Clause 25, as amended, agreed to.

Clause 26, as read, agreed to.

Clause 27—

Mrs ROSE (12.40 p.m.): I move amendments Nos. 11 to 13 circulated in my name—

11 Clause 27

At page 21, after line 25—

insert—

' 44A Chief executive may require notice about water damaged motor vehicles

'(1) The chief executive may by written notice to an insurer require the insurer to give the chief executive, within the time stated in the notice of at least 21 days, a written statement of the identifying particulars of any water damaged motor vehicle sold by, or for, the insurer between 1 March 2001 and the commencement of this section.

'(2) The insurer must ensure the chief executive is given the written statement of particulars unless the insurer has a reasonable excuse.

Maximum penalty—50 penalty units.

'(3) This section expires 1 year after it commences.'.'

12 Clause 27—

At page 22, lines 1 and 2—

omit, insert—

' PART 7—VALIDATION PROVISIONS

Validation of regulatory provisions'.'.

13 Clause 27—

At page 22, line 14—

omit, insert—

' 46 Validation of inclusion of particulars of water damaged motor vehicles on register

'The inclusion by the chief executive on the register of the particulars of a water damaged motor vehicle before the commencement of the Motor Vehicles Securities and Other Acts Amendment Act 2001 is taken to be and always to have been validly included as if this Act had always authorised the chief executive to include the particulars on the register.

' 47 Expiry of pt 7

'This part expires 1 year after it commences.

' PART 2A—AMENDMENT OF AUCTIONEERS AND AGENTS ACT 1971

' 27A Act amended in pt 2A

'This part amends the Auctioneers and Agents Act 1971.

' 27B Amendment of s 2 (Definitions)

'Section 2—

insert—

' "water damaged motor vehicle" means a motor vehicle—

(a) that is a water damaged motor vehicle under the Motor Vehicles Securities Act 1986; and

(b) whose identifying particulars are included in the register kept under that Act.'.

' 27C Insertion of s 43A

'After section 43—

insert—

' 43A Announcements before auction

'An auctioneer must announce, immediately before the auction of a water damaged motor vehicle, that the vehicle is a water damaged motor vehicle.

Maximum penalty—100 penalty units.'.

' 27D Insertion of s 68A

'Part 5, division 4, after section 68—

insert—

' 68A Notice to be given about used motor vehicle—water damaged motor vehicle

'(1) This section applies if a used motor vehicle that is a water damaged motor vehicle is to be sold by a motor dealer, other than by auction, to a prospective buyer ("buyer").

'(2) Before the motor dealer sells the vehicle to the buyer, the motor dealer must ask the buyer to sign a written acknowledgment, printed in type no smaller than 12 point, that the used motor vehicle is a water damaged motor vehicle.

Maximum penalty—200 penalty units.

'(3) The motor dealer must—

(a) give the original acknowledgment to the buyer; and

(b) keep a copy of the acknowledgment for 5 years after it is signed; and

(c) make a copy available for immediate inspection by an inspector who asks to see it.

Maximum penalty—200 penalty units.'.'.

This amendment provides that the chief executive may, by written notice to an insurer, require the insurer to provide particulars of any water-damaged motor vehicle sold by the insurer between 1 March 2001 and the commencement of this section. This amendment is necessary because it is known that many water-damaged vehicles have already been sold this year following floods in early March.

Amendments agreed to.

Clause 27, as amended, agreed to.

Clauses 28 to 31, as read, agreed to.

Insertion of new clause—

Mrs ROSE (12.41 p.m.): I move amendment No. 14 circulated in my name—

14 After clause 31—

At page 23, after line 23—

insert—

' 31A Replacement of s 17 (Meaning of "residential property")

Section 17—

omit, insert—

' 17 Meaning of "residential property"

'(1) Property is "residential property" if the property is—

(a) a single parcel of land on which a place of residence is constructed or being constructed; or

(b) a single parcel of vacant land in a residential area.

'(2) Without limiting subsection (1), property is "residential property" if the property is any of the following lots that is a place of residence or in a residential area—

(a) a lot included in a community titles scheme, or proposed to be included in a community titles scheme, under the Body Corporate and Community Management Act 1997;

(b) a lot or proposed lot under the Building Units and Group Titles Act 1980;

(c) a lot shown on a leasehold building units plan registered or to be registered under the South Bank Corporation Act 1989.

'(3) Despite subsections (1) and (2), the following property is not "residential property"—

(a) a single parcel of land on which a place of residence is constructed or being constructed if the property is used substantially for the purposes of industry, commerce or primary production;

(b) a single parcel of vacant land, if the property—

(i) is in a non-residential area; or

(ii) is in a residential area, but only if a local government has approved development in relation to the property, the development is other than for residential purposes and the approval is current; or

(iii) is used substantially for the purposes of industry, commerce or primary production.

'(4) In this section—

"development" see the Integrated Planning Act 1997, section 1.3.2.

"non-residential area" means an area other than a residential area.

"planning scheme" see the Integrated Planning Act 1997, section 2.1.1.

"residential area" means an area identified on a map in a planning scheme as an area for residential purposes.

"residential purposes" includes rural residential purposes and future residential purposes.'.'.

This amendment changes the definition of 'residential property' in section 17 of the Property Agents and Motor Dealers Act 2000. This is a technical amendment which will allow the act to more accurately align with the Integrated Planning Act 1997.

Amendment agreed to.

New clause 32, as read, agreed to.

Insertion of new clause—

Mrs ROSE (12.42 p.m.): I move amendment No. 15 circulated in my name—

15 After clause 32

At page 26, after line 3—

insert—

' 32A Insertion of new ch 7, pt 2, div 9

'Chapter 7, part 2—

insert—

' Division 9—Sales of water damaged motor vehicles

' 232A Announcements before auction

'An auctioneer must announce, immediately before the auction of a water damaged motor vehicle, that the vehicle is a water damaged motor vehicle.

Maximum penalty—100 penalty units.

' 32B Insertion of new ch 9, pt 2, div 6

'Chapter 9, part 2—

insert—

' Division 6—Sales of used motor vehicles that are water damaged motor vehicles

'294A Notice to be given about used motor vehicle—water damaged motor vehicle

'(1) This section applies if a used motor vehicle that is a water damaged motor vehicle is to be sold by a motor dealer, other than by auction, to a prospective buyer ("buyer").

'(2) Before the motor dealer sells the vehicle to the buyer, the motor dealer must ask the buyer to sign a written acknowledgment, printed in type no smaller than 12 point, that the used motor vehicle is a water damaged motor vehicle.

Maximum penalty—200 penalty units.

'(3) The motor dealer must—

(a) give the original of the acknowledgment to the buyer; and

(b) keep a copy of the acknowledgment; and

(c) make a copy available for immediate inspection by an inspector who asks to see it.

Maximum penalty—200 penalty units.'.

' 32C Amendment of s 364 (Definitions for ch 11)

'Section 364, definition "contract"—

omit, insert—

' "contract" means a contract, other than a contract formed on a sale by auction, to buy residential property in Queensland.'.'.

This amendment effects two changes. First, it inserts disclosure obligations on auctioneers and used motor dealers. The Property Agents and Motor Dealers Act 2000 is amended to require that auctioneers and used motor dealers must disclose prior to sale if a vehicle is water damaged. The second amendment changes the definition of 'contract' in section 364 of the Property Agents and Motor Dealers Act 2000 to exclude auctions from the warning statement and cooling-off provisions applying to residential property.

As members would know, an auction establishes a contract of sale upon the fall of a hammer. As there is no purpose served in providing buyers with a warning statement about the legally binding nature of entering a contract once it has already been entered, this amendment removes the requirement for providing the warning statement on the contract of sale but only in cases of sale by auction. If cooling off were to be applied to auction sales, it would effectively destroy the auction process and eliminate a long-established and respected form of selling real property.

Amendment agreed to.

New clause 33, as read, agreed to.

Clause 34—

Mrs ROSE (12.44 p.m.): I move amendment No. 16 circulated in my name—

16 Clause 34

At page 26, after line 15—

insert—

' "water damaged motor vehicle" means a motor vehicle—

(a) that is a water damaged motor vehicle under the Motor Vehicles Securities Act 1986; and

(b) whose identifying particulars are included in the register kept under that Act.'.'.

This amendment inserts a definition of 'water damaged motor vehicle' into the Property Agents and Motor Dealers Act 2000.

Amendment agreed to.

Clause 34, as amended, agreed to.

Clauses 35 to 38, as read, agreed to.

Schedule 1—

Mrs ROSE (12.44 p.m.): I move amendment No. 17 circulated in my name—

17 Schedule 1—

At page 30, lines 6 to 16—

omit, insert—

' 1 Sections 5, 5A, 5B and 5C—

renumber as sections 2, 3, 4 and 5.

' 2 Sections 6(4)(b), after 'motor vehicles'—

insert—

'or boats'.

' 3 Sections 7AA, 7AB, 7AC and 7D—

renumber as sections 7A, 7B, 7C and 7D.'.

' 4 Section 22(3)(aa) and (b)—

omit, insert—

'(b) if identifying particulars for a motor vehicle are included on the register identifying the vehicle as a stolen or a water damaged motor vehicle—state that fact; and

(c) if identifying particulars for a boat are included on the register identifying the boat as a stolen boat—state that fact; and

(d) other particulars the chief executive considers appropriate.'.'.

This amendment effects consequential renumbering of some of the clauses in the bill.

Amendment agreed to.

Schedule 1, as amended, agreed to.

Schedule 2, as read, agreed to.

Bill reported, with amendments.

Third Reading

Bill, on motion of Mrs Rose, by leave, read a third time.

DISTINGUISHED VISITOR

Dr Rufai Soule

Madam DEPUTY SPEAKER (Ms Jarratt): Order! I ask members to acknowledge the presence in the gallery of the High Commissioner for the Federal Republic of Nigeria, His Excellency Dr Rufai Soule.

Honourable members: Hear, hear!

LIQUOR AMENDMENT BILL

Second Reading

Resumed from 22 March (see p. 86).

Miss SIMPSON (Maroochydore—NPA) (12.47 p.m.): In speaking to the Liquor Amendment Bill 2001, I will say at the outset that the opposition will be supporting this bill. This bill primarily arises as a result of the national competition policy review of the Liquor Act 1992 but also includes a number of other administrative amendments.

The bill has a fairly lengthy history. Consultation on some aspects went back to the time of the previous coalition minister. Those 1997-98 proposed amendments were introduced to parliament but lapsed due to the 1998 state election. Ironically, the current bill was also tabled in the parliament before an election and lapsed—together with another 35 bills—upon the dissolution of the parliament upon the calling of the 2001 state election.

When considering laws regulating the sale of liquor, most people would understand that it is subject to different restrictions from those placed on other products in the marketplace because, I suppose, potentially it can have a deleterious social impact if misused.

Queensland's Liquor Act was first introduced in 1912, and the Licensing Commission was established in 1935. Since that time there have been numerous amendments to the act before a full review saw the 1992 overhaul of legislation which abolished the Licensing Court and Licensing Commission and created the Liquor Licensing Division to administer the law.

As noted in the national competition policy review of the Queensland Liquor Act as published on 5 August 1999, historical references to regulating liquor go back to as early as 4,000 years ago. I also note that, in that 1999 document, there were some very interesting references made to harm reduction and control strategies by Dr Ann Roche of the University of Queensland and, in particular, to the issue of alcohol availability and youth. I commend that document as reading to other members of the House as it raises issues which I believe we as parliamentarians need to consider further.

The current act, the Liquor Act 1992, a federal-state agreement signed by Premier Goss, required that under the national competition policy these regulations be subject to review to test that they were not anticompetitive and, where restrictions remain, that they be justified on the basis of the public interest.

Changes arising from this review that are included in the bill are: the abolition of the payment of premiums for general and special facility licences; an increase in the allowable distance between a detached bottle shop and the main licensed premises from 5 kilometres to 10 kilometres; abolition of the 18 litre per member per day take-away limit for clubs and a reduction in the current distance for casual visitors from 40 kilometres to 15 kilometres; allowing casual drinking in on-premises (meals), on-premises (cabaret) licences before 5 p.m. and the restaurant part of the residential licences, provided that the business conducted on the premises or part of the premises continues to meet the primary purpose of providing meals; an exemption for small bed and breakfast and host farm-style operations catering for up to six guests from the requirement to obtain a liquor licence; the introduction of a limited take-away facility for restaurants for patrons who have dined and wish to purchase a single bottle of wine for consumption off the premises; and the strengthening of the provisions relating to public interest for a licence to ensure that the interests of the community are fully considered before the approval of a new licence.

Other sundry changes that will be made to the act which have not resulted from the NCP review are: a restriction on trading between 5 a.m. and 7 a.m.; the improvement of the provisions relating to the administrative review of the decisions made under the act; the strengthening of primary purpose provisions for each licence type; improving the process relating to disciplinary action; and improving enforcement and administrative provisions relating to noise emanating from licensed premises.

I am pleased that the government has accepted public concerns and submissions which were the basis of the NCP review that recommended against the sale of liquor being further deregulated to also include supermarkets and corner stores.

The National Party opposition also had concerns about the negative impact that this potential change would have had upon existing jobs, particularly in rural and regional Queensland. I understand that there are also submissions from people in the health industry who are concerned about widening the avenues of access. The major supermarket chains already have a significant market share, and it was felt that a further concentration of the market in the sale of liquor would not have been in the public interest. However, I guess what has been occurring in the marketplace is that there have been moves by some of those larger chains to buy out hotels, so the marketplace is continuing to change.

I understand that, in drafting the bill, some due weight was given to concerns that there were already extensive outlets where people could purchase take-away liquor. Those aspects have been taken into consideration. Having said that, there are some changes in this bill which will make liquor more available in certain circumstances but still subject to some governing controls. I believe that is a recognition of changing lifestyle habits, particularly in the tourism industry. This is the provision allowing people to purchase a single bottle of wine from their restaurant. This will meet a public need for convenience, mainly to assist diners in purchasing a bottle of wine which they may have enjoyed during the meal and want to take home with them. The reality is that, in the marketplace, they will not get that bottle of wine cheaper than they would through other outlets anyway. So it is not envisaged that this provision will have a huge impact upon the sales of other existing outlets, but it will be more an issue of convenience to the public.

The provisions relating to non-diners purchasing alcohol in restaurants will be further relaxed, but I believe the point is well taken in briefings from the department that the current 20 per cent non-diners provision has difficulties in practical application and that the intention in the way this bill is drafted is to make the law more enforceable in regard to establishments which are not abiding by the primary purpose, such as providing meals. The bill seeks to outline a clear definition of the primary purpose of a venue, such as a restaurant or cabaret, and to make that the basis of regulating the sale of liquor to non-diners in restaurants and cabarets.

In noting the opposition's support for these provisions, I will say that we will be monitoring how effectively they are implemented, as I am sure the government will be, particularly in light of the changing marketplace and consumer trends which require ongoing review of legislation. I urge the minister to report back as these new changes are implemented so that we are able to have some feedback also from a departmental view as to the effectiveness of the new provisions.

There are other provisions in this legislation which are controversial though well publicised. They relate to the retrospective banning of take-away licences for clubs. As I understand, it was not the intention of the previous legislation to provide that, but through consequent appeals there have been establishments—certainly in Mount Isa—that have established take-away facilities. This will be removed by this particular bill, and I will be asking further questions of the minister at the committee stage, but I would be interested to have feedback as to whether any compensation issues arise in regard to retrospective legislation removing that particular provision and how many licences currently are caught within that net.

I mentioned earlier Dr Roche's studies, which I thought were beneficial. Alcohol has always been part of the lifestyle of the human race. It has always been recognised that alcohol is not an evil thing in itself; however, there are cases of alcohol abuse. We have a regulatory regime to try to ensure that there are some controls on where and how alcohol is distributed. I would like to quote from the research of Dr Roche that was supplied to the NCP review. She stated—

Although overall mean consumption levels in Australia are decreasing, the pattern of consumption for young and very young people is the reverse. There is increasing concern over the doubling of hazardous drinking patterns of young people reported over the past decade. Young people also prefer certain types of alcoholic beverages, namely spirits and full strength beer. Many young people report drinking intentionally to get drunk. In geographic regions where there are high concentrations of young people, and especially where this is coupled with social disadvantage in the form of high unemployment levels or economic or social deprivation then particular care is needed in relation to the availability of

alcohol. Ease of access to alcohol is associated with increased consumption by youth and increased hazardous consumption.

There was also reference in that research to advertising. It was said that—

Advertising is acknowledged as having a potentially powerful impact on behaviour (even if the association is difficult to prove). Hence, advertising of alcohol products has specific restrictions regarding targeted young people, and using them in visual advertisements.

I want to flag that this continues to be an issue of concern, even if there are changes in the way that beverages are advertised. This is an issue that I believe as a community we will have to tackle, because unfortunately it is the young—those who are vulnerable—who often feel they are bulletproof, but we are increasingly seeing a problem with youth drunkenness. While there are laws to restrict the access of young people to alcohol—and we would always welcome new and better ways of doing so—the issue of alcohol advertising and the increasing hit rate of young people taking up binge drinking has to be of concern. I believe we need to start considering further restrictions on advertising to deal with binge drinking and alcohol abuse by young people.

There are others within the hotel and the general liquor industry who are regulated by this bill. We recognise that different sections of those industries have different concerns. With the changing of the premiums, one comment made to me by a hotelier was that, of about 1,200 hotels, about 300 go broke each year. They have been critical of some of the processes whereby others were able to gain other types of licences, which meant that they would 'continue to go broke', as one particular operator said. There is now quite a marked change in the way government collects revenue from licences in this regard.

The other matter to which I wish to draw attention is the public need in regard to new licences. This is quite an important aspect of the legislation. There has been a change from the public need to the public interest. I will be seeking feedback from the minister on this matter. We all recognise that the current provisions had their restrictions in the way that people could oppose the establishment of a licensed premise in particular areas in their communities. That is why this particular clause, clause 72, which is amending section 116 of the act, has been drafted. I understand that is the intention. But I will be particularly interested to see this provision in application. In implementing a new measure, we are keen to ensure that there are no unintended consequences. We want to ensure there is a fair mechanism whereby the community's voice is heard and whereby recognition is given to the community view of appropriate and inappropriate locations for the establishment of a licensed premise.

The opposition thanks the minister and the minister's staff for their briefing on this legislation. As I said before, it is recognised that many elements of the industry are affected by the liquor licensing regime. Certainly it also impacts upon the tourism industry. We support the legislation.

Sitting suspended from 1.00 p.m. to 2.30 p.m.

Mr REEVES (Mansfield—ALP) (2.30 p.m.): It is a great pleasure to speak on this bill. I congratulate the minister on introducing it. I also congratulate her on the great work that she is doing in this portfolio and in the area of liquor licensing. I take a moment to congratulate the previous minister who took a great interest in this bill and was responsible for the national competition policy review. I had the pleasure of going on a study trip with him to Sydney to look at the effects of the bill. I am sure that he will be pleased to know that it will be passed today.

The bill makes a number of recommendations and changes because of the national competition policy review. Some of the major changes will affect club licences. The abolition of the current 18 litres per member per day limit on takeaway sales will mean that members will be able to purchase unlimited takeaway liquor from their club. For those involved in the club industry, this has been a weird issue. I am sure that many clubs—perhaps not intentionally—may not always have followed the rules to the letter of the law.

Let us think about this for a moment. If someone holding a family function such as a 21st birthday party wanted to buy the alcohol from their local club, the 18-litre rule made that impossible. For instance, it was impossible for a club to sell a member an 18-gallon keg—I think they are 40 litres now. The 18 litre per day rule was unrealistic. The bill allows more freedom in this regard. Why shouldn't club members be able to purchase takeaway liquor from their own club?

The bill stops clubs from taking advantage of this relaxation of the rule to become drive-in liquor stores. That is not the purpose of a club. The purpose of a club is to provide a service to its members. One of those services may be to provide liquor in the form of takeaway liquor. However, a club should not then promote itself as a drive-in bottle department. That is not the role of clubs; it is the role of pubs.

Another impact of the bill that will have a great impact on clubs is the reduction in the current distance for casual visitors from 40 kilometres to 15 kilometres. In my area alone, there would be a number of liquor establishments within 40 kilometres. However, as I live on the south side, I would not regard myself as a casual visitor to clubs on the north side, for example. It was a ridiculous to have a 40 kilometre rule. The reduction to 15 kilometres is a bit more realistic. That may even give clubs more opportunity to promote themselves.

A couple of years ago I had the pleasure of reopening a club in the electorate of the member for Mount Gravatt, the Southern Cross Sports Club, formerly the Mount Gravatt Sporting and Workers Club. With the opening of the busway, that club may be able to promote itself to northsiders because it is only 16 kilometres from the city.

Mr Neil Roberts: Have you been for a ride on the busway?

Mr REEVES: Yes, I have. Being the No. 1 ticket holder, I understand that. These are sensible changes to the Liquor Act. The bill amends some peculiar rules, which will help the operation of clubs in the future.

Another aspect of the bill that I would like to speak about is the push by the supermarket industry to sell liquor. I visited Sydney and northern New South Wales with the previous minister and we looked at some of the supermarket chains that were selling takeaway liquor. One place in particular—the member for Cairns may be able to help me out, but I think it may have been Cessnock—highlighted what could happen in country areas. We walked into a supermarket and next to the groceries was the liquor. There was no difference. The person behind the counter, who appeared to be the only person there, was a 15 or 16 year old girl. That would happen particularly in country and regional areas.

Ms Boyle: In breach of New South Wales legislation.

Mr REEVES: Yes, but some of these are probably family businesses and they employ family members. As far as I am concerned, selling liquor is a specialist job. Opening it up to supermarkets would create problems, particularly in country areas where there are small operations.

I support national competition policy and I believe that the public support it. I had the pleasure of attending an information session for one of the Neighbourhood Watch groups in my area. There were about 65 residents there. We explained the changes to the Liquor Act. At the end of the session, I took a quick poll. Of the 65 people present, 60 did not think that supermarkets should have the right to sell liquor. Only five people wanted that extra convenience.

Brisbane is a perfect example of why it is unnecessary for supermarkets to sell liquor. I cannot name one shopping centre that does not have a takeaway liquor bottle shop based at a pub within five or six shops of Woolworths or Coles. The convenience is already there; the service is already there. There is a push for this by some members of the retail sector because they want it all. They want to sell newspapers, petrol—they want the lot. It is unrealistic. What they do not understand, and I do not think they will ever understand, is that selling liquor is a specialised job, and that is the way that it should be.

The bill also changes the rules governing adult entertainment permits—AEPs. Recently a number of administrative amendments were made to introduce the provision to regulate the conduct of adult entertainment on licensed premises. It allows licensees to have more than one approved entertainment area on the premises. This is particularly necessary where a nightclub comprises a number of floors in a building. The provision will ensure that each area is properly controlled.

Additionally, in relation to approved hours the bill will make it clear that the chief executive can approve AEP hours which are less than the premises' normal liquor licensing trading hours. It confirms that minors cannot be anywhere in any area where adult entertainment is performed. That prohibition includes staff and performers. That is an excellent improvement.

The bill provides a show-cause procedure for holders of adult entertainment permits who, during the course of the permit, through their actions, criminal charges or linkages with undesirable associates, are later considered to be unsuitable to hold a permit. The bill will ensure the authority of the adult entertainment permits does not extend to a licensee's 'catering away' approval. Thus the licensee cannot provide liquor and strippers for private functions away from the licensee's primary premises.

One of the other aspects of the bill that I wish to speak about is noise nuisance. I have been a strong advocate in this House and elsewhere for the music precinct in Fortitude Valley. This bill goes some way towards addressing this.

For those who are not aware, I point out that the Fortitude Valley area has become a great music venue frequented by many people. This use has developed over many years. However, residential units have now been built close to these venues. The people who purchased these units were fully aware that these venues were operating there. After the fact they now want to say that these premises should not be conducting that business. I do not think that is fair. That is not reasonable.

Time and time again members of parliament get people knocking on their door complaining about X, Y, Z premises which might have been there for 10 or 20 years. They were operating well before people bought a nearby house or a unit, yet the residents still complain. People have to consider all their options. If they do not want the noise of city life, and in particular that from the music venues in Fortitude Valley, they should not buy there.

Mr Lawlor: Go to Mansfield.

Mr REEVES: They should come out to the beautiful calm surrounds of Mansfield.

A government member: With fabulous public transport into the city.

Mr REEVES: Yes, it has great public transport infrastructure.

Investigators under the Liquor Act may issue notices for a noise nuisance from licensed premises to be diminished or ceased. The bill seeks to include further particulars which investigators must have regard to when issuing these notices. These include the order of occupancy between the licensee and the complainant—as I mentioned before in relation to the music venues in the Valley—changes to the licensee premises and the complainant's premises over time, and changes in the activities conducted on licensed premises.

