TUESDAY, 16 APRIL 2002

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

PAPERS

PAPER TABLED DURING THE RECESS

The Clerk informed the House that the following paper, received during the recess, was tabled on the date indicated—

12 April 2002—

ANZ Executors and Trustee Company Limited and its Controlled Entity Financial Report for the year ended 30 September 2001

STATUTORY INSTRUMENTS

The following statutory instruments were tabled by The Clerk—

Electricity Act 1994—

Electricity Amendment Regulation (No. 1) 2002, No. 61

State Penalties Enforcement Act 1999—

State Penalties Enforcement Amendment Regulation (No. 3) 2002, No. 62

Racing and Betting Act 1980—

Racing and Betting Amendment Regulation (No. 1) 2002, No. 63

Water Act 2000—

Proclamation commencing certain provision, No. 64

Water Act 2000—

Water (Transitional) Regulation 2002, No. 65

Integrated Planning Act 1997—

Integrated Planning Amendment Regulation (No. 1) 2002, No. 66.

MINISTERIAL STATEMENT

Job Creation; Business Confidence

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.31 a.m.), by leave: Recent data on the Queensland economy shows a state going from strength to strength. Indeed, I applaud the *Courier-Mail* for its front page on Friday, 12 April which stated 'The state powers the nation'. I table that document for the information of the House. For once, I totally agree with that learned journal.

Queensland's trend unemployment rate was 7.8 per cent in March, significantly down from 8.5 per cent 12 months ago. This result has been driven by strong employment growth and is a great achievement given that Queensland's labour force participation rate exceeds the national average. Employment in Queensland increased by 6,200 jobs in March. There are now almost 50,700 more jobs in Queensland than there were 12 months ago. Although our population share is only 19 per cent, we have created almost 32 per cent of the jobs created nationally over the past year. Importantly, we have delivered full-time jobs. Since March 2001, 23,300 full-time jobs have been created in Queensland. Unfortunately, the rest of Australia has lost 19,600 full-time jobs over the same period.

This employment outcome reflects the fact that Queensland has held up very well in the face of the global slowdown in 2001. The December quarter 2001 state accounts show that the Queensland economy grew more strongly than the rest of the nation in 2001. The relative strength of the Queensland economy was driven by strong growth in household consumption and private investment. The construction sector was particularly strong in 2001, with construction of dwelling and other buildings and structures up noticeably in 2001. Another standout in 2001 was our biggest merchandise export—coal. Coal exports increased by almost 30 per cent in the December quarter 2001 compared to the same period in 2000.

Of note is the resilience shown by the accommodation, cafe and restaurant industry in 2001. Employment in this sector, which is heavily influenced by tourism, has grown despite the collapse of Ansett and the reduction in international visitors that followed the terrorist attack on the United

States. On Sunday I had an opportunity to meet with Richard Branson and his Virgin team at a function they held in New Farm in my electorate. The Virgin team is going from strength to strength, and I congratulate them. Yesterday I also had a discussion with Joe Hockey, the federal Small Business and Tourism Minister. We have agreed to work on a number of matters together to ensure that tourism in this nation and particularly in this state continues to grow.

Official forecasts for economic activity will as usual be reviewed as part of the preparation of the 2002-03 budget. However, in the meantime, it is interesting to see what the commentators are saying. The March quarter 2002 Access Economics five-year business outlook was released on 12 April 2002. Access expects a strong outlook for Queensland economic activity in 2001-02 with an expected rate of growth of four per cent. Access then expects growth to accelerate in Queensland in 2002-03. Its projected rate of growth of four and a half per cent for Queensland exceeds its national projection of 4.1 per cent. Access suggests that the two key drivers of growth will be a recovering tourism sector and resource development. To quote Access Economics, 'The visitors are coming back and, even better than that, Australia's investment recovery is increasingly centred along the Queensland coastline.'

State government policy is, of course, playing a key role. We have assisted the tourism sector to recover from September 11 and we continue to drive the big investment infrastructure projects which Tom Barton, the Minister for State Development, and I have been talking about. We have also heard a number of initiatives from the Minister for Tourism, Merri Rose.

Access also predicts continued strong employment growth. However, its figuring shows that it will be tough to continue to reduce the unemployment rate because of our high labour force participation rate. People come looking for jobs in Queensland because of the opportunities available and the strong employment growth. Recent business surveys such as Commerce Queensland's Pulse survey, National Australia Bank's quarterly business survey and the Yellow Pages Business Index survey are unanimous: business confidence is up and a strengthening business operating environment is expected.

Another important indicator of economic health is the number of bankruptcies. Insolvency and Trustee Service Australia data indicates that bankruptcies in Queensland in January to March 2002 fell by 11.1 per cent compared to a year ago. Business is clearly getting back on its feet following the cash flow difficulties posed by the GST. The economic data clearly demonstrates that Queensland, Australia's Smart State, is going from strength to strength.

I table for the information of members the latest Queensland economic update from the Office of Economic Statistical Research, volume 6.3, March 2002.

MINISTERIAL STATEMENT

Child Protection

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.37 a.m.), by leave: Queensland is leading the way when it comes to protecting children from predatory adults. On Sunday afternoon, 14 April I joined Dr Robin Sullivan, the Commissioner for Children and Young People—which is within my ministerial responsibilities—to launch the next stage of the state government's Working with Children Check campaign.

From 1 May this year Queensland will become the first state to run criminal checks on volunteers who work with children. Volunteers who are screened and found to be suitable to work with children receive a suitability card, known generally as blue cards. These blue cards are valid for two years. We estimate there are about 100,000 volunteers in the state who work with children who will have to be screened, though there may be more. These include volunteers in churches, schools, youth groups and sporting clubs, although there are some very sensible exemptions such as parents working in schools where their children are enrolled.

We have worked closely with community organisations on this, and I am delighted with the strong cooperation and support that they have given the state government initiative. The blue card check is completely free for volunteers—and I underline that. I stress that this is not about impinging upon or impugning the reputation of the thousands and thousands of wonderful Queensland volunteers who work with children; this is about protecting Queensland children. Nothing is more important than our children.

A statewide television and print advertising campaign informing people about the suitability checks began on Sunday evening after our launch at the Wilston Scout Hall at The Grange. I thank all involved for a very successful and entertaining event. I table for the information of the

House relevant documents from the Commissioner for Children and Young People entitled *Employment screening information kit*.

While I am on issues relating to abuse, I want to advise the House that yesterday evening the Attorney-General, Rod Welford, and I met with the victim who has been referred to in the House. That meeting went for over an hour. It was a very positive and constructive meeting. The person concerned made some very constructive and I think sensible suggestions which the Attorney-General and I will consider. They were suggestions in relation to adult victims. I thank her for the meeting and her positive and sensible suggestions.

MINISTERIAL STATEMENT

Red Shield Appeal; St Vincent de Paul; Ms C. Stuttle

Hon. P. D. BEATTIE (Brisbane Central—ALP) (Premier and Minister for Trade) (9.39 a.m.), by leave: This morning I had the privilege of joining the Queensland Governor, Major General Peter Arnison, the Chief Justice, the Minister for Families, Judy Spence, and other distinguished guests at the launch of the 36th annual Red Shield Appeal. I was delighted to enter the spirit of the occasion and kick off the appeal with a $50,000 donation from the Queensland government. That means the state government has now contributed a total of $429,515 to the appeal since 1994.

The Salvation Army has set a target of $51 million from throughout Australia this year, including a target of $6 million from Brisbane and southern Queensland. We greatly appreciate the enormous contribution the Salvos make to Queensland and Queenslanders, and we support the Salvation Army in a variety of ways. For example, the Department of Families provides more than $2.8 million in annual grants to the Salvation Army—$2.566 million for supported accommodation services and $247,000 for emergency relief.

As I indicated to the attendees at this morning's breakfast—and I know Judy Spence supports this view—this is not a matter of bragging about what the government commits; it is more an indication of the need that exists. Those figures demonstrate the need but also the excellent work done by the Salvation Army. It is a great cause. The Salvation Army has done great work in Australia for more than 100 years. The organisation has been immortalised in the writings of Henry Lawson, notably in his short story entitled *That pretty girl in the army* and in the poems *When the army prays for Watty* and *Booth's drum*. So the support the Salvos provide for needy Australians is buried deep in the national psyche, and on behalf of all members I wish the Salvos well for their 2002 appeal. I urge all honourable members to donate generously.

While I am talking about charities, I should also mention that recently the St Vincent de Paul Society opened its new headquarters, which I had the honour of doing, in the electorate of the Minister for Education. The St Vincent de Paul Society is an international organisation in the Roman Catholic Church through which lay people practise Christianity by helping people in need. St Vinnies, as the organisation is affectionately known, is highly regarded by everyone in the community. It was an honour to be invited to officially open St Vincent de Paul's new Queensland administration headquarters in Brisbane last Wednesday week, 3 April.

The society has about 3,500 members in Queensland and its work is supported by 10,000 volunteers. St Vinnies performs many charitable works. In 2000-01, St Vinnies assisted more than 259,000 Queenslanders and provided almost $4 million in cash and kind. St Vinnies conducted about 144,000 visits or interviews with people in crisis, provided 22,000 bed nights and almost 36,000 meals. That is a wonderful achievement. The newly renovated larger building that I opened at Merivale Street, South Brisbane, was mainly funded through the sale of the former Spring Hill office building, with other money raised through St Vinnies' Centre of Charity shops. All-up the building represented an investment of around $2 million. The shift was achieved without any government funding and is another remarkable achievement from this remarkable Christian organisation.

Finally this morning I want to make some reference to the tragedy in Bundaberg. On behalf of the state government, all members of parliament and all Queenslanders, I send condolences to the family of British backpacker Caroline Stuttle. I have offered to meet Ms Stuttle's family, but it is my understanding that the family will not be coming to Queensland in the immediate future. However, if they do, I will be happy to meet with them. Later in the year, in October, when I visit Britain, I would be happy to meet with the family, if that was deemed appropriate by them.

I am sure all our hearts go out to her family and friends. As a father and a parent, I know I would be devastated if something happened to my daughter half a world away. The people of

Bundaberg and the surrounding district—already deeply affected by the Childers backpackers tragedy—have expressed their heartfelt sympathy and condolences to the family of Ms Stuttle. They have acted spontaneously in demonstrating their horror at what had happened and in expressing their feelings to the family and friends of this young visitor to our community. I thank them for their compassion, decency and humanity. This outpouring of grief is a microcosm of how we all feel.

To those who talk of a crime wave, I remind them that Queensland is one of the safest communities in the world. We have one of the best police services in the world and, as the people of Bundaberg have demonstrated, we can gather together as a community to confront crime. The community response to police appeals for leads on the attack on Ms Stuttle has been outstanding.

Yesterday I conducted an interview with the *Today* program on BBC's Radio 4, its flagship current affairs program, during which I took the opportunity to express the condolences of Queenslanders to the family. It is important in the present climate that, while we all recognise the importance of tourism to this state—and I am a mad advocate for that industry—we have to be restrained and respect the loss that has happened here. I think the most important thing is to face up to the loss, to help the family through this grieving process and then at an appropriate time seek to rebuild.

Yesterday I had a discussion with Merri Rose, the Minister for Tourism, and Joe Hockey, the federal minister. We have agreed, at an appropriate time, to promote the Queensland tourism industry in Britain. But we do need to be respectful. Timing is appropriate here. Today it is appropriate for us to express our condolences to the family.

MINISTERIAL STATEMENT

Public Liability Insurance

Hon. T. M. MACKENROTH (Chatsworth—ALP) (Deputy Premier, Treasurer and Minister for Sport) (9.45 a.m.), by leave: Yesterday the state government endorsed the implementation of a group insurance scheme for not-for-profit community and sporting organisations. This follows an overwhelming response to our call for expressions of interest for the scheme idea raised by the Public Liability Insurance Task Force as one of its recommendations.

We have received more than 5,900 responses to date, which is an indication of just how widespread the insurance problem is in Queensland. Group insurance will give not-for-profit organisations more buying power under one overarching policy. It is the only feasible option for groups that have been denied cover or have been unable to meet escalating costs. Importantly, the Queensland government insurance fund will oversee the scheme, by monitoring performance reports and analysing claims and actuarial reports, to ensure contracts and premiums are fair.

Our government sees not-for-profit groups as the lifeblood of communities right across the state, so it is vital that they get the best insurance premiums possible for the long term. Some organisations have been confronted with increases of more than 1,000 per cent. We thought it was extremely unfair for not-for-profit organisations to carry that burden, which is why this scheme is so important.

This scheme may help to revive events that have had to close up shop in recent months because of the insurance crisis. Organisations wanting to join the scheme will be asked to sign up for three years. This is because we must be able to guarantee continued involvement from organisations in order to attract an insurer and give the best buying power possible. After three years, the system will be evaluated and organisations will have the option of leaving or staying with the scheme.

Group insurance was one of the recommendations of the task force established by our government to examine the issues of spiralling public liability insurance premiums. Following cabinet's endorsement of the scheme yesterday, organisations that have expressed interest will now receive applications. They will be asked to complete the application and return it to the Public Liability Insurance Task Force as soon as possible. The information will be analysed and then used to help obtain insurance quotes. The proposed starting date for the scheme is 1 September this year.

I call upon all members of parliament to throw their support behind this crucial scheme. I table copies of the application form which will be sent out this week to the community based

organisations and advise members that I will forward copies of the application to their electorate offices this week so that they are aware of the application.

Over recent days I have listened to comments by the Leader of the Opposition in relation to this. This morning he said that he had asked for a scheme such as this to be implemented. I well recall the Leader of the Opposition saying that a scheme like this would not work because, as the head of the show society in Toowoomba, he tried it and he knows it does not work. He then went on to say that the National Party had made a submission to the recent meeting of ministers in Canberra. I was at that meeting. I do not know why, but the submission he made did not turn up. I might just say that no submission was received.

Mr Horan: Yes, it was—Peter Ryan, on behalf of all the National Parties in the states.

Mr MACKENROTH: Through who?

Mr Horan: The leader of the Victorian National Party.

Mr MACKENROTH: Let me tell the Leader of the Opposition, in case he is not aware, that there are eight states and territories in Australia. They are all Labor. They were represented. The federal government was represented. Peter Ryan was not there.

Mr Horan: Yes, but he put in a submission on behalf of all the states. We had a meeting in Sydney and prepared a submission and he put in the submission on behalf of us all.

Mr MACKENROTH: Let me assure the Leader of the Opposition that it never arrived; it was not there.

Finally, in January, when I was the Acting Premier, I wrote to the Leader of the Opposition, because he expressed concern in relation to this, and I advised him that we had a task force which was preparing a report. I asked the opposition to make a submission to that task force. It failed to do so.

MINISTERIAL STATEMENT

Education and Training Reforms

Hon. A. M. BLIGH (South Brisbane—ALP) (Minister for Education) (9.50 a.m.), by leave: This government has started one of the most extensive community consultations on one of the biggest reform agendas in education and training in years. The first of 39 community consultation forums are under way across the state, seeking feedback on the proposed Smart State Education and Training Reforms for the Future. I was pleased to launch the first forum at Kedron State High School on 26 March along with local members. I am pleased to inform the House that it was a highly successful event. More than 200 people attended and took part in enthusiastic and thoughtful group sessions, providing valuable feedback.

The second forum on 9 April at Mount Alvernia College at Kedron attracted more than 280 people. The Parliamentary Secretary to the Minister for Employment, Training and Youth and the member for Nudgee, Neil Roberts, attended some of this forum and advised of another positive outcome. Three hundred and sixty people participated in the third forum that was held at Nambour State High School on the Sunshine Coast on 10 April. I was very pleased to attend sessions of that forum along with the member for Noosa, the member for Glass House and the member for Nicklin, all of whom I am sure can attest that there was lively and interesting discussion at all of those sessions. Forum No. 4 was held at Helensvale State High School on the Gold Coast on 11 April and was attended by 150 people and, in part, by my colleague the Minister for Employment, Training and Youth, who informs me of another successful meeting.

Two more forums are planned for this week—one at Toowoomba State High School on Wednesday and another at Bremer State High School on Thursday. Forums will be held across the state, from the Torres Strait out to Longreach and Charleville, south to the Gold Coast and everywhere in between. I seek leave to table a list of the locations and dates of these forums.

Leave granted.

Ms BLIGH: The forums are just one element of community consultation—which also includes written and online responses—that will continue until 31 July. More than 40,000 discussion papers, which detail the proposed reforms and contain questions, have gone out to communities across the state. At the close of business on Friday, 12 April, the hotline had received 872 calls. The community feedback so far includes: a great deal of interest in the details of the prep year trials and many requests for application kits, with applications closing on 31 May; a high level of support for raising the school leaving age to either 16 or 17 years of age; a great deal of

discussion about how to encourage students to stay at school for longer or to study in other learning environments; a range of suggestions on how to provide more flexible learning that might include, for example, a mix of schooling and TAFE or training from other providers; and a belief that parents and employers would benefit if the senior certificate recorded all achievements of a student to give a fuller picture of an individual's abilities. At the Sunshine Coast forum, a student gave a very well-articulated plea that the extracurricular activities of students—for example, a great deal of investment in music or sporting at an elite level—ought to be recorded to give employers a much more rounded picture of the skills and talents of young Queenslanders. Everyone is welcome to attend these forums to hear the details of these initiatives, ask questions and have their say.

These reforms are part of a package of initiatives titled Queensland the Smart State—Education and Training Reforms for the Future. I believe the package and its components are now well known to members, but I encourage them to be participants in the forums in their electorates.

MINISTERIAL STATEMENT

Meningococcal Awareness Campaign

Hon. W. M. EDMOND (Mount Coot-tha—ALP) (Minister for Health and Minister Assisting the Premier on Women's Policy) (9.54 a.m.), by leave: Every year, Queensland Health conducts an education program to increase awareness about meningococcal in order to encourage early detection and treatment of this deadly disease. Due to the increased number of notifications last year, I have asked Queensland Health to step up the campaign, and I am launching it today, a month earlier than would normally be the case. This is justified because there have been 26 notifications of meningococcal cases to date this year in Queensland. That compares with 22 at this time last year. Last year, 11 people died from meningococcal disease in Queensland compared with four in 2000 and 12 in 1999.

Meningococcal needs to be diagnosed and treated early because it strikes so quickly, and most of the early symptoms are similar to other ailments. That is why it is important to inform not only the public but also health professionals, particularly general practitioners and staff in emergency departments. We are organising a series of seminars for GPs throughout the state, with one of the first being held tomorrow. In addition, information cards, posters and stickers will be sent to GPs and emergency departments. I bring to the notice of the House the type of poster that will be made available setting out the warning signs of meningococcal disease.

A brochure for the public has been developed, and I will be sending copies to all MPs. They will be sent to GP surgeries, child health clinics, university health services and youth agencies. Information will also be sent to professional newsletters, child-care industry publications and parent magazines. However, this is the Smart State, and we are doing more than just informing the public about meningococcal. Scientists at the Royal Children's Hospital have developed a world-first meningococcal test which can give an accurate diagnosis in under an hour, rather than taking several days. In addition, the Beattie government, through the Minister for Innovation and Information Economy, Paul Lucas, is supporting work being undertaken by the Cooperative Research Centre for Diagnostics based at the Queensland University of Technology. This involves using a DNA technique to determine whether meningococcal bacteria found in two or more patients is a one-off event or the beginning of an outbreak.

Members will be aware of recent media reports about a new vaccine for meningococcal. This vaccine is for type C. It is not effective for the most common serogroup in Australia, type B, or the other serogroups. I have recently written to the federal Health Minister, the Hon. Kay Patterson, seeking advice on placing the vaccine on the national immunisation program, and I have raised this with Senator Patterson in person. I urge parents who have had their children immunised against type C to remain vigilant about the most common strain of the disease, type B, which made up 64 per cent of the infections in Queensland last year.

MINISTERIAL STATEMENT

Graffiti Trailers

Hon. T. McGRADY (Mount Isa—ALP) (Minister for Police and Corrective Services and Minister Assisting the Premier on the Carpentaria Minerals Province) (9.57 a.m.), by leave: I am pleased to be able to inform the parliament about one of the first initiatives of the Queensland government's Graffiti Busters Task Force. At lunchtime today at Parliament House we will be

launching a number of graffiti clean-up trailers. These trailers have been constructed by prisoners at Woodford Correctional Centre. They are made of steel. I have to admit that I took the idea from the member for Bulimba, Mr Purcell, who is not in the chamber at present.

Mr Lucas: The first one was in Wynnum, actually. He took the idea from me.

Mr McGRADY: The member for Bulimba must have a better PR machine than the minister! The idea is that local community groups will take charge of the four trailers and coordinate their use. We will be seeking out groups—be it Lions, Apex, Zonta or community progress associations—to put forward their ideas about how these trailers can be put to best use. One trailer will operate in the north Brisbane area, another will operate in the Townsville area, and the task force will soon decide where the other two will be located. We are hoping to have more of these trailers built so that they can be used throughout Queensland.

I believe that graffiti vandalism needs to be tackled by getting state government, local government, local communities and businesses to work together to attack this problem. We are looking for a cooperative, grassroots approach with local communities so that we can work together on this issue. This is one idea from the Beattie government's bipartisan Graffiti Busters Task Force, which was established in January. The task force, capably headed by my good friend and colleague the member for Kurwongbah, is coming up with some valuable ideas such as this one. I take this opportunity to thank all members of the task force for their enthusiastic work on this problem. I thank them all for their ideas and cooperation. The work of the task force has captured the imagination of the community. I thank them and wish them well.

MINISTERIAL STATEMENT

Dexta Insurance; Home Warranty Insurance

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (9.59 a.m.), by leave: In the past week there have been many news reports detailing the effects on the building industry in other states of the withdrawal of Dexta Insurance from the home warranty market. I want to make it clear that this action by Dexta has not affected the operations of Queensland's home warranty scheme operated through the Building Services Authority.

Last week's news caused a considerable upsurge in calls to the BSA, with many home buyers and builders in Queensland alarmed by the reports. Many believed that their homes or contracts would be affected. I am pleased to say that those people have no grounds whatsoever for concern. As I said last week, Queensland home builders continue to be protected, despite Dexta's withdrawal from the market.

For the BSA it is business as usual. Last week it wrote around 1,300 home warranty policies, compared with a weekly average so far this year of just over 1,100. Over the full year it expects to write around 55,000 policies, worth an estimated $23.7 million.

Developments interstate vindicate the Beattie government's decision to reject privatisation and continue a statutory home warranty insurance scheme. I note that last week the Housing Industry Association was still advocating privatisation of our scheme. It and other supporters of privatisation of the Queensland scheme should go to New South Wales or Victoria and ask builders and home owners what they think of the idea. While uncertainty reigns in the south, our home warranty insurance continues to be available and affordable.

In December 2001 the federal government announced the appointment of consultant Professor Percy Allen to conduct a national review of home warranty insurance. Professor Allen announced his preliminary findings recently, citing Queensland's system of licensing, consumer information, dispute resolution and insurance as a model for success.

I am advised that a meeting of consumer affairs officials in Adelaide on Thursday will discuss the home warranty issue. The general manager of the BSA will attend that meeting. No doubt the pros and cons of our scheme will feature in those discussions. However, there should be no suggestion of gloating over how fortunate we are in this state to have retained our statutory scheme. The reports of stalled building projects interstate should concern us all, because they mean that jobs are at risk and the dream of home ownership for thousands of people is on hold.

Problems interstate have come on top of the roller-coaster the industry rode before and after the introduction of the GST. There is still the likelihood of another fall-off in activity once the GST compensation payments offered through the first home buyers scheme dry up at the end of June.

MINISTERIAL STATEMENT

Disability Services Funding

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services) (10.03 a.m.), by leave: I know that all members of the House are aware of the Beattie government's commitment to improving the lives of people with a disability in this state. By funding disability services at record levels we are making up for years of neglect, and we are making important gains in the area of unmet needs.

I am pleased to report that the hard work of the Beattie government was in fact acknowledged recently by federal Family and Community Services Minister, Senator Amanda Vanstone. In a recent letter to me, Senator Vanstone said that the Commonwealth's calculations showed that the Beattie government contributed the greatest percentage of growth funds of any state or territory and the Commonwealth to disability services under the current Commonwealth-State Disability Agreement.

I table the letter from Senator Vanstone. The table on the second page of the letter clearly shows that the annual percentage of growth in Queensland directed towards disability is 15.85 per cent. When we compare that to other states we see that the growth in New South Wales was 6.8 per cent; in Victoria, 6.2 per cent; in South Australia, 1.6 per cent; and in Western Australia, seven per cent. The Beattie government's annual growth in terms of disability spending is more than double that of other states.

It is not all good news, and it is with great fear and concern that I rise to speak in the House today. New figures released by the Commonwealth government are causing great concern that the Commonwealth is moving away from its responsibilities and commitments in this area. Table 11, entitled 'The estimates of selected specific purpose payments', in a press release posted on federal Treasurer Peter Costello's web site indicates a reduction in disability services funding from the Commonwealth government to the states and territories in the next financial year through the Commonwealth-State Disability Agreement.

Nationally, the figures show a drop from $501.4 million in 2001-02 to $410.8 million in 2002-03. This means that the Howard government is planning to remove close to $100 million from disability funding in this country. Alarmingly, this equates to a drop of $17.5 million in funding to Queensland. This drop in funding relates to the $18.3 million in unmet needs moneys which have been provided over the last two years by the Commonwealth and matched by Queensland as part of its bilateral agreement. In good faith, the Queensland government, similar to other state and territories, has recurrently committed these funds.

The loss of this Commonwealth funding would have a devastating impact on the lives of Queenslanders with a disability, their families, service providers and their employees. What does it mean for Queenslanders with a disability? DSQ has estimated that the withdrawal of funding from the Commonwealth would result in the loss of support to more than 400 adults who are funded under the adult lifestyle support program, the loss of support to more than 70 families who receive help through the family support program and the loss of assistance to more than 700 individuals and families under our local area coordination services. A drop in the level of Commonwealth funding will also ultimately mean a loss of jobs for Queenslanders, affecting an estimated 450 full-time positions. In real terms this figure will be greater, as most jobs in this area are either part time or casual.

Understandably, the information on Mr Costello's web site has caused great concern within the disability sector. I am aware that ACROD, the peak body for disability service providers, has already written to Mr Costello voicing its concerns, as has Queensland's Unmet Needs Campaign and the Australian Cerebral Palsy Association.

Since viewing table 11 I have written letters to the Treasurer and Senator Vanstone seeking urgent reassurances that this funding will be included in the base funds of the next CSDA, which is currently up for renegotiation. I would like to reassure the House that I, along with my state and territory colleagues, will continue to press the federal government over this issue and fight for every dollar.

This federal government has already announced that it intends in this year's budget to prioritise its spending on defence and border protection, but it has not been forthcoming about the fact that it plans to do so at the expense of some of the most vulnerable and disadvantaged members of our society. I am sure that honourable members will agree with me that this is indefensible and bordering on discriminatory.

I encourage all members to join with this government in sending a message to Canberra. Funding for people with a disability cannot be traded away for defence, border protection or any other federal government priorities.

MINISTERIAL STATEMENT

Fire at Longreach

Hon. H. PALASZCZUK (Inala—ALP) (Minister for Primary Industries and Rural Communities) (10.08 a.m.), by leave: Early on Friday morning last week, a fire destroyed the historic Longreach Club and the original Qantas building on the same Duck Street site. The Longreach community, which had been excited by the recent opening of the Qantas Founders Outback Museum, is devastated by the loss of these important heritage buildings. I inspected the site and met with community representatives on Friday afternoon.

In recent times the Longreach Club had been home to the Central Western Queensland Remote Area Planning and Development Board. I was keen for the Department of Primary Industries to assist the planning and development board where it could. I acknowledge the efforts of DPI regional services coordinator Tony Rayner and his staff for offering support so quickly. I am pleased to report that the board staff have relocated temporarily to the nearby Agforce building and they are back at work. I have called the board's chief executive officer, Lawrence Cremin, this morning and I have given him and his staff my best wishes on behalf of the government and all members of this House.

MINISTERIAL STATEMENT

Queensland Thoroughbred Racing Board

Hon. M. ROSE (Currumbin—ALP) (Minister for Tourism and Racing and Minister for Fair Trading) (10.09 a.m.), by leave: I will be tabling copies of letters from Charles Kerr of the recruitment agency TMP Worldwide to David Williams, the Chief Executive Officer of the Department of Tourism, Racing and Fair Trading, and a letter from Mr Robert Charley, the Chairman of the Australian Racing Board, to Bob Bentley, the Chairman of the Queensland Thoroughbred Racing Board. The letter from TMP Worldwide to my director-general last Friday details the process it followed for the appointment of members to the Queensland Thoroughbred Racing Board. TMP Worldwide reviewed all applications for the board positions, and there were over 200 applications. I will now quote from TMP's letter. It states—

Following a screening and interview process against the selection criteria, a list of fifteen (15) candidates was presented by TMP Worldwide to the Selection Panel for interview. The Selection Panel interviewed these candidates on 26 and 27 February 2002.

2) Following completion of these interviews, the Selection Panel nominated eight (8) candidates whose details were provided to the Chief Executive Officer of the Department of Tourism, Racing and Fair Trading for probity checking, in accordance with the selection process. The names provided on 27 February 2002 were:

Angelo (George) Pippos	Michael Lambert
Robert Bentley	Stephen Lonie
Tony Hanmer	...

Here it is in black and white—eight names, including that of Bob Bentley. The names of people who are not on the board have been blacked out to protect their identity as per the confidentiality process. Those three names include the person who withdrew and two reserves.

The TMP letter states that the company was later informed that an originally selected candidate had withdrawn and that a replacement from the original list of selected candidates—from the original list of candidates—was required. The selection panel then selected Mr Bentley as the fifth member of the QTRB and as chair. I seek leave to table that letter.

Leave granted.

Mrs ROSE: The second letter, also dated last Friday, is from the Australian Racing Board Chair, Bob Charley, to Bob Bentley, Chair of the Queensland Thoroughbred Racing Board. It is formal acceptance of the QTRB as a member of the Australian Racing Board. The letter clearly states that there are two requisites for membership of the ARB—

(i) have the control and general supervision of thoroughbred racing within its territory; and

(ii) not have any members who are direct Government appointees ...

Mr HOBBS: I rise to a point of order. The minister is misleading the House. What she is doing is providing this House with an internal working document which is a probity list, not the first—

Mr SPEAKER: Order! There is no point of order. The member is debating the issue. There is no point of order.

Mrs ROSE: The Australian Racing Board has accepted the Queensland Thoroughbred Racing Board appointment process—

Mr Hobbs interjected.

Mr SPEAKER: Order! The member for Warrego will listen to the statement.

Mr Hobbs interjected.

Mr SPEAKER: Order!

Mr Johnson interjected.

Mr SPEAKER: Order! The House will come to order. Member for Gregory, I intend to hear this statement.

Mrs ROSE: The Australian Racing Board has accepted that the QTRB appointment process was followed without interference. I seek leave to also table that letter.

Leave granted.

Mrs ROSE: These two letters end the hysteria and misrepresentation of the facts surrounding the appointment of the QTRB chair. They prove conclusively that the process, as I stated in parliament last week, was followed to the letter and without interference.

Mr Hobbs interjected.

Mr SPEAKER: Order! The member for Warrego will cease interjecting.

Mrs ROSE: This finalises the matter.

Mr Hobbs interjected.

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

MINISTERIAL STATEMENT

Weeds

Hon. S. ROBERTSON (Stretton—ALP) (Minister for Natural Resources and Minister for Mines) (10.15 a.m.), by leave: Weeds are one of the greatest threats to biodiversity world wide. Weeds cost Australia at least $3.3 billion a year in lost production, environmental damage and control costs, of which Queensland accounts for around $500 million. Last year Queensland led the development of national strategic plans for nine of the 20 weed species identified under the weeds of national significance program. Even a small reduction in weed infestation can save many millions of dollars. That is why I am pleased to announce $1.45 million in new funding now available to community groups to target five killer weeds in Queensland. Community based projects combating parthenium weed, rubber vine, prickly acacia, Parkinsonia and mesquite are eligible to apply for the second round of national weeds program funding.

Funding is available for projects ranging in cost from $5,000 to $30,000 for most species. This funding enables communities to take action against these weeds of national significance, as well as providing an opportunity for people to improve their local environment. Projects will build the community's pest management knowledge and skills and improve their confidence in best practice management techniques. The program will also encourage the use of best management practices that currently have low adoption rates and new, innovative or integrated techniques which could be of benefit to other communities. All projects will need to demonstrate how these grants will lead to long-term benefits, with evaluation and monitoring a key component of funding applications. This is yet another example of Queensland's proactive response to weed management for the state and our commitment to eradicating the pests that threaten the livelihood of rural communities.

We hope the latest round of funding will produce as much success in regional communities as the first round of funding offered last October. Successful projects have been completed around the state as a result of $600,000 distributed to local groups. This includes construction of

a small washdown facility in Barcaldine, trials and demonstrations of prickly acacia control techniques in the Upper Diamantina River catchment and mesquite eradication from Ilfracombe shire. The state government already spends around $6 million in land protection measures to combat weeds. Its continued dedication to fighting weeds is a positive step towards a long-term collaborative approach to managing weeds. Information on applying for these grants is available from the web site of the Department of Natural Resources and Mines.

MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Report

Hon. A. M. BLIGH (South Brisbane—ALP) (Leader of the House) (10.18 a.m.), by leave, without notice: I move—

That—

(a) this House notes Report No. 42 of the Members' Ethics and Parliamentary Privileges Committee and the recommendation of the committee that the Assembly affirm the procedure to be followed by parliamentary committees upon an unauthorised disclosure of a committee's proceedings.

(b) the House adopt the Committee's recommendation.

I table that recommendation.

Motion agreed to.

MEMBERS' ETHICS AND PARLIAMENTARY PRIVILEGES COMMITTEE

Citizen's Right of Reply

Hon. A. M. BLIGH (South Brisbane—ALP) (Leader of the House) (10.19 a.m.), by leave, without notice: I move—

(1) That this House notes Report No. 51 of the Members' Ethics and Parliamentary Privileges Committee and the recommendation of the Committee that a reply by a citizen be incorporated into Hansard under the citizen's right of reply resolution.

(2) That the House adopt the Committee's recommendation.

Motion agreed to.

Response by Ms Wendy Erglis to Remarks made by the Member for Mount Coot-tha on 5 December 2001[1]

On 5 December 2001, during a Ministerial Statement on the Bone Marrow Transplant Unit (BMTU) of the Royal Brisbane Hospital, the Minister for Health, the Honourable Wendy Edmond MP, made statements that, given their context, were adverse to my reputation.

The Minister read extracts from a letter that she has stated was sent to her by staff of Ward 9D at the Royal Brisbane Hospital. I have been adversely affected in reputation, and in respect to my dealings and associations with other, by the statements. Furthermore, the statements as read by the Minister have caused me financial loss, as I feel unable to practice after my clinical judgment has been attacked so vehemently.

The statements made by the Minister could not possibly be substantiated.

In regard to statements made in the letter—

I have never indicated in any way that I represent the nurses of Ward 9D.

I have undertaken the role of the senior nurse on the shift on many occasions during my employment in Ward 9D.

Twenty-seven nurses did leave Ward 9D in the period 1 January 1999 to 29 February 2000. This is not a statement made by me but a statement of fact, which can be found on page 49 of the investigation summary. I have never claimed that they all left in relation to the former clinical nurse consultant (CNC). I have stated that the nurses were not replaced with nurses with similar levels of skill and this had a detrimental effect on the functioning of the ward.

I have never stated that it was my clear intention to irretrievably damage the career of the former CNC and the BMTU, Ward 9D. I followed correct grievance procedure; I did not enter into a campaign with others. I subjected myself to the rigours of the investigation, as I believed I had a moral, ethical and lawful responsibility to do so as a Registered Nurse.

I have never been notified (in writing or verbally) of any concerns in relation to my clinical practice as a Registered Nurse whilst employed at the Royal Brisbane Hospital working in Ward 9D.

I request that my response be recorded in Hansard.

[1] Statement agreed to by Ms Wendy Erglis and the Members' Ethics and Parliamentary Privileges Committee in accordance with the Resolution of the Queensland Legislative Assembly on 18 October 1995, reintroduced on 11 October 1996.

PRIVATE MEMBERS' STATEMENTS

Public Liability Insurance

Mr HORAN (Toowoomba South—NPA) (Leader of the Opposition) (10.20 a.m.): Last week I spoke once more about the crisis of the public liability insurance system that has affected so many community and not-for-profit organisations in this state. The National Party first raised this issue in June last year and has repeatedly done so in this House. As the Treasurer knows, time and again we have put forward, referred to and issued media releases about our six-point plan. It seems the minister is just too arrogant to take any notice of that six-point plan.

Mr MACKENROTH: I rise to a point of order. I find that comment insulting and I ask it to be withdrawn.

Mr HORAN: I apologise. The minister has had opportunities by way of speeches in parliament and media releases to incorporate the six-point plan into the deliberations of his task force, but obviously he did not want to do it. Further, the National Party had a special meeting in Sydney of all state leaders and the federal leader wherein a submission was faxed on 20 March to the office of Senator Helen Coonan for the 27 March summit. It was part of almost 70 submissions sent to that summit which were analysed by that public relations consultant and which were given to the minister as a summary of all submissions received from around Australia.

The real problem is the root cause of these increases. We want the government to address the total amount of the claims. A capping process needs to be put in place. There must be a restriction on the no win, no fee process. We support the appeal process, because that will help in the short term. What if this appeal process, which will take another six months anyway—by which time most people will have their second premium—reduces the increase in premiums from being 1,000 per cent to only 500 per cent? How can people still afford that? I have referred to the show societies—

Time expired.

Coomera State College

Ms KEECH (Albert—ALP) (10.22 a.m.): The people of Coomera have much to celebrate. Not only is *Big Brother* back at Dreamworld with a vengeance but the Minister for Education, Anna Bligh, has just announced the construction of a new P-12 state college for the area. Coomera is experiencing the fastest growth in Queensland and, with the staggering 20.7 per cent population growth last year, is among the fastest growing areas in Australia. It is not surprising that the minister's announcement of the new state school has been so warmly welcomed by families. The Coomera State College will be ready to take students from preschool to year 8 at the start of the 2003 school year, with year 9 students accepted in 2004. The school will be located on the western side of the Pacific Motorway on Reserve Road.

I commend the minister, Anna Bligh, for the swiftness with which she has worked to ensure the community has access to the quality education facilities it needs. I also thank her staff and those in the department who have worked so hard and long to see this project come to fruition. I particularly look forward to working with the Coomera community in the next exciting stage of the planning process.

This new school for Coomera is another example of the Beattie government delivering on meeting the needs of fast-growing communities. The smart kids of Coomera look forward to the smart learning facilities the new Coomera State College will offer, and that is good news for the whole community.

Training

Mrs SHELDON (Caloundra—Lib) (10.24 a.m.): On 20 February I received an answer to a question on notice I had put to the Minister for Employment, Training and Youth. A centrepiece policy of the Beattie government was aimed at training for the information age Queensland workers who had failed to complete high school. This policy certainly proved to be an abysmal failure. In response to my question about the number of participants, I received a facsimile stating that on 28 February 825 participants had received assistance through the program since the initiative was launched in September 2000. It also said that the majority of these participants received assistance in the latter half of the previous financial year, 2000-01; however, the department's own budget papers show that for that year alone it had targeted to achieve 2,000

participants. The budget papers also showed that in 2000-01 the state government had targeted to achieve 4,000 participants, but it estimated that just 1,200 had taken up the opportunity. At the time it failed to achieve the 4,000 target, the budget papers stated, 'Pilot programs indicate a greater cost delivery than estimated.'

