Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 2 DECEMBER 1958

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this inquiry are of acute public concern, will he table the report in Parliament when the House meets next week? If not, will he give his reasons for withholding the report?''

Hon. H. W. NOBLE (Yeronga) replied—

''As stated in the Press and by way of interjection I shall lay on the table of the House, the report of the inquiry by the Director-General of Health and Medical Services, Dr. A. Fryberg, the General Superintendent of the Brisbane Hospital, Dr. A. D. D. Pye, and the Inspector of Hospitals, Mr. J. E. Townsley, into conditions at the Mount Isa Hospital following allegations made at the Jorgensen inquest.''

HEARING OF TRIALS BY JUDGES OF THE SUPREME COURT.

Hon. W. POWER (Baroona) asked the Minister for Justice—

''(1) Will he please state the number of civil cases dealt with by each judge, giving the name of the judge from January 1 to November 15, 1958, also, how many of these cases were defended?''

''(2) How many criminal cases were dealt with during the same period; in how many of these cases was a plea of 'Guilty' entered, and how many cases were dealt with in Chambers?''

''(3) How many sittings of the Full Court were held during the year, stating the number of days that were occupied during the sittings of such Full Court, the names of the judges who sat on these Full Court cases, and how many cases are still to be dealt with?''

Hon. A. W. MUNRO (Toowong) replied—

''In reply to this question, I would point out that the first paragraph of the question relates to cases dealt with by each judge. With reference to this, I might say that particulars of cases dealt with by each judge are not readily available. Even if those particulars were readily available, in my view, it would not be in the public interest for such details to be published. Such details would merely be misleading for reasons as indicated hereunder. The specific answers which follow relate to the totals of cases within the jurisdiction of the Supreme Court at Brisbane.''

''(1) During the period from January 1, 1958, to November 15, 1958, a total of 177 civil cases were dealt with by the judges of the Supreme Court at Brisbane. Of these cases, 42 were withdrawn or discontinued during the hearing, leaving a balance of 135 for determination by the Court.''

''(2) In Criminal Jurisdiction there were 889 indictments presented and of these 101 indictments were the subject of trials and in 788 there were pleas of

TUESDAY, 2 DECEMBER, 1958.

Mr. SPEAKER (Hon. A. R. Fletcher, Cunningham) took the chair at 11 a.m.

QUESTIONS.

INQUIRY AT MT. ISA HOSPITAL AND DEATH OF JORGENSEN.

Mr. DUGGAN (North Toowoomba—Leader of the Opposition) asked the Minister for Health and Home Affairs—

''In view of the fact that (*a*) the report of the Director-General of Health and Medical Services, Dr. A. Fryberg, the Superintendent of the Brisbane General Hospital, Dr. A. Pye, and the Inspector of Hospitals, Mr. J. E. Townsley, who inquired into conditions at the Mount Isa Hospital following allegations made at the Jorgensen inquest, was reported to have been before Cabinet on November 3, and (*b*) the findings of

guilty. There were 535 undefended matrimonial trials dealt with by the Chamber judges and 1,314 matters dealt with by judges in Chambers.''

''(3) There were nine sittings of the Full Court in the period under reference and a total of 45 days were occupied during such sittings. At such Full Court sittings, there were 39 appeals to the Court of Criminal Appeal and 79 appeals to the Full Court. In 8 Cases judgment has been reserved.''

''General—I would point out that the figures quoted give no indication as to the length of time occupied by each case. Some cases may last three to five days, others might finish in a half day. Further, the figures do not include those matters heard by the Judges sitting in Federal Bankruptcy Jurisdiction and there would be approximately 350 bankruptcy matters dealt with in the relevant period.''

PRICE OF BEER AT MAROOCHYDORE AND OTHER NORTHERN TOWNS.

Mr. LLOYD (Kedron) asked the Minister for Justice—

''Is it a fact that the price of beer has recently been increased by licensed victuallers in Maroochydore and other North Coast towns? If so, was the increased price subject to approval by the Licensing Commission?''

Hon. A. W. MUNRO (Toowong) replied—

''I am informed that the price of beer was increased by the Licensed Victuallers in Maroochydore and other North Coast towns on August 4 last. Licensees are not required to obtain the prior approval of the Licensing Commission to increases in liquor prices. The jurisdiction of the Licensing Commission to fix maximum prices for liquor arises when it is of the opinion that the price at which liquor is being sold in public bars, bottle departments, or booths in any locality is excessive.''

PAPERS.

The following papers were laid on the table—

Order in Council under the State Electricity Commission Acts, 1937 to 1957.''

Report of Enquiry into conditions at the Mount Isa Hospital, following allegations made at the Jorgensen inquest.

OFFENDERS PROBATION BILL.

INITIATION.

Hon. A. W. MUNRO (Toowong—Minister for Justice): I move—

''That the House will, at its next sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to make provision for the release of offenders on probation, to provide for the establishment of a parole board, and for other purposes.''

Motion agreed to.

BRISBANE CRICKET GROUND BILL.

INITIATION.

Hon. T. A. HILEY (Coorparoo—Treasurer and Minister for Housing): I move—

''That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill relating to the Brisbane Cricket Ground.''

Motion agreed to.

INITIATION IN COMMITTEE.

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

Hon. T. A. HILEY (Coorparoo—Treasurer and Minister for Housing) (11.13 a.m.): I move—

''That it is desirable that a Bill be introduced relating to the Brisbane Cricket Ground.''

The Bill arises from a request by the Queensland Cricket Association that the Government should consider making a financial grant for the aid of the Brisbane Cricket Ground. In presenting that claim, the association set out a very considerable programme of requirements for the ground, both for its present repair and its future improvement.

It was contended by the Trust that unless there could be a substantial programme of improvements the public and Press dissatisfaction which is acknowledged to exist, could be magnified to the point where Test cricket in the city of Brisbane might be in jeopardy.

Mr. A. J. Smith: By the way they are playing it now it would not matter.

Mr. HILEY: I do not think there is anything relevant in the interjection; it is very irrelevant.

The Government considered that it was not right for public funds to be channelled into grants to any particular sporting body. It is true that this ground is a public ground held under public trust, and it could be said that it is virtually part of the public estate. The Government felt that if they were to give a grant to cricket, how could they, with justification, refuse grants to other branches of sport in which Australians so freely indulged—tennis, football, field sports, and racing? The Government's attitude is that there cannot be a grant, but they were prepared to examine the matter to see whether it was possible to find a solution of the problem. Accordingly the Premier asked me to look into the financial aspect of the Trust. I had several conferences with top officials of the Queensland Cricket Association and a

conclusion emerged which is really the spirit of the Bill. What was needed was a corrected Trust. The old Trust was sufficiently divorced from the Queensland Cricket Association that that association did not feel that the Brisbane Cricket Ground was its ground and the Trust was its Trust. The Queensland Cricket Association had good seasons and earned profits but it did not pass those profits into its ground. It lent the money on mortgage to the Trust, the Brisbane Cricket Ground Trust. It lent some money at interest and some free of interest and the Trust was finding itself mortgaged to the hilt to outside borrowers and to the Queensland Cricket Association which it was really there to serve. The new Trust integrates the Queensland Cricket Association with the Brisbane Cricket Ground. All the external dealings between the Queensland Cricket Association and the Trust are cut out with a stroke of the pen. The Queensland Cricket Association will be in a position to say, "This is virtually our ground." The Bill will relieve the Trust of the future burden of interest and it will be possible, as the Queensland Cricket Association derives profits in future years from overseas tours and from other directions to plough them into improvements of the grounds without increasing mortgage charges.

The second important provision in the Bill relates to a property on the corner of Stanley Street and Main Street where there has been a service station for many years. The lease of that service station expires in from 12 to 18 months' time. The Trust draws a rental from the service station. It is situated on one of the most valuable corners for such a purpose—right at the junction of main arterial roads leading to the South Coast, to Ipswich and Toowoomba, and to Wynnum, Manly and Redland Bay. As part of the re-constituted Trust, the proposal is to excise the service station from the Trust and sell it at public auction. The proceeds will be paid into the Trust to help pay for some of the improvement programme that has already commenced and more of which is contemplated.

Another feature of the new approach is to give the Trust clearer borrowing powers and to enable the Government, if they see fit at any time, to help the Trust by guaranteeing some of its borrowings.

The broad outline of the proposal appealed to the Queensland Cricket Association. It was quickly recognised that statutory power would be needed to end the old Trust and start the new one. It was realised also that a very involved surveying tangle would have to be sorted out. Fences and stands had been built off the surveyed alignment, so that in fact part of the stands were in Stanley Street, and part of what was apparently Stanley Street was running over the property covered by the deed for the cricket ground.

Mr. Foley: Is the garage lease a Crown lease?

Mr. HILEY: It is a lease from the trustees of the Brisbane Cricket Ground Trust.

Mr. Foley: Is it proposed to sell the lease, or the land?

Mr. HILEY: The land. When the present lease expires in about 12 or 18 months' time, it is proposed to sell the land at public auction. If the Trust can get a good price for it, the proceeds will be used in helping to pay for the stands that are needed.

If we were going to get things done in time for the forthcoming test match, it was obvious that a good deal of anticipatory action would be needed. With the authority of the Cabinet I discussed the matter with the hon. member for Bremer, who was then Leader of the Opposition. At this stage I acknowledge the speed of the decision that he conveyed to me. I outlined to him exactly what the Government had in mind, and I was infinitely cheered when, after the very briefest time to consider the matter, he said to me, "Go right ahead. You can tell the Government that this move will have the blessing of the party that I lead."

The Bill gives effect to the proposals outlined to the Queensland Cricket Association and discussed with the Leader of the Opposition. The matter did not come up for consideration till last July or August, and I hardly believed that it would have been possible to do so much so quickly. It was necessary for me to discuss the matter with the Trust's bankers, and to tell them that at that stage the Government could not give them any guarantee at all. However, I said to them, "Are you prepared to take a chance that the Queensland Parliament will pass a Bill authorising the Government to guarantee £22,000 towards the cost of a new stand at the cricket ground?" I also told them of the discussion that I had with the Leader of the Opposition and the attitude of the Government towards the proposal. Within a few days the Bank said, "It is all right. We will get behind the proposal. It may help to save test cricket for Queensland. We will make money available on faith that Parliament will grant the necessary guarantee."

Once the money side had been settled, we had to get the building designed and built. We have all had experience with architects and contractors, but I do not think there has ever been a better example of speedy design and construction than was shown at the Brisbane Cricket Ground. The whole programme was approved and carried out within a very few weeks. As a matter of fact, the building was completed in time not only to be ready for the visit by the English cricketers, but it was available for use for the second Sheffield Shield match of the year, against Western Australia. I pay a tribute to those responsible on the Queensland Cricket Association and the Brisbane Cricket Ground Trust, as well as the architects and builders, for the speed with which they did a very fine job.

Let me now run briefly through the principles of the Bill. The first provision repeals the existing Act, the Brisbane Cricket Ground Act of 1897, as amended in 1906 and 1929.

The second principle provides for seven trustees under the new trust.

Mr. Gair: How many were there under the old?

Mr. HILEY: Four and sometimes five. Under the old trust trustees were appointed for life but we think it better to have some reasonable rotation to provide for regular infusions of new blood to keep fresh thought and fresh energy in the trust. While there is no debt to the Crown or guarantee by the Crown, six trustees are to be elected by the Queensland Cricket Association and one appointed by the Governor in Council; but at any stage that the Government have a financial stake in the ground by loan or guarantee and the debt is still outstanding, three are to be appointed by the Governor in Council and four by the Queensland Cricket Association.

The Committee will observe that the Government have been very careful to ensure that at no stage will Government nominees numerically dominate the trust. It is a trust for the game of cricket and numerical domination will remain in the hands of the elected representatives of the Queensland Cricket Association. The Government believe that that is not unsafe. While power is given to guarantee, that power will always be dependent upon executive approval at the time, and if the Government of the day are in any way unhappy about the way the trust is being conducted, they do not have to give a guarantee that has been applied for. With three Government trustees to keep an eye on things while money is owing, the Government should be in a position to know whether it is safe or unsafe, desirable or undesirable, for extra guaranteed assistance to be given.

The trustees appointed by the Governor in Council will hold office at the pleasure of the Governor in Council. No term is fixed.

Of the trustees appointed by the Queensland Cricket Association the number nearest to one-third will retire from office each year. When there are four trustees appointed by the Queensland Cricket Association one a year will retire. Every fourth year there will be a complete review of the persons holding the office of Trustee. When there are six trustees appointed by the Queensland Cricket Association, two will retire each year. So there will be no life trustees from the Queensland Cricket Association. Every third or fourth year every trustee appointed from the association must account for his stewardship and face re-election. I do not say this in any sense of reproach against any particular person or persons but in my judgment the doctrine of rotating the office of trustees is much better than the doctrine of appointing life trustees. All people as they pass through life experience varying degrees of energy, of assiduity, and even of concentration. We all tend to pass through a stage at which we have our maximum of energy and our minimum of experience. As we build up experience, so our energy tends to wane and we reach the stage, where, whilst we may have experience, we lack the powers of concentration to give full effect to it. So the provision giving the association the power to re-elect trustees at regular intervals is infinitely better than the old provision for appointing them for life. I think it is not unfair to say that the impression we gained from a study of the old trust was that because it lingered on for too long a period it lost some of the resolution, energy and enterprise that could have saved the situation in past years, and rather than let it drift in that stage we thought a completely new approach was needed today.

Mr. Coburn: What method would there be to decide who should retire in the first year and who should retire in the second year?

Mr. HILEY: Where there is inequality of length of office the longest in office would retire first. Where there is equal length of office the Queensland Cricket Association will determine who shall retire, either by a ballot or a draw of straws. If there is one occasion that warrants drawing straws, this must be it. Nobody seems to want to vote in such a matter.

The next principle takes care to preserve in the statute the rights of all interested members. This has been done quite deliberately because on a previous occasion a number of people were very unhappy about what happened. The 'Gabba ground has passed through quite a number of periods of difficulty in its history. At one stage towards the turn of the century life memberships were sought by a number of people who paid for them with 25 golden sovereigns. The trust changed, new trustees were appointed, new regulations governed them. At the time of the change 20 to 30 people had paid for life memberships in golden sovereigns of the day. I am sorry to say that the new trust took advantage of a technicality and said to them, "You are out. You have no standing. There is a new Act. There is a new Trust." Although these people had paid their money for life memberships the Trust thumbed them out and did not recognise them. I think they are nearly all dead now, but I knew several of them. One was an old solicitor of this city. I shall not mention his name because his family are still alive. He was very incensed at the time. He went to the Cricket Ground with his life member's pass, actually getting into the members' area inside the grounds. He said, "This is my right—I am entitled to be here." I am sorry to say that the trustees got a policeman and had him removed. Was he annoyed and vexed about that! Rightly so, too! The Bill clearly states that there will

be a total preservation of all existing membership rights. It would be unthinkable that any person should lose his existing rights because of a revision of the constitution of the Trust.