Obviously, as I said, they were there before. If the licensee wants to change the whole level of operation, that has to be taken into consideration. These issues have become very relevant, as I said, particularly in areas like Fortitude Valley, which is a music and entertainment precinct and where new residential units are being constructed. The amendments do not mean that complaints will be disregarded. Rather, these are additional issues to consider when deliberating on whether to issue a noise nuisance notice. This is particularly important, given the resurgence of residential accommodation within traditional commercial zones. Noise limits and standards will be specified within the regulation.

I also think it is important that councils wake up to the fact that, if they are going to give zoning applications to residential premises, they should realise the nature of the area. They need to put in place stricter guidelines on the construction of premises.

Before I conclude, I wish to speak about the changes to the bill which eliminate the need for clubs to apply for general purpose permits to sell liquor for areas on playing fields attached to a club or any other location. I have been involved in clubs for a number of years, especially sporting clubs. We would invariably say, 'What areas have we got licensed? I think we only have the clubhouse licensed. That means we have to get another licence for the footy field. We have got a game on this Sunday. Can we get that licence?' It was unmanageable, especially considering that a lot of the boards were voluntary and the sporting clubs ran separate committees. It is my understanding that this amendment will allow the club and the playing fields all to be licensed for the purpose of selling liquor when there is a certain sporting event. Obviously, it will not allow someone to sell takeaway liquor from the old famous 'pig shed'. It is an important and practical change.

As I said, I commend the minister for reintroducing this bill. As a person who has a strong interest in the liquor industry, I congratulate the minister on the change and I look forward to it being passed. I will make a further comment about the wine industry later.

Ms BOYLE (Cairns—ALP) (2.44 p.m.): I am pleased to follow the member for Mansfield and support the comments that he has made about the Liquor Amendment Bill and add several more on some of the matters in this quite complex bill, following as it did an extensive national competition policy inspired review as well as wide consultation right across the state of Queensland.

There are some particular elements in relation to restaurants and bed and breakfast accommodation that are relevant in a tourism area like Cairns. I ask the indulgence of the House while I let members know of some good news that has come to light today not only for

accommodation operators in Cairns but also in Brisbane. An article today by Penny Robins in the *Cairns Post* states—

Smiles have crept back on to the faces of Cairns hotel and resort operators with new data revealing the city's latest occupancy rates are second only to Brisbane.

It would seem that the Olympic Games are indeed over and that while accommodation rates are down in the southern states they are up in our fair state of Queensland. May it continue so through the next months of wonderful weather. The changes within the Liquor Amendment Bill that will be particularly welcome in Cairns relate in the first instance to casual drinking in restaurants, cabarets and on residential premises. Currently, these establishments are able to sell liquor to patrons who do not intend to dine, but this privilege is limited to 20 per cent of the total number of patrons who may be seated in the dining area. The amendment will allow casual drinking without an upper patron number as long as the licensee continues to operate the business in accordance with the primary purpose of the business, which is the provision of meals

The amendment will allow these premises to more adequately respond to contemporary demands. The operation of this amendment will be closely monitored to ensure that establishments continue to abide by their overall primary purpose and that they do not simply become bars. Given the NCP endorsed direction to allow casual drinking on various licensed premises such as restaurants, it has become critical to specify the primary purpose provisions relating to various licence types to ensure that the proliferation of bars does not occur across the state.

The bill specifies that the authority given by the particular licence type applies only when the premises are trading in a way consistent with the primary purpose of the premises. The necessity to comply with the primary trading purpose is consistent with the harm minimisation objectives of the act in that the majority of licence types provide for the licensing of businesses where liquor is ancillary to some other primary activity, for example, the provision of food. I am sure this amendment will be much more effective in achieving this objective than the present bill has been with its count of 20 per cent of patrons.

One of the objectives of the national health policy on alcohol in Australia to which, of course, the Queensland government is a signatory is to ensure that current policies on the availability of liquor do not aggravate the incidence and prevalence of alcohol-related problems. This is an issue of some concern in Cairns. Both industry players as well as those social service and community based groups who have trade with clients who have abused alcohol were particularly interested in the consultations leading up to this bill. The possible proliferation of licensed operations where liquor becomes the primary as opposed to ancillary activity to be conducted on the premises is not conducive to limiting alcohol availability within the community.

It is also considered that the proposed amendments will ameliorate community concern regarding the proliferation of small bar-style outlets only offering liquor for sale. I certainly hope this is so. There is only guarded optimism, I must say, on this topic in Cairns, where we have seen a proliferation of nightclub-style venues and where it is believed by many in the industry as well as in the broader community that the more licences, particularly for nightclubs, bars and hotels, then the more competition there is between those venues, which frequently means cheaper drinks and puts at risk the responsible serving of alcohol. So I have no doubt that our community groups and industry will be keen to monitor the impact of those amendments.

I would also like to mention the changes with regard to bed and breakfast accommodation. Currently accommodation houses, regardless of the size of the premises or the number of guests able to be accommodated, must obtain a liquor licence if they wish to sell liquor to their guests. Surely this is unworkable. It may simply be that two visitors, possibly from overseas, are pleased to stay in an Australian home in the suburbs of Cairns and enjoy a home-cooked meal. To have a bottle of wine as part of that meal seems sensible. It also seems reasonable that the bed and breakfast operator should be able to charge for the supply of that liquor.

Under the new provisions, this will be able to be accommodated. The relevant licence is a residential licence, and applicants for this licence are subject to meeting the full checks and balances required by the act before the licence is granted, including demonstrating a public need and advertising of the application. Here we have some protections for the community against the unnecessary roll-out of liquor licences. The bill will provide an exemption for bed and breakfast and host farm establishments that offer accommodation for a maximum of six adult guests. This will mean that small bed and breakfast operators will not need to obtain a liquor licence to provide, for example, a bottle of wine with an evening meal.

Some significant alterations with regard to the Liquor Appeals Tribunal will also be welcomed. Despite previous attempts to simplify Liquor Appeals Tribunal proceedings and the consideration of appeals, the appeal process has continued to be legalistic, increasingly costly and cumbersome, with appeals often taking upwards of three days to be heard. Two central issues contribute to this problem. Firstly, the tribunal rehears the entire application rather than the issue that is the subject of the appeal. This of course is not sensible and is to be changed. Often the appeal has been lodged on relatively narrow grounds, but the tribunal to date has been committed to reconsideration of the application as a whole.

A further change is that new material is frequently introduced at the appeal stage, and that new material can significantly alter the nature of the application. This new material may not have previously been made available to the chief executive during the initial application process. So a number of amendments are proposed to the appeal process to overcome all of these problems. They include, firstly, providing that the matter be reheard based on the material which was placed before the initial decision maker except where the tribunal determines that special circumstances apply and fresh evidence should be admitted; secondly, to allow one member to hear and determine minor appeals; thirdly, to strengthen the tribunal's powers to hold directions conferences prior to hearings to clarify arguments and issues in dispute; and, fourthly, giving the tribunal the power to refer matters back to the chief executive for consideration as a fresh application in cases where new material significantly alters the nature of the application.

This bill also allows the tribunal to deal with an appeal, as it were, on paper. This is expected to be of particular benefit to both appellants and applicants. In the past some people have been reluctant to lodge an appeal because of geographic factors or because they feel overawed by making a personal appearance. Confirming and encouraging reviews based on file material may be of benefit in some cases and all that is needed in others. It will therefore limit the costs, particularly to those who live in regional areas, as well as limit the intimidation felt by some people who would like to participate but who feel the legalistic tribunal style has been overwhelming.

The proposed amendments will also confirm the right of the tribunal to release their written decisions, which will promote accountability and openness of their decision making. These are the particular elements of the bill that I wished to address today. However, I do support all of the provisions of the Liquor Amendment Bill before us. I commend the bill to the House.

Mr BELL (Surfers Paradise—Ind) (2.54 p.m.): I note at the outset that this amending bill comes about as a result of a review occasioned by national competition policy. A lot of people in the community are becoming very unenamoured with the national competition policy. Quite a few people think it now has whiskers on it and it is very unfortunate that it is inflicted on our community in the way that it has been. That said, though, I would like to generally compliment the minister upon this bill. I do believe that the matter has been thought through very thoroughly and that quite a few necessary amendments are now being made to the Liquor Act.

I do not intend to speak to all of the numerous matters that are referred to in this bill. But I would like to start off by saying that I am very much in favour of the rejection by the government of the sale of liquor from supermarkets and convenience stores. That is not just a response to the hotel lobby; it really is the view, as an earlier speaker said, of the community. It is also the view of the churches and many other bodies that are concerned about the proliferation of liquor outlets in our community.

The provisions relating to licensed restaurants will certainly be of advantage to our tourist industry. Well do I remember the days prior to Expo when Sunday trading in licensed restaurants had to stop at 2 o'clock. If one wanted to enter a restaurant at five to two one had to visit the bar as the first priority if one wished to have alcohol. It was quite absurd. Expo put an end to that. Now I am pleased to see that these proposed amendments to the Liquor Act will make trading in restaurants even more civilised.

However, I would like to draw to the minister's attention one matter that might be falling through the cracks which would be worthy of consideration for the future, if indeed it is not covered by clause 42 in the interpretation of the primary purpose. I gave some thought as to whether I should wait until the committee stage to raise this, but I was advised that I should raise it at this point.

I would like the minister to consider a situation in which a licensed restaurant in the suburbs wishes to provide alcohol to patrons who are not necessarily consuming a meal until, say, midnight. The kitchen might close at 10 p.m. It is really debateable as to whether clause 42,

which defines primary purpose, would enable that restaurant to provide alcohol to non-dining patrons a couple of hours after the kitchen closes.

I have faced that very practical situation in the Gold Coast City Council. It is not restricted to just one example. The alternative, of course, is for such an establishment to apply for what we used to call a cabaret licence. But that is not very easy either, because the Liquor Licensing Division states that you cannot have a cabaret that closes at midnight. Yet in a residential area it is grossly inappropriate for such an establishment to be trading until 1 or 2 a.m. There are areas in the electorate I represent such as Chevron Island and Main Beach where closure at midnight is absolutely imperative, but there is no objection to people consuming alcohol on the premises up until that time. I am concerned that the proposed amendments to the Liquor Act do not go quite far enough to cover that situation. If I am wrong on that, I look forward very much to being told so. I would be very happy to be told that I am wrong.

I am also just a little concerned about the change of 'public need' to 'public interest'. Well do I understand the purpose behind that. However, it does seem to be doubling up on what the local zoning authority might be doing, for the matters that are listed are also the very matters which would be considered by the local authority. Up until now there has been some minor conflict because some town plans of local authorities do require a consideration of need. Well do I recall time after time looking at applications for material change of use where one had to say, 'The Liquor Licensing Division may be considering the need. We have to consider it as well.' That is only part of a long list of amenity issues that the local authority needs to consider.

The situation now is that the local authority has to consider the very same issues as the Liquor Licensing Division has to consider. Are there going to be two lots of appeals on the same matters? Will town planning experts appear in the tribunal after they have appeared in the Planning and Environment Court? I am concerned that the system may become cumbersome and the subject of abuse by someone who does not like the answer that they receive in the first instance. Nonetheless, I concur with the contents of the bill and I certainly will be supporting it.

Mr POOLE (Gaven—ALP) (3.00 p.m.): First of all, I acknowledge the great work that the minister has done in this portfolio and her other portfolios, because this industry is finally being brought forward.

Mr Wells: You'll go far.

Mr POOLE: I hope so. Anomalies will be addressed in the Liquor Amendment Bill relating to minors in licensed premises, because the bill extends the scope of this offence. In my previous life as a union official with the federated liquor union and the Liquor Hospitality and Miscellaneous Workers Union I witnessed these anomalies first-hand, because the vicarious liability may be placed with the licensee or the owner of the premises and may also collect other bodies as well, namely, the innocent employee who served a minor through no fault of their own.

It is currently an offence for a licensee and/or the nominee for a minor to be found on licensed premises. If the licensee uses a contract security person or employee to screen minors at the entrance, this person has no legal compulsion to refuse minors entry. Because the licensee has a defence by proving that he or she has put the appropriate training instructions in place to ensure that the offence would not occur, no-one on the premises assumes responsibility. The bill will extend the offence to include an agent or employee of the licensee. This will mean that security personnel on the door or an employee who allowed the minor to enter the premises may also be charged with the offence that he or she has allowed to occur.

The bill contains an amendment in relation to Anzac Day trading hours. The purpose of the amendment is to clarify beyond doubt the current trading hours. There is no change to these hours as a result of extensive consideration by parliament over the past few years relating to the midnight closure. The current act provides that trading on Anzac Day eve must cease for cabarets at 3 a.m. and each other licence type at midnight. Except where liquor is served in association with a meal, trading cannot recommence until 1 p.m. on Anzac Day. A loophole exists in the current act which would, for example, enable a cabaret to continue serving liquor after 3 a.m. simply by providing the liquor with a meal. The amendment will confirm that trading cannot recommence before 10 a.m., being the ordinary commencement time, or 6 a.m. with the approval of the chief executive. All trading before 1 p.m. on Anzac Day must be in conjunction with a meal. This includes RSL and services clubs.

The bill also proposes to increase penalties in two areas. It will increase the maximum penalty for a breach of a licence or permit condition from 25 units to 40 units, that is, from $1,875 to $3,000. The new penalty is more appropriate because it enables people to better understand

the severity of this breach. This increase will bring the penalty in line with those recently introduced under the act for a breach of an adult entertainment permit condition. Twenty-five penalty units has been found to be an unsatisfactory deterrent for breaches that range from not complying with noise conditions to defying an order to keep fire exits unlocked. So there is quite a difference. The bill also increases the maximum penalty for a breach under a regulation from 10 penalty units, which equates to $750, to 40 penalty units, which equates to $3,000. This increase is required to support existing provisions for non-compliance with responsible hospitality practices in the management and conduct of the licensed establishment.

Additionally, the penalties will apply to regulations for adult entertainment permits relating to the advertising of adult shows. The penalty increase is considered to be justifiable given the large amounts of money that may be made through adult entertainment or irresponsible serving practices. The profits made from these activities far outweigh the penalties, thus providing an inadequate deterrent. These activities have the propensity to have a significant social impact. I commend the bill to the House.

Mr DEPUTY SPEAKER (Mr Mickel): Order! Before calling the honourable member for Southport, I welcome to the public gallery students, parents and teachers from the Glennie Heights State School in Warwick in the electorate of Southern Downs.

Mr LAWLOR (Southport—ALP) (3.05 p.m.): Even though this debate is starting to sound like a mutual admiration society, I, too, congratulate the minister and her ministerial and departmental staff on the effort they have put into this review.

Mr Cummins: The Gold Coast club.

Mr LAWLOR: A mighty fine club it is, too. The Liquor Amendment Bill incorporates two streams of amendments, that is, those arising from a review of the act under the principles of the national competition policy—NCP—and a number of administrative and miscellaneous issues necessary for the smooth operation of the legislation. I will deal firstly with matters raised in the national competition policy amendments, and the first relates to takeaway liquor. Perhaps the most significant outcome of the NCP review of the act was the decision to maintain the status quo in the sale of takeaway liquor. The sale of takeaway liquor to the general public will continue to be within the province of hoteliers and some special facility licence holders. The amendments will specifically preclude the sale of liquor from supermarkets and convenience stores. As the member for Mansfield and the member for Surfers Paradise said, the community is well catered for in this area by the hotels.

The amendments will abolish premiums for general and special facility licences. Currently, applicants for these licences must pay to the department a purchase price for the licence which allows bar trading and takeaway liquor sales. The amount of the premium depends on the size of the development and the facilities provided and may range from $5,000 to $200,000. The NCP review panel considered that premiums were an unnecessary barrier for entry to the market. They had been introduced initially to fund programs dealing with alcohol misuse and to finance a hotel rationalisation scheme. Funding to state agencies for alcohol misuse programs is now made directly through the normal budgetary processes rather than via a trust fund. The amendments will mean premiums, already halved since the announcement of the government policy in March 2000, will cease to be levied altogether 12 months after the commencement of this bill.

Other important amendments relate to public interest criteria for licences—an issue also raised by the member for Surfers Paradise. All applicants for a new licence or permanent extension to trading hours must first demonstrate a public need for the licence or extended hours. This requirement is primarily in place to assess the overall impact of the licence and prevent a proliferation of licences with the subsequent increase of availability issues. It supports the aim of the national health policy on alcohol. The NCP review recommended the benefits of retaining the concept and strengthening it, given that the abolition of premiums may see an increased number of applications for general hotel licences. The provisions have been strengthened and are to be focused on public interest rather than need. This subtle change will allow a higher degree of social impact assessment of applications and the ability to consider the effect of the potential licence or trading hours on various subcommunities within the locality such as schools or when it is to be located in a low socioeconomic area.

A matter addressed in the bill relating to administrative issues, which allows for a smoother operation of the legislation, relates to bottle shop relocations and transfers. The bill will streamline the current administrative processes in relation to, firstly, the relocation of a bottle shop within the same shopping precinct and, secondly, the sale of a bottle shop by one licensee to another

licensee. Currently, licensees must apply for a new bottle shop licence in each of these cases. That means demonstrating public need and advertising to call for objections from members of the public. The new process recognises that these are existing businesses that have already been subject to these requirements. The new process will simply result in an approval to a change of licensed area after the chief executive has considered all the relevant issues, including the maximum distance a shop may be from the main premises.

There are many other issues addressed by this bill, many of which have been referred to by previous speakers. I do not intend to go through them again. I support all of the various amendments, and I commend this bill to the House.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (3.10 p.m.): I rise to support the Liquor Amendment Bill and particularly to commend the government for rejecting the proposal for the sale of liquor from supermarkets and convenience stores. Around the time the major supermarkets were applying for the ability to open at all hours they also sought to include alcohol in their line of products. I certainly opposed that notion. I know that very many people in the community were concerned at the combination of extended trading hours and the sale of alcohol. In particular there was concern about the large conglomerates that generally own the supermarkets both in the capital cities and regional Queensland.

The fact of liquor establishments being separate from supermarkets, although often in the same complex, requires some effort at choice, albeit minor effort, for consumers to buy their groceries and then their alcohol. I believe that the majority of people in the community have not been impeded in their access to alcohol for purchase. Almost all of the small shopping centres in my electorate have a detached bottle shop, and I think that is very much the pattern in most towns and cities nowadays. The fact of alcohol not being allowed to be sold in supermarkets and convenience stores has not restricted valid access to the purchase of alcohol in any way, but I do believe that it has retained a separation of markets that is wise for families.

I support the inclusion of a public interest test in relation to the siting of licensed outlets. The second reading speech sets out that they should not cause any annoyance or disturbance to residents. I would add that they should not create any intrusion or temptation in relation to school premises, child care premises and those other areas where young teenagers, in particular, gather. Kids nowadays face huge challenges in terms of managing peer pressure and managing their own life skills. I think a public interest test that includes those elements is important in relation to the siting of licensed outlets.

Clubs in my area, particularly the RSL clubs, met with me quite some time ago to discuss the 18-litre limit on sales. I fully support the lifting of that limit. One of the previous speakers said that many consumers want to patronise the club they go to for meals and for recreation. The lifting of this 18-litre limit allows people to do that. I know that there are many RSL members who go to their local club not only for Anzac Day and so on but also on other occasions during the year—they may go there each Friday afternoon for an end-of-work celebration—and who want to be able to purchase not only a small amount of liquor to take home but also a larger amount for parties or other functions. This will allow people to patronise their club of choice, and I commend the minister for that.

There are two other elements in the bill that I think address issues which, while not being great difficulties, were certainly the cause of some embarrassment to the owners or operators of establishments. The first is the ability of restaurants to sell liquor to non-diners and the other is the ability of restaurants or licensed facilities to sell a single bottle of wine for consumption off the premises.

I know that many owners or operators of these facilities were put in a very difficult and embarrassing situation when they had to decline a sale to a patron who may have enjoyed their meal and valued the service and was perhaps just going home to have a final drink with family and friends and would dearly have liked to purchase a bottle of wine to take home for that purpose. It put the owners of those establishments in a difficult position to have to decline. The changes in the regulations in this act will put an end to that difficulty. I certainly believe that, whilst establishment owners are responsible for the quantity sold and the people to whom they sell their alcohol, there will be no untoward disbenefit. Again, I think many of the establishments in our electorates have been looking forward to the changes that this Liquor Amendment Bill is putting in place, and I commend the minister for them.

Mr FENLON (Greenslopes—ALP) (3.15 p.m.): It is a pleasure to rise to speak in support of the Liquor Amendment Bill. I will make some broad background comments about community

attitudes and the changes in our communities in relation to liquor laws. Even in the past 10 years we have seen very substantial change in this area. When I first stood for election there was only one hotel servicing 22,000 people in my electorate. The only other liquor outlets were a few bowls clubs.

Mr Neil Roberts: It would take a long time to get a drink.

Mr FENLON: Especially at the bowls clubs if they were serving five-ounce beers.

That situation was certainly indicative. Certainly outlets serving liquor were well outnumbered by churches. The area was said by many to have a bit of a wowserish view of the world. That has certainly changed in the past 10 years in the sense that we have seen the arrival of a lot more liquor outlets in the form of clubs, bottle shops and licensed restaurants. We have seen quite a change over that period.

There has been a change in attitudes in our community, but there is still a degree of sensitivity to new liquor outlets. I am currently involved in a process relating to a particular licence application in my electorate. I will not elaborate—I do not want to prejudice the process which is currently under way and which is working very properly—except to say that the community in question is participating very properly in the process. There is certainly a clear indication that the community is sensitive to the number of outlets appearing and to their location. The one to which I refer in particular is close to two schools—a private school and a state school—and those school communities are also very sensitive on the subject of the proposal. Liquor licensing is an area which requires a fine balance. It requires sensitivity on the part of authorities to the needs of specific communities and to the changes we have seen in recent years in this area.

I will give a bit of background to this bill. This bill heralds the rejection of liquor sales in supermarkets and convenience stores as occurs in other states. I think that will be welcomed by my community because of its sensitivity to the number of outlets already in existence. I do not think the community I represent would like to see too rapid an expansion of such outlets in an uncontrolled manner. I believe the approach of this bill is a sensible one.

There is one very important issue which I believe has been behind this decision in terms of the impact of a wider range of outlets upon current businesses. It must be said that there are many businesses and, indeed, family businesses that depend on local hotels having a viable income and a viable status in terms of attracting a commercial base in their own communities. I believe that if such a move was made on a wide scale, especially to allow in big supermarkets with huge cost-cutting capacities and, ultimately, exclude people from specific local marketplaces, it could have quite deleterious effects on local families and local businesses that depend on the sale of liquor through hotels, et cetera. So we have to keep a close eye on this in the future, to keep a balance, and to be sensitive to the specific needs of communities as a whole and those families and small businesses that depend, on a local basis, on the sale of alcohol and associated entertainments, et cetera.

This legislation also requires a great deal of sensitivity in terms of its day-to-day operation. Ultimately, it has the capacity for a great deal of discretion to be exercised on the part of licensing officers on the ground. There is often a degree of grey area in interpretation of the act—for example, whether a licensee has done the right thing by attempting to exclude minors from premises. Staff from the minister's office have indicated to me that there is an intent behind this bill to rely upon the goodwill of licensees to put in place proper systems to ensure that the Liquor Act is properly observed. I would hope that where a licensee has done the right thing—set up the right systems, set up the right quality control measures and done the right thing in terms of staff and staff training at every step along the way—that licensing officers would look upon a licensee positively and favourably in the exercise of the act, and that the reciprocal case would apply where a licensee has not done all of those things.

Today, in the complex environment within which these laws operate and the diversity of premises—operating in tourist areas through to regional areas—and the diversity of circumstances to which this act applies, I would hope that emphasis is placed upon giving favourable consideration to a licensee who has done everything appropriate, has acted appropriately and, therefore, would be seen favourably if a perceived breach were to occur. Indeed, I hope that discretion will be exercised properly and intelligently under this act to make sure that the rights of licensees are protected as much as the rights of the general public, young people and people who may be affected deleteriously by the operation of this act.

There are some specific matters that I would like to mention in relation to this particular act. The first one pertains to catering away permits. This bill will introduce a new permit scheme for the

sale of liquor by licensees at public events which are held away from the main premises. Often this can be operated on a very ad hoc basis.

Currently, licensees who have catering away approvals may cater for functions without any further advice or consent from the Liquor Licensing Division. Since this provision was introduced in 1992, licensees have catered for a range of different events, large and small—for example, 21st birthday parties—and even events as big as the Big Day Out, which I am sure a lot of members here like to attend, as well. Whereas private functions are of no concern, the larger more public events have the propensity not only to interfere with the quiet and good order of a locality but also to present significant health and safety issues for participants.