Using the Beattie government's own figures of 1,200 participants in 2000-01 and 2,000 in 2001-02, there should be 3,200 people on this program by the end of June this year. With a total of 825 participants over the last two years, the government is way off target to achieve its 2,000 participants in this year alone. If there were 825 participants since the scheme started, the Beattie government misled in last year's budget papers when it estimated that 1,200 participants had joined the scheme in the previous financial year. Labor's policy stated—

> So Queenslanders become part of the information age, the Beattie government will target half a million Queensland workers who have not completed high school or gained qualifications since school through the three-year, $30 million Community Training Partnerships ... so they can access and complete the training required for those jobs.

This was a centrepiece policy of Mr Beattie's Smart Start agenda and he has certainly failed to make it work.

Time expired.

Safe House, Petrie

Mrs LAVARCH (Kurwongbah—ALP) (10.26 a.m.): School life in the Smart State should not just be about sums, Shakespeare and science. Our children also need to be taught personal safety, injury prevention and what to do in an emergency—and taught so well that these things become second nature to them. This is the vision of Ian Hawkins, our local community education officer with the Queensland Fire and Rescue Service, a vision which sees the township of Petrie having the most sophisticated safety education precinct in the world, a vision which has become reality for the Safe House project and a vision which will become reality for the Safe City project in June thanks to the emergency services, government departments and agencies, community groups and local businesses operating in Pine Rivers and surrounds.

When Ian saw me in September last year with his proposal to renovate the old fire service house in Reid Street, making it into an experiential learning facility, and to develop a guided tour of local venues with the aim of educating young students about personal and community safety, to say I was excited by the proposal is an understatement. I immediately contacted Eastcoast Employment and Training to see if it would get involved. I am delighted to report that not only did it get involved but it also provided most of the labour and assisted in getting the needed materials for the project; in fact, it started work two weeks after I first mentioned the project.

The renovation of the house into a safety house has been done with enormous support from the community, including business houses and tradespeople donating or subsidising time, materials and goods. Of course, it could not have happened without the support of the QFRS. Queensland Rail has also embraced the project, offering subsidised fares to Petrie for the tours, and it will be conducting in-school rail safety lectures. The project is so innovative and exciting that I believe it is befitting of an official opening by Queensland's current leading man of vision—the Premier.

Time expired.

Water Quality, Moreton Bay

Hon. V. P. LESTER (Keppel—NPA) (10.28 a.m.): I raise the issue of the dismal environmental report card issued to Moreton Bay and surrounding estuaries as noted in *Moreton Bay study: a scientific basis for the healthy waterways campaign*. In this report, parts of the Bremer, Brisbane and Pine rivers were awarded a 'fail', and other sections of Moreton Bay and the mouth of the Brisbane River were marked 'poor'. The Beattie government is failing to address the ongoing case of environmental destruction which sits at Brisbane's doorstep and which affects our quality of life. Quite frankly, at the current time Moreton Bay is in a state of emergency. Treated sewage is being released into river estuaries and mainly consists of nitrogen, phosphorous and bacteria and metals and organic compounds which are known to contribute to the growth of algal blooms and which debilitate the delicate ecosystem.

Cynobacteria blooms have been increasing in severity and have extended into Pumicestone Passage and northern Deception Bay in recent times. Quite frankly, why is there still polluted water and effluent flowing into the bay? Why is there still a high level of nutrients found in the

bay? Why are environmentally sensitive areas still vulnerable and not sufficiently protected? What has been done to manage catchment resources strategically? What is being done to halt sediment and nutrient loads? What is being done to protect and manage the coastal creek bank vegetation? Why must we keep begging the state government to take some action for the health of us all?

Honourable members interjected.

Mr LESTER: It is not a laughing matter. The health and wellbeing of all Queenslanders and the preservation of the Moreton Bay should be an absolute priority.

Time expired.

Australian Tropical Forest Institute

Dr LESLEY CLARK (Barron River—ALP) (10.29 a.m.): I rise to put on record my support for an exciting new proposal that will, if it is successful, ensure that the Beattie government's Smart State well and truly extends to far-north Queensland. I am referring to a proposal to establish the Australian Tropical Forest Institute on state land adjacent to the Cairns campus of James Cook University. It is intended that ATFI will be a world-class research facility dedicated to the sustainable development, management and conservation of Australia's tropical forests and tropical forests around the world. It will be a unique and synergistic partnership of universities, state agencies, the cooperative research centre, biodiscovery and other commercial businesses that will deliver long-term social, economic and environmental solutions and benefits to the people of Queensland and Australia.

The proposed Australian Tropical Forest Institute had its genesis in a committee that I chaired in 1998 to recommend to the government the best use of some 38 hectares of state land adjacent to James Cook University. A report commissioned by the committee analysed future business and commercial opportunities for the land and the concept of a rainforest centre of excellence scored most highly as the major tenant of a proposed research park. Since that time, further work has been carried out on the concept and the current ATFI proposal as a result.

Time expired.

Mr SPEAKER: The time for private members' statements has expired. Before calling question time, could I welcome to the gallery the school leaders and a teacher from Caningeraba State School in the electorate of Burleigh.

QUESTIONS WITHOUT NOTICE

Mr W. T. D'Arcy; Sexual Abuse Victim

Mr HORAN (10.30 a.m.): My first question is to the Honourable the Premier. I know that the Premier has finally met with the victim of Mr D'Arcy after refusing to do so until he was forced to last week. I thank him for that. I refer the Premier to his statement in this House last week when he explained why he decided not to meet the victim a year ago. He condescendingly stated—

I am a lawyer and I respect the courts in a way that perhaps he—

meaning me, the Opposition Leader—

does not understand. But the reality is that there is a separation between the courts and the parliament.

I now table independent legal advice from Mr Simon Couper QC which considers whether there was any legal impediment to the Premier meeting a victim of Mr D'Arcy. Mr Couper states in summary—

The Premier was able to meet with the woman, if he chose, unimpeded by any legal principle, rule or policy. It was entirely a matter of his choice. The asserted bases for the contention that it was inappropriate or improper or corrupt for the Premier to meet with the woman lack any foundation and are untenable.

I ask the Premier: how did he get it so wrong? He is a lawyer, and he told us the same thing repeatedly. Was he just trying to cover up his failure? Or has he now proven the truth of the adage that the lawyer who advises himself has a fool for a client?

Mr BEATTIE: I am happy to do two things: firstly, to indicate that I have answered this question in some detail and I thought the meeting last night between the victim and the Attorney-General and me was a very positive one. I want to thank the lady concerned for the positive way in which that meeting progressed. I am under the impression that she was happy with the outcome. As I have indicated, we will continue to consider the issues that she has raised

in relation to adult victims. I have to say that I think both the Attorney-General and I were—'moved' is probably too strong a word—significantly influenced by the plight of the victim as we talked through how victims feel going through the court system. I think it was really a timely reminder to both the Attorney-General and me—and we did reflect on it afterwards—that we need to think about what it is like to be in the victim's shoes. Balancing the rights of victims against the rights of an accused to a fair trial are very difficult and competing principles.

We have made significant reforms in this area, both in the first term with the previous Attorney-General, Matt Foley, and under the current Attorney-General, Rod Welford. However, we are going to take on board the recommendations in relation to the adult victims, which is what was put to us. I want to thank her again for the positive way in which she came to the meeting. I am very pleased that we were able to discuss these matters for well over an hour in a very constructive way.

I indicated to the House what my view was. I also indicated to the House what Crown Law's advice was. I obviously stand by the advice given by Crown Law. I have never pretended that I am the font of all wisdom. If there is a better legal opinion that exists, I am happy to accept that legal opinion, which I did last week from Crown Law.

While I am on my feet, because I think I have dealt with that, can I say that I am really delighted that Queensland is hosting two of the four bids that have been short-listed in the quest to secure the right from the federal government to create Australia's biotechnology centre of excellence. The Queensland government is backing two bids: the Australian Centre for Biotechnology and Biodiversity at Griffith University—

Mr HORAN: I rise to a point of order. Mr Speaker, the question I asked was about the victim and about the legal advice and the circumstances surrounding that. It had nothing to do with biotechnology centres. If you allow this question, you are making a farce of the parliament.

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

Mr HORAN: Mr Speaker, my question had nothing to do with biotechnology centres.

Mr SPEAKER: There is no point of order.

Mr HORAN: It had nothing to do with biotechnology centres.

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

Mr BEATTIE: I had already answered the question and I have answered it on many occasions. But I want to talk about this great state. I want to talk about this Smart State. So the member is better informed—

Mr HORAN: I rise to a point of order.

Mr SPEAKER: What is your point of order?

Mr HORAN: In this House, we ask a question and the answer has to be about that question. This is a deliberate attempt to move—

Mr SPEAKER: The Premier has given you an answer to the question.

Mr HORAN:—off a question about a victim and matters of law and legal opinion and on to biotechnology. I asked nothing about biotechnology. My question was totally unrelated to that.

Mr BEATTIE: Because of the importance of this announcement—this is about the Smart State and job opportunities—I seek to incorporate it in *Hansard*.

Development, Kawana

Mr CUMMINS: My question is to the Premier. I ask: could the Premier please inform the House as to what positive initiatives the state government is undertaking to ensure—

Mr HORAN: I rise to a point of order.

Mr SPEAKER: What is your point of order?

Mr HORAN: Mr Speaker, the Premier was still on his feet and you know that the Leader of the Opposition gets two questions. You have the list there.

Mr SPEAKER: Sorry—

Mr HORAN: The Premier was still on his feet when the following member stood up.

Mr SPEAKER: Order! Sorry—

Mr HORAN: Mr Speaker—

Mr SPEAKER: Order! Will you let me answer you or not?

Mr HORAN: Yes.

Mr SPEAKER: Right. I actually did not realise that the second question had not been asked because of all the kerfuffle.

Mr HORAN: So will you still provide me with the opportunity to ask that second question?

Mr SPEAKER: I am going to give it to you, because I did not realise—

Mr HORAN: The Premier was on his feet.

Mr MACKENROTH: I rise to a point of order. The standing orders do not require the member to ask his two questions in a row. The member for Kawana can ask a question, then he can rise again.

Mr SPEAKER: That is right. It is solved.

Mr HORAN: Mr Speaker, you know on the list that the Opposition Leader has two and I was just—

Mr SPEAKER: Order!

Mr HORAN: We were debating the Premier answering a question—

Mr SPEAKER: And I have just explained to the Leader of the Opposition—

Mr HORAN: You did not even give me the call.

Mr SPEAKER: Order! Leader of the Opposition, I have just explained to you that I did not realise that you had not asked your second question. I just explained that to you. I will now call you to ask your second question straight after this. I call the member for Kawana.

Mr CUMMINS: Mr Speaker, I apologise. I did not realise I was so quick getting to my feet! My question is to the Premier: could he please inform the House as to what positive initiatives the Beattie state Labor government is undertaking to ensure that the snowball of success of the Kawana Waters region on the Sunshine Coast continues?

Mr BEATTIE: I am delighted to do that. Tenders are to be called within weeks for the four kilometre, $17 million Kawana arterial link between the Sunshine Motorway and the Nicklin Way. This government is getting on with the job. I announced this on Friday while inspecting the Lensworth Kawana Waters project on the Sunshine Coast. This development is expected to create up to 10,000 jobs over the next 13 years and the Kawana community is expected to grow from 20,000 to about 40,000 people.

To meet the associated increased traffic, my government will soon call tenders for the $17 million link. The Transport Minister, Steve Bredhauer, tells me that the new road, on opening, will take about 8,000 vehicles a day off the motorway and the Nicklin Way—and, of course, the minister is in charge of this project. The construction will be a two-stage project. The first will be a four span pre-stressed concrete bridge over the Mooloolah River and a link road from the river west to the motorway.

Chris Cummins, the member for Kawana, has been a keen advocate for this road for some time, and I thank him for his efforts. He has been rewarded by this government announcement. Well done! He is a very good, hardworking local member. I spent Friday with him and Cate Molloy, the member for Noosa, on the Sunshine Coast. The constituents in their local areas are telling me that both members are hard working.

I know the member for Kawana is pleased that sensitive environmental issues have been addressed by avoiding key areas and managing stormwater run-off into the Mooloolah River and national park. With the coast's growth, there is need for infrastructure and a variety of recreational facilities such as that being developed at Kawana Waters. The Kawana Waters development is expected to stimulate significant investment in the region through the Kawana Central Business Village, Kawana Junction Industrial Park and the Kawana Waters Town Centre. A Brisbane-based company, Insurers Hotline, has announced that within six months it will establish a three-storey call centre in the business village, employing 100 staff.

The state government also contributed $440,000 to the development and upgrade of Quad Park at the lake's northern end, to help provide new community and district playing fields. It all adds up to a smart development, one in which sound planning and more than a dash of inspiration have combined to produce an ideal location to live, work and play.

I also note the comments from Lensworth managing director, John O'Grady, in his speech on Friday at the site. He detailed that public and private partnerships are also in place and that road infrastructure improvements would not be possible without the ongoing commitment and support of Queensland Transport and the cost sharing arrangements agreed by his firm and the state government. Lensworth's predicts that up to 10,000 jobs could be created by the Kawana Waters development over the next 13 years.

While I am talking about major development, let me come back to this significant biotechnology advance. The latest edition of Australian Biotechnology News highlights exactly what is going on in this state. This centre of excellence is a significant opportunity, and I believe every member should know about it. I seek leave to incorporate in *Hansard* a joint release from me and the Minister for Innovation and Information Economy, Paul Lucas highlighting Queensland's biotechnology success.

Leave granted.

April 16, 2002

SMART STATE VIES WITH VICTORIA FOR BIOTECH CENTRE OF EXCELLENCE

Queensland has two of the four bids that have been shortlisted in the quest to secure the right from the Federal Government to create Australia's Biotechnology Centre of Excellence, Premier Peter Beattie announced last night.

The Queensland Government is backing two bids—the Australian Centre for Biotechnology and Biodiversity (Griffith University) and the Biotechnology Centre of Excellence for Control of Infectious Diseases (Queensland Institute of Medical Research).

The other two short-listed bids are Victoria-based—the Centre for Stem Cells and Tissue Repair (Monash) and the Neuroscience Biotechnology Centre of Excellence (University of Melbourne)

The Federal Government announced in January 2001 that it would provide funding of $46.4 million towards the cost of establishing the centre.

"This is a fantastic result for Queensland," Mr Beattie said.

"This demonstrates the exciting bioscience research work that is being done in the Smart State by our top institutions.

"We're just two years into a ten year Bioindustries Strategy for Queensland, and this should make many people sit up and take notice of how far we've come in this field in a relatively short time."

The Biotechnology Centre of Excellence will help establish Australia as a regional and world centre for biotechnology innovation and application.

When the bids closed in October 2001 there were 11 applications, including four led by Queensland organisations.

Minister for Innovation and Information Economy, Paul Lucas, said the Queensland bids stood to give Australia a strong competitive advantage in biotechnology.

"The Griffith University bid brings together leading organisations from industry, research and academia to develop a centre which will build on Australia's biodiversity, while the QIMR bid would build on our biotechnology strengths and commercialise new solutions for bioterrorism and existing and emerging diseases."

Mr SPEAKER: Order! Before calling the Leader of the Opposition, could I welcome to the public gallery students and teachers of the Wamuran State School in the electorate of Glass House.

Mr W. T. D'Arcy; Sexual Abuse Victim

Mr HORAN: I refer the Premier to his statement in this House in relation to the checks done by his office into the dates of the contacts his office had with the victim of Mr D'Arcy who was also his constituent.

Just so members are clear, the Premier told the House that staff in his office had no recollection or record of talking to the victim on 9 March or of returning the victim's call on 10 March and referring her to the Premier's liaison officer. Is the Premier also telling this House that his liaison officer does not have any record or recollection of talking to the victim on 10 March, and again on 23 March, when he referred her on to Mr Harper of the Premier's staff? Does the Premier's office have no recollection or record of this victim speaking to Mr Harper on 30 April and again on 2 May?

The Premier said he would not make an issue of the record keeping, but does he not think that he should be fixing up his office record keeping, or was this just a way for the Premier to cover up his failure and his neglect of this victim?

Mr BEATTIE: This is a very, very important situation that we now find ourselves in. When I met with the victim yesterday, this was one of the issues that we discussed—as the Attorney knows. I am satisfied that the victim did approach my electorate office on the occasions that were

referred to by the Leader of the Opposition. During that very friendly and amicable discussion, I also indicated to the victim my knowledge of her contact. In other words, as members would appreciate, these issues were discussed with the victim and they were appropriate to be discussed with the victim concerned. These matters have now been dealt with, and that has been done with the appropriate person—the victim concerned.

Now, what do we have here? Let us just go through this. What do we have here?

Mr Horan: A year ago she needed that help.

Mr BEATTIE: This is what we have here: the Leader of the Opposition raised appropriate issues in this House and I then met with the victim. That meeting, which went for over an hour last night, was a very positive meeting. The matters have now been dealt with and the Attorney and I have taken certain matters on board. I have indicated to her that when certain matters are completed in the courts, I am happy to meet with her again. I have arranged for her to meet with my appointment secretary and those meetings will go ahead.

However, one of the major issues arising out of this is that the lady has been deeply concerned by the amount of public exposure and her identification in the media. I am concerned that now, regrettably, the Leader of the Opposition is simply trying to pursue this matter for cheap political purposes at the expense of the victim. I have met with the victim.

Mr Horan interjected.

Mr SPEAKER: Order!

Mr BEATTIE: The Leader of the Opposition wants to drag this whole incident through the gutter.

Mr Horan interjected.

Mr SPEAKER: Order! The member will cease interjecting.

Mr BEATTIE: This matter should not be in the parliament today.

Mr SPEAKER: Order! The member will cease interjecting. This is my final warning.

Mr BEATTIE: I have met with the victim and I have dealt with the issues, but the Leader of the Opposition is not happy with that. He wants to muckrake for political purposes. He has no care for the victim, he has no interest in the victim's welfare; he is only interested in throwing mud and gutter tactics. He asked me to see her and I saw her. The lady concerned is satisfied with the meeting, so why are we pursuing this?

Miss Simpson: Did you say sorry?

Mr BEATTIE: Yes. As a matter of fact, I did. As a matter of fact, as the Attorney-General knows, I apologised to the lady concerned and, on that basis, I proceeded into the meeting. I did, yes, and I thank the member for that interjection. I appreciate her reminding me of that.

Let me make this point: the opposition is now using this poor lady simply to score cheap political points. That is an absolute disgrace. I think the Leader of the Opposition is unfit to hold his position.

Palms Limousine

Mr JOHNSON: I remind the Minister for Transport and Minister for Main Roads of his answer to my question without notice on 7 March 2002 in relation to leases to operate limousines. He stated—

No transfer of the leases for the limousines has been effected between Bradley Stubbs and James Stubbs.

I seek leave to table this document.

Leave granted.

Mr JOHNSON: I now table a copy of correspondence from Queensland Transport dated 21 March 2002, confirming that lease notifications to James Raymond Stubbs had been received at Queensland Transport on 27 February 2002. Does not that document mean that the actions of a Queensland Transport enforcement officer, which were raised by the member for Surfers Paradise, were inappropriate, that the minister's response to that member and to me was wrong, and that the minister has misled this House?

Will the independent inquiry he has commissioned into this mess be examining the information provided to him, and will the results be made publicly available?

Mr BREDHAUER: The answer to the honourable member's question is no, I have not misled this parliament or any of its members either in my answers in parliament or in my correspondence that I have given to the member for Gregory and the member for Surfers Paradise in relation to this issue. In this case, a simple attempt was made by the limousine operator to secure the transfer of the licences. It is not adequate simply to put in a form for a transfer of a licence to be effected, and that is the simple fact of the matter.

A number of the documents from that particular limousine operator—which the member for Gregory tabled in parliament on a previous occasion—had not in fact been received by the office of Queensland Transport on the Gold Coast. They had been presented at the police station on the Gold Coast and they had been witnessed as having been sighted only, nothing more than that—and I am only going on my recollection because I do not have the documents in front of me now—by a police officer at that station. That does not necessarily effect the transfer of the licence. The information I provided to the parliament when I was asked that question was true and correct. At that point in time, no transfer of licence had occurred.

In relation to the other questions asked by the honourable member—whether this matter is one of the issues that is under investigation—the answer to that question is yes. I asked the independent person—contrary to the repeated claims by the member for Callide, I might say, that I had asked someone from Queensland Transport to investigate these matters. He was, as he usually is, wrong and had erred in fact. It was not a person from Queensland Transport who I asked to investigate this matter—in fact, I asked my director-general to talk to the Office of the Public Service Commissioner and to agree on an appropriate independent person who could undertake an investigation into a number of issues which were raised in relation to the operations of the Gold—

Mr Seeney: The story has changed a bit.

Mr BREDHAUER: The story did not change.

Mr Seeney interjected.

Mr BREDHAUER: I have been in here a long time, mate, and I have seen some people get in the gutter, but you are the first member I have seen for whom the gutter is an aspiration.

I obtained independent advice from the Office of the Public Service Commissioner to appoint an independent person to undertake the investigation.

Winter Racing Carnival

Ms LIDDY CLARK: I refer the Premier to the fact that people involved in Queensland's exciting racing industry always seem to have a hot tip, and I ask: what is his hot tip for this year's Queensland Winter Racing Carnival?

Mr BEATTIE: We all know that the honourable member for Clayfield represents that wonderful electorate and a lot of people in the racing industry. My tip is that this year's Winter Racing Carnival will be the best yet. Later today I will be joining Racing Minister Merri Rose for the launch of the 2002 Queensland Winter Racing Carnival. The theme this year will be 'join the party'—and what a party it is going to be. I know the member will be there. We are beginning 11 weeks of fun, fashion and excitement from April to July in Brisbane, the Gold Coast, Ipswich and the Sunshine Coast.

Thoroughbred racing is one of Queensland's largest industries. It contributes $700 million to our economy each year and provides full-time, part-time and casual jobs for 24,000 Queenslanders—many of whom live in the member's electorate. I understand her commitment to this industry. However, the Queensland racing industry is facing fierce competition. It has to be innovative if it is going to survive and prosper as it has in the past. I am talking about competition from interstate as well as from overseas—Hong Kong and phone betting in Vanuatu. My government is right behind the racing industry and determined to support it through the difficult times ahead.

As members will recall, we privatised the TAB and we established the Queensland Thoroughbred Racing Board, which came into office on 5 April. We have amended the Racing and Betting Act and, as part of the ongoing process, will establish a company to become the control body for thoroughbred racing.

My government also supports the Winter Racing Carnival through the Queensland Events Corporation, which is in my portfolio. That is why I am doing the launch with Merri Rose today.

Last year saw the most successful Winter Racing Carnival in 20 years and this year's carnival promises to be even better, with the nation's best horses competing for $14 million in prize money.

Our state racing industry is enjoying a good run of successes, with Queensland-trained horses winning major races like the Golden Slipper, the Victorian Derby and the Hong Kong Sprint. In fact, Bruce Brown, the trainer of Calaway Gal, Queensland's first Golden Slipper winner, will be a special guest at today's launch. I look forward to seeing him there. Racing enthusiasts are also looking forward to seeing our champion Queensland sprinter Falvelon defend his Doomben 10,000 crown against the cream of Australia's racehorses, trainers and jockeys. It is shaping up as a great winter carnival for our racing industry. I know the member will be there and that everybody will be enjoying it.

In conclusion, this morning the minister tabled a number of letters in relation to the thoroughbred racing industry and the board. I would hope that we could move on. This is a very important industry. It is important that everybody gets behind this industry and looks to the future. There is ugly competition going on at the moment. We need to get the industry to work together. The reality is that there was always going to be controversy about who was going to be on this board regardless of who ended up on it. Now that we have a board and it has been selected, let us get on with the job and deliver the sort of future this industry needs. It is a great industry and we need to work together to deliver for it.

Funding, Land Protection

Dr KINGSTON: I refer the Treasurer to the fact that last week we heard the Minister for Natural Resources struggling to justify the introduction of the Land Protection (Pest and Stock Route Management) Bill. Last week the same minister announced plans for a major dog baiting campaign on state land.

Mr MACKENROTH: I rise to a point of order. The bill the member is referring to is before the House. I did not listen to the debate so I did not hear what the minister said. The member is referring to what the minister said before the House and debate on the bill has not been completed yet.

Mr SPEAKER: Order! The member cannot ask a question about a bill before the House.

Opposition members interjected.

Mr SPEAKER: Order!

Dr KINGSTON: I cannot hear anything.

Mr SPEAKER: That is very difficult with the National Party in front of you making so much noise. Could you omit referring to any statement by the minister? Can you still ask the question? Is that possible?

Dr KINGSTON: Yes.

Mr SPEAKER: Go on with your question.

Dr KINGSTON: When the minister was questioned regarding assured funding—

Mr SPEAKER: That is where the problem is.

Dr KINGSTON: I will do it again. To decrease the discomfort of rural producers who will be impacted by the land protection bill, will the Treasurer give a guarantee—

Mr SPEAKER: Order! I think the member will have to leave that question for a future time.

Mr MACKENROTH: I have got an idea what the member was going to say. I would say: whatever he asks, the answer would be that I would refer him to the minister.

Employment, Women

Ms BOYLE: I refer the Minister for Employment, Training and Youth to the plight of women who are finding it hard to get a job, and I ask: what is the government doing to address the problems of unemployment and underemployment of women in the Queensland workplace?

Mr FOLEY: I thank the honourable member for her question and note her significant role in addressing issues of unemployment and underemployment amongst women. The Beattie government has a firm commitment in this area to doing everything in our power to eliminate the

misery of unemployment and to improving the status of women. There is no getting away from the stark reality contained in the statistics on women's unemployment.

Recent figures show that more than 36 per cent of women are in casual employment. What this means is that they are not entitled to paid holiday or sick leave. It should be noted, moreover, that some 71 per cent of women are employed part time. To redress this unfortunate statistic we have embarked on a multi-pronged approach. We are now implementing the recommendations of the *Pink collar report* commissioned by the Beattie government, which proposes a variety of strategies for responding to women and work issues in Queensland. I thank the honourable member for her work in that implementation process.

One of those recommendations is to increase the participation of women in labour market programs. The flagship of our efforts on employment is the Breaking the Unemployment Cycle initiative, which aims to create more than 56,000 jobs over six years. A wonderful example of how the Breaking the Unemployment Cycle initiative has worked for women was demonstrated in Brisbane last week at the Training and Employment Expo run by the Women at Work organisation. Under this initiative, this innovative organisation has been able to access a total of $1.2 million to give 231 women skills for employment. In addition, a grant of $204,980 from the Community Training Partnerships program enabled the organisation to assist another 135 women, particularly those from marginalised groups, to develop the skills and confidence to access the labour market. The Training and Employment Expo itself was the result of over $150,000 in Community Jobs Plan funding from the Breaking the Unemployment Cycle initiative.

The Women's Employment Summit, to be held at the Parliamentary Annexe today and convened by my department, is another example of the Beattie government keeping to its commitments. This summit will canvass innovative solutions to break the unemployment cycle for women by seeking ideas from women who have made it. The honourable member for Cairns has played an instrumental role in this. I hope that this forum will be another example of positive outcomes achieved through the efforts of the government and community working together.

Mr SPEAKER: Order! Before calling the honourable member for Callide, I welcome to the public gallery a second group of students and teachers from Wamuran State School in the electorate of Glass House.

Department of the Premier and Cabinet, Resourcing

Mr SEENEY: I refer the Premier to his attempts in the media this morning to justify an increase of 276 full-time staff members in the Department of the Premier and Cabinet by suggesting that native title responsibilities had been transferred to his department, thereby requiring the employment of additional staff. I refer also to his press release on 26 October 2001 in which he announced a review of the internal arrangements for the management of native title in Queensland and stated—

For the past few years native title has been dealt with in the Department of Premier and Cabinet, but I now want to examine whether that is the best structure for the future.

I refer also to his ministerial statement on 5 December 2001 in which he informed this parliament that an extra 40 staff had been appointed to the Department of Natural Resources and Mines to tackle this issue, at a cost of $2 million. I refer also to my question on notice to the minister on 20 February 2002 in answer to which he detailed the subsequent employment of those 40 extra staff in the Department of Natural Resources and Mines, and I ask: why is the Premier's attempt to defend the outrageous increase in staff levels within his department in complete and utter contradiction to what he has been saying to this parliament about native title for the past six months?

Mr BEATTIE: Nothing is inconsistent. Mr Speaker, as you understand—and I know it would be a bit difficult for me to get some of those opposite to understand—a number of things are done in relation to native title. There is a unit in my department called Native Title Services that does certain work. There is certain work done—

Mr Seeney: It was there when you became Premier.

Mr BEATTIE: Would the member stop being rude? If he does not want me to answer the question, I am happy to sit down. If he wants me to answer it, would he please show me the courtesy of listening? I have to say that I agree with Steve Bredhauer.

Mr Seeney interjected.

Mr BEATTIE: Does the member want me to answer it?

Mr Seeney: Go on. Away you go.

Mr BEATTIE: Okay. There are a number of processes relating to native title. There is a unit in my department which currently carries out certain work. There is work done within the minister's department. They complement one another; they work together. There is nothing inconsistent. Not all the work is done in one area. Because a lot of work is done in the minister's department, I have signalled that from 1 July I am considering moving Native Title Services to the minister's department so that it is all in one area instead of in two departments.

You do not need to be a rocket scientist or Einstein to understand that the Department of Mines issues leases. You do not need to be a rocket scientist to work that out. My department does not do that. My department negotiates and works with groups. It works very hard to get negotiated outcomes—for example, ILUA, cultural heritage legislation and native title legislation, all of which are done in my department. They complement one another. I have indicated that perhaps it would be better in one place.

The reality is: yes, there has been an increase in the number of staff in my department, because my department does more since I have been Premier. Unlike my predecessor, I actually work hard, and there are a lot more areas in my department, such as Trade and other activities like the Events Corporation and so on. I am happy, where it is necessary, to bring things into the Premier's Department. They came from other areas of government and they are delivered. There is nothing wrong with that. Regional Communities and consultation are two other examples.

Members opposite do not like the fact that this is a can-do government that is delivering for Queensland, and they have a Premier who actually leads on these matters. I am quite happy to do all that. I will continue to do it. Community Engagement is another area. My department is a bigger department because it is active, it has brought in other areas, and we will continue to do those things.

Mr SEENEY: I rise to a point of order. The Premier is obviously misleading the House. The Native Title Services Unit was part of the Premier's Department when he became Premier. It was that way under the previous government.

Mr SPEAKER: Order! That is not a point of order. We will not have a debate on this issue.

Mr SEENEY: The Premier is deliberately telling falsehoods to this House.

Mr BEATTIE: That was not the question the member asked. He came in here and referred to a whole lot of waffle. Is this another tactical lie? Is that what it is?

Mr SPEAKER: Order! Before calling the member for Broadwater, I welcome to the public gallery students from the Clairvaux Mackillop College in the electorate of Mount Gravatt. The member for Mansfield, Phil Reeves, also joins in that welcome as a former student.

Superyachts

Mrs CROFT: I direct a question to the Minister for State Development. International superyachts present a lucrative new market for the state. Can the minister please outline what the government is doing to assist with the attraction of superyachts to Queensland?

Mr BARTON: I thank the member for the question. Of course, the member has some of the great cruise destinations—the Broadwater and the Gold Coast—in her immediate area. She takes a very big interest in yachting and superyachts. The largest boat show in the Southern Hemisphere also takes place on her patch.

Over the past week—and they are still here today; they fly out tomorrow—12 international superyacht industry leaders have visited Queensland on a fact-finding mission, supported by my Department of State Development with an $80,000 grant to Superyacht Base Australia so that we can get the people who influence those who own these superyachts to regard Queensland as a region to which they could bring their vessels for cruising. Up till now they have typically cruised the Mediterranean and the Caribbean, and they are looking for new safe locations. We also want Queensland to be recognised for its ability to service these vessels and manufacture new vessels. There is a fortune to be made out of provedoring these vessels. While they are referred to as superyachts, they are essentially quite considerable small ships that are owned by some of the wealthiest people on earth. They have sizeable crews who would also spend their money in Australia.

My department set up the Marine Industries Task Force to coordinate this activity. We have been involved in setting up the superyacht cluster in Cairns. We have been involved in

establishing the Gold Coast Marine Precinct Task Force. We have also been supporting companies that are currently building superyachts and are setting up to do maintenance and repairs on superyachts in the Brisbane River area.

I had the pleasure to meet with these 12 people on Sunday on the Gold Coast when they arrived here. They have been to the tropical far north. They have looked at the cruising conditions on the reef. They have looked at the marina in Mackay. They have also looked at the spectacle of the Whitsundays as a cruise destination. They have travelled to the southern part of the state, to the Gold Coast, and had a good look at the facilities at Sanctuary Cove as well as other facilities on the Gold Coast. Already, one of the industry leaders has made bookings for people whom he represents to cruise Queensland's waters. They all indicated to me that they were very impressed with the quality of the work being done by companies building and maintaining superyachts in this state. They are very impressed with our safe cruising locations. They expect that we can turn what has already generated about $30 million worth of business through superyacht maintenance and repairs—currently being led mainly out of Cairns—into a major industry for Queensland.

My department is very proud to be working with the industry that is developing cruising yacht manufacture, maintenance, provedoring and cruise destinations. We are very pleased to have been able to support this tour.

Department of the Premier and Cabinet, Resourcing

Mr QUINN: I refer the Premier to the additional 276 full-time positions he has created in his department and also to his comments this morning that he needs these additional staff because of his extra responsibilities. I ask: given that the Premier has twice as many staff as any other Premier in the nation, including 507 more staff than Victoria's Premier and 488 more staff than the Premier of New South Wales, will he now outline what measures he intends to take in the upcoming state budget to rein in his excesses? Can he explain to what extent all of his responsibilities require him to have 520 more staff than the Prime Minister? Or is he trying to tell us that, as the Premier of Queensland, he has twice as many responsibilities as John Howard?

A government member interjected.

Mr BEATTIE: That would be right! There are a number of areas in my department which are—

Mr Horan interjected.

Mr BEATTIE: I ask the Leader of the Opposition to have some manners for once. I have a Community Engagement Division that has around 95 staff—

Mrs Sheldon interjected.

Mr BEATTIE: Does the member actually want me to answer this, or does she want to be rude? I am happy to answer this question seriously if she wants to have a few manners. Queensland Events Corporation, which I brought into my department, has about 14 staff; International Collaboration has about 15 staff. As to other areas—let me talk about the media issue which the member referred to. There are a total of about 20 full-time equivalent staff in Communications Services in the Department of the Premier and Cabinet. This includes three administration staff. It also includes five staff in the speech writing unit. The speech writing unit is the same size now as it was during the Borbidge government years. Communications Services in DP&C performs a range of communication activities across government. For example, it provides whole-of-government contracts management, including master media advertising placement contracts and the media monitoring contracts. This includes negotiating contracts with organisations such as Media Monitors, Rehame and Starcom Worldwide for all government agencies, including statutory authorities. This improves efficiencies and economies for agencies purchasing advertising and media monitoring services across government.

Mr Horan interjected.

Mr BEATTIE: Listen, Mr Rude, just wait. Under Borbidge, Communications Services had 15 staff. Two of the additional staff have a sector-wide function. They were relocated from the Office of the Public Service Commissioner, which previously produced this magazine.

One of the changing areas is online communications. The government must have an active web site presence in order to compete in the global market, and of course, additional staff are required to develop and maintain our edge in ICT. In other words, we have roughly the same

number of people in the communications area as the previous government did. We have an active Premier who has brought into his department sections from other areas of government.

All I hear from the Leader of the Liberal Party is whingeing about his resources. That is what this is all about. I wrote to him on 27 February—I table a copy of the letter—and I provided to him press clippings which he wanted, which he was having difficulty getting. I agreed to provide him with those press clippings. I wrote to him on 27 February saying that they were available. The letter states—

Dear Bob

I refer to our recent discussion about media clips and the difficulty your Office has been having in this regard.

I have looked into the situation and am pleased to provide daily press clippings, an identical set to that which my staff and I receive each day via Media Monitors.

That letter is dated 27 February. Bob Quinn's staff have not collected press clippings since 18 March—a month. He wanted them and I agreed to give them to him. He and his staff are so lazy that they have had access to them for about a month and will not even pick them up. Mr Quinn has to wake his staff up every morning. He wanted them—

An opposition member interjected.

Mr BEATTIE: Mr Quinn could come and get them. He could come down and get them. He wanted them and I gave them to him, yet he does not even want to come and collect them. If the Liberal Leader were in coalition he would get more resources from Mr Horan. It is up to Mr Horan. He is the one who took his resources away. He should give him back his resources. They are not in coalition. That is their fault, not mine.

Agricultural Development Partnership Program

Mr RODGERS: I refer the Minister for Primary Industries and Rural Communities to the federal government's agricultural development partnership program announced by federal Agriculture Minister Warren Truss under last year's budget. Can the minister explain what success this program has had?

Mr PALASZCZUK: I thank the member for the question. No, I cannot explain. Why? It is a $26.4 million program and it has done absolutely nothing over the past year—absolutely nothing. The money is just sitting there, wasting away.

Recently the federal Minister for Agriculture has been making noises that now the federal government is carefully negotiating and looking at putting in some guidelines for this program. That is all well and good, but the federal budget is due on 14 May. Unfortunately, the noises we are hearing coming out of Canberra are that the funding will be cut. Basically, what we will have after 14 May is a $26.4 million program that probably will have guidelines but will have no funding. That is the reason I cannot inform the House as to how successful the program is.

Honourable members should contrast that to what the state government is doing. Let us look at the electorates of Charters Towers and Burdekin. There we have this wonderful new initiative called Rangelands Reef. It is a $3 million program funded by this government. I pay tribute to the members for Charters Towers and Burdekin for their great work in ensuring that this program is as successful as it is.

Just last Friday I was in Charters Towers. I was very pleased to announce a series of new projects that are to be funded under this program. These projects include: $320,000 for employment creation through woody weed management in the Cape River catchment; $30,000 for biological remediation of nutrient-rich water; $261,000 for strategic woody weed management in the Burdekin rangelands; $21,000 for waste water treatment at Ayr using aquatic polyculture; $11,000 for the second stage of charter data community information and service database; and $6,000 for industry maintenance for aquatic weeds in Sheepstation Creek.

This government is out there doing the job. The challenge to the federal Minister for Agriculture is: if in fact there is actual funding for this program—$26.4 million—to match the state government's funding dollar for dollar to make sure our program in the Burdekin continues the way it is. I believe that this program will be a template for programs in other catchments not only in Queensland but also in the rest of Australia.

Queensland Thoroughbred Racing Board; Mr B. Bentley

Mr HOBBS: I refer the Minister for Tourism and Racing to the public meeting held at Doomben on Sunday and attended by more than 200 racehorse owners, trainers and breeders, representatives of the Queensland Turf Club and the Brisbane Turf Club and racegoers, which unanimously passed a motion of no confidence in her appointment of Mr Bob Bentley as chairman of the Thoroughbred Racing Board and further condemned her for corrupting Queensland racing. I also refer to her misleading of the Australian Racing Board by substituting the final reserves from the independent selection panel with a probity list drawn up during the workings of the selection process. The minister advised the House today that there were eight on the probity list. The probity list she showed me last week had six on it. How many will it have on it next week? What is the difference between a jockey pulling a horse to get a desired result, a trainer doping a horse to get a desired result, an owner substituting a horse to get a desired result and the minister substituting a candidate for another to get her desired result in the top job of racing in Queensland?

Mrs ROSE: The letters I tabled this morning very clearly state the facts. I will not go through them again; they are now a matter of public record. A number of issues were raised at that meeting on Sunday, and those issues will now be raised with the Thoroughbred Racing Board. That is its responsibility. It looks after the issues of prize money. It looks after the issues of race dates. They were some of the other issues raised at that meeting.

I am aware that the member for Warrego attended that meeting. Last Thursday morning in this parliament I said that I would spend some time with the member that day to walk him through the process. I also confidentially showed him an email of the first six names sent through to my department for probity checking. The other two names followed. Bob Bentley's name was on that first list of six.