The Bill gives clear power to borrow up to a limit of £100,000. The circumstances lead the Government to consider that £100,000 would be a wise limit to impose.

The sixth principle terminates existing Trusts. I do not need to tell the Committee that the law regarding trusts is very severe and inflexible. A trustee is always entitled to say, "How will my trust be discharged and determined so that I am free from any further responsibility?" One clause of the Bill terminates the existing Trusts, freeing and discharging the existing Trusts from the trustees. It means that a man can drop out knowing that he is completely free from any earlier responsibility, the new trustees taking over their new responsibilities.

Two clauses of the Bill tidy up the title under which some land now in the trust becomes a public road. In turn part of Stanley Street will be closed and brought into the Trust. I am sorry to say that the brick wall along Stanley Street, following the surveyed line of the property, had run at an angle, being some feet inside the Trust in one place and some feet out onto the road in another. The land has been resurveyed and the new description of the land will follow the fence exactly. Part of the road will be closed at one end and part of the land in trust will be thrown into the road at the other. There should be no more trouble with approaches. Provision is also made for the land on the corner which is at present occupied by a service station to be sold.

I wish to refer to the marvellous way in which everyone set out to facilitate this movement. It shows that this grand old game of cricket has more friends and more sympathisers than we thought. Just as the bank was prepared without one penny of tangible security to lend this money so was the Queensland Trustees prepared to help. I went to the Queensland Trustees, who have a mortgage over the whole of the trust area, which includes the service station. I told them what we were going to do and I said, "Would you be content to release from your mortgage that corner block where the service stations is, and also be content with control over the rest of the property?" They told me that it would have to go to the board meeting for express approval. A few days after the board manager consulted board members I was informed that the Queensland Trustees were prepared to release their charge over the corner block so that it could be sold, and the whole of the proceeds go into the improvements.

Mr. Foley: What is wrong with selling a lease?

Mr. HILEY: They said they could not use the land. The lease provides only revenue but what they wanted was more stands. If we could persuade somebody to build a number of stands on a lease basis that would be all right.

Mr. Foley: A long-term lease would be an advantage.

Mr. HILEY: We think it is better this other way.

Mr. Foley: You are selling the people's estate.

Mr. HILEY: The proceeds are going back into the improvement of another part of the public estate. Somebody has to pay cash for this service station. It is all very well for the hon. member to get carried away with socialist bogies, but who will pay the contractor? We have to get these stands built and paid for and we must find the capital. The only way to get it is to sell the freehold estate.

Mr. Coburn: The main objective of the trust is to provide facilities for cricket.

Mr. HILEY: That is the main objective. Hon. members may have noticed there is a turn-round for trolley buses for the carriage of passengers near the entrance. The Parliamentary draughtsman was concerned as to what might happen if a person going to see a function on the grounds happened to be knocked down and killed by a live power cable at this turn-round at the corner. There is a special clause enabling the trust to enter into a proper arrangement with the Brisbane City Council so that the bus turn-round will be a proper and carefully planned arrangement.

The final provision relates to the power to sell surplus land. The trustees are agreed that part of the land at the back of the main building is surplus to their purpose. They cannot see that there would be any requirement for it and it is costing them some money to keep it tidy. I should inform the committee that it is possible that the trust will decide to sell 40 or 50 perches to the Main Roads Commission if the Main Roads Commission can buy some adjoining police land which will, combined with the 40 or 50 perches, enable the Commission to erect a new building. The Main Roads Commission has expressed some keenness to go ahead with this suggestion. It could avoid the resumption of a number of occupied dwellings on Spring Hill. The hon. member for Brisbane has made repeated representations to the Minister for Main Roads to that end and the Minister is investigating whether the police land facing Main Street with the land surplus to the requirements of the cricket ground would meet the needs of the department. If it would, the Main Roads Commission would pay to the Cricket Association the fair valuation of that land, and the residents of Spring Hill would not be disturbed, that is, if the Main Roads Commission considers this to be a suitable site for a new building.

I am tremendously heartened at the way in which the Leader of the Opposition of the day, bankers, Queensland Trustees Ltd., the

Queensland Cricket Association, architects, contractors, and everyone got behind this scheme. They have been most helpful, and the result is that on Saturday next His Excellency the Governor will officially open what is acknowledged to be not only the newest but also the best Press and radio stand in any cricket ground in the British Commonwealth of Nations. That is the way in which it has been described. It has been my privilege to speak to the managers of the English team now in Brisbane and some visiting Pressmen. All of them state that the accommodation for Press, radio and players is unsurpassed. The English team think in one respect that it may be too good. They are a bit concerned about walking in and out of the air-conditioned dressing room and the possibility of chills or other consequent troubles.

In the view of the Government this new Trust and spirit that seems to have been awakened will open up a new era for dear old Woolloongabba cricket ground. The Government hope that not only will it be a progressive move for the State in general, but that it will help to ensure that the ground will not only for a year or two but for all time continue to be recognised as a Test ground for future cricket matches. The new spirit to which I have referred and the measure of co-operation for all arrangements have made this possible. I commend the Bill.

Mr. LLOYD (Kedron) (11.43 a.m.): Anything that can be done to rehabilitate the Woolloongabba cricket ground should be done. Apparently the Treasurer has given this matter very long and serious consideration. Since the transfer of the home of cricket from the Exhibition ground to Woolloongabba, the facilities available to the public and players have been of a lower standard, and this has reacted against the best interests of cricket, so much so that for years there have been annual suggestions that the Test match normally played at this ground should be played in other States. The buildings were in a shocking condition, and the accommodation for players and the refreshment rooms had a dungeon-like atmosphere. They did not provide for comfort or convenience.

Since the transfer to Woolloongabba, it has always been thought that the Trust was the close preserve of the few people who are members of it. The most valuable feature of the Bill is, as the Treasurer referred to it, the intergration of the Queensland Cricket Association in the Trust.

There can be no doubt that a considerable loss in revenue in the past has been brought about by the non-use of the ground. The Queensland Rugby League used the ground but it was found to be inconvenient to players and the League decided to secure its own ground. It has achieved quite a lot in that direction, far more than has been done in regard to the Brisbane Cricket Ground. The Trust found it difficult to sponsor the game of cricket and because of the close preserve of the Trust no-one had confidence in it and the people felt that they were being completely ignored. It was thought that the trustees were not doing the job they were put there to do. With the integration of the Queensland Cricket Association with the Brisbane Cricket Ground there will be a greater use of the ground and many more matches will be played on it, thus giving greater publicity to the game which will benefit the Association financially and in every other way.

It is to be hoped that there has been some assurance on the part of the Queensland Cricket Association and the Treasurer that the future of Brisbane tests are not in jeopardy. If we can improve facilities for the public, improve attendances to games of cricket in Queensland our test matches will not be in jeopardy.

The only comment I have to make is in relation to the excision of certain land from the Trust ground enabling the Trust to sell such ground as freehold. As the Treasurer pointed out it is not possible for any Government to give an outright grant to the Cricket Association. If this were done other branches of sport such as football, tennis, and others would make similar demands on the Government. What the Treasurer is proposing is tantamount to a straightout gift because a certain area of land will be excised from the Trust which is held by it under lease from the people of Queensland. The selling of this area might mean anything up to £12,000 or £15,000 which is, in other words, a straightout gift by the people of Queensland. It is difficult to say whether we can differentiate between a money gift and a land gift.

There is a further provision in relation to future selling of any surplus land in the same category. Possibly the Treasurer has made an allowance for the future possibility of certain land in Vulture Street being sold to the Department of Main Roads. If that is the case there could be no objection because it is the transference of land back from the Trust to the Government. If it is felt by the new Trust that any portion of the land presently held under leasehold is surplus to its requirements, it would be possible under the legislation for the Trust to have a re-survey of any portion and for that land to be converted to freehold and sold.

Mr. Hiley: They must get the approval of the Governor in Council before any sale can take place.

Mr. LLOYD: Then there can be no real objection to that principle, with the exception that it is a transference to a trust of land that is owned by the people, and the land can then be sold as freehold and acquired for business purposes. In effect, it is making a free grant to the Trust.

The Treasurer has given us a fairly good coverage of the proposal relating to trustees. It is wise to appoint a trustee for a limited time. The previous practice of appointing

trustees for life had the result of having as trustees many men getting on in years who had lost their previous keen interest in the sport and were rather unconcerned about the convenience of the general public and the players themselves. The appointment of trustees for a limited time will help to overcome many of the difficulties that have confronted the Trust in the past.

There is no question about the necessity for doing something in this matter. It is something that concerns the State as a whole. We must not forget that the development of the game of cricket is synonymous with the development of the country, and we should do everything possible to cater for the convenience of all who patronise the Brisbane Cricket Ground, both local citizens and visitors. If we can achieve that end it will be in the interests of the game of cricket, the people of this State, and the State itself.

Hon. V. C. GAIR (South Brisbane) (11.52 a.m.): It would appear that the Treasurer is not very much concerned with the views of the Queensland Labour Party on this matter, and whether it is in favour of this legislation. Otherwise, he would have paid me the same courtesy as he paid the Leader of the Opposition and discussed the Government's intention with me, particularly as the Brisbane Cricket Ground is in my electorate.

I have been interested in cricket all my life, and in common with most people who are interested in it or in any other sport, I have always been concerned with the apparent difficulty that was being experienced by those in charge of the administration of cricket in Queensland in providing the public and the players with facilities that were in keeping with the game itself.

No-one could help but observe with regret the deplorable state of the grounds, the poorly appointed stands, and the inadequate provision of those amenities that are an indispensable public convenience in grounds such as the Brisbane Cricket Ground.

It is good that something is being done, and that some co-ordination is being achieved between the Queensland Cricket Association and the trustees. It was apparent to me, and to most people, that a very wide gap existed between those two bodies. They were widely divorced from each other and the administration lacked the necessary cohesion, understanding and co-ordination that is so essential in successful administration.

I agree with the principle of changing from time to time the personnel of the trustees. The system of having life trustees can prove very unsatisfactory. With the passing of years, many men become less interested. As they grow older they become less active and because of their occupations or callings they may not have the time to devote to the trusteeship of such an important association. Regular changes in personnel provide an opportunity to bring in men of enthusiasm, men with business acumen, and men with a lively desire to do the right thing by the game.

It is important, too, to have men on the association and as trustees who have a common interest and who will work in unison for the common goal and not be pulling in opposite directions as has been evidenced over the years. Success cannot be achieved when lack of co-operation exists among those in charge. There must be complete understanding, not necessarily a hallelujah chorus but a healthy and commonsense approach to all problems. The public have been very tolerant over the years. A big percentage of the people are interested in cricket and are prepared to support it as long as they get a reasonable return for their contribution. The Bill is an attempt to encourage the Queensland Cricket Association and the trustees to do the right thing and to set them upon the proper footing.

I entirely agree with the Treasurer that no Government could undertake to make a grant to any particular sport. The reason must be obvious to any thinking person. Immediately a grant is given to cricket, one is expected for football, tennis, and every other sport, and the Government would have no legitimate reason for refusing those other sports because each of them is important to some section of the people. I suppose all healthy, outdoor sport is important to the community and contributes greatly to the improvement of the standard of the people and of the nation.

Naturally I am not altogether in accord with permitting the sale of part of the land under trust, Crown land, on which there is at present a service station. In reply to an interjection by the hon. member for Belyando the Treasurer said that he could understand hon. members on this side complaining about the alienation of Crown land for the purpose and that attitude was socialistic. It is not socialistic at all. Our attitude shows proper consideration for Crown land and that we properly interpret the meaning of Crown land and of trusts. Many years ago the land was reserved by the Government of the day for a specific purpose; it was placed in trust as a cricket ground. Subsequently, the trustees permitted a service station to be built on portion of it, probably prompted by the desire to get some revenue from that corner.

Mr. Coburn: That was a privilege from the Government permitting that.

Mr. GAIR: Possibly. There was a lease. There was no alienation of the land that had been given for the specific purpose. Now the Government will approve of excising that portion of the land and selling it and the service station on it at public auction.

Mr. Coburn: Don't you think that they should be allowed to do that with land that is surplus to their requirements so that they can get some money?

Mr. GAIR: That is the explanation of it. I realise that they have to get some money from somewhere. They need money to build stands. They cannot build stands with a lease; they must have hard cash. I am conscious of all that but I am wondering whether sufficient money could not have been obtained with a long-term lease—say a 50-year lease to secure that land, the people's land, vested in the trust. That is my only objection to the Bill. I am conscious of the urgent need for the Cricket Association to get more money. This is a way of doing it but whether it would meet with the approval of the public is a matter of opinion. In principle we have always opposed the alienation of such land. After all, if we permit it on this occasion other people who have had the good fortune to have land vested in their trustees will want to sell portion of it to make money. By creating this precedent we would be making it difficult for future Governments to deny them the same right. Is Lang Park Crown land vested in a trust?

Mr. Power: Lang Park is a lease from the Brisbane City Council.

Mr. GAIR: My only objection is to the provision to give the trustees the right to dispose of land that has been vested in them for a specific purpose. I commend the Government for their attempt to assist the Queensland Cricket Association. I hope that the public of Queensland and the game of cricket will benefit from what is being done.

Mr. WALSH (Bundaberg) (12.3 p.m.): I think there is general agreement with the desire of the Government to assist the Cricket Association to raise the necessary finance to improve the standard of accommodation and amenities at the Woolloongabba Cricket Ground. In that respect the Bill will receive not only the support of all hon. members but the support of the public generally.

The Treasurer will agree that the Government are introducing a new principle in this legislation by setting out to nominate Government representatives on a sporting body.

Mr. Hiley: A public trust, not a sporting body.

Mr. WALSH: Do not let us split straws. Both the Treasurer and I realise that the grounds are held in trust. The Government will appoint three nominees and four will be appointed by the executive who in the first place are appointed by the delegates from the various clubs in the metropolitan area, plus country representatives.

Mr. Hiley: Three and four if we have any financial interest, six and one if we have no financial interest.

Mr. WALSH: True, but I was wondering whether the Treasurer has had a look at the implications of cancelling the existing trust and opening up the way for the appointment of new trustees.

Mr. Hiley: Which ones have you in mind?

Mr. WALSH: The Treasurer knows that there is a law relating to the appointment of trustees for land held in trust from the Crown. I do not want to throw any spanners in the works but the question frequently arises about trustees being appointed at a public meeting. The Minister has recalled in the past that the law provided for it. I am endeavouring to point out the difficulty that may arise. Before the matter is finalised I would like the Treasurer to have a look at the law relating to the appointment of trustees of land held in trust from the Crown.

My second point is that I question the wisdom of the Government's appointing three trustees to a body of this nature, or any other public trust. In no other case have we legislated for Government representation in this manner.