The new catering away permit is being introduced to ensure that when a licensee is engaged to cater for a public event, appropriate planning is undertaken. The amendments will also ensure that the licensee is subject to the same responsibilities at the event as he or she would be at the main premises.

There are also changes in relation to the show-cause provisions for disciplinary reasons. The ability to use show-cause proceedings for the purpose of disciplining a licensee—as opposed to a threat of licence cancellation currently required by the act—has been identified as an impediment to the effective administration of the act. Currently, the chief executive can direct a licensee to show cause why his or her licence should not be cancelled for failure to comply with the act. However, the body of evidence required before a show-cause proceeding is initiated is substantial and is often built up over a protracted period as the chief executive must be of a mind to cancel the licence before the show-cause notice is issued. This bill will allow the chief executive to show cause a licence for disciplinary reasons as well as for the cancellation of a licence. This will enable errant licensees to be dealt with more effectively and expeditiously while still providing natural justice.

There are also changes to the urgent licence suspensions. Here the proposed amendment will enable the chief executive to immediately suspend a licence if reasonable grounds exist that harm may be caused to the public if urgent action to suspend the licence is not taken. The circumstances in which such an immediate suspension may be utilised include an activity such as a rave or dance party where evidence of drug taking or other illegal activity is detected and swift action to close the premises is necessary.

Indeed, these amendments once again provide greater workability and flexibility to this act in terms of the very diverse circumstances in which it operates and the circumstances which require flexibility on the part of the licensing authority and adaptability right across the state. I commend the minister for her work in this portfolio in bringing this bill before the House, and I commend the bill to the House.

Mr NEIL ROBERTS (Nudgee—ALP) (3.28 p.m.): I rise to support the Liquor Amendment Bill. In particular, I support the employment benefits that will arise from the implementation of this bill. The bill reflects the outcomes of the review of the Liquor Act under the principles of national competition policy and a number of amendments that were the subject of ongoing consultation with the liquor and hospitality industry. I noticed that in his speech the member for Surfers Paradise raised some criticisms of national competition policy. I might just note that the liquor review is one example of how the sensible application of national competition policy reviews can lead to positive outcomes.

There has been much criticism of national competition policy since its introduction in 1995, and I have been one of those people in this parliament who has stood up many times to point out particular criticisms and concerns. However, I think it is fair that we should note that it was the Beattie Labor government that argued strongly on the national scene and has achieved significant changes to the way in which national competition policy is implemented in this state. Of particular note is that the state government is now responsible for determining what is in the public interest, and that matter is not now determined by unelected bodies such as the National Competition Council, which in the past, as judge, jury and executioner, has limited the power of the states to act in the best interests of Queenslanders. Under the review of the liquor industry, the government has been able to act in the public interest and act, as I will detail shortly, to protect Queensland jobs and to provide appropriate regulation of liquor sales.

In terms of this particular aspect of national competition policy, I think that it is good government to regularly review regulations and legislation to make sure that they are relevant and that they are meeting the changing demands and expectations of the community. I make this comment despite the many criticisms that I have made personally of national competition policy.

The competition policy amendments remove a number of barriers of entry to the liquor industry and restrictive trade practices. While the bill removes restrictions from the marketplace, one practice that will not be changed is the prohibition of liquor sales from supermarkets and convenience stores. This issue was thoroughly investigated by the review, and it was found that Queenslanders were not disadvantaged by the current system of takeaway liquor distribution. In fact, it was found that changing the system to allow supermarkets to sell takeaway liquor would create a negative impact in the community. That negative impact would have been on jobs, particularly in rural and regional Queensland. The government was not prepared to allow that to happen.

The review of the Liquor Act began in December 1998. An independent panel undertook an extensive program of public consultation and also commissioned independent research. It has been estimated that most Queensland hotels now rely upon packaged liquor for approximately 50 per cent to 70 per cent of their sales. To have a dramatic impact on those sales would dramatically and adversely affect the viability of a number of Queensland hotels and the services that they provide to their communities.

The independent panel commissioned KPMG Consulting to undertake research into the potential impacts of removing or amending restrictions relating to the sale of takeaway liquor. That research showed that there would be significant short-term dislocation of the Queensland economy, but particularly in regional Queensland. The modelling undertaken on behalf of the panel shows that in almost every region in Queensland, there would be negative short-term impacts, particularly in employment. Throughout the review there were comments from many regional business people and local authority representatives raising concerns about the possible closure of hotels in their regions, and the panel concluded that to deregulate the sales of packaged liquor by allowing supermarkets and convenience stores to sell it could see major economic dislocation across the state.

KPMG's research showed that, as at 30 June 1998, approximately 150,000 Australians, including 27,000 Queenslanders, were directly employed in businesses whose primary purpose was the sale of liquor. Inappropriate changes to the regulations controlling the sale of liquor would therefore have impacted on a significant proportion of these people. Even a conservative shift of about 25 per cent in liquor sales from the hotel and clubs sector to the retail sector was likely to have resulted in reduced levels of employment in all regions across the state. That 25 per cent impact was quite conservative, as the experience in New South Wales suggested that the shift could have been as high as 50 per cent in some areas. A loss of sales, even at the conservative estimate of 25 per cent, would have led to the closure also of a number of general licence outlets.

Apart from the very important employment issue, another issue which was not captured in the economic analysis is the loss of funding to local communities if hotels were to close. Many hotels support a number of community activities such as sporting teams, events and projects. In this way, a downturn in the hotel industry would further affect communities, particularly in regional and rural Queensland. In many towns in regional Queensland the local hotel is the centre of the community. It is a social setting, major employer and, in some cases, a tourism asset for the town.

The sale of takeaway liquor to the general public will continue to be provided via hoteliers and some special licence holders. Those involved in the hotel and club industry have developed significant expertise in the responsible sale of liquor over many years, and as a responsible government we were concerned to limit any adverse social consequences by allowing liquor to be made readily available from supermarkets. Due to the significant negative social and community impacts that are associated with the harmful excessive consumption of alcohol, there needs to be an effective system for regulating the distribution and access to alcohol by at-risk groups in the community. If these regulations involve anti-competitive restrictions, such as prohibiting sales from supermarkets, and they are considered to be of net public benefit to the community, then so be it.

I support the bill. I thank the minister and her department for ensuring that the social and economic interests of Queensland communities were not forgotten. In particular, I thank her on behalf of those whose jobs were at risk.

Mr WELLINGTON (Nicklin—Ind) (3.35 p.m.): I rise to speak in support of the Liquor Amendment Bill 2001. I do not intend to go over all the issues already canvassed in the debate so far. Instead, I wish to simply put on the public record that many of my constituents agreed very passionately with the government's decision not to allow supermarkets to sell liquor from their

facilities. I certainly share that view, and thank the government for not crossing the line in allowing supermarkets to sell liquor from their premises. I support the bill.

Ms PHILLIPS (Thuringowa—ALP) (3.36 p.m.): I rise to commend in particular those aspects of this bill that apply to licensed clubs. As all honourable members are aware, local clubs are the backbone of our community, providing services and activities for a large number of people. The amendment bill includes a new definition of their primary purpose. To quote from the bill, the primary purpose of a business conducted under a club licence is the provision of facilities and services to the club's members and the achievement of the club's objectives. The authority under a club licence to sell or supply liquor does not apply unless a business is conducted on the licensed premises with the primary purpose as mentioned above. It is intended that the focus of the club should be facilities and services and not solely the sale of liquor. Whilst the sale of liquor could be seen to be a service to members, it is intended that it be ancillary to the other services the club provides.

Clubs are community-owned, member-driven and non-profit organisations that create, enrich and sustain the social capital of our society by offering a safe, comfortable and convenient environment for dining and entertainment for individuals and families, as well as acting as focal points for community recreation activities. Several clubs in my electorate of Thuringowa have approached me to express their strong support for the amendments included in this bill.

These amendments, as already mentioned by previous speakers, are, firstly, the abolition of the current 18 litre per day per member limit on takeaway sales. So there will no longer be a restriction on a club from selling more than this amount of liquor on each day to a member of the club or a reciprocal club. There will no longer be any limitation on the amount that clubs can sell to members.

The second provision is a confirmation of government policy that clubs may not operate drive-in bottle shops which would indicate sales of liquor to the public. The third provision is a reduction of the current distance restriction for casual visitors from 40 kilometres to 15 kilometres. This will allow visitors from the neighbourhood to utilise their local club and not have to travel out of the area. To expand on this a little, under the current act, liquor may only be sold for consumption on the premises to a visitor to the club whose ordinary place of residence is at least 40 kilometres from the club's premises. This distance is now reduced to 15 kilometres.

A further amendment to this section will also allow RSL or services clubs to sell liquor for consumption on the premises to members of the defence forces, whether they be members of the club or not. This provision is not mandatory; it merely allows RSL or services clubs to sell to members of the defence forces if the club chooses to do so.

A new subsection will eliminate the need for many clubs to apply for general purpose permits to sell liquor from areas on the playing fields attached to the club or at another location. The licensed premises under a club licence covers the clubhouse and not the playing fields attached to the clubhouse.

The Queensland club industry is made up of approximately 1,000 registered and licensed clubs. There are four clubs in the Thuringowa electorate. Approximately 92 per cent of the adult population of Queensland are members of clubs and most visit a club once every fortnight. Club membership in the north, north-west region of Queensland is over 100,000. Until now, clubs have generated a total of 23,000 full-time equivalent jobs throughout Queensland. The number of jobs in clubs in the north, north-west region is approximately two and a half thousand and in 1999-2000 14 per cent of clubs had increased their staff numbers.

Every year clubs contribute over $200 million to the community in taxes, levies, sponsorships and donations. Last year the community contribution from the north, north-west region was approximately $9.1 million. In the 1999-2000 financial year, 43 per cent of clubs had increased their community support. Therefore, it is clear that clubs provide valuable facilities and services for our local communities.

In Thuringowa we have some very good clubs. The Brothers Leagues Club was first formed in 1922 and has 7,500 members. It provides assistance to junior league, senior league, primary and high school competitions, Rugby Union, gridiron, Aboriginal and Torres Strait Islanders, the police, the fire brigade, the Australian Defence Force, social touch football, Oztag, the North Queensland Cowboys Leagues Club and visiting NRL teams and international visiting teams.

As the largest Rugby League club in the twin cities, Brothers caters for 400 junior players as well as 100 seniors. It makes its playing fields available for many local community organisations to use on a regular basis. Those include the Kelso State School, the Shalom Parents and

Community Association, Brothers Confraternity Queensland, the Darts Association of Thuringowa, Townsville Primary School sport, the Highlanders Netball Club Incorporated, Townsville and district Rugby League, the Rebels Baseball Club, the Townsville Motorcycle Club and the Kirwan State High School. Local community organisations that meet there are also supported by Brothers, including the Thuringowa-Alice River Lions Club, the Probus Club, Thuringowa Rotary, the Apex Club, the Thuringowa Chamber of Commerce, Thuringowa and Townsville Enterprise and the senior citizens. From that list members can see that the Brothers Club really contributes to the community.

The club's growth and development since 1985, when it was licensed, has been outstanding, achieving additional quality playing and social facilities which were only an enviable pipedream in 1922. A succession of club committees with a vision and purpose has left a legacy for the enjoyment of members for many years to come. The club is providing a level of recreation for the community that is invaluable to Townsville. In line with previous committees, the current incumbents are not sitting on their hands and have already declared an agenda to ultimately create the finest sporting complex in the whole of north Queensland.

Another of our clubs in Thuringowa is the Thuringowa Bowls Club. As a new member of the Queensland Parliamentary Bowls Team, I hope to be spending more time at my local bowls club practising!

Our newest club is the Thuringowa RSL at Kelso. This fledgling club is nonetheless attracting significant patronage. They have just built a huge shed adjacent to the small blockwork building that had been its clubhouse for many years. They have 260 members and only eight poker machines. Bistro facilities are available on Friday and Saturday nights. They have a pool table, a dining area and bar facilities. The shed or barn that has just been built does not have any lining and has a concrete floor. Everyone is proud of it and believes that they will raise the funds required to make this a first-class facility in the future. The club is typical of many. It is a struggling club with a very slim budget and a very hardworking volunteer committee. In many respects it provides a contrast to the Brothers Club, which is a vibrant and professionally managed club.

The Thuringowa RSL's club aim is to increase its membership and create a family-oriented environment. I spent Anzac Day there and it was a delight, with patrons sitting in the lovely beer garden outside, kids running around and live music being played. It is so very different from the stereotypical and often sterile environments in many big city clubs. As the local member, I appreciate how important it is for me to support and encourage these local clubs as they provide such a valuable resource for our community. I am also a sounding-board and a conduit for passing on their concerns to relevant ministerial areas.

The clubs in Thuringowa are relatively small by national standards, and they are all struggling to maintain the services they provide. There is no denying that the GST proved an almost impossible impact on some of them. Their viability is threatened by big hotel complexes, particularly in the tourist areas of north Queensland. However, the managers and committees of my local clubs tell me that they are determined not only to survive but also to grow and develop.

The clubs were delighted with the recent actions of this government, which put a cap on the number of poker machines allowed in hotels. This action is in stark contrast to the attitude of the previous coalition state government, which recommended almost unlimited growth in numbers of machines in hotels. Smaller clubs like the ones we have in Thuringowa simply could not compete. The Queensland club industry has in place a code of practice for responsible gambling, which includes a deed of exclusion, assisting people who have gambling problems. The club industry welcomes the development of an industry plan that will give certainty for the future.

The local clubs tell me that they still have issues that need resolving, such as those relating to clubs amalgamation, to the service agreements for gaming machines, and to the need for infrastructure and capital works assistance. I will be taking those issues up with the relevant ministers on behalf of those clubs. Nonetheless, the clubs in Thuringowa have a wonderful positive attitude for the future, and I will continue to support them in promoting the services and facilities that they give to our local community. The amendments in this bill certainly are supportive of the clubs and I commend the bill to the House.

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) (3.47 p.m.), in reply: I thank all honourable members who spoke to the Liquor Amendment Bill. The thrust of this bill is to ensure Queensland's various licensees are able to give the best possible service to their customers.

As has been mentioned, amendments affecting club licences, such as the abolition of the 18-litre per day takeaway sales limit and the reduction in distance restrictions for casual visitors, will help these licensees better service their communities. The amendments dealing with casual drinking in restaurants and the limited takeaway facility provide a sensible way for restaurateurs to service their clientele. The tourism industry will also gain a boost from the amendments dealing with bed and breakfast accommodation providers.

In freeing up our licences to better service the public, we have also put in place some regulatory safeguards that the community expects to be in place for the sale of alcohol. The government has recognised the health implications of the sale of alcohol with these amendments, with public interest criteria for new licences supporting the aims of the national health policy on alcohol. I acknowledge the interest that the member for Maroochydore has shown in this particular clause. We will talk a little more about that during the committee stage of the debate.

We have also taken into account the social implications when setting out licensing hours and ruling out 24-hour trading. The change from a public need test to a public interest test for new licences is also a signal of our commitment to taking into account community concerns. This bill has had wide industry consultation and is eagerly anticipated. I acknowledge the input of all those involved in the review, especially Queensland Hoteliers Association President Jim Stewart and CEO Michael Hudson; President Paul O'Brien and CEO Penny Wilson of Clubs Queensland; CEO Jane Spicer and President Hugo Martin of the Restaurant and Catering Association; and all other licensee and community associations.

A number of issues were raised by members. I will address some of those and others will be dealt with in more detail during the committee stage. I thank all government members for their participation. I have to single out the comments of the member for Southport. I acknowledge the kind remarks of all government members, but he in particular said there was mutual admiration. If I have got the definition of 'mutual admiration' correct, that means that he expects me now to say something really nice about him. I find that very easy, because I think the member for Southport is a fine member. He makes a great contribution on my backbench committee, as do all government members. I thank him for that.

The member for Surfers Paradise raised a couple of issues. I am not sure whether he wanted me to deal with them now or during the debate on the clauses. I am happy to deal with them now and if he wants any further clarification he can seek that during the committee stage. With regard to local government and the Liquor Licensing Division considering the same amenity issues—and I know this is something the member is au fait with, having been a long-serving member of the Gold Coast City Council—the local government considers the land use impacts, for example, traffic and environmental impacts, while the Liquor Licensing Division considers the impact of our co-related services and their potential health and social impact.

The chief executive does not reconsider issues that have already been settled by council or the Planning and Environment Court. The member for Surfers Paradise also referred to clause 42, which addresses casual drinking at licensed restaurants. He expressed a concern about restaurants trading in liquor after the kitchen closes. I suppose that is an area of the act where we do show some flexibility. As the member is aware, many kitchens send their chefs home at 10 o'clock at night or are unable to serve people a main meal after a certain hour. It is not very practical to expect a restaurant to close or stop trading as soon as the kitchen closes. I know that if you go to a nice little restaurant, after you finish your meal you might sit around talking with friends and perhaps have another couple of glasses of wine just to keep the wine industry healthy—and we are moving on to the wine industry in the next bill. The amendments ensure that restaurants must trade, though, according to their overall primary purpose. That primary purpose is the serving of food. This will be apparent where restaurants trade as bars. The division can and will take action if they do not meet those very strict guidelines laid down by the Liquor Licensing Division.

The member for Maroochydore raised a number of issues, some of which we will deal with in committee. She expressed concern in relation to advertising promotions which may lead to binge drinking and associated patron behaviour problems. That is something that I, too, am very concerned about. We have imposed heavy fines on licensees who have breached liquor licensing laws. I think it was in Rockhampton—the member for Rockhampton has stepped out of the chamber—that there was one hotel selling a small bucket of Bundaberg Rum and coke. We had to confiscate the buckets. It was appalling. My two sons like to go to clubs and so on. I would not like them or any other young people to be encouraged to drink more than is reasonable. Our

liquor regulations require licensees to be responsible in the sale, supply and promotion of liquor. We provide kits to them which set out clearly what their responsibilities are. We have a logo 'No more. It's the law'. Licensees have these fairly prominently displayed around their bars and licensed premises because we want to ensure responsible advertising and appropriately managed activities and drinks promotions at all venues.

The Liquor Amendment Bill will allow a larger penalty to be included in the liquor regulations for irresponsible trading practices. It is proposed that the maximum penalty be increased to $3,000 due to the serious nature of the problems which may be caused not only to the individual but also to the surrounding community. I would like to acknowledge the efforts of my Liquor Licensing Division, which has over the years developed numerous best practice strategies, including the Responsible Service of Alcohol training program, which I alluded to, to assist licensees and industry employees with their sometimes difficult role. That is something which I am very much aware of. My 18 year old son is a bar attendant at a local surf club. I have pushed home the importance of this to him. If somebody comes up to him and asks for a drink, if he has any doubt about their age—their age and identification should have been checked before they entered the club—and if he is uncertain, he should not serve them. And if anybody has obviously had too much to drink, he should make sure that he complies with the liquor licensing law and not serve them alcohol. But sometimes fairly mature people put pressure on younger bar attendants to serve them. However, we have very strict laws and there is a responsibility not only on the licensee but also on the staff to make sure that they comply with those laws.

The liquor industry should also be complimented on its readiness to adopt responsible practices. Only a minority of industry players prey on the vulnerable elements of the community. There is no place for these operators, and my department's Liquor Licensing Division will not hesitate to take swift and appropriate action where necessary. I would have to say that I have had quite a bit to do with the Queensland Hoteliers Association and the AHA. I have found them to be very good to deal with. It is a very professional organisation. It wants to make sure that licensees do the right thing. They have worked extremely well with my Liquor Licensing Division to make sure that we get the best possible and fairest outcome for both licensees and patrons.

The member for Maroochydore also acknowledged the work of the national competition policy review panel. She acknowledged the research of Dr Anne Roche during the course of the NCP review. Dr Roche's report, *Alcohol consumption and associated harm issues*, was certainly informative and assisted the NCP review panel immensely in its deliberations. I would also like to take the opportunity to acknowledge the efforts of members of the Liquor Act NCP review panel, which consisted of the chair, Trevor Clelland; Dr Margaret O'Donnell; and Mr Vernon Wills, whom I know quite well. The review was a long and complex one with some very difficult issues to be considered. Their report, which was adopted by government, was a very balanced one. It represents a lessening of restrictions within the industry but has also taken to heart what is in the public's best interests. The government's decision in not allowing alcohol onto supermarket shelves has been acknowledged. I thank members for their support of the government's decision.

Motion agreed to.

Committee

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) in charge of the bill.

Clauses 1 to 41, as read, agreed to.

Clause 42—

Mr BELL (4.01 p.m.): I thank the minister for her comments in her reply to the matters that I raised. With respect, I still have some concerns with proposed new section 73, which is dealt with in this clause. I am not averse to the proposal that when people finish a meal they should be able to consume alcohol for a reasonable period. What I am concerned to press the minister on is whether this would enable an establishment whose kitchen closes at, say, 10 p.m. to continue serving alcohol until, say, midnight. I find that the clause is unclear as to whether this is permitted or not. As I said, I am not unhappy with its being possible, but I question the minister as to whether it is clear enough in terms of what is written in the clause. I wonder whether there might be some ruling, for example by the division, as to how that will be interpreted at some later time or whether there should be some amendment to provide more specifically that a certain period after the kitchen closes is regarded as reasonable.

Mrs ROSE: I thank the member for his comments. Just to clarify, people can actually stay on and have a drink. They can actually walk into a restaurant off the street and have a drink as long as the primary purpose of that restaurant is the serving of food. I understand what the member is saying about not wanting restaurants staying open. I do not know of a whole lot of restaurants in suburbs. I do, however, appreciate the member's concern if there are restaurants in suburbs. As I said before, it is impractical to stop a restaurant from serving alcohol or having people sitting around after the kitchen has closed.

If, however, there is inappropriate behaviour at a restaurant, for example, if it is particularly noisy, if there are patrons outside of a restaurant who are behaving badly or if they are obviously in an inebriated state and are behaving inappropriately, then people should of course call the police and those people can be moved on or charged. If restaurants have breached the laws and have been trading as a bar and have not met their obligations in terms of their primary purpose to serve food, then they will be prosecuted. There have already been instances in which we have prosecuted people for breaching the laws.

Mr BELL: I might leave the matter there. I will not propose an amendment, but perhaps I might have the opportunity of discussing the matter privately with the minister later.

Clause 42, as read, agreed to.

Clauses 43 to 53, as read, agreed to.

Clause 54—

Miss SIMPSON (4.05 p.m.): This clause specifically bans club licence holders from selling liquor from a drive-in or drive-through bottle shop. The second reading speech and the Scrutiny of Legislation Committee's comments on this particular bill alluded to the fact that this is a retrospective piece of legislation. The Scrutiny of Legislation Committee expressed concern about this principle of retrospectively taking away a particular right which someone has established through the previous legal process. I ask the minister whether any compensation has been proposed or whether the state is looking at entering into compensation for the taking away of this licensed provision from at least one club that has this currently. Also, how many other clubs have this takeaway licence operating at this time?

Mrs ROSE: I am going to give the member the short answer and then I might give her a little bit of history to help her understand. There is only one club involved, which is the Mount Isa Irish Association. There will not be any compensation involved at all because appropriate notice was provided to the club. I think it is only fair to the member that I give her some history about that. Also, no other clubs are involved.

I am aware, of course, of the Scrutiny of Legislation Committee's concerns about retrospectivity. When the member opposite becomes aware of the history of the application by the Mount Isa Irish Association I think she will understand why we do not believe that we have any requirement—and we did seek Crown Law advice about this—to provide compensation. It is the only club, as I said. There was another application by another Mount Isa club, but that was withdrawn. I will now just give the member a little bit of history.

In December 1999 the Mount Isa Irish Association lodged an application to increase its licensed areas for the purpose of including a drive-in takeaway liquor area. The club was advised that the application was contrary to policy. The chief executive refused the application on 9 February 2000, which was two months later. On 3 March, which again was less than a month later, I then notified all licensees and industry associations by letter of the outcomes of the national competition policy review of the Liquor Act and of the amendments. They, of course, got a copy of the letter knowing that we would not approve drive-through bottle shops or such facilities for clubs. They then appealed to the Liquor Appeals Tribunal.

On 27 July the director-general wrote to the nominee of the Mount Isa Irish Association to advise that the proposed amendments would proceed. The club was advised that, should parliament approve the changes, then the amendments would render the operation of a drive-through facility at the club illegal. They had plenty of notice. They knew exactly what they were doing. I am not sure if the member wants to query that further. I have copies of all of the correspondence. They received letters from me, calls from the Liquor Licensing Division and a letter from the CEO, yet they went ahead anyway. So, quite clearly, they defied the advice they were given.

Clause 54, as read, agreed to.

Clauses 55 to 61, as read, agreed to.