I explained this to the Leader of the Opposition. All credit has to go to the Leader of the Opposition, who last week did not become a part of this spreading of misrepresentation of fact. The Leader of the Opposition waited until the approval came through from the Australian Racing Board. When I spoke to him by phone on Thursday—he was on his way to the Weetwood—he asked me some serious questions, which I answered. He listened. Unfortunately I cannot say the same for the shadow minister for racing. Not only did I show him, in confidence, the first list of six names, which had Bob Bentley's name on it; I spent 45 minutes with him, walking him through the process. Now he looks foolish—

Mr HOBBS: Mr Speaker, I rise to a point of order. The minister is misleading the House. The minister has not walked me through this process. The minister has corrupted the system by putting in her own appointee.

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

Mrs ROSE: The member for Warrego is like a little boy lost. He is out in the playground now and he will find that the big boys do not want to play with him anymore. When he has the facts he will not share them with them. They will not want to play with him anymore, so he is out there lost, like the little boy lost.

Mr HOBBS: Mr Speaker, I suggest that the member must be sick.

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

Mrs ROSE: The facts speak for themselves. This morning I have tabled two letters. One was from TMP Worldwide, which is a highly regarded, reputable international company, which looked after the whole recruitment process. The member for Warrego has to cop it. He has to cop the fact that he lost.

School-Age Child Care

Mrs LAVARCH: My question is directed to the Minister for Families. How has the state government worked with the school-age child-care sector to enable services to be licensed and regulated?

Ms SPENCE: I thank the member for her question. Obviously there is not much more important a subject to debate in this House than the quality of our child-care system in this state. The member for Kurwongbah is a regular attendee at the P&Cs in her electorate and therefore she is a great advocate on their behalf when it comes to issues such as school-age child care. Members would all be aware that the government is working on new child-care legislation which,

for the first time, will regulate and introduce minimum standards for school-age child care in this state. We will also be introducing new minimum requirements for workers in the child-care sector, as well as simplifying the regulation requirements that currently exist.

The aim of the new legislation of course is to improve the safety and quality of child care in this state for the benefit of all of the state's children. Members would be aware that the P&Cs particularly were alarmed at suggestions in the draft legislation which went out for public consultation that P&Cs would be required to incorporate under our new legislation. I am pleased to say that I, the government and my department have worked closely with the QCPCA on this issue and are formulating amendments to the legislation to be introduced to parliament which will not require the P&Cs to be incorporated but will allow them to be licensed in their own right.

The P&Cs have always been supportive of the new licensing and minimum requirement standards that we are putting in this new legislation. They want to see improvements in their child-care facilities. Indeed, the new arrangements we are proposing will have the support of all P&Cs throughout Queensland. The legislation will be introduced later this year but will not become operational until mid-2003. To support P&Cs with the upgrade of their facilities, the government has committed $4 million over the next three years just for school-age care facilities. I also remind members that we have committed $3 million to training and upgrading the qualifications of all those who work in the child-care sector.

The debate that has gone on about this legislation—not just with the P&Cs but also with the family day care sector, which has expressed some concerns about the draft legislation—is an example of good government in action. We have listened to those organisations and will be amending the legislation before it comes to parliament to ensure that it has the support of all those in the child-care industry in this state. Obviously, government alone cannot improve this sector. We do need the support of those who operate and work in the sector. I am pleased that we have been able to achieve that.

Recycled Water Project

Mr FLYNN: My question—surprise, surprise—is directed to the Premier, and I suggest that the Premier stay on his feet because it is his day. The Premier is aware and apparently informed of my concerns in connection with the supply of water, renewed or fresh, to the Lockyer Valley and of course onwards to the Darling Downs. Given the federal government's declared intention, by fair means or foul, to remove the control of water from the states by calling for a referendum to amend the Constitution and other methods including the withholding of credits under the national competition policy, the PM's announcement that he does not consider it the federal government's responsibility to supply funding for this project and the Premier's declared support, I ask: does the Premier consider that the PM's response is reasonable? Will he support further representations to the PM from other quarters in an effort to forge a rescue mission for the people who are going broke?

Mr BEATTIE: I thank the honourable member for his question. I know that he has a very genuine commitment to what I call the grey water proposal but which in fact is the South East Queensland Recycled Water Project, because he has raised this matter with me. I wrote to the Prime Minister on 3 April—and I have referred to it in the House previously—basically asking for the matter to be reconsidered. In fact, I wrote—

I refer to your letter—

that is, the Prime Minister's letter—

of 17 March 2002, relating to the South East Queensland Recycled Water Project. As you would be aware, this project is of vital importance to the economic future of South East Queensland, in particular communities located in the Bremer, Warrill and Lockyer Valleys—

areas that the member opposite represents in this parliament—

as well as on the Darling Downs.

I told him that I was disappointed. I then asked him to clarify the position. The letter goes on—

Given the stature of this project and the potential economic benefits for South East Queensland, I seek urgent clarification from you concerning the Federal Government's commitment to the project.

After I released the Prime Minister's letter, a lot of people spoke to other ministers and other representatives about this but no-one actually went back to the Prime Minister to ask him for his view. After all, he is the Prime Minister.

Mr Flynn: I have.

Mr BEATTIE: The member has and I understand that he is thinking of going to Canberra to pursue this matter. I am happy to provide him with a letter of my position to support any initiative, any advance or any reply the member opposite can get to this letter from the Prime Minister. The bottom line is this: the honourable member for Lockyer shares my support for this project, but I am concerned that the Prime Minister has not responded to my letter of 3 April. Bearing in mind the urgency of this matter, I think it is imperative that he does so. I will be providing the member for Lockyer with a letter of support and would hope that he can, along with myself and others, get an answer from the Prime Minister which will support this innovative project.

By releasing the Prime Minister's letter and my reply to him I have simply sought to clarify this position. I have reported previously, if I recall correctly, that we have put in $600,000. We have another $300,000 committed—almost $1 million. It is taxpayers' money for which this government is accountable—the last $300,000 has not yet been spent, not all of it at least. I therefore need very clear clarification from the Prime Minister about this issue, because if the Commonwealth is not going to fund it then frankly it becomes very difficult. It is still possible for the project to proceed with the private sector, but it is very difficult. We need the Prime Minister's support to make this project a goer. Without that support, the project is at risk. It is not too hard for the federal government to answer that letter. That is all I want. That letter seeks to clarify the federal government's position. We have already put up money. We have already indicated our support. What we need is the Commonwealth in genuine partnership. If the Commonwealth is not forthcoming and this project runs into difficulties, then the responsibility lies with the Prime Minister.

Anglican Church; Sexual Abuse Complaints

Mr REEVES: I refer the Premier to today's media statement by the Anglican Archbishop of Brisbane, and I ask: what implications does this have for a response to abused children?

Mr BEATTIE: I thank the honourable member for his question because this is a very important issue. I table the news release from the Most Reverend Dr Phillip Aspinall, the Anglican Archbishop of Brisbane. In it he makes a number of points in relation to the Anglican Church's handling of sexual abuse complaints. Page 2 of the media release states—

I have also discussed with the Premier of Queensland options for managing the difficulties I've referred to.

I have also made approaches at the federal level.

In both instances I have argued my personal belief that a Royal Commission into these matters would provide the best outcome. I believe that an inquiry at the Commonwealth level would be the most valuable because dealing effectively with child sexual abuse raises national issues. The value of uniform mandatory reporting arrangements, uniform screening procedures and dealing with criminal justice issues across jurisdictions all need to be examined.

I seek leave to incorporate this media release in *Hansard* because of its importance.

Leave granted.

April 16, 2002

Media Statement
The Most Rev'd Dr Phillip Aspinall
Anglican Archbishop of Brisbane

I make this statement today because a significant amount of time has passed since I announced on February 19 an inquiry into the Anglican Church's handling of sexual abuse complaints in the past.

Concerns have been aired in the media over the last few days about the time it is taking for the inquiry to be established.

From the outset let me say that to a large extent I share those concerns. When I announced the inquiry I hoped that things could be set in train within a few weeks. I recognise the importance of these matters to the wider community and to the church and no one is served by unnecessary delays.

However, there are significant difficulties in establishing and conducting an inquiry of this kind. These difficulties have been evident from the beginning and have been further canvassed in recent days.

An independent, and in effect private, inquiry of this sort cannot provide protection to those who participate. Nor can it compel anyone to answer questions. This means that the inquirer faces the difficult possibility of having incomplete information on which to base conclusions and recommendations. In addition, in preparing a report, the inquirer, as well as anyone else participating, runs the risk of defamation actions arising.

These matters demand very careful handling. First and foremost the inquiry is intended to address and redress the past hurts of people subjected to abuse. Anything that causes further hurt to victims is to be avoided.

While things have taken longer than I expected, and while I will avoid any unnecessary delays, I remain resolute that the investigation must be established and conducted with great care and must be carried out by the right

person. Mistakes at the outset caused by undue haste will have serious repercussions down the track and cause further hurt.

Let me indicate then the steps that have been taken since the inquiry was announced.

Within two days of the announcement the Brisbane Diocesan Council endorsed my action and set in train the steps to be taken to establish the inquiry on a proper footing. The terms of the Council's resolutions have previously been made public.

Over the next few weeks I worked closely with a small team of advisers to detail the matters of public concern needing investigation and to frame in a preliminary way the parameters of the investigation.

On March 12, a legal firm independent of the Diocese of Brisbane was retained to instruct a senior barrister, also independent of the Diocese of Brisbane, to draft the terms of reference.

From the outset I have said that the inquiry head, when appointed, will also have input into the terms of reference.

I have approached several eminent people to explore their availability to head the inquiry. To date none has been able to agree because of existing commitments or because of potential conflicts of interest. I can say that while recognising the significant difficulties no one has refused because they considered the inquiry unsound.

In parallel with this work to develop appropriate terms of reference and to secure a suitable person to conduct the inquiry I have followed sound advice to consult widely in seeking the best way forward. I have spoken with several retired members of the judiciary, senior counsel has been consulted and I have sought informal advice from eminent people known to have not only keen legal minds but also great integrity.

I have also discussed with the Premier of Queensland options for managing the difficulties I've referred to.

I have also made approaches at the federal level.

In both instances I have argued my personal belief that a Royal Commission into these matters would provide the best outcome. I believe that an inquiry at the Commonwealth level would be the most valuable because dealing effectively with child sexual abuse raises national issues. The value of uniform mandatory reporting arrangements, uniform screening procedures and dealing with criminal justice issues across jurisdictions all need to be examined.

Since the inquiry was announced, these matters have also been discussed with the Anglican Church's national Standing Committee and at the national bishops' conference. The Church recognises that national approaches need to be examined carefully and has taken steps in that direction.

It is too early yet to know what the response of government will be.

In the absence of a formal public inquiry, I continue to believe that an investigation by an independent person of the serious allegations made against this diocese is the best step I can take. I am not as pessimistic as some and believe that with care and the right person to conduct the investigation a constructive and healing result is possible.

I will continue to do all I can to bring about that result.

Mr BEATTIE: I did meet with His Grace the Archbishop last Friday and have had a discussion with him since. I support his bid for a national inquiry. As members would know, Queensland has had the Forde inquiry and we have initiated a number of things as a result of the outcomes of that inquiry. This matter does need to be pursued at a national level. There are jurisdictional issues across borders. In relation to the blue card we brought in—the blue card I referred to earlier in my report on its release on Sunday dealing with criminal checks for volunteers—the archbishop was kind enough to advise me that he thought the blue card system the Queensland government had introduced was a leader in Australia and that the Anglican Church took the view that that should be introduced and supported in other states, and I am sure he would not mind my advising the parliament of that. Those suitability cards or blue cards are designed to protect children.

Child abuse is indeed a national issue. The archbishop is a decent person who is grappling with a very serious situation which he inherited. I urge all members to support the archbishop and to support his call for a national inquiry. I urge the Prime Minister to give weighty consideration to the archbishop's request, because frankly unless we have a national inquiry we will not get to the bottom of child abuse, we will not be able to have an informed debate and there will not be the freedom for victims to come forward with their complaints. That was rammed home graphically last night in my meeting with the Bill D'Arcy victim, whom the Attorney-General and I met.

I urge all members to read this news release from the Anglican archbishop. I urge the Prime Minister to read it. The Queensland government and I will support and participate in any national inquiry initiated by the Federal Government.

Milk Prices; National Foods

Mr HOPPER: I refer the Minister for Primary Industries to the ACCC's recognition of the significant imbalance in market power between farmers and processors after the deregulation of the dairy industry and to a subsequent decision to allow dairy farmers to collectively negotiate

improved prices with the major processors. I also refer to the court appeal by National Foods against the ACCC's decision which will force dairy farmers into a costly and lengthy legal battle aimed at stopping farmers from setting up negotiating groups and at shutting farmers out of the upcoming negotiations over supermarket contracts.

Given the support the government gave to National Foods to set up in Queensland, what representations will the minister make to the company to withdraw this appeal?

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

MATTERS OF PUBLIC INTEREST

Mr W. T. D'Arcy; Sexual Abuse Victim

Mr HORAN (Toowoomba South—NPA) (Leader of the Opposition) (11.32 a.m.): I rise on a matter of great public importance to which I also referred at this time last week. Last week, the opposition took the Premier to task over his failure to meet a victim of abuse by the Premier's former colleague Mr W. T. D'Arcy. We raised the fact that, despite being contacted in March 2001, the Premier failed over the next two months to agree to a meeting and that his office basically told this woman there was no point in her meeting with the Premier.

Let us skip forward less than a year to when the Premier refused to meet the D'Arcy victim and to when the Premier wanted to attack the Governor-General for not meeting a victim of abuse. The Premier saw a political and a media opportunity, and he went for it. Late last year in this House the Premier even said—

I remind the parliament that before the latest allegations I indicated, before Christmas, that the Governor-General should meet the victims.

In the *Australian* on 24 December 2001 the Premier said—

Compassion is a very important thing, and while it may be very difficult for the Governor-General to do, if I were him I'd ask the Prime Minister for a week off to try and help those victims ... He's in a very powerful position, and now he has to use that to help with the healing process.

I am aware that I have canvassed before in this place the Premier's public comments about the Governor-General. It displays greatly the hypocrisy of the Premier and his political opportunism. I have also contrasted that with the Premier's public comments in defence of his former Labor party colleague Mr D'Arcy. Despite his concern for Mr D'Arcy's health, privacy, legal rights, presumption of innocence and the like, there is not a single mention of concern for the victims. Lately, the Premier has done everything he can to distance himself from Mr D'Arcy, an individual the Premier would like everyone to believe he personally had kicked out of parliament. Of course, the truth is a lot different from that.

Let us look at the record. In terms of the Premier's meeting with Mr D'Arcy and his lawyer in August 1998, the Premier would have us believe that that was to demand his resignation. Some good that meeting did! Let us look at what happened. Not only did Mr D'Arcy not resign from parliament but he was also allowed to keep his $22,000 a year job as Deputy Speaker and Chairman of Committees. Why should that have been? The Premier says that he wanted him out of parliament, but he was not prepared to sack him from those two plum jobs. That sacking resulted from the net bet affair.

What happened when the opposition challenged the Premier on his refusal to meet with the D'Arcy victims? The Premier gave us every excuse under the sun. The Premier is like a school child who has every excuse—'The dog ate my homework', 'The cockroaches ate it last night' or 'There was train wreck and my bag was stolen while I rescued all the survivors.' The Premier looked for every excuse he could find to squirm and worm his way out of the real story—that he turned his back on the victim, that he refused to meet the victim—a victim who was his own constituent!

First, the Premier told us that he could not intervene because there were matters before the courts. The Premier said—

I know that the Leader of the Opposition is not trained in the law, and I am not trying to be clever about this issue.

The Premier certainly was not very clever as the week's events turned out. He went on to say—

I am a lawyer and I respect the courts in a way that perhaps he does not understand. The reality is there is a separation between the courts and the parliament ... Timing in terms of Mr D'Arcy's trial is crucial, though, to the allegations made. He was found guilty on 1 November 2000. He was not sentenced until 17 November. I understand from Mr Horan's comments this morning that the woman concerned approached my office on 10 November; in other words, before the sentence on 17 November. It would have been entirely improper for me to meet with her before

the verdict and the sentencing. It could have been perceived as some attempt by me to influence the sentence, or indeed influence the court.

There were many other excuses that flowed from the Premier, including the separation of powers, trials, mistrials, prejudice to appeals and civil proceedings. I know that we should always take the Premier's word for it because he is a lawyer, but out of an abundance of caution I decided to get independent legal advice from Mr Simon Couper QC. Mr Couper says—

It is important to bear steadily in mind that what the woman sought was merely the opportunity to speak with the Premier, who was her local member of parliament. She did not request that the Premier make any statement, whether in parliament or otherwise, relating to the trial of Mr D'Arcy, or any other matter. It follows that the rules concerning the concept of sub judice have no application.

In relation to the Premier's excuse that there were still matters before the court, Mr Couper states that the Premier's 'suggestion appears to be that a meeting with this victim would have been perceived as an interference with the function of the courts with respect to other criminal trials; that implied suggestion has no foundation and no substance'. The Premier also asserted that it was inappropriate for any Premier to be involved in any discussion or matter before the courts. Mr Couper's advice is that 'this statement is undoubtedly wrong'. In relation to prejudicing any appeals, Mr Couper states—

There was no rational basis to believe that a meeting between him and the woman would have had any impact on the way in which the Court of Appeal dealt with the appeal by Mr D'Arcy. There was no rational basis to believe that a meeting between him and the woman could be perceived as any form of interference by the Executive in the functioning of the courts. It follows that this would not be regarded by a competent lawyer as being even a faintly arguable decision or reason for declining to meet with the woman.

In relation to the Premier's contention that meeting with the victim would constitute corruption, Mr Couper states—

There is no conceivable basis for a suggestion that a meeting between the Premier and the woman at the time she asked for one would have constituted or could possibly have been perceived to constitute corruption in any form.

In relation to the Premier's contention about mistrials, Mr Couper states—

The contention advanced by the Premier is inarguably incorrect. To meet with the victim, be she a witness or otherwise, after conviction and sentence does not constitute any interference with the course of justice whether the meeting is with the Premier, any other member of parliament or any other citizen. Neither as a matter of law or logic is there any basis for suggesting that defence counsel had any prospect of seeking a mistrial based upon a meeting between the victim of Mr D'Arcy and the Premier between March and May 2001.

On the matter of the Premier's excuse that the victim had commenced civil proceedings against the state of Queensland, Mr Couper advises—

There is no principle which inhibits or makes inappropriate a meeting of that sort. There may have been a matter of practical caution that the Premier may not say something in the meeting which might later be construed as an argument to compromise the legal proceedings. However, that would not afford a reason for not having a meeting. It certainly does not make such a meeting legally prohibited or inhibited or otherwise inappropriate.

We have shown that the Premier's reasons for not meeting with the victim of Mr D'Arcy have been comprehensively debunked. There were absolutely no reasons for the Premier refusing to meet this victim. The Premier thought it would be politically difficult for him because the offender was one of his former party colleagues—someone who sat in this parliament for 14 months after more than 50 charges were laid, who held the positions of Chairman of Committees and Deputy Speaker and who the Premier made no effort to push out. The Premier had no such hesitation when he thought that there were political points to be scored against the Governor-General. I note that the Premier has not taken his own advice to take some time off to help victims, but he slipped in a quick meeting because he was taking some political damage on it.

The point that I want to make is that it was only because of the efforts of the opposition last week that the Premier was forced to have this meeting. Tragically and sadly, this meeting with the victim should have been held one year ago when she needed it. That is when she needed the help and support; that is when she needed to provide the advice about the dramas, the traumas and the difficulties that victims go through in the court process. That is when the help was needed. The Premier did everything that he possibly could to talk his way out of that and provide some flimsy excuse.

The Premier came up with every excuse, but finally I go to the serious matter of the Premier misleading the House. When I first raised this matter, I indicated that the victim had contacted the Premier's office on 9 March 2001. The Premier came back into the House that afternoon and told the House that I had given a date some four months prior in November, so he could construct a defence and try to wriggle out of his responsibilities to meet this victim. I believe that it was a deliberate attempt to mislead the House. Mr Speaker, I ask you to refer the Premier to the

Privileges Committee for misleading the House. I will provide you with a letter to that effect. Until that committee reports back to this House, I now consider this matter finalised.

Burdekin Electorate, Visit by Mr Speaker

Mr RODGERS (Burdekin—ALP) (11.40 a.m.): Mr Speaker, on behalf of the students and the school communities in the Burdekin electorate, I would like to take this occasion to thank you for accepting my invitation and taking time out from your recent visit to Townsville to organise preparations for the sitting of parliament in September to visit the Burdekin. Your visit to Home Hill High School on 21 March to talk to the students from primary and secondary schools from the Burdekin on your role as the Speaker of the Queensland parliament and the upcoming sitting of parliament in north Queensland was received with great enthusiasm from those in attendance. It was an historic day for Home Hill High School and also for the Burdekin.

On our attendance at the school, we were greeted by Daniel Sladden, Emily Simeoni, Shaun Chapman and Kellie Rossato, who are members of the student council executive of the Home Hill High School. They greeted the Hon. Ray Hollis, the Speaker, his wife, Diane, his executive officer, Stirling Hinchliffe, and me. I would also like to thank the principal of the school, Bruce Edwards, for making the school facilities available at such short notice when I asked if he could host the visit of the Speaker to the Burdekin.

Students throughout Queensland do not very often get information about the role of members of parliament. Mr Speaker, I think that it is certainly a credit to you that you took the time to go Home Hill High School and talk to the students about your role as the Speaker and also what will happen when parliament sits in north Queensland. Mr Speaker, the students were enthralled by some of the comments that you made. I will not go into them. Some comments were about members of the opposition; there was the occasional one about government members. That kept the students entertained for around about the hour that you were there. Even afterwards, students came up and wanted to talk to you and have discussions with you about what a member of parliament does, what it is like to be a member, and all about politics generally. It was truly great to see the young people there take an interest in parliament. That interest is continuing. Now when I am uptown, students and their parents ask me, 'When is Mr Speaker coming back? Is he coming back? We want to see him in Townsville.' Students from the schools in the Burdekin have already made preliminary arrangements to visit parliament when it sits in Townsville on 3, 4 and 5 September this year.

Mr Speaker, after your speech one of the teachers made the comment that a couple of days prior Steve Bradbury, a gold medallist from the Winter Olympics, had come to the Burdekin to launch the Pierre De Coubertin Awards. He was mobbed by the students at Ayr State High School after he made his speech. They all wanted photographs taken with him. The comment that was made was that the students treated Mr Speaker with the same stature as they treated Steven Bradbury.

Ms Keech: A star!

Mr RODGERS: The member is right. I would like to encourage members of parliament to visit the schools in their electorates—whether they be primary or secondary schools—and talk to the students about what parliament is all about. After nearly a generation of neglect in learning about the role of parliament, today schoolchildren are starting to learn about parliament. That should continue. As members, it is our responsibility to encourage children to learn everything that they can about the role of a member of parliament and the parliament so that they get the right perception of how parliament operates and what a member does.

Mr Speaker, the students who listened to your address said that they will definitely be in Townsville, if they can make it, for the parliamentary sitting. They look forward to seeing you, Mr Speaker, and how you control the goings-on in parliament. I ask members who represent areas in regional Queensland and north Queensland to ask the students in their schools to attend that historic sitting of parliament outside Brisbane for the first time in Townsville. It is something that the people of north Queensland do not very often get to see.

Time expired.

Major Events, Gold Coast

Mrs CROFT (Broadwater—ALP) (11.45 a.m.): I rise to inform the House of the hard work that is being done by Queensland Events and how, through Queensland Events, the Beattie government's commitment to developing sustainable tourism and quality of life through sport and

recreation is being delivered. The Gold Coast has a lot to offer from Kirra Beach to Natural Arch, from Sanctuary Cove to Harley Park at Labrador. There is a place to relax for any person at whatever place and at whatever pace. That is what I love about living and working on the Gold Coast. Another reason is that the Gold Coast hosts some of Queensland's best major events. Although I do not believe that anyone needs a reason to visit the Gold Coast, major events are proving to be as good a reason as any to travel to the coast. Major events are attracting interstate, international and even inter-city visitors to the Gold Coast and are creating significant economic activity for our region.

In 2001 there were 10 major events from the Queensland Events portfolio held on the Gold Coast that delivered to the Gold Coast a total economic impact of $53 million. In 2002, the Gold Coast is hosting 12 major events. That is 55 per cent of the total number of major events in Queensland that are sponsored and supported by Queensland Events.

Some of those events have already been staged. In January, Venus Williams and Justine Henin battled it out in front of a receptive crowd at the 2002 Thalgo Australian Women's Hardcourt Championships. The Minister for Families, the member for Springwood, my husband and I were there to cheer them on and pick up some tips. The January swelter did not slow down racegoers or the horses at the Conrad Jupiters Magic Millions racing carnival. This major event is now firmly entrenched on the calendar of many Gold Coast visitors and residents. In February at the 2002 ANZ Ladies Masters golf tournament, thousands turned up to support the world's best women golfers, including Queensland's own Karrie Webb. My family's favourite event, the Light Ice Australian Surf Life Saving Championships, was held in March and attracted more than 7,000 surf-lifesavers contesting over 100 events that covered all disciplines of surf-lifesaving. Our very own Attorney-General picked up a bronze in the board rescue. The way it is now on the Gold Coast is that just about every month there is a Queensland Events major event being held.

The Queensland Winter Racing Carnival starts in May for one month and in June over 2,500 gridiron players are converging on the Gold Coast to play a series of 60 matches over three weeks in the Down Under Bowl. The Gold Coast Marathon is on again this year on 7 July. This is one event that I will not be missing. Last year, the Gold Coast Marathon raked in over $8 million for the Gold Coast city and it is still very much an icon event for the coast.

From sport and on to the arts—the Australian International Movie Convention will attract movie buffs from around Australia in August. With the huge number of films being made on the Gold Coast, I am sure there will be a lot for them to talk about. At the Asia Pacific Masters Games in September, over 40 different sports are on offer for competitors, many of whom are international participants from Canada, Guam, Hong Kong and South Australia. Finally, from 2 November to 9 November the Southport-Carrara Netball Association's courts will be host venue for the Air New Zealand Golden Oldies World Netball Festival, which will attract in excess of 1,000 competitors from around the world.

While I am excited that I will see our top surf-lifesaving champions in action, all this really means for the Gold Coast is jobs, sustainable tourism and a captive economic spinner. These major events will bring to the Gold Coast around $60 million to the local economy and continue to support the coast's expanding national and international profile. The *Gold Coast Bulletin* believed it in 2001 when the headlines read 'Major events bring boom time for the city'. Put simply, as Mr Stephen Lynch of the Australian Hotels Association says, 'Events-driven tourism is part of keeping hotels full.' That is exactly right. For every bed that is filled, it might mean an extra shift for a porter, overtime for the housekeeper or an extra job for the taxidriver. A Labor government established the Queensland Events Corporation in 1989, with a specific charter to achieve these objectives. I commend Des Power, Michael Denton and Sue Edwards for their hard work in bringing these events to the Gold Coast and for thinking of the Gold Coast as a major event city for Queensland.

Last week the Premier announced the latest round of regional event funding. I am proud to say that, out of 154 applicants, a Gold Coast new event was successful. The Gold Coast Film Fantastic, which kicks off from 15 to 18 August, will receive $20,000 to assist in broadening the events marketing internationally, interstate and intrastate, with the intention of attracting visitors to the Gold Coast and promoting the film industry on the coast. The film festival will feature international and Australian films and guest speakers from the film industry to offer advice and expertise to the Gold Coast based film industry workers. I encourage all residents of Broadwater to visit www.qldevents.com.au to see what events are being staged right on the Gold Coast and in other parts of Queensland.

Time expired.

Aged Care Facility, Gold Coast

Mr BELL (Surfers Paradise—Ind) (11.50 a.m.): It is trite to say that any society is judged by the way in which it provides for the vulnerable people in the community, particularly the young and the aged. I rise to speak on a matter of critical importance to the Gold Coast city, which has, of course, a very large number of citizens in an older age group. The Gold Coast is one of very few cities of size in Queensland which does not have a state government run aged care facility. I speak of what is called a low-care aged facility, although many of the public regard it as a nursing home. Of course, these days a nursing home has technical connotations. I speak, in fact, of hostel-type accommodation with a certain level of care for aged people who need a little bit of help to get along.

It may be said that the Gold Coast is being discriminated against by not having a state government run facility at present. However, it would be fairer to say that the matter is historic. In recent decades, the Gold Coast has grown very fast, whereas other major cities in Queensland have been established much longer.

The Gold Coast has many very worthwhile church and charitable aged care facilities. They are very well run and they do a great job. However, there are very few beds available, indeed, to people without up-front capital of $50,000 to $100,000. Herein lies the distinction between private, church or charitable institutions on the one hand and a state-run facility on the other. In a state-run facility necessitative people, subject to a means test, are not required to have this up-front capital.

At the moment, Gold Coast residents in the older age group are frightened about what will happen to them when they do need care and they do not have up-front capital and they have to queue for the very few beds available which are not subject to capital contribution. Statistics are not immediately available to me, but there is lots and lots of anecdotal evidence, particularly from health care professionals, that there are queues and queues of people—that people are being held in hospitals and other unsuitable places because without up-front capital they cannot get into a low-care aged person's facility.

There is little point in my just standing on a soapbox and jumping up and down and arguing about this matter. Actions speak louder than words. Therefore, I inform the House that I have taken action on the matter. At this moment, a petition is being distributed around the Gold Coast and people are falling over themselves to sign it. Recently I attended a Probus meeting which had 76 members in attendance and I came away with 76 signatures. People are ringing my office saying, 'Please send us out some blank petition forms. We want to sign.'

It is facile to say that aged care is a federal government responsibility. That just will not wash. The federal government progressively approves licences, bed numbers and ongoing funding to enable these places to operate. However, it provides licences only to those who apply. Unless the state government makes application to the federal government, there will never be a state government run aged care facility on the Gold Coast. The state government needs to apply, it needs to be prepared to run such a facility with funding provided by the federal government, and it needs to be prepared to build the facility on the Gold Coast. If an application is put forward by the state government, I am then prepared to lobby up hill and down dale to procure federal government recognition and approval for ongoing funding. The state government would have to provide the initial capital cost; however, I point out that two months ago on one real estate transaction alone the stamp duty received by the state government was over a million dollars.

There are thousands and thousands of people wanting a state government run aged care facility to be established on the Gold Coast. I hope to persuade the state government when I produce masses and masses of signed petitions to that effect. I would urge the state government, like the Boy Scouts, to be prepared for when I come here with my bundles of petitions and, hopefully, to be ready to take urgent action.

Development, Kawana

Mr CUMMINS (Kawana—ALP) (11.55 a.m.): It was my privilege to host the Queensland Premier last Friday, 12 April when he visited my electorate of Kawana on God's own Sunshine Coast. I table the original official invitation to the launch, which we both attended.

When I first purchased a vacant block of land for about $18,500 in Otama Court, Warana Beach, behind Reg White Park and Mick's Meat Barn in 1980, I was told that a rowing and

canoeing course was to be constructed within Kawana. In those days, as a not so follically challenged fair-headed surfie, I did not realise the benefits to our community from such a facility.

Lensworth Kawana Waters is responsible for the development of the Kawana Waters master-planned community on Queensland's Sunshine Coast. As a Caloundra city councillor, I can proudly say that I was a positive part of the Kawana Waters DCP process. Kawana Waters is being developed under this development agreement. The DCP includes a transport infrastructure agreement and a structure plan approved by the Caloundra City Council, the Department of Natural Resources, the Department of Main Roads and Queensland Transport in September 1999.

Kawana Waters encompasses some 2,500 hectares. As a direct result of the master plan initiative, it is expected that the population of Kawana Waters will grow from 20,000 to around 40,000 people over the next 13 years. Over 6,000 dwellings are expected to be built in the region over 13 years, adding to the existing 11,000 dwellings. Kawana Waters will comprise a number of precincts including residential, commercial, industrial, sports, recreation and tourism. I believe our future involves a prosperous community with a quality lifestyle. This project will obviously contribute to our quality of life.

Many people ask what is the Kawana Waters business village and town centre. This precinct lies to the west of Lake Kawana and is a 70-hectare precinct which will house a variety of businesses. Construction has commenced on a three-level waterfront office complex to include a call centre, cafes, restaurants, a sport and leisure centre, and a rowing and canoeing club. The business village and town centre will be developed in multiple stages between now and 2010. Eastbank is also part of this region and it will comprise 12 hectares of land and one kilometre of absolute lake frontage, to be developed along similar lines to other famous 'banks' in Australia, such as South Bank. Eastbank will comprise public parkland and open space, community buildings, cafes, kiosks and other commercial related activity. It will be developed in multiple stages between now and the year 2009.

Upon completion of the development of Kawana Waters, it is estimated that some 10,000 job opportunities will have been created. Upon completion, it is anticipated that over 6,000 people will be employed within the business village and town centre. Eastbank and lake related activities are expected to drive a further 490 employment job opportunities. The balance of job opportunities is to be generated through home based businesses such as schools and smaller service centres. Kawana will experience jobs, jobs, jobs.

Lake Kawana adds depth to the Sunshine Coast sport and recreation infrastructure. National and international masters rowing regattas and school based head-of-the-river competitions are just some of the prestigious events that are expected to be attracted to Queensland's Sunshine Coast upon completion of the 2.5 kilometre sport and recreation lake currently under construction at Kawana Waters, which the Premier and I launched on Friday, along with John O'Grady, Managing Director, Lensworth Group; Mark Salmon, Director, Lensworth Group; Mayor Don Aldous and relevant Caloundra city councillors; Tony Long, Chairman, Quad Park; and other distinguished guests.

The first of its kind for Queensland, Lake Kawana is expected to become a training ground for Australia's elite rowers and canoeists while providing a valuable community recreation resource for non-motorised water based activity. Around 3,500,000 cubic metres will be excavated from the lake, which will be distributed to other development areas around Kawana. Upon completion, Lake Kawana, which covers an area of around 35 hectares, will have a volume of some 1.2 million cubic metres of water—the equivalent of 853 Olympic swimming pools. Over the last two years we built an Olympic standard heated swimming pool, which is now part of Quad Park. I was very proud to work with the developer and the Caloundra City Council in ensuring that Kawana Waters and the population of the Sunshine Coast has an international standard swimming pool. The Australian women's water polo team trained at the pool prior to winning a gold medal at the Sydney Olympics.

The Kawana Waters Business Village, which has been recognised by the Queensland government as a Smart State business park, is adjacent to the Kawana Waters town centre and also fronts Lake Kawana.

Time expired.

Sugar Industry

Mr ROWELL (Hinchinbrook—NPA) (12.01 p.m.): It is essential that parliament is aware of the precarious situation of the Queensland sugar industry. The industry is the lifeblood of many towns up and down the Queensland coast. The present problem relates to the current low world sugar price. Currently, we are selling sugar overseas for US5.5c a pound. We are fortunate that the Australian dollar is at present somewhere between 52c and 53c to the US dollar. If we had a dollar at around 70c, the industry would be in enormous problems. At present, we are receiving between $230 and $260 per tonne of sugar. This is barely enough to cover the costs of production for many producers in the state.

Farm sustainability varies from district to district. Another issue is the debt structure for growers and millers. Those with a substantial debt and who have over the past years expended additional funds could find themselves facing grave problems in the future if the low world sugar prices are sustained. We have already had four years of adverse weather conditions and low world sugar prices. Some 85 per cent of our sugar is sold on world markets. Roughly the same price is received for sugar sold domestically.

Replanting has been necessary following years of adverse wet weather. The state-funded Sugar Industry Crop Replanting and Establishment Scheme is worth $10 million. However, only $60,308—a meagre amount—was taken up under the scheme. The Commonwealth also chipped in with a $60 million scheme over two years with an interest subsidy of seven per cent for crop replanting. This was essential and was well supported by the industry. The Centrelink support was also essential. Without that, many farmers would have had great difficulty in putting food on the table.

I turn now to the Bureau of Sugar Experiment Stations, which is no longer a statutory body. It will now have to seek its funding through voluntary contributions. During February and May 2000, instead of attending to a whole range of pests and diseases invading the industry, such as greyback cane grubs, orange rust in Q124, and widespread rat damage, this organisation's field officers were roaming around the state's sugar areas collecting money to ensure their survival. It was totally inappropriate for the government to bring in the legislation dealing with this issue at that time. Without the support of the BSES and the necessary assistance it provides to many growers, we would be at a great loss.

We need to look at other opportunities for the sugar industry. Although these might not be apparent at present, they need to be nurtured. If we do not look for other opportunities, countries such as Brazil, which over the past year has seen an explosion in its sugar production equal to the total of Queensland's production, will overtake us in terms of the ability to produce competitively priced sugar for world markets. The industry must look for niche markets and opportunities to generate other products from the sugar crop. The industry is looking very closely at this. Government support and assistance will be essential for the survival of the industry and all of the coastal towns in Queensland where sugar cane is grown.

Children's Art Program; Moore's Business Systems

Ms LIDDY CLARK (Clayfield—ALP) (12.06 p.m.): I wish to bring to the attention of the House two issues that are polar opposites but which are examples of excellence in the Clayfield electorate. The Oriel Gallery has long had an excellent reputation for seeking to foster artistic expression and to provide an environment in which the community can express its artistic voice. In keeping with this mantra, the Oriel Gallery is playing host to the Children's Art Program—a competition for school students which encourages them to submit works of art for display at the gallery.

Ten schools in the area are participating and each takes the opportunity for students to display their art at the gallery. A well-known Australian artist judges the competition each month and I have the privilege of judging the encouragement award. Each month's winners then participate in a grand final where the winning works from each school are exhibited together. I call on all of the schools in the area to encourage their students to take part in this wonderful opportunity. The competition is an opportunity for children and young people to have their voices heard through creative expression. By teaching children that we listen to and understand their expression in whatever forms it may take, we recognise their value in society and also receive valuable perspective on contemporary issues.

I extend my congratulations to Ms Abby Kortlang, from Ascot State School, who won the inaugural CAP competition, and Mrs Sharlyn Hii, who received the Liddy Clark encouragement

award. I also congratulate the other students who participated. I encourage everyone to go along to the gallery and view the students' works. Their quality and diversity is inspiring.

The second issue concerns a smart company doing smart business in the Smart State. The Australia TradeCoast will be the engine room of growth for business and jobs in south-east Queensland over the next decade, and the quality and potential of businesses in this area is already coming to the fore.

Moore's Business Systems is an Australia-wide company that has facilities in the heart of the TradeCoast, Eagle Farm. Moore's has been in Queensland for more than a century—since 1896 in fact. Originally part of the Canadian Moore's Corporation, in November 2001 Moore's became a new company—one that is 100 per cent Australian owned. Australia-wide Moore's employs more than 600 people and services every state and territory, including many regional centres. Moore's has two sales centres in Queensland—one in Townsville and one in the heart of the Clayfield electorate in Eagle Farm. This Eagle Farm facility will become the powerhouse of growth for Moore's in the next decade, as evidenced by its recent success in the international arena.

Moore's Business Systems Australia has just been successful in securing a 10-year contract with the Malaysian government for the supply of vehicle registration labels. The project is worth $18 million to $19 million over the 10-year period, and all production will occur at Moore's Eagle Farm facility. This is smart business and smart investment.

The technology that Moore's are exporting, including the high-level-security Kinegram, is available only to governments across the world, and Moore's are experts in its production. Moore's is a company that typifies the values that I would like to see as the driving force in Queensland growth. I have been to Moore's on several occasions to meet the workers and see the excellent facility that they have. The loyalty of the staff to the company is extraordinary and certainly indicates to me that they are a company which values the contributions of their work force. Not only do Moore's value their workers but, as evidenced by their green licence from the council and their environmental management accreditation, Moore's are a company who understand the need to operate within and have respect for a wider environmental, social and ecological business framework.

I congratulate Moore's on their achievements and I wish them all the best for their function tomorrow. It certainly is a huge, huge success for them, and it is fantastic to be associated with them. I wish them well for their further success in the future.