Mr. Hiley: Except in the existing Trust the Government appointed the lot.

Mr. WALSH: The Governor in Council appointed them on the recommendation of a body that was associated with cricket. It is the same in the case of trustees whether it be for a school of arts or land for a cemetery. The Treasurer will agree that the Government guarantee money in many cases. The Government guarantee money to local authorities but they do not insist on the appointment of Government representatives on the local authority. We guarantee money for the Committee of Direction of Fruit Marketing. We insisted that a Government representative should be on that committee to act as a watch-dog. That is as far as the Government should go. I object to the Government's appointing three trustees to a body of this nature. One representative of the Government could keep an eye on all financial transactions. It may happen—I am not saying that it will—that the Government representatives may not be as intensely interested in the affairs of the Trust as the members appointed by the Executive. If you get men like Bill Edwards who have the drive, it would be an advantage. Some people can identify themselves more actively with the activities of the Trust which deals with sport.

Mr. Coburn: He could be a trustee without being a Government appointee.

Mr. WALSH: The Treasurer will tell the hon. member whether he could or could not. He may not be a member of a metropolitan club in the first place, and therefore would not be eligible.

Mr. Hiley: The Q.C.A. can elect whom they wish; there is no limitation.

Mr. WALSH: In accordance with their rules.

Mr. Hiley: No, the Act says they elect; their rules have nothing to do with it.

Mr. WALSH: Their rules have nothing to do with the election of trustees?

Mr. Hiley: Only as to how they will conduct their meetings, but as to whom they may elect as trustees, the Act imposes no limitation; they can appoint whomever they like.

Mr. WALSH: There may be good reasons for that. I think consideration should be given to this matter. I do not think the Government should have three representatives as against four appointed by the Association. The position could arise when a chairman had to be appointed. He would be appointed from amongst the seven trustees. He would have a casting vote.

Mr. Hiley: No.

Mr. WALSH: No casting vote?

Mr. Hiley: No.

Mr. WALSH: I do not know how that would affect the position.

Mr. Hiley: It will be a matter covered by the by-laws. I personally discourage the principle of a casting vote. I do not like it.

Mr. WALSH: With six trustees, there can be a deadlock. I do not know what would be the position if the chairman did not have a casting vote. Generally speaking the Bill is commendable, in that the Government will be able to guarantee finance required by the Trust.

Mr. COBURN (Burdekin) (12.11 p.m.): The outline of the Bill so ably given by the Treasurer was very interesting. The Bill provides an alteration of the Trust and the integration of the Brisbane Cricket Association in the Trust. That will mean greater control by the Cricket Association of the sport than previously existed. The former Trust was distinct and separate from the Cricket Association. The old idea of control by a Trust distinct and separate from the Association could mean a retardation of development unless the members of the Trust were particularly progressive, men such as Mr. Bill Edwards of the Tennis Association. I have seen instances of that in other fields of sport. Take the Burdekin Delta Turf Club, a very progressive body. The chairman, Mr. Carmody, is keenly interested in racing and has a progressive outlook. The racing club has no control over the grounds as they are vested in a special trust, and the members of that trust have not in the past exhibited the progressive outlook of members of the Turf Club. It may be wise to make an alteration in other sports, so that those who are directly interested in the sport may have a direct interest in the trust controlling the ground on which the sport is conducted.

Mr. Walsh: A system of rotating trustees might cure that.

Mr. COBURN: Yes. This is a step in the right direction. It could be applied with benefit to other fields of sport.

The Treasurer mentioned the surplus land of the Woolloongabba Cricket Ground. The Government made land available to that Trust. As it has found that the land vested in it is surplus to the requirements, in my opinion the land should revert to the State. If it is to be sold, it should be sold by the Department of Public Lands. We cannot get away from the fact that if land given to the Trust which controls the Woolloongabba Cricket Grounds is now surplus to the requirements and the Trust is allowed to sell that surplus land, we are conferring on the Trust a gift, because the conversion of land to money is virtually tantamount to a gift to that Trust. That procedure will establish a precedent.

Mr. Walsh: As a matter of fact I got a similar request from the Bundaberg Race Club.

Mr. COBURN: A precedent having been established, the Government would not be justified in not extending similar treatment to other bodies.

Country people recognise Brisbane as the capital. I do not think the people of Queensland are so parochial that they adopt a dog-in-the manger attitude to the development of our chief sporting fields in the city. They realise that the only place in Queensland where big sporting meetings can be held is the metropolis. Those who are keenly interested in sport and keenly disposed towards it, whether within easy radius or far-distant radius of the capital city, have the opportunity of coming to Brisbane and enjoying the sporting events in which they are interested.

We, as country representatives, are happy to see this development of sporting fields in Brisbane; we do not hold a dog-in-the-manger view. There could come a time when cities such as Townsville, which is the metropolis of the north and where most of the big sporting fixtures are concentrated, would want a development of its playing areas. If loans are to be guaranteed with respect to the Brisbane Cricket Ground, why not guarantee similar loans to the organisations which control sporting fixtures in the North? If we have land surplus to our requirements we too would want the right to dispose of it and convert it to money as is given to the Trust for the Brisbane Cricket Ground. I do not think there is anything wrong with the principle provided there is no discrimination between one sporting body and another in regard to the trusteeship of land. It is good, and I think everybody in the community rejoices in the fact that Queensland has a cricket test match. We also rejoice in the fact that this year the Davis Cup is to be played in Brisbane. That is not only something for the people of Brisbane to be happy about but the whole of the people of Queensland, because the people of Queensland have

enough patriotism to be happy that the capital city is to be favoured with these great sporting events. The playing of a cricket test match in Brisbane must mean much to the city. It would mean, for example, a great benefit to taxi-cab drivers, who must receive extra earnings from the conveyance of passengers to and from the ground. The future development of the Brisbane Cricket Ground would involve the employment of much labour.

The hon. member for Bundaberg questioned the wisdom of the Government in appointing three trustees to the Trust instead of only one. I am inclined to agree with the hon. member because I think the only value of a Government representative on the Trust is as a liaison officer between the Trust and the Government. The Queensland Cricket Association should, through its appointed representatives express itself through the Trust. The Government have many safeguards. As the Treasurer said, the approval of the Governor in Council must be given to the transference or the sale of land by the Trust. The guaranteeing of loans would be a matter for approval by the Government. There are many safeguards, and I do not think we want too much intrusion on the part of the Government because we have seen in many instances what the intrusion of Government representatives can do. If the Government were to appoint trustees they would appoint those of their own political persuasion; if there was a change of Government, the new Government would do as has been done in connection with hospitals boards—appoint representatives of their own political persuasion. We do not want the intrusion of politics into sport. The only value of a Government representative would be as a liaison officer between the Trust and the Government, and not to exercise very much power within the Trust itself.

I think the Bill will make for much greater and more convenient facilities for the general public and those who indulge in the sport of cricket. Now that it feels that it has got the backing of the Government the Trust can go ahead in raising loans for a development programme on a large scale, and we hope that as a result the Woolloongabba Cricket Ground will be so improved as to make it one of the finest playing fields in the world.

Hon. W. POWER (Baroona) (12.19 p.m.): It is apparent to me and other people who have visited the Brisbane Cricket Ground that the time is long overdue for action to be taken to make better provision for the public visiting the grounds. While the grounds themselves were in perfect order, the amenities were very poor. For many years I was a regular attender at football matches at the Brisbane Cricket Ground, and I know that the accommodation for the players was quite out of date, and the refreshment booths and stands were badly in need of improvement.

I am not critical of the Queensland Cricket Association for the lack of amenities or facilities at the Brisbane Cricket Ground. It did not have the necessary finance to carry out a programme of improvements. The Treasurer and the Premier are to be congratulated on playing an important part in bringing about improvements.

The Bill provides for the appointment of trustees. However, if no money is owing by the Trust, I fail to see why the Government should be represented on it. There were no Government representatives on the previous Trust. Of course, I realise that while a Government guarantee is in operation, the Government should have some representation. The Minister has said that they will have three representatives on the Trust.

I can see nothing wrong with the giving of a guarantee by the Government to allow the Trust to borrow money. It is not mandatory that a guarantee should be given; the Governor in Council will make the decision.

It is necessary to do everything possible to improve playing fields. I am chairman of the Lang Park Development Committee, and it may interest hon. members to know that about £80,000 has been spent on that field. I assure the hon. member for Kedron that there is no trust for the Lang Park grounds. We could not sell any of the land, because we are subject to a lease from the Brisbane City Council.

Mr. Hiley: If anything, you would want more land, not less.

Mr. POWER: That is so.

Generally speaking, I am opposed to the alienation of Crown land. The land in question has been given to the Trust in perpetuity. It is proposed to sell, first of all, the land on which the service station has been built on the corner of Main and Stanley Streets. There may be some merit in the suggestion that the Trust could have got as much money from a long lease, but no-one knows what might happen in the future. The bank may not have been prepared to guarantee it for a lengthy period so that it could carry out the necessary improvements. Any moneys that the Trust might raise from the sale of that land, or any other land that is surplus to its requirements, must be spent on improving the grounds. Any profit that is made will not go into someone's pocket, but will be used in providing facilities for cricketers, soccer players and the public who use the ground during sporting fixtures. For some years the Rugby League Association had a representative on the Brisbane Cricket Ground Trust. That was so until it transferred its activities to Lang Park.

I am happy to know that the rights of existing members are to be preserved. It has been very difficult to get a membership. I had to wait for many years before I got mine.

I cannot see anything wrong with giving the Governor in Council power to guarantee moneys that are raised by the Trust. Of

course, the provision is not mandatory. However, I warn the Treasurer that the Rugby League in the near future might be asking the Government to give it a similar guarantee. I am sure that the Government would not single out one section of the sporting community, but that they would be prepared to give similar consideration to any sporting organisation that wants to erect improvements on its grounds. I refer particularly to the Rugby League playing field at Lang Park. I hope that when the time comes we will receive the same consideration. I commend the Government for helping any sport. Necessary protection is being given. The Governor in Council must be satisfied, when surplus lands are disposed of, that the money is expended on improvement to the ground. Nobody personally will get any benefit but amenities will be provided for the sporting public.

I am not critical of the Queensland Cricket Association. As an administrator I know some of the difficulties involved in raising funds. The late Jack Hutcheon and very many other members of the association did a great deal for the game. I wish the proposal well and I wish the Queensland Cricket Association every success. Cricket is one of the finest games we have; it runs second only to Rugby League.

Mr. GARDNER (Rockhampton) (12.27 p.m.): The Bill has much to commend it. I do not think there is anything to cavil at in the provision about trustees. The Government are justified in providing safeguards because sooner or later they will be asked for guarantees.

There can be no serious objection to the sale of a service station because, for all practical purposes, the land has already been alienated for many years and revenue has been derived from it. As a general policy, I do not subscribe to the alienation of public lands, but in this case full value will be received and it will be in the interests of the State.

The Bill deals with the Queensland Cricket Association, not a Brisbane body. This very week-end hundreds and hundreds of country people will come down to see the test match played. In many respects they will be dissatisfied and will say as they have done in the past, that many amenities are not up to standard. In time the Brisbane Cricket ground will be something that the whole State can be proud of and that is why I, as a country representative, support the Bill. Every Queenslander who loves cricket will benefit from the improvements, and the Centenary year will be a very appropriate time to carry them out. I commend the Bill as it stands.

Mr. A. J. SMITH (Carpentaria) (12.30 p.m.): I have listened with great interest to the Treasurer's outline of the Bill and to the remarks of hon. members who have supported it. As the Government are stepping in with guaranteed loans and trustees for the Brisbane Cricket Ground, it now becomes the property of the people of the State. We are urgently in need of a national sports ground and I think the Government have lost a splendid opportunity to give one to the people. The Treasurer said that the Bill was designed mainly to help the Queensland Cricket Association stage the first Test match of this series. I should like to see the first Rugby Union or Soccer match staged here. How many top athletes have had to leave Queensland because of the lack of facilities, men like Elliott and Porter, and the many foot-runners and swimmers? We have not even got a decent swimming pool. The Government have lost their opportunity. The Government say that by building up the Brisbane Cricket ground they are improving the property of the people of the State. They say that it belongs to the people in Croydon and Longreach. What facilities will they get in those areas? Nothing has been done for them by the Queensland Cricket Association since Burke and Wills went through the country or Oxley discovered the Brisbane River. The Queensland Cricket Association has chased other sporting bodies out of the Brisbane Cricket ground. They have chased Rugby League to Lang Park, the Soccer clubs to somewhere else. Conditions have been made so hard that no other sporting body can play at the cricket ground. What has the Queensland Cricket Association done for cricket in other parts of the State? Do we see a Test match played in the North or in the West? When Hartigan and others wanted to take players into the North-west out of the cricket season around Easter, the Queensland Cricket Association stopped them from going. When the Treasurer appoints Government representatives as trustees he should give consideration to the appointment of men from the northern, central and western parts of the State. The Queensland Lawn Tennis Association brings people down to Brisbane to be tutored. Do we see that with the Queensland Cricket Association? Of course not! Why should we place money on the plate for the Queensland Cricket Association to do what they like at the cricket ground? That is not right. Does not the Queensland Cricket Association put a heavy embargo on the broadcasting of Test matches? On the last occasion the M.C.C. team played a Test match in Brisbane did not we nearly lose the broadcast of it because the Queensland Cricket Association imposed such a huge broadcasting fee? What opportunity have people in the North and North-west to view the Test match this coming Friday until Tuesday? Are people going to be subject to the same dogmatic snobbery of previous years? People who went to the grounds were treated with contempt. We read of the complaints in the newspapers.

Now the Q.C.A. wants to sell land vested in their trustees. With a growing population we need all the sports reserves we have. We do not want to sell any of it.

The official Opposition are silent today because the Treasurer made an agreement a few months ago with the hon. member for Bremer, the then leader of the Australian Labour Party, but it is very definitely against the policy of that party to sell the people's land. The cricket ground can cater only for 30,000 people—the police will not allow any more in. If the piece of ground used by the service station were included in the cricket ground, could not more accommodation be made available?

Mr. Hiley: You would need a telescope.

Mr. A. J. SMITH: I do not know. I remember going to the second Rugby League Test. The police were on the gate and I was one of five or six who were not allowed in the grounds because they were overcrowded.

A Government Member: Did you go in on your gold pass?

Mr. A. J. SMITH: I do not sponge on my gold pass. One cannot get admittance to the cricket ground on a gold pass. It only applies to the railways. There should be strict control over the Cricket Association. They should not be able to do what they like with the cricket grounds which belong to the people. A percentage of the income of sports grounds is used to provide amenities for the people who attend the various sports. I sincerely hope that the Treasurer will give serious consideration to the appointment of people from those areas all over the State which will be affected by Government-controlled sports grounds.