Clause 62—

Miss SIMPSON (4.10 p.m.): Clause 62 relates to the restriction to grant extended hours permits. I understand that this gives greater provision for local government to have legal input into this issue. Many members may have had experience with late trading in their electorates and the difficulties that that can create in communities, and there is the need for the concerns of those communities to be taken into account. In the past there were particular problems in Mooloolaba, which required a lot of cooperation to solve. Generally speaking, most people came to a cooperative arrangement after a lot of hard work by Liquor Licensing Division officers. I note that the minister will have regard to the local government's recommendations. I ask the minister to inform the House as to how many places have sought to extend trading between 5 a.m. and 7 a.m. and whether she believes there is a need to consider council input for late licences that operate after 3 a.m.

Mrs ROSE: I thank the member for her query. This is a very big issue on the Gold Coast because it has a lot of nightclubs and a lot of tourists. There is a lot of pressure from industry for extended hours. It is a matter of trying to find that balance between providing for visitors and the public and looking after licensees as well. The amendments include a new procedure to deal with applications for extended trading hours for between 5 a.m. and 7 a.m. This is a matter of concern because of the ramifications of 24-hour trading. That was the reason for it. There was one application from the Gold Coast. Shooters had put in an application for a 24-hour licence. We looked at this to find out the best way to deal with it. We consulted with the Local Government Association and local government authorities. We received general support.

We would like to involve local government, and we do involve local government wherever possible. We considered other options such as blanket prohibition. However, prohibition would have been too inflexible given that there may be special events that warrant an extension of hours. The Shooters application has been the only one received and it was refused. It then appealed to the Liquor Appeals Tribunal and the application was subsequently upheld by the chief executive's decision. A number of other clubs on the Gold Coast waited to see whether or not the Shooters application was approved before they put in an application.

If the council did not want late trading, the council would merely advise the chief executive officer of the Department of Tourism, Racing and Fair Trading and provide reasons why late trading was not appropriate for that particular area, such as poor transport options to remove patrons, security or cleaning problems. The chief executive must, where practicable, make a decision consistent with the council recommendation. We are very serious about taking the council's views into consideration when looking at public need. Obviously these applications would be viewed differently on the Gold Coast from, say, an application somewhere out west.

Clause 62, as read, agreed to.

Clause 63—

Miss SIMPSON: (4.15 p.m.): Clause 63 and, in fact, clause 64 deal with restrictions on adult entertainment, which is limited to licensed premises. One of the sections being removed is 103G(2), which states—

Adult entertainment must not be provided in more than 1 approved area of the permittee's premises at any time.

Reference was made in the explanatory notes to the fact that there had been some problem in practice with this and it is believed that it is impractical to have this subsection in the legislation. I ask the minister to expand on that explanation. I would appreciate the minister's clarification that it still has to be an approved area, in other words, a defined area that is approved for the purposes of adult entertainment. However, subsection 103G(2) is being deleted.

Mrs ROSE: That section restricts a permittee to provide adult entertainment in one approved area at any time. In practice, some premises are configured in such a way that it is acceptable for adult entertainment to be provided in more than one area at a time, as long as it is appropriately controlled. Depending on the configuration, one area might be too inflexible.

Miss SIMPSON: So basically it is still within a defined approved area under those particular licensing conditions?

Mrs ROSE: Yes.

Clause 63, as read, agreed to.

Clauses 64 to 71, as read, agreed to.

Clause 72—

Miss SIMPSON (4.17 p.m.): Clause 72 amends section 116 and deals with the change from public 'need' to public 'interest'. Reference was made to this by members in the second reading debate. While I support the intention of what the government is trying to achieve with this amendment, often one of the most contentious issues is when somebody wants to establish a licensed premises and win approval for their licence. How a community goes about responding to that and availing itself of the law to make sure its voice is heard can be very contentious. I ask the minister to advise of the difference between the way the previous public need test operated as opposed to the new public interest test and ask for examples to be provided. So I ask the minister to give an oversight as to how different the new provisions will operate as opposed to the previous provisions.

Mrs ROSE: This issue was also raised by the member for Gladstone. These changes will increase the ability of the chief executive to scrutinise applications and consider the health and social impacts more thoroughly. The process is more stringent. It will give the chief executive officer more flexibility to take in a wider range of social issues.

The test as to whether a licence or extended trading hours will be granted will not be based on whether the public needs another licence in the locality. Rather, the chief executive will concentrate more on the impact of an additional facility or the impact on the community of a change in trading hours. In particular, the impact on vulnerable subgroups within the community will receive greater focus.

In preparing for the proposed changes, the Liquor Licensing Division has already engaged the assistance of a town and social planning firm to assist in formulating a public interest assessment methodology. Of course, the methodology must be flexible enough to accommodate business development while ensuring that the additional outlet or hours are in the public interest and will not have a negative impact, particularly on at-risk subgroups.

Mr BELL: I note the minister's response to my comments on clause 72 but, with the greatest of respect, I have to disagree that councils, particularly those with fairly advanced town planning schemes, deal only with land use. I will deal individually with the matters to be taken into account. Paragraph (4)(a) states—

the existing and projected population and demographic trends in the locality;

That is certainly a matter which the local authority should take into account when dealing with what we now call a material change of use, previously called a zoning. Paragraph (b) states—

the number of persons residing in, resorting to or passing through the locality, and their respective expectations;

That certainly is a matter which the local authority should take into account in considering a material change of use application. Paragraph (c) states—

the likely health and social impacts that granting the application would have on the population ...

Most certainly that is taken into account in the consideration of zoning. Paragraph (d) states—

an assessment of the magnitude, duration and probability of the occurrence of health and social impacts;

Yes, that is taken into account also when considering a material change of use. Paragraph (e) states—

the proximity of the proposed licensed premises to identified sub-communities within the locality, including, for example, schools and places of worship ...

Most certainly that is taken into account by the local authority. There is always a great deal of pressure on councillors when they are considering a material change of use.

I do not want to be seen as the champion of local government in this House—that is perhaps something for the Minister for Local Government; I have no wish to usurp her function—however, I am concerned that there is a great deal of double dealing. I can understand that the minister wants to ensure that the legislation takes into account these very important matters when a new licence is granted or a material change is made to an existing licence. I have no problem with that and certainly endorse the sentiments and the thrust behind it. I am concerned with the administration of it and the fact that we are likely to have two different bodies—namely, the local authority and the chief executive—considering very much the same matters and calling for the same sort of evidence but having totally different appeal procedures.

I wonder whether the minister would consider as a compromise an amendment by way of the addition of a paragraph (h) to that list of criteria, reading 'the views, if any, expressed by the local

authority of the area'. The reason I suggest that is that it would give some statutory authority to the informal process which now occurs.

The Liquor Licensing Division, to its credit, does write to the local authority when an application is received and asks for the views of the local authority, but I am looking at a situation where there are vested interests involved and likely appeals to either the tribunal or the Planning and Environment Court. I am seeking to ensure that any appeal against a licence refusal can take into account, chapter and verse, all of the issues which the local authority may have considered in reaching its decision, assuming that it has dealt with a material change of use application.

These days, councils generally have long lists of either reasons for refusal or conditions applicable to approval. If this provision is enshrined in the legislation as I suggest, then the council can not only be asked to respond about its support or otherwise for the application but also come forward with its comments, with all of its clauses, and have them taken into account officially by the executive. If there were an appeal against the executive's decision, it would have statutory basis and not just be a reply to a letter.

Mrs ROSE: I thank the member for his comments. I would expect that he would be a champion of local government issues at all times. There would be few members sitting in this chamber with the experience that the member for Surfers Paradise has in local government matters.

I do note the member's request for a further definition, but I understand that section 117 really covers what the member is asking for. Not all councils have the same detailed planning considerations as the Gold Coast City Council uses, and the Liquor Licensing Division has already commenced discussions with local government to examine the further integration of Liquor Act issues with the Integrated Planning Act. We are very conscious of the issues of local councils and local governments. We always welcome and seek comment and recommendations from local government authorities, but the final decision rests with the chief executive.

Mr BELL: Whilst I note the minister's explanation, I point out that in other areas there is specific provision in legislation for local authorities to be consulted and for their responses to be taken into account. I feel that I have to press the matter further. Therefore, I move the following amendment—

insert—

(h) the views, if any, expressed by the local authority of the area.

Mrs ROSE: It is already there. Under section 117 the special provisions are there.

Mr BELL: I do not have section 117 before me. Having now read that section, in the circumstances I will withdraw my motion. Again, I would like to speak with the minister personally. Having read section 117, I regret to say that I do not think it goes nearly far enough, particularly bearing in mind that the provision would be trying to create evidence for use in an appeal against the executive's decision. There would be planners and QCs involved in looking at every fine point, and I am trying to extend the evidence which would be before the ultimate tribunal. So I withdraw my motion but, again, I would very much welcome a few minutes with the minister later.

Mrs ROSE: I will be very happy to talk to the member further about it.

Clause 72, as read, agreed to.

Clause 73—

Miss SIMPSON (4.30 p.m.): I have a quick question about the advertising of applications and inserting a detached bottle shop and adult entertainment permit. Were those previously provided for under regulation, or were they omissions from the previous act and that is why they are being included now?

Mrs ROSE: They were previously done by application. This just locks them into the legislation.

Clause 73, as read, agreed to.

Clauses 74 to 84, as read, agreed to.

Clause 85—

Miss SIMPSON (4.31 p.m.): There are a number of aspects to this clause. My question to the minister relates to the fact that a question was raised by the Scrutiny of Legislation Committee in regard to the power of immediate suspension of licences as proposed under section 137(c) and

whether this has been done with due regard for the rights of the licensee. I would appreciate the minister's comments.

Mrs ROSE: Section 137(c) empowers the chief executive to immediately suspend a licence if he believes, on reasonable grounds, that a basis exists for taking disciplinary action in relation to a licence and harm may be caused to members of the public if urgent action to suspend the licence is not taken. The licensee may apply to the Liquor Appeals Tribunal for a review of the decision. Upon requesting the review, the chair of the tribunal must ensure that, where practicable, the matter will be dealt with as soon as possible. The rights of the licensee must be balanced against the rights of the public. As the chief executive must be satisfied that harm may be caused to members of the public if urgent action to suspend the licence is not taken, it is considered that this power is justified in the public interest. The chief executive would use this power in cases where, for example, there are fire safety problems or urgent health issues which require attention.

Members of the House would recall the circumstances a few years ago when the use of the drug GHB at a rave party resulted in a number of young people passing out and needing hospitalisation. So these provisions are to cater for emergent circumstances such as these when urgent action must be taken to prevent further harm.

Clause 85, as read, agreed to.

Clauses 86 to 91, as read, agreed to.

Clause 92—

Mrs ROSE (4.32 p.m.): I move amendment No. 1 circulated in my name—

1 Clause 92—

At page 72, after line 16—

insert—

' 154C Inclusion or amendment of other premises as part of authority of club licence

'(1) A licensee under a club licence may apply for—

(a) the inclusion of a statement in the licence that the licensed premises include other premises; or

(b) a change of a statement in the licence that the licensed premises include other premises.

'(2) If the chief executive approves the application, the chief executive must adjust the licence to ensure it describes the licensed premises after the inclusion of the other premises or change of the other premises.

'(3) Section 111 [1] must not be used to do something that can be done under this section.

'(4) A regulation may prescribe the requirements for an application under this section.

'(5) In this section—

"other premises" see section 85(1A).'.

1 Section 111 (Variation of licence)

This amendment allows existing licensees of sporting clubs to apply for an approval to sell liquor at the club's sporting field. The approval will relate only to the sport for which the club was established and allow the sale of liquor in conjunction with home games or fixtures. The hours and approved area for liquor consumption will be specified on the club's licence and any relevant conditions to ensure the responsible service of alcohol and the preservation of the amenity of the local area. The amendment represents a saving to sporting clubs, which must currently obtain a general purpose permit at a cost of $27 per day. This amendment will allow an ongoing approval for $50.

Amendment agreed to.

Clause 92, as amended, agreed to.

Clauses 93 to 100, as read, agreed to.

Clause 101—

Miss SIMPSON (4.34 p.m.): This clause, which amends section 235, relates to regulations. A number of new points will be added specifically to the number of things that can be regulated. However, I draw the minister's attention particularly to subsection (m) relating to the limits on noise coming from licensed premises. I would appreciate the minister's feedback as to how this differs from the current regime whereby officers can go along to a site and determine that it is noisy. Is a different standard to be applied? How will unacceptable noise be determined?

Mrs ROSE: There is no difference, and it is going to be specified in the regulation.

Miss SIMPSON: Obviously, noise emanating from premises is one of those things that can be controversial in a local community. Is it up to the officers to go there and determine that a premises is noisy? Do they need equipment to do that, or is it based on their own judgment?

Mrs ROSE: It is the same as with any noise complaints that we act upon. They will go in and talk to the licensee, and they will talk to the people who have made the complaints. They will have equipment which assesses the level of noise, and they will direct the licensee to take any appropriate measures to reduce the noise.

Miss Simpson: So there is no change?

Mrs ROSE: No.

Clause 101, as read, agreed to.

Clauses 102 to 108, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, with an amendment.

Third Reading

Bill, on motion of Mrs Rose, by leave, read a third time.

WINE INDUSTRY AMENDMENT BILL

Second Reading

Resumed from 22 March (see p. 85).

Miss SIMPSON (Maroochydore—NPA) (4.38 p.m.): The coalition will be supporting the Wine Industry Amendment Bill. This legislation is important for a number of reasons; firstly, to implement the proposals arising from the national competition policy review of the Wine Industry Act 1994 and, most importantly, to further develop the wine industry in this state from a tourism potential perspective.

The August 1999 report on the review of the Wine Industry Act by the national competition policy wine industry review panel is certainly worth reading, and I recommend that to members of the House. It provides a very interesting historical background to the development of the industry and certainly the potential of the industry.

In the past five years the industry has gone from fewer than 30 wineries selling at the cellar door to now about 70 wineries selling at the cellar door, and exports have flourished. Certainly our wine industry may still be small in volume terms compared to the rest of Australia, but this is a potential export market. It is certainly a terrific tourism opportunity and a way for primary producers to diversify. I understand there has been an increase from about 618 tonnes of winemaking grapes in 1996 to about 2,018 tonnes last year. So there has been a significant increase over a relatively short period.

As I understand it, most of the other states have a system that sets benchmarks in relation to the quality of wine being produced and sold. This issue has been debated in this state as well. Certainly, the industry is to be encouraged to look for ways to continue to improve upon its excellent results in developing a very distinct Queensland wine industry. Let us hope that this legislation will now see a greater acceptance of Queensland wines and a maturing of the industry.

The most significant aspect of this legislation is the creation of a new wine merchant licence, which recognises that there are activities other than traditional winemaking, which can add value to the Queensland wine industry but which have previously not been allowed to take place. Eligibility for a wine merchant licence requires a business to contribute to the Queensland wine industry in a substantial way. What constitutes a substantial contribution is outlined extensively in the bill in clause 5. For example, the legislation provides that a person's business will contribute in a substantial way if that person buys fruit in the state to make wine or to have wine made under their direction, or grows fruit in the state that will later be used to make wine but, until that time, buys fruit to make wine, or blends in the state different wines to create a unique wine. This bill outlines that the definition of 'substantial contribution' will not extend to people buying bulk wine from outside the state and bottling it here or selling only wine made and bottled by other persons.

These new provisions have generally been well received, although I understand that if an existing wine producer had invested heavily in their business over the years, the criteria have

certainly changed and that may mean that we were creating a different playing field. However, it is recognised that the horse has really bolted in many regards and that the legislative guidelines have to be brought up to date to cater for those who want to maintain the development of this industry.

With the creation of the new wine merchant licence, there is the potential for an influx of new people into the industry. Certainly, there will be an ongoing need to develop the training for and quality of new people as they come into the industry to ensure that it continues to make the great leaps that it has in the past.

Growing grapes is the harder and more risky part of a winemaking operation owing to the husbandry required in terms of labour, time, the risk from the vicissitudes of the weather, pests and diseases incurred in establishing a vineyard and growing and harvesting the grape. The amount of risk that a grower carries is far greater than that carried by someone who was to purchase the grapes from somebody else to make wine. This legislation must ensure that there continue to be incentives for those who seek to have a long-term future in the industry and who seek to grow and create the vineyards that will be the heart of this industry.

I acknowledge that the Queensland Wine Project—an initiative of the Department of State Development and begun in 1997—has now seen something like $50 million being generated and invested in the industry. However, the minister may like to assure the House that projects such as this and this sort of support will continue, as it is vitally important to the development of the wine industry—not only for our export markets but also for the tourism industry and the potential growth of this area.

It is important that the wine industry in Queensland receives the very best advice in relation to the exploration of new markets, technical excellence and management techniques. The Queensland wine industry has proved that, although still in its infancy, it has enormous potential—potential for economic development for this state and potential for adding to the already successful tourism industry that we value so dearly and rely on so heavily. It is noted that, in the development of our flourishing tourism industry, the wine industry goes hand in hand with the development of the food industry. It enables us to market value-added local produce as a tourist attraction. The continued development of the regional food and wine industry is absolutely vital.

We hope that this legislation will be the catalyst for the expansion of the industry. I acknowledge that in the minister's second reading speech she outlined that, until now, licensees were able to supplement their licences under the Wine Industry Act with a limited licence under the Liquor Act. This enabled them to sell wine other than their own, although the sale of their own wine remained the primary focus of the business. This legislation is going further in that process. It intends to make it easier for that to take place. It acknowledges that they have a primary licence, and this will be a complementary part of their primary licence, but the blending provisions are also being removed from the act.

I have been asked by winemakers, winegrowers and winesellers about what will happen to the labelling provisions. The minister has given an assurance that the labelling provisions will remain. This will be very important for promoting a very distinct product and helping to continue the development of a very distinct and high-quality product in Queensland.

I thank the minister's staff and the department for their briefing in this regard. We certainly support the continued development of this industry and hope that this legislation will help in that process. We will be asking some questions at the committee stage in regard to some of the definitions and the application of the bill in practice. However, we support this legislation.

Mr REEVES (Mansfield—ALP) (4.46 p.m.): It gives me great pleasure to support this bill. I congratulate the minister on introducing the Wine Industry Amendment Bill. I must admit that I do not like to drink wine.

Mr Springborg: You can catch a bus to the wineries.

Mr REEVES: People can catch a bus to the wineries. In fact, I once caught a bus to the wineries. I went on a study tour with the former minister to have a look at the impact of the wine industry. On that occasion we caught a bus to the wineries. I must say that I had little or no knowledge of the wine industry until I went on that study tour. It still did not change my lack of enthusiasm for wine. However, I was impressed not just by the marketing side of the industry but also its tourism potential. I believe it is an industry that will continue to expand in Queensland.

For many years Stanthorpe has been renowned for its wine. The Burnett area also has an ever-growing industry. On that study tour I got to meet some of the winemaking families who have been there for generations. I learned of their achievements, not only in the wine industry but also in the tourism industry. Their linkage with the horse breeding industry was interesting. There are similar linkages in the Stanthorpe area. This is an industry which will obviously expand, and hopefully this legislation will facilitate that expansion.

Currently, no wine may be sold under a licence unless it has been made from the fruit grown by the licensee or it has been made by the licensee in Queensland. Operators using contract growers and makers or blending parcels of wine are not eligible for a licence under the act. The existing licence type is to remain as a wine producer licence. The key change to eligibility for this licence is that an operator must grow the fruit used to make the wine at the licensed premises or must make the wine at the licensed premises. In other words, a wine producer must have a vineyard or a winery.

A wine merchant licence is to be introduced to cover operators conducting other wine industry-related businesses. This new licence type recognises that there are activities other than traditional winemaking, which can add value to the Queensland wine industry but which have previously not been allowed to take place. To be eligible for a wine merchant licence, a business must be contributing to the Queensland wine industry in a substantial way.

The act will contain examples of practices that will be acceptable, including buying fruit grown in the state and having it made into wine in the state, growing fruit that will later be used to make wine but using contract fruit and winemaking facilities in the meantime, and blending parcels of wine to create a unique wine. There are also examples of practices that would not be acceptable, including buying bulk wine from outside of the state and bottling it, and selling only other people's wine. The intention of the merchant licence is to provide opportunities for entrepreneurial activities that contribute to the overall growth of the Queensland wine industry. It is not intended as a back door to retail wine shops or to retail sales of wine from supermarkets.

It was not until we studied this bill that I realised the amount of wine that is sold at wineries. The largest majority of wine sales are actually to people who inspect wineries and buy wine there. Unfortunately, the former minister bought me a couple of bottles of wine—the only wine that I thought tasted any good—and then he misled me. They did not arrive, but that is another story.

Wine producers will operate under similar conditions to current licensees. They will be able to sell their wine for takeaway purposes or as a sample. With approval they will be able to sell wine for consumption on the premises or sell wine at other premises that can operate as a remote cellar door. They will also be able, with approval, to sell wine other than their own, including blends, provided that they do not sell more of that other wine than their own wine in a given year.

A wine merchant licence will authorise the sale of wine for takeaway purposes or as a sample. With approval, wine merchants will be able to sell their wines for consumption on the premises. However, they will not be able to operate remote cellar doors as wine producers can, as the amendment to section 9 requires that a wine merchant licence must relate to only one premises. The provision will prevent supermarkets or other retail chains from setting up one token wine business and operating statewide through defacto remote cellar doors.

Wine producers will continue to be able to have multiple nominees to control their premises. This is because they are able to operate remote cellar doors and, therefore, need authorised people in control of each premises under this licence. Wine merchants who can operate only one premises under this licence are entitled to only one nominee, as with all other liquor licences.

This bill allows wine producers to open from 8 a.m. as of right at their main licensed premises. Many licensees carried this starting time over from the repealed 1974 legislation and it more closely reflects the operating times of primary production and agriculture business. Wine merchants and remote cellar doors operated by wine producers can open at 10 a.m. These businesses are less likely to be in rural locations than wine producers' main premises. Extended trading hours may be applied for. All premises will have until midnight as the ordinary closing time, with the ability to extend trading hours if necessary. Although few wine licensees in Australia trade after 5 p.m., the later trading hours allow them to conduct functions or other special events if required. This will be an important aspect of growing the link between the tourism industry and the wine industry, as it will allow flexibility in trading times.

Only wine producers may apply for and be granted a promotional permit to sell their wine away from their main premises at one-off events. These provisions have also been clarified to confirm the temporary nature of these permits. They are intended for use at single events only,

and the chief executive must be satisfied that a permit is more appropriate than a permanent licence.

Also, the bill amends the legislation to clarify that the sale of any wine that is not authorised by the licence is an offence. Given that the legislative framework rests upon what wines can and cannot be sold by licensees, this offence is central to ensuring the act's integrity.

The bill also amends the legislation to allow licensees to be absent from the premises for up to 28 days without seeking the chief executive's permission, provided that the premises are left in the control of an employee or agent. If the licensee is to be absent for more than 28 days, the approved nominee must assume management of the business. That makes sense.

In recognition of the fact that wine merchant licences may result in industry expansion to more urban locations, the legislation is amended to increase the powers of investigators. Currently they have most of the same powers as contained in the Liquor Act, and this will be expanded to include the power to require the abatement of nuisance and/or dangerous activity. In particular, this power is necessary to control any noise nuisance that may be created.

This bill should be supported by everyone in the House, and I believe that it will be. It will help with the growth of the wine industry in Queensland. As I have indicated, the study tour that I undertook with the former minister and the member for Cairns educated me about the wine industry. Laurie Longland, the Executive Director of the Liquor Licensing Division came along, and he has a great deal of knowledge about the industry. No doubt the passage of this legislation will mark the start of a further boom for the wine industry in Queensland.

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (4.55 p.m.): I rise to speak in favour of this bill. I also support the initiatives that the bill will introduce, particularly those that will grow the wine industry in Queensland. We hear a great deal of concern expressed about the unwise or imprudent consumption of wine, but the reality is that whenever people use alcohol and, in this instance, wine in a judicious and safe manner, the industry can grow substantially in our state.

There is a winery in my electorate called Gecko Valley, which provides a prime example of the job growth that small wineries can provide in an area. I will be tabling this lovely coloured brochure from Gecko Valley.

Mr Copeland: It is good wine, too.

Mrs LIZ CUNNINGHAM: It is excellent wine. The brochure includes a price list, tasting packs and so forth. If anyone wants to have a quick browse through that later on, they are more than welcome.

Mr Springborg: Are you going to incorporate it in *Hansard*?