Department of the Premier and Cabinet, Resourcing

Mr QUINN (Robina—Lib) (12.10 p.m.): Over the past four years since the ALP has come to government, we have seen a significant increase in the staffing levels in the Department of the Premier and Cabinet, to the point now at which there are 883 people employed within that department, as revealed by the budget documents last year. When we look at the comparisons interstate, we see a stark discrepancy in terms of staffing numbers. All of these figures are taken from the relevant annual reports of the departments interstate and the budget documents in Queensland: the Department of the Prime Minister and Cabinet—363; Tasmania's Department of the Premier and Cabinet—361; Western Australia—511; South Australia—284; Victoria—376; New South Wales—395; and Queensland—883 full-time employees within the department. We have seen a Premier loading up his own department, putting in place a taxpayer-funded publicity machine to massage the image and the public relations of the government throughout the state.

Any rational person could not argue that the Premier of Queensland, with 883 staff in his department, has twice as much responsibility as the Prime Minister of Australia, twice as much responsibility as the Premier of Victoria or twice as much responsibility as the Premier of New South Wales. This is just a nonsense argument. Either one of two things is happening here: the Premier is loading up his PR machine within the Department of the Premier and Cabinet; or, if he is in fact taking on extra responsibilities from other departments, he has a bunch of incompetent ministers. That is the reality. It is one or the other. Which one is it? Members can choose which one they like, because that is what is happening here. There is no other alternative. If the Premier has a bunch of incompetent ministers, he ought to be sacking them and putting in place people who can deliver the government's program—not hiding behind a massive publicity machine within his department.

Whilst the Premier has increased his own staffing levels by 45 per cent over the past four years, police staffing levels have increased by only 8.6 per cent over that period. If we look at the teacher numbers, we find roughly the same figures. I will bet that the nursing staff levels are also

the same. We have a Premier who is not committed to delivering additional services to the people of Queensland but, rather, through a publicity campaign, telling the people of Queensland how well he is going in this state. But there is no delivery. There is no substantial improvement in the quality of the services being offered here.

The so-called Smart State is more into producing glossy magazines and glossy brochures and holding plenty of public meetings around the state, but there has been no real improvement in services. We do not have money being directed to services or generating jobs in the state. We still have the highest unemployment rate in mainland Australia and have done for a lengthy period. But what does the Premier do with his money? He puts it into the Department of the Premier and Cabinet for his own publicity purposes. That is the priority of this government. It is not about delivering services; it is about delivering hype. As each day goes by, the people of Queensland are seeing more and more of it. As we dig into the record of this government, as we look at the facts and the figures behind the Smart State, as we see where IT jobs are being created and compare us with the other states in the biotechnology field, we see what is going on here. There is a huge effort in terms of public relations but no service delivery.

Mr Lucas interjected.

Mr QUINN: The minister should look at the ABS figures instead of believing his own hype. That is what this government is about—believing its own hype, believing its own publicity. But when we look at the facts and figures issued by independent authorities such as the ABS, we find a different story. It is about time the Premier realised his obligations and started to deliver for the people of Queensland rather than pumping money into hyping up the government.

Dingoes, Fraser Island

Mr McNAMARA (Hervey Bay—ALP) (12.15 p.m.): The matter of public importance in relation to which I rise to address the House today relates to a very special part of my electorate—Fraser Island. I note that the Minister for Environment in recent weeks has made several ministerial statements updating the parliament on the excellent work that his department is doing and continues to do in implementing the Dingo Management Plan for Fraser Island. It is therefore with some regret that I feel it necessary to bring to the attention of the House the activities of the so-called Friends of Fraser Group and the member for Maryborough—who, regretfully, is not in the chamber at the moment—who choose to spread misinformation on the issues and incite people into provoking and obstructing rangers on the island as they carry out their very important duties.

These are serious allegations, and it gives me no pleasure whatsoever to know that another member of this place would behave in such a fashion. That is particularly so when Fraser Island is not even in his electorate and the voters of Hervey Bay will not be able to pass judgment on his actions at the next election, despite the member's interference in arrangements which have been put in place for their safety. Nevertheless, I feel it necessary to detail these matters, which are of considerable importance to my electorate and my constituents.

Fraser Island is indeed a special place, and I have made it my business to ensure that it is managed well. Fraser Island is so special that over 300,000 people per year visit the island from all over the world. This has massive economic benefits for Hervey Bay, but of course, it presents additional challenges for staff from the Department of Environment.

The Queensland Parks and Wildlife Service rangers do an excellent job, not only on Fraser Island but also across the state, often in difficult circumstances, and I commend them for it. They have my support. Their job is not made any easier when organisations and individuals deliberately set out to frustrate them. We saw evidence of this a few weeks ago, with the overflowing rubbish bin issue and the associated media beat-up. Instead of informing the rangers that bins were full so that action could be taken, the so-called Friends of Fraser Group took some photos and held on to them for a few weeks, and then issued a media release condemning the rangers. So much for caring for the island! So much for working together to make the island better and safer!

Fraser Island does not need these sorts of friends—friends whose sole agenda is to be allowed to drive their four-wheel drives whenever and wherever they like, regardless of the impacts or effects on others or the environment. But what is worse is that a member of this House aids and abets them by explicitly encouraging people to incite and obstruct rangers who are only doing their job of protecting people and the island.

I table a fax to a Fraser Island resident from the member for Maryborough along with a typed translation for the benefit of honourable members who may not be able to interpret his printing. It states in part—

Why not buy a roll—

he is referring to a type of netting—

and promote and sell it to campers—with a permission necessary sign—to exclude dingoes and rangers?

You may make some money, you should provoke some rangers...

I will not quote from the rest of the fax, because the language is in fact unparliamentary. It is unfortunate that some people choose a confrontationist approach instead of working constructively with the government to manage this special part of Queensland. It is doubly unfortunate that these people are playing politics with an issue that is very, very serious. The government, as outlined in previous ministerial statements, has a comprehensive and effective dingo management strategy in place to minimise the risk to humans from dingoes on Fraser Island.

The member for Maryborough has on his letterhead the slogan 'People Before Politics'. It is about time he heeded that advice. Urging people to deliberately obstruct rangers and mocking the rangers in the performance of their duties is not just a slur on the rangers; it is more than an inconvenient nuisance to them. The duties that they are trying to carry out are directly aimed at preserving human life. This behaviour is irresponsible and dangerous.

It is one thing for the member for Maryborough to neglect his electorate—the voters of Maryborough will get their say on his performance in due course—but I will not stand for him meddling in these very serious matters in my electorate. The preservation of human life is the most serious issue with which we as members of parliament can ever be confronted, and it is not an issue for games and stunts of this sort. The member for Maryborough should stick to sexing Saratoga and leave the serious issues involved in the management of Fraser Island for the protection of human life to those of us with a genuine interest in these matters. After his embarrassing performance during question time today, it might be well if he considered his frequently publicly asked question about whether he should continue as the member for Maryborough and answered it in the negative.

Madam DEPUTY SPEAKER (Ms Jarratt): Order! Before calling the member for Gregory, I acknowledge the presence in the gallery of Ms Pam Coghlan, Deputy Principal, and the captains and vice-captains of Ferny Grove State High School from the electorate of Ferny Grove.

Aboriginal Coordinating Council, Complaint to *Courier-Mail*

Mr JOHNSON (Gregory—NPA) (Deputy Leader of the Opposition) (12.20 p.m.): I rise in relation to a disappointing article that appeared in the *Courier-Mail* last Saturday. The article, 'Critics lack commitment' by Tony Koch, has been the subject of a complaint by the Aboriginal Coordinating Council to Mr Chris Mitchell, editor of the *Courier-Mail*. I seek leave to table a letter from the ACC dated 14 April, along with its critique of Mr Koch's article.

Leave granted.

Mr JOHNSON: In this letter to Mr Mitchell the ACC acknowledges that Mr Koch's article is an opinion piece and that he is entitled to express his views, as we know Mr Koch has done in the past. We also know that he is very passionate about this issue. However, the ACC states—

... we wish to complain in the strongest possible terms about the absence of facts which appear to inform these opinions but which have nonetheless been reproduced within the said article.

The ACC goes on to state—

Mr Koch's vilification of the ACC in the absence of facts is a disturbing indictment on the calibre of journalism practised by Mr Koch ... Neither the ACC nor its media coordinator has ever been contacted by Mr Koch in regards to the statements and allegations he has made within the article concerned.

The ACC informs Mr Mitchell—

We are willing to discuss our concerns with yourself and Mr Koch at any time but would ask that our views are given fair and due consideration for publication within your newspaper.

The commentary of journalists such as Tony Koch achieves nothing more than to alienate indigenous communities and reinforce their sense of failure. If Mr Koch and others of his mind-set were to spend any time in meaningful conversation with indigenous leaders, such as the ACC and ATSIC, they would realise that these people abhor the ills that alcohol has wreaked upon

their communities. They live with it all the time. The ACC does not make whistle-stop tours of Cape York, look down its nose at drunken blacks, fly back to Brisbane and pen its own poisoned musings. We know that there are problems there—

Mr Lucas: There are very few journalists who would take an interest in the issue as much as Koch.

Mr JOHNSON: I know. I have just mentioned that. These same sage scribes would dismiss the achievements of elected indigenous leaders as non-events. There are those who seek to perpetuate the picture of indigenous people as charity cases uninterested in climbing out of the abyss of alcoholic destruction. Alcohol abuse is not a problem unique to indigenous communities. We even have it in our own white communities.

It is a tragic failure of our system of government when elected bodies such as the ACC are pushed aside from the reform process that they desperately wish to be part of. It is a tragedy that some malign the ACC for being critical of those who seek to push it aside. It is true that successive governments on both sides of politics have failed to properly address the problem faced by Queensland indigenous communities. The only way forward is for all parties to be involved.

Mr Cummins interjected.

Mr JOHNSON: Just listen. The only way forward is for all parties to be involved. Representative bodies such as the ACC cannot be left out of the process. This is its chance to become a part of that leadership process and to be an integral part of the solution.

The problems faced by indigenous Queenslanders have been subjected to political games for far too long. It is time we stopped playing political games. This morning I had a meeting with the Premier and the Minister for Aboriginal and Torres Strait Islander Policy, the Hon. Judy Spence. I gave them an assurance that the opposition will be working very closely with the government, in a bipartisan approach, to try to help the government and these communities reach an outcome that will give these people a quality of life that we experience every day. We want those people to have it, too. We need all parties—the government and the opposition—and the ACC and ATSIC to show commitment to abolish these dreadful problems that are crippling these communities and their people. I have given that assurance to the Premier and to the Hon. Judy Spence.

Tomorrow I will be in Cairns to address a special meeting of the ACC, at the invitation of the ACC chairman, Thomas Hudson. I will be assuring the ACC that I will be giving it that same commitment. At the same time, we need all parties to be taken along in this process. As I said earlier, Tony Koch has been passionate about this cause. I know that he has been critical of it, too. I think this is the opportunity for us all to work collectively to get an outcome that will advantage all of these people in question.

Madam DEPUTY SPEAKER: Order! Before calling the honourable member for Toowoomba North, I acknowledge the presence in the public gallery of members of the Probus Club of Bribie Island from the electorate of Pumicestone.

Australian Gospel Music Festival

Mr SHINE (Toowoomba North—ALP) (12.25 p.m.): Rain might have bucketed down from the heavens in the weeks leading up to it, but when the Easter long weekend dawned in Toowoomba recently the sun shone and the city was flooded with the young and old to attend Australia's biggest ever Gospel Music Festival. Thirty thousand people converged on Toowoomba for the fourth annual Australian Gospel Music Festival.

With over 9,000 people travelling to Toowoomba for the event, motels, parks and venues were packed with people injecting more than $2 million into our local community. A stage and marketplace in the city centre, in Margaret Street, were built to provide an alternative venue for patrons and some extra business for traders in the CBD. In fact, some CBD traders reported their best trading days ever during the festival. For those who were all music-ed out, there were fireworks, a rodeo and circus, late-night movies, children's rides, street cafes, a food court and a gospel music stall. All the while, however, our city pulsated with the diverse sounds of gospel music, from the traditional hymns and jazz to rock, soul, pop and blues.

The success of this year's festival, the fourth of its kind to be held in Toowoomba, was evident to everyone who attended the event who lives within Toowoomba. This year's success has only come, however, after a great deal of hard work on behalf of the festival committee. In

particular, I acknowledge the fervent force of the Australian Gospel Music Festival board members, Ian Andersen, Mark Freeman, Gary Wells, Cheryl Andersen and Ian Shelton. The festival was also coordinated by two unbelievably dedicated staff members, Isaac Moody and Linda Moes. All of these people's dedication, passion and inspiration resulted in the 2002 Australian Gospel Music Festival being the largest gospel music event in Australia, attracting capacity crowds over three days—about 30,000.

Organisers also attributed part of the success to the funding the festival received during the first round of the Queensland Events Regional Development Program late last year. The $25,000 grant from the Beattie government enabled organisers to pour more resources into marketing and enticing groups from numerous different churches and other sources across New South Wales and Queensland. The success of this marketing is evident in the ticket sales statistics alone. Sales were up 60 per cent on previous years, with the attendance rate up 5,000 on the previous year.

This year's Gospel Music Festival is a wonderful example of the primary objectives of the Queensland Events Regional Development Program; that is, to increase local economic activity, to increase the appeal of the destination and to enhance the visitor experience. Thanks partly to the government's assistance, this year's festival has made a profit, helping to accommodate the $400,000 it costs to run the festival. Hopes are high that next year's festival will be just as successful.

I had the honour of representing the Premier at the welcome of the visitors to the city. I was welcomed by Pastor Dale White and others. I thank him and the 9,000- to 10,000-strong crowd who were there for their welcome. The Premier is very familiar with this festival and what it means to Toowoomba. As a measure of support he visited Queen's Park last October to announce round 1 of the Queensland Events Regional Development Program. That is a $3 million program financing events in regional Queensland.

As the member of parliament representing the electorate of Toowoomba North, which includes Queens Park, I am glad to see Toowoomba now firmly established as the host venue for this festival. What we experienced over the Easter weekend is a practical example of how the Queensland Events Regional Development program works. Having said that, I hasten to add that the Beattie government's financial assistance was only part of the formula for success. Credit must also go of course to the festival organisers, the churches and indeed many community groups. The festival is first and foremost a music festival but was also borne out of a concept to promote traditional family values and Christian beliefs. The festival was a credit to the organisers, the festival's board of directors, all the sponsors and, most importantly, all of the workers behind the scenes and the many talented artists who presented 130 acts to entertain the crowds.

Mr DEPUTY SPEAKER (Mr McNamara): Order! The time for matters of public interest has expired.

TRANSPORT LEGISLATION AMENDMENT BILL

Hon. S. D. BREDHAUER (Cook—ALP) (Minister for Transport and Minister for Main Roads) (12.30 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend legislation administered by the Minister for Transport and the Minister for Main Roads, and for other purposes.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Bredhauer, read a first time.

Second Reading

Hon. S. D. BREDHAUER (Cook—ALP) (Minister for Transport and Minister for Main Roads) (12.31 p.m.): I move—

That the bill be now read a second time.

The objective of this bill is to provide for a range of amendments to a number of acts administered by my Department of Transport and Department of Main Roads. They are—

- Aurukun Associates Agreement Act 1975
- Central Queensland Coal Associates Agreement Act 1968
- Queensland Nickel Agreement Act 1970
- Transport Infrastructure Act 1994
- Transport Operations (Marine Pollution) Act 1995
- Transport Operations (Marine Safety) Act 1994
- Transport Operations (Passenger Transport) Act 1994
- Transport Planning and Coordination Act 1994.

The Transport Infrastructure Act 1994 is amended to extend transitional provisions for the identification and allocation of rail corridor land before existing provisions expire. Chapter 10 of this act requires the identification and gazettal of the boundaries of existing rail corridor land by 30 June 2002. Queensland Transport and Queensland Rail will have completed the task of identifying land to be retained in the rail corridor by the present expiry date. However, the process for including the categorised land in the rail headlease and sublease will go beyond this date. The provisions allowing for the issue of title deeds for residual QR land also need extension to complete the categorisation and titling processes.

The Transport Operations (Marine Pollution) Act 1995 is amended to improve the management of ship-sourced sewage and to make pollution insurance compulsory. The principal objective of this act is to protect Queensland's marine and coastal environment from deliberate and negligent discharges of pollution into coastal waters. This act is to be amended to more effectively regulate the discharge of sewage from ships, providing greater protection of Queensland waterways and waterway users. Mandatory sewage holding tank requirements currently exist for new ships of 10 metres or more in overall length and were set to apply to all existing ships over 10 metres in length from 1 July 2002. These provisions were strongly objected to by the boating community and have not been effective in achieving the objective of the act. Consultation has identified the need for a stronger, practical and outcome-oriented scheme. The amendments will reduce the amount of ship-sourced sewage being discharged to coastal waters and so reduce the likelihood of any environmental and health impacts. The amendments will aid in the protection of water quality, which is enjoyed by boat owners, fishers and the community.

The proposed amendments will apply to all ships in Queensland coastal waters and will allow for the prescribing of—

- the areas where sewage cannot be discharged, such as marinas, boat harbours, rivers, estuaries, the Great Barrier Reef or in the vicinity of environmentally sensitive sites such as oyster beds;
- the use of on-board sewage treatment systems, including holding tanks, on-board sanitation devices and portable toilets;
- the special requirements for ships with large numbers of persons on board or which frequent sensitive areas; and
- the need to report certain incidents of sewage discharge.

Specific details of these requirements will be drafted into the Transport Operations (Marine Pollution) Regulation 1995 later this year.

It is also proposed to amend this act to make pollution insurance compulsory. This applies to ships over 35 metres and is to pay for the clean up of any pollutant discharged by the ship or to pay for its salvage or removal. Without these amendments the state government may be left to pay these costs. A recent example occurred in the Fitzroy River where the state paid over $300,000 to remove an uninsured ship.

Mr Johnson interjected.

Mr BREDHAUER: I take the honourable member's interjection. The Transport Operations (Marine Safety) Act 1994 is to be amended to give the state greater power to investigate maritime incidents and to recover the costs of damage to navigational aids. In relation to investigating marine incidents, the Commonwealth has enacted legislation that allows state laws to apply in a wider range of circumstances. Therefore, it is proposed to amend this act to take advantage of this change. In many cases in the past, such as the year 2000 grounding of the Malaysian ship *Bunga Teratai Satu* on the reef, Queensland had limited jurisdiction to

investigate. A further amendment proposes to hold the owners and masters of ships liable for the cost of navigational aids damaged or destroyed by the careless operation of a vessel.

The Transport Operations (Passenger Transport) Act 1994 promotes a safe, effective and efficient system of public passenger transport. This act is to be amended to—

- impose penalties for breaching public passenger service contracts,
- allow for passenger transport service contract terms of up to seven years, and
- give the chief executive greater power to enter into emergency service contracts.

As this act currently stands, poor performance by a regulated public transport provider may result in the amending, suspending or cancelling of their service contract. Generally such action would be too severe for most incidents and would itself have negative impacts for the travelling public. It is therefore proposed to amend this act so that a service contract can include penalties for poor performance. The maximum penalty is to be four penalty units.

The act currently states that a service contract is for a term of exactly five years. This is to be amended so that service contracts can be created for periods of up to seven years. Such contracts may have an option to renew once, with a first right to offer for a further contract after that. This will allow capital costs to be spread over a longer period, allowing for reduced subsidies by government. All renewed contracts will continue to be subject to satisfactory performance by the contract holder. With the introduction of flexible contract terms, temporary service contract provisions are no longer required. Instead, new provisions will allow for emergency service contracts for a period of up to six months, or two years if a public tender process is used. It is also proposed to clarify that emergency service contracts can be entered into immediately if services cease. This can occur when an operator is placed into receivership or puts itself into the hands of administrators, as in the recent Flight West Airlines situation.

These amendments will also provide that a written notice can suspend, amend or cancel a contract if it is reasonably believed that passenger services are about to cease. Some amendments of a technical nature are sought to allow some parts of this portfolio's legislation to prevail over certain provisions of the Corporations Act 2001 (Commonwealth). Crown Law has reviewed this legislation for consistency with the Commonwealth's new Corporations Law scheme and has proposed the amendment of the following acts—

Aurukun Associates Agreement Act 1975

Queensland Nickel Agreement Act 1970

Transport Infrastructure Act 1994

Transport Planning and Coordination Act 1994.

It is stressed that these amendments are essentially technical in nature and are not designed to alter the intended operation of these acts.

Finally for this bill, an amendment is required to the Central Queensland Coal Associates Agreement Act 1968 to allow for a corporate restructuring of a party to this agreement. This act is jointly administered by my portfolio and those of Treasury, State Development, Natural Resources and Mines, and Local Government and Planning. I am advised that this change does not affect the state's interest in the agreement. In summary, this bill amends legislation administered by my portfolio to the benefit of all Queenslanders. I commend the bill to the House.

Debate, on motion of Mr Johnson, adjourned.

STATE HOUSING AND OTHER ACTS AMENDMENT BILL

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (12.41 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend the State Housing Act 1945, the Local Government Act 1993 and the City of Brisbane Act 1924.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Schwarten, read a first time.

Second Reading

Hon. R. E. SCHWARTEN (Rockhampton—ALP) (Minister for Public Works and Minister for Housing) (12.42 p.m.): I move—

That the bill be now read a second time.

The State Housing Act 1945 establishes the Queensland Housing Commission as a statutory body through which the Department of Housing delivers housing services. These services include housing loan products, subsidised residential tenancies and community housing. Consultations are now taking place with the aim of drafting new housing legislation for consideration by the House at a later date.

In the meantime, a number of matters make this bill necessary. The State Housing and Other Acts Amendment Bill 2002 aims to implement recommendations contained in the Competition Impact Statement arising from the National Competition Policy review of the State Housing Act 1945. That review concluded that the Queensland Housing Commission's exemption from payment of rates should be removed in respect of the home ownership programs under which persons purchase an interest in residential property under instalment contracts, and where the commission remains owner of the property.

This bill brings home buyers using instalment schemes to purchase a Department of Housing dwelling into line with other buyers— making them liable to councils for rates payments, and allowing councils to sell properties after the usual qualifying period of three years if overdue rates are unpaid. If a person owns their house outright or subject to a mortgage and they do not pay their rates for three years, local governments are able to sell the home and recover the rate arrears. However, because the commission currently remains owner of properties subject to instalment contract loan schemes until the buyer pays for the home, local councils cannot sell those homes to recover rate arrears.

Amendments to the State Housing Act 1945, the Local Government Act 1993 and the City of Brisbane Act 1924 will put purchasers under these instalment contract home ownership programs on the same footing for the future as other home buyers; that is, if they do not pay rates for three years starting 1 July 2002 local governments will have the power to sell their homes to recover those rate arrears. As the State Housing Act 1945 stands, it does not authorise loans to the residential services sector.

Accordingly, the proposed bill proposes amendments to the State Housing Act 1945 to empower the Queensland Housing Commission to offer loans for residential service industry operators for the purpose of undertaking capital repairs and improvements to meet the registration and accreditation standards under the proposed Residential Services (Accreditation) Bill 2002. The bill also proposes to make a number of minor amendments to the State Housing Act 1945, which fall into two categories.

The first category of such amendments aims to correct inconsistencies in the act, including incorrect cross references and references to another act repealed in 1982. The second category of minor amendment relates to commercial state housing perpetual town leases, which are governed by provisions of both the State Housing Act 1945 and the Land Act 1994.

The bill proposes to make it clear that the minister administering the State Housing Act 1945 is the appropriate person to exercise the powers of the minister under the Land Act in so far as those powers apply to commercial state perpetual town leases issued under the State Housing Act. I commend the Bill to the House.

Debate, on motion of Mr Lingard, adjourned.

ADOPTION OF CHILDREN AMENDMENT BILL

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services) (12.45 p.m.), by leave, without notice: I move—

That leave be granted to bring in a bill for an act to amend the Adoption of Children Act 1964, and for other purposes.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Ms Spence, read a first time.

Second Reading

Hon. J. C. SPENCE (Mount Gravatt—ALP) (Minister for Families and Minister for Aboriginal and Torres Strait Islander Policy and Minister for Disability Services) (12.46 p.m.): I move—

That the bill be now read a second time.

One of the primary responsibilities of any government is to promote and protect the interests of children, the most vulnerable group in our community. I am therefore pleased to introduce the Adoption of Children Amendment Bill 2002, which amends the Adoption of Children Act 1964.

After almost 38 years, the Adoption of Children Act 1964 is outdated and no longer provides an appropriate framework for the delivery of adoption services to children in today's society. It is out of step with both contemporary practice and with adoption legislation in other states. For this reason, the government has commenced a review of the act, with a view to the development of new adoption legislation to provide a contemporary, child-focused framework for adoption practice and service delivery in the future.

In the interim, a number of problems with the current act have been identified as requiring urgent attention. This bill addresses these problems. The primary objective of the Adoption of Children Act 1964 is to secure the best possible adoptive placements for children who need adoptive families. As set out in section 10 of the act, the welfare and interests of children are the paramount consideration. However, social and economic changes since the 1960s mean that many of the now outdated provisions of the act inhibit the Department of Families in achieving this objective. These socioeconomic changes include—

- the introduction of income support for single parents;
- the removal of the social stigma and legal disadvantages surrounding illegitimacy;
- a greater recognition of the value of different family structures;
- a move away from the view that children are the property of their parents; and
- the development of modern family law and child protection legislation which provide for a variety of care arrangements to meet the differing needs of children.

These changes are reflected in the enormous reduction in the number of adoptions throughout Australia since the 1960s and 1970s. For example, in 1971-72 almost 10,000 children were adopted throughout Australia. In 2000-01, there were 512 adoptions throughout Australia, including a total of nine in Queensland.

However, despite the decline in the number of Australian children requiring adoptive placements, there has not been a similar decline in the number of people seeking to become adoptive parents. All other states in Australia have taken either legislative or administrative steps to ensure that the number of people seeking to adopt a child who is registered with adoption authorities is proportionate to the number of children requiring adoptive families. In most other states, the adoption authority invites people to lodge applications in accordance with the anticipated number of children requiring adoptive families.

Queensland is the only state with adoption legislation that entitles people to apply at any time to adopt a child. Under the act, the Department of Families is required to accept all applications and enter applicants' names on an adoption list. This has resulted in a large number of people on the adoption lists and ever increasing waiting times for applicants to be assessed. In the year ending 30 June 2001—

- 303 couples were on the Queensland general children's adoption list but only eight adoptive placements were required for infants born in Queensland; and
- 471 couples were on the foreign children's adoption list; however, only 40 children born overseas were adopted by Queensland families in that year.

The bill will establish a system similar to that in other states, by enabling people to lodge expressions of interest in being assessed as prospective adoptive parents when a public call for expressions of interest is made by the Chief Executive of the Department of Families. People who make expressions of interest then will be invited to have their suitability to be adoptive parents assessed.

Currently, the act requires the Department of Families to determine applicants' eligibility and assess their suitability to be approved as prospective adoptive parents in the chronological order of their date of application. It also requires the chief executive to have regard to the chronological order of approved prospective adoptive parents when deciding which prospective adoptive parents a child born in Queensland should be placed with. These requirements inhibit the department's capacity to take into account the known general needs of children requiring adoptive placements when determining the order in which applicants are assessed and the specific needs of individual children when making placement decisions for those children.

The bill removes these requirements. This will ensure that the needs of children requiring adoptive placements are given precedence in the application, assessment and selection process. The bill sets out a comprehensive list of matters related to children's needs and interests which the chief executive must have regard to when making placement decisions for children. In order to provide the best possible adoptive placements for children, it is necessary to provide high-quality services to adoptive parents. The amendments proposed in this bill will enable resources to be directed more efficiently towards doing this.

The bill involves the establishment of an expression of interest register and an assessment register to replace the current general children's adoption list and the foreign children's adoption list. Under the bill, the chief executive of the Department of Families will be able to—

- consider all existing expressions of interest when determining the priority in which people who have expressed interest will be invited to be assessed;
- match children born in Queensland with prospective adoptive parents based on the parents' assessed capacity to meet the child's needs, rather than in accordance with their position on a list; and
- call for expressions of interest from members of the public when additional applicants are required to meet the placement needs of a child or children.

The bill contains transitional provisions that clarify the status of applicants who are on the adoption lists at the time of commencement of the amendment act.

It needs to be clearly understood that all current applicants on the general children's adoption list and the foreign children's adoption list will be automatically transferred to the appropriate register, depending on whether the applicants have been assessed or not at the time the amendments commence. Existing applicants will not be required to lodge an expression of interest. They will be treated as if they have already done so. Assessment of these applicants will continue.

The eligibility criteria and the matters to be considered when assessing a person's suitability to be a prospective adoptive parent, which are set out in the Adoption of Children Regulation 1999, will not change. Consultation has occurred with applicants and intercountry adoption support groups. In response to their concerns about how their applications will be treated after the amendments commence, a transitional clause for applicants currently on the foreign children's adoption list has been included. This transitional provision will continue the requirement for the date order of applications to be considered when determining the order in which applicants will be assessed.

However, the clause provides greater flexibility than is the case under the current act. There has been a series of initiatives implemented in the Department of Families designed to assist prospective adoptive families through a difficult process. I am confident that these initiatives, combined with these legislative changes, will result in a faster assessment process for prospective adoptive parents.

The amendments proposed in this bill will operate in the interim until proposals for new adoption legislation that reflect contemporary community attitudes. In the meantime, the amendments contained in the bill represent a major improvement on the current application process. It will establish a process that ensures waiting times for adoption applicants are moderate and will enhance the capacity of the Department of Families to achieve the objective of the act to secure the best placements for children who need adoptive families. I commend the bill to the House.

Debate, on motion of Mr Copeland, adjourned.

ENVIRONMENTAL PROTECTION AND ANOTHER ACT AMENDMENT BILL
All Stages; Allocation of Time Limit Order

Hon. D. M. WELLS (Murrumba—ALP) (Minister for Environment) (12.54 p.m.), by leave, without notice, I move—

That so much of standing and sessional orders be suspended as would otherwise prevent the immediate presentation to the House of a bill for an act to amend the Environmental Protection Act 1994 and Integrated Planning Act 1997, and the passing of such bill through all its remaining stages at this week's sitting.

Motion agreed to.

First Reading

Bill and explanatory notes presented and bill, on motion of Mr Wells, read a first time.

Second Reading

Hon. D. M. WELLS (Murrumba—ALP) (Minister for Environment) (12.55 p.m.): I move—

That the bill be now read a second time.

The Environmental Protection and Another Act Amendment Bill 2002 is declaratory legislation. It declares and clarifies the policy intent of governments over a number of years. It is being introduced to provide urgent amendments to the Environmental Protection Act 1994 and the Integrated Planning Act 1997 in order to remove any doubt about the validity of environmental authorities issued between 1998 and 2001 for mining tenures and between 1998 and the present for petroleum authorities. All activities carried out under the authority of tenements issued under the Mineral Resources Act 1989 and the Petroleum Act 1923 are regarded as environmentally sensitive and as such require an environmental authority under the Environmental Protection Act 1994 since 1995.

The commencement of the Integrated Planning Act 1997 in 1998 introduced a new assessment process called the Integrated Development Assessment System. The IDAS is a whole-of-government regulatory system designed for development related regulation administered by both state agencies and local governments. The IDAS is being implemented in stages as groups of approvals and permits under other legislation are brought into the new system. Where these approvals or permits cover a wide range of activities such as those under the Environmental Protection Act, the transfer to the new system is a complex process.

The government of the day in 1997 decided that the IDAS provisions would not apply to mining and petroleum activities. This was then, and is now, a bipartisan position. This was because the government was actively working on an environmental protection policy for mining and petroleum under the Environmental Protection Act that would provide a comprehensive approval system for these industries. Among other things, this policy decision continued the existing exemptions from the repealed Local Government (Planning and Environment) Act 1990 that were already in the Mineral Resources Act 1989. The provisions in section 319 of the Mineral Resources Act 1989 were amended in 1998 to continue to provide an exemption for all uses of land authorised under the Mineral Resources Act from local government planning schemes. Provisions were included in schedule 8 in the Integrated Planning Act to maintain this exemption.

A comprehensive approach for dealing with mining activities for the future was provided through amendments to the Environmental Protection Act that commenced in 2001. These amendments made it clear that environmentally relevant activities that were for mining activities were not assessable development in the future for the IDAS process under the Integrated Planning Act. These amendments, however, did not deal with the issue for mining between 1998 and 2001.

This amendment would have clarified the future situation for the petroleum industry but for a change to the definition of mining activity that occurred in the same amendment bill. This change deleted activities authorised under the Petroleum Act from the definition of mining activity so that the new assessment and approval processes for mining activities could be implemented in chapter 5 of the Environmental Protection Act. Petroleum was left out as a similar assessment and approval process was intended to be introduced to the Environmental Protection Act when the new Petroleum and Gas Act is finalised.

It has always been the government's intention that both mining and petroleum activities would be exempt from these aspects of the IDAS process. The bill before the House will

implement that intention for all future environmental authorities issued for the petroleum industry and will remove any legal questions about the validity of those authorities that were issued for mining between 1998 and 2001 and for petroleum between 1998 and the present. It does not change any of the procedures that were previously adopted and has had no effect on the rights or entitlements of stakeholders. In particular, there has been no effect on native title rights.

The amendments do not change any of the approval processes under the Environmental Protection Act and they declare that the authorities that were issued or were purported to be issued using that process are valid and always were valid.

Debate, on motion of Mr Copeland, adjourned.

Sitting suspended from 12.59 p.m. to 2.30 p.m.

ELECTORAL AND OTHER ACTS AMENDMENT BILL

Second Reading

Resumed from 11 April (see p. 940).

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) (2.30 p.m.), continuing in reply: This debate was adjourned from last week when I was in the process of responding to the contributions of honourable members. As I indicated, a number of members have spoken on this very important legislation. In many ways, as the parliamentary committee noted, it implements novel reforms to the electoral laws of our state such that the Electoral Commission is now responsible for supervising not just the elections for the House itself but also the preselection process engaged in by political parties, to ensure that there is integrity in that process.

Before the House goes into the committee stage, I will comment briefly on some of the issues raised by the shadow minister. Firstly, the shadow minister diverged into comment upon the sentencing process with his remark that people who are guilty of electoral misdemeanours should be liable for, as he put it, 'Jail, jail, jail and jail.' There is a view in the community that jail is an appropriate punishment for certain offences, whether it be electoral offences or crimes of another kind.

However, I caution the shadow minister against seeing jail as the only form of appropriate punishment for various crimes. No doubt he would be familiar with people who have made errors in their life. Often they are not criminals by nature; rather, they are people who make errors in judgment and make serious mistakes and thereby commit an offence. It is not always the case that those people should be sent to jail. That is not to say that we should be soft or tough in any particular measure; it is to say that the punishment should fit the crime.

Of course, it is easy for the opposition to argue the view that anyone who does anything wrong should be sent to jail.

Mr Springborg interjected.

Mr WELFORD: That is an easy, populist approach that the shadow minister takes in that regard. It is a knee-jerk reaction.

Mr Springborg: I am just being bipartisan; reflecting the views of the populist—

Mr WELFORD: The member is reacting to certain sections of popular opinion. However, there are thinking people who vote, too, and I am pleased to say that that view is not universally held.

One issue raised by the honourable shadow minister was that of resources for the Electoral Commission of Queensland. He is absolutely right that extra resources will be required for the Electoral Commission to undertake the extra roll reviews and crosschecking of enrolment information. I assure the House that the government is allocating additional resources to the tune of $500,000 to implement the reforms incorporated in this legislation.

Of course, some elements of the legislation do not involve cost to the Electoral Commission itself. They are changes to the offences or to the penalties. However, the crosschecking of enrolment data and the supervision of party preselection processes are matters that will require extra resources, and funds have been allocated for that purpose. The issue of education was also raised.

I think the Electoral Commission has a role in raising public awareness about the electoral process and, more importantly, in ensuring that there is an understanding within political parties

of the requirements for selection, or the integrity of internal party electoral systems. Part of the role of the commission is to ensure a clear understanding within parties of the preselection procedures or the required procedures for parties to follow that will be formulated and passed by regulation. Also, part of that role is to ensure that the spirit of the legislation is complied with. After all, the purpose of this legislative process is to encourage parties to select the best candidates for parliament and local government and, to that end, to maintain and improve public confidence in our democratic institutions.

I have already mentioned the responsibility that the Electoral Commission will have for cleansing the electoral roll. It is true that technology enables us to do this in a more sophisticated way. The Electoral Commission will be looking at crosschecking information with departments such as Main Roads, the Residential Tenancies Authority and other government departments. They will increasingly be able to make available basic data which does not disclose personal information beyond name and address, to ensure that enrolments are updated.

The Queensland Electoral Commission, through its joint roll operation with the Commonwealth Electoral Commission, will be able to set the lead in ensuring that the Commonwealth roll is up to date so far as Queensland is concerned. It is, of course, a download of the Commonwealth electoral roll that is relied on as the electoral roll for state elections. As the shadow minister mentioned, technology will certainly assist in the process of cleansing the electoral roll.

The shadow minister raised the issue of identification for enrolment on the electoral roll. As he and other members would be aware, this matter is currently before the Commonwealth parliament. We rely on the Commonwealth electoral roll for our state roll system, so it is a matter which the Commonwealth parliament is uniquely within jurisdiction to deal with. We cannot impose obligations at a state level for enrolment on the Commonwealth roll.

If we chose to step out on our own as a state and to require identification requirements which are inconsistent with the Commonwealth roll, then we would have to seriously consider re-establishing a separate state electoral roll. The expense associated with that exercise, on the assessments I have had done in the last 12 months, amounts to between $3,500,000 and $5 million.

The joint roll system that we have had has served us pretty well since its inception. At this stage, I am not satisfied that another $5 million just to have a separate state roll is justified by whatever benefit there might be. To his credit, the shadow minister also acknowledged that there are concerns about making identification requirements for enrolment unnecessarily restrictive. After all, the essence of a democracy is that all citizens of our state should have the opportunity to participate in elections, and we should not place in the way of legitimate electors hurdles or bureaucratic requirements which risk disfranchising certain sections of the community. For the moment, the issue of identification is with the Commonwealth parliament. Subject to whatever the Commonwealth parliament proposes, I am satisfied that our current electoral enrolment procedures are adequate.

The last thing that I undertook to respond to in relation to comments by the shadow minister was the issue of registration of how-to-vote cards. As members will note, the bill requires that how-to-vote cards be registered seven days prior to polling day and that after that day, although changing one's preferences is not prohibited, one cannot lawfully hand out a how-to-vote card which has not been so registered.

It has been raised with me that there might be rare and unique circumstances where one might have legitimate reasons for changing the preferences one wishes to give on their how-to-vote card come election day. There might be in exceptional circumstances facts that come to light in the last seven days about a candidate to which preferences have been directed which prompt us not to want to give those preferences. This, of course, is a difficult balance between ensuring that there is early disclosure of arrangements for preferences between parties or between candidates on the one hand and the flexibility to change on the other. On balance, we have come to the view that, because there is so little prospect of people changing their preferences in the last seven days, whatever impediment the seven-day restriction imposes is justified, the benefit being that at least seven days out all voters will have a reasonable idea about where parties or individual candidates are allocating their preferences and will be able to make judgments accordingly. It is a balance, but the balance comes down in favour of public disclosure of arrangements between candidates or between parties so that people can make their assessments properly with the benefit of foresight rather than having their votes and minds manipulated by last-minute trickery according to where people allocate preferences. That is the

rationale for the 7-day period. We could pick 10 days, 5 days or 14 days. We chose 7 days as being reasonable notice to all voters of how their candidates are allocating preferences. It ensures there is no last-minute manipulation of the system by candidates, but it also gives sufficient notice for voters to know what is happening and think about the implications of that for how they as voters wish to cast their vote.