Mr. Hewitt: The main thing is to appoint good administrators.

Mr. A. J. SMITH: The opportunity to appoint a board for the control of a national sports ground has been lost.

Mr. Hiley: Is the hon. member suggesting we should take it away from the Cricket Association?

Mr. A. J. SMITH: Take it away from cricket and make it a national arena for the holding of various games such as were held at the Empire Games at Cardiff recently. Our athletes have had to go to New South Wales, Victoria, and even to America. The Brisbane Cricket Association has had these grounds for years but nothing has been done to them. It has chased every sporting body off the ground. Rugby League had to go to Lang Park. The time is opportune for the Government to take over and create a national sporting arena for the State of Queensland.

Mr. DONALD (Bremer) (11.38 a.m.): As I had to attend an important meeting, I was not able to hear the Treasurer's remarks on the Bill. When I was Leader of the Opposition the hon. gentleman did have the courtesy to tell me what the Government intended to do, and I express my appreciation of his action now, as I did then. I have no hesitation in saying that I gave the proposal my blessing, and nothing that has happened in the interval has caused me to withdraw it. The criticism directed at the Government by the hon. member for Carpentaria was, in a number of instances, based on false premises. If steps had not been taken to improve the cricket ground we would have lost the right to hold a test match in Brisbane. The interest in test matches is not confined to the English speaking world; many people outside the British Commonwealth of Nations are interested in the gigantic fight for the ashes between the Motherland and Australia. It would be a poor advertisement for Queensland and Queenslanders if the usual criticism of the grounds was continued during this test. If no action had been taken by the Government to enable the new trustees to improve the standard of the buildings and amenities on the ground, the stagnation of the past would have continued. Some improvements have already been accomplished. Those who have been to the Cricket Ground could not help being complimentary about the improvements that have been effected in the course of a few months. The new pavilion is a start and is positive proof of the good that will flow from the action of the Government in guaranteeing financial assistance.

The loss of a Test match in Brisbane would have been a big blow to our prestige, not only in cricket but in other fields of sport. Some action along the lines indicated in the Bill had to be taken.

I do not think we should criticise the Queensland Cricket Association for the stagnation at the Woolloongabba Cricket Ground for so many years. The cause was beyond the control of the association; the responsibility for it must be accepted by those who acted for many years as trustees. Under the Bill, trustees will not be appointed for life but will have to submit themselves for election every one or two years. That is a move in the right direction. It will avoid complacency that comes from life appointment, or the conservatism, and lack of interest and enthusiasm of old trustees who have served for many years. They may have enthusiasm and interest, but may lack energy, and be unable to realise that certain things are urgently needed. That was the cause of the unsatisfactory position at the Woolloongabba Cricket Ground.

The Cricket Association was forced to leave the Exhibition Ground, although it was a very desirable area. Sir John Hobbs spoke in very complimentary terms in his book of the appointments at the Exhibition Ground, but because of the extensive use of passes by members of the Royal National Association, and no-one can criticise that, the Q.C.A. was compelled to make the 'Gabba its home ground, but the progress there has not been what we hoped it would be.

We must admire the Government's action to retain the 'Gabba ground not only for the holding of test matches in cricket, but also international events in other fields of sport. I take it that will be possible by arrangement.

Mr. Hiley: They will have the opportunity; they will not be forced there.

Mr. DONALD: That is so. The ground will be available for baseball, hockey and football matches if it is required. As in the past, athletic meetings could be held there, although I do not think it could be used for pony race meetings as it was years ago.

Mr. Hiley: There will be a prohibition against that.

Mr. DONALD: I understand that seven trustees are to be appointed. How many will be Government appointees?

Mr. Hiley: That will depend on whether the trust owes money. The Q.C.A. will have six members and the Government one if no money is owing, otherwise, the Q.C.A. will have four and the Government three.

Mr. DONALD: There can be no objection to that. If the Government give a guarantee, they must have representatives among the trustees who spend the money. I have no quarrel with that provision. As the Soccer Association has now rented the ground for the winter months, I should like to have a representative of that body on the trust, if it is possible under the Bill. The Soccer Association is the main user of the ground in the winter months, just as the Q.C.A. is the main user of the ground in the summer months, and I think the Soccer Association should have one representative. I am pleased that the Treasurer has given the assurance, although I naturally expected it, that the Trust will allow any other international game to be played on the Brisbane Cricket Ground.

I remember that some years ago there was some heartburning over the rights of life members. I think it is the intention under the Bill to preserve the rights of life members and that is a step in the right direction.

We cannot make progress unless the trustees have power to borrow from the Government or anybody else. There will be the incentive to pay the money back and to provide the amenities essential for the cricket ground.

There was some criticism over the sale of the land on which a service station is now situated. I would remind the hon. member for Carpentaria that the service station is outside the playing area and even if it were included, the spectators would find it difficult to view the events on the playing field.

Mr. Hiley: You would need a telescope if you were to watch a game from there.

Mr. DONALD: There is quite a distance between it and the actual playing field. I rose to speak simply because the Treasurer spoke of my approval of the stand that the Government were taking and I wanted to confirm it. I wish the Bill a speedy passage through the Chamber and I hope that there will be no unnecessary discussion. The people of Queensland, no matter what branch of sport they might follow, will reap a benefit from the Government's decision.

Hon. T. A. HILEY (Coorparoo—Treasurer and Minister for Housing) (12.48 p.m.), in reply: I thank hon. members for the way in which they have received this measure. I do not think it is fully appreciated that the Brisbane Cricket Ground has the distinction of being recognised as a cricket ground amongst the cities of the British Commonwealth of Nations. In Australia, so far as games between England and Australia are concerned, there are only four recognised cricket grounds—Sydney, Melbourne, Adelaide and Brisbane. In Great Britain, regular grounds are limited; there are some on which international matches are played only on rotation. Recently the ground at Birmingham was brought into the field as a Test ground, but it will not get a Test match on every occasion. The grounds at Manchester, Leeds and Bradford will come up for recognition as Test grounds from time to time. The only recognised Test-match cricket grounds are Nottingham, Lords and The Oval. We are not dealing with a subject of common existence and one encountered in every little village or hamlet. We are dealing with grounds which are recognised wherever cricketers travel. I do not think any hon. member who has visited London would have no knowledge of The Oval, dominated by the great gasometers, a cardinal feature of that playing area in London. It is accepted that the Brisbane Cricket Ground is a regular playing venue for Test matches. Let us make no mistake about it. The people who control cricket in Perth have proved themselves to be up and coming. They have taken part in the Sheffield Shield series for a shorter time than we have, but already they have won the shield. While they have not the population or the gate expectancy that Queensland has, they will not rest until they establish their claim to a Test match.

The hon. member for Kedron referred to the money pressure of the Test-match gates in Sydney and Melbourne. That has always been a challenge when the matter of Test venues is under consideration. Our approach was to engage in full and brotherly collaboration with the Queensland Cricket Association and the existing Trust in an effort to preserve the cherished heritage of having Brisbane recognised and accepted as a Test cricket ground.

We had to act now. It was no use talking about doing something in three, four or five years' time. Unless the new stand had been ready for this series, it could well be that

Brisbane would be holding its last Test match. We had to find some way, not of building for the future, but of priming the pump quickly so that the stand would be there for this series.

The hon. member for Carpentaria suggested that the land on which the service station is situated should have been retained for some future sporting need. However, the class of sport that might use that ground would be one far removed from the laws of cricket.

Mr. A. J. Smith: The site would make a very good swimming pool.

Mr. HILEY: The hon. member has mentioned a swimming pool, but he does not know what is happening in Brisbane. On Saturday next a new Olympic pool is being opened at Langland's Park. In addition, the Brisbane City Council centenary project is the building of another Olympic swimming pool. Within two years, Brisbane will be better served with swimming pools than any other capital city in Australia.

Mr. Power: Is the centenary swimming pool to be built on Gregory Terrace?

Mr. HILEY: Yes.

Mr. Power: That is in the Baroona electorate.

Mr. HILEY: That is so.

The hon. member who made the plea that we should have held the land in trust for athletic sports is more or less saying that cricket in this State is finished. That is not the view of the Government.

Mr. A. J. Smith: It could become a national sports ground.

Mr. HILEY: If we had taken the step suggested by the hon. member, it might well have been the last straw with the cricket authorities, who would probably have regarded it as a slap in the face. In addition, it would not have been accepted very well by the Rugby League authorities, who have undertaken considerable responsibilities at Lang Park.

Mr. A. J. Smith: The trustees have chased everybody off the ground.

Mr. HILEY: I do not propose to be governed by the mistakes of the past. If we did that, we would get nowhere. I still refuse to believe that in a British community, with cricket playing the part that it has, can and will, in the youth of the community, we cannot have a cricket ground that depends predominantly upon cricket itself. That is my view. I may be wrong.

Mr. A. J. Smith: You want to see that they do not follow the same policy as in the past.

Mr. HILEY: If the hon. member had listened to my explanation he would know that we are terminating the old trust. Every existing trustee will go out of office. The new trust will start with a clean bill and will be closely integrated with the Q.C.A. I should be hard to convince that the men who govern the game and the men who play it will put in people who will ruin it.

Mr. Coburn: That integration is a very good feature of the Bill.

Mr. HILEY: It was the only way I could see a future for the ground.

Mr. A. J. Smith: Make it a Queensland trust, not a Brisbane trust.

Mr. HILEY: I have an open mind on that. Remember, it is the Queensland Cricket Association. The present chairman of the executive of the association, Mr. Schaefer, graduated to the post through the chairmanship of the country section. As a matter of fact, Mr. Arthur Dibdin, the present president, spent all his years serving the Q.C.A. as president of the country committee. The hon. member would be quite wrong if he assumed that the Queensland Cricket Association was a Brisbane suburban cricket association.

Mr. Donald interjected.

Mr. HILEY: All the background is on the side of the country committee.

Mr. Power: Would you give favourable consideration to a similar guarantee to rugby league?

Mr. HILEY: If we could detect the same background. Remember, the Brisbane Cricket Ground is public land. That is one important consideration. It will not be possible to give rugby league a similar guarantee under the Bill because it is purely for the Queensland Cricket Association, but I am quite prepared to examine any suggestion to see if it is possible to detect a similar background of justification for either the power of sale or the right to a guarantee.

I am delighted at the way the Bill has been received generally. It will make possible a new era at the 'Gabba, a new spirit in the association's administration and a new quality in its performance. While some may doubt the wisdom of the Government's having three trustees while money is owing, at least if they had wanted to dominate the trust they would have provided for four not three. But the Government do not want to dominate the trust; the Bill is designed to help the game of cricket, and the sole basis for appointing the three representatives will be to choose the men who can make the greatest contribution to the advancement of the objects of the Bill.

Motion (Mr. Hiley) agreed to.

Resolution reported.

FIRST READING.

Bill presented and, on motion of Mr. Hiley, read a first time.

RACING AND BETTING ACTS AMENDMENT BILL.

INITIATION.

Hon. T. A. HILEY (Coorparoo—Treasurer and Minister for Housing): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider of the desirableness of introducing a Bill to amend the Racing and Betting Acts, 1954 to 1957, in certain particulars."

Motion agreed to.

INITIATION IN COMMITTEE.

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

Hon. T. A. HILEY (Coorparoo—Treasurer and Minister for Housing) (2.17 p.m.): I move—

"That it is desirable that a Bill be introduced to amend the Racing and Betting Acts, 1954 to 1957, in certain particulars."

The essential purpose of the Bill is to authorise the use of what has been popularly referred to in the Press as a teleprinter service between some of the racecourses on the eastern coast of Australia. My appreciation of the need for the betterment of racing is based on these fundamentals: the future of racing depends on strong clubs; strong clubs depend on good attendances. Small attendances at race meetings mean smaller revenue from gate money, smaller revenue from bookmakers' fielding fees, and smaller revenue from totalisator percentages. Because of these smaller revenues a club could be forced to drop the prize money it offers, with eventual repercussions in the whole of the breeding and training side of the racing game. In my opinion we have to search for attractions calculated to ensure that the sport of racing can attract those whom it wishes to serve onto racecourses, rather than to encourage the following of an interest in the sport of racing away from racecourses. If the racing public did not attend racecourses there would be no clubs, no owners, no trainers, no race horses. There must be a body of people who regularly attend race meetings if there is to be any future for racing. It is because the Government shares my view that the teleprinter service will be an added facility on a racecourse that the Bill is introduced. At present it is contrary to the provisions of Section 112 of the Racing and Betting Act to convey from a racecourse certain information concerning a race being held on that racecourse. Obviously the purpose of Section 112 is clear. It was in keeping with the fundamental principle that I outlined of trying to hold the attraction of the racecourse against the interest in racing away from the racecourse. But as it stands Section 112 is not fully effective against the illicit leakage of information to the starting price bookmaker fraternity. It is effective only in preventing the conveyance of information from a racecourse to another racecourse for official and open uses. It is to be carefully noted that the prohibition is against the conveying from a racecourse of information concerning a race to be held on that racecourse. It is set out in Subsection 1 of Section 112 and concerns any horse race to be held on the racecourse; particulars of the horses which will or will not take part in any race on the sending racecourse; riders of the horses; barrier positions of the horses; betting on the horses, and adjustments of weights. The amendment has been brought about by reason of a request from the chief club, the Queensland Turf Club to be permitted to send out such information concerning Brisbane races to Sydney and Melbourne racecourses, and covers race meetings for galloping horses only. Information of the same kind may be received from Sydney and Melbourne by Queensland racing clubs. The Bill enables the information in question to be exchanged with Sydney and Melbourne by any racing club in Queensland. Information concerning Brisbane races may also by force of the Bill be sent to any other racing club in this State or out of the State. The chief advantage of the amendment is that it will enable the information mentioned to be exchanged between southern racing clubs and racing clubs in Queensland, and to that extent will lessen the need for press agencies which now relay this type of information to anyone who will pay for the service. There is little doubt that the customers of the press agencies are almost entirely representatives of illegal operators. Persons who attend race meetings in Brisbane, or elsewhere in Queensland, will now be able to get this information on the racecourse, since the amendment requires the information received to be made available to all persons on the racecourse receiving it. This should be an inducement for those interested in racing to attend race meetings when their chief interest is betting on races in Sydney, Melbourne, or Brisbane. I ask the Committee to observe that we have taken care to ensure that information of this nature by the teleprinter service will be made available to all and not the selective few. It must be publicly displayed and be available to fielders and punters alike.

Mr. Hanlon: In all enclosures.

Mr. HILEY: Because of the cost of installation it will start off in the paddock, and I have not the slightest doubt that it will spread to all enclosures. The information cannot be confined to one section. It must be publicly displayed so that everyone has the information. It would be unthinkable that the privileged few would have the information and profit by it at the expense of the many.

Mr. Coburn: What if somebody inside transmitted the information to somebody outside?