Mrs LIZ CUNNINGHAM: I will in a minute. Wineries such as Gecko Valley create a huge new employment stream not only in my electorate but also in other areas. Obviously the vineyard needs staff to prune and care for the vines. In the picking season, a lot of young people get casual employment, two of whom are depicted in a photo on the front of this very colourful brochure. There are on-site sales of the wine. Gecko Valley has been developed by Tony and Colleen McCray, and it is a real credit to them. They have developed a storage area, a blending area and a place for alfresco dining. They employ a chef for cooking, organising menus and so on. They also supply picnic baskets which can be ordered. They certainly boost the tourism industry because they make the availability of their services and their commodity known through the information bureau. They are great ambassadors for the region. By recognising a couple of those elements in the wine industry, the legislation will go a long way to fostering increased employment.

A wine producer licence has been available for some time. Under the bill, a person applying for the new wine merchant licence must contribute substantially to the Queensland wine industry. They must buy fruit grown in the state to make wine in the state or have wine made under the person's direction on the premises of another winemaker in the state. There is a recognition of the lead time for the investment in vines. The bill refers to a person who grows fruit in the state that will later be used to make wine but until that time buys fruit to make wine.

I commend the minister for that clause, because it recognises the lead time when growing any new commodity, particularly fruit and that sort of thing. There is a period when no real income is available. This clause gives a grower the opportunity to be recognised as a major contributor to the work force, the community and the wine industry by recognising their very real need to buy product while their own grapes are growing. The third criterion refers to a person who blends in the state different wines to create a unique product.

Through the growth of Gecko Valley, I know that local opportunities for employment have been increased. The diversity of employment is certainly there. They have now opened a gallery where a wonderful artist in my electorate, Margaret Worthington, has launched an exhibition. I attended the opening of that exhibition and it certainly added distinction to the Gecko Valley winery. I commend Colleen and Tony McCray. They are a young couple who saw the opportunity for growing grapes and establishing a winery. He is an engineer. They took the risk and they have established a commendable business. I seek leave to table that brochure.

Leave granted.

Mrs LIZ CUNNINGHAM: I recommend members have a good read of it, because it contains some great products.

Again, I commend the minister for this bill, for the initiatives it contains and the opportunity it presents to grow our wine industry into the best in the world.

Mr PURCELL (Bulimba—ALP) (5 p.m.): I support the Wine Industry Amendment Bill 2001. Recently, I took a trip to the Granite Belt.

Mr Springborg: That was your old country.

Mr PURCELL: It was my old stomping ground. I used to play football in the foothills of Stanthorpe. I used to show those blokes from Stanthorpe that us blokes from Texas, even though we could not produce any wine, could produce some good footballers.

Mr Springborg: They still talk about you up there, too.

Mr PURCELL: My word they would—and it might not be just because of the football. But we won't go into that.

Wine is becoming a very important part of the Queensland economy and our tourism industry. Some people think that the wine industry in Queensland developed only recently. It did not. Wine has been produced in this state for over 70 or 80 years. However, it is only now that we are starting to see large-scale commercial production. But you do not have to have large acreages to be successful.

I wish to inform honourable members about the wineries at Stanthorpe, and I urge honourable members to visit them. A drive through the Granite Belt takes visitors past Heritage Wines, the Stanthorpe Wine Centre, the Castle Glen Vineyard, the Old Caves Winery, which I have been to, the Cat's Paw Winery, the Severn Brae Estate, Inigo Wines, Kominos Wines, Mountview Wines, Felsberg Winery, Bramble Patch—I think I have also been there, although I am not really sure; it was wearing on in the afternoon—Stone Ridge Vineyard, Rumbalara Vineyards, Bungawarra Wines, Hidden Creek Vineyards, Windermere Wines, Granite Ridge, Winewood, Golden Grove Estate, Ballandean Estate—and I will come back to that—Robinsons Family Vineyard, Preston Peak Vineyard and Bald Mountain Vineyards.

I had the opportunity to call into the Ballandean Estate recently when I was on the Granite Belt. I followed my colleague to the olive festival at Stanthorpe, where I have some more mates with whom I used to play football and do other things with from time to time. Ballandean Estate Wines has been around for a long time. That family has done a marvellous job in developing the industry. It has been there since 1931. Angelo's grandfather started off the winery. They have some 90 acres. They produce all the good stuff—shiraz, cabernet sauvignon—I bought a half a dozen of those; they are very good wines—merlot, semillon, sauvignon blanc, chardonnay, and the late harvest Sylvaner. They are very good wines. They also make very good ports and, although they are not something I drink a lot of—I do not generally drink a lot of wine, but it is good with a nice meal—they also produce sauternes and half-bottle dessert wines.

Ballandean won a tourism award in 1996, 1997 and 1999. Interestingly, they also host Opera in the Vineyard—an open-air charity event attracting over 2,000 guests, held during the first week in May. So any members who did not go recently have missed out. Jazz in the Vineyard is a famous jazz entertainment afternoon. The annual event is promoted with lines like 'Take the girlfriend if you're not married and take the wife if you are,' because it is a very romantic afternoon.

Wine always makes things go better, particularly on the Granite Belt. There is also the Stanthorpe rodeo in Autumn. In April everyone goes to Tenterfield. The Tenterfield football team is not bad. You always have to win the toss at Tenterfield. You run uphill during the first half, because you never have enough puff to do that in the second half. So you do the hard work in the first half and run over them in the second half going downhill.

In May they have the Southern Downs Triathlon. As my colleague the member for Mansfield mentioned, a lot of people take a bus to the Granite Belt from Brisbane on the 'brass monkey' weekend tour. That is held in June, July and August. We are right in the middle of it now so people need to get into it. In August there are the Leyburn Sprints and the Shearer's Breakfast. I went to Leyburn recently. A lot of olive groves have been planted there. And that goes well with wine. They are attracting tourism to that area, which is great for the growth of the area and jobs.

When this bill is passed, it will give the places that I have spoken about around Stanthorpe the ability to sell wine while their vineyards are coming on. My home town of Cowra, where I used to work when I left school at a very tender age, is now under vine. I know the lead time it took for that to come on. Rothbury's bottle it. I think it won a fair few gold and silver medals with its Rothbury's Cowra Chardonnay, which is grown on the eastern slopes of the Binni Creek Road on the way to the Wyangala Dam. It is a very good wine.

I support this bill and the minister in her endeavours to make it easier for wineries to flourish and for the industry to continue to grow, and with it the tourism industry.

Mr SPRINGBORG (Southern Downs—NPA) (5.07 p.m.): In rising to support this legislation, I must admit that after listening to the honourable member for Bulimba I can really only say 'ditto'. If he had a few wineries in his electorate I would stand up here and talk about them.

Mr Mickel interjected.

Mr SPRINGBORG: You know what they say about Tories. You should not always listen to their advice. I tried to do the right thing by the member, but if he is not wise enough to see him coming, that is his issue.

As I said, the honourable member for Bulimba certainly spoke at length about my electorate. He spent some time just outside of Texas. I inform the honourable member that now there are wineries down in his old stomping grounds around Texas.

Mr Purcell: Hang on. Do you want me to talk about those?

Mr SPRINGBORG: Not really. It is true that he did play a lot of football there. They still talk about him in Texas. He was pretty good in the front row.

I rise to support this bill, which I think is a reasonably good bill. It has grown out of the need for a national competition review which basically had to happen for all legislation and regulations of all governments around the Australia, including Queensland, and also local government. On that particular issue, when conducting reviews which are required under national competition policy, we always need to be careful to ensure that we get the mix right, that we do preserve the prerogative of the state and that we do look after the issues of sovereign importance to the state. We were able to do that here earlier today with regard to the Liquor Amendment Bill which basically sought to preserve the status quo, for some very good policy reasons, that existed in Queensland

My electorate of Southern Downs—and the electorate that I held prior to that, Warwick, and the electorate that I held prior to that, Carnarvon—basically comprises the pioneering side of the Queensland wine industry. I heard what some members said earlier today about the wine industry expanding to other areas throughout Queensland. I think that that is absolutely great. Nevertheless, the Granite Belt is unique and will always have something to offer. A lot of investment has gone into the wine industry in that part of the world.

Needless to say, the Burnett is becoming a very good quality volume grower in the wine industry. I will not talk too much about the area of the honourable member for Callide, who will want to talk about that later, or the area of the member for Nanango. That provides some good competition and in many ways it complements the wine industry on the Granite Belt. Grapes are also now being grown and wines produced in places such as St George, outside Ipswich and many other areas of Queensland. I would like to encourage all of those people involved in the wine industry.

The Granite Belt is unique, as is the development of the wine industry around Texas and Inglewood in my electorate. I would particularly like to focus on the Granite Belt and what it has to offer not only in terms of producing unique grapes and hence wine as a result of its altitude and topography but also the very significant tourism industry that has grown up around the wine industry. People have the opportunity to experience a part of Queensland that has a significant climatic variance to the places that they would normally experience, and I say that in a very positive way.

My part of the world is often featured on television at night-time as recording the lowest temperature in Queensland. I note that it is also quite cold around Oakey sometimes, but our area is consistently a bit colder. However, that does not necessarily reveal the true picture. If we have a cold morning, it can be followed by the most magnificent day. A lot of people travel to my part of the world. Brass Monkey Week turned into Brass Monkey Month which turned into Brass Monkey Season. That has been an enormously successful tourism marketing venture for the Granite Belt. I would like to compliment the Southern Downs Tourist Association and also the Granite Belt Tourist Association for the work they have done on that promotion over a period, because it is unique. Many home stays and bed and breakfast opportunities have popped up as a direct result of that. At this time of the year people enjoy the chance to travel down to that region and experience Christmas in winter, which is provided for in many establishments, and to enjoy the opportunity to sit down around a log fire with some good food and also some very good wine.

The Queensland wine industry has grown a lot over the past 30 years, especially when one considers that the first Wine Industry Act, as I understand it, came into being in the early seventies. I stand to be corrected by the minister and her advisers. When considering a young wine industry and the need for regulation of that industry, regard must be had for the way the industry exists at present and the attitudes of the day. The wine industry has grown and it has changed a great deal over a period and not without some degree of dissension within the industry itself, as many people would acknowledge.

There are different views in the wine industry. There were the traditionalists who felt that the only people who should be able to be in the industry were those people who grew every single grape that went into the bottle of wine in their winery and that was it. If somebody wanted to come along and purchase grapes and have the wine made on contract under their label and sell it, they felt that those wine makers should be viewed a little bit differently. I understand those issues but, of course, the industry has moved on significantly in Queensland. That is what this bill addresses. Some of the matters were addressed in legislation that was passed by this parliament about four years ago. This takes it a step further.

The shadow minister, the member for Maroochydore, detailed some of the history of the production of wine in Queensland, including the very small tonnages which are now increasing exponentially every couple of years. I think that is a positive thing. One of the encumbrances for the Queensland wine industry over a period has been that when it really did get on to a good line of wine—and there is quite a lot of it around—there would only be rather small volumes. Consequently it would become very popular, but it would sell out quite quickly. While there will always be an opportunity for niche or boutique wineries, which need to be encouraged, there is also a very strong need to encourage quality volume production in the wine industry in Queensland. That is something which now stands the wine industry in Australia in very good stead, whether it be in New South Wales, South Australia or Western Australia.

Our wines are now selling very competitively worldwide and are being noted as being among the best in the world. I had the opportunity to be part of an overseas delegation some years ago. It was interesting to visit a little place in Germany called Saarbrucken and to hear people talking about the fact that Australian wine was cheaper to buy there than locally produced wine. That was very, very interesting. The quality of it was equal to or better than that which they themselves produced. We really need to go a little bit further before we can compete on that scale. If you compare us with the major wineries down south, you will see that they produce tens of thousands of tonnes of grapes and turn that into wines—basically 680 bottles per tonne. Once you get into that volume production you can also get into that quality, consistency and the lower cost that is brought about by economies of scale.

Queensland has a very, very good, burgeoning industry. One thing that has happened over the past few years has been the investment in technology. A lot of people have had the opportunity to go away and do wine makers courses at the best places around Australia and to then come back and assist in improving the quality of the wine, ensuring that the chemistry is right so that the wine does not spoil, ensuring that the acid levels are right and so on. Many of the wineries now employ a professional wine maker, which is a good way of ensuring consistency and quality.

In common with the honourable member for Bulimba, I would like to pay tribute to the likes of the Zanattas, the Puglisis and the Grays and other people who have been involved in the wine industry in my part of the world for a long time. They started off in the very gestational stage and have seen the wine industry come of age. The honourable member mentioned the great range of

high-quality wines that has been produced around Queensland. I note that he mentioned dessert wines. Whilst I am a bit like the honourable member who catches the same bus all the time in terms of my consumption of wine, I do occasionally appreciate a dessert wine. It can be very, very nice. There are some good ones. They are rated very highly not only in Australia but also worldwide. That is good to see. We now have wines that are meeting the competition in the best shows around Australia. They are winning bronze and silver medals, and that is great. I know that the minister is a very, very strong advocate of the Queensland wine industry. I think we have been fortunate in this state to have ministers who have a real appreciation of the wine industry, as they are the ones who are responsible for the legislation and the encouragement of the industry.

As the member for Bulimba said, as with any industry, investing in the wine industry requires a significant up-front investment—perhaps thousands of dollars per acre—and then a fairly long wait for a return. There are also a number of vagaries which can cause problems. Hail, for example, is a significant problem on the Granite Belt because of its geographic location. Sometimes people are wiped out not just for one year but maybe even two or three years. The opportunity for people in those circumstances to buy grapes from elsewhere which they can bring in, crush and make into wine on their own premises is a very welcome one. People are now growing grapes under contract in other areas where the seasonal vagaries as a consequence of hail are far less dramatic. That has been welcomed by producers on the Granite Belt. They have a geographic advantage because of the higher altitude and the greater amount of sunlight at the right time, which results in higher natural sugar levels and produces a unique wine.

To turn to a couple of specific issues, the need for legislation to be contemporary is extremely important. The minister's second reading speech states—

A wine merchant licence may only be granted to an operator whose business will contribute to the Queensland wine industry in a substantial way.

A wine merchant licence is a new category of licence which has been created, and I think that that is important. If we are going to allow different innovation and investment in the Queensland wine industry, we need to ensure that we preserve the bona fide commitments of people in the Queensland wine industry. As the minister is well aware, there has been concern in the past of people bringing wine in from interstate and labelling and selling it as Queensland wine. This issue was debated in the parliament a number of years ago. Because of that innovation, there is a need to underwrite the significance and supremacy of Queensland wine in legislation. This bill seeks to do that.

The bill also gives recognition and supports those people who undertake the whole wine-making process—that is, those who grow the grapes, crush the grapes and make the wine. I wrote to all wineries in my electorate when this bill was introduced in the last parliament. Everyone seemed to be supportive of it. One person indicated that he felt that we should ensure that we recognise those people who make major investments in the Queensland wine industry and that we continue to encourage them, and this bill does that. Another important issue is labelling, and the bill overcomes the issue I mentioned earlier. With regard to restrictions on blending, we need to be careful about this. I do note that, whilst the restriction has been lifted, the legislation requires that the wine needs to be made from 85 per cent of licensee fruit to be classified as licensee wine. If people genuinely want to buy Queensland wine, this legislation will enable them to buy wine that has been produced and bottled locally. If they purchase wine in Queensland that is produced elsewhere, that is their choice and they need to know about that too. Labelling should provide the full disclosure that people want.

I commend the bill to the House. It is a good bill. I do not know how long it will be before we come into the parliament again to debate a new wine industry bill, but the changing nature of the industry over the last decade or so has necessitated at least a couple of amendments. This legislation will stand the industry in good stead for some time to come. In concluding, I again commend all those people who have made significant investments in wine in my electorate and the rest of Queensland. In some cases, these investments run into the hundreds of thousands or millions of dollars. That is a big commitment and many real and sustainable jobs flow from it.

Ms MOLLOY (Noosa—ALP) (5.22 p.m.): The Minister for Tourism and Racing and Minister for Fair Trading is to be congratulated for bringing this bill forward. It is confirmation that the Labor government is committed to supporting Queensland industries—in this case, the wine industry—by fostering investment in and growth of the industry and regulating the industry in a way compatible with minimising harm arising from the misuse of liquor. Because of the introduction of this bill, the Queensland wine industry will experience greater strength due to the proposed amendments. A wine producer will operate under similar conditions to current licences,

therefore diminishing inconvenience to those already holding licences. They will be able to sell their wine for take-away purposes or as a sample. With approval, they will be able to sell wine on the premises or sell it at other venues which can operate as a remote cellar door. They will be able to sell other wine, including blends, provided they do not sell more of the other wine than their own in a year.

A wine merchant licence will allow the sale of wine for take-away purposes or as a sample. Wine merchants will also be able to sell their wine for consumption on the premises. They will not, however, be able to operate a remote cellar door as wine producers can, as the amendment to section 9 requires that a wine merchant licence must relate to only one premises. This provision will prevent statewide retail chains and supermarkets from setting up one token wine business and then setting up a de facto operation through remote cellar doors. This will obviously give the Queensland wine industry the necessary protection from being destroyed. After all, multinational supermarkets have no loyalty to our wine industry.

In relation to the labelling of wine products, the legislation requires that consumers are not misled in any way, which again contributes to an industry which is so highly valued nationally and internationally. Nations across the world are acknowledged and respected for their quality wines, as is Australia. As part of this nation, Queensland wines are establishing themselves in that international market. As an aspect of the tourism industry, what a great way to herald this state's great achievements by underpinning industry with progressive legislation. Also, the blending provisions will be repealed as they are deemed no longer relevant.

In relation to nominees, clause 10 omits section 13, which relates to nominees for new or existing licences and replaces it with a section that reflects the two categories of licence. The underlying philosophy is to ensure that there is an adult responsible for each licence and, where other places are involved, for each place, as is explained in this section. As cited in the explanatory notes, a nominee is mandatory when the applicant is a corporation which is already a licensee or when there is more than one person. A nominee is also mandatory where the holder of a wine producer licence wishes to sell wine at other premises other than the main venue. Therefore, the nominee is for the other premises only if stated in the licence.

Underpinning the wine industry with strong legislative commitment can only further enhance the Queensland wine industry to the forefront of tourism in this state. It gives me great pleasure to support this bill. Noosa is a great tourist destination with fine food, bars and scenery. What better way for Queenslanders to showcase our achievements such as an excellent wine industry in a beautiful and relatively unspoilt tourist destination for all Australians and overseas visitors.

Mr SEENEY (Callide—NPA) (5.26 p.m.): I have much pleasure in rising to support the Wine Industry Amendment Bill before the House today. As other speakers have said, the bill is the result of the combined administrative review and national competition policy review of the act.

Mr Nuttall: You're not reading notes, are you?

Mr SEENEY: I am quoting what other speakers have said. The bill maintains the current licence under the new name of the wine producer licence and requires licensees to operate a vineyard or winery at the licensed site. As the minister said in her second reading speech, the bill introduces a second category of licence, to be called a wine merchant licence. This licence recognises that there are other operations that can add real value to the Queensland wine industry. It is good to note that efforts are being made to add value and increase the worth of the Queensland wine industry. It is a great industry and an important industry in many areas. Nowhere is it more important as a developing industry than in the South Burnett in the southern end of the Callide electorate.

The area has some great wineries which are developing great products. Those wineries are dependent upon the tourist trade. This legislation will ensure that they continue to be able to trade as cellar door operations and to offer something more than just a wine product: they offer a wine experience, because they allow visitors to visit the vineyard to sample the product and buy the product as a souvenir. It is good to see that there is differentiation in the bill between a wine producer licence and a wine merchant licence. The provision in clause 21 which preserves the use of those terms is a particularly valuable one—that is, that wine merchants cannot use the terms 'vineyard', 'winery' or 'cellar door'. It is important that those terms and the marketing advantage that they give to developing wine operations is preserved and maintained. It is important that that advantage is not taken away by operations that are not vineyards, wineries or cellar doors, as we know them in the traditional sense.

A lot of work has been done in the South Burnett to develop a wine trail. A number of vineyards in the district have come together to establish a wine trail, to put together a product that is attractive to the tourism industry. I urge each and every member of this House not to miss the opportunity to sample the wines of the South Burnett and to take advantage of the visitor experience that the wine trail offers. There are five wineries involved in the Murgon shire. They are Barambah Ridge, the Clovely Estate, Rodericks, Bridgeman Downs and Dusty Hills. By the time you get around those five wineries, a great day has been had.

I have a point of difference with my colleague the member for Southern Downs, who said that the South Burnett wine industry was a complement to the Granite Belt wine industry. I think the South Burnett wine industry will very quickly overshadow the Granite Belt wine industry and that the Granite Belt wine industry will certainly complement the South Burnett wine industry. My friend the member for Logan said earlier in the House that he had taken the brass monkey tour to the Granite Belt and suffered the same fate as the brass monkey. He will not have to worry about that when he visits the South Burnett, because brass monkeys are pretty safe up in the South Burnett. I commend that tour to all members of the House.

The wine industry is also developing further north. The Central and Northern Burnett has developing wineries that are producing a great product. They are also selling the whole visitor experience to people who are interested in wines and wineries. A particular favourite of mine is the Waratah winery at Mungungo, operated by a friend of mine, Max Lindsay, who produces the wonderful Three Moon wine.

The Wombah winery at Gin Gin is close to the Bruce Highway and is able to take advantage of the tourist trade of people travelling the Bruce Highway. In that situation wine is not only a bulk product for drinking; it also allows people to experience the attractions and beauty of the particular area and to take home some of those bottles of wine as souvenirs. That makes for a great visitor experience.

When people visit Parliament House they sometimes take home a bottle of wine as a souvenir. Parliament House has its own range of wines that carry the Parliament House label. I know that many members, including me, use that range of wines for thankyou gifts and tokens of appreciation to constituents at different times. Also, I think all of us use those wines as souvenirs for people who visit us here in Parliament House.

I have a concern about that particular range of wines. I will read from the label of one such bottle. This is a bottle of the Parliament of Queensland Cabernet Shiraz, which I am sure most members are familiar with. It is not a bad drop. It is quite a good wine. The label states that the wine is the produce of Australia but that it is bottled by Tyrrell's Vineyards Pty Ltd, Pokolbin, New South Wales. I raise the question very sincerely: why is the Parliament House labelled wine, which we all distribute, a New South Wales wine? Queensland has a great wine industry. The greatness of that wine industry has been attested to by members from both sides of this House here this afternoon. There is no argument about that. Why is the Parliament of Queensland labelled wine from New South Wales?

I am unashamedly a supporter of Queensland industry. Everyone in this House from time to time has supported Queensland industry and the efforts of Queenslanders, no-one more than the Premier, who makes something of a meal of doing that. He goes a bit over the top with his parochialism at times. But the spirit of supporting Queenslanders is something we all understand. I take this opportunity to call on the Speaker—I guess the Speaker is responsible for the production, management and sale of this Parliament of Queensland wine—to endeavour to get a good Queensland wine, as something we can proudly distribute and sell under the Parliament of Queensland label. I do not think that will be very hard to do. I think any of those vineyards from the South Burnett that I have mentioned would be only too pleased to assist in that endeavour. I am sure that any of the vineyards from the Granite Belt that my colleague the member for Southern Downs mentioned would be only too pleased to assist in that endeavour.

I say to the minister responsible that I look forward to her support in that endeavour. Let members from both sides of the House lobby the Speaker to ensure that we have some Queensland wine in the Queensland parliament.

Mrs Rose: We actually do.

Mr SEENEY: The minister says that we do. I am not sure that any is actually sold in the dining room. What is important is the wine that is distributed under the Parliament of Queensland label. When we give this wine to people as tokens of appreciation—

Ms Struthers: Let's try it.

Mr SEENEY: No, I am not going to table it. I just brought it in so that I could quote from the label. When we distribute this wine as a token of our appreciation to our constituents or our visitors, the first thing they notice—especially those from wine-producing areas such as the South Burnett and the Granite Belt; people who have an affinity with wine—is 'Pokolbin, New South Wales'. We really need to do something about it. I look forward to gaining the support of both sides of the House to achieve what I proposed. I think that would be a great thing that would reflect well on all of us as we continue to use those small tokens of appreciation in the job that we do.

I have great pleasure in supporting this bill. I take particular pride in supporting the wine industry, because it is an emerging industry in my electorate. Quite an amount of corporate money has been invested in the wine industry in the South Burnett. That industry is still very much in the developing stage, but it is providing jobs for a lot of people. This is in an area that was suffering from the same economic downturn as the rest of rural and regional Queensland. Now in the South Burnett there is a real optimism. There is a real buzz about the place. There is a difference in that area, simply because of the investment that has been made in industries such as the wine industry and the olive industry and those types of associated intensive industries. That is a great thing to see. It is something I would like to see repeated in a whole lot more communities in rural and regional Queensland.

These types of industries—the wine industry in this case—deserve the support of every member of this House. They certainly have my support. I think the legislation we are considering today will do nothing to hinder the development of the wine industry that can be a great industry for Queensland and that can provide great opportunities in a whole range of areas for generations of Queenslanders to come. I commend the bill to the House.