I have already responded to a number of the comments made by other members, including the members for Hinchinbrook and Gregory and the member for Logan, who made a spirited contribution to the debate. I think what is salutary about this debate has been the lack of conflict, by and large, between government and opposition, and a preparedness by all members of parliament to recognise that steps taken by this government to strengthen the integrity requirements of our electoral system are not only in the interests of the parliament and the major parties that form this parliament but also in the interests of Queensland democracy itself. Along with other members, it is my pleasure to commend the bill to the House.

Motion agreed to.

Committee

Hon. R. J. WELFORD (Everton—ALP) (Attorney-General and Minister for Justice) in charge of the bill.

Clauses 1 to 8, as read, agreed to.

Clause 9—

Mr SPRINGBORG (2.45 p.m.): Proposed subsection (4) relates to the entitlement to enrolment. I believe that the Attorney-General in his explanatory notes has explained this reasonably well. I understand the motivation behind this insertion is to ensure that a member of parliament is not to be disadvantaged by their enrolment in one electorate if a redistribution has significantly changed that electorate. I understand also that that is basically so they can continue to be enrolled where they are currently enrolled.

I understand also that we currently have a situation in Queensland in law which recognises that a member of parliament can basically choose to enrol in whichever electorate he wishes. Residency in the electorate is not compulsory. Can the Attorney confirm that and indicate to me how this new subsection (4) changes the existing situation?

Mr WELFORD: The honourable member will ask hard questions. The solution to the question asked by the honourable member is determined by looking at the original section 64 and making sense of the change that is made by the addition of subclause (4). As the honourable member mentioned, the subclause provides—

... a member of the Legislative Assembly may be enrolled for an electoral district ... other than the district that the member represents ... if, because of an electoral redistribution, the other district contains at least half of the electors who were enrolled for the member's district ...

This amendment was recommended by LCARC. Previously, we were entitled to enrol in an electoral district if we either were entitled to enrol where we are under the Commonwealth Electoral Act or under the state Electoral Act. In other words, if we are outside our electorate but properly in our Commonwealth electorate and are legitimately enrolled under the Commonwealth roll we are able to enrol in the electorate for which—

Mr Springborg interjected.

Mr WELFORD: Yes. Alternatively, we had to live in the electorate for the last month, as for any other elector. The question was: without being legitimately enrolled under the Commonwealth act can we be enrolled under the state act outside our electorate? The answer LCARC gave was that we should be allowed to be, provided at least half of our electors are still there. The previous provision, in effect, while it had regard to the possibility that we could enrol outside the electorate for which we are the member, did not really turn its mind to the question of redistribution. It was simply a flexibility that was provided, but not a flexibility that really responded to the question of what happens if a redistribution occurs. This amendment proposed by LCARC specifically responds to the consequence of a redistribution and provides, in effect, another ground in addition to what was previously there for being outside our electorate.

Mr SPRINGBORG: I ask the Attorney to bear with me as I try to coalesce this in my mind. A number of members of parliament with whom I have served have lived only just outside their electorate in an area that they may have represented a couple of redistributions ago. In other

cases, the member has moved to an area in which they felt it was more suitable to live but which is just outside the electorate. I ask: is this not a diminution of what currently or has previously existed for those members who have been able to enrol in an electorate which may be close by and which may or may not have contained areas of their previous electorate, or does it exclude that and specifically deal with the issue of redistribution? I might let the Attorney respond to that point first, and then I will see if I need any further clarification.

Mr WELFORD: The first point is that the previous provision did not address the issue of redistributions at all, except the first redistribution that occurred after 1990. In other words, that was the 1992 redistribution. That is reflected in paragraph 1 of section 64. What that paragraph says is that you are entitled to be enrolled in an electoral district, even if you are not entitled to be enrolled there under the Commonwealth act, providing you were entitled to be enrolled there on 31 December 1991 under the state act. That was simply designed to deal with the first redistribution. So even if the redistribution changed and you were elected to a new electorate, providing you were already resident in another electorate prior to 31 December 1991, you could stay there.

Then there is the question of enrolling for the electoral district that you represent even though you reside outside it. That is covered by paragraph 3. In other words, that is the reverse option. Paragraph 3 says that, if a member of the Legislative Assembly gives notice to the commission that the member wishes to be enrolled for the electoral district that the member represents, the member is entitled to be enrolled for that electoral district instead of the one applicable under subsection (1). In other words, subsection (1) deals with the circumstance where you want to live outside the electorate you represent, and you are entitled in certain circumstances to do that. Subsection 3 provides for where you want to be enrolled inside the electorate you represent but you live outside it.

The new subsection says that you may be enrolled in an electoral district other than the one which you represent. You may be enrolled outside the district that you represent and continue to be enrolled there if, because of a redistribution, the one in which you want to enrol contains at least half of the electors who were enrolled for your district prior to the redistribution.

Clause 9, as read, agreed to.

Clauses 10 to 15, as read, agreed to.

Insertion of new clause—

Mr SPRINGBORG (2.54 p.m.): I thank the Attorney for his previous explanation. He has helped me immensely. I move amendment No. 1—

1. At page 16, after line 23—

insert—

' 15A Amendment of s 95 (Adjournment of poll)

Section 95(2), after '('—

insert—

'as soon as practicable but'.'.

During the second reading debate I indicated some concerns the opposition holds about the existing electoral law in Queensland in terms of postponed elections in certain seats around Queensland. I also made the point during that contribution that this is not a partisan issue but is one that could affect any political party or a seat held by an Independent in this parliament. At the last state election, the honourable member for Hinchinbrook experienced the postponement of the vote in a couple of the booths in his electorate due to inclement weather. Elections in this day and age are very finely balanced. Results in individual electorates can be extremely finely balanced. A couple of booths may become crucial to the outcome of the state election as well as the outcome in a particular electorate.

In the case of the honourable member for Hinchinbrook—and no doubt he will fill in the parliament a bit more—there was a postponement on 17 February 2001 in two of the booths in his electorate. The election for those postponed booths was scheduled to go ahead on the following weekend. So we had a fairly interesting week of campaigning in that seat.

The proposition that I reiterate today is that we need a mechanism which addresses this issue. I will move two amendments today—the insertion of this clause and the insertion of another clause. The first amendment deals with the conduct of a postponed election at some future time. At the moment, as I understand it, the Electoral Act facilitates the holding of a postponed election within 34 days. I propose that there should be something in the legislation

which indicates strongly to the Electoral Commission that it should be held—as per the wording of proposed section 15A—'as soon as practicable but', so that the Electoral Commission has a very strong direction that the postponed election could be held mid-week or the next weekend, depending upon the logistics. I know in the honourable member's case it might have rained for a long period, so it might have taken 34 days to hold the election. But given the nature of the flooding or other circumstances in the electorate in question, it may be suitable to recommence polling in those postponed booths within a day or two. Floodwaters can rise and go down quickly, particularly if there is hilly terrain.

I am also aware that provisions have previously existed in the Commonwealth Electoral Act which have facilitated the holding of postponed elections mid-week. I understand that that occurred in the 1990 or 1993 federal election in the seat of Kennedy.

While some people might argue that that is an inconvenience to electors, I would argue, as I did the other day, that for many electors there is also an inconvenience in attending a polling booth on the weekend. It may get in the road of fishing, taking the kids to the football, just sitting on the veranda down at the pub or whatever the case may be. For some voters it does not matter what we do; it will be an inconvenient time.

All this amendment seeks to do is put an onus on the Electoral Commissioner and the Electoral Commission to understand that the parliament sees some urgency in resuming voting in postponed booths as soon as practicable. At the moment I think the comfort zone is for voting to resume on the following Saturday, but it may be sooner. I think there are a number of imperatives in resuming voting sooner. I will touch on them when we consider the next clause.

In the situation where campaigning can go on and on, I think it is important to get voting out of the road as soon as possible. I think that is of benefit to our political system—for the sitting member and for the candidates. When I was coming down in the lift someone raised with me a situation involving the husband of the honourable member for Kurwongbah, the Hon. Michael Lavarch. In 1993 there was a death of a candidate for the federal electorate he was contesting. There had to be a postponement for about a month. I do not know how we overcome that situation, because in that instance the basic nature of the candidates has changed. Here we are dealing with a situation of all things basically being equal and just a necessity to resume as expeditiously as possible voting in booths that have been postponed.

The Attorney-General said in his speech in reply to the second reading debate—it was a very good summary—that this bill has been debated with a good degree of bipartisanship and goodwill. I believe that the amendments we are proposing today practically enhance the legislation. The next amendment deals with the counting of votes cast prior to the postponement. Together these amendments complement this legislation to make good practical reform to the Electoral Act in Queensland.

I note, as I did in my speech at the second reading stage, that there are some measures we will be passing here today—namely, the registration of how-to-vote cards at least seven days before election day—which were considered only a little over a year ago by this parliament to be too difficult. They are now seen as practical issues of electoral reform.

I think this is a practical and realistic Electoral Act reform—something which does deserve the support of this parliament. All it says is that the Electoral Commission should, as soon as practicable, hold the election in postponed booths. Currently there is provision for the resumption to occur up to 34 days after election day. I think the comfort zone of seven days does not always fit individual circumstances. We should look at being able to resume voting sooner. There should be something in the Electoral Act which drives that imperative.

Mr ROWELL: Postponement of voting can occur, particularly in places such as north Queensland during the rainy period of the year. As the shadow minister said, a similar situation prevailed in the federal arena and booths had to be opened as soon as possible, during the middle of the week. Schools, where many of the booths are located, may have children present and schoolteachers are the logical people to have as scrutineers, but in many cases people have made a decision to do certain things on the weekend after the scheduled election.

People set aside the scheduled election day—in this instance 17 February—to go and vote. Then it was decided that the postponed booths at Lucinda and Halifax would be reopened on 24 February. I had phone calls from people and people coming into the office. One case involved a chap who had planned to go to Brisbane. He wanted to cast a pre-poll vote, which he was not entitled to. He could not cast an absentee vote either, because there were no other booths open in the state. Therefore, he was really precluded from voting. Other people had arranged to go to

21st birthday parties and a range of other social events. People knew that they were to vote on 17 February and had set that date aside. They then had to decide what else they could and could not do on that date. It caused quite a deal of consternation.

Resuming voting as soon as practicable removes the possibility of a lot of additional campaigning. As I indicated in my speech during the second reading stage, a lot of political leaders—one in particular—and other people supportive of other political parties came into the area and started campaigning because they had enough time to do it. I do not think that is fair and reasonable to any candidate. During consideration of the next amendment I will speak about other issues that arise as a result of booths being closed and votes already cast being counted. In the situation I have recounted, in the two booths of Halifax and Lucinda polling remained to be conducted the week after the scheduled election day. This is a situation that should be taken note of. In this instance we found a degree of unwarranted interest because of the time that was allowed to elapse between election day and the reopening of the postponed booths.

On the weekend of 24 February a cyclone threatened Cairns. As I indicated, there were people in the Tully area, particularly the Lower Tully area, who could not vote because they could not get out. Because the Lower Tully State School booth had been opened and closed, they were precluded from voting at that booth. That was a problem that could have arisen at Halifax and Lucinda. It did rain on 24 February. It was probably a wetter day than 17 February, yet during the middle of the week the weather was excellent. There was no flooding and there was an opportunity for polls to be conducted at the two booths of Lucinda and Halifax.

The shadow Attorney-General is asking that booths be opened as soon as possible, rather than on a date perceived to be convenient by the Electoral Commission. I know there is a difficulty in getting people to scrutineer, but booths can be set up in a range of places. They do not necessarily have to be at schools. Scrutineers do not necessarily have to be schoolteachers. There are other people who would be quite competent to do the scrutineering. I think in the case I have outlined those two booths could have been reopened before 24 February.

Mr WELFORD: The first thing about this amendment is that it does appear innocuous, so innocuous in fact that it does not add anything to the provision into which it is proposed to be inserted. The returning officer under the current legislation is empowered to adjourn a poll only if the poll is or is likely to be interrupted or obstructed by certain events. One can only adjourn a poll under the current law for so long as it is necessary to avoid interruption to the poll by the events of storm, flood, et cetera, as outlined currently in the bill. I have raised the member's proposed amendment with the Electoral Commission and its view is that it is implicit in the current legislation that the poll be held as soon as practicable.

The question of what is practicable is something that the Electoral Commission has considered in the past and the conclusion was that, for very practical reasons, it has traditionally held polls on the Saturday. Those practical reasons are the availability of polling venues, because some polling venues are schools which are not available during the week. Another reason is the availability of people to staff the venues. Again, the Electoral Commission is more likely to be able to staff a venue on a Saturday than a weekday when that staff might otherwise be employed. The logistics of the issue are things that have already been well and truly contemplated by the Electoral Commission.

The other factor though—assuming that the Electoral Commission already takes into account issues of practicality in determining when to hold the adjourned poll for booths that are interrupted and assuming that the current law already provides for there to be an adjournment only so long as the Electoral Commission is required to hold the adjourned poll as soon as, for practical reasons, it can—is that the addition of these words creates the risk of putting in the legislation an interpretation beyond what is already there. Let me explain what I mean. As a matter of statutory interpretation, if we add these words we must intend them to mean something different from the words already there. That is how the courts would ordinarily take an amendment like this. If the parliament's intention is that what is already there implies that the poll should be held as soon as practicable, and that is my argument—what those opposite are proposing is implicit in what is already in the legislation—then making this amendment creates the risk of making the legislation less clear, not more clear, in terms of what is wanted.

The particular intention that the member appears to have is evident in the explanatory notes where it says that the polling can be completed as soon as practicable after the date of the poll 'without having to be held on a Saturday'. That does add something new to what is already there in the sense that he is proposing quite specifically that, as a matter of practicality, the Electoral Commission should look to days other than Saturday to hold the poll. Frankly, I am disinclined to

support such a proposition partly for the reasons that I have already outlined—that is, the availability of polling staff, the availability of polling venues—but also because of the capacity for working people to vote on a working day.

I know that people's working lives are becoming more flexible than in the past. It may be that the peculiar backgrounds of members opposite as rural producers lend them to believe that people can go any day of the week and vote if they want to. It is true that people in farming life do have a flexibility to a certain extent about walking on and off the job, because it is their business. Employees do not have that flexibility. Employees who have to work weekdays may in fact find it very difficult to get to a polling booth on any day other than a weekend day. That is precisely the reason that, for reasons of practicality even now, the Electoral Commission chooses to bring on the poll on the next soonest Saturday.

The concerns the member has are concerns that centre more around the implications of what can happen during that week adjournment rather than how long the adjournment itself is, although of course the longer the adjournment the more that can happen. I am disinclined to support a proposition that appears on its face to put pressure on the Electoral Commission to bring forward a poll to a weekday rather than a Saturday when the balance of practicality, as I have outlined, really is in favour of a weekend day.

The law already allows the Electoral Commission to hold the poll earlier if it wants to. This amendment will not add to the authority to do that, but it may confuse an interpretation of what the act says if by amending it we are creating the opportunity for conflict about how soon it should be held. I think we should leave to the commission the flexibility of determining how soon it can hold it according to the existing principle—namely, it can only adjourn it if it is likely to be interrupted or obstructed. As soon as that interruption or obstruction ceases, then the poll should be held on the next practical day. Experience in the past has been that the next practical day is a Saturday. I think we should leave it to the commission to make that assessment.

Mr SPRINGBORG: I thank the Attorney for his explanation, and I think it is not altogether an unreasonable explanation. However, I do disagree with some aspects of it. That is why we are moving this amendment today. I note that the Attorney-General indicated in his opposition to the amendment that he felt that it was an innocuous amendment which did not necessarily add to the Electoral Act as it currently stands in Queensland. It is only innocuous to the extent that it tries to provide some practical direction to the Electoral Commissioner. The Attorney also went on to say that these matters need to be clearly understood by a court or someone outside in practically interpreting what the parliament meant by the passage of an individual clause. He rightly indicated that the explanatory notes, which are becoming an extremely valuable part of the legislative process, outline what the parliament would mean by the passage of the amendment I am proposing.

It is also fair to say that there is not a clear explanation or understanding of every individual clause of every individual bill which is passed through this parliament, because we know that there can be a multiplicity of interpretations. We all know that. That is why we have a court process. If we were going to sit down and explain to the nth degree everything that we meant, we would have legislation, bills, acts and regulations that one could not possibly jump over. However, that very simple explanatory note indicates what we mean. Whilst I understand how the Attorney believes that the status quo sufficiently addresses the concerns which I have and the concerns which the honourable member for Hinchinbrook has, I still believe that the Electoral Commission is in a cultural comfort zone with regard to the conduct of postponed elections. We automatically think 'a following Saturday', and I think that its interpretation of 'practicable' would be 'a following Saturday'.

The minister raised a number of legitimate issues that deserve some consideration, namely, potential polling booth locations and the availability of qualified people in the area. In most of these places we are dealing not only with a school, which in many cases is almost automatically the place for holding elections, but with halls which have been used previously, because these locations are not static and do change because there are functions at schools as well. Whilst it is true that the staff of schools, namely the principal and teachers, are often used because of their skills and the associated continuity, it is also true that the government agent or a range of other people in the community hold sufficient skills to be polling booth officials.

If we are looking at postponing a poll we should look also at the fact that in some cases a successful poll may have been conducted 20 or 30 kilometres away where there was not inclement weather. So, it is not logistically impossible perhaps to relocate a couple of those people to such a booth.

I was a little concerned by the minister's enunciation that farmers have a degree of flexibility. That is true, but there are a number of people who have a lot of flexibility. One only needs to see the number the cars along George Street at 2.30 p.m. and 3 p.m. as evidence of that. Coming from a rural background, I know how being forced on a Saturday to harvest or undertake a planting can really interfere with one's day. We should not look at this as some sort of industrial war about what farmers can do vis-a-vis somebody else. All I am saying is that there are people who work on weekends as well, such is the flexibility of the working world. People may be able to vote during their lunch hour and may be inconvenienced, but there is inconvenience either way. I do believe that there is some merit in this proposition. I ask the minister to consider it again. If it is innocuous, why not support it?

Mr ROWELL: I believe a precedent has been set as far as federal elections are concerned; incidentally, the Labor Party was in power at the time. I am not suggesting that there is any implication as far as the federal Electoral Commission is concerned and what parties might do. I do not want this idea to be taken that way at all. A lot of the people who approached me could well have been workers who could not vote on Saturday because they had made arrangements to go elsewhere. The minister referred to flexibility and to taking on board what the shadow Attorney-General said about farmers, but the farming community is prepared at various times on the weekends and through the night and day to do what is demanded of it; it is as simple as that. We are not simply a group of people who lie around on the front veranda and wait for things to happen. There are certain things to do at certain times.

Those people in a working community, particularly a farming working community, would probably work similar hours, too. No differentiation should be struck between rural people who farm land and people who work for rural pursuits or work in association with rural pursuits. There is a distinct possibility that there could be a booth anywhere. There are plenty of halls. There are people who could work quite competently on the booths. I do not see why the poll could not be held during the week. The difficulty for the Electoral Commissioner—and I am not trying to be unfair to him—is that Brisbane is about 1,800 kilometres away. One must be able, for the want of a better term, to read the tea leaves about what is happening with the weather.

Mr Springborg: There might be a cyclone.

Mr ROWELL: That is exactly what happened that following weekend. That booth could have been postponed for another week, which would have increased speculation by political parties about what could happen as far as different candidates were concerned. I do not want to make too much of a joke of this, but when I walked into the booth at Halifax that day I said to Mick Small, the Labor Party candidate, 'G'day Mick, how are you going?' He said, 'At least you can remember my name; the Premier couldn't.' I am being a little facetious here.

There is some prospect for those booths being open through the week. If the weather gets worse, the Electoral Commissioner should be allowed to make a decision not in isolation of Saturdays, which the minister indicated would be the traditional thing for the commissioner to do, and have the flexibility to hold the poll at a time other than the weekend.

Mr WELFORD: It comes down to this—either the amendment means something or it does not. If it means nothing, we do not need it. As I already indicated, simply inserting an amendment creates in the mind of a court an interpretation that it is intended to change the existing law. What change to the existing law could it make? On its face, 'as soon as practicable' should not make any change, but if that is to be interpreted as having regard to the explanatory notes, for which our legislation does provide, the amendment this change would make is not innocuous. It is a change which creates an intention in the parliament, in effect, to impose an obligation on the Electoral Commission to hold the poll before the subsequent Saturday.

If the member had not indicated that the poll should be held before the subsequent Saturday, the words 'as soon as practicable' would be less of a problem. I am not prepared to indicate to anyone required to interpret this legislation that this parliament wants to impose upon the Electoral Commission an obligation to hold a poll on a weekday prior to the following Saturday if for practical reasons the following Saturday is most convenient. Apart from when people are able to vote, and I have already commented about that, the main practical reasons are the availability of venues—and, yes, there are venues other than schools, but they are not venues that one can generally organise within the space of fewer than seven days—or, more particularly, the staff available to conduct the poll. Very few of the staff who conduct these polls are full-time staff of government. They are temporary staff plucked out of their other lives for those days only. Those staff, by and large, have other full-time jobs. They are more likely to have a full-time job during the week than they are on a Saturday. Yes, there are some people who

may have other things they would like to do next Saturday, even though their voting has been interrupted this Saturday.

The issues to which the shadow minister referred, such as going fishing or going on holidays, are discretionary matters, unlike employment, which is not discretionary. I understand the member's point. I am not in any way saying that the point is not made genuinely, but I am not prepared to insert in the legislation an amendment which has the effect of imposing an obligation on the Electoral Commission beyond what it already has. I believe that the existing legislation gives it the flexibility to hold it mid-week if it thinks that that is the most practical time to have it.

The CHAIRMAN: Order! Before putting Mr Springborg's amendment, could honourable members please welcome to the public gallery visitors from Moscow who are representatives of Russian Aluminium.

Honourable members: Hear, hear!

Amendment negatived.

Clause 16—

Mr SPRINGBORG (3.31 p.m.): I wish to raise a couple of issues here with regard to special postal voters. I note that we have new qualification criteria and also that we place a greater onus on the Electoral Commission for reviewing the status of special postal voters in Queensland. There may be very good reason for that, but I wonder if the reason was not more for the fact that the Premier, when he was caught up in trying to deal with the issue of the vote rorting affair in parliament—and I dare say he dealt with it reasonably well as history would show—indicated that we will get into this little 'National Party rort' one day. I ask the Attorney-General for the motivation behind this. One thing that I have noted with special postal voters is that, if we are dealing with farming and grazing communities, the majority of those people—in actual fact, all of the ones I know—live in their residences. They have been there for a very long time. So I would like an indication from the minister of what element of systematic electoral malpractice there has been on the part of special postal voters. I am not opposing this clause, but I want to know the justification for it. Has there been an identified problem that we need to deal with, or is the minister, before the genie gets out of the bottle at some future time, seeking to reinforce the cork, so to speak, so that there is not going to be some future problem? What is going to be the nature of that process that is to be followed by the Electoral Commission?

Also, with regard to the new qualification process, at the moment basically it says that a person who is resident more than 15 kilometres from the nearest polling booth by the most practicable route or thereabouts. I take that to mean the all-weather track, which is fairly important, because sometimes it might be 12 kilometres one way but, if the weather is inclement, it is more likely to be 20 or 30 kilometres the other way. This clause seeks to break down and redefine the qualification process. Clause 16(2)(a)(i) states—

(i) the elector's address, as shown on an electoral roll immediately before the commencement of this paragraph, is more than 15 km but not more than 20 km, by the nearest practicable route from a polling booth; or

(ii) the elector's address is more than 20 km, by the nearest practicable route, from a polling booth; or

(iii) the elector is entitled to be enrolled as a general postal voter under the Commonwealth Electoral Act.

Subclauses (i) and (ii) are different from section 105(3)A, which states—

An elector whose name is included in the register of special postal voters because of a written application that satisfies the commission the person's registered address as shown on the electoral role is more than 15 kilometres by the nearest practicable route from the polling booth.

I was just wondering about the justification for actually redefining this section—the practical reasons and also what has brought this on.

Mr WELFORD: I will answer the last point first. Obviously, the provision preserves the entitlements of existing special postal voters—those who have lived between 15 kilometres or 20 kilometres from a polling booth. Previously, the provision provided for anyone living more than 15 kilometres away. We have changed the general qualification from 15 kilometres to 20 kilometres. That is the effect of it. The purpose behind that was, as I understand it, a recommendation from the Parliamentary Legal, Constitutional and Administrative Review Committee that it be 20 kilometres. We have adopted that recommendation. I think that brings some consistency with the Commonwealth legislation as well, which is what I think was behind its thinking. The subparagraph (i) that the member mentioned is designed to preserve the entitlements of existing

postal voters who do not live beyond 20 kilometres but who do live beyond the previous qualification of 15 kilometres.

In terms of the general strengthening of the security of valid special postal voters, it is simply part of a process designed to ensure that someone who originally enrols as a special postal voter is still entitled to be that and has not, in fact, moved recently before the election or taken up some permanent residency elsewhere. It is not designed to address any verified systematic misuse of special postal voting, although, seeing that the honourable member mentioned it, I am pleased to say that our government is more than willing to help the National Party prevent itself from falling into the situation of having its voters misuse the electoral system just as we are seeking to strengthen the integrity of the system for those who may vote for us.

Clearly, the provision simply ensures that someone who may have sought to register as a special postal voter some time ago has some mechanism of regularly confirming that they are still eligible. That confirmation can be checked for its validity by the Electoral Commission, because if a person confirms that they remain still eligible as a special postal voter by declaration in a form and that upon checking by the Electoral Commission that, in fact, is not true, then the person will be in breach of the Electoral Act.

Mr SPRINGBORG: No doubt our supporters out there will thank the minister for his gratuitous assistance in this case, but I am sure that the same endemic cultural predisposition towards some of these issues does not necessarily exist among them. But we acknowledge the hopefully genuine nature of the amendments that the minister is making. The minister mentioned that the Legal, Constitutional and Administrative Review Committee motivated this amendment for people to be eligible to be more than 20 kilometres away in the future. Basically, I take that to mean that there has been a change with regard to the quality and the standard of transport that people use and that the roads that they travel on to get to polling booths possibly has changed and enhanced since the old provision of 15 kilometres came into being. Some of those people would argue that that has not necessarily been the case. It is probably important for the parliament to understand the motivation behind that, if that was actually one of the considerations as well. The Attorney indicated that he thought LCARC did it because it was consistent with Commonwealth law. However, I imagine there may also have been some motivation there with regard to the changing nature of transport and communications. I would appreciate the Attorney's comments on that as well.

Mr WELFORD: If the honourable member had read the LCARC report, he would know the reason it recommended the change from 15 to 20 kilometres. It arose out of a recommendation from the Electoral Commissioner that we adopt the Commonwealth's registration criteria to ensure that there is consistency. It was also suggested by the commissioner that all existing special postal voters who live between 15 and 20 kilometres from a polling booth should remain registered, which the legislation provides for. However, over time the number of such special postal voters will decrease to none, and that is why a transitional provision was recommended. The primary purpose was to ensure consistency, not so much to ensure that people were not confused about improvement or decline in the availability of transport, but to ensure that people were not confused about whether they did or did not qualify as between Commonwealth and state elections.

Mr SPRINGBORG: In a previous answer, the Attorney mentioned the obligation on a voter to make a declaration with regard to the suitability or applicability of that person to be enrolled as a special postal voter. There is one thing that has concerned me, and this is a general point further on from that. It has been my experience—and I noticed it after the electoral rorts affair in the year 2000—that a range of people throughout my electorate received notification from the Electoral Commission to validate that they in fact lived there and were enrolled there. Not only that, they had to validate that a person living on the same property actually lived there. I am not sure how the potential for abuse of that process could be overcome without somebody going from door to door.

My wife received notification and had to verify that my mother and father actually lived there. She made the point to me that she would do the right thing. She received a letter about that. However, when it comes to systematic abuse of the process, people who are going to abuse the process will not care very much about telling fibs when filling out documents if there is a political or some other sort of imperative to motivate them. Does the Attorney have any thoughts about how to overcome that? We live in a society in which a lot of our systems are based on honour, doing the honourable thing—and most people do the honourable thing. However, there does need to be an element of oversight. Certainly in times past there seems to have been a far

greater propensity on the part of the Electoral Commission—maybe because of the size of our state and our country—to go door to door to check what is happening. Really, that is the only way it can be done.

In my electorate a few years ago there were people going from door to door. As a result, an amazing number of people were taken off the roll. We do not see that as much now. I would like to hear from the Attorney how he will ensure the necessary degree of oversight of what is principally a self-regulatory process which relies upon people's propensity to do the right thing. Also, I would like his comments on the penalty provisions. How will he ensure that it is effectively overseen? Will there perhaps be spot checking and a better process of systematic checking by qualified people from the commission?

Mr WELFORD: To address the issue mentioned by the honourable member, the only way it can be done is through random checking, and that is what the Electoral Commission will do. Obviously it has to work out how it will do that. That is a matter for the commission. As the member has said, the only way we can check whether a person who has signed it is telling the truth is to have other checks. One way is to ask other people. However, if they are all conspiring, as the member suggests, then that does not solve the problem. There may be other inquiries that the commission can easily make without necessarily going to the front door and checking whether the person is at that address. The commission will determine how that is done.

Subclause (7) particularly addresses circumstances where a notice is sent out and signed—generously—by someone else to indicate that the voter still lives there when the voter might be on holidays in Switzerland or down at the Gold Coast at Bond University, or something. The commission can verify that information by checking the signature on the confirmation form against the signature of the original special postal vote enrolment. If they find a disparity, then they will make further inquiries.

Clause 16, as read, agreed to.

Insertion of new clause—

Mr SPRINGBORG (3.46 p.m.): I move amendment No. 2—

2. At page 17, after line 26—

insert—

' 16A Amendment of s 117 (Preliminary and official counting of votes)

Section 117—

insert—

'(2) However, if a poll at a polling booth in an electoral district is adjourned under section 95, a reference in section 118 or 119 to 'polling day' is, in relation to the procedures for the counting of votes for each polling booth in the district, taken to mean the day on which the adjourned poll is taken.'.'.

I indicated during the second reading debate that the National Party would be moving a two-part amendment to address the Hinchinbrook situation. We were unsuccessful with the first amendment—we were wronged, I believe—which was to ensure that the postponed election be held as soon as practicable after the date of postponement in that booth.

The second amendment relates to the counting of results in those booths in which an election has been successfully held but which is subject to postponement in a number of booths due generally to inclement weather. Of course, there may be other circumstances which would cause a postponement. I note that they are outlined in the act and include riot, storm, tempest and so on. There are certainly other issues. However, in the case of the tropics of Queensland, it is generally to do with inclement weather.

As the member for Hinchinbrook and I have said, if the margin is close, campaigning goes on in that particular electorate. Is that the right thing to do? Many people might say that it is a part of the robust political process and democracy that we live in. I say that we need to make sure of the circumstances in which people vote and what is considered to be as near as practicable to the date of the election.

What this amendment basically provides is that the booth ballots which have been cast in the non-postponed booths in an electorate cannot be counted until such time as all of the booth ballots have been cast in that electorate. Some people put to me that it might have been a better idea to have an amendment so that the results of the ballots in the booths which were not subject to a postponement could not be published until the date the ballots in the remaining booths were cast. That is a reasonable contention. However, there is one flaw. The scrutineers overseeing the proper counting of those ballots in the booths which were not subject to the

postponement would share information which they had gathered on a collective basis. Non-publication does not achieve anything; the grapevine would ensure that within a few hours there would be a fair indication of what was happening in an electorate.

I believe this amendment is worthy of serious consideration by the parliament. It is basically proposing that no ballots be counted until such time as ballots have been cast in all of the polling booths in an electorate. That is fair. I concede that it raises a number of issues of resourcing and logistics to think about. No doubt the Attorney is aware of and has been briefed on this and will probably predicate his opposition to this amendment on a number of these sorts of issues. I am not trying to be a mind-reader, but I imagine that something along those lines will be forthcoming.

If there are 49 booths in an electorate, 47 of which have had votes cast and two of which have not, with the counting of the ballots in those 47 booths postponed, upon the remaining ballots being taken all of the ballots will have to be counted. They would all be bundled individually and would go back to the returning officer, usually the clerk of the court. The clerk of the court is allocated a fair bit of time, as are staff, to finalise the return of the writ, the declarations and so on. Resourcing would be an issue at the time the final booth ballots were cast. But that is not impossible. That would involve an extraordinary allocation to settle that. I use the term 'extraordinary' in the sense that postponements are extraordinary. I think it would be modest. However, it would enable the counting of those postponed booth ballots along with the booth ballots that had been cast on the day of the general election.

Obviously there would be a logistical issue in relation to the scrutineers. The fact is that fewer scrutineers would be needed because of the centralisation of the counting process. These issues can be overcome. This is about ensuring a level playing field under our Electoral Act so that people are not disadvantaged or unduly distressed by continuing campaigning—some of it is silly campaigning—in areas where there has been a postponement following the general voting in most of the booths in an electorate.

The logistical and practical issues can be overcome. The Attorney and I both know that these matters are extraordinary. This is about having a process which responds to those situations as they arise and ensuring some fundamental fairness in our Electoral Act.

Mr ROWELL: In a true democratic system there should be an equal opportunity for each candidate to win an electorate. That is fundamental to our whole system. If a poll is adjourned for whatever reason—we mentioned wet weather and so on—it should be postponed, as suggested in our previous and unsuccessful amendment, for as short a time as possible. There would be no absentee votes and no prospects of a pre-poll vote. Those people who vote on a later date should have the opportunity to cast a vote without any idea how the voting went on the date of the general election. In other words, their original voting intentions should be uninfluenced by the pattern of voting at the general election. Those people should not be swayed by what happened in the booths where votes had been cast. It would be totally unfair and unreasonable in a close situation for a candidate's vote to be influenced by outcomes within the electorate and the state as a whole.

The shadow Attorney-General's proposition is that none of the votes in the booths in an electorate would be counted until all votes had been cast. That would enable candidates to have an equal opportunity in an election. References will be made to booth workers, scrutineers and so on. The votes are taken in by the returning officer and preferences are distributed. In an extraordinary situation those votes could be counted at that time. The scrutineers present at the time of the distribution of preferences could be present at the later date. This is able to be done. This is a fair and democratic way of responding to a situation where voting in some booths has to be postponed because of weather, earthquakes or whatever reason. Australia is a big country and sometimes things happen. Queensland is a particularly big state. The Attorney is laughing about this. However, this has happened and it could happen again. I am aware that it has happened twice, both in the federal and state arenas.

Mr Welford: But no earthquakes have happened.

Mr ROWELL: There was an earthquake in Newcastle some time ago.

Mr Welford: Not in an election.

Mr ROWELL: I was making the point that there could be a disaster of some sort. The minister is turning this into a bit of a joke.

Mr Welford: In a big country a lot of things happen.

Mr ROWELL: They can happen.

Mr Welford: It is all right. I was just amused by it.

Mr ROWELL: That is okay. I know of two occasions in federal and state elections where polling has had to be adjourned. The proposal put forward by the shadow Attorney-General is reasonable.

Mr WELFORD: The proposition put forward by the shadow Attorney-General has been put forward by a reasonable person, but this is the National Party's Zimbabwe solution to the problem. What the National Party wants is to keep secret the ballots of the bulk of the voters until the National Party is ready for them to hear about it and, in the meantime, these secured ballot boxes presumably get trucked around various places in order to try to prevent them from being disclosed and kept secure.

I cannot understand what it is that the National Party is running from. Why are they scared of transparency in the electoral system? Why are they scared of having the vote counted and exposed? How is it any less fair for both candidates to know the result than it is for both candidates to have the result concealed from them for a week? I do not see what the problem is that this amendment is trying to remedy, other than the anxiety of the incumbent member who does not want the other side to know, a week ahead of the second ballot, whether they are ahead or behind; does not want to give the other side an opportunity to campaign more vigorously than they can in the second week prior to the balance of the votes being counted.

If it comes to fairness, there already is fairness. In fact, there is probably as much fairness either way. If you conceal the ballots from the first day from both candidates for another week, then you are both approaching the second ballot on the same basis, and you can both go hammer and tongs at the second ballot for a week if you want to. If you both have the first ballot counted and you both know the result of the first ballot for the whole of the second week, then you can still both go to the second ballot campaigning hammer and tongs for that week. I do not see the difference except that, for a week longer than they should have, the bulk of the electorate do not know the result. The bulk of the electorate do not have a transparent process whereby the result is public.

There are logistical problems about how you keep secure the ballot boxes in which votes have been cast—where you store them for a week. Do you have to transport them? Forget about the cost; just think about the security. That is why I refer to it as the Zimbabwe solution, because anything can happen when you have to start moving around cardboard ballot boxes, or even metal ballot boxes, for that matter.

The issue here is: what, on balance, is most transparent for the electoral system? I say that, yes, there is some anxiety for candidates in worrying about how their competitor might campaign or seek to leverage advantage out of the extra week of campaigning. There is a risk in that. But all candidates are approaching the second ballot on that basis. The proposition the opposition is putting forward is that, in the course of that week, we should keep concealed from the electorate the votes that have been validly cast. Frankly, I do not think that can be justified unless there is a better reason than the one that has been given so far.

Mr SPRINGBORG: I am somewhat intrigued by the Attorney-General's latter-day conversion to transparency considering that he was the person who enforced upon Queenslanders the most despicable FOI regime—which has proved extraordinarily costly and has closed down access to transparency and accountability—the likes of which we have never seen. I think the Attorney is extremely shallow in that.

This amendment was not moved out of any great self-interest. This situation could affect any member in Queensland. It could occur in any seat in Queensland. We can have a philosophical or policy argument about whether you believe it is right or wrong. I conceded when I moved the amendment a little earlier that there are some logistical issues. But there are some logistical issues in every piece of legislation that we bring before this parliament. There is a whole range of logistical impracticalities or difficulties with the new provisions included in this legislation. But because they are generally seen as being right, we are prepared to support them.

I have doubts with regards to other issues. There is the matter of having people doing spot and random checks and a process of regular checks to ensure that the people who are legitimately entitled to be on the electoral roll are on the electoral roll. You can have all the best will that you want when you come into this place, if that is what motivates you, but if you are not prepared to appropriately resource and appropriately oversee a certain measure, then the best intentions in the world cannot prevail.

As I said earlier, there are some logistical issues related to this. It is not about self-interest. It is about resolving these concerns, which have been raised not only by the honourable member for Hinchinbrook. It was a fair bone of contention in his electorate at the time and was raised in the media by a range of people in the community. I am not necessarily saying that all of those people would have been enamoured with the local member and seeking to support him. They may not have historically supported him. I am sure that the concerns the member for Hinchinbrook had raised with him were not just by National Party people but by a whole range of people—people who do not necessarily support him, people from across the political spectrum. They saw this as a question of whether this was the right system.

The Attorney can argue about the issue of openness and transparency. As I said, it would have been great if he was prepared to argue that during the debate on the freedom of information legislation, but he was not. This is about ensuring we do not have a mockery of silly campaigning that keeps going on and on. This is designed to ensure that the electorate in question is tested on issues that are as close as possible to those on which the overwhelming number of electorates were tested on the day that was gazetted to be the general state election. I think that is a legitimate point. The Attorney can chase all the fictitious rabbits down burrows that he wants to, but that is the concern. If he is not prepared to see that point, that is fair enough; that is his own hang-up. The motivation for this was not to protect the honourable member for Hinchinbrook, because if you look at Hinchinbrook—

Mr Welford: Why is he laughing?

Mr SPRINGBORG: The Attorney has chortled and giggled right through this debate, and debate on the FOI bill, through which he disgracefully closed down free access by the people of Queensland to information.

Mr Welford: No, I didn't.