Mr. HILEY: That is still an offence. The only permit to transmit information from the ground is by the teleprinter service and it

is from a point in a racecourse to a point in another racecourse. Any promulgation outside the racecourse will continue to be an offence. It would be a Gilbertian situation if the man who attends the racecourse is the only man not in a position to get the information and the fellow who follows the S.P. can get it through illicit channels.

The Commissioner of Stamp Duties has recommended the amendment so as to enable the information in question to be conveyed by teleprinter from metropolitan and other racecourses. The amendment enables information concerning races on a Queensland racecourse to be conveyed by a racing club conducting the race meeting on that racecourse to another racing club at a racecourse on which that other club is also conducting a race meeting at the appropriate time, and requires publication on the racecourse receiving that information to all persons on that racecourse. In this way, not only can an exchange of this information be effected between Sydney, Melbourne and Brisbane, but such exchange may be effected between any racecourse in Queensland and any other racecourse by means of a teleprinter service. The information will be available to all persons on the racecourse. The effect of the measure will be carefully watched. It is hoped it will lead to a diminution of illegal operations of Press agency services.

The Bill is consistent with the spirit of Section 112, the suppression of illegal betting, and it will end the situation where a man who bets illegally has an advantage over the other man who pays his admission fee to a racecourse and is thereby denied the information he could obtain if he did not go to a racecourse.

Mr. HANLON (Ithaca) (2.26 p.m.): It is difficult to say whether this innovation will be of great benefit or popular with the public. It is not long since legislation was introduced to set up what is known as the Jackpot Tote. At that time the hon. member for Brisbane said he did not think it would result in greater racecourse attendances and I think he said that in his opinion the Jackpot Tote would ultimately die out. His forecast was correct. On that occasion hon. members on this side of the Chamber had an open mind on the subject. We agreed that the proposal should be given a trial, to see what the public thought of it.

The proposal for a teleprinter service on racecourses was suggested at a conference in Melbourne of the Australian clubs. Apparently the Government were approached to give legislative approval to it. Personally I do not think it will be of great benefit one way or the other. As the Treasurer pointed out, the fundamental requirement is that the information must be made available to bookmakers and punters alike. In that way the status quo is more or less maintained. Until the Q.T.C. or the racecourse supervisors clamped down on the practice, bookmakers had this information brought to them by runners. The clubs took a firm stand on that practice. On the other hand certain people known in the racing world as "shorteners" got that information and snapped up the long price available in Brisbane about a horse that had been heavily supported in the South. The information will now be available to all persons on the racecourse.

I can see a disadvantage to the public. The bookmakers will certainly reduce the price of a horse that has been heavily supported in Sydney to the price available in Sydney, but on the other hand I do not think they will be big-hearted enough to extend fully the price in Brisbane of a horse that has blown in the market in Sydney. For instance, the information may be received that a horse in Sydney has been backed from 20's to 4's. Bookmakers will not waste much time in twirling the knobs and reducing the price in Brisbane to 4 to 1, but on the other hand a horse in Sydney may have blown from 2 to 1 to 7 to 1 and they may be generous enough to increase its price only to 9 to 2.

Mr. Hiley: The public will know the price is 7 to 1 in Sydney and will not take 9 to 2.

Mr. HANLON: That is so, but after all the Brisbane bookmaker is making a book here, and he should set the prices according to the book he makes. At present a person may be fortunate enough to secure a good price without information on the southern "shorteners," whereas he will now in all probability not be able to get that price. On the other hand, a person wanting to back a horse that has blown in the Sydney market will get the benefit of the information.

Mr. P. R. Smith: Would you bet on it?

Mr. HANLON: No.

I think most hon. members would be happy to give the scheme a trial. I do not think it will be of great advantage one way or the other. The clubs will have to move themselves along in providing this information because the services given to southern event patrons at racecourses are poor indeed and do little credit to the clubs. For instance, at the moment there is no information given regarding the state of the tracks in the southern States, something of interest and importance to those people who are wagering on southern events. They want to know whether the horse they are backing is running on a quagmire or on a good track—it can change. With the advent of the teleprinter service space will be required to set the information out and the service of a couple of attendants will be needed to keep the information up to date. The clubs concerned will have to do more than they have been doing up to the present. The facilities for the broadcasting of southern events are poor. Many of those who visit racecourses bet on southern events. The broadcasting of southern races is poor and hard to follow at times. We have read of complaints in the newspapers about the

clashing of starting times between local races and southern races. The posting up of the results of southern races is poor, particularly at Albion Park. Whereas the Q.T.C. and B.A.T.C. at Doomben seem to provide a better service, the posting up of the information at Albion Park is poor. Albion Park is also controlled by the B.A.T.C. There is the spectacle of people running around asking others as to what horses had won in the South and they have to rely on bookmakers posting results for the information.

Mr. Hiley: The teleprinter service should improve that.

Mr. HANLON: I think it will improve it a great deal, and if it leads to the improvement I think it will in that direction, it would be a good thing.

The Treasurer spoke of the need for people to attend racecourses to wager on races. Those people who attend racecourses should be entitled to have the best service available to them by the clubs. As the Treasurer said, they should receive the same service that they can receive in a starting-price betting shop. If they do not receive this service we cannot blame them for stopping at home and not going to racecourses.

The racing clubs have a great responsibility in conducting race meetings. It is a difficult concern to run; it is a hard game in many respects as much money is won and much is lost. It is not an easy job to control racing. The clubs given an open hand, particularly the Q.T.C., have a great responsibility to see that the public receive what they desire and what is required in the shape of amenities and facilities. In many respects our racecourses are lacking in the facilities they could reasonably be expected to provide. I do not think that there should be any marked difference in the facilities available in the different enclosures, particularly as to the forms of betting. The Treasurer mentioned that the teleprinter service will be established for a trial period in the paddock.

Mr. Hiley: The Commissioner of Stamp Duties tells me that he will see that the information is available in all enclosures.

Mr. HANLON: I am pleased to hear that. It would be unfair if the temporary arrangement went on for a couple of months and bookmakers only received the information and not punters in the cheap enclosures. If the information is not available to patrons in the other enclosures it would be unfair. I am very much against the provision of facilities in the main enclosure that are not available in the cheaper enclosures because this is more or less forcing people to go into the paddock and pay the entrance fee of 10s. which they possibly cannot afford and do not want to pay.

Racing clubs owe a great responsibility to the general public in providing them with adequate facilities on their racecourses. It is not much use having teleprinter services and jack-pot totes if the public are not provided with reasonable facilities. Although there have been improvements during recent years at many of the race tracks, there is still much room for improvement, particularly at Albion Park, where there is only a sand track. The absence of a grass track makes it much cheaper for the club to maintain the course, and Albion Park in particular should be able to provide the public with the very best of facilities. However, some of the stands there are in a deplorable condition. We were talking this morning about the stands at the Brisbane Cricket ground, but those at Albion Park are of a much poorer standard.

I know that the Brisbane Amateur Turf Club are doing their best to raise the standard at Doomben, but Albion Park should not be neglected. I realise that racing clubs should look after their own members, but they must have some regard for the public generally. There is a certain amount of dissatisfaction in the public mind about the new stand at Eagle Farm.

The CHAIRMAN: Order! I do not want the hon. member to expand the scope of the Bill, which deals with teleprinter services.

Mr. HANLON: If Parliament is trying to help the various race clubs to attract more people to racecourses by enabling them to use teleprinter services, the clubs should do their best to look after the interests and convenience of the general public. In the erection of the new stand at Eagle Farm at a cost of £500,000, a little more attention should have been paid to providing accommodation for the general public who are now confined to the top storey.

I realise that racing clubs cannot always give the public what they want, because it may not be justified. The same applies to governments, who on occasions cannot give the people what they want because it may not be the best for them. However, a government in a democracy always tries to give the people what they want if it is not against their best interests, and the race clubs should adopt the same practice. They should give the general public what they want as long as it will not react against the best interests of racing.

There is agitation at the present time for the restoration of place betting. I do not think that comes under Government jurisdiction, but the clubs are not slow to introduce anything that might benefit their own revenue. I refer now to jack-pot totes and teleprinter services. They should be just as anxious to introduce something that the general public wants, even though it may not help their revenue as long as it is not greatly detrimental to the racing game.

Hon. W. POWER (Baroona) (2.39 p.m.): I can see no objection to the Bill. I am sorry that the Treasurer did not go further and compel the race clubs to reintroduce place betting.

Section 112 of the Act was inserted for the purpose of making it more difficult for illegal starting-price bookmakers to operate. However, it has been quite ineffective. The South Coast Press Agency has made a fortune out of distributing information every Saturday afternoon, a service for which the operator is charged a fee of £2. Every starting-price bookmaker in Brisbane has been able to get information that Section 112 tried to stop him from getting. We know what happened on the racecourses. They had what were known as "runners." I am not condemning anybody for it. They had men outside on the telephones and they came in and supplied information to the various bookmakers. One man was warned off the course once and when I asked a police official why—and it was not the present Commissioner—he said to me, "Don't you want us to keep undesirables off the course?" I said, "You show me in what way the man was undesirable." He had had no convictions. He had simply refused to give what were known as the "shorts" to the police officer who had been doing extra well by backing them.

Section 112 serves no useful purpose. It is totally ineffective. The Bill makes it possible to by-pass the South Coast sources of information and the S.P. bookmaker will not have to pay for it; he will get it in the legitimate way. I do not think S.P. bookmaking will ever be stamped out in Queensland or anywhere else in Australia. The information can be obtained through the teleprinter and circulated from one course to another throughout the State and we will get the information from the other States. I see nothing wrong with the Bill and I support it.

Mr. BURROWS (Port Curtis) (2.42 p.m.): When the Minister introduced the Bill I think he said it would be confined to galloping horses. Will he indicate if that is correct?

Mr. Hiley: Yes.

Mr. BURROWS: Does that mean that anybody attending a trotting meeting would not be able to get the information?

Mr. Hiley: He cannot get galloping information on a trotting course. If the trotting world develops to the point where it wants a trotting teleprinter service I will be happy to give it.

Mr. Gaven: It will.

Mr. BURROWS: Is the betting on galloping horses at trotting meetings at present legal?

Mr. Hiley: Yes.

Mr. BURROWS: If it is legal at present it means that if a man goes to the trots he is not considered to be worthy of as much information as the man who goes to the gallops.

Mr. Hiley: Put it this way: It is a concession to the trotting clubs. Without the facility to bet on galloping events there would not be a trotting meeting in Queensland.

Mr. BURROWS: That may be all right if we concede it; but having conceded that, if I as a punter go to the trots I cannot get the same service as I would get if I went to the gallops?

Mr. Hiley: That is right.

Mr. BURROWS: In other words that is putting men who go to the trots at a disadvantage.

Mr. Hiley: I will be prepared to consider that when I see how it works and when we learn something about its operation generally. It is a very costly business.

Mr. BURROWS: I realise it will be costly. Is it confined to metropolitan meetings or are country clubs included?

Mr. Hiley: If any country club that races every Saturday wishes to have the teleprinter service it can.

Mr. BURROWS: In lieu of the teleprinter service, which may not be possible, for technical reasons or by reason of cost, will the information be available to them on a similar basis, say, to that on the South Coast—by telephone?

Mr. Hiley: Not under the Bill because there is no way of guaranteeing the integrity and secrecy of the service except by teleprinter. A teleprinter cannot be tapped. With the telephone one does not know at what intermediate points the information may leak away from the course.

Mr. BURROWS: The point that concerns me is that the country race-goer is at a disadvantage. Usually he has to travel a good many miles even to attend his local race course. It is not that I want any concession to be given to the country race-goer or the race addict, if I may call him that—and I am just as weak in that respect as the ordinary man in the street—but at least he should be given the same privileges and advantages. As a representative of a country electorate I am very concerned about that aspect.

Mr. Hiley: I think the first applications would be from Toowoomba, Rockhampton and Townsville. I cannot see that any other clubs could afford the high capital cost of a teleprinter.

Mr. Hanlon: Would the wireless be allowed to announce that information from the course?

Mr. Hiley: The broadcasts are relayed on the courses now.

Mr. BURROWS: The law already limits the information that an announcer is able to give.

Mr. Hiley: The Bill merely authorises a teleprinter service. It does not go beyond that.

Mr. Hanlon: Could the 4BC announcer give information supplied by the teleprinter service so that it could be picked up by other courses?

Mr. Hiley: I would doubt that. There is no way of confining it to racecourses if you do that.

Mr. BURROWS: The interjections and discussion have confirmed my opinions. First of all if it is not possible to enforce an Act it is much better to repeal it. For that reason it is time we had another look at the betting laws of the State. I know that morally and socially betting is evil but we have to face up to the position. Having realised that we cannot avoid the evil we have to make the best of a bad job. As it is, we are more or less making an ass out of the law.

The Minister spoke about the information that may be sent by teleprinter. He referred to scratchings and betting fluctuations. But there could be a need for other emergency information, for instance a horse might be withdrawn by order of the stewards. I can imagine—as I am sure the Minister can—that there could be other information that would be both relevant and of value to any person who could get it to the exclusion of others. Perhaps the Minister might enlarge on the information that can be given through the teleprinter service.

Place betting on southern events is at present available but I think that facility should be extended to local events in the interests of the betting public, bookmakers and clubs.

Let me mention a highly pertinent matter. The clubs do not appear to take any action to discipline or deal with bookmakers who are notorious as "short odd merchants", always being one point below the others. They prey on the woman who is not able to distinguish between even money and six to four against. I would be prepared to wager that any experienced betting man at some time or other has been highly amused to watch people who would not take six to four against take even money. The Treasurer is laughing. It is no joke.

Mr. Hiley: That would be only on Boxing Day!

Mr. BURROWS: No, it is remarkable, but it is true. Everything seems to be loaded the bookmakers' way in that regard. I rarely have a week-end in Brisbane, but when I have I go to the races, and I have noticed that the disparity between the odds offered on southern events is remarkable. If I wish to I could name one or two men about whom every racegoer will say, "It is no good going to him, he is always a point or two under the other fellow." The clubs have the right to withdraw a jockey's licence without giving a reason, and they could easily deal with these men.