Mr MICKEL (Logan—ALP) (5.38 p.m.): In a spirit of bipartisanship, I join with my friend and colleague the member for Callide in highlighting the need to ensure that Queensland wine is available in Parliament House. I think the honourable gentleman has touched on something here. I am saying that now without the fear I had earlier when he was waving that bottle around in a manner that perhaps was not too threatening. Nevertheless, I am glad that he has put it down.

I think the point the member raised is a valid one. I think at times we do not go out of our way to promote the Queensland product. I said to my friends in the cotton industry that I wanted them to put on a cotton display here in Parliament House to rival the one that they do at the RNA show, because there is a negative view of the cotton industry that I think a few glasses of wine and some great Queensland cheese could overcome.

As the minister said in her second reading speech, this bill is a result of a combined administrative review and the national competition policy review of the act. The wine industry has nothing to fear from the National Competition Council looking at its industry. As I said, along with the cotton industry, it is an internationally competitive industry operating largely without a statutory marketing authority.

The Australian Wine and Brandy Corporation administers export licensing arrangements and labelling standards, as well as some generic industry export promotion, but largely the industry operates without a statutory marketing authority. What has happened as a result of that? Wine exports have increased from 11 million litres in 1985-86 to 194 million litres in 1997-89. By 1999, exports were valued at over $1 billion and accounted for 30 per cent of production.

The bill introduces a wine merchant licence. By world standards, Australia is not a large wine producer, and domestic consumption is lower than in most other wine producing countries. Export success has been achieved through focused brand development, strong distribution relationships, the use of high technology and a greater emphasis on higher margin red wines. The Australian wine industry's reputation has grown over the last 30 years with well-established regional brands like Coonawarra, Barossa Valley and Margaret River.

It has been encouraging to see the debate between the member for Callide and the member for Southern Downs about their respect of wines. That is a positive thing, because what has to happen is that each area has to get its own identifiable brand of wine. That competition is going to be healthy, particularly if the Burnett wines have a reputation—whatever that reputation might be—that differentiates it from somewhere else. That is fantastic. The same applies to the Granite Belt wines. The important thing is quality and product differentiation.

Just to back up the member for Callide—I was encouraged to find that some Burnett district wines are now available in the distinctive Brisbane restaurants. The industry has come a long way in reaching that position. The important point is that individual labels can, with proper marketing,

become significant global brands. I believe that the success of the wine industry is a lesson and should be a standard bearer for other agricultural products.

Statutory marketing is not the great panacea primary producers believe it is. Australian wine producers have invested considerably in production and distribution inside foreign markets. International marketing by individual firms and the industry as a whole has been well coordinated, innovative and effective. The industry set out a marketing strategy to convince overseas consumers that Australia is a wine country—one which wine lovers should accept has a quality product.

Older Australians grew up with the belief that French wine was far superior. And when one considers what the Australian wine industry was like 30 years ago—I think the best on offer was Ben Ean—people would have had no illusions other than that French wine was superior. But in 30 years those perceptions have changed, and they have changed because of the efforts of producers and wine markets.

The battle now facing us is not to confront foreign consumers with Australian wines that appear to be the same. We gain nothing if overseas we just flood the market with one type of wine. The industry has seen this and set about a process of differentiation based on region and grape variety—for example, cabernet sauvignon in the Coonawarra and shiraz in the McLaren Valley. It is this task of point of differentiation which will be the challenge in the various areas of Queensland as the industry matures.

What the Australian wine industry experience proves is that scale matters. Australia's four largest wine companies all rank in Rabobank's index of the top 20 wine companies globally, yet Australia produces only two per cent to three per cent of world wine output. The scale of the big players in the Australian industry has enabled the wine industry to hold five per cent of world trade—more than double its share of world output.

This industry is, I believe, a beacon to any government in developing policy for a processed food industry in this state and nationally. There is reason for optimism, but not for complacency. Rising medium to long-term affluence, especially in Asia, gives us a chance. When I visited Singapore late last year, there was a significant presence of Australian wine on supermarket shelves. If the federal government achieves a single market with Singapore, we could enhance this presence, especially if the high-taxing regime on alcohol in Singapore is reduced. But as I said, we cannot be complacent about quality.

Whilst this bill removes restrictions on blending, labelling provisions remain, ensuring that consumers have access to true information about the source of any wine sold. We can sometimes forget that the export market begins at home.

The member for Callide spoke about the presents that he gives to people. And in giving those presents to people, we often forget that those presents also can be a start of an export market. If we give that bottle of wine to an overseas visitor or even to an overseas student who is studying here in Queensland, that can be the start of an export market, particularly if they go back home and tell their family and friends about a favourable wine experience here in Queensland or here in Australia. So because this bill upholds quality in a highly successful export industry, it deserves the support of the whole House.

Mr ENGLISH (Redlands—ALP) (5.46 p.m.): Despite what other members have said, I rise to inform the House of the best vineyard in Queensland. This bill is designed to develop our wine industry, and today I will highlight the activities at the Mount Cotton Estate. The property was first purchased in 1985 by Terry Morris, and the winery was first planted in 1995. In 1999, construction began on the supporting facilities; and in just under two years, the vineyard opened on 15 July 2000. The estate, apart from having a winery and all the infrastructure that goes along with that, also has brilliant supporting facilities. It has excellent eating areas, including an excellent restaurant by the name of Lurleen's, which combines superb food with, of course, the local excellent wine.

Mr Choi: Good restaurant.

Mr ENGLISH: Excellent. The Mount Cotton Estate, despite having been open to the public only just over a year now, has already won a number of awards in the Australian wine awards. The 1995 Mount Cotton reserve pinot chardonnay won a silver medal at the Australian Small Winemakers Show in October. The 1999 Mount Cotton reserve shiraz won a silver medal at the Australian Small Winemakers Show in October 2000. The 2000 Stradbroke chardonnay won a bronze medal in the Sheraton/Courier-Mail Wine Awards in November 2000. The 2000 Moreton

Bay shiraz cabernet sauvignon also won a bronze medal in the same awards in November last year.

I encourage all honourable members, next time they are in Brisbane—maybe during the next sittings—to take a trip to Mount Cotton Estate. It is only 30 kilometres from town—half an hour's drive, easy. While they are out there they can experience the excellent wine and the excellent food that is on offer. For their information, the address is 850 to 938 Mount Cotton Road, Mount Cotton. Please call for bookings.

Mr COPELAND (Cunningham—NPA) (5.48 p.m.): I have much pleasure in joining in this debate. Like the member for Redlands said, it could be forgotten that there are many areas in this state that are producing wine and getting into the wine industry in a very big way. My electorate is one of those. The southern Darling Downs and Darling Downs area is producing a lot of wine now, and there is an enormous amount of investment going into that area. I am very happy to have that industry in my electorate.

As many members have said, this is an emerging industry. It is an industry that is bringing hope and diversification to many areas that really needed it—areas such as the South Burnett and the Darling Downs, which have been through some fairly tough patches; but now this emerging industry is coming into play.

Obviously, the Queensland wine industry is quite different from that of the other states, even though there has been a wine industry in this state for a very, very long time. I think the first winery was established on the north side of Brisbane 140-odd years ago, from memory, and the Romavilla Winery at Roma has been producing wines continuously for over 100 years. So it is a long tradition. But I guess the best known of the wine areas is the Granite Belt, which the member for Southern Downs has gone into in some detail. It has been seen really as a bit of a niche market, a boutique market, and I guess that is a very valuable part of the market, and certainly part of the market that some of the wineries in my electorate are getting involved in. But there are commercial quantities also being developed. The operators in the south Burnett—for example, the Clovelly Estate, those sorts of very large investment wineries—are putting together some very good wines that will be produced in large quantities, commercial quantities, in the very near future.

The Australian wine industry has performed very well internationally. The member for Logan has detailed some of its achievements. I know it brings great pride when we can go overseas and boast that we have some of the finest wines in the world. The UK market, for example, is almost dominated by Australian wines now, which is a great achievement. It will take some time for the Queensland wine industry to be able to take part in that major commercial activity overseas, but certainly being able to make inroads into those markets is a valuable contribution.

There is actually only one winery operating within the Cunningham electorate. It is called Vale View Winery. It is a great winery. John and Hazel Chersini operate it. It is a new winery. They are developing their own wines. Even though it is new, it is already producing some terrific wines. It is a great place to stop. Right around the boundary of the electorate and literally on the boundary across the road, there are places like Preston Peak Winery. It is an absolutely magnificent winery. It is right on the escarpment of the Toowoomba range and looks out over Tabletop Mountain and the Lockyer Valley. I know there are some chardonnay socialists sitting in this parliament who would love to come and partake of the eminently drinkable '97 chardonnay that Preston Peak produces and take in that view and one of the terrific platters that they do for lunch.

I extend an official and unofficial invitation to any of the members present who would like to come to our area and drive around all of the wineries. It is a very nice day out. If it is on an official visit, I am very happy to take people around them. If it is on an unofficial visit, I am also happy to take people around them. I have made a study tour of these wineries, and I know them all very well.

There is the Old Gowrie development, which is not on line yet but is an absolutely massive investment. Along the highway between Toowoomba and Dalby, at Charlton, there is a very historic 130 year old homestead called Old Gowrie, which is a beautiful place. Ron and Marie Newbery purchased that property a couple of years ago and have put a huge amount of investment in. They have got a large area under grapes and have done it in the best possible way. It will be an absolutely magnificent addition to the Queensland wine industry. If anyone is driving up there, I know that Ron and Marie would be more than happy to welcome you into their winery and give you a tour of the place.

There is also Governor's Choice Winery at Westbrook, run by Jamie and Liz Yeates. They are doing a terrific job. I know the minister opened that winery last year. I was present on that occasion. I am sure the minister will concur that they also put out a very fine drop and have wonderful views up through the Darling Downs and back towards Toowoomba.

There is Rimfire Winery at Maclagan, which is also very well known for the Angus steaks that they serve in their cafe.

Mr Hayward: Are you bringing any product to the parliament for a tasting?

Mr COPELAND: I would love to bring the product into parliament, but unfortunately not much of it makes it back! Rimfire does an excellent job. All five of those wineries are within a very easy drive and a visit to them all makes for a wonderful day out.

It just goes to prove that there are a lot of things going on in the state. A lot of the members have mentioned where the wine industry is starting to develop—the Granite Belt, South Burnett, St George, Roma and those sorts of areas. Riversands Vineyards are doing some terrific things out there. There are also wineries in the Gold Coast hinterland—

Mr English: Mount Cotton.

Mr Mickel: Mount Tamborine.

Mr COPELAND: Mount Tamborine, and of course Mount Cotton, as the member for Redlands said. One of the ones I was previously unaware of is up at Gladstone at Gecko Valley, which the member for Gladstone highlighted before. I knew the wine but I did not know that it was actually from Gladstone. So it has been a learning experience for all of us.

At the moment the wine industry is relying quite heavily on niche markets. That is quite a feasible business to be in. It is a terrific business to be in. The cellar-door sales mostly take precedence for these wineries that I have been talking about, and that is how the bulk of the wines are sold. They are producing relatively small commercial volumes.

I am very happy to support this bill, because it introduces more flexibility to assist these wineries and also other people who are making a contribution to the wine industry to enable them to continue to develop. I think that is a wonderful thing, not only for the wine industry but also for the economy in Queensland, the employment that it generates and the prosperity that it generates in a lot of areas right around the state.

I have one question that I ask the minister to clarify. Perhaps the committee stage is the more appropriate time to do that as opposed to her reply. In her second reading speech, she stated—

> A wine merchant licence may only be granted to an operator whose business will contribute to the Queensland wine industry in a substantial way.

I am sure the minister would be aware that there are some real difficulties and some very big grey areas about how to exactly define 'the Queensland industry'. I am sure the minister would be aware of some of the problems that a number of the wine shows have had, for example, in determining whether or not a wine is eligible for Queensland judging. There are cases where people have produced grapes in Queensland and sent them over the border to be made into wine, or imported some wine to be blended with wine in Queensland. There may be grapes that are produced in Queensland but go just over the border to Ballandean or somewhere like that. I know there are a couple of instances where there are winemakers just south of the border, but to all intents and purposes they are Queenslanders. I think it is a grey area that is very difficult to define. Perhaps the minister can clarify it for me later.

The other industry that goes along with the wine industry and has been touched on by a number of members is the tourism industry. As I said, a lot of people have mentioned the Granite Belt and the brass monkey season, which has been a phenomenally successful promotion for them and is a great time to go down there. The member for Callide mentioned the wine trail in the South Burnett. The same thing is happening in Toowoomba and on the Darling Downs. The Toowoomba and Golden West Regional Tourism Authority has done a great job with some of its promotions. I note that one which is just finishing is called the leaf peeping season. Madam Deputy Speaker, you look at me strangely. Toowoomba is one of the few places where you can actually go and watch the leaves on the trees change colour. It is a magnificent time of year in Toowoomba, and this has been a very successful promotion for them. It is now expanding into becoming a City of Seasons promotion and those sorts of things. That ties in with people coming to visit and taking advantage of the wineries that are around us and also taking advantage of some of the wonderful bed and breakfasts, like Vacy Hall, which is another beautiful old

homestead in Toowoomba operated by Maryanne Anderson, who is a wonderful and generous host. I am sure she would be more than happy to welcome any members to her home in Russell Street in Toowoomba.

The other promotion that is coming in—and I think it all ties together in terms of promoting local produce—is the Signature Dish Competition that concluded last Saturday. I was at the final of the Signature Dish Competition for Toowoomba in Grand Central on Saturday, where they had the cook-off for the three chefs who made the final. A lot of chefs took part in that competition, and the winner was a chef from Crown Restaurant and Oyster Bar, who did a dish with lamb. The second and third place-getters were both dishes that were made from silver perch that were produced in an aquaculture venture at Millmerran. So all of these things are starting to tie in, and I think it is becoming a very good promotional tool, not only for Toowoomba but also for all of the areas that do a similar sort of promotion.

The Royal Agricultural Society of Queensland introduced last year a Toowoomba Royal Wine Show. I think that wine shows are a very valuable part of promoting and developing the wine industry and—more specifically, probably—the skills in the wine industry.

I think it was the member for Southern Downs who mentioned earlier that professional winemakers are now being employed in a lot of the wineries around Queensland. That is terrific, because it is bringing some very specific skills to the industry. The wine show circuit assists with that, as it teaches judging skills, helps winemakers compare wines from different areas—not only within the state but within the country—and teaches them what goes into making a good wine and the difference between a good wine and a bad wine.

There are a lot of wine shows around. There is the Brisbane Royal Wine Show, the Sheraton *Courier-Mail* Wine Show, the Cairns Wine Show, the Small Winemakers Wine Show in Stanthorpe and, of course, the Toowoomba Wine Show, which I think was the first wine show to be held there last year.

Taking advantage of the geographical location of Toowoomba can help a lot of developing wine areas. Toowoomba is quite strategically located and is within easy access of the Granite Belt, South Burnett, Roma, the Darling Downs, the Gold Coast hinterland and Brisbane. It has a very large role to play. I am thankful that the Department for State Development continues to base a wine development officer in the Toowoomba office of the department. That person is doing a terrific job in helping to develop winemaking skills and the wine industry, and assisting in dealings with the government. I commend the government for continuing that position in Toowoomba.

To finish, I would like to touch on a point raised by the member for Callide regarding the parliamentary wine. The member for Callide is incredibly complimentary. It is a trait that he is known for. He said that this was quite a good drop. I have to say that it is a pretty average drop. It is not a particularly good wine. There is no doubt in the world that there are wines being produced in Queensland that leave this for dead.

It is good to see that in the parliamentary dining room and the Strangers Dining Room there are Queensland wines for sale. Robinsons champagne is one of the best champagnes in Australia. It is a fantastic sparkling wine. There are other good wines too, such as the Ballandean Estate wines. The Ballandean Estate 1994 Sylvaner won the gold medal and champion wine at last year's Toowoomba Royal Show. I believe that it is the most awarded Queensland wine that has been produced. From memory—and I will stand to be corrected on this—it has won the champion dessert wine at the *Courier-Mail* Wine Show in Brisbane, held at the Sheraton Hotel, for 16 years in a row. That is a fine achievement for any wine, let alone a Queensland wine. I congratulate Angelo on the terrific work that he has done. He is a real pioneer in producing Queensland wines.

I, too, would lobby the Speaker of the House on this matter. Madam Deputy Speaker, I ask you to pass on to Mr Speaker the message that two of us have enunciated—and I think we were joined by the member for Logan—that is, that the parliament's labelled wine should be a Queensland wine. There are plenty of good Queensland wines to choose from. There are plenty of good Queensland wines that are produced in commercial quantities. That would be a great addition to this House. The first time I was in the dining room, I was incredibly surprised to see that the wine was from New South Wales. I do not think that that would be an unusual reaction at all. We should look seriously at changing that. I commend this bill to the House.

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) (6.03 p.m.), in reply: I thank all honourable members who have spoken to the Wine

Industry Amendment Bill 2001. Of all of the dozens and dozens of bills that I have seen come before this House, I have never before witnessed such enthusiastic bipartisan support for an industry.

Mr Reeves: It's the best speech that the member for Callide has ever made.

Mrs ROSE: Yes, the member for Callide gave a great speech. As has been pointed out by some members, this bill strikes at the heart of my portfolio as it has obvious benefits to both the wine industry and the tourism industry. Wine tourism is a rapidly growing sector of our second-largest industry, tourism. This bill will only help in developing it further.

The amendments contained in the bill are sensible changes that reflect the realities that are taking place in the industry. The amendments allow entrepreneurial activities, while still ensuring the development of the wine-growing industry in Queensland. While freeing up our licences to better serve the public, we have also put in place the regulatory safeguards that the community expects to be in place for the sale of alcohol.

As indicated by the member for Southern Downs, the bill has had wide industry consultation. He wrote to all of the people involved in the wine industry in his area and, as he indicated, this bill is being eagerly awaited by the industry and by anybody who is engaged in it.

I will run through a few issues that have been raised by members before we go into the committee stage. The member for Maroochydore asked whether or not I would give a commitment for the continuation of the Queensland Wine Project. The Queensland Wine Project is a matter for my colleague the Minister for State Development. As the amendment to the objectives of this bill shows, we are certainly committed to encouraging investment and growth in the industry. We will continue to implement strategies to achieve that.

As far as marketing goes, I can call on any one of the speakers in the House today—

Mr Hayward: But they didn't bring any product with them.

Mrs ROSE: One did, but he just won't share. I am sorry I had to step out during the contribution of the member for Gladstone, but I understand and acknowledge her support for the bill. She supports the initiatives to grow the industry. She talked about the Gecko Valley Winery in her electorate. She tabled a brochure from that winery, which I look forward to reading. Hopefully I will get the opportunity to visit Gecko Valley at some stage. I thank her for her support.

The member for Southern Downs made some comments regarding labelling. It is important that consumers are aware of where the wine actually comes from: where the grapes are grown, where the wine is made, where it is bottled and where it is labelled. In Queensland, we lead the way with labelling provisions. The other states have to rely on the truth in labelling requirements of the federal provisions. Unfortunately, they do not go far enough and they can be misused. For example, under those provisions one has to say only that the wine is a product of Australia. That certainly does not go far enough. We recognise that, which is why we are making sure that our labelling provisions are better than that.

I thank the member for Redlands for his contribution and acknowledgment of Mount Cotton. I went to Mount Cotton when the building was not even completed. I pushed the button on the first press for their white wines.

Mr English: You're responsible for that goodish drop, then?

Mrs ROSE: It is great. As members have acknowledged, we have wineries popping up in all sorts of places where one would not expect them.

I agree with both the member for Callide and the member for Logan that most people would be disappointed to buy a product that has the Queensland parliamentary label on it, whether or not it is wine or anything else for that matter, only to find that the product belongs to another state. That is a very good point. It is one that we can pursue with the Speaker.

A few members in the chamber were around a few years ago when Speaker Neil Turner held a wine evening on the Speaker's Green. He invited all of the local wineries to come along and show their product to the members of parliament. Each party actually nominated a person to select some wines to go onto the wine list in the dining room. I acknowledge the role that Neil Turner played in trying to get some Queensland wines onto the wine list.

One of the Labor members nominated was former member for Bundaberg, Clem Campbell. He asked me whether I would like to assist him in the tasting. There were quite a number of wines. I would say there were 12 or 15. The glasses were very small, but once having gone from champagne to reds to whites and then to ports, by the end of the night I do not know that

anybody could really tell the difference. Everybody thought all of the wines were exceptionally good. They probably ended up putting all of the names into a hat and drawing out the winners. Perhaps it is time we did that again, given the enthusiasm and support of members on both sides of the House for the wine industry. Perhaps we could approach the Speaker with a couple of views: firstly, about the fact that the Parliament House labelled wine is not a Queensland wine; and, secondly, we could perhaps give Queensland winemakers another opportunity to put their wines before all honourable members. Perhaps we can do the same thing again and have a team of people—I am sure we will get plenty of volunteers—to test the wines and select them for the menu.

Particularly with boutique and smaller wineries, one of the issues is trying to strike a balance between producing enough wine to meet the demand. There are a lot of issues facing the industry. We are very keen to develop it. As I said, that is what this legislation is aiming to do. It is very welcome legislation. I think it has been an industry which has been overlooked as a job generator. It is an incredible boost for the tourism industry. Wine tourism is something we are very much focused on through Tourism Queensland. Through Tourism Queensland we help wineries and local tourist associations to develop their wine trails. We have a series of excellent wine trails throughout the south-east corner in particular. I thank all honourable members for their contribution. I will make further comments during the committee stage.

Motion agreed to.

Committee

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) in charge of the bill.

Clauses 1 to 4, as read, agreed to.

Clause 5—

Mr COPELAND (6.14 p.m.): As I alluded to earlier regarding the significant contributions to the Queensland industry, there is a significant grey area in just what constitutes the Queensland industry and how we should recognise that. As I said, there have been a number of wine shows that have experienced problems in defining just what is eligible and what is not. There is a good argument that the rules should be quite broad, because it is a developing industry and we may not have all of the skills that we need. Broadening that definition can help to develop those skills and thereby develop the industry. I would appreciate the minister's comments on that and the other comments I made earlier.

Mrs ROSE: An example of what is not acceptable is bulk bottling of somebody else's wines. This is known as cleanskinning. That is not acceptable. I remember that when the wine legislation was being drafted by the former Minister for Tourism, Bob Gibbs, there was a real problem with container loads of wine coming in and being bottled here, despite the fact that none of the wine was produced in Queensland. 'Substantial' means that part of the operation must happen in Queensland. Either the fruit is grown here, the wine is made here, or the blending is done here.

Mr COPELAND: Can I interpret from that that the fruit can be imported from New South Wales and made at a winery in Queensland with Queensland skills, and likewise with the blending component in that some portion can be brought in and blended with locally produced wine to improve the quality of that wine?

Mrs ROSE: Yes.

Clause 5, as read, agreed to.

Clause 6—

Mrs ROSE (6.16 p.m.): I move amendment No. 1—

1 Clause 6—

At page 7, after line 4—

insert—

'(4) Section 7(2)—

renumber as section 7(3).

(5) Section 7—

insert—

'(2) For including a condition mentioned in section 15(2), (3) or (3A) or 16(2) in a licence—

(a) an applicant for a licence may apply for the condition to be included in the applicant's licence at any time before the chief executive grants or refuses to grant the licence; and

(b) a licensee may apply for the condition to be included in the licensee's licence at any time.'.'.

The first part of the amendment renumbers section 7(2) to 7(3) to enable the insertion of a new 7(2). The second part of the amendment inserts the new 7(2), which provides that applicants for a licence may apply for certain conditions to be included in their licence. These conditions allow the consumption of a licensee's wine on the premises, the sale of a licensee's wine from premises other than the licensee's main premises and the sale of wine other than the licensee's wine, and existing licensees to apply for the same conditions to be included in the licence. The amendment is of a technical administrative nature.

Amendment agreed to.

Clause 6, as amended, agreed to.

Clauses 7 to 26, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, with an amendment.

Third Reading

Bill, on motion of Mrs Rose, by leave, read a third time.

RACING AND BETTING AMENDMENT BILL

Second Reading

Resumed from 22 March (see p. 87).

Mr HOBBS (Warrego—NPA) (6.20 p.m.): I am pleased to speak to the Racing and Betting Amendment Bill 2001. The National Party opposition will be supporting the objectives put forward in the bill. The broad objectives of the bill were outlined by the minister in her second reading speech. They include to provide certainty and ensure that existing rights are maintained in relation to decisions and actions of the Harness Racing Board by declaring that section 43(1)(f) of the Racing and Betting Act did not operate to vacate John Crowley's office as a member and chairman of the Harness Racing Board, and also to replace outdated conflict of interest provisions. The opposition is aware of the recent importance of this legislation. At the time of those conflicts of interest, there was really nothing illegal about this particular matter. It was one of those situations in which legislation was outdated and this has been caught up in that.