Mr SPRINGBORG: Yes, he did. The member for Hinchinbrook is only one of the members who represents north Queensland. The majority of the seats up there are held by the Attorney's side of the parliament. There is one One Nation member. It could affect anybody. I guarantee that if a similar situation occurs again and it affects a Labor member, the same concerns will probably be raised. The Attorney might not want to vote in this place about it, but he will talk about it in the electorate. He will express the concerns and he will argue to himself and to his friends the good policy reason for maintaining the status quo. He may not necessarily want to come in here and change it. But this is not about the member for Hinchinbrook and it is not about the National Party; it is about addressing an issue regarding our democratic process. Is the status quo the appropriate way of addressing this matter? I am saying that it is not. There should be a postponement of counting until the ballots at all booths are cast.

Mr WELFORD: The proposition remains: what is the problem we are trying to fix? That is what I was asking. Explain to me the problem we are trying to fix and how this provision fixes it.

Mr ROWELL: I will quote the example of the election held on 17 February 2001. At that time, a voter would have made a conscious decision about who he was going to vote for. A voter would have made a decision in anticipation of voting on that day. However, because there was a deferral, an adjournment, a postponement of the vote, a voter may have changed his mind in light of realising the ramifications of his vote. That voter may decide to support a candidate other than the one he had decided to support on the 17th. I think the Attorney will concede that that could have occurred. Then the whole issue is opened up. In the event that a Labor Party candidate was only a handful of votes behind the leader and there was an opportunity for a seat to be won through more intense campaigning, the government probably would have had some advantage. I am sure the Joh jet would have arrived in Ingham and the Premier would have spread around his smiles to woo voters.

It may not have been the intention of the voter to vote for, say, the Labor Party candidate, but because of intense campaigning subsequently, after 17 February, he may have been swayed. I am using this as a hypothetical situation; I am not using it for the sake of politics. A change may have occurred in the voter's attitude. As I said, the voter cannot cast an absentee vote or a pre-poll vote. That is quite clearly established. Even if he wanted to go away, he could not. He is more or less obligated to stay in the electorate. If he does not he will attract a fine. It is quite clear.

Basically, there could be a change of the intention of the voter because of increased campaigning. The minister is right: everybody could have been involved in it. But what was the intention of the voter on the day the poll was supposed to be declared but could not be because

it had to be adjourned due to wet weather? Voting could have been delayed for any other reason. This situation could have occurred in any other area of the state. I think that is the essence of my argument. This does not necessarily go to just my situation; it is a situation that could be faced by anybody.

At the end of the day, voters may feel as though they have not experienced true democracy in terms of who the electorate intended to return as the successful candidate because of the intensity of the campaigning between the date the poll was supposed to be declared and the time the postponed poll was held. That is what I am concerned about. If we did not count the votes cast in electorates with postponed booths on the night of the election—that is the traditional time for votes to be counted—nobody would have a clear understanding of who was likely to be successful.

The minister has mentioned security. All of the votes end up going to the office of the returning officer for the distribution of preferences and so on. So there is nothing unusual about security. That happens anyway. That could happen in a number of places throughout the electorate. In the Hinchinbrook electorate, for example, it happens in Tully, Ingham and so on. The returning officer actually receives all of the votes and distributes the preferences. There has to be very good security there. If those votes were not secured, the whole complexion of the election could change once again. It could be that after the distribution of preferences only a handful of votes decides the successful candidate. The points I make relate to the intent of the voter on the original election day and the returning officer having to deal with security anyway.

Mr WELFORD: The matters raised by the member really go to the issue I raised earlier, namely, the anxiety that the incumbent candidate feels about how a person's vote may be changed. Frankly, people can vote any way they like. They can vote one way one week and another way another week. That is their prerogative. That is democracy.

The member is saying that he does not want the person to have the choice of changing their vote a week later. He wants them to be stuck with the vote they were going to cast in the first place. Well, I am sorry. This Electoral Act is about voters voting; it is not about members telling voters how they want them to vote. It is about how voters choose to vote, not how elected members would like voters to vote. I understand the point the member is making, but we come at this act from the perspective of a voter, not from the perspective of a candidate. The member still has not given me a good reason for concealing from voters how the votes have fallen in one poll before they vote in the next one.

Question—That the amendment be agreed to—put; and the Committee divided—

AYES, 19—Bell, Copeland, Flynn, Hobbs, Hopper, Horan, Johnson, Kingston, Lee Long, Lingard, Malone, Pratt, Quinn, Rowell, Seeney, Simpson, Watson. Tellers: Lester, Springborg

NOES, 64—Attwood, Barry, Barton, Beattie, Bligh, Boyle, Briskey, Choi, E. Clark, L. Clark, Croft, Cummins, J. Cunningham, Edmond, English, Fenlon, Foley, Hayward, Hollis, Jarratt, Keech, Lavarch, Lawlor, Lee, Livingstone, Lucas, Mackenroth, Male, McGrady, McNamara, Mickel, Miller, Molloy, Mulherin, Nelson-Carr, Nolan, Nuttall, Palaszczuk, Pearce, Phillips, Pitt, Poole, Purcell, Reilly, Reynolds, N. Roberts, Robertson, Rodgers, Rose, Schwarten, D. Scott, Shine, Smith, Spence, Stone, Strong, Struthers, C. Sullivan, Welford, Wellington, Wells, Wilson. Tellers: T. Sullivan, Reeves

Resolved in the **negative**.

Clauses 17 to 21, as read, agreed to.

Clause 22—

Mr SPRINGBORG (4.22 p.m.): I want a point of explanation from the Attorney. He went through in fairly succinct detail in his summing-up of the second reading debate the reason behind this and also its practical operation. In my contribution to the second reading debate I raised my concerns that there was not a capacity for amendment of how-to-vote cards with regard to the decisions that a candidate may have made if lodged under proposed new section 161B.

The Attorney did concede during his contribution that circumstances may have arisen between the time that the person lodged the how-to-vote card and the time of the election which revealed the past history of a candidate or that they may have had some sort of social conscience that caused them to want to change but they could not issue new how-to-vote cards because they had to be lodged with the Electoral Commissioner at least seven days prior to the election. By way of confirmation, the only way that that person would be able to not follow through with their original intent as per their voter direction on their lodged how-to-vote cards would be to not distribute their how-to-vote cards on election day. There would be no issue if that

person wanted to advertise in their own local newspaper. I do not know what metropolitan members do, but they may do it in their local Quest newspaper or whatever. I certainly do it in my local newspaper.

The other issue is that the authorising officer for the how-to-vote cards has to lodge the cards with the Electoral Commission at least seven days prior to the date of the election. I have a campaign director who is usually the person who authorises things, and I would imagine that the minister and a number of other members would have the same. Is there a process—it may be implicit in this—whereby there could be a central lodgment? At the moment, nominations are centrally lodged by the Labor Party, the National Party, the Liberal Party and probably also the One Nation Party. The parties ask people for their directions. They prepare the bromides—'bromides' is probably an old term now if one considers the modern IT parlance—and they go off to where they are to be printed. Is there an allowable process for the party, which usually oversees much of that anyway, to lodge it on behalf of that particular electorate?

Mr WELFORD: That is a matter that we will need to clarify with the Electoral Commission, but on the face of it I see absolutely no problem with that. Just as we—that is, political parties—notify the Electoral Commission of who our candidates are in time for nominations to close, there is no reason in principle why the preference distribution could not be handled in bulk by the central office of political parties and notified to the Electoral Commission. But, as I say, we do need to make sure with the Electoral Commission that the procedure it puts in place will allow that to occur.

On the question of what one does if one wants to change one's mind, the honourable member answered it correctly—namely, one can change their mind and can let people know in as many ways as they like that they want them to vote in some other way, but they cannot hand out a different how-to-vote card than the one that was registered, which obviously means that if they do not want to hand out the one that was registered they do not hand out how-to-vote cards. The options that are available are as the honourable member believes.

Clause 22, as read, agreed to.

Clauses 23 to 75, as read, agreed to.

Bill reported, without amendment.

Third Reading

Bill, on motion of Mr Welford, by leave, read a third time.

PRIVATE EMPLOYMENT AGENCIES AND OTHER ACTS AMENDMENT BILL

Second Reading

Resumed from 12 December 2001 (see p. 4520).

Hon. V. P. LESTER (Keppel—NPA) (4.28 p.m.): I rise to speak to the Private Employment Agencies and Other Acts Amendment Bill 2001. The amendments come on the back of two reviews—the first being an independent review conducted by Ray Dempsey and the second being a public benefit test, PBT, conducted by the Allen Consulting Group in Sydney. The function of the original Private Employment Agencies Act 1983, the PEA Act, provides for the licensing of private employment agents in Queensland and regulates various aspects of their operations and protects work seekers from being charged inappropriate fees for their placement in jobs.

The need for a review of the PEA Act is important due to contemporary reasons. In particular, there has been an increase in the number of private employment agent applications since 1998 due to the federal government's contracting out of the former CES function to private and community organisations as part of its job network scheme. Both reviews of the PEA Act came to differing conclusions. The public benefit test review came to the conclusion that the entire licensing system should be replaced by a self-regulating industry body. The independent review found that self-regulation was not feasible due to a lack of educational standards within the industry. Also, there was no recognisable industry body that wished to operate an overseeing role. The independent review conducted by Ray Dempsey was in favour of a two-year phase-out of the act and retention of legislative provisions protecting work seekers from being charged inappropriate fees.

I turn to the review findings and proposed amendments. The review made a couple of important findings that are encompassed in the amendments of the PEA Act. The first of these findings relate to the definition of 'private employment agent'. The original definition was 'a person who holds themselves out to be an agent ready, for reward, to find employment for persons seeking it or to find employees for persons seeking to employ them'. The review found that there was confusion over the application of this definition. The amendment bill has attempted to address this. The new definition will encompass a person who offers to find casual, part-time, temporary, permanent or contract work for a work seeker or a casual, part-time, temporary, permanent or contract worker for an employer. Included will be a specific reference to models or performers and also it clarifies that the act does not apply to labour hire arrangements.

The review went on to look at the current licensing system for potential employment agents. The licensing process, the existing process for receiving a licence, is regarded as rigorous. A number of steps are involved. The current process is, first, that the application form and fee must be sent to the DIR licensing officer. Within 14 days of doing this, the applicant must publish in a state wide newspaper specified particulars of the application and invite objections to the application. The cost of advertising can be significant. Second, the licensing officer forwards the application to the industrial magistrate, who will then obtain a police report on the character, reputation and conduct of the applicant. Public objections are lodged with the industrial magistrate. Third, on receipt of the report of the industrial magistrate, he or she undertakes an inquiry about whether the applicant is a fit and proper person to hold a licence, having regard to the police report and objections. The applicant, any objectors and the licensing officer can be heard at the inquiry. If the magistrate determines that the applicant is a fit and proper person, the licensing officer issues the licence. The suggestions of the review in this area have been taken up by the amendments.

While we support the bill, we would hope that the increased efficiencies associated with the new licensing system would bring about some savings for potential and current private employment agents in the form of decreased licensing fees and also a decrease in renewal fees. The proposed new licensing process is as follows. The general idea of the amended licensing process is that it will rely on minimal entry requirements but enable government authorities to remove a licence from an agent for misconduct.

The main features of the revised system include, firstly, that a departmental officer will administer the licensing process. Secondly, on receiving an application for a licence the licensing officer must promptly consider the application and grant the licence unless the officer reasonably believes the applicant has contravened the PEA Act or laws concerning charging inappropriate fees for finding work for work seekers or has in the last five years been convicted of a serious offence. In those circumstances, the licensing officer must refer the applicant to the advisory committee. If the committee advises the officer to grant the licence, the officer must promptly do so. However, if the committee advises against the issue of the licence, the officer retains the discretion as to whether or not to grant the licence. If the licence is refused, there is a right of appeal to the industrial magistrate. Thirdly, any complaints that the officer receives are to be forwarded to the committee for formal resolution. Fourthly, new section 27 will set out the grounds upon which a licence may be cancelled. A proposed section 28 will provide a procedure for cancellation, including the chance for the licence holder to show cause why their licence should not be cancelled.

The government claims that the proposed changes to the licensing process have gained general stakeholder support. Increased efficiencies and less pressure on valuable government resources such as the Magistrates Court and police force are the benefits cited by the minister. We feel likewise but stress that adequate safeguards will need to be in place to ensure that disreputable people are unable to flourish under the new system. If this is made possible, not only will potential workers suffer; the industry as a whole will suffer.

I turn now to the recommendations of the independent review that an Employment Agents Advisory Committee be set up. The committee will consist of six new positions. Representatives of employers' associations and two representatives from employee organisations will fill two positions each. An independent observer, free from government or industry experience, will occupy the fifth position. The final member will be a departmental officer. The minister will appoint the first five members of the committee. The primary function of the committee during the phasing out period will be to formulate a draft code of conduct for the industry. Apart from this function, the committee will also be responsible for assisting the licensing officer in the handling of applications. The opposition will be watching the progress of the proposed committee closely

to make sure that its recommendations are in the best interests of Queensland as a whole. We would also be interested in knowing who has been earmarked to take up the proposed positions on the committee.

I now turn to the very important matter that the amendment bill will address, namely, protection for work seekers. The specific area that is of a serious nature is the charging of fees by private employment agents. Under proposed section 32, an agent must not demand or receive a fee from a work seeker other than a model or performer as a condition of procuring or attempting to procure employment. This is intended to protect workers from unscrupulous agents. We are in favour of retaining such measures despite some findings from the PTB to the contrary. It is a common characteristic of many other jurisdictions in Australia that there is some type of fee restriction and we see no need why Queenslanders should be different.

There are some changes in the bill concerning models and performers that I would now like to discuss. The review of the current PEA Act found a disproportionate number of complaints regarding agents in the entertainment industry. Queensland's entertainment industry is a vital part of the fabric of our state. Therefore, the members of it deserve the best protection that legislation can provide. The amendment bill seeks to do that by retaining the current restrictions in place and transferring those provisions into the Industrial Relations Act and also strengthening them by requiring agents only for models and performers to perform certain tasks before a fee can be imposed. We find these measures to be in theory adequate enough for the protection of models and performers. In the event of a complaint, the amendments also provide for recourse to recover the legal fees charged.

In the past, a person who has been disadvantaged by an unscrupulous agent found recourse in the form of the industrial magistrate. The intention of the proposed amendments is to allow work seekers to institute recovery action without the need for formal prosecution. The amendments now provide for three different mechanisms by which a work seeker may recover fees unfairly paid: firstly, criminal proceedings before the industrial magistrate; secondly, informal proceedings before the Queensland Industrial Commission; and, thirdly, civil proceedings before the industrial magistrate. This provides more options for dissatisfied work seekers—something in principle that I support. Therefore, the opposition will be supporting the bill in light of the reservations that I have outlined in my speech.

Ms LIDDY CLARK (Clayfield—ALP) (4.42 p.m.): In commending this bill to the House, I speak not only as a parliamentarian but also as someone for whom this bill carries great significance. It is the unique perspective that derives from my experience as an actor, industrial officer and Smart State exponent. With such insight I can say through the prism of these perspectives that this is good legislation—legislation long overdue but nonetheless excellent.

Mr Deputy Speaker, in speaking to this bill, I beg your indulgence and that of the House to speak to those aspects of the legislation about which I am passionate. My passion for theatre, film and TV and its performers is well known and the changes in this bill that relate to this industry are ones for which I feel a great affinity. I had the privilege to work on this legislation prior to the 1998 election. Whilst I was already aware of the difficulties posed by the legislation, the matter was highlighted when I spoke to the director of Spotz Management. That conversation made it abundantly clear that great change was needed urgently to secure the future of the industry.

During the period following that conversation, I came to realise the great potential of the legislative function to create an environment in which the theatre and the arts could flourish. For those in the entertainment industry, it is finally recognition that artists of all ilk are legitimate, that their craft is worth no less than any other, and that like all other industries the workers need the union, need legislation and need protection. For the agents, it represents the opportunity to move beyond the artificial constraints of the old legislation and move into a professional and aspiring industry that will rival that of our southern counterparts whilst banishing the culture of exploitation that exists currently. It is legislation of legitimacy for the entertainment industry.

The Private Employment Agencies and Other Acts Amendment Bill will create an environment in Queensland where the interface between government and the arts industry, manifesting in the institutions of this legislation, will be truly conducive to building a smart creative arts industry in Queensland. To truly be the Smart State, Queensland must recognise that there are myriad industries that can be smart. Information technology alone is not the bastion of the Smart State mentality. Every state needs heart and soul and this legislation is a step towards ensuring that Queensland is passionate and vibrant.

As someone who has worked in the field, I can attest first-hand that the Private Employment Agencies Act 1983 was legislation that was written without an understanding of the peculiarities and requirements of the arts industry. It was also written in a time when creative industries were not recognised as a legitimate industry and when the entertainment sector was not valued. The net result of the legislation was artificial boundaries that constrained the arts industry and solidified the exploitation and corruption that was rife. Traditionally, the southern states had been the nexus of artistic activity and developed early an intrinsic understanding of the relationship between agents and actors. It is a symbiotic relationship: one cannot exist—or rather excel—without the other and without appropriate legislation both will suffer.

The impetus for this legislation dates back to 1993 when, funded and supported by Arts Queensland, a theatre summit investigated the industry and the resultant publication, *Employment opportunities for theatre workers*, highlighted the extent to which the exploitation was occurring and clearly defined key areas in which entertainment industry reform was required. In July of the same year—and I am talking 1993—VETEC called for public submissions for a review of the Private Employment Agencies Act. The discussion and submissions from interested parties during the review identified problems and mooted solutions that tally remarkably well with those addressed in this current bill. In a report prepared by the review manager in September 1993, a summary of reforms submitted by the various interest groups indicated that both entertainers and agents were calling for the same schedule of reforms. Correspondence from Arts Queensland supporting the employment working party publication also provides indisputable evidence of Arts Queensland's unequivocal support for the mooted changes.

The highlighted changes included the need for a schedule defining commission payable to the agent, commission payable as per industry standards, provision for records to be kept, a clear definition of agent and manager, corresponding schedules of responsibilities and the establishment of a tribunal to hear complaints and amendments to the current arrangements.

The point that I seek to make is that this bill has taken close on a decade to come to fruition. This is a long time for a bill for which the need was codified some 10 years ago. Importantly, the review also recognised that a cultural change needed to occur. The industry has peculiarities, and heart and soul are needed to ensure success and vibrancy—attributes that have not always been valued. In speaking to this bill, I am confident that the success of the legislation will reflect the recognition that a thriving creative industry's precinct will complement and broaden the scope of Queensland's development and provide an attraction that is unique and quintessentially Queensland.

It was the 1993 review report that provided the catalyst for the 1996 agents bill, which lapsed due to the change of government. That this bill addresses the same issues that were raised in 1993 is a testimony to the need for this legislation and also the changing attitudes towards the arts on the part of the government.

The most salient point for the entertainment industry was the provision relating to rates of commission. The repeal of section 32(1)(b) of the act removes one of the key restraints on agents in Queensland as identified in both the 1993 review and more recent consultations. In the current act, this section establishes that it shall not be lawful for a private employment agent to demand or receive any fees or charges or any expenses in any period extending after 28 days of employment by the actor. This provision gave rise to a situation whereby agents were forced to charge rates of commission in excess of that legislated for under the act in order to compensate for losses derived from employment that lasted beyond 28 days. Essentially, a culture of overcharging and exploitation of actors became accepted and agents of repute were reluctant to establish a base in Brisbane.

The amendments to the Industrial Relations Act 1999 introducing fee charging provisions bring Queensland into line with the national standards. For theatre, the 28 day clause will be removed and commission rates established at 10 per cent for the first five weeks and thereafter five per cent for the duration of the employment. Commercials shall be set at 10 per cent and film and television will be a flat 10 per cent rate.

This situation is one in which both the agent and the actor win. Workers will be protected against unscrupulous agents and enjoy the benefits of professional and experienced agents, while agents will be able to develop reputable practices free from the culture of exploitation which currently dominates the industry.

The amendments will also provide a clear schedule for the recovery of inappropriate fees for the procurement of work, bringing the industry into line with the remedies provided for workers in

other industries. Bringing Queensland into line with national standards will only serve to focus attention on our burgeoning creative industries and create an environment conducive to excellence in practice.

These amendments also recognise that the current legislation has not retained relevance to the myriad changes to the industry since 1983. The schedule of definitions failed to keep pace with developments in the industry and the subsequent ambiguity allowed discrepancies to develop. This bill will provide a clear definition of the roles, responsibilities and entitlements of industry stakeholders and establish a framework in which business can be conducted in a mutually beneficial manner.

The definitional ambiguity of 'agent' and 'manager' gave rise to conflict over whether agents could be remunerated by both the actor and the employer. The less scrupulous operators were able to ensure that the actor was paying commission to both an agent and manager, whilst the agent was collecting remuneration from both the actor and employer, often at rates well above those prescribed by the legislation.

Clause 32 of this bill introduces a new chapter 11A into the Industrial Relations Act 1999 and provides a comprehensive schedule of definitions and contractual arrangements for models and entertainers. These amendments will remove the ambiguity of the agent/manager relationship and set clear demarcations of responsibilities and entitlements. A key aspect is the provision that where an agent also performs the role of manager, the payment of fees will be subject to a written agreement between the parties. It also clearly establishes that an agent may not be inappropriately remunerated by both an actor and an employer. This clause is important as it represents the tacit understanding between actors and agents that if the 28-day clause is removed, then the exploitative culture of the industry must change.

Clause 32 inserts a new section 408D(2)(b), which establishes that fees as prescribed under regulations shall be of gross earnings excluding allowances, holiday pay, long service leave and superannuation, overtime and penalty payments and rehearsal pay. This was one of the key points identified by unions as a compromise for the extension of commission payments beyond the current 28-day threshold. This change will allow entertainers to retain, free of commission, those payments which are directly related to their capacity to participate in their employment whilst not creating any financial disadvantage to agents.

The reason this is such smart legislation is that it does bring Queensland in line with the national standards. Prior to this legislation, there was no incentive for agents to establish themselves in Brisbane. This legislation creates a level playing field for agents and actors in the national setting. Additionally, setting commission rates in line with other states creates a truly national standard that will remove the barriers to artistic development in Brisbane. Whilst the current legislation requires the registration of private employment agents, the high rate of non-registration combined with the fluidity of role definition meant that policing breaches of the legislation was difficult and made harder by the tacit industry acceptances of such exploitation.

Clause 13, which replaces current sections 18 to 26 with new sections 18 to 26, provides a stricter schedule of licensing. By providing a clear guide to industry guidelines and standards, the new act will remove the impetus and necessity for breaches of these guidelines. The bill provides clear and unambiguous guidelines as to what grounds exist for cancelling a licence and the procedures for dispute resolution and complaint hearings.

It has been 10 years since the original inquiry into the employment agents legislation and cabinet approval of legislation that is remarkably similar to the bill we have before us. The 1996 bill was the culmination of many months hard work by a group of dedicated industry figures and departmental staff. The bill they produced was an excellent piece of legislation, evidenced by the fact that much of it is replicated in today's legislation. The impetus for this bill lies in the agreement between the states and the Commonwealth and the need to ensure that the act does not breach the guidelines as established under the national competition policy.

Although fee charging provisions will remain in the Industrial Relations Act, the current act is due to expire in two years time. However, it is my passionate hope that this legislation will lay the seeds of a new artistic culture in Queensland, a culture that will breathe new life into the arts industry and establish an environment conducive to development of an industry that is not only excellent but, as I said before, is quintessential Queensland.

That this legislation was not codified in 1996 is testimony to the shameful manner in which the then coalition government chose to exploit this sector of the Queensland work force by using a petty political agenda to deny Queensland entertainment workers the right to protection under

this legislation. Upon taking office, the office of the then Minister for the Arts declared that the coalition was not interested in legislation developed under the Labor government. The 1996 bill was not about political points, it was about protection for workers—the eradication of exploitation and recognising creative industries. That the coalition used it for cheap political purposes underlines that there is only one party committed to workers, one party committed to creative industries and one party committed to the best interests of all Queenslanders, regardless of political colour—and that is Labor!

This legislation owes much to many people and I take this opportunity to publicly recognise them for their lasting contribution to the entertainment industry in Queensland. It is a legacy of which they should be proud. I also recognise Mark Hopgood and Eric Ewald, the pioneers of the original review, your work of the early nineties, whilst only coming to fruition now, provided the first glimmer of hope that entertainment would gain government legitimacy and secure a positive future in Queensland. Mr Anthony Lennon, the federal equity officer for the Media Entertainment and Arts Alliance and a great supporter of this industry; the Queensland Council of Unions, in particular Deborah Ralston, the industrial officer who has been an incredible advocate for this legislation over the last nine years; and all members of the review committee.

Ray Dempsey and Susan Parsons, who coordinated the current review—your determination that this would not just be good but be great legislation inspired a great excitement and sense of achievement. Mike Piccini from the department—this legislation is a tribute to your enthusiasm, dedication and amazingly hard work, which was duly noted. To Rosalie from the minister's office, your role in giving the entertainment industry back to itself will provide a new hope, inspiration and self-belief to the industry. I thank you and extend thanks to you on behalf of the many people who were inspired by your dedication, strength and advice. To the minister, the Hon. Gordon Nuttall, thank you for bringing this bill to the House—at last—and for allowing me to be a part of it.

May I conclude by saying that while the detail of this bill may be technical, the spirit of it captures the hope of a new dawn for the entertainment industry in Queensland and the culmination of much hard work and passion by the artists who have always been proud to call Queensland home. This legislation will allow us to grow as workers, performers and creative Smart State participants. To have had the opportunity to not only participate in the development of this bill but to speak to it in the House is to come full circle in my career and it is a privilege that I shan't forget easily. I commend the bill to the House.

Hon. J. FOURAS (Ashgrove—ALP) (4.58 p.m.): I am fortunate to be following the member for Clayfield in this debate, because we all know that in her previous life she was an actor and industrial officer for Actors Equity. I understand her passion. The first bill I spoke to in this House was a bill on superannuation. I had spent many years in the public sector unions arguing for the measures coming in. They were clothes stolen from Labor Party policy.

In this case, the member for Clayfield has highlighted the sheer bloody-mindedness of the former Borbidge government with regard to actors and the entertainment industry. How fortunate we are that she replaces the former member, because she is a passionate advocate for the arts and the need to value the entertainment industry, which makes a substantial contribution to who we are and our quality of life. The member for Clayfield also brings a sense of equity and justice for actors and workers in the entertainment industry to this House. She fully understands from lifelong experience the level and personal cost of the exploitation of artists. Her contribution should be taken with a deal of pride.

Aldous Huxley said that mankind or womankind has an enormous capacity to do wondrous things. All that is required is a modicum of intelligence, goodwill and cooperation. The member for Clayfield and all of the other people she mentioned who are responsible for this legislation have shown those attributes—intelligence, goodwill and cooperation. Today we are happy to be debating this overdue legislation.

I am pleased to rise in support of this bill. It is the result, as the member for Clayfield said, of extensive consultation and independent review. These amendments are designed to protect workers in the entertainment industry from unscrupulous managers and agents and to provide a streamlined process for those people seeking registration as an employment agency.

The Industrial Relations Minister, Gordon Nuttall, is to be commended for bringing these amendments to the House at last. Agents who charge fees for bogus attempts at procuring employment for models, actors and other entertainment industry hopefuls will now come under renewed scrutiny. The legislation is necessary because current laws do not adequately address

modern working arrangements, such as contract work, agreements for entertainers or models, or the roles and responsibilities of agents and managers within those industries.

This bill is titled the Private Employment Agencies and Other Acts Amendment Bill. We have a new chapter in the Industrial Relations Act with respect to fee charging. With regard to fees, agents for models and entertainers will continue to be allowed to charge a fee for finding work for their clients. Generally, the fee will be 10 per cent of the gross amount payable to the client—a figure that is considered fair and reasonable.

Managers in these industries, who will not be restricted in respect of fees, will have to meet strict criteria with regard to their future roles and responsibilities. Both agents and managers will have to provide written details of the nature of their work and payments, including the stated fees. Importantly, any fee charged by an agent for finding a person work must take into account the minimum wage for that industry.

The new amendments will also streamline the processes and costs of approving licences for potential private employment agents. The process will come with strong safeguards but with the removal of the costly bureaucratic red tape and time-consuming paperwork. Where necessary, agent applicants, and any complaints against agents, will now be referred to the new Employment Agents Advisory Committee—a matter that was well canvassed by the member for Clayfield. The Employment Agents Advisory Committee will be made up of representatives of employment agents, workers and government appointees. It will oversee the industry and be able to refuse an application or cancel a licence. The advisory committee will also be required to draw up an industry code of conduct addressing issues of training, discipline and record keeping. The new laws will help employers and workers in the industry get on with creating jobs. They also will ensure that adequate safeguards are in place to screen applicants and not tie up valuable police and court resources—resources that could be better directed elsewhere.

The Queensland government and its agencies will benefit significantly from this legislation. They will benefit because the legislation will greatly reduce the compliance and administration burdens faced by the government as well as those burdens thrown up in the past for members of the industry. The independent review included a public benefit test, which ensured that the cost and benefit implications of the legislation, from a public interest perspective, were fully considered. Obviously, this legislation will be beneficial. The level of accountability means that taxpayers will not miss out on the benefits of the legislation, which is in the best interests of the industry and entertainment workers and their families.

In relation to the process of licensing, current legislation affecting private employment agents will expire two years after the commencement of the amendments introduced by this bill. The two-year expiry period has been proposed to give the industry time to adjust to the changes. I think that is adequate time to adjust. The more simplified licensing process will, however, be introduced immediately and will remain in place for the entire duration of the expiry period. Importantly, the improved processing will mean that business partnerships and corporations will be permitted in the future to hold licences in their own names. Current licences will be recognised and continued in force under the new system.

This will remove the unwieldy system which currently operates where a third party, often an employee, is nominated as the licence holder and where a costly application process must be started all over whenever the licence holder ceases employment. These measures will effectively meet the needs of the entertainment industry and its workers.

I reiterate my sheer joy at following the member for Clayfield in this debate. It is good to see the true passion and dedication to the arts of the member for Clayfield. I commend her presence in this House also.

Interruption.

PRIVILEGE

Queensland Thoroughbred Racing Board

Mr HOBBS (Warrego—NPA) (5.06 p.m.): I rise on a matter of privilege suddenly arising. I wish to inform the House that today the chief executive officer of the Thoroughbred Racing Board was sacked. This is in accordance with the minister's request to the Queensland Principal Club and, more recently, to the Thoroughbred Racing Board. This action is clearly political interference in the administration of the racing industry in Queensland and contrary to the minister's assurances to the Australian Racing Board.

In statements made to the House this morning and last week the minister went to some trouble to try to convince this House that there had been no political interference in the appointment of the Queensland Thoroughbred Racing Board. Today's action by the hand-picked nominee of the minister clearly confirms the concern of the industry about this minister's interference.

PRIVATE EMPLOYMENT AGENCIES AND OTHER ACTS AMENDMENT BILL

Second Reading

Resumed.

Mr MALONE (Mirani—NPA) (5.07 p.m.): I rise to speak briefly on the Private Employment Agencies and Other Acts Amendment Bill. Private employment agents are an integral cog in the employment wheel of Queensland. A good employment agent can make or break the career of a young Queensland job seeker. The passing of this bill will attempt to ensure that young and old Queenslanders will have adequate protection from unscrupulous employment agencies.

There have been some important changes in the employment landscape over the last few years. In particular, there has been a significant increase in the number of employment agents. This is the result of the Commonwealth government contracting out the operations of the former CES to private, public and community organisations as part of its Job Network. This has meant that the responsibility for professional assistance in finding employment for job seekers has increasingly fallen onto the shoulders of small agents. This bill takes into account these changes and attempts to address them.

The bill imposes a new licensing process on employment agents. The idea is to allow the granting of licences to become more efficient and less cumbersome. This is achieved by allowing the organisation to hold a licence on behalf of several branches rather than having to hold a separate licence for each branch. The new processes will also allow companies to hold the licence as principal rather than requiring an individual to hold a licence on behalf of the company.

The bill will endeavour to improve the quality and operation of the licensing of private employment agents in Queensland. However, the bill generally does not impact on the level of employment in the Queensland economy. Unemployment in Queensland is one of the most important issues facing the state. We have now had the highest unemployment rate in mainland Australia for the last 19 months. This is significant. The latest ANZ job ads indicate that the number of job advertisements in Queensland dropped by 8.6 per cent from last month. The fact is that the government is not doing enough to generate new employment opportunities in this state.

The cornerstone of a government's plan to generate new employment is its capital works program. That is true right across Australia. This government obviously has no real plan for capital works. The government, for the first time in 13 years, has decreased the capital works outlays on a budget-to-budget basis. Without a strong and viable capital works program, we cannot create an environment in this state in which business can flourish and employment can be created.

This government has also failed small business. Small businesses, of which private employment agents are an integral part, are the biggest generators of new employment in this state. If the government had a plan, it would treat small business with the importance that it deserves. We have already heard the cries of small business and associations such as the Queensland Chamber of Commerce and Industry plead to the government to include small business in its Smart State vision. Any vision for the prosperity of the state that does not fully include small business cannot be that smart! Without a thriving and dynamic small business sector, the private employment agents of the state will be faced with a lack of new and exciting positions that are available for young and older job seekers.

The government claims to have spent $280 million on generating employment in this state. That, in anybody's terms, is a very significant amount of money for very little impact. Throughout Queensland we see industries in crisis. Members would be aware that the sugar industry is now on the brink of collapse, and it has been that way for some time. Unfortunately, the farmers have suffered sustained low prices and are continuing down that track. This government is big on talk but it disappears when it comes to action time. The government's answer to the crisis in the sugar industry was to establish, two years ago, a $10 million loan program.

Madam DEPUTY SPEAKER (Ms Liddy Clark): Order! I draw the attention of the honourable member to the need to make his comments relevant to the bill.

Mr MALONE: I am talking about employment.

Madam DEPUTY SPEAKER: And I am listening.

Mr MALONE: From August 2000 to the current time, the government has issued nine loans totalling $60,308 out of the $10 million allocated two years ago. This is a tragedy for the industry. If the cane farmers of Queensland manage to lift themselves off the floor this time, it will be no credit to the government.

The only relief the sugar industry has had in recent times has not necessarily come from government but from the hands of the Reserve Bank of Australia. The bank's recent decision not to increase interest rates was a positive one for the industry. The viability of farmers is extremely sensitive to changes in interest rates. However, with the prospect of the global economic outlook improving, the impetus for interest rate increases is building. If the Reserve Bank begins a cycle of upward adjustments of interest rates, then farmers will be forced into an already tough financial environment.

In principle, the coalition supports this bill. There have been no major stakeholder complaints regarding this bill, and I think in general it will make the process of employment agents placing Queenslanders into jobs more efficient. This is good for those unemployed persons around the state—see, I talk about employment!

Madam DEPUTY SPEAKER: And their agents.

Mr MALONE: I conclude my remarks by reiterating that the current government's approach to unemployment is not good for job seekers. As I have said, it has no plan for capital works, no plan for small business and no interest in helping those farmers who are doing it tough. As a result, we have continued to have the highest mainland unemployment rate for the last 18 months. I commend the bill to the House.

Ms JARRATT (Whitsunday—ALP) (5.14 p.m.): It is with pleasure that I rise in support of the Private Employment Agencies and Other Acts Amendment Bill 2001. As we have already heard, the bill has received very favourable support from the entertainment industry. This was due in no small way to the high level of consultation that was carried out in conjunction with the drafting of this important new legislation. As important as that level of public consultation was, there are other checks and balances which must also accompany legislation such as this to ensure that the people of this state get the very best laws they deserve. I specifically refer to the financial and other implications of governing acts.

A review of the Private Employment Agencies Act was conducted by an independent reviewer. This independent review included an important public benefit test which was undertaken in accordance with National Competition Policy guidelines. This process ensured that the cost and benefit implications of the legislation from a public interest perspective were fully weighed and considered and made accountable before proceeding to the next step. This level of accountability and due diligence means that Queenslanders can be sure that the legislation is in their best interests. It is in the best interests of the industry and it is in the best interests of entertainment workers. It also will bring benefits to the government and its agencies in freeing up resources that can be better deployed elsewhere. It bears repeating that police and magistrates will be free from the bureaucratic demands of the previous legislation. In other words, they can direct their time and resources to matters of greater urgency.

I would also like to highlight a number of important issues contained in the review which relate to the current licensing of private employment agents. It was determined that the current licensing regime imposes significant net compliance and administrative costs upon the industry and government without any significant benefit to job seekers. Private employment agents incur direct financial costs in their efforts to comply with the necessary licensing requirements imposed by the act. Applicants for new licences are liable to pay a $354 application fee and, following the granting of a licence, are required to pay an annual renewal fee of $178. In addition, applicants for licences must also place a comprehensive notice of their application in a Queensland-wide newspaper. They then suffer even further costs relating to their appearances before industrial magistrates as required and the completion of necessary paperwork.

Compounding this is the fact that partnerships or corporations cannot hold licences in their own names and must nominate a person to be the holder of the licence on their behalf. In many cases, the nominated person is an employee of the partnership or corporation. In this regard,

where the nominated person leaves for whatever reason or a new nominee is required, an entirely new application must therefore be made, with all the associated costs outlined above and time-consuming processes applying.

In addition to the costs associated with the lengthy processing of applications for licences and then the annual renewals, the primary costs to the government are associated with referral of applications to the Magistrates Court. These referrals result in increased delays in processing the application but, more importantly, cause delays to criminal and civil actions which may be before the courts.

A major concern with the application process is the amount of time and resources tied up by the Police Service and Magistrates Court. Police officers often spend considerable time in researching records and locating and interviewing applicants. Under the current legislation, the Magistrates Court must request a police report on the character, reputation and previous conduct of every applicant. Although the costs to the government are offset to some degree by revenue raised through the licensing fees, it is considered that the time-related costs associated with the work required of the Police Service, magistrates and the court systems outweigh any monetary benefit otherwise received.

As a result of the findings of the review, a number of recommendations were formulated and submitted to the government for its consideration. The government approved the implementation of the recommendations by way of the bill now before the House.

I highlight these procedures and their costs to stress to members the necessity of the changes contained within the legislation. I believe all members should support the bill because of these reasons and, importantly, because of the time and cost saving that will flow on to all Queensland workers and taxpayers. I commend the bill to the House.

Mr SHINE (Toowoomba North—ALP) (5.19 p.m.): I rise to cover a few points in relation to the Private Employment Agencies and Other Acts Amendment Bill. I will deal with the definition of a private employment agent. I will touch on the background of the history of the legislation and the context in which Queensland finds itself. I will highlight some of the defects addressed by the thorough review that was carried out. Then I will deal with some aspects of the bill that have not as yet been touched on.

A private employment agent is not a labour hire firm. I think that should be established at the start. A private employment agent usually procures employment for persons seeking it, procures employees for persons seeking to employ others and places job seekers in employment. The usual practice in the general employment area is for the employer to be charged a fee for that service, while theatrical and entertainment agents charge a fee from the performer. Some model agencies are understood to levy a charge on both employer and job seeker. In the theatrical and entertainment areas, the term 'agent' may indicate a more intensive degree of representation over a much longer time frame than in the general employment agency area.

As has been mentioned, prior to the introduction of this bill an extensive review was carried out. The process of that review consisted basically of an independent reviewer, Mr Dempsey, being appointed to carry out that function. In other words, it was an independent review. Of course, he was assisted by the officers of the Department of Employment, Training and Industrial Relations as it existed at that time. He in turn engaged a consultant qualified in the area, one assumes, to carry out a public benefit test. That consultant was Allen Consulting Group from Sydney.

Submissions were invited from a range of people including licence holders, members of the public, industry representative groups, unions and employers. As has been mentioned by a previous speaker, advertisements were placed in the *Courier-Mail* throughout the state, personal notifications were given to licensees and so on. The review officer and Allen Consulting Group independently undertook consultation with key stakeholders. In other words, the process of the review was quite extensive in terms of those from whom comment was sought. The terms of reference were fairly wide. They state in part—

3. The Review will address all aspects of private employment agencies regulation in Queensland in accordance with the National Competition Principles Agreement in an independent and transparent manner.