Mr. MANN (Brisbane) (2.51 p.m.): When the totalisator legislation was introduced I said I did not think it would be a success, nor did I think that the Jackpot system would be a success. I have the same opinion about the teleprinter information dealt with in this Bill. I understand that the information will be written on a blackboard and also broadcast by the announcer over the racecourse, but it will not be broadcast by the radio stations. I understand that if a person does not hear the information over the amplifier he will be able to have a look at the blackboard to see what fluctuation has taken place. It will be no good to the bookmakers and no good to the punters. Immediately a horse shortens in Sydney or Melbourne—if a horse is 6 to 1 and it comes through the teleprinter at 3's, the bookmaker will come down to 3 to 1 and the public will have to take 3 to 1. The teleprinters will stop people making their bets until they see the fluctuations on the market, and that will only permit of seven or eight minutes in which to make a bet. I believe that the Q.T.C. and the race clubs will be undertaking a financial outlay from which they will get no return. For instance, if the teleprinter system is to be installed at Albion Park the betting ring will have to be altered or else the bookmakers will have to engage runners. Owing to the layout of the betting ring the bookmakers at the farther end of it will not be able to see the blackboard at all. It is essential that the board be visible to bookmakers on the opposite side of the ring. It can be seen clearly at the Queensland Turf Club, where scratchings and results are recorded. At present there is no blackboard at Albion Park. I agree with the hon. member for Ithaca that it is absolutely essential that the amenities at Albion Park should be improved. I saw the Treasurer there one day, accompanied by Dr. Uhr. I should like to take the Treasurer to the refreshment booth and let him see the scandalous conditions that prevail there. I know the Bill does not cover amenities for the public, but I wanted to mention those things.

Mr. Hiley: Why do you think we took one day off Albion Park last year and another day this year?

Mr. MANN: I do not know. That may be the reason.

The Minister could also suggest to the clubs that they display on a blackboard for the information of punters the names of the jockeys and the scratchings. That information is available on the wireless to bookmakers. The information as to scratchings is given on the public address system, but the public as a whole do not receive it.

The Minister should go into the way in which some bookmakers operate. They make their own rules as to odds. The Q.T.C. should give consideration to rules covering that aspect of racing. If a horse in a race is an odds-on chance, the bookmakers will not lay a bet for a place. That is the only way in which a teleprinter service will be of benefit to the public. It will indicate if a particular horse is at odds-on. The horse may be at a short price, but local bookmakers at times put it in the red, thereby preventing punters from backing a horse each way. I have discussed this service with people who attend racecourses where it operates. In my opinion that is the only advantage of it. A race for two-year-olds may attract 30 runners, but the bookmakers set a rule that no place bets will be accepted in that race despite the fact that in any s.p. shop, if a punter knows where to find one, a place bet can be laid on that type of race.

Mr. Gair: Surely they do not exist now!

Mr. MANN: They do. At trotting meetings which are attracting greater attendances away from the meetings of registered racing clubs because bookmakers there are giving the betting service that is required by the public, bets of that type can be laid. I am a strong and insistent supporter of place betting.

Mr. Gaven: It should never have been abolished.

The CHAIRMAN: Order! The Bill deals with teleprinter service and nothing else. I ask the hon. member to keep away from betting.

Mr. MANN: The teleprinter is a means of conveying prices, and prices mean the prices on Sydney and Melbourne races. The bookmaker bets according to those fluctuating prices as given by the teleprinter service.

I do not desire to digress or discuss the matter of place betting in detail, but the remedy available to the clubs and the Government should be applied to overcome the present situation.

Mr. Hiley: It is entirely a matter for the clubs. The law does not compel or prohibit place betting.

Mr. MANN: If the Q.T.C. and other clubs want to give service, they should give it in that way. I agree with the hon. member for Ithaca that clubs can give greater service to the public in many ways. As I said previously, the ring at Albion Park is badly designed and will have to be altered if it is to be comparable with the ring facilities provided by the Q.T.C. at Ascot and the B.A.T.C. at Doomben. I have here a list compiled by me of 20 horses showing the prices set by southern bookmakers. They would be of interest to the Treasurer. At one time I was asked by a certain person if I could get him a southern event bookmaker's licence. He said he would let me be 5s. in the £1 with him if I could get the licence, and he did not want me to provide any capital. That proves the great advantage of holding such a licence. I have a list of six or seven horses in a Melbourne race and the prices of those horses. They are holding 94 pounds in a hundred. I invite the Treasurer to have a look at this matter. He should look at the layout of Albion Park, and if the B.A.T.C. will not alter the ring arrangements it should be made to. The set-up is bad. The ring arrangements at Doomben were altered and a big improvement has been effected. The amenities provided by the Q.T.C. are excellent and one cannot cavil at them. They would bear comparison with any racecourse in Australia.

I do not think that the teleprinter service will do any good; it will do the public no good. At the moment, as the hon. member for Baroona said the shorteners which are frowned upon by the Q.T.C. are doing no more than what the teleprinter service hopes to do. The service will give the fluctuations in the market. A horse may start at 10 to 1 in the South and finish up at 5 to 1.

Mr. Hiley: The teleprinter service merely relays the information and does not play the market. The shortener plays the market.

Mr. MANN: It will cut the shortener down. It will convey to the bookmakers and the public the fluctuations in the market, but that will not do any good to the public because the bookmakers get the information at the same time as the public. You cannot force a bookmaker to bet a price. He may lay a horse at a price, but every bookmaker has a book. It might be a £500 or £1,000 book.

Mr. Hiley: It is a matter of personal judgment.

Mr. MANN: They lay the horses. They will take an amount and no more. Really speaking, I do not think the teleprinter service will do any good. The Opposition are not against it. I had the same opinion about the jack-pot tote, and I expressed it at the time. Only a limited number of people bet. I think that only 12 per cent. of the public bet, but that 12 per cent. should be entitled to all amenities that can be provided. The Q.T.C. and the Government are not concerned with the average punter; they are more concerned with protecting the rights of the bookmaker and the licensees. One can see that every day of the week, because if there is a dispute over a bet invariably a decision will be given in favour of the bookmaker against the punter.

Mr. Gaven: Would you be in agreement with elastic reins for the boys?

Mr. MANN: I take this matter seriously. If the service was going to be any good for the racing public I should say so. Last Saturday I took the opportunity of going to the trots. At present trotting compares more

than favourably with the the betting ring in Brisbane. There are some dashing bettors on southern races; there are others who merely earn bread and butter. I went to the trots to have a look at what was going on.

I have formed the opinion that the teleprinter service will be no good to the public and I do not think it will be worth two hoots.

Mr. ADAIR (Cook) (3.5 p.m.): I believe that a teleprinter service on racetracks will be of advantage to the public, because they will know the prices of horses that are racing in the South. At present, the only person who knows those prices is the bookmaker. Runners race round the bookmakers' ring giving them the information, and they are the only ones who get it. With a teleprinter service, however, the general public will learn what they want to know about the fluctuations in the prices of horses on the southern tracks.

The hon. member for Port Curtis said that women would not know very much about the prices of horses, that they would take even money when the correct price was 6 to 4. I can assure him, however, that if there is a crush round a bookmaker and he tries to lay a bet, a woman will always beat him.

I support the Bill. I believe that it will be of advantage to the general public.

Hon. T. A. HILEY (Coorparoo—Treasurer and Minister for Housing) (3.7 p.m.), in reply: There appears to be no objection to the Bill. A number of points have been raised, and they will be noted and taken into account by my officers. I refer particularly to the relaying of the information, the possible clashing of events, and facilities for displaying the information. Although it is hoped that the race clubs will quickly outgrow the blackboard stage, we could not ask them immediately to erect something like the scoreboard at the Brisbane Cricket Ground.

Mr. Mann: Would you suggest that they might consider introducing the totalisator on southern events at Albion Park?

Mr. HILEY: That could not be done under this Bill. However, the suggestion will be given consideration.

The Government can only suggest these matters. They do not run racing in Queensland. All that they do is to ensure that the properly-constituted amateur race clubs—we do not like professional race clubs—are given an opportunity of conducting a sport that is dear to their hearts in a way that gives the public reasonable safeguards.

The hon. member for Port Curtis referred to the prices offered by some bookmakers. He said that they always offer a point below the price and take the advantage if the price shortens, but do nothing to give the public an advantage if the price "blows." Heaven help us if the Government ever try to tell a man how to run a book.

The re-introduction of place betting rests entirely with the race clubs themselves. We do not order that there shall be, or shall not be place betting. According to some of the comments that I have heard in many quarters, I doubt whether there are enough facilities here for betting on southern events. I have been told that the bookmaker who is allotted to bet on southern events is in a much more favourable position than one who is confined to betting on local events.

The hon. member for Port Curtis said that the time had arrived for a general review of betting. So far we have tried two small experiments and in neither case have we pretended that we were doing anything more than experimenting. The first was the jackpot tote. On that, when I study all the figures of attendances, I can say that even if it did nothing more it caused a slight improvement in attendances, particularly on the days with a big carryover in the pot. That is probably a point in its favour. The real weakness of the jackpot tote was that it had no protection against the big systematised syndicate, which took an undue share of the amount that passed through the jackpot. It was no good to the small punter who hoped by some miracle to stumble on to the combination and, by buying a single ticket, go home richer by £1,000. That proved to be another fallacy. A study of the winners showed that the same syndicates bobbed up again and again, corralling a considerable profit to themselves because of their huge outlay and the careful system that they employed.

Mr. Gair: Does it operate at all in Australia today?

Mr. HILEY: It is finished here. It was fading out in Western Australia. I do not know; I think it has just about faded out everywhere.

I must confess I listened with real interest to the hon. member for Port Curtis. I think he must have been disappointed in love. Time and time again he seems to have a slant against the fair sex. I dare say an examination of the rolls of his electorate would show that he has as many female voters as I have in my electorate and I do not think they would take very kindly to his remarks on their judgment when it comes to odds on a racecourse. It is quite true that there is the odd foolish woman who does not understand betting just as there is the odd foolish man.

Mr. Burrows: I did not particularly say that. All I said was that they were prepared to take advantage of them.

Mr. HILEY: I think the ring would take advantage of a foolish male bettor, just the same.

Mr. Burrows: Absolutely. I quite agree with you.

Mr. HILEY: If a person goes onto a racecourse so stupid and so ill-informed as not to be able to distinguish between 6 to 4 and even money, he is going to lose his money quickly anyhow.

Mr. Power: They will take it off him before he gets there.

Mr. HILEY: And whether A takes it in one lump or whether it is A plus B plus C, there is no way to protect a fool from his folly. The man or woman who goes to a racecourse not knowing the difference between 6 to 4 and even money is a fool and will lose his money.

Mr. Burrows: I admit that there is a psychological problem attached to it, but you ask any experienced racegoer how often it occurs.

Mr. HILEY: On the general point that there are certain bookmakers who are known as the "short odds merchants," the very fact that they are known as that brings in a punitive factor. The man who becomes known as a short odds merchant does not get the same percentage of the public going freely to him as the man they know from whom they are more likely to get a better spin on the odds. Some hon. members in this Chamber are regular racegoers. Would they be foolish enough to go to a man who is known as a short odds merchant? The very fact that he is known as such is the greatest protection of all.

Mr. Burrows: A big percentage of the racegoers just go out for the afternoon and they are more or less babes in the wood. They are the ones those people just live on.

Mr. HILEY: I do not agree with the hon. member. If he took a straw vote at any time of those in the betting ring, even on the day of a big classic, he would find that most of them would be regular attenders and regular bettors. Except on the odd famous day like the day Wiggle attracted so many extra thousands of people to Eagle Farm, most of those at the course are regular racegoers who can be found there almost any race day. Those who are not will learn the hard way. It does not matter whether a person buys real estate or shares in a company or puts his money on the races, if he does it without experience and without knowledge he will lose. There is no system that protects the fool against his own folly. Frankly I do not think it is the Government's job to do so.

Motion (Mr. Hiley) agreed to.

Resolution reported.

FIRST READING.

Bill presented and, on motion of Mr. Hiley, read a first time.

ABATTOIRS ACTS AMENDMENT BILL.

INITIATION IN COMMITTEE.

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

Hon. O. O. MADSEN (Warwick—Minister for Agriculture and Stock) (3.18 p.m.): I move—

"That it is desirable that a Bill be introduced to amend the Abattoirs Acts, 1930 to 1949, in certain particulars."

The main purpose of the Abattoir Act first introduced in 1930 was to provide a public abattoirs for the City of Brisbane. Domestic slaughtering policy was taken its next logical step in 1949 when the Act was amended to make provision for centralised slaughtering facilities to replace the small butchers' slaughterhouses in the other town and country districts of Queensland. These centralised slaughtering facilities were to be known as local abattoirs. Their function simply was to replace the little country slaughterhouses and to slaughter meat solely for human consumption in the areas gazetted for them. These abattoir areas were drawn up to include a reasonably large town and the surrounding countryside.

The first of the local abattoir areas to be gazetted was the Toowoomba Local Abattoir Area in 1949. This was later followed by the gazettal of areas for Bundaberg, Townsville, Ipswich, Mackay, and Rockhampton.

The Toowoomba Local Abattoir Board was duly constituted and the Toowoomba Local Abattoir erected and put into operation on 7 February, 1955. The works at Bundaberg began operations early in 1957, and Townsville some few weeks ago. The plant at Ipswich is near completion and should begin slaughtering before very long. Mackay has a local abattoir board and preliminary action towards the erection of a works for that area has been undertaken.

Under the present Abattoir Act local abattoirs have not the statutory right to slaughter stock other than for consumption within the local abattoir area. The expense involved in setting up local abattoirs is considerable, and the resources of these works cannot be fully utilised at the present time while their activities are restricted to limited local areas. The fuller the capacity of the works the more economical is the working of them. Many of these abattoirs have a capacity over and above present requirements, and could be utilised to greater advantage. The success of the operations at the existing local abattoirs to date, particularly the Toowoomba local abattoir, has proved their practicability as public utilities. In addition to the slaughter of stock for consumption within its area a local abattoir should have the opportunity to engage in slaughtering for the export, interstate, and other domestic trades. The abattoirs of the coastal towns are well situated to slaughter for the export trade, and those in south-east Queensland could well engage in treating stock for the

interstate trade. In regard to abattoirs to be built in the near future provision is being made in the plans, first, for limited export slaughtering at the commencement of operations, and, second, for suitable extensions to the works as the trade develops. In addition to economic advantages accruing to the works contingent on slaughtering for interstate, tangible social benefits to the people of the area are gained also. Instead of the stock going outside we have the advantage of engaging a greater number of people at the abattoirs. By treating livestock at our local abattoirs that might otherwise be trucked interstate as live animals we gain in the level of meatworks employment. The manufactured by-products and possibly hides also are a gain to the State. The manufacture of valuable fertilisers and meat meal, which is a valuable stock food, are fairly high at present.

The principal object of the Bill is to empower the Governor in Council to permit local abattoirs to kill meat for consumption both within and outside their areas; so enlarging the scope, that local abattoir operations will have the complementary effect of extending the local board's powers in relation to the purchase, treatment, and sale of by-product raw materials. There will be no restriction on the local boards as to where they obtain such raw materials. In many cases the disposing of offal is a big job for some butchers. It provides a valuable source of production for the local abattoir and at the same time removes the nuisance effect of the disposal of offal.

Mr. Coburn: Under this scheme they will become competitors with established meatworks.

Mr. MADSEN: They do not trade. They will only provide facilities for killing.