I will inform the House of this briefly. As a result of technical breaches of section 43, John Crowley's position as member and chairman of the Harness Racing Board was automatically vacated. This technical breach occurred when the Harness Racing Board purchased motor vehicles from Bryan Byrt Ford, a company with fewer than 20 shareholders, but in which John Crowley is a shareholder. Subsequent investigations have revealed that there was no impropriety on his part or on the part of any other employee of the Harness Racing Board. The automatic vacation of John Crowley's position on the board has resulted in decisions made by the Harness Racing Board being invalid. As outlined in the explanatory notes, the provisions of the act which resulted in Mr Crowley's automatic vacation of office are judged to be outdated provisions. The minister is proposing to amend this part of the act by inserting new conflict of interest provisions for the Harness Racing Board and the Greyhound Racing Authority which will no doubt seek to remove any possible ambiguities.

Prior to commenting on the amendments proposed to the act by the minister, the National Party opposition would like to note and stress the importance of Queensland having a racing industry that is healthy, viable and, at all times, accountable and open to the community. To do this it is imperative that the control of racing remains with the grassroots level of the industry and, by this, I refer to support for leading local clubs in each region.

In her second reading speech, the minister quite rightly noted that the Racing and Betting Act has become an outdated piece of legislation and is worthy of reform. The opposition is aware of the recent discussion paper put out by the minister and her department on the governance of the thoroughbred racing code of Queensland. I might just make a couple of comments about that.

I support the concept of a discussion paper, as I think does most of the industry. However, I really wonder whether using the department as the vehicle for that is the right way to go about it. We need to have some more discussion about this as time goes by. I would have thought it would have been better to have an independent person do it, although it is very hard to find somebody—and I know exactly what the minister is saying; she is nodding—who would be acceptable to the industry. We appreciate all of those problems, and I know that the minister would probably have racked her brain trying to work her way through that.

However, at the end of the day it is still a bit hard to try to come to a logical conclusion after all the submissions are in and, from the departmental point of view, be judge and jury. We as Queenslanders are going to have to manage that fairly carefully in terms of undertaking a lot of consultation and how we go about collating the detail from the submissions that come in. We need to get it right. In my view the general structure of racing is okay. The motor vehicle is there and the wheels and everything else are on it, but it is just not going fast enough or in the right direction.

Mr Springborg: Don't worry. If it was a red one, it would be better.

Mr HOBBS: Yes, maybe if we had a red car. It might be a good one, too.

We in the opposition understand that the intention of the bill is to ensure certainty by validating decisions of the Queensland Harness Racing Board for the period from 6 July 1995 until August 2000. In order to achieve this, the minister has put forward a number of amendments which seek to change or remove sections of the Racing and Betting Act. Clause 3 seeks to amend those subsections of section 43 which relate to a member of the board vacating his or her office. This includes omitting section 43(1)(f), which produced the technical breach for which Mr Crowley then vacated his position as chairman of the board. This clause will also remove other subsections of section 43. The opposition supports the minister's objectives to rid this section of any possible ambiguity and replace it with a clearer response to a member's disclosure of interests.

It is the intention of the minister to insert new section 47A, Disclosure of interests, which applies to a member of the Harness Racing Board if the interested member has a direct or indirect financial interest in an issue being considered, or about to be considered, by the Harness Racing Board and the interest could conflict with the proper performance of the member's duties about the consideration of the issue. It also states—

> As soon as practicable after the relevant facts come to the interested member's knowledge, the member must disclose the nature of the interest to a meeting of the Harness Racing Board.

The opposition agrees with this. However, we ask the minister if there is a time limit in which the interests of the members must be disclosed to the board. Is it possible that 'as soon as practicable' could refer to a month, two months, three months or six months later, and the member still might not have disclosed his or her interest? Although we can assume that a member would act ethically, it is just as important that the new section is not used in a very broad and liberal manner. As noted in the explanatory notes to the bill, the Harness Racing Board acted and made decisions in good faith and it would not be in the public interest to allow such decisions to now be subject to legal challenge.

With reference to the proposed new section 47A(6), which discusses the formation of a quorum for considering or deciding the issue, the opposition wishes to clarify with the minister how many members are needed to be present to make and give such a direction, given that there are four members appointed to the Harness Racing Board. I guess we are looking at a quorum there.

The same amendments have also been applied to the Greyhound Racing Authority through the proposed new section 88A. For this reason the opposition would like to move on to any further comments we have on the parts of this bill. Clause 7 inserts a new part 9, Validation provision, which would declare that the relevant section did not operate at any time between 6 July 1995 and 23 August 2000 as a result of the purchase of motor vehicles by the Harness Racing Board from Bryan Byrt Ford and so cause John Crowley to vacate his office as a member and chairman. We understand that this was a technical breach and it is the intention of the amended legislation to define more clearly what the responsibilities are for members disclosing their interests.

Towards the end of her second reading speech, the minister mentioned that the Racing and Betting Act is an outdated piece of legislation. That is something that the opposition does not disagree with, as I touched on briefly before. However, when we discuss the trouble that has embroiled the racing industry and threatened Queensland's ability to match the support and

success of the industry in New South Wales and Victoria, we can look back at an important issue that was badly administered, I believe, by the first Beattie Labor government. Members can recall that there was considerable discontent in the industry in those early days.

The privatisation of the TAB was initially put forward by the former member for Crows Nest and Minister for Racing in the National Party-led coalition government. At the time we had essentially reached a very tight agreement with the racing industry and other relevant parties involved and realised the immediate importance of moving it on, given the fact that the gaming market in Australia is becoming more competitive. We wanted that flexibility and success to come to the Queensland racing industry.

The racing industry is an industry which has and will continue to be important to the Queensland economy. In 1999-2000 this industry contributed approximately $595 million to the gross state product, including the flow-on impacts from thoroughbred racing. However, there was a delay of some 14 months before the final legislation was put in place. In this time the TAB not only lost a higher price on the market but left the industry in limbo. This would have greatly affected the security of those employed by the Queensland TAB and those who make up part of the 23,000-odd people employed statewide in the racing industry.

The National Party opposition recognises the importance of a strong and healthy racing industry and believes that race clubs, particularly in provincial and country centres, benefit largely in an economic and social capacity. It is well and good that the minister and her department released a discussion paper, but we need to see a form of action in the long run and changes that will be for the benefit of the racing industry. Given the outdated nature of the legislation regarding the disclosure of interests of a member of the Harness Racing Board and Greyhound Racing Authority, the opposition supports the objectives proposed in the Racing and Betting Amendment Bill.

Mr REEVES (Mansfield—ALP) (6.31 p.m.): I congratulate the Minister for Tourism and Racing on introducing the Racing and Betting Amendment Bill to alleviate an anomaly. The purpose of the bill is to declare that section 43 of the Racing and Betting Act 1980 did not operate to vacate John Crowley's position as chair and member of the Queensland Harness Racing Board. A technical breach of section 43 of the act occurred when vehicles were purchased by the board from Bryan Byrt Ford, a company in which John Crowley was a shareholder. This caused section 43(1)(f) to operate to automatically vacate John Crowley's position.

While I am on my feet talking about this subject, I have to say that I have an interest in Bryan Byrt Ford. Bryan Byrt Ford is the No. 1 Ford dealership in Australia, and it just happens to be located in the Mansfield electorate. Bryan Byrt Ford has recently moved from Logan Road to Mount Gravatt-Capalaba Road to a brand-new premises. It has just set up a new service division at Wecker Road in Mansfield which employs many people who live within my electorate. Despite the advent of the new busway, I hope that the sale of cars continues to stay at a steady rate. The great public transport system that Queensland now has might have an impact on the Bryan Byrt Ford dealership and the sale of cars, because people are getting out of their cars and on to the buses.

An honourable member interjected.

Mr REEVES: There is a link in everything. There was no impropriety on the part of any person, particularly John Crowley. The national competition policy report on the Racing and Betting Act 1980 released in November 2000 identified the need to repeal the act and replace it with more current legislation. The sections of the act that caused the automatic vacation of John Crowley's position on the board are outdated provisions.

The bill provides certainty and ensures that existing rights are maintained by validating decisions of the board made while John Crowley's position on the board was vacated as a result of the technical breach. The bill also replaces outdated conflict of interest provisions for the Harness Racing Board and the Greyhound Racing Authority with new provisions that require a member to disclose an interest to the board and outlines a procedure to be followed by both the member and other members of the board. Many people were consulted on this bill, including the Criminal Justice Commission and the Crown Law office.

While talking about the Racing and Betting Amendment Bill—and I notice that the member for Algester is in the chamber—the Rocklea trots is one of the greatest local suburban tracks. I am glad that the Leader of the House changed this year's sitting pattern, because last Melbourne Cup day the member for Algester and I had a pleasant day at the Rocklea trots. I am sure that is probably on the agenda again this year. The facility is just outside the electorate of the member

for Algester but in the electorate of the Employment Minister. If anyone is on the south side on a Saturday afternoon and wants a good afternoon's entertainment, I would suggest the Rocklea trots. It is even good to go there on Melbourne Cup day. I support the bill.

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) (6.34 p.m.), in reply: I thank both the members for Warrego and Mansfield for their contributions to the debate. I do not know that I can add too much more to the debate. The fact that we have to make this amendment is another example of outdated legislation that provides the framework for the operation of the racing industry in Queensland. I again put on the record the fact that technical breaches of the act put legal doubt on decisions of the board and need to be remedied by the board. But there is in no way any impropriety at all on the part of John Crowley or any employees of the Harness Racing Board, and I stress that.

All issues dealing with the legislation have been covered. The member for Warrego referred to the term 'as soon as practicable'. He wants to know when the board is going to meet. Obviously, it will do it as soon as it possibly can. There is no time frame, but it is in its interests to deal with it as quickly as possible. The member also mentioned the number of members. It is just a normal quorum, which is three. He also said that the department would undertake the racing review. In fact, I am doing that. I will be seeking advice, of course, from a range of experts as required—from people with corporate governance expertise, financial and administrative expertise. I will be using the racing division to coordinate the process. I am not going to debate the review of the racing industry. There will be ample opportunity to do that. I thank the staff from the division of racing for getting the legislation together and again thank the members for Mansfield and Warrego for supporting the bill.

Motion agreed to.

Committee

Clauses 1 to 7, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mrs Rose, by leave, read a third time.

ELECTRONIC TRANSACTIONS (QUEENSLAND) BILL

Second Reading

Resumed from 3 April (see p. 190).

Mr SPRINGBORG (Southern Downs—NPA) (6.40 p.m.): At the outset I indicate that the opposition will be supporting the Electronic Transactions (Queensland) Bill. There are a number of reasons for that. Over the past few years we have seen with increasing regularity bills go through the Queensland parliament that seek to put in place national standards under which we are able to operate in a range of different areas. Certainly this bill brings about a degree of consistency with agreements and negotiations between Commonwealth and state authorities over a period. As outlined in the minister's second reading speech, there are a couple of areas of difference with the Commonwealth legislation because of the particular responsibility that is required by the state in an area of assumed or delegated responsibility.

This legislation basically seeks to provide a new, legally enforceable and recognisable mechanism for electronic transactions. I think a lot of us probably assume that, because we are now part of the information age, electronic transactions have full recognition in law. However, that is not the case. We need to ensure that that situation is brought about.

Many of us grew up in an era where a lot what we did was based on paper transactions, and that is probably still the case for many of us. We are probably the last generation to do most things on paper. However, we will seek transition to the new electronic environment. Whilst I use a computer a lot and transact certain matters electronically, I still have a preference for paper-based methods, as most people do. I think there are a lot of challenges involved in going down this path. Many of those have been identified, such as computer hacking on the Internet.

Today every member received a CJC publication titled *Prevention pays!*. The bottom of the third page refers to protecting confidential information. It deals mostly with electronic information

and points to the fact that a major CJC investigation last year, Project Piper, led to 16 Queensland police officers being found guilty of improperly disclosing confidential information. It states that one officer resigned before disciplinary proceedings concluded.

The paper also sets out the sorts of issues that arise when dealing with confidential information, whether electronic or otherwise. It talks about how we go about protecting information and about some of the challenges that lie ahead for government and regulators. What we are dealing with tonight is no different: technology changes, the capacity of people to innovate increases and the demand of the community in general changes.

A television news item I saw last night showed an expert warning people about the ever-increasing use of electronic commerce. It indicated that United States government authorities, through their extraordinary capacity to collect electronic information using some of their sophisticated military technology, may actually be interfering with commercial transactions. That is particularly concerning. The expert pointed out that these agencies have an enormous capacity to suck down information, analyse it and potentially use it for dishonourable purposes.

Nevertheless, we have to move forward. We have to provide the same recognition of electronic transactions as we do for paper-based transactions. There is a very good reason for that. We are dealing today with the need to provide the greatest capacity to innovate in commerce. For example, members can go to their offices at Parliament House, knock out an email message, attach a document and just send it around the world in the space of a few seconds and at virtually no cost. That is the way of the future and it is something we have to embrace for a lot of different reasons.

If we are going to go that way, we need to make sure that those sorts of transactions will have recognition in law. We need to provide a framework to guide any questioning of electronic transactions and give them equal standing to traditional documents and other things that have been used over centuries. As I indicated, there is a need to consider privacy concerns. That is something which is also covered by the bill. There is a need to ensure uniformity. This bill also seeks to do that.

The bill indicates the minimum set of criteria that will be laid down for the recognition of electronic transactions. I think that is extremely important, because people need to know the basic set of standards in order for an electronic transaction to be recognised so that there is no contention further down the track with people saying they were not aware of their obligations. Also, as I understand it there is a need for prior consent on the part of people who use electronic forms of communication. That will be covered by this bill. That consensual arrangement is most important.

We live in a very vast and decentralised state in a very vast and generally decentralised nation, with the exception of the south-eastern part of Australia. Queensland is the most decentralised state. As there are not so many barriers now in our great global environment—sometimes I question the way things are going in that regard—we need to be able to compete with other countries around the world. We need to ensure that our legislative framework is innovative enough to allow us to transact all sorts of business.

The private sector is increasingly using electronic transactions, as is the government. I know that in the minister's own department a commitment has been made for an almost $30 million computerisation and information technology system. That is all about ensuring that we have the latest in technology so that there is an opportunity for technology to be used for the greater advantage of those people who work in the department—I am referring particularly to the courts modernisation program—to be able to transact the business that is expected by those who use government services. That is extremely important.

Over the past couple of years we have considered a number of pieces of legislation that have sought to recognise the changing way we do business. An example is audiovisual conferencing in the court process. That was something that required statutory recognition and it received that statutory recognition in the parliament.

Of course, there will be other challenges. There is now a growing use of intranets within major private sector companies and also within government itself. With the growth of intranets, the legal recognition of electronic transactions and a statutory enforceable framework for them to work under is absolutely crucial.

That raises another challenge, as pointed out by this bill, that is the need to consider other legislation; and that is the point on which I will conclude. The Attorney-General would be very much aware of this, because he alluded to it in his second reading speech. If we are going to

facilitate and recognise the electronic transactions as outlined in this bill, there will be a need to view and update other government legislation to ensure that any archaic or anachronistic provisions can be removed to ensure that the objective of this legislation, as negotiated by the various attorneys-general and the various officers around Australia, can reach its full effect. I look forward to the challenge ahead and seeing how the government is going to meet that challenge. I imagine that, at the end of the day, there will be very few government departments and very few ministers who will not be affected in some way or another by the need to consider their legislative provisions and the need to modernise them to bring into proper effect this bill, which will pass through the House tonight.

By and large, the opposition has pleasure in supporting the legislation before the parliament and believes that it is necessary to move towards the contemporary way in which commerce is undertaken not only throughout Queensland but also throughout Australia and the rest of the world.

Mr DEPUTY SPEAKER (Mr Poole): Order! Before I call the member for Algester, I remind members to keep the noise down a bit in the chamber.

Ms STRUTHERS (Algester—ALP) (6.52 p.m.): Not all members in this House would consider themselves IT competent. In fact, many of us have a bit of trouble accessing a lot of information technology. As part of the Smart State, and being leaders within the Smart State, most of us are trying very hard to sharpen our skills. I am in that category.

If we do not encourage young kids in schools, friends and families to use the Internet and access information technology, we risk having many people who are part of the digital divide. Although we as members of parliament have a lot of access to IT, we are not always making good use of that. I think it is important that we show leadership and demonstrate to others that it is important to keep up with the latest technology.

It is essential that all members support this bill. E-commerce is becoming a way of life. We must have the appropriate legislative regimes in place to both facilitate and regulate these systems. The bill lays the foundation for more people to communicate with government on line and to enter into electronic contracts with government. All of that makes for more efficient business and a more efficient use of technology. Also, I think many of us are keen to save trees and avoid paper. In our job we see a lot of that, and I believe that these sorts of things are critical as we move into the future.

Mr Springborg: But does it save paper?

Ms STRUTHERS: We have to find ways to make sure we do. I am concerned about the information poor in my own electorate. When I visit people's homes, I do not see many computers. It is important that, through Education Queensland, we continue to improve the ratio of computers to students. It was certainly pleasing to see in last year's budget a significant improvement there, and hopefully that will be continued in successive budgets.

Adult Internet users tend to be younger, male, earning in excess of $75,000, employed and living in metropolitan areas. If that trend continues, it will be the people in the Aboriginal communities, older people and the people on lower incomes who will be part of the information poor and part of that digital divide. It is certainly important that we make every effort to improve Internet access for all people.

This government has been committed to making sure that Queensland is the Smart State, and some very significant and important information technology strategies are being actively promoted and implemented by this government. They have included the ones I mentioned in regard to computer access in schools, the Queensland government Internet gateway and the Queensland government marketplace. We have recognised, too, that we have significant information technology skill shortages in this state, and we have a number of strategies to rectify that problem. So there are a number of very positive things happening, and this bill goes some way towards putting in place both a facilitative regime and, to some extent, a regulatory regime.

Some of the unfinished e-business that we have to attend to as a matter of some urgency relates to issues of confidentiality and privacy of e-commerce in Queensland. Many of us, and many businesses, still remain pretty fearful of where our personal details will end up in cyberspace. If we buy a product, if we enact a contract or if we lodge a tender on line, where does that information end up? Where will the receiver of that information use that information? So it is important to make sure that we have proper processes and systems in place into the future to enhance confidentiality and privacy.

I have looked at some of the research on how many web sites, for instance, provide security and privacy policies and practices, and there are very few. Something like 40 per cent to 50 per cent have some sort of privacy policy, but only 20 per cent or so actively promote and publish those on line. Many of us have grave concerns that any of our legal, financial and other details might be misused, intercepted on line or lost somewhere and not end up where they are supposed to end up. Those fears need to be overcome so that people will access e-commerce more than they are at the moment. Digital signature legislation may provide some remedy, but comprehensive guidelines are needed to secure electronic transactions. So at this stage I certainly think this is an important step that we are taking through this bill. It lays an important foundation. But we still have some unfinished e-business.

Dr WATSON (Moggill—Lib) (6.56 p.m.): It gives me pleasure to rise to support the bill before the House. After all, e-commerce is one of the growing areas of commerce throughout the world; and if Australia is to be competitive in the world, we must have a competitive framework. One of the most disappointing aspects of this bill is that it has taken so long to be introduced.

The equivalent of this bill was introduced into the federal parliament in June 1999, it was passed by the House of Representatives in September 1999, and it was passed by the Senate in November 1999. This bill was not introduced into this House until November last year—12 months after the equivalent bill was introduced and passed by the federal parliament. So I am glad that, in the dying hours of this parliamentary week, this bill is actually being debated and will be passed tonight.

The member for Algester mentioned that this government has an idea of Queensland being a Smart State. But it will not be a Smart State if it is 12 to 18 months behind not only the Commonwealth but, in fact, most of the other states. One of the things that concerns me about Queensland at the moment is not that it is behind in this particular area of legislation but that it is behind in other areas associated with electronic commerce.

The member for Algester spoke about the Queensland government marketplace. I assure the member that if she looks at the equivalent Western Australian web site, their GEM system—the Government Electronic Marketplace—she will find that Queensland is way behind the eight ball. The disappointing thing about that is that, when the coalition left government, we were in front of everybody, including the Western Australians. So we actually have a fair way to go to catch up, and finally getting this bill through the House tonight will be simply one small step.

A report produced recently by the Economist Intelligence Unit of Pyramid Research indicated that Australia was second only to the United States in terms of its e-readiness. The reason we had such a high rating was that, in their perception—at least at a Commonwealth level—we had in place the necessary regulatory regime to encourage and support e-business. An important evaluation of Australia's readiness was the federal regime that had been put in place and then the supporting regulation that was going to come through the states. So this is an important part of making sure that Australia continues to be up there. We are not as far advanced as the United States, but at least we are ahead of every other country other than the United States. That is where we have to be if we are to be competitive in the longer term. We have to be at the frontier of development in the e-commerce area.

Most of the work that has been done by the Forrester research group and other research institutes in the e-commerce sector or in information technology indicates that the business to business—the B2B—area is a growth area in terms of future commerce. As a country which depends upon exports and depends upon a competitive position, we have to be up there with the rest of the world.

Just a week ago, Senator Alston, the Federal Minister for Communications, Information Technology and the Arts, announced that Project Angus, which produces digital signature certificates, has been accepted by the Commonwealth regime. That is important, because as the member for Algester intimated, we have to have an ability to transmit digital signatures in a secure fashion. Project Angus is a mechanism that has been put together by Australia's banks—the ANZ, the Commonwealth, the National and Westpac—to establish a framework for e-commerce. That framework has now been accepted by the Commonwealth for transactions associated with the Commonwealth, such as taxation transactions and other kinds of payments. The importance of that is simply this: Project Angus, put together by the banks, is interoperable with the other digital signature programs throughout the world. In other words, through that program, Australian businesses will be able to deal on a B2B basis—business-to-business electronic basis—with the rest of the world.

In Queensland—and I am sure the Attorney-General would be aware of this—we need to make sure that, as the Commonwealth is going down that road, so does Queensland. The kind of framework that the Commonwealth has accepted ought also be accepted here in Queensland. I will be interested to know from the Attorney-General whether or not the Queensland government has moved along that path and whether or not he himself in his own department has thought about that issue and could give us an idea of when we might be accepting digital signatures through Project Angus as part of the Queensland government electronic commerce. That is important. If Queensland firms are to be competitive with the rest of Australia, if Queensland firms are to be competitive with the rest of the world, then their transactions must have the same kind of framework electronically for operating here in Queensland as they do elsewhere.

As I said, it gives me pleasure to support the bill. This bill is important for continuing a solid foundation for e-commerce in this state, a solid foundation for e-commerce in Australia, and it is important for making sure that Queensland and Australia remain competitive with the rest of the world.

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (7.03 p.m.), in reply: I thank honourable members for their contributions—the member for Southern Downs, the member for Algester and the member for Moggill. As all members have indicated, this is an important piece of legislation that facilitates the recognition of electronic transactions as legitimate transactions parallel to the transactions that have traditionally been conducted, on a business-to-business basis, business to government and between consumers and business—usually in the past, of course, through hard copy documents.

As has been indicated, all this started with the United Nations General Assembly model law that was adopted in December 1996. As the member for Moggill indicated, if Queensland and Australia are to remain at the forefront of the economic efficiencies and economic opportunities that arise from electronic business, electronic transactions, then we need to make sure both the legal framework and the technical infrastructure are in place for that to occur.

The member for Moggill mentioned somewhat critically the delay in Queensland getting this legislation before the House. It is true that the election intervened in the passing of this legislation, which was introduced in November last year. It should be remembered, of course, that the Commonwealth legislation does not apply to all Commonwealth laws or transactions until 1 July this year and, of course, our legislation will be well and truly in effect by then. Of course, the Electronic Transactions Acts of other states were mostly passed towards the latter half of last year as well. So although our election intervened, we are not that far behind. Indeed, our legislation will take effect in sufficient time to create the same opportunities for legal recognition of electronic transactions as in other states.

The two main principles that underpin what we are doing here are, firstly, to ensure that electronic transactions are given the same legal recognition as paper-based transactions and that electronic transactions are not disadvantaged in that respect. Secondly, the technological neutrality of electronic transactions is secured by this legislation, except, of course, where there are specific requirements that place conditions on the validity of a transaction, such as security or conditions such as consent to receiving these transactions.

I mentioned in the second reading speech, and also it is noted in clause 10 of the bill, the range of examples for which this bill will provide: the transfer of information to government, such as when application is made for a licence or the lodgement of some form or other; when requests are made for access to information under the freedom of information legislation; and the transfer of information between government and citizens, which will be able to be made more efficient, hopefully less expensive, and certainly more quickly than has been available in the past.