The terms of reference also stated that the review would give full consideration to the Queensland government priority outcomes, among which were more jobs for Queenslanders, better quality of life and strong leadership. Clause 5(1) of the National Competition Principles Agreement were to be noted and the review was to be carried out subject to them. That is, there

was to be no restriction on competition unless it could be demonstrated that the benefits of the restriction to the community as a whole outweighed the cost and the objective of the legislation could only be achieved by restricting competition. In other words, the normal national competition principles were to be applied.

Another term of reference was that social welfare and equity considerations, including community service obligations, were to be taken note of. The unique geographic and community diversity of Queensland was also to be taken into account. The review was also to take note of what happens in other jurisdictions and, of course, the impact on employment. That list is certainly not exclusive, as the terms of reference were in fact quite extensive.

The purpose or objectives of this amendment can be briefly summarised thus: to phase out the Private Employment Agencies Act 1983 over a two-year period and to cease at that time licensing requirements and controls; to establish a simplified system for licensing agents during the phasing out period; to establish an Employment Agents Advisory Committee to oversee the expiry period and to formulate a draft code of conduct; to transfer provisions protecting work seekers from being charged inappropriate fees for obtaining employment to the Industrial Relations Act; and to include specific provisions in the Industrial Relations Act governing agents in the modelling and entertainment areas.

It seems to me that the intent of the legislation is really to move with the times. What, then, has been the history of this legislation in Queensland? The first legislation on the topic was brought in by the reforming Ryan government of 1915, being the Labour Exchanges Act of that year. This commenced legislative attention with respect to the licensing and regulation of employment agents. No further attention was given to the matter until 1946, when the Labour and Industry Act of that year came into force with similar provisions.

Shortly after, the advent of the Commonwealth Employment Service, set up by the Chifley Labor government, led to a policy in Queensland of not renewing existing licences or not issuing new licences. Notwithstanding that, by 1963 there was demand in the industry itself for a continuation of the licensing system, and the Labour and Industry Act was amended to reactivate the licensing and regulation provisions. The 1963 legislation was replaced by the 1983 act, which in turn was amended in 1985 to allow theatrical performers and model agents to charge applicant employees a prescribed fee. Very briefly, that is the legislative history of the matter.

The context in which the Queensland legislation sits can be viewed by looking at what applies in other states. Very briefly, similar provisions existed over the years in other states. Of course that has now changed considerably. Internationally, however, there are in existence three International Labour Organisation conventions which govern the area of employment agents. Those ILO conventions were C34 in 1933, C88 in 1948 and C96 in 1949. C34 required member states to in fact abolish fee-charging agencies within a period of three years and to not issue new licences during that period. I suspect that the action of the government in 1946 in Queensland followed on from that convention, which had by that stage been in place some 13 years, but of course the war had intervened.

Convention 88, adopted in 1948, required the establishment of a free public employment service with specific duties and functions. Of course, the Chifley Labor government in 1948 established the Commonwealth Employment Service, again in accordance with the International Labour Organisation convention adopted in 1948. No doubt one of the driving forces with respect to the introduction of the Commonwealth Employment Service, as well as its following the International Labour Organisation convention, would have been Dr Evatt, bearing in mind his association with the United Nations as its president.

Convention 96, which was adopted in 1949, revised the 1933 convention and determined that it would be complementary to the Employment Service Convention, C88 of 1948. Again, there was a requirement that member states abolish fee-charging agencies within a period of three years and not issue new licences. In terms of the world trend, at least in the 1930s and 1940s, in order to comply with International Labour Organisation conventions, Australia basically had to get rid of private employment agents altogether. One can see from a brief examination of the history of things how that was adopted in Australia by both federal and state Labor governments.

Turning now to the defects in the current situation as made known by the reviewer, Mr Dempsey, he indicated that the current system was one involving a lot of waste of time and money by people within the industry. It has already been mentioned that there were expensive

general application fees and expensive renewal fees, so the process at the moment is a costly one. Not only that, it ties up the Industrial Relations Department itself because it has to apply resources to the proper regulation and licensing of these agents. As well as that, the courts, and the Magistrates Court in particular, spend an apparently inordinate amount of time dealing with these matters, as does the police force, which has to prepare its various reports when an application for a licence is lodged.

There is no industry input at the moment into who gets a licence or what the criteria for the grounds of a licence should be. The process itself would appear to be far too rigid. Mr Dempsey, the independent reviewer, said—

> The current system should change as it contributes little, apart from the deterrent value of having a formal licensing system in place.

His further criticism was—

> There is wide criticism of the Department's administration of the current system. Among the criticisms are the allegations that the Department does not make any real effort to enforce the current legislation, and that in the seventeen years since the current Act commenced in 1983, the Department has not been effective in the area of prosecution ... I am advised that only three cases have involved such action since 1989, the only successful prosecution being a case that was not defended.

In other words, what we have here is a law which was never enforced for good reason because it did not meet the needs of the time.

Time beats me, but in conclusion I want to summarise the points contained in the bill. As has been revealed to the House, the review ensured that the cost and benefits of the legislation from a public interest perspective were carefully considered. That review highlighted the range of financial and time impediments thrown up by the current laws, impediments which impact on taxpayers as well as the entertainment industry and its workers. The police and magistrates were particularly mentioned in the review as agencies experiencing problems with the existing legislation.

Finally, I hope, as does everyone here tonight, I am sure, that the code of conduct and the self-regulation, if you like, of the industry will be successful. There is a desire within the industry to become more professional and to be respected accordingly. The establishment of the advisory committee and the code of conduct will provide an efficient mechanism for dealing with agents and acting on the complaints of their clients. The setting up of the new committee will ensure that people who are experienced in all facets of the industry will monitor the process and its outcomes. This legislation deserves our strong support.

Mr WELLINGTON (Nicklin—Ind) (5.33 p.m.): I rise to speak to the Private Employment Agencies and Other Acts Amendment Bill 2001. In the minister's explanatory notes tabled with the bill it was noted that the object of the bill was to provide for the licensing and related operational requirements of private employment agents and to ensure that employers are not charged inappropriate fees by agents for the procurement of employment. I note that clause 9 of the bill omits section 12 of the Private Employment Agencies Act 1983, which provides that a person is not entitled to refuse to comply with requirements by inspectors that they answer questions or produce documents on the grounds that the answer or production would tend to incriminate them. The section further provides, however, that any answer given or matter produced shall not be admissible in evidence against the person in proceedings for an offence if they are given or produced under protest. I certainly do not support the intent of the clause of the bill.

I also note that clause 20 of the bill inserts proposed new sections 36 and 37. Proposed new section 36 effectively declares persons, including corporations, to be guilty of offences committed by their representatives which, in the case of corporations, includes its executive officers. Proposed new section 37 also obliges executive officers of a corporation to ensure that the corporation complies with the provisions of the act and provides that, if the corporation commits an offence against the provisions of the act, each executive officer also commits an offence. I acknowledge that both clauses 36 and 37 provide grounds upon which liability may be avoided, and these are essentially that the person took reasonable steps to ensure compliance and/or to prevent the offending act or omission or that the person was not in a position to influence the conduct of the relevant person or corporation. As the Scrutiny of Legislation Committee noted, proposed new sections 36 and 37 effectively reverse the onus of proof, as under the law a person generally cannot be found guilty of an offence unless he or she has the necessary intent. In this regard, I support the minister's attempt to stop unscrupulous private

employment agents sheltering behind employees or corporations and for the effective enforcement of this legislation.

I next want to comment on clause 29 of the bill which amends section 319(2) of the Industrial Relations Act which deals with the representation of parties to provide that, where such a proceeding is brought before the commission or is subsequently remitted by the commission to an industrial magistrate, no party to the proceedings may be represented by a lawyer. In this regard, I draw members' attention to page 22 of the Scrutiny of Legislation Committee's *Alert Digest No. 1 of 2002* where the committee comments on this section. In this regard, I draw members' attention to a typographical error where reference is made to section 139(2) of the Industrial Relations Act when instead it should have been section 319 of the Industrial Relations Act. Also in the Scrutiny of Legislation Committee's *Alert Digest No. 2 of 2002*, at page 23 a typographical error occurred again where reference should have been to section 319 and not section 139.

I understand that under the bill the worker or his agent or another person is permitted to be able to appear and represent the party while a lawyer is not. I ask the minister when he sums the debate up to please clarify and explain why a worker is prohibited from having a friend represent them simply because the friend is a qualified solicitor, yet if that friend is a union representative and has also completed a law degree or a combined law degree he or she is able to appear. In speaking to this clause, I acknowledge the intent to provide a less formal process for the hearing of a claim. I certainly support the general intent of this bill, although I do have reservations with some clauses contained in it. I will take the matter further during the committee stage.

Ms KEECH (Albert—ALP) (5.37 p.m.): The changes the Private Employment Agencies and Other Acts Amendment Bill bring to the process of licensing employment agents are substantial and significant, as we have heard from other government members this evening. The electorate of Albert has one of the highest population growths in Queensland. It attracts new residents from interstate looking for work. Therefore, many of my residents regularly use employment agencies. I am therefore happy to support the bill because the bill promotes open and accountable processes for supervision provided by a new committee of industry and government representatives. The committee's operations will help ensure critical state resources such as the services of police and magistrates can be directed to where they are most needed.

The public interest will, to a large extent, be safeguarded by the new disclosure measures required of agents seeking to be licensed. The current provisions that provide protection for those persons seeking work from being charged inappropriate fees by private employment agents will be retained and transferred into the Industrial Relations Act 1999. Given the nature of the industry, special flexible provisions will remain for workers within the modelling and entertainment industries and their agents and managers. Processes will be provided for the purposes of recovering illegal fees that are charged by agents in contravention of legislation. These processes will include avenues to recover inappropriate fees without the necessity of formal prosecution action and the associated standard of proof required in criminal court cases. As the member for Whitsunday reminded us, prosecution action will continue to be available where necessary. These recovery processes will mirror those that apply in the cases of unpaid wages recovery. As with the recovery of unpaid wages, an application may be made to the Queensland Industrial Relations Commission or to an industrial magistrate for an order for the repayment of any fee found to be received by an agent in contravention of the legislation.

Many young people in Albert aspire to work professionally in the modelling or entertainment industry. Given the competitive nature of such work, in most cases it is essential for these young people, if they want to be successful, to sign up with an agent. On the Gold Coast there is a quite large number of such agencies. In speaking to young people who have used these services, I am informed that in general these agencies are very professional. They hold full briefings for potential clients. In particular, they ensure that if the client is under 18 parents attend such briefings. In addition, all costs, commissions and wages are clearly stated in writing during these briefings and, I am happy to say, information is provided about unions and clients are encouraged to join the relevant union.

The situation will continue whereby an agent may receive a fee from a model or performer for finding the person work; however, certain stipulated conditions must be met. These conditions include provision that a fee must not be more than that prescribed under the act and that the agent must provide written details regarding the nature of the work and related payments. Regardless of any fee charged, the provisions of the bill ensure that the model or performer will

be paid at least the amount payable under an applicable industrial instrument. Where an agent contravenes these provisions, proceedings for the recovery of fees as outlined earlier will apply.

Legislation recognises the fact that many agents in the modelling and entertainment industries also act in the capacity of client manager. Accordingly, an agent who is also a manager of a model or performer will not be restricted in respect of fees charged. In other words, the agent who is also a manager of a worker may charge a fee in accordance with a written agreement with a model or performer. Of course, this depends on the agent providing a minimum number of management services for the model or performer. This service must be ratified by way of a written agreement with a model or performer.

The type of services that qualify as management services are clearly set out in the legislation. I, like other speakers today, in particular the member for Clayfield, highlight the fact that extensive consultation and provisions of the bill have been undertaken with key industry stakeholders. This was a vital phase in the process of legislation, and I am sure members are aware that all parties consulted have expressed support for the bill and the important legislative changes it introduces.

These changes will address concerns that have existed for many years over the operation and effectiveness of the current legislation for the benefit both of private employment agents and workers. The bill will reduce the administrative burdens faced by industry operators and the government. In addition, the bill also provides for a technical amendment. I shall comment briefly on the amendment to the Trading (Allowable Hours) Act 1990 introduced by this bill.

The amendment in question relates to a provision in the act concerning a number of traditional activities permitted on Anzac Day, namely, the conducting of race meetings and race betting. The amendment is necessary because of legislative changes that have occurred affecting both race wagering and the operation of TAB Queensland. The amendment is made for the purpose of completeness and maintains the current situation where TAB offices and agencies can operate on Anzac Day for the purposes of race betting.

Given the protection the bill provides, particularly to young people entering the modelling and entertainment industries, I congratulate the minister, the Hon. Gordon Nuttall, on bringing the bill to the House and I commend it.

Mr STRONG (Burnett—ALP) (5.44 p.m.): From the start I point out that there has been comprehensive consultation with key industry stakeholders on the provisions of the bill. Consultation is a critical component in developing any legislation and is a key principle of the Beattie Labor government.

Honourable members: Hear, hear!

Mr STRONG: I am happy to hear that members agree with me, but I am also happy to hear that the consultation on this bill proved extremely effective. The minister has already revealed to the House that all parties have expressed support for the bill and for the comprehensive range of important legislative changes it introduces. These changes will address a number of concerns that have existed in relation to the operation and effectiveness of the current legislation. Of course, there are obvious benefits both for private employment agents and Queensland workers.

The Queensland government and its agencies will also benefit significantly from the legislation, because it will greatly reduce the compliance and administration burdens faced by the government as well as those burdens thrown up in the past for members of industry. The objective of the bill is to amend the Private Employment Agencies Act 1983 and the Industrial Relations Act 1999 and to implement the recommendations of the independent review of the Private Employment Agencies Act. A technical amendment to the Trading (Allowable Hours) Act 1990 is also implemented by the bill. The principal objects of the Private Employment Agency Act 1983 are: to protect employees from being charged inappropriate fees for seeking employment through a licensed employment agency—

Mr McNamara: That's vital; we have to do that.

Mr STRONG: I take the interjection from the member for Hervey Bay, because he obviously has grave concerns about what this bill will cover and help.

The second object is to determine the fit and proper suitability of an applicant for the licence to operate as a private employment agent. Although the act was identified for review for national competition policy purposes, it is also considered necessary to review the legislation to address a number of problems that arose with its operation in contemporary times.

In this regard, significant issues were identified as needing legislative change. These include the fact that the current application process for a licence to operate as a private employment agency as well as the renewal process for existing licences are overly complex. They also involve the imposition of significant costs on both the industry and the government.

Another major problem centres on the lengthy and time-consuming involvement of industrial magistrates and police officers in the licensing process. These agencies are necessary under the current act for the purposes of vetting applicants. Indeed, the fit and proper determination of licence applicants has proven onerous to all concerned and has resulted in inconsistencies and time delays in the processing of applications. I am sure that most, if not all, members in the House would believe—and I believe the member to my right also believes—that Queensland police and magistrates have more important tasks to perform. I am sure that the general public also believe this.

Added to these concerns is the fact that the legislation does not cover adequately many contemporary working arrangements such as cases where contract work may be performed. A need also exists to modify the legislation to better address the operation of agents and managers within the entertainment and modelling industries and to ensure adequate protection for workers within those industries.

These are all major concerns and are all overcome by the amendments contained within this legislation. The legislation is well designed and reflects the consultation carried out extensively before its introduction here. I commend the bill to the House.

Mr FENLON (Greenslopes—ALP) (5.49 p.m.): It is a great pleasure to speak in support of the Private Employment Agencies and Other Acts Amendment Bill 2001. In doing so, I join the member for Clayfield as being perhaps one of only two members of this House who have worked on the industrial side of the entertainment industry. In fact, I worked for the Musicians Union of Australia in the 1970s. That was quite an experience. I am also very pleased to see that the member for Clayfield follows a tradition of people in that electorate being involved in the entertainment industry. It is very clear that the previous member for Clayfield was in fact a complete clown, while the current member for Clayfield is the complete actor.

So we see some continuity there. The entertainment industry is very complex and very difficult to organise and regulate appropriately. My recollections of the industry in the 1970s is that it was certainly very chaotic and extremely complex legally. Musicians and other such people in the entertainment industry have the capacity to work under any number of legal arrangements in any one day. For example, a musician could enter into a straight partnership commercial arrangement, could be an employer, could be a sole contractor, or could be an employee in various permutations and combinations all in the one day, all in the one week. So the difficulties for those individuals were indeed quite diverse in terms of finding the appropriate instruments and the appropriate contractual arrangements to track each of those employment relationships. Indeed, the industry is renowned for having people who are very peripatetic, who are very versatile in the arrangements that they might enter into—some people might be singing in one band and be covered by various awards and arrangements and also be playing an instrument in another band on the same day or in the same week and be covered by other awards and arrangements. So it is an extremely complex area.

In those days I am sure also that the industry, because it was so deregulated, was also—not to put too fine a point on it—perhaps a front for other activities, particularly tax evasion and other money processing activities that organisations and clubs and suchlike were able to get away with. I am very sure that that is also a reason why over the decades the area has resisted organisation and industrial regulation. The industry has also been renowned for having some very, very shonky operators in terms of agents and other people associated with the infrastructure for this industry. Leaving that aside, it is also important to point out that there are also very good, sound people who operate within this industry as well. But the reason we have to bring in legislation such as this bill is the reality that over many decades people have taken advantage of a lot of other people in this industry. They have been extremely exploitative and have got away with a hell of a lot in terms of taking money off people who love their occupation, who love the entertainment industry.

This legislation is very important. I describe is as dream legislation. In fact, the minister must have had a dream to bring into this place such a refined piece of legislation. People have dreamt of this legislation for years. Over the past 10 years, even in my capacity, musicians and entertainment industry people have come to me with a range of issues that they have not been able to resolve. They have simply been ripped off by agents and have not been able to find

redress because the contractual arrangements just did not exist and the legislative framework, the safety net, was not in place.

I am very pleased that this legislation puts that framework in place. It does that by separating a lot of the functions that are a part of the arrangements between agents and their clients. Those elements include, for example, the provision for obtaining employment, setting up the contracts in the first place, establishing the appropriate agent's fees for their clients, and also in the instance where they provide management fees for their clients. These are very distinct functions and it is important that they be set up with appropriate rigour in terms of the contracts and capacity for those contracts to be enforced so that employees receive an appropriate award wage and that the fees are taken rightly when they are deserved by a manager or agent for the various services that they perform.

The only other matter that I would like to comment on is the committee that is to be set up to oversee the arrangements contained in this legislation. That committee will be charged with the very important role of ensuring that this legislation works. The committee will adjudicate on licence applications. It will also formulate a code of conduct and oversee various disputes. The committee will be required to resolve some very complex arrangements and to set standards that the industry should follow. It is important that this committee does not become cumbersome and that it be very responsive. A lot of people's livelihoods depend on getting money through their work from agents, et cetera, promptly. One of the important aspects of this legislation that I trust will be reviewed very closely by this committee is that contracts are enforced and that people have their money in their hands quickly so that they can get on with their work and their lives. This legislation is important. I commend the minister for bringing it to the House. I trust that many employees within these very important and growing industries—the entertainment industry in general—benefit greatly from this legislation.

Ms STRUTHERS (Algester—ALP) (5.57 p.m.): Generating secure jobs and making sure that the most disadvantaged job seekers in the labour market get jobs are major priorities for our government. Whilst staying focused on the big picture—the need to promote and attract industry to Queensland, the need to make sure young people are learning or earning, the need to intervene directly with programs such as Breaking the Unemployment Cycle program—our government must also oil the wheels that are moving each day to assist individual job seekers into work and maintain their security when they are in work. Private employment agencies are one of those wheels. They now have a much more substantial role in the labour market and job placement industry than ever before.

This bill primarily tidies up the licensing arrangements for private employment agents and introduces an employment agent's advisory committee to better manage complaints against agents and adjudicate on licence applications. This committee will also formulate and monitor a code of conduct for agencies. Therefore, it is very worthy of bipartisan support. I commend the minister, Mike Piccini and other departmental officers, trade union members and others who have had some input into this bill. It is good legislation.

I do not want to repeat the comments made by the minister and other speakers tonight. However, I seek the indulgence of the House for a moment to talk about employment agencies more generally, particularly the emergence of the competitive Job Network, funded primarily by the federal government. There are significant flaws in the federal government's competitive Job Network and the main losers are the long-term unemployed. It is particularly important that state and federal governments give teeth to codes of conduct for private employment agencies to ensure that their practices are helping all clients of their agencies but particularly are giving a fair go to people who have greater difficulty in sticking up for themselves.

In a report on the Job Network in July 2000, the Australian Council of Social Services acknowledged that a significant share of disadvantaged job seekers received little assistance while on 'intensive assistance' from private agencies, some public agencies and some of the non-profit agencies in the system. They suffer from the so-called 'parking tactic'. Hard-to-place job seekers are given initial job support by the employment agency, enabling the agency to pick up federal payments, but they are 'parked' with agencies, forgoing their access to a final outcome payment because it is all too hard to actually get them into ongoing work. This is grossly inadequate for a government funded system that must tackle the protracted unemployment and poverty that millions of Australians are enduring.

Members may be aware that the Minister for Employment, Training and Youth, Matt Foley, has handed me the baton to actively promote the needs of mature-age job seekers, and I am very keen to continue doing that. Sadly, a large proportion of the long-term unemployed who are

lost in the too-hard basket in the federal government's Job Network program are over 45 years of age. The federal government must put mechanisms in place that require these agencies to get rid of their too-hard basket and to ensure that the most disadvantaged job seekers get the jobs and the job security they so desperately need.

As I said earlier, I commend the minister for doing his part at the state level to make sure that private employment agencies are doing the right thing. I encourage him to make sure that this code of conduct and the system built around it have significant teeth to really bite hard on people who are not doing the right thing. I commend this bill to the House.

Mr ROBERTS (Nudgee—ALP) (6.03 p.m.): I am pleased to say a few words about the Private Employment Agencies and Other Acts Amendment Bill. The regulation of private employment agents has been in existence in Queensland since 1915. During that time, a quite rigid and onerous licensing system evolved which, like many arrangements, was not really compatible with contemporary practices and advances in the industry. That is obviously the case in many other sectors as well.

After an extensive review, which included a public benefits test under national competition policy, a number of problems and a number of opportunities for modernising the regulatory regime in the industry were identified. In terms of national competition policy reviews, I have taken the opportunity to speak on national competition policy in this place on a number of occasions and have been critical of various aspects. However, one element of national competition policy that I believe is an important and sensible one is the requirement for governments to review legislation under the public benefits test, principally to determine whether the benefits of the current regulations outweigh the costs. That is an important and necessary role of government, which should be undertaken in an ongoing fashion.

The implementation of national competition policy has required governments to focus a lot of attention on this aspect and we are seeing some quite positive outcomes. One good example, I believe, is the national competition policy review of liquor licensing, particularly in relation to retail sales. It is important to recognise that while many people have raised concerns about national competition policy, many aspects of it are contributing significantly to improving the regulations and legislation which govern our state.

The Beattie government was significant in instigating quite dramatic changes to the implementation of the public benefits test, particularly in allowing the government to have more say in the application of that test and the implementation of outcomes. Some of the more significant issues raised in the review of the industry were as follows. There was very strong criticism within industry of the onerous nature of the licensing procedures and this bill, in effect, deals substantially with that matter. Also, there was very strong support for continuing the protections provided to job seekers against the charging of fees for work placements.

The outcomes proposed in this bill are: firstly, to phase out the existing licensing requirement over a two-year period with a possibility of extending the licensing arrangements for a further year, if required; secondly, to establish an Employment Agents Advisory Committee, with a principal role of developing a code of conduct for the future regulation of the industry, and to oversee a simplified licensing arrangement over the next two-year period; thirdly, to ensure that provisions which protect work seekers from being charged inappropriate fees are retained by transferring them to the Industrial Relations Act.

One of the key roles of the advisory committee is to determine how the code of conduct will be implemented at the end of the two-year period. That code will contain provisions relating to the standards of competence and training required of agents and also disciplinary procedures. A key question that the committee will need to determine is whether the code of practice should be included in legislation or stand alone as a document—which, in a sense, will be a self-regulation document within the industry. After the two- or three-year period—whatever it turns out to be—the answer to that question will largely be determined by our experience of these transitional arrangements.

There are a number of other provisions in the bill which deal with issues covering models and, specifically, the entertainment industry. That has been ably covered by the speakers who have preceded me, particularly by the member for Clayfield, who dealt with that issue in some detail. I congratulate the minister on bringing these reforms to the parliament which will, in effect, modernise the regulatory arrangements applying to this sector.

While I am on the topic of employment related matters, I will take the opportunity to advise the House that 16 members of the Zhongshan Construction Bureau from China are currently in

Queensland. These 14 men and two women are all professional architects and engineers and they are in Queensland on a training program that has been put together by the Department of Public Works. I have been advised by the Minister for Public Works and Minister for Housing that this is the second full-fee paying visit by the construction bureau to Queensland. An initial delegation was here in December last year.

Zhongshan is a city of 1.3 million people in southern China, and the construction bureau manages and delivers building projects for that city. The latest training program taps the expertise of the Department of Public Works in handling public sector construction projects. Topics covered include the management and maintenance of government assets, project maintenance for building and construction, the regulation and evaluation of tenders, and contract management. The development of government projects and case studies of existing projects are also considered to be part of the program.

This latest visit by the Chinese delegation again highlights the fact that the skills of our Smart State and individual departments, such as Public Works, are indeed recognised internationally. This training initiative is a case of Smart State policies in action, fostering export development built on the intellectual property that exists within the state government.

I am pleased to advise members that the delegation will be at Parliament House on Thursday for lunch in the Speaker's Courtyard. All members are welcome to come along and meet the members of this important delegation to Queensland. With those few words, I commend the bill to the House.

Mrs DESLEY SCOTT (Woodridge—ALP) (6.09 p.m.): I rise to support this bill and do so with considerable interest in the private employment agencies sector. The regulation of private employment agencies has been in vogue since 1915, with various changes leading up to the introduction of the Private Employment Agencies Act 1983, which requires applicants to undergo considerable checks involving police and industrial magistrates and imposing significant costs in application and licensing fees. The independent review recommended that the present act be phased out over two years under the watchful eye of an advisory committee. The provisions to protect work seekers will thus be transferred to the Industrial Relations Act 1999.

I note that special provisions will be introduced governing agents in the modelling and entertainment industry, one which is particularly close to my heart, having three sons all of whom are professional musicians and entertainers and a daughter-in-law in the fashion industry who hires fashion models. Until one reaches the very high echelons of the entertainment industry one is viewed by many as not having a real job. Honourable members should try getting a home loan if they say they are a professional musician. I am particularly pleased to see measures in place to address issues relating to this industry and its professionalism. I find many in the arts are very happy for they are following their passion, and they require protection and respect.

In my electorate I view the employment agencies as playing a vital role. I recently met with two representatives from Nova Employment, a not-for-profit organisation which focuses on people with disabilities and special needs who are considering entering the work force. This is a wonderful organisation and I applaud the work it does. For people who find it a challenge to identify their skills and the area in which they might be suitable as employees and then prepare a CV and overcome some of the obstacles they might face, Nova is there to guide them in all aspects and give support throughout the process and into their period of employment. So many of our people with various disabilities have amazing skills which rightly should be channelled into the appropriate area, be it in a voluntary capacity or in the paid work force. The personal satisfaction gained by getting up each morning and being needed is great. I hope to see Nova engaged more and more in my area to accomplish this vital task.

However, there is another vital aspect to the whole employment industry which has taken on an important role in my electorate. Rather than having just one set of narrow guidelines, our government has diversified programs to address employment issues and catch in the net a very wide range of prospective employees. One very important scheme which results in a very high rate of full-time employment is the Community Jobs Plan. Such organisations as BoysTown LinkUp and Logan City Council have been responsible for many projects using local people, many of whom are young people, to work on our parks and gardens, streetscaping and a number of innovative school projects, such as the large rotunda at Berrinba East Primary, which is the focus for all manner of happy school events.

At present, BoysTown LinkUp is involved in a project at our multicultural neighbourhood centre where it is doing major building renovations and learning some very diverse skills. Many of

these projects also make a major contribution to the amenity of our community. The electorate of Woodridge is a hive of activity, with hundreds of volunteers out and about every week performing an interesting range of activities. Through this avenue some of my volunteers are introduced into the paid work force.

I am here today to declare that, if there is any truth in the saying that the health of a community is gauged by how it treats its most vulnerable citizens, my community is indeed a very healthy one. A few weeks ago the Endeavour Foundation in Kingston sent out the word that it was planning a workathon on Friday, 12 April, and was inviting the community and organisations in the area to join them. They had decided to clear the scrubby bush thick with lantana at the back of their centre so they could establish a community garden.

Debbie Kingston at Endeavour made contact with local organisations and set about planning the day with her workers, volunteers and client families. The young clients at Endeavour also helped in the planning and decided that money raised on the day from sponsorships should go towards assisting a young person to attend the Special Needs Games. The centre had earlier established a vegie garden, which was always a popular activity with the clients and so it was decided that an enlarged garden would prove to be a great community asset.

When I called at the centre mid-morning, the scene that met me was truly amazing. A hundred or so people were engaged in various activities. Some gathered in groups enjoying the social activity while having a break. Down into the bush area a chainsaw buzzed, someone else was using a whipper snipper, and an army of volunteers and supporters was using scythes, picks, mattocks, rakes and hoes to hack out the undergrowth.

The Endeavour clients thoroughly enjoyed the experience also and were down helping to remove the undergrowth, emerging with armloads of branches and lantana to pile on the mountain of greenery being prepared for mulching. The obvious joy on their faces was something to see. Our local community radio station, FM 101, did an outdoor broadcast on the day and the music created a party atmosphere, with a number of clients on their feet enjoying a dance. Special guest of the day was Ross Wilson, well-known and well-loved entertainer, who happily chatted to all present, signed CDs and did an on-air interview. Might I add that the local state member took advantage of the photo opportunity.

Among the community workers were representatives of BoysTown LinkUp, Youth and Families Services, Logan Youth Connections, Booran Park Neighbourhood Centre, Cultural Solidarity, Murri Network and our community renewal groups. Local police, Annette Turner, our Logan City Council Visual Arts Coordinator, and Diane Mason from Logan TAFE also joined the throng. A number of local businesses, such as the Logan Tree Specialists, volunteered their time. It really was an extraordinary demonstration of true community spirit.

The day started out at 7.30 with the young people cooking breakfast. After a morning of hard effort, the workers were treated to a kup Murri lunch organised by our Cultural Solidarity group, which they thoroughly enjoyed. At last count, some $3,500 was raised by sponsorship and will mean that one young athlete will be assisted to attend the Special Needs Games.

When this project is completed it will bring a great deal of satisfaction and joy not only to the Endeavour Foundation workers and clients but also to this entire community. Working together brings out the very best in people and this has been a wonderful opportunity for my community to let Endeavour know we care and really appreciate the work they do. I commend each and every person who took part in this outstanding event. It was a lot of fun. A lot of bush was cleared and, most of all, new partnerships have been forged. Once again, my community has demonstrated why I believe living and working in Logan is such a unique and special experience.

This bill reflects a more effective mode of operation for this industry and has been prepared following rigorous consultation with both private employment agents and workers. I am happy to support the bill and commend the minister and his staff.

Mrs SHELDON (Caloundra—Lib) (6.18 p.m.): There has been a need for the Private Employment Agencies and Other Acts Amendment Bill. When in government we were also looking at this issue. The bill seeks to implement the recommendations of an independent review of the Queensland Private Employment Agencies Act 1983, or the PEA Act. The PEA Act provides for the licensing of private employment agents in Queensland, regulates various aspects of their operations and protects people seeking work from being charged inappropriate fees for placement in jobs.

This amendment bill will provide for the phasing out of the PEA Act over a two-year period, at the end of which licensing requirements and other legislative controls over the operations of

private employment agents will be removed unless that expiry period is extended and the minister thinks it should be. It will also provide a simplified licensing process to operate during the phasing out period, removing the requirement for an inquiry before the industrial magistrate, the need for police reports and other identified difficulties.

It will also provide for the establishment of an Employment Agents Advisory Committee to oversee the expiry period and to formulate a draft code of conduct for the future regulation of agents and for the transfer of provisions currently contained in the PEA Act protecting people seeking work from being charged inappropriate fees for placement in employment to the Queensland Industrial Relations Act 1999, including the introduction of specific measures governing agents in the modelling and entertainment areas. A reasonably unrelated amendment of a technical nature to the Queensland Trading (Allowable Hours) Act 1990 is also part of this bill.

This bill makes special provision for people in the entertainment area and for models. In the entertainment area, agents tend to charge models or performers for the service and, particularly in the case of models, both the work seeker and the employer. That has been dealt with in the bill.

A review was undertaken of the Private Employment Agencies Act. It was identified for national competition policy review because it contains licensing restrictions. An independent consultant was engaged to conduct a public benefit test assessment of reform options in accordance with Queensland Treasury public benefit test guidelines, and those findings were considered by the review. While the main focus of the terms of reference for the review was upon NCP, they also incorporated issues regarding the contemporary operation of the legislation. The final review of the Private Employment Agencies Act 1993 was submitted to the Queensland government in November 2000.

There has been an increase in the number of private employment agents seeking registration over recent years, particularly since May 1998, when the Commonwealth government relinquished its function of finding work for those people seeking employment through the Commonwealth Employment Service and contracted the service out to private, public and community organisations as part of the Job Network scheme. Many of those employment agents and agencies have done a very good job, particularly those run by charities and, in some cases, as offshoots of various churches, particularly their welfare arms.

The public benefit test assessment, feeding into the wider review process, took the view that the PEA Act should be repealed and the licensing of agents be removed. It concluded that self-regulation was the better approach. The assessment also favoured lifting restrictions on charging fees to people who were looking for work. However, the review report's recommendations were more moderate, and they leaned toward a two-year phasing out period of the PEA Act and the retention of legislative provisions protecting people looking for work from being charged inappropriate fees.

As at 13 October 2000, there were 885 licensed private employment agencies in Queensland. Criticisms have been made in submissions to the review about certain licensing procedures. This needed to be reviewed in terms of cost, time and complexity—the cost to the agents and also the cost to the government. There was widespread support for continuing to protect people looking for work from being charged fees for work placements, and a number of bodies from the entertainment industry sought more specific provision and greater flexibility for agents of models and performers.

As to the question of self-regulation, as I have just mentioned, it was regarded overall that the best way to do this was to phase it in over a two-year period because it was not felt that the agents would be educated enough to self-regulate straightaway. I think there is a measure of truth in that. Although it has been going now for a few years, some of these agents were new to the field. Hence, putting in a self-regulatory regime may not have been the best way to review this.

It has been alleged that some agents charge inappropriate fees for finding work for job seekers. As I understand it, that has always been illegal and should not be done. The IR Act would be a good place to incorporate provisions concerning fees charged to models and performers. Measures to facilitate the recovery of improperly recovered fees by employees in civil proceedings will also be introduced. I support that concept.

It is worth noting that under the definition of private employment agents, labour hire companies are deemed not to be private employment agents as the company is the employer of

the person placed. Contract labour is also beyond the scope of the act. The review report found that there was confusion over the application of the PEA Act to agents of performers because of the nature of the industry and the fact that many agents are also managers. It was considered that a new definition of private employment agent was required, particularly to make the position clearer for those types of relationships.

A number of issues have been covered that I will not cover again because I think that would be needless repetition. However, I will raise a couple of points that are of some concern to me. Proposed new section 37 provides that executive officers of corporations will bear responsibility for ensuring that the corporation complies with the PEA Act. If there is evidence that the corporation has committed an offence, each of them will be taken to have committed the offence of failing to ensure compliance. Defences will exist to allow an executive officer to prove that they took all reasonable steps to ensure compliance or they were not in a position to influence the conduct of the corporation. In relation to proceedings for an offence against the PEA Act, persons, including corporations, can be made responsible for acts or omissions of their representatives—for example, executive officers, employees or agents—acting within the scope of the representative's authority.

A defence will be provided if it can be shown that the person could not, by the exercise of reasonable diligence, have prevented the act or omission. It is most important to concentrate on the word 'reasonable'. While the buck always stops with the person at the top, sometimes employees in particular act against the explicit wishes or mission statement of their employer. I think it is a bit rich if the employer does not have adequate provision to put their side of the case and to say that this person had acted outside the normal practices and directions of that agent or employer. I seek the minister's comment on that. We should be preventing unscrupulous agents hiding behind employees, agents or the corporate veil, but it has to be fair. I hope that this act will perform in that manner.

Clause 16 of the amendment bill inserts proposed new part 3A into the PEA Act establishing a six-member Employment Agents Advisory Committee. It will contain representatives from the private employment agents industry and from employee organisations, an officer of DIR and an independent person who is also the chairman. I ask the minister to explain how that person will be selected and by whom. It is very important that it is seen to be independent, as there will be a representative of government, if you like—from DIR—from employers and from employees.

The committee's main task during the phasing out period—which will most likely be two years—will be to develop a draft code of conduct for the industry and to determine how it will be implemented. The public benefit test assessment report included an example of a code of conduct—the code of professional conduct—to which Recruiting Consultants Services Association, RCSA, members are bound. That code deals with matters such as client confidentiality; honest and truthful information, including advertising; full disclosure of fees, charges and services; dispute resolution; discipline of members; and non-solicitation fees. Of course, private agencies contracting with the Commonwealth Government to provide services under the Job Network program are bound by the principles and service standards of the Job Network code of conduct through their contact with the Commonwealth Department of Employment, Workplace Relations and Small Business. Already, many agents in Queensland are therefore subject to licensing under the PEA Act and the contract monitoring process of the Commonwealth government. As I said before, I am pleased to see that restrictions on agents charging people looking for work fees for finding or attempting to find work will remain. I think they should remain, because there are certain rules that must be kept and followed.

Finally, I raise a concern I have with the amendment of section 319, relating to representation of parties. I will be asking the minister about this during the committee stage, but I would like his comment in his speech in reply to the second reading debate. Clause 29 amends section 319 to specify that legal representation will not be permitted, even with the parties' consent, in the Queensland Industrial Relations Commission in proceedings relating to a claim for the repayment of a fee received by a private employment agent. This will apply also where the commission remits the matter to an industrial magistrate for hearing.

My understanding is that an employee may have a representative such as a union representative present and that that union representative can be a lawyer. He is employed as a union representative, but his training is legal. If the employer cannot have a similar representative, that creates a problem. I agree with the concept that there is no need for lawyers, per se, to be at such a representation. It just increases costs and causes, quite often, unnecessary delays. But there must be fairness. So if the employee is able to have the services

of a legally trained employee of a union, then so indeed should the employer be able to have the same level and form of representation. In many of these situations, a case can be argued in more detail by a lawyer. They have the training to do so whereas an ordinary individual does not. I would like the minister's comments on how fairness will be given to both sides of the argument. The Liberal Party will be supporting this bill, with the qualification of an explanation of clause 29.

Mrs MILLER (Bundamba—ALP) (6.31 p.m.): I rise in support of the Private Employment Agencies and Other Acts Amendment Bill 2001. The Private Employment Agencies Act was enacted for two reasons: firstly, to protect employees from being charged fees considered to be inappropriate for simply seeking employment through a licensed employment agency; and, secondly, to determine the suitability of an applicant for a licence to operate as an agent pursuant to the act. This is a fit and proper test that I am somewhat knowledgeable of, being a former registrar of justices of the peace in Queensland.

A comprehensive review of the act and its operations and administration was undertaken by an independent reviewer, and the recommendations have been incorporated in this amendment bill. It was clear from the review that the current application process and renewal processes were overly complex and cost far too much for industry and government. This amending bill will ensure that the red tape will be cut.

In other words, the processing of applications and renewals took a long time, were tied up in red tape and involved a lot of rigmarole for government and industry. I am sure that most members of the community would rather have more police officers on the beat than researching police records and locating and interviewing applicants pursuant to the current act. I am sure that most community members want their criminal and civil actions expedited through the courts, rather than being delayed due to the referral of applications to the Magistrates Courts.