As the Bill will thus permit of local abattoir activity over a much wider area, the abattoirs will assume the role of greater district facilities rather than urban public utilities as at present. Accordingly, it has been thought advisable to change the designation of the works from "local abattoirs" to "district abattoirs," and provision is made in the Bill for such a change. This alteration in name is also extended to the alteration of the term "local" to "district" wherever it occurs in the Act in such phrases as "local board" and "local area." In the future they will be known as district boards instead of local boards.

Mr. Coburn: Are the boundaries affected by that change in name?

Mr. MADSEN: It makes provision for the boundary taking in a particular district. From time to time local boards may receive requests from butchers or local authorities trading outside the abattoir area for slaughtering services. A butcher may desire to have his stock killed under these hygienic conditions and may apply to the district board to kill the stock for him.

Mr. Coburn: Will those facilities be available to a grazier who wants his stock killed and sent to Sydney?

Mr. MADSEN: That could be so. There is a distinction between owners stock and killing on operator account.

When these services can be supplied it is only right to see that any such butcher receives the protection afforded by his trading premises and customers being included within the appropriate abattoir area. A butcher will be able to apply to bring his area into the district area so that his stock can be killed at the district abattoir.

Mr. Davies: Will all butchers be compelled to come in once the area of the district abattoir has been extended?

Mr. MADSEN: If the local authority applies for the extension of the district border to include that area, consideration can be given to that, but apart from an application by the local authority any butcher can apply to have his stock killed, or have the area extended to his area. We have not sought to over-ride the rights of a local authority. There is a case in point on the Downs. The local abattoir would like to extend its operations, but the local authority will not agree to the extension. It is not intended to over-ride the local authority.

The existing clauses show that boundaries of abattoir areas may be altered but does not indicate how this is to be achieved.

However, there is a clause which clarifies the matter and anticipates any conflict that might arise in the future between adjacent abattoir areas. For instance, the Ipswich abattoir and the metropolitan abattoir areas have a boundary in common. The boundary is known and there is no conflict of interest, but it may be necessary in other districts to define clearly the boundary between abattoir areas.

As the increased scope of operations will almost certainly bring in its wake a series of new problems in connection with manufacturing, marketing and management, opportunity is taken in the Bill to amend the provisions relating to the appointment of additional members to an Abattoir Board. The present Acts permit of the appointment of only one such additional member but the Bill will permit of the appointment by the Governor in Council of more than one member in addition to the local authority members. At present the Governor in Council may appoint a member in addition to the local authority members. The Bill provides for the appointment of further representatives if the area of operations is extended.

Mr. Power: By whom will they be nominated?

Mr. MADSEN: The Department of Agriculture and Stock.

It is envisaged that such additional members will be specialists in their own particular field and that their appointment to District Boards will greatly assist them in elucidating problems inseparable from their enlarged and diversified activities.

Further, on the point raised by the hon. member for Baroona, it may be wise to have a representative of the master butchers. They are a very interested party. It may be desirable to have a representative of the grazing industry.

Mr. Power: And a representative of the consumers.

Mr. MADSEN: The Bill provides for wider representation. At present board members are drawn in the main from the local authority, plus a representative appointed by the Governor in Council.

Mr. Davies: Is there any provision whereby butchers themselves or a company they form can operate in this way?

Mr. MADSEN: I am not aware of any, or whether butchers have done so.

I think I can mention the Toowoomba abattoir as an example. It is fair to say that there was a certain amount of resistance to the abattoir in the early stages, but I think all parties are now very happy about the position. The performance of the abattoir speaks for itself. It is working very satisfactorily, considering it was one of the first to be established. I think we can draw many conclusions from that. It sets the pattern to some extent for the establishment of others.

At the present time there appears to be some doubt as to the manner in which the provisions of the Slaughtering Act apply to the performance of the objects and purposes of the Abattoir Acts. Opportunity is taken in the Bill to remove any doubt on this score by bringing district abattoirs within the meaning of the term "slaughterhouse" under the Slaughtering Act. This will enable State inspectors to exercise better supervision of works hygiene and meat inspection.

There was some objection in the early stages to the establishment of local abattoirs but I think, generally speaking, where they have been adopted they are working satisfactorily indeed. Most butchers realise that it is costly to maintain slaughterhouses and yards. The present method provides an excellent means of having the meat under constant inspection, an important feature to the consumer. With an abattoir there is little or no chance of diseased meat slipping by. There is the extra advantage in that the Department of Agriculture and Stock will have an opportunity of tracking down the source of any disease. The officers of the department might find that cattle from a locality are diseased and they would be better equipped to get onto it straightaway. With a great number of country slaughterhouses it is virtually impossible to have a constant inspection of the meat. This system has an advantage in that respect. I think it is a really desirable method. Toowoomba has a good railway connection with the western line and is in a favoured position to take advantage of the Sydney market and the establishment of an abattoirs there would provide an opportunity for the operator to sell his stock to the best advantage. The meat industry has developed to an extent under monopolies but the establishment of local abattoirs is not intended to destroy existing organisations. I think local abattoirs could be utilised to better advantage and I therefore commend the Bill to the Committee.

Mr. WALLACE (Cairns) (3.34 p.m.): The Labour Party is in favour of the Bill as it thinks it is a good idea. Under the present set-up with local authorities an abattoirs is confined to a local area. In such places as Cairns and Toowoomba the operations should be extended and other local authority areas could co-operate. In respect to Cairns it would be better if the Cairns abattoir area could be extended to other local authority areas. The Abattoirs Act provides that a local authority can establish an abattoir within its area. It provides also that it can borrow money to put up a new building or buy an existing building, or grant a charter to a private company. For example, if the Cairns City Council did not want to operate its own abattoir the authority could be given to two or three large companies to establish one. There is nothing in the Act to prevent two or three of the large companies, now operating slaughter yards, combining their resources and operating an abattoirs. They would of course have to operate under the Act and subject to supervision by the Local Abattoirs Board.

The abattoir system is the most hygienic method of providing the public with meat supplies. In outside areas where there are no abattoirs, the Government should take steps to require local authorities to provide them for local killings. I do not want to cast aspersions on any butcher, but because of the number of slaughteryards in some areas and the distances between them, it is impossible for slaughtering inspectors to police them properly. It is quite possible that between visits to a slaughteryard by the inspector, beasts are killed and sent to the shops. Under the present arrangements, the onus is being placed on union members working in the slaughteryards, which is grossly unfair to them.

The conditions that operate in an abattoir are vastly different from those in slaughteryards. Employees in abattoirs work under much more congenial conditions than those in a yard, because every man has his own job to do. In the boiling down works, for example, conditions in slaughteryards are not nearly as good as in an abattoir, no matter

how small it may be. The conditions at Queerah, for example, are much superior to those in any slaughteryard, as also is the quality of the by-products.

The Opposition has no objection to the Bill. Because of the great expansion of the meat industry in Queensland, it is necessary to build additional abattoirs to handle beef in the areas where it is grown. Local abattoirs avoid the loss that is caused by transporting cattle from inland areas to abattoirs on the cost. When the abattoir system is extended to the areas where the beef is grown, we can look forward to a bigger and better overseas trade and to much more congenial working conditions in the industry.

Mr. GARDNER (Rockhampton) (3.40 p.m.): The extension of the district system will overcome some of the difficulties that have operated in my area for a long time. For over five years the board in Rockhampton has not been able to make up its mind. The local authorities of the surrounding areas are just as much to blame. In Rockhampton we have one of the largest meatworks in the State or in the Commonwealth and several slaughterhouses, and in the slaughterhouses some very obsolete methods are still in use. The department has been more than lenient and it is to be hoped that sooner or later the abattoir board that was formed in the Central District will do something to bring about the killing of beef under more hygienic conditions. I am keenly interested in the matter. The district system will bring in districts like Mt. Morgan, Yeppoon and Emu Park. Allowing the district abattoir to kill for local consumption and for export will be in the interests of all concerned, and increased efficiency of management will naturally follow. Under the Act the Board has always had the right to let out a franchise. The time has arrived for the department to say to the people of Central Queensland, and to the abattoir board at Rockhampton in particular, that, now that the district system is being instituted, they should make up their minds what they want to do. Some master butchers are having their beef killed under hygienic conditions at Lakes Creek whilst others are killing at their own slaughteryards under the supervision of State inspectors but they are not doing the job under the same hygienic conditions. A decision should be made once and for all. The onus will rest on the shoulders of the Minister to bring about the much-needed reform. We must be guided by experience. Since the board was formed in Rockhampton the Toowoomba abattoir has started and in other centres they are well under way. It cannot be suggested that meat cannot be handled satisfactorily by the district system and at a reasonable cost. I wanted to make those points because they are very important. I have already discussed them with the Minister because from the public's point of view it is a very important matter.

The appointment of master butchers to abattoir boards is a sound suggestion. While I am not urging that the C.Q.M.E. should be the only people to get the benefit, I say that when they submitted prices which were to my mind in keeping with the meat industry board here, we should have permitted killing for local consumption.

I appreciate the introduction of the Bill because I can foresee that it will be responsible for a very marked improvement in our district.

Mr. GRAHAM (Mackay) (3.46 p.m.): The decision of the Government to extend the provisions of the Abattoirs Act is a wise one. Local abattoirs have been established in certain areas of the State and many other areas are contemplating the erection of them.

Let me refer particularly to the position in Mackay. In 1949 the then Government decided to give authority for the establishment of central killing works at Mackay and I thought an endeavour would have been made to have works erected as soon as possible as it was realised that this would be a very progressive move. With the growth of population and the consequent establishment of many small slaughter yards around the district it was considered that the public were not getting the best meat, that possibly they were getting meat that was contaminated. The establishment of abattoirs is the answer to the problem of providing the general public with quality meat killed under hygienic conditions; the stock owner gets a full return for his stock. In 1949 the Government introduced legislation to provide for the establishment of abattoir boards, and a local abattoir board was set up in Mackay in 1951. Since then there has been little or no progress with the works in Mackay, but in the last few months there has been some activity in that an area of land has been selected and an access road has been built. Plans and specifications have been prepared. At the same time there has been considerable difference of opinion as to where the works should be established. One body of opinion is in favour of the Bakers Creek site to which the road has been built and another is in favour of the harbour area. Government reports have been made but even at this late stage matters are more or less at a standstill because of the attitude of those who think that the works should be established at the outer harbour. Following a request from various bodies in Mackay, investigations were made. Departmental officers were sent to Mackay to report on the suitability of the harbour site. Eight years have elapsed and we still have no abattoirs and I am doubtful whether we will ever get them. Perhaps there are people in Mackay who do not want them. That seems probable because many spanners have been thrown into the works there.

Mr. Nicklin: There are no works there to throw any spanner into.

Mr. GRAHAM: Obstacles have been placed in the way of the local board. The local board has made a decision but it is opposed by some other authority. The Government have gone to the expense of sending people to Mackay to make a report. The abattoir should be proceeded with. In the initial stages the board did not provide for export trade but it should have been done. The supply of cattle around Mackay is sufficient for the purpose. It was stated that there would be 1,000 head of bullocks available daily for killing at the abattoirs. Everybody knows that the Nebo area is a great cattle-growing district, and ample stock would be available to make the export abattoirs a very profitable venture. Thousands of head of stock are raised in the area, but they go to the southern markets; but with the erection of an abattoir they should be treated locally for export. Local consumption is 12,000 to 14,000 head a year. The cattle are killed in and around the district. The object of the central killing works was to have all cattle treated there, thus giving the public beef killed under hygienic conditions, and the stock-owner a greater return. Many valuable by-products would also be available. The decision of the Government to change the boards from local boards to district boards is a progressive move. As it will force those some distance near Mackay to have their stock killed at that centre, and it will provide a better distribution of meat to the people. The modern cold storage treatment is of assistance in exploiting the export trade overseas. The Mackay people want a local abattoir, as it would be of immediate benefit to the local consumers and meat producers. Someone will have to direct that the establishment of a local abattoir at Mackay should be undertaken without any further delay. Procrastination for the last four or five years has been such that no-one knows what is going to happen. The Bill may assist to overcome that position, and I sincerely hope the Mackay Board will go ahead with the erection of an abattoir. In that way the quality of meat for local consumption will be higher, and graziers will have an opportunity of disposing of their stock on the local market instead of having to rail them to the South. The hinterland is good grazing country that could provide all the stock required. I hope that the proposed abattoir at Mackay will be established in the near future.

Mr. ANDERSON (Toowoomba) (3.56 p.m.): I commend the Minister for introducing the Bill. The Toowoomba Abattoir Board has made representations for the extension of its area. It has been seeking permission to kill for interstate and export markets, as well as local consumption. The Board will be delighted with the Bill.

The abattoir was established in 1955. It was resisted at the time by the master butchers, but they now acclaim it as a wonderful improvement. Stock can be treated at the abattoir under hygienic conditions. Outside butchers may use the facilities available at the abattoir. It will be a wonderful boon for stockowners on the Darling Downs. The abattoir is much closer to their properties, and so killing charges will be less. The more cattle killed at the local abattoir the lower the costs. That will be of benefit not only to meat producers, but also local consumers, and it will also mean additional employment. But I sound a note of warning. Those who contemplate building abattoirs should keep in mind the possibility of an extension of the abattoir in the near future. Although the abattoir in Toowoomba had been built only three years, a new boiler was required, as the original boiler was far too small. It was sufficient to meet requirements when the abattoir was erected, but no thought was given to the possibility of greater future demand. Refrigeration is also costly, and at the Toowoomba abattoir it was found necessary to provide another refrigerator unit. The public are now seeking pre-wrapped meat, and butchers are pre-wrapping meat for local shops. This work also creates more employment.

On behalf of the Toowoomba Board, I again commend the Minister on introducing the Bill. It will enable killing to be done for export and for the local trade.

Hon. O. O. MADSEN (Warwick—Minister for Agriculture and Stock) (3.59 p.m.), in reply: I am pleased that hon. members regard the Bill as a forward move. I am satisfied it is.

I understand the points raised by the hon. member for Mackay. I personally could be held responsible for some of the delay within the last 12 months. It was very desirable that we should explore the position from every angle and in this regard I come back to the point made by the hon. member for Toowoomba. If it is not possible to build for expansion initially it becomes a costly venture later on. My idea was to serve the various cities and provincial towns well and at the same time provide something of value to the district, a point made by the hon. member for Mackay. One of our problems at Mackay was that of a site. I was of the opinion that if we were going to enter the interstate or export trade we had to get a site near the waterfront so as to provide for more economic killing than in an inland area. On the advice of the experts we had to get back to looking at the site originally selected. I must say that it is not regarded as a very good one. It is difficult to get a very suitable piece of land around Mackay because there is very little high ground offering. We were somewhat hesitant to establish an abattoir on the Bakers Creek site, which I understand is subject to flooding and backwater. Drainage is also an important problem as the land becomes boggy. I had a few fears about that site. Whilst it may be necessary to establish it there, I am not particularly happy about the site. Nevertheless, I want to assure the hon. member for Mackay that the works will go on;

let there be no mistake about that. Whilst I am keen that the abattoirs should be established to serve a dual purpose, whether they will serve the city only or the city and district is a matter on which a good deal of responsibility lies with the local graziers. If they undertake to provide the extra cold storage space necessary on the waterfront we will provide the extra killing facilities. If the local graziers are not prepared to do that we, naturally, will have to look at our position again. We are prepared to find the extra facilities now and build the works in such a way that they will be capable of expansion. Extra cold storage space will be required if the abattoir is to go into the interstate and export trade. To enter that trade extensively more cold storage space is required to attract shipping to Mackay. You cannot attract shipping to Mackay without considerable cold storage space.

Mr. Graham: Would you consider utilising the present sugar sheds?

Mr. MADSEN: I understand that negotiations are going on at the present time. If the graziers want these facilities, it is up to them to give the O.K. and tell us that they are prepared to provide the extra cold storage space. As I have said, arrangements will have to be made for expansion.

I was pleased to hear the hon. member say that the people of Mackay were considering the benefits to be conferred on the district. The value of those benefits must be great to Mackay. Considerable numbers of stock could be killed at Mackay. The district would benefit in the labour engaged. As there are so many advantages I am pleased to know that the Mackay people realise what they mean to them. I assure the hon. member that nothing will be done to delay the establishment of the works there.

I appreciate what the hon. member for Toowoomba said about making better use of abattoirs. The proposal met with some resentment in Toowoomba in the first place, but I know of nobody who is not happy about it now.

I agree completely with the opinion of the hon. members for Cairns and Rockhampton that it is impossible to police the killing of stock in many of the small slaughter-yards. I assure the hon. member for Rockhampton that it is quite competent for a board to enter into an arrangement with an existing works as long as the charges are comparable with those in other areas.

Mr. Coburn: What would be the killing requirements to make an abattoir an economic proposition?

Mr. MADSEN: I could not answer that question with any certainty, but I think it would have to be in the vicinity of 200 per week.

Mr. Coburn: That would put the Ayr shire out of it.

Mr. MADSEN: I do not think so. The surrounding locality could be brought in. I hope that many more local abattoirs will be established in the various areas. Of course, the initial cost has to be met and there would have to be a reasonable requirement before a local abattoir could be established. In some areas, of course—and this applies particularly to the Darling Downs—three or four local authorities could act in conjunction with each other.

Motion (Mr. Madsen) agreed to.

Resolution reported.

FIRST READING.

Bill presented and, on motion of Mr. Madsen, read a first time.

MARGARINE BILL.

INITIATION IN COMMITTEE.

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

Hon. O. O. MADSEN (Warwick—Minister for Agriculture and Stock) (4.10 p.m.): I move—

> "That it is desirable that a Bill be introduced to consolidate and amend the law relating to the manufacture and sale of margarine and for other purposes."

At the last meeting of the Australian Agricultural Council it was decided by all State Ministers of Agriculture that action should be taken under the appropriate margarine legislation in each State to check the promotion of a type of margarine purporting to be an all-purpose margarine that has been placed on the market. This product is not subject to the provisions of the various States' margarine legislation, which limits by means of quotas the quantity of table margarine produced. The labelling used on the product referred to may be regarded as misrepresentation of the type of margarine in the package. If the quota provisions are to apply at all they should be made to work effectively. It is better not to have legislation that will not work.

The council, after examining the position, concluded that, if the increased production and distribution of a type of margarine not subject to quota restrictions goes on unchecked, the quota system for table margarine will become ineffective, with obvious serious consequences for the dairying industry. When quotas were decided upon, the dairying industry was going through a similar period to the present. The whole economy of the industry was badly shaken by factors beyond its control, mostly the export market. It is hardly necessary for me today to point out the economic state of the dairying industry.

The use for table purposes of margarine manufactured outside the quota can be discouraged by requiring it to be labelled "Cooking margarine—for cooking purposes

only.'' The main purpose of the legislation is to see that the public get the product that they believe they are getting. If they are getting beef dripping they are entitled to know that it is beef dripping. If it is called a spread or by some other name, that is not fair to the public and they should know about it. We have been able to get dripping for years. We probably know more about dripping than about margarine. I did not mind a bit of lard myself in earlier years.

Mr. Duggan: You show something for it, anyway.

Mr. MADSEN: Yes, and I recommend it to those who have not been able to put on weight.

The Victorian legislation provides that table margarine (manufactured within the quota) be labelled ''Table margarine'' and that margarine used for cooking purposes be labelled ''Cooking margarine—for cooking purposes only.'' It was resolved by the Australian Agricultural Council that each State should adopt this form of labelling and it was considered also that the Victorian margarine legislation was effective and should be used as a model by other States. Since the original quota legislation was introduced some years ago—I think it was related to population at that time—a great deal of objection has not been raised to the States' making a re-distribution of the quotas provided they were related to increase in population, but unfortunately New South Wales, with a quota representing more than half the Australian produce, has had considerable effect on margarine manufacture throughout the Commonwealth. Under Section 92 of the Commonwealth Constitution it has been impossible to confine the manufacture of margarine to that State. Consequently I think every State has suffered to some extent.

Arising from the decision of the Council, it is now proposed to model the Queensland legislation along similar lines to that in Victoria and, in so doing, opportunity is being taken to repeal the existing Queensland Act and to substitute a consolidated Act. Actually the position is so different today from what it was then that rather than endeavour to amend the Act we think it is better to introduce new legislation.

It may be mentioned that at least one margarine company in Queensland has informed me of its support for legislation to control the so-called all-purpose margarine. I have been advised by a Minister in another State of a similar attitude by a manufacturer in that State. It simply means that if we allow one manufacturer to more or less by-pass the legislation it is forcing other manufacturers to do the same, or we will have one manufacturer taking advantage of others who conform to the quota allotted to them. It is either an open slather or we will have to try to be fairer and make the quota legislation work.

I shall briefly outline the main provisions of the Bill for the information of hon. members. We seem to be adopting the habit of giving all particulars at the introductory stage. First of all, the Bill deals with definitions. Definitions are given for margarine, cooking margarine, table margarine, cooking and table margarine, licences and other terms and names which are used in the Bill.

Any margarine that contains animal fats representing not less than 90 per cent. by weight of the total quantity of fat or oil in such margarine will be defined as cooking margarine and any margarine that is not cooking margarine will be defined as table margarine. It is particularly important that we should define what is table and what is cooking margarine.

Persons who are engaged in the manufacture (which includes packing) of margarine, and agents, will require to be licensed.

Licences will be of three kinds—(*a*) table margarine licence; (*b*) cooking margarine licence; and (*c*) agents' licence.

Every licensee will have to register the marks or brands used by him on margarine and different brands must be used for table and cooking margarine. An attempt has been made by some manufacturers, by merely leaving a letter out, to mislead consumers into believing that in buying a cooking margarine they are buying the table margarine they have previously used. It is rather a snide tactic. There should be some definite distinction between cooking and table margarine to ensure that a consumer knows exactly what he is getting.

Under the present Act the quotas for table margarine are determined by the Minister and may be modified by him from time to time by notification in the ''Government Gazette.'' The three Queensland manufacturers who hold table margarine quotas have quotas aggregating 4,236 tons yearly. It is now proposed to make provision for a maximum quantity of 4,236 tons of table margarine to be inserted in the appropriate section of the Act for the purpose of enabling Parliament to determine the maximum quota. Any modification thereof in the future will, therefore, rest with Parliament and not the Minister. Previously it was a matter for the Minister but now it will be written into the Act and can be altered only by Act of Parliament. The quotas for individual manufacturers will now be included in their table margarine licences which will begin on 1 January in each year, in contrast with the existing provision in which the quota is effective from the date it is notified in the ''Government Gazette.'' It is much more satisfactory that these quotas should commence from the beginning of the year. The present manufacturers will not lose anything because we have given them the opportunity to take it up on a monthly basis.

Every table margarine licence will specify the quantity of table margarine which the licensee may manufacture during the calendar year for which the licence is issued or renewed, as the case may be. I may mention that for the year 1959 each of the present quota holders will be granted a licence to manufacture an amount equivalent to his present yearly quota. There has been a tendency for them to rush through the manufacture of their quota and then press for further quantities. We only refer to the manufacture, not the sale of it. They can sell it as quickly as they like. We think that the manufacture should be spread over the year.

Mr. Hanlon: There must be a demand for it.

Mr. MADSEN: The point is, do we believe in the quota system? In the first place the State Government must have thought it necessary to introduce legislation of this kind. I am not too sure of the actual sale of margarine in this State. They manufacture up to their full capacity, but I am not in a position to say what the sale is.

There will be power to cancel a table margarine licence for certain breaches of the Act, and to grant a new licence for the unexpired term of the cancelled licence or to increase proportionately the amounts allotted to other licensees.

A clause will be inserted to provide for the Minister to issue a special permit authorising any manufacturer to manufacture table margarine for a specified period for export beyond the Commonwealth of Australia. Any such permit will be conditional on none of the margarine manufactured under it being sold within Australia. There is a market for export. If it was sold in any of the other States it would only worsen the position there. We believe this is a question that should be resolved on a State basis. There is a tremendous quota in New South Wales and some employment has been lost here as a result of their product coming in. Let it be a Queensland industry with a Queensland quota. Let us take advantage of the quota we have here and not have it coming in any more than we can help.

Mr. Burrows: Is New South Wales prepared to reciprocate?

Mr. MADSEN: Not altogether. New South Wales took advantage of the position in Victoria, where the quota has not been changed since it was established some years ago. Queensland must take some share of the blame for alteration of quotas without agreement by all States. It is unfortunate that the quota of one State should be more than 50 per cent. of the total Commonwealth quota. The matter should have been considered on an all-States basis. The present position is unfair and unjust.

Table margarine can now only be sold in 1-lb. or ½-lb. pats made up in cube form and this will continue to apply under the new Act. The wrappers on any table margarine will have to bear on four sides, in letters of prescribed sizes, the words "Table Margarine", and there will also be required to be printed on the wrapper the net weight of the contents, the name and address of the manufacturer, and his registered mark. No other wording will be permitted on the wrapper, excepting that the vitamin content may be printed on the wrapper of table margarine.

Mr. Duggan: You have no power under the regulations to make them put "Poison" on the wrapper.

Mr. Harrison: Are you recommending it?

Mr. MADSEN: By the Bill we are not seeking to interfere with manufacturers, but to keep them to a level of production in accordance with the quota system and to ensure that the product is sold for what it is. We are not going to allow manufacturers to sell cooking margarine as table margarine. Standards are provided for butter and other commodities and there is no reason why we should not prescribe standards for margarine. There have been changes in the constituents of margarine in the last few years, to the advantage of manufacturers. We cannot stand by and allow exploitation just because the constituents of the product are cheaper than they were originally.

On cooking margarine which is sold in 1-lb. or ½-lb. pat form there will have to be printed on four sides of the wrapper the words "Cooking Margarine—For cooking purposes only" in letters of prescribed sizes and, in addition there will have to be printed on the wrapper similar wording as for table margarine pats regarding net weight of the contents, the name and address of the manufacturer and his registered mark. Provision will be made for cooking margarine to be sold to cakemakers, pastrycooks and similar businesses in quantities of not less than 14 lb., but the package must have printed on it the words "Cooking Margarine—For cooking purposes only" in letters of not less than 1 inch in height. To require cooking margarine for bakers and pastrycooks to be supplied in pat form would add unnecessarily to the cost.

Similar provisions to those in the present Act forbidding the use of butter in margarine, requiring a small quantity of arrowroot or starch to be mixed as a tell-tale substance in margarine, the appointment of officers for administering the Act, the inspection of premises and account books or other documents, sampling, the right of entry to premises and the detention of margarine, or ingredients used in its manufacture, and the furnishing of returns, will be incorporated in this Bill.

In regard to detention or seizure of margarine by an inspector, a person may appeal to a stipendiary magistrate against such action.

Any contravention or failure to comply with any provision of the Act will constitute an offence, the penalty for which will be a maximum fine of £100 and not more than £20 daily for continuation of the offence after conviction.

Any fraudulent act by any person regarding altering marks on packages of margarine will be an offence. It will be made unlawful for any person to use in his brands, advertisements or other means of sales promotion any words or pictorial device which suggests any connection between margarine and dairy products, or that cooking margarine is fit for table purposes. This practice has grown not only in Australia but throughout the world. Manufacturers endeavour to create the impression that there is some relationship between margarine and dairy products. The point was raised quite recently in Great Britain. The picture of a cow on a margarine wrapper suggested some relationship to dairy products. We regard that as completely unfair. For the purpose of controlling any table margarine which is brought into Queensland from any other State, a new section has been inserted providing similar power over it as exists in regard to table margarine manufactured within the State.

Mr. Duggan: You are only dealing with the quality rather than the quantity?

Mr. MADSEN: Yes.

Mr. Duggan: If they don't get their quota in New South Wales what would be the position under Section 92 of the Commonwealth Constitution?

Mr. MADSEN: Perhaps it would not be convenient for them to forward to Queensland if samples had not already been made available. There are some who manufacture in New South Wales and trade in Queensland. One manufacturer took advantage of the two-quota systems. He got a quota for New South Wales and he got a second quota for Queensland, and in effect he had the advantage of two quotas.

The Bill will provide for the making of any necessary regulations which are not inconsistent with the Act for the purpose of giving effect to the Act. Every regulation must be published in the "Government Gazette." It is proposed to bring the Bill into operation from 1 January, 1959, and to enable certain administrative precedure to be commenced prior to that date, particularly the issue of licences to margarine manufacturers. Provision is being made for such action to be taken after the passing of this Bill.

I may say, in conclusion, that the new principles introduced relate chiefly to providing for two types of margarine, defined as cooking and table margarine. The definition of table margarine has been changed from that in the repealed Act. If hon. members look at the Act they will find that table margarine is described as margarine manufactured in whole or part from imported oils. That is completely unsatisfactory and so we are defining table margarine. The maximum quantity of margarine to be made yearly in Queensland has been determined at 4,236 tons, the same as the present quota, which is the aggregate amount now permitted to be made by quota holders. If any alteration is made at any future date in the maximum yearly production, such alteration will require to be determined by Parliament as is done in Victoria.

Licences will now be of specific kinds for the types of margarine manufactured. The table margarine licence will limit the quantity to be manufactured by the licensee to that provided for in the licence. There will be no quota for cooking margarine. The labelling requirements will ensure that the purchaser is given the type of margarine which is denoted by the label on the package. It is particularly important that the purchaser should know whether he is getting table or cooking margarine. This will be clearly defined on the label.

There is also power to control any advertising of margarine which may refer to it as a dairy product, or to cooking margarine being fit for other than cooking purposes. Beef dripping and