Asserting and securing an individual's rights is also a factor that ought to be able to be exercised by electronic means, and this legislation will allow that to occur. So it is not just the commercial transactions that occur between citizens as part of the civil law of our state but also the relationship fundamentally between citizens and the government that can be transformed by better access to information and by the more efficient transfer of information between citizens and government that make for an open and democratic society.

There are, of course, key issues to be dealt with. The member for Moggill mentioned issues to do with the recognition of signatures. There are other issues in relation to the evidentiary value of electronic documents. As far as possible, this legislation seeks to give effect to documents having equal evidentiary value as hard copy or paper documents. But it will not interfere with other

laws such as the Evidence Act or other legislation which places specific requirements on what sorts of evidence are necessary or sufficient for particular purposes.

This is really the first instalment of laws that, 50 years ago, were not necessary and not even contemplated. It is the first instalment of laws that are a very real response to a changing world. I think it is important—and in some respects underestimated by all of us—the significance of this legal transition to a world in which electronic communication of information and data will become increasingly a central part of our economic life.

I thank honourable members for their contributions. Having regard to the time, I join other members in commending this bill to the House. I thank the opposition for its support.

Motion agreed to.

Committee

Clauses 1 to 27, as read, agreed to.

Schedule, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Welford, by leave, read a third time.

SPECIAL ADJOURNMENT

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Education) (7.10 p.m.): I move—

That the House at its rising do adjourn until 9.30 a.m. on Tuesday, 19 June 2001.

Motion agreed to.

ADJOURNMENT

Hon. A. M. BLIGH (South Brisbane—ALP) (Leader of the House) (7.11 p.m.): I move—

That the House do now adjourn.

Lockyer Electorate, Schools

Mr FLYNN (Lockyer—ONP) (7.11 p.m.): Recently I had the pleasure of attending an educational expo at the Toowoomba City Hall showcasing the achievements of many schools in the Toowoomba and Darling Downs district, together with a number of schools from the Lockyer district. This expo included showcase awards for excellence in 2001. Among the schools which made submissions to the showcase awards were Centenary Heights State High School, Fairview Heights State School, Harristown State High School, Harristown State School, Helidon State School, Rockville State School, Wilsonton State School, Toowoomba State High School Special Education Unit and Withcott State School.

I make special mention of the presentation of the Toowoomba State High School Special Education Unit. It was made by a very dedicated and passionate deputy principal who demonstrated to us all how much can be achieved by students who supposedly are less useful than those from mainstream educational establishments. Many of the students do volunteer work in a local hospital. That work includes taking total control of the internal mail delivery system and the associated computer recording of transactions. The hospital has been so impressed that it has allowed the unit to continue its involvement in hospital ancillary services.

The theme of the presentations revolved around demonstrations of how schools have developed the means to encourage students to seek varying degrees of responsibility and self-reliance within their school communities. The schemes operate under various names, including Peer Support and Peacemakers. They involve children receiving various types of training commensurate with the main thrust of their particular scheme. In any event, the net result is to equip those young people with the means to demonstrate an achievement in displaying traits of non-hierarchal leadership, particularly assisting newcomers to the school environment orientate in their strange surroundings. Those carefully screened and trained students are also responsible for

identifying matters affecting the wellbeing of fellow students, thereby facilitating the creation of a safe place to be.

I am informed that in the participating schools the incidence of bullying and other forms of antisocial conduct have dropped dramatically. In these new systems, authority properly rests with the staff while students, by virtue of their training and particular skills, continue to pursue their systems of excellence. In closing, I commend the staff and students of the participating schools upon their very innovative progress.

Sporting Clubs, Public Liability Insurance

Mr PEARCE (Fitzroy—ALP) (7.14 p.m.): As I move around rural and regional Queensland, it is not uncommon to hear that sporting clubs or community groups have to find $3,000 or more annually for building and contents insurance and public liability cover. This is often more than the groups raise in a year.

The people who make up those organisations traditionally volunteer their time to organise and run events to maintain local facilities and support local charities, hospitals and schools. They are now saying, 'Why put in all the effort to raise money that is going straight into the pockets of insurance companies?'

There is no doubt that the high cost of insurance for protection against the loss of or damage to property, serious injury or loss of life is causing the collapse of the small clubs and community groups. This collapse means the end of activities that were once the social event of the year for many rural communities. The insurance industry needs to recognise the unique place that those community-based organisations have in this state.

I suggest that the insurance industry should take into account the economy of scale which could be created by a wide network of community groups currently paying insurance premiums. The Insurance Council of Australia should play a leadership role in encouraging individual insurance companies to be more innovative in their approach to community organisations.

As I have said, many community organisations are working all year to pay premiums for insurance cover. Community organisations, whether sporting clubs or service organisations, form a very special and distinct part of regional and rural Queensland. There must be a potential for the insurance industry to establish a pooled insurance fund to benefit clubs and community groups across the state.

Today I call on Clubs Queensland, which represents almost 60 per cent of clubs in this state, to coordinate a joint approach by the clubs industry to the insurance sector to progress such a proposal. I am happy to play a role in getting the parties to talk about the potential of this initiative. We need to be innovative and seek a solution to this issue. The benefits to regional communities could be enormous.

Information Technology and Telecommunications

Mr SPRINGBORG (Southern Downs—NPA) (7.17 p.m.): Tonight I rise to renew a call that I made on the Beattie Labor government a couple of weeks ago to look at the issue of information technology and mobile telephony in rural and regional areas throughout Queensland. Over a long period the Beattie Labor government has tended to blame the federal government for almost everything. But if it is serious about making Queensland the Smart State, the government needs to deal with these issues as we go into the future of information economy. It can make things better in rural and regional areas.

I note that the government has implemented some programs to provide assistance for certain community groups to upgrade their skills to become a part of the information age.

Mrs Edmond: What about the hospitals; look what we've done there.

Mr SPRINGBORG: There are some issues there, but I am saying that there is a great opportunity for the government to increase some of the basic telecommunications in rural and regional areas. If the minister listens to what I am saying, she will understand why. Indeed, this overlaps her portfolio in many areas around Queensland.

The federal government has established the Networking the Nation funding program. I am not necessarily an avid supporter of the way that that program was established following the part privatisation of Telstra. However, there is now an opportunity for the state government to step in and match moneys that will be made available under Networking the Nation for the last two

rounds of that program. If one looks at the amount that comes into Queensland, it does not involve a lot of money. It is no more than $5 million, perhaps.

The program has provided an opportunity for people in rural and regional areas of Queensland to gain access to the latest in information technology and mobile telephony when they may not have been able to do that in the past. Certainly throughout my part of the world, with new telecommunications towers being built for mobile telephony in both GSM and CDMA, it has been crucial, but there are many black holes that need to be filled. As the last two rounds for that program are coming up—I think that the last round is in September this year—if the government was prepared to match the funding dollar for dollar there would be an opportunity to address the tyranny of distance issues and the issues of essential communications that so many people take for granted.

In addition, there is also an opportunity to put in place the infrastructure necessary for video conferencing. This is about providing a chance for people in rural and regional areas, including public servants, to be able to attend conferences that they would not otherwise have been able to attend because of the distances they would normally have to travel. This program has been beneficial for rural and regional areas of the state. If the state government is prepared to match it dollar for dollar for the last two rounds, we could make the Commonwealth money we are going to get go a lot further and we could see services enhanced in many areas throughout Queensland.

BLF Charity Touch Football Day

Mr PURCELL (Bulimba—ALP) (7.20 p.m.): I am pleased to inform the House that on Sunday, 20 May this year the BLF—my old union—held the first construction workers touch football charity day in Brisbane. And a great day was had by all. Firstly, I thank the Deputy Premier, Terry Mackenroth; the Minister for Industrial Relations, Gordon Nuttall; the Minister for Emergency Services, Mike Reynolds; the federal shadow minister for Industrial Relations, Arch Bevis; and the member for Ipswich West, Don Livingstone, for their support and attendance.

Over 50 teams entered the touch football competition, which was won by the Wadsworth Constructions team, which beat the team of Tarong construction workers employed by Barclay Mowlem. What a great effort it was for the Tarong boys to come down all that way and get through to the final. I congratulate Wadsworth Constructions on winning.

Approximately 3,000 people attended the day. Each and every one had a fantastic time. Some 15,000 toys were given to children and over 2,000 ice-creams were handed out to all and sundry. We were flat out eating the ice-creams; it was a bit of a cold day so the ice-creams were not in huge demand. But I can assure members they were all eaten by the end of the day.

I had the pleasure of refereeing the team tug of war, which was won by the WACO Scaffolds team, anchored by Tia. Anybody in the construction industry who knows Tia would realise that he would have made the difference as the anchor of that team; our Tia is a big boy.

The day was focused on family fun, but the underlying purpose was to raise $45,000 to purchase a mini ambulance complete with defibrillator for the Queensland Ambulance Service. I am pleased to announce that this target was met. My esteemed colleague the Deputy Premier had the pleasure of presenting a cheque for $45,000 to a representative of the Ambulance Service.

Thanks to the BLF and the construction industry, the ambulance has become a reality. The mini ambulance is used in crowd situations where it is impossible to get regular ambulances through. The new mini ambulance will be used at major sporting events, music concerts, Anzac Day parades and even the Brisbane Exhibition in August.

Another $5,000 raised on day was donated to Guide Dogs for the Blind, in which the BLF has had an ongoing sponsorship for years going back to my day. Credit for this day and the success in raising the money must go to Greg Simcoe, BLF State Secretary; Terry MacIntyre, Assistant State Secretary; Dave Hanna, who was the MC on the day and the coordinator of the event; and most especially to all of the Builders Labourers Federation members who supported the day.

One of the events on the day was a chunder run, which was won by an old mate of mine, Mick Rookwood, known as Rookie. Entrants have to drink a hot can of beer, run 20 metres, eat a cold pie, run another 20 metres, drink a hot litre of milk, run another 20 metres, eat two raw eggs, run another 20 metres, do six push-ups and then run back 100 metres. Rookie did it in style.

Time expired.

RAAF 80th Anniversary

Dr WATSON (Moggill—Lib) (7.23 p.m.): I am sure the member for Bulimba would have been an active participant in that kind of activity and also would have done it in style.

I rise to speak about the 80th anniversary of the RAAF. As honourable members might be aware, this is the 80th anniversary of the Royal Australian Air Force. The anniversary commemorates the deeds of members of the Air Force in the defence of Australia over the years. I was a member of the Air Training Corps when I was at school—too long ago for the member for Cunningham to remember. I was also part of the Air Force Reserve subsequent to that. I certainly remember reading and learning at school about some of the heroes of the Air Force. I think it is appropriate that we celebrate it. It is disappointing that the Queensland government when it was first asked to contribute to the celebration of the 80th anniversary by partly underwriting the air show at Amberley reneged on that.

Mrs Edmond: Private company air show at Amberley.

Dr WATSON: We will get to that some other time.

Mrs Edmond: Be honest about it. It's a private company.

Dr WATSON: It is a non-profit organisation, not a private company. The minister should not pay attention to the Premier; he will mislead her, as he does quite often in the House.

The RAAF and the federal government have been persuaded to contribute to this, particularly the federal government, after representations were made to the federal government by the federal Liberal member for Blair, Mr Cameron Thompson. I am glad that Cameron took up that fight, because he is apparently the only federal politician from Queensland who was willing to take it on.

This contrasts with the Bracks government, which supported quite significantly the air show at Avalon earlier this year. It is disappointing because Mr Beattie's first response was that there were difficulties with rostering. He said that this came between the Commonwealth Heads of Government Meeting and the Goodwill Games, and that those two events presented major rostering problems; that for this reason the state government was unable to provide any support. I trust for Queenslanders' sake that now that the federal government has contributed $220,000 towards paying the overtime of the police and the SES that Mr Beattie and the Queensland government will make it their business to ensure that the appropriate police and SES personnel are available.

The event planned for 27 to 30 September will have major attractions, such as the US Air Force Aerobatic Thunderbirds and the RAAF Roulettes, and hundreds of other aircraft from across Australia. It is a great show and everyone should attend.

Time expired.

Mansfield Music Cluster

Mr REEVES (Mansfield—ALP) (7.26 p.m.): Last Wednesday evening as part of Education Week I had the pleasure of attending the Mansfield Music Cluster at the Suncorp Piazza at South Bank. Coordinated by the award winning Mansfield State High School music program under the leadership of Marg Overs, it involved combining a number of local state schools with the high school to put on an entertainment spectacular. Local schools involved included Mansfield State High, Mansfield State School, Wishart State School, Mount Gravatt State School, Mount Gravatt East State School and Marshall Road State School. Some 500 students participated, 240 of them from Mansfield State High School and the balance from the primary schools. Senior students helped the primary students all day. The students also had a tour of the Conservatorium of Music.

Tanya Simons, who was the chief adjudicator of the Queensland government Fanfare Choral 2001, which incidentally Mansfield State High School won, was there and conducted. Ross McMurtrie, the Principal of Mansfield State School, attended all day and it was a great effort on his behalf. Ross Davey, Chris Dutt and Lisa Blumson prepared all of the primary and high school ensembles. It was a fantastic effort. The combined band, under Ross Davey, comprising the Mount Gravatt East State School and the Mount Gravatt State School string program on Marshall Road, was brilliant. These young kids of 10 to 12 years of age had had only two rehearsals, and their performance was brilliant.

There were performances by the Mansfield State School Strings and Concert Band, the Wishart State School Strings and Concert Band, the combined concert bands of those other schools, the Wishart Show Choir—which stole the show—and the concert band. It was amazing when all of these bands together performed at the one time, from primary school to high school. We showed why Queensland is world renowned for its school music program. This event highlighted that this musical program is first class.

To see the schools all combining was truly unique. I do not think it has ever been done before. But it should not surprise members that not only is the electorate of Mansfield the public transport epicentre of the Asia-Pacific rim; they talk of the Mansfield schools music program as being the Mecca of all music programs in the southern hemisphere. State schools are definitely great schools.

School Music Programs

Mr COPELAND (Cunningham—NPA) (7.28 p.m.): I am going to disagree with the member for Mansfield, because last week I had the great pleasure of attending the Toowoomba and Darling Downs showcase awards for excellence as part of Education Week in Toowoomba. There are many good news stories in our schools and this was an occasion to highlight those.

I had the great honour of presenting the Drayton State School year 3 class with certificates and cheques for being the statewide winners in the preschool to year 3 category of the Share a Song competition. The year 3 class performed its winning song at the expo. Besides being the cutest choir anyone had ever seen, the song has an appeal that transcends age or country. It truly is a wonderful achievement with lyrics that are meaningful and heartfelt, completely developed by the year 3 class.

The teacher responsible, Jenny Maskelyne, explained that the process involved the children listening to the music over and over again, exploring the theme of friendship and what it means to them and their country and clapping the rhythm of the music. Gradually the words and phrases became part of their story and song. It is a wonderfully positive song, direct from the mouths of the young. If anyone would like a copy of the song, I have the lyrics with me.

Honourable members: Sing it!

Mr COPELAND: But even better than that, I invite honourable members to attend the 150th anniversary of the Drayton State School later this year where the song will be performed by the people who can actually sing.

The winners of the Darling Downs section of the showcase award for excellence were a joint effort from the Pittsworth State School and the Pittsworth State High School. Instrumental music has been a vital part of the Pittsworth schools for over two decades, aiming at delivering world-class results and developing a positive community profile. Throughout that time the two schools have engaged in a successful, mutually beneficial partnership creating a culture that values, promotes and celebrates both participation and excellence in music.

The instrumental music programs have significant positive outcomes for the students involved, both in terms of recreation and general life skills as well as launching careers in music for increasing numbers of particularly talented musicians. The programs have also developed a strong cultural tradition in the schools and in the community. Students are supported and develop through a program of tuition, group work, rehearsal and performance at the Pittsworth State School—programs which are then extended at the high school, which also offers the curriculum subject of Music in years 8 to 12 plus extension Music (Performance) in year 12 for tertiary bound students. Pittsworth students have achieved recognition and received many prestigious awards at school and in their careers both in Australia and overseas.

There are many logistical problems in developing musical skills in regional communities, including access to tutors and music events and the inflated costs in time and money. However, the Drayton State School, the Pittsworth State School and the Pittsworth State High School are developing students with a love of music, providing a complete education and offering a rewarding career for many. I congratulate them on their achievements and thank them for the contribution they are making to the cultural identity of the Cunningham electorate.

Social Infrastructure Program

Ms MALE (Glass House—ALP) (7.31 p.m.): I wish to inform the House of a very worthwhile initiative in my electorate of Glass House that will hopefully attract further state government

funding in the very near future. The Social Infrastructure Program, or SIP as it is affectionately known, started life approximately six years ago as a pilot protect funded by the Department of Families. The project was initially started with the goal of developing strong community links by bringing groups together to network, map, plan and coordinate services in the local area.

SIP is currently made up of representatives from eight sectors within the community, including family support, indigenous, youth, non-English speaking background, disability, aged, children and women's issues. These sector delegates are joined by various state government department representatives and representatives from the Caboolture Shire Council. SIP plays a vital role in linking community organisations with each other and with state and local government. Thousands of volunteer hours have been invested in SIP to make it an outstanding success.

SIP has been involved in numerous community-based projects and events in the Caboolture area, all aimed at building a better community. Often the projects funded through the Social Infrastructure Program are smaller projects promoted by those who would have difficulty writing the relevant submissions and obtaining the funding in a timely fashion. Projects have included a social isolation reduction program organised by the non-English speaking background sector, a counselling and anger management course for male perpetrators of domestic violence and a comprehensive mapping of the social services available in the area—all unmet needs.

I am pleased to say that the Minister for Families has recognised the enormous contribution that the Social Infrastructure Program has made to Caboolture and the surrounding areas and has forwarded a proposal to the Caboolture Shire Council for a matched $50,000 non-recurrent grant to enable SIP to be operational for another 12 months. That amounts to entire funding for that year of $100,000. Imagine all the good work they will be able to do with that!

I am hopeful that the council will seize this opportunity to fund SIP so that the good work can continue. I look forward to announcing to the House—hopefully in the very near future—the success of the funding request and informing the House of the future good work that will be done by the Social Infrastructure Program and all the wonderful people who volunteer their time to make it such an outstanding success.

Gladstone Hospital

Mrs LIZ CUNNINGHAM (Gladstone—Ind) (7.34 p.m.): I rise to put on the record an area of concern of the Port Curtis branch of the Association of Independent Retirees. This is a group of articulate, practical and experienced residents. Ken Nicholson, the secretary, has great jokes, although they are not always politically correct. On 14 May they wrote to the Minister for Health, and I am pleased to see the minister in the chamber at this time. The letter states—

The members of this branch of the Association of Independent Retirees, are mainly long term residents of the Gladstone, Calliope, Boyne Island area. They have taken, and continue to take an active role in the affairs of the community.

As such, they wish to make abundantly clear, their concern at the apparent downgrading and decline in the services available from the Gladstone Hospital.

They view with deep concern, the situation where there is no anaesthetist on staff, the downgrading of the Intensive Care Unit, to a High Dependency Unit, the lack of a Gynaecologist and Obstetrician, and the closing of the Surgical Ward each weekend.

These are matters of significance in this community, now starting to move into significant industrial expansion, particularly as the next closest hospital is some 95 kilometres away.

Your re-assurance that this decline is being reversed, and that Gladstone will remain as a first class facility for this area, and is not planned to become an annexe of Rockhampton, is sought and would be appreciated by our members, and all other residents of this community.

We wish to be quite clear also, that these concerns in no way reflect on the services provided by the current staff, who are highly regarded within the community.

I look forward, as does Ken Nicholson and members of this group—

Mrs Edmond: What are the retirees up to if they're worried about obstetric services?

Mrs LIZ CUNNINGHAM: They have a community focus.

It is also inappropriate for adult men and women to be accommodated with children, and there are a number of reasons why. Not all adults—men and women—cope well with children, particularly sick children. Not all children cope well with unfamiliar adults. Their clinical recuperation could be affected by the fact that there are people—adults or children—who are unfamiliar to them and who may demonstrate unsettling traits.

The second reason that I am concerned about the combination of children and adults in a ward over the weekend is safety. I am not casting any aspersions on any of the adults who have been placed in the children's ward, but I think that most people in this chamber would agree that it is completely inappropriate for adult men and women to be placed in a ward with children over the weekend with a virtually skeleton staff and for the department to ensure the safety of all people involved.

Time expired.

Currumbin Wildlife Sanctuary

Mrs REILLY (Mudgeeraba—ALP) (7.37 p.m.): Recently I had the opportunity to visit one of my favourite places on the Gold Coast, the Currumbin Wildlife Sanctuary, to attend the launch of the latest marketing tool of the Minister for Innovation and Information Economy, Paul Lucas, which was a CD-ROM and web site. With the assistance of a grant of almost $8,000 under the Beattie government's multimedia applications development fund, an Australian-owned Brisbane-based private company, TransGlobal Technologies Corporation, has developed an innovative and modern promotional mechanism for the Currumbin Wildlife Sanctuary in the form of a CD-ROM and web site.

The CD-ROM contains several interesting and informative video format presentations demonstrating the wildlife exhibits and facilities of the sanctuary. The CD-ROM presents information in not only English but also Japanese, Cantonese and Mandarin. As a large proportion of foreign tourists to the Gold Coast come from Asia, the multilingual format of the CD-ROM will no doubt be an advantage when marketing to potential visitors from that region. The web site itself contains flora and fauna conservation information, still photographs, children's activities and maps. Visitors to the web site can email bookings for trips and conferences through to the wildlife park's office in Currumbin from anywhere in Australia and indeed anywhere throughout the world. The multimedia presentations will be used by the Currumbin Wildlife Sanctuary for international sales and marketing programs, school education wildlife programs, promotion of night tours, conferences and functions.

The Currumbin sanctuary has a long and delightful history as the Gold Coast's first theme park and unique nature reserve for native flora and fauna. But it is more than a home for natural beauty, a place to feed lorikeets and be photographed with a koala. No, it is more than just a tourist attraction; it is an educational facility, a centre for conservation and protection and a rehabilitation centre for sick and injured wildlife. The Currumbin sanctuary has continuously sought to improve and expand its attractions over the years and has used innovative technologies to build new attractions, such as the unique Creatures of the Night attraction which allows visitors to view Australia's nocturnal wildlife in simulated conditions.

The launch of this CD-ROM and web site is yet another example of the sanctuary's commitment to educational tourism, ecotourism and the Gold Coast's tourism economy. Multimedia technology has great potential as a marketing tool because it is more visually exciting, interactive, flexible and potentially more informative than standard print and visual media. The Currumbin Wildlife Sanctuary multimedia project is an excellent example of the Beattie government's commitment to the tourism industry and, in particular, the Gold Coast. I thank the minister, Paul Lucas, for his commitment to the Gold Coast and the state's tourism innovators.

Public Transport

Mr TERRY SULLIVAN (Stafford—ALP) (7.40 p.m.): One of the great challenges facing modern society is the growth in traffic congestion associated with population growth. Queensland, the Smart State, with its continued strong growth is finding massive pressure on its road network. Everyone wants to be able to hop in their car and drive directly to their destination, yet so many people do not want busy roads going past their houses but want fewer cars on the road while they are driving. Clearly, changes are needed in our thinking regarding public transport. As a society we can learn from significant changes which have occurred over the past 25 years.

A decade ago drink-driving was something that young men boasted about. They would talk about how many stubbies they had had and about how they would arrive home blind drunk and not know where their car was parked. Nowadays, young people and society in general have a much better appreciation of the number of deaths caused by this poor behaviour and, as a result, drink-driving is decreasing. It is a similar story with the environment. If Clem Jones had told the

people of Brisbane 25 years ago that they had to sort their rubbish into different bins and wheel it out on to the footpath, he would not have survived the next election. But we have realised that we have to make changes in how we deal with the environment. Our society recognises that, for the overall good, a quantum shift is needed in this regard. Getting people to use public transport will be one of the greatest challenges facing us in the next 25 years because, unlike other changes I have referred to, these changes require a whole system to be available before they will be effective.

I congratulate the minister, Steve Bredhauer, and the Beattie cabinet on the great work they have done in providing public transport systems. I have heard good things being said about the South East Busway project. On behalf of the people who live on the north side of Brisbane, I urge the minister and the cabinet to promote the northern busways project, a long-term project which will face difficulties. I also thank the minister for arranging the inspection of the inner-city bypass and the Nundah bypass project last week attended by my colleagues the member for Nudgee and the member for Clayfield. Public transport is essential if we are to have quality of life in our city. I urge this government to continue the excellent work it is doing to provide a public transport network for this growth area.

Motion agreed to.

The House adjourned at 7.42 p.m.

G. A. NICHOLSON, ACTING GOVERNMENT PRINTER, QUEENSLAND—2001