Registry office staff of Magistrates Courts will no doubt be pleased, because it decreases their workload. These officers, I might add, do a great job for Queensland and are often the unsung heroes of the Justice Department. The new Employment Agents Advisory Committee will improve the present system. The committee will also formulate a code of conduct after the expiry of the current legislation.

I know first-hand of the difficulties and frustration of the processing of applications, particularly where a fit and proper test is applied. As registrar of justices of the peace I was responsible for the processing of tens of thousands of such applications, and it is time consuming and frustrating for the applicant and the public servants involved. In government, wherever we can streamline the process and cut red tape, such as in this amendment bill, we should do so. I commend the bill to the House.

Mr CHOI (Capalaba—ALP) (6.34 p.m.): I rise in the House today to offer my support to the Private Employment Agencies and Other Acts Amendment Bill 2001. Once again this government is doing its best to protect Queenslanders and also to provide a more efficient legislative framework for the employment agency industry. The Private Employment Agencies Act 1983 provides for the licensing of private employment agencies in Queensland and regulates the conduct of their operations. All private employment agents must be licensed, and it is illegal to act as an agent otherwise.

Many employment agency operations are covered by the act, ranging from clerical placement agencies to executive and industrial temporary assistance agencies. In the entertainment area, agents tend to charge models or performers for their service or, particularly in the case of models, both the work seekers and the employers. Honourable members would know that people in the entertainment and modelling industry tend to start at a very young age. This is of particular concern to me. I have three children and it worries me to think that there are young Queenslanders only a few years older than my children who are open to exploitation by some unscrupulous managers and agents in the industry.

The amendments contained in the Private Employment Agencies and Other Acts Amendment Bill 2001 include a new chapter in the Industrial Relations Act 1999 regarding caps on service fees to protect Queenslanders. It means that agents for models and entertainers will be allowed to charge a fee of only up to 10 per cent for finding work for a client. Any fee that is charged must be in addition to the minimum wage for the industry. This stops agents from deducting large sums of money and leaving entertainers with a wage below the minimum level that should be paid. Managers in these industries will now have to meet strict criteria regarding their roles and responsibilities, and both agents and managers will have to provide written details of the nature of their work and payment, including their fee.

I cannot claim the same level of fraternity with the entertainment industry as the honourable members for Clayfield and Greenslopes, but I can say to the House that I spent my childhood in a recording studio as my mother was an opera singer. Let me inform the House also that whether they are in Latin or Chinese they are just as difficult to understand!

Ms Male: That explains your beautiful singing voice.

Mr CHOI: Thank you. In relation to private employment agents the current application process is quite complex. A separate licence is required for each premises, and it is illegal to carry on a business as an agent at another place. The licensee must be a natural person, not a body corporate or a partnership. In the latter case, a person has to be appointed to hold a licence on behalf of the entity. Each time the nominated person leaves a new application must be made, with the associated costs of application being incurred. One can imagine what a nightmare this is for an industry with a high turnover of staff. There has been understandable criticism from stakeholders about the complexity of the existing system. I therefore congratulate the minister for rising to the challenge of making the system a fairer and more workable one.

Concern has also been expressed about the financial burden imposed upon applicants for initial and annual licences by the current licensing regime. While the application process generates over $200,000 in annual revenue, there are significant costs to the government through needing to refer applications to an industrial magistrate. The current process ties up the resources of the Magistrates Courts and those of the Queensland Police Service, as police officers are required to spend time researching records and interviewing applicants to prepare a report.

As recommended by the review, a phasing out period will be introduced by this act. Partnerships and corporations will now be able to hold a licence in their own names, rather than the licensee having to be a natural person. There is still to be a departmental licensing officer to administer the licensing process. On receiving an application for a licence the officer must promptly consider the application and grant the licence unless the officer reasonably believes that the applicant has contravened the Private Employment Agencies Act or laws concerning inappropriate fees for finding work for work seekers or has in the last five years been convicted of a serious offence.

There will also be the establishment of an Employment Agency Advisory Committee. It will contain representatives from the private employment agents industry and from employee organisations. The primary role of the committee during the phasing out period will be to formulate a draft code of conduct for the industry. The many changes made to the Private Employment Agencies Act 1983 by these amendments will make for a fairer, more workable system that protects agents and their clients respectively. I therefore commend this bill to the House.

Mr WILSON (Ferny Grove—ALP) (6.39 p.m.): It is my great pleasure to rise in support of the Private Employment Agencies and Other Acts Amendment Bill 2001. Many speakers in the debate this afternoon have spoken about the particular features of this amending legislation, and I do not intend to canvass all of the details of their contributions. However, there are a couple of general observations I want to make in connection with private employment agencies. As I understand it, the statutory regulation of private employment agencies has been in place in Queensland since 1915 or thereabouts and the act being amended by the bill before the House today is one that was enacted in 1983. So this state has had a long tradition of statutory regulation of the work of private employment agencies.

Parallel to the work of private employment agencies, until recent years at least, at a federal level there has been a strong, independent and effective role by the public sector in assisting people to obtain employment. I refer specifically to what was once the Commonwealth Employment Service which, if I recall correctly, was one of the initiatives established by the Chifley Labor government after the Second World War. It has a very long and proud tradition in helping Australians, not just Queenslanders, find employment.

The issue of job placement, the current language used when talking about trying to find jobs for unemployed people, is made a lot easier if we can initiate at a macro level policies by government that foster a strong state economy, which we are doing here in Queensland, that foster strong job growth and which embrace the philosophy of labour market programs as illustrated with the Breaking the Unemployment Cycle initiative introduced by the Beattie Labor government after the 1998 election. Those labour market programs have a significant impact upon improving the opportunity for a whole range of people to obtain employment. Those

programs are being promoted in conjunction with jobs growth initiatives and the development of a strong state economy. The most recent initiative at a macro level was the announcement of the education and training reform package proposed by the Beattie Labor government which is being put through what would have to be described as unprecedented community consultation.

The success of those types of initiatives reduces the burden of trying to put people into employment. As I see it, we can never really get away from the necessity for a strong and direct involvement by the public sector in job placement, and I refer to the old Commonwealth Employment Service model or some modernised version of that public entity playing a critical role in the job placement industry alongside the effective and well-intentioned initiatives and efforts of a number of private employment agencies together with not-for-profit organisations, which also do good work in this area.

My interest and concern about the continued role of a strong public sector in finding work for people was triggered most recently by reading an article in the *Sydney Morning Herald* over the weekend that foreshadowed the imminent dismantling of Employment National. For those people who might not recall, Employment National is the current form of what was once the core component of the Commonwealth Employment Service.

Mrs Attwood: And certainly not as good.

Mr WILSON: And certainly not as good. I take the interjection from my colleague, who spent 16 or 18 years, if I recall correctly, working in the Commonwealth Employment Service.

If Employment National is closed down, as this newspaper article foreshadowed, that would mean the closure of the last chapter of public entity involvement or some version of public entity involvement in job placement for Australians. No more would we see even the remains of the old Commonwealth Employment Service. Despite the best endeavours of some not-for-profit organisations and some very good private employment agencies working in this field, the sad reality is that there are many people who will have their real employment needs addressed only by a public sector entity. I am talking about those with special needs, those young workers with disabilities of various types and the mature-age unemployed—that is, the different types of workers for whom it is not easy to fit within the available jobs in the economy. The CES had a proud history of doing absolutely everything possible to find work for these people.

It can be readily accepted that any government structure or organisation needs to be periodically put under review and maintained in a modern state and streamlined in order to be efficient and effective, and no-one would argue that the CES should not have been subject to that sort of scrutiny and review. Whatever public sector entity we have, it should undergo that sort of rigorous discipline. As I say, the difficulty is that in the now virtually wholly privatised private employment industry there are a whole range of different workers whose real needs are not being addressed and, in my view, will never really be effectively addressed until the federal government reinstates significant funding and resources into a nationally operated, well-coordinated and disciplined public sector job placement agency.

The efforts of the federal government under Mr Howard since 1996 demonstrate a belief that job placement is a task that can be wholly and effectively completed by agencies in the marketplace—that is, effective job placement can be driven by the profit motive of private agencies working in the industry. They can do a significant amount of work, and they do as I have said, but they will never completely and effectively address the long-term unemployed and those with special needs and disabilities. I call upon the federal government to lift its game and to acknowledge the needs of people who need a strong public sector to help them find employment and to also get the necessary training to find that employment. The federal government should in fact review and seriously consider reinstituting a modernised version of the Commonwealth Employment Service, and it should start with Employment National as the core for rebuilding an important public entity that we can all be proud of.

Mr LEE (Indooroopilly—ALP) (6.48 p.m.): I wish to briefly address the House about the Private Employment Agencies and Other Acts Amendment Bill 2001. My comments will be brief because this bill is not only sensible and much needed but also clear in its drafting and easy for the public to understand. Quite frankly, it is to the point. The bill implements the recommendations of a review of the Private Employment Agencies Act 1983 and amends both the Private Employment Agencies Act 1983 and the Industrial Relations Act 1999.

The legislation is required to address national competition policy issues, and there has been extensive community consultation. This consultation has been conducted not only with government departments but with industry stakeholders. The independent review recommended,

first, that the act be phased out over a period of two years and that a simplified licensing process for private employment agents be implemented. It recommended the establishment of an Employment Agents Advisory Committee to oversee the expiry process and formulate a draft code of conduct for the future regulation of agents and also the immediate transfer of provisions protecting workers from being charged inappropriate fees by agents for the procurement of work to the Industrial Relations Act 1999.

These suggestions have been incorporated into the bill, and I believe that its passage will result in reduced costs to the government. I am delighted to commend the minister and his department for their efforts. It is a pleasure to support the bill.

Ms MALE (Glass House—ALP) (6.51 p.m.): I fully endorse and support the bill, especially the section relating to modelling and entertainment agencies. The concrete steps to clean up the industry are long overdue. As members may know, for a number of years I worked in the modelling industry—as an accountant for a modelling agency I hasten to add, not as a model.

Mr English: I can't believe that.

Ms MALE: Thank you for your positive encouragement. Due to the fickle nature of the industry, most models, like sportspeople, have only a short period in their careers to earn top wages. It can be a cut-throat business which preys on the vulnerability and insecurities of people. Whilst many of the agencies are very supportive of their models, there have been instances where payments have been taken unfairly and where money has come out of people's pay. It is good to see that in the future that will not happen.

This bill is a very sensible, well thought out piece of industrial relations legislation. It is in stark contrast to the latest wave of Howard government industrial relations legislation, which seems hell-bent on undermining workers' rights and entitlements. The fact that the Howard government is willing to impose new taxes such as the air travel levy in order to fund the payment of workers' entitlements just underlines that government's thinking on industrial relations. Rather than enforce a scheme whereby businesses pay out workers' entitlements when a firm goes under, the Howard government would rather tax the public.

Mr English: Unless it is in relation to John Howard or Costello.

Ms MALE: That is exactly right—unless, of course, John Howard's brother is on the board of directors of a company which goes under. Then the money comes out directly from consolidated revenue. Howard has promoted another Liberal zealot, Tony Abbott, to replace the disgraced and discredited Peter Reith in order to drive this second phase of industrial relations laws. Like Reith, Abbott comes from the school of winner takes all and the ends justify the means. Abbott has not yet resorted to balaclava-wearing security guards and Rottweilers, but give him time. I am sure he has a few nasty tricks up his sleeve. After all, he was the apprentice to Reith before Reith became so hopelessly mired in his own incompetence and dislike for the truth that even Howard, who normally sticks to his ministers no matter how bad they are, eventually had to cut him loose. Abbott is so obviously ambitious for the top job that he is willing to use any vehicle to promote himself over any other aspirants.

Mr English: Just like Santoro.

Ms MALE: Exactly. His latest vehicle is the unfair dismissal laws, which he is painting as the bogeyman for small business. If they are such a hindrance to small business, why is Abbott prepared to let them stay in place for big business? One would think that the Liberal Party is keen to remove all obstacles for big business. After all, the big end of the town is the Liberal Party's natural constituency. Big business was 100 per cent behind the GST. Why does the Howard government not return the favour by dismantling the unfair dismissal laws for big business as well?

If these laws are holding back businesses, the Federal government must look at simplifying the system for all businesses. However, I am not advocating that the federal government should junk the whole unfair dismissal laws. Quite the contrary: there should be laws to prevent businesses sacking workers unfairly. When governments draft legislation, such as the bill we are debating, we always must legislate to the lowest common denominator. I am sure that most businesses, whether large or small, value their employees and try to do the right thing by them. However, there is a small band of unscrupulous employers who will use any means to make a profit, including denying the rights of their employees. Unfortunately, there are employers who will sack a junior employee because they are about to progress into the senior wage band. Unfortunately, there are employers who will threaten to sack employees who will not do unpaid overtime.

Unfortunately, there are employers who will rip off workers' entitlements in order to continue living the good life. We have seen it before and we will see it again, and it is disgraceful. That is why we need some form of unfair dismissal laws for all businesses. Certainly reform the laws if they are too complex and time consuming, but keep the underlying principle that workers should not be sacked unfairly or at the whim of their employer.

This legislation, the Private Employment Agencies and Other Acts Amendment Bill, is a good example of amending laws to make them simpler but retaining the underlying principles and safeguards. Some of the important changes include simplifying the licensing process, establishing an Employment Agents Advisory Committee and creating of a code of conduct for the regulation of private employment agents after the expiry of the current legislation.

I am pleased that the minister has undertaken comprehensive consultation with key industry stakeholders and that they have expressed their support. I commend the bill to the House.

Mr ENGLISH (Redlands—ALP) (6.56 p.m.): I am extremely proud that the Labor Party has introduced this bill. This is key Labor Party business. It includes the belief of equity—of fairness. That is quite often missing in business negotiations. It is important to acknowledge in some cases the basic imbalance of power in business negotiations. A few examples spring to mind. A couple of years ago I built a house. The standard BSA building contract is such that if there is a dispute the poor consumer has to argue the matter before trying to get back their money. If one goes to the builder seeking changes to such clauses, the builder will just say, 'No, sign it as is or find yourself another builder.' Quite often in business negotiation there is a significant power imbalance, and this bill addresses this.

Another industry example of this power imbalance is the chicken meat industry where, again, a number of producers and processors put a lot of pressure on chicken growers to sign a contract, to 'take it or leave it; we have other people lined up who want to grow chickens.' Some of the clauses in these contracts are absolutely horrific. They contain penalty provisions and out clauses such that the processor can sack a chicken grower if conditions A, B and C are not met. I am aware that with a number of these contracts there are clauses where quite lawfully the processor can sack a chicken grower for no reason and where contracts were legally binding because due consideration was given. Due consideration! That is a fallacy. This is an industry where there is a major power imbalance. The chicken producers go to the poor chicken growers and say, 'Take it or leave it; we have others lined up.'

It is important to acknowledge that the free market system is comfortable with a high level of unemployment. This Beattie government is not comfortable with a high level of unemployment, because while there are high levels of unemployment workers compete against other workers who are prepared to trade off conditions. The opposition might be comfortable with high levels of unemployment because it works for the big end of town, but this Beattie Labor government is not comfortable with it and is working towards lowering levels of unemployment.

This power imbalance is indicative in a number of industries. I have referred to two—the building industry and the chicken meat industry. The purpose of this bill is to address this power imbalance in the arts and entertainment industry. During the review of this industry it was highlighted that the licensing process for a private employment agent was deemed onerous on both the industry and the government, without any real, tangible benefits to job seekers. As such, a simplified licensing process has been proposed. In the past, only real human beings or individuals could own licences. A partnership or a business could not own a licence. That is no longer the case. If a person moved on from a company, that business would then have to reapply for its licence, because person 'A', who is an employee of that business, owned that licence.

In terms of flow-on costs to such a business, this simplified licensing process is very good. It will lower costs and will make it much simpler because corporations and businesses can hold licences. I am sure that the business side of industry will applaud this initiative.

The applicants will still be required to provide details of their intended operation and personal details about themselves so there can be various checks made on the licence holder. Of course, if it is subsequently found that the granting of a licence was based on incorrect information then, of course, there are penalty provisions that will allow that licence to be withdrawn.

Crucial in this process of resolving disputes will be the establishment of the Employment Agents Advisory Committee. Again, this committee represents good Labor Party policy of providing balance. On that committee are two representatives from the private employment agents industry, two representatives of the employees—the workers—an independent

chairperson and a government representative. This committee will balance the competing concerns of the employees and the employers. The committee will also make determinations in relation to licence applications and where required examine complaints against agents. The committee will also provide recommendations to licensing officers in relation to any action that may be necessary against private employment agents, including the cancellation of their licences.

The third issue that I would like to pick up on in relation to this bill is that it allows for fees to be charged. However, it caps fees at a reasonable level. This is an important aspect in redressing the power imbalance in some of these negotiations, because the employment agent can put pressure on the employee and say, 'If you want this job, I am going to take 20 per cent. If you want this job, I am going to take 30 per cent.' That puts the poor model or the poor actor in a difficult position. Does he take the job and lose a huge cut of pay? This legislation caps the fee at 10 per cent. So I see this as an effective tool in correcting this power imbalance. As I have said numerous times during this speech, this bill implements the key Labor principle of a fair go for all and I commend the bill to the House.

Debate, on motion of Mr Cummins, adjourned.

ADJOURNMENT

Hon. G. R. NUTTALL (Sandgate—ALP) (Minister for Industrial Relations) (7.01 p.m.): I move—

That the House do now adjourn.

Philippine Banana Imports

Ms LEE LONG (Tablelands—ONP) (7.02 p.m.): I rise to inform the House of a great concern in rural and regional Queensland about the future of our agricultural activities and our communities. Last Friday, I attended a rally in Cairns organised by banana industry workers to protest against the possible importation of Philippine bananas. I was honoured to be invited to address the rally, an estimated crowd of around 1,000 people who, I might add, turned out on a wet north Queensland day. These were, I believe, good and decent Queenslanders—average Australians, the sort of people who are happy to work for a living and have the chance to make something of their lives for themselves and for their families.

Speaker after speaker at this rally clearly identified some core issues, including the fact that the banana industry was not at all alone in its concerns and that the future of our rural industries and communities is under grave threat. That threat is not only from imports but also from a wide range of economic, social and structural changes that have all been brought about in the interests of globalisation and trade liberalisation.

This rally also triggered two events that I found very interesting: one was the Minister for Primary Industries finally speaking out in support of this major Queensland industry. This happened only the day after I had already spoken in this place about this exact issue. The interesting thing was the federal minister involved, Mr Warren Truss, saying that campaigning by anyone, that is, by industry representatives, by farmers, by workers, or by rural communities, would play no part in the assessment of whether Philippine bananas would be allowed into this country. He stated that this specific issue of the importation of Philippine bananas was going to be decided on science.

I hope this is not the path of the future. To deny the people in this supposedly democratic country a say in a government decision that could affect their entire community is far removed from the government of the people, by the people and for the people. Whatever happened to the idea that elected representatives paid attention to the wishes of the people? As for all the wondrous things that this free trade mantra is supposed to do, I do not know who it is good for, because on Friday the people who are the heart of this state were matching through the streets trying to defend their jobs and their communities. They are the people who live in rural Australia, who work in it, who shop in it, and have their children in it—at least where their hospitals will still admit them. They want their children to grow up in country Australia, to be educated there, and have a rewarding life there.

They are exactly the sort of people we need in Queensland, they are the sort of people who have built this great state and they are the sort of people who will keep it great. I urge this

government to take on board this community concern and stand up for Queenslanders against the liberalisation that is eating away at the very heart of this state.

Ms M. Appleyard

Mr REEVES (Mansfield—ALP) (7.05 p.m.): Along with the Minister for Families and the member for Bulimba I attended a funeral at Mount Gravatt last Friday. It is with a great deal of sadness that I wish to inform the House of the death of a great Queenslander, Margot Appleyard. Margot was an inspiration to me and countless other Queenslanders. She was a woman who worked tirelessly for the good of this state and its people.

As we all know, last week was National Youth Week. It was a sad irony that Margot left us last Wednesday. No person I know has championed the rights of or worked more for young people in Brisbane than Margot did. Margot was acknowledged for her contribution to our state by being named Queenslander of the Year in 1999—an honour that she not only deserved but also earned after many years of service.

Margot was a true believer in the value of community. Her tireless efforts in building links within the local and wider community were an inspiration to all Queenslanders. For over 35 years, Margot worked in a paid or voluntary capacity in community development and welfare. She worked with the elderly, families, women, children and youth. In particular, Margot dedicated herself to those with learning and behavioural difficulties, intellectual and physical disabilities, the long-term unemployed, the homeless, and the people trapped in the justice system. Margot was a person who not only called a spade a spade; she called it a big shovel.

One of my treasured memories of Margot came from the famous Brisbane Sorry March in 2000. I marched the entire length of the route with my now wife, Megan, as well as Margot and her grandchildren. Margot loved that day immensely. There she was with thousands of other Queenslanders, and especially her much-loved grandchildren, sending a message that she felt passionate about.

I saw Margot about four weeks ago at the opening of Phoenix House at the Carina Youth Agency—an organisation that she played an enormous role in and had been on the management committee from its inception. She was very confident about beating the cancer that inflicted her, so much so that she told me of her new plans to lobby the Lord Mayor for a youth space on the south side that both the member for Mount Gravatt and I have been working to achieve. That was the positive Margot who we all knew and loved. Unfortunately, I do not think that she got a chance to do that lobbying.

Margot was and will remain an inspiration to all those who volunteer and work in the community sector. She believed that all young people were great people and deserved the full attention of the community. As Margot would famously say, some were just bigger wags than others. Margot's endless work promoted quality of life for all citizens in an effort to prevent divisions in a complex society. The local and broader community has and will continue to benefit greatly from Margot's enormous contribution. I know I and the member for Bulimba will not forget her contributions, particularly to the south side youth.

National Youth Week

Mr MALONE (Mirani—NPA) (7.08 p.m.): National Youth Week 2002, jointly initiated by the Commonwealth and state governments, is the largest single celebration of young people in Australia. Last week provided an ideal platform for the wider community to celebrate the contribution of young people as well as providing them with the opportunity to highlight issues of concern and to express ideas and opinions. Young people organised and attended events throughout the week and enjoyed the opportunity to showcase their talents, highlight their issues, and have a positive impact on our community.

I am fortunate indeed in my electorate of Mirani to have a youth development coordinator by the name of Neil Kempe, who does tremendously excellent work with the youth of both the Sarina and Mirani shires. In consultation with both youth councils, Neil is constantly working at identifying and discussing the issues and needs that impact on youth in our community. Together they work tirelessly to address the ways and means of meeting those needs and tackling the issues involved in the communities.

Last Saturday, with my wife I had the honour of attending the Valley District Youth Council production *Particularly If #2* at the Pinnacle Playhouse as part of National Youth Week 2002. The

reason the production is called *Particularly If #2* is that the youth council ran *Particularly If #1* last year. They did an excellent job of it.

This production, which was supported by the Sarina District Youth Council, addressed the fact that the long, often tough journey of life does not always come easy and promoted—very successfully, I must say—the concept that if people just helped and supported each other a little more, their chances of overcoming life's challenges and struggles are increased. This is definitely something we can all identify with and relate to as we go through the hectic and often difficult business of day-to-day life.

I appreciated the tongue-in-cheek humour of the production and the genuine attempt to spread the message of our youth. This production was written, produced, promoted, catered, choreographed and staged by the very talented young people, with the support and encouragement of the community. The high esteem in which these young people and Neil Kempe are held is underlined by the support and assistance given to them from throughout the entire community.

I was pleased to see that *Particularly If #2* was well attended and appreciated by the community. I am extremely proud to have a group of such talented, hardworking and dedicated young people in my community. As the member for Mirani, I commend the enthusiasm, maturity and continued efforts of the members of the Sarina District Youth Council and the Valley District Youth Council. Most especially, I congratulate and sincerely thank their mentor and friend, Neil Kempe—

Time expired.

Zoe's Place, Prison Art Auction

Mrs ATTWOOD (Mount Ommaney—ALP) (7.11 p.m.): It is my pleasure to inform the House of an auction to be held this Friday, 19 April in support of Zoe's Place and the Sir David Longland Correctional Centre. Members have heard me talk before about Zoe's Place and will remember that Zoe's Place is a proposed respite and hospice centre for children with life-limiting illness and disease, and for their families.

A number of artworks will be auctioned at a luncheon hosted by the Centenary Chamber of Commerce, of which I am proud to be patron. Keith Hamilton, the president of the chamber, has involved the chamber in a number of innovative projects. This is just another example of the community spirit existing in the Mount Ommaney electorate. The items for auction or for sale include paintings, pottery, leatherwork, woodwork and furniture, with all proceeds going towards Zoe's Place. The building of the respite centre and hospice will commence in the near future on the 1.8 hectares of land donated by the government, opposite the Mount Ommaney shopping centre.

I commend the minister for Corrective Services, Tony McGrady, for his foresight and his concern for confined offenders. He and his team of custodial officers have enabled these offenders to raise their self-esteem and to retain or develop skills that may be of use when they return to mainstream society. They may even be employed by members of the Chamber of Commerce.

As the article in today's newspaper alluded to, it is important that these public/private partnerships are seen for what they are. This is a joint project, linking both the government and the business sectors. This case demonstrates benefits to Zoe's Place to assist, support and maintain families in emotionally demanding situations.

While many of the prison activities are costly to accommodate, the minister and the government have ensured that they play an important role and an appropriate part by enabling custodial offenders to produce goods for donation to worthwhile charitable causes.

As both a member of this House and a member of the Sir David Longland Correctional Advisory Committee, I extend my appreciation to Brooke Winters, the general manager of the Sir David Longland Correctional Centre, to Helen Ringrose, the Director-General, Custodial Corrections, and to the artists, craftspeople and others involved in the auction for the dedicated and competent manner in which they approached the self-imposed task of assisting Zoe's Place by raising funds to improve care for sufferers of cystic fibrosis and their families throughout Queensland. I commend the auction to any members of this House available to attend.

Visit by Mapleton State School Students to Parliament House

Mr WELLINGTON (Nicklin—Ind) (7.13 p.m.): A recent student visit to state parliament has brought to life the government of Queensland for Mapleton State School's year 7 students and brought to light the need to encourage more young people to visit parliament to learn about the government of our great state.

The 25 students were unable to witness parliament in action on their 14 March visit. Instead, they held their own debate, with the unexpected assistance of the Speaker of the House, the Honourable Ray Hollis. Their teacher, Mrs Sally Mallet, said that their Parliament House guide, Margaret, was terrific and brought alive the experience of attending parliament for the students. The students were taken on a full tour. They sat in the House, where their guide took them through a debate. Apparently Mr Hollis came in during this debate, which was on the pros and cons of homework, and encouraged a student to take the Speaker's chair during that debate. Mr Hollis also took the time to explain to the students his role in parliament.

It gives me great pleasure to thank both Margaret and the Speaker for their assistance to the students during their visit to parliament. I understand the students will remember the experience for many years to come. As a result of the students' enthusiasm about their visit, their class will now run a day of parliament at school where they will debate relevant issues. Mrs Mallet said the visit made the running of parliament real for the students for the first time and they now plan to visit parliament again later in the year and sit in the gallery during question time.

Twenty-five students took part in this parliamentary visit on 14 March, accompanied by their teacher, Mrs Mallet, teacher's aide, Mrs Lynne Vernon, and house parents, Geoff and Ali Noble. The Mapleton School is one of the trial schools for New Basics. As part of the school's New Basics rich tasks, the year 7 students study a unit on government. The visit to state parliament was a useful practical exercise which will greatly assist students with their studies.

Four students took the time to write a letter of thanks, on behalf of their class, to those people who helped to make their visit such a success. I seek leave to table that letter written by Sarah Stefanovic, Leon Tyrrell, both school captains, and Brooke Poulsen and Lachlan Noble, vice-captains.

Leave granted.

Aged Care Nurses

Ms BARRY (Aspley—ALP) (7.16 p.m.): For honourable members and indeed for most of the community it is hard to imagine what it must be like to work as an aged care nurse. To go to work every day and care for the frailest, most vulnerable members of society is an exercise in compassion, skill, patience, tolerance and caring that few of us could comprehend for one day, let alone day after day, year after year. Thousands of aged care nurses in Queensland do this every day and for many it is a commitment for life—a commitment to ensuring that the final years of our oldest citizens are spent in an environment of dignity and respect, with the provision of quality nursing care as a basic right.

The worst of days for an aged care nurse is when you do not have time to care for people in a way that you would consider personally and professionally acceptable; a day when you left someone in a wet bed too long simply because there were too many others to change. You rushed a person's feed or, worse, you did not get them fed because there were too many to feed. You were late with the pills because there were too many pills to give.

The worst of days is when you find the frailest of your residents on the floor, hurt, because you were not there. The worst of days is when your resident dies alone because you were not there. You were not there because the other 30 to 500 residents under your care in a Queensland nursing home kept you just a bit too long. The worst of days start when you know your licence to practise nursing is at risk because you cannot do your job properly. It finishes on the way home when you realise what you did not get done and that tomorrow it will be just as bad.

I am saddened to tell the House that the claim by the Queensland Nurses Union to insert a minimum staffing ratio and skills mix into the Nurses Interim Aged Care Award has been dismissed by the Queensland Industrial Relations Commission this week. The claim was an attempt by the union to assist its members with their workload burden in aged care. In all honesty, the commission's decision has been a blow to the Queensland Nurses Union and its members, and it will be a great disappointment.

The claim was dismissed not because the courageous nurse witnesses from aged care could not articulate the ever-increasing workloads placed upon them from increased patient acuity and unreasonable work demands from the federal government, but it was lost, in part, because there was no reasonable prospects that the federal government would fund any additional reimbursements if the staffing ratios and skills mix were allowed. It is a sad reality that the Queensland Industrial Relations Commission recognised workload burdens increases and it recognised documentation burdens, but it did not move to alleviate the burden because it knows the Commonwealth would not fund it.

It means that Queensland nurses will once again bear the burden of providing care with inadequate staffing and skills mix. They will continue to be exploited because of their preparedness to care for people even if it means they work unpaid overtime, are subjected to appalling injuries and suffer the worst of days everyday.

To the Queensland Nurses Union and its members and aged care nurses across this state: my heart goes out to you. As a witness in the case for two and a half days, facing the barrage of five opposing barristers, I say to you that I would do it all again—and more—if I thought it would help your quality of working life. To the courageous nurses who stood and testified in the case, I salute you. To the Queensland Nurses Union and Gaye Hawksworth, I say to you: never give up, never give in; the nurses of Queensland need you too much.

Education; Primary Production

Mr COPELAND (Cunningham—NPA) (7.19 p.m.): A recent survey gauging schoolchildren's knowledge of agriculture conducted by the Kondinin Group has exposed some very worrying deficiencies in how we are educating our young people about primary production. The findings of the survey reveal that a massive 88 per cent of children have never visited a farm, 76 per cent of children in year 5 do not actually know a farmer, 50 per cent of city kids think farmers never use computers or fax machines and, disturbingly, only 0.2 per cent of children described farmers as female—an amazing figure when we consider the role women play in farming industries.

These figures are a significant increase on those from a similar survey conducted in 1997 which found that only 20 per cent of students had never visited a farm. This dramatic increase is disturbing and demonstrates a widening gap between city and country. It is clear that our young people are not being provided with the opportunity to learn about the significant primary industries that provide so much of our export income or the realities of living in rural and regional areas.

The Kondinin Group attributed this reduced link between city and country to an increased lack of opportunities for schoolchildren to discover the importance of agriculture in their lives. It appears that we are not effectively educating children about where their food and clothing comes from and the diversity of agricultural industries.

I am pleased to see that the federal Minister for Agriculture, Warren Truss, has reacted to these findings by calling for a country friendly curriculum review to be undertaken. This is a positive step towards developing a strategy for ensuring children are educated about our very vibrant rural sector. However, these moves must have the full backing and financial support of state governments across the country.

I acknowledge that the state government has recently provided $65,000 towards the introduction of agricultural based curriculum materials into primary schools, which is a start. However, there needs to be an increase in opportunities for all children to receive hands-on experience of rural industries. The ability to witness first-hand a sheep being shorn, a working cotton gin or an active vegetable or grain producing enterprise grabs the attention of schoolchildren and helps them to properly associate textbook learning with real life.

One such practical school based program is the AgEd program, which provides students with a real chance to obtain a hands-on learning experience with a range of industries. This program is run through the Toowoomba Royal Show and is very popular with schoolchildren as well as enjoying a great deal of industry and community support. It is vital that these types of programs are effectively integrated into the curriculum so that schoolchildren can back up important textbook learning with real on-the-ground agricultural experiences.

It is imperative that the state government in conjunction with the federal government acts seriously to ensure that urban children become farm wise so that we can help to bridge the divide between city and country through greater understanding and appreciation.

Library, Wujal Wujal

Mrs SMITH (Burleigh—ALP) (7.22 p.m.): It is not news to anyone in this place that Aboriginal communities in Queensland suffer some appalling deprivations. One that we do not hear a great deal about is a lack of books—reference books, storybooks, books for learning and books for fun; books which bring the big, wide world into the smallest community.

Two years ago, it was stated that out of 36 remote Aboriginal communities in Queensland only six had a public library. This is an appalling state of affairs. We all know that we go on learning all through life. I hope that I do. But unless a love of learning is encouraged at a young age it is difficult to develop it later in life.

One of my constituents, Ms Patricia Devine, well known for her word puzzles in the *Gold Coast Bulletin*, decided the situation was unacceptable. Words and reading are one of her passions and she was horrified by the lack of books available, particularly to children. So she was determined to do something about it. Patricia is an outstanding example of what can be achieved with determination and commitment.

She discovered that the Wujal Wujal community in the far north of Queensland was without a library. In fact, not one of the 100 primary school children owned a dictionary. However, within six months she had ensured that every child in Wujal Wujal had a dictionary. Patricia then began her quest to provide this community with a library. She received support and encouragement from many, including Phillip Adams, a journalist who featured her plans in the *Weekend Australian*, giving her much-needed publicity and inducing a flood of donations.

She sent letters to publishing houses requesting donations of one or two books and in return they sent her boxes of books. Dick Smith, Bunnings, Encyclopaedia Brittanica and the much-lamented Ansett also made donations. Students at Elanora Primary School on the Gold Coast were particularly generous, being responsible for donations of more than 700 books. All of these books found their way to Patricia's front door. Her home is bursting with books. She has undertaken the task of sorting and cataloguing the collection and now a library of well over 5,000 books is ready to be despatched to Wujal Wujal.

Patricia has received great assistance from the Indigenous Libraries Unit of the State Library of Queensland and from the Community Development Employment Project, particularly its local coordinator Kate Prout. The CDEP has offered the collection a room and, once it is ascertained that the room is suitable, the library will be installed. An added bonus is that the library will also provide employment for one person in the community.

I thank my colleague the Honourable Matt Foley for his assistance in paving the way for the library to be established in Wujal Wujal. Patricia has long been concerned about the damage that has been wrought on the Aboriginal people, but rather than lamenting she did something very practical and wonderful. I offer Patricia Devine my heartiest congratulations. She has shown us that there is always a way to help and has enriched the lives of hundreds of children. We need more like her.

Pony Club Association of Queensland

Dr WATSON (Moggill—Lib) (7.25 p.m.): In common with other members, last week I received a letter from the state president of the Pony Club Association of Queensland Incorporated, Mr John Mawhinney. The state president pointed out that the Pony Club Association of Queensland is a voluntary youth organisation with over 11,000 members in about 245 clubs throughout the state.

The association was formed in 1958, but many of the clubs were established before that association was formed. In fact, my electorate has quite a few of those clubs including, if my memory serves me correctly, the oldest club in Queensland. The letter is about the issue of public liability insurance. He was concerned that public liability insurance for the association expires at midnight on 31 December 2002. I am sure he will be pleased by the government's response yesterday to at least implement a group insurance scheme taking place from 1 September this year. I know other organisations feel that that is too late, but at least there is some possibility for the Pony Club Association to take advantage of that. Whether or not it does, of course, depends on the outcome of that process and whether it affects the potential insurance premiums to a significant extent.

The Liberal Party takes this issue seriously, so seriously that at the federal council meeting over the weekend the first motion related to public liability insurance. The federal council wanted

to convey to the federal government its grave concerns that exorbitant public liability insurance premium increases have the potential to emasculate business as well as community based organisations. It urged the federal government and the state in particular to recognise their responsibilities in this area.

Most members would know that the federal government has moved to coordinate responses from the states. In a ministerial meeting on 27 March the federal government moved to, in the shorter term, encourage group buying schemes amongst community groups and not-for-profit organisations, such as the government announced yesterday, and in the longer term to get states to respond by examining a range of procedures, including reform of the broadly based tort law. That is a particularly important issue for this state. I hope the government moves quickly to address that type of longer term issue. The federal government has agreed to change the tax laws to encourage the use of structured settlements.

Time expired.

Tablelands Sports Expo

Mr PITT (Mulgrave—ALP) (7.28 p.m.): It was my great pleasure to represent the Premier at the second annual Tablelands Sports Expo held at the Atherton State High School. Sport plays a large role in the lives of people in far-north Queensland. We have produced more than our fair share of state and national representatives. Olympic, Paralympic and Commonwealth Games athletes and coaches under the leadership of Brian Kerle attended the expo. Organised by the Tableland and Gulf Sport and Recreation Association, the event showcased a number of sports available to people within the region, with each having the opportunity to promote their sport through stalls and demonstration activities. The association is to be commended for its strong commitment to promoting sport on the tablelands and providing administrative assistance to sporting groups.

Mandy Lindsay and Sheryl Fitch did an excellent job of organising the day. As volunteer workers, they epitomise the great effort put in by a large number of people who ensure that sport and recreation are available to Queenslanders wherever they live.

The Beattie government is committed to supporting the development of Queensland's coaches and officials. Some $500,000 has been committed over three years for that purpose. The state wide Thanks Coach, Thanks Ref campaign has been a phenomenal success, with more than 7,500 coaches and officials being given the recognition they deserve. The association is also doing its part in encouraging young people in the region to take an interest in sport with the creation of a new award, the Young Achiever's Encouragement Award. I was particularly impressed with the locker room concept whereby the guest panel gave a short address and engaged the audience in a question and answer session revealing some of the inner workings of our sporting organisations and the dedication required to make it to the top.

The highlight of the day was the awarding of recognition to a founding member and long-time secretary of the Tableland and Gulf Sport and Recreation Association, Mr Ivan Searston. Mr Searston's contribution spans decades. As a councillor on the Herberton Shire Council, he was responsible for the establishment of the Community Sport and Recreation Fund that provides $25,000 per annum to support local groups. He has battled hard in seeking funds to resurface tennis courts, upgrade existing basketball and netball facilities and for the establishment of a BMX track in Herberton.

A schoolteacher, Ivan is noted as an excellent motivator, encouraging participation, enjoyment and sportsmanship in all those with whom he has contact. He has taken great pride in encouraging non-sporting children to become involved. Already a life member of the Tableland and Gulf Sport and Recreation Association, Ivan has not confined his administrative skills to the tableland alone. During a teaching stint in Papua New Guinea, Ivan was instrumental in organising the building of a sports field and sports facilities as well as starting intertown sports competitions. Ivan Searston has an inexhaustible resource of energy. He shuns the limelight yet gets the job done. His award of excellence was well deserved and universally acclaimed by those present.

National Servicemen's Association, North Brisbane Branch

Mr TERRY SULLIVAN (Stafford—ALP) (7.30 p.m.): Last week it was my privilege to present a Queensland flag to the North Brisbane Branch of the National Servicemen's Association. On

this occasion, the federal member for Lilley, Wayne Swan, also presented medals to some of those who trained under the National Service Scheme. That particular meeting was chaired by their vice-president, Alan Clayton, a former attendant at the parliament who will be known to some of the current members working in the Parliamentary Service.

I applaud the association for the social contact that they provide each other based on a common interest where they give moral, emotional and social support to their colleagues. I wish the members of the association well in their endeavours.

Motion agreed to.

The House adjourned at 7.31 p.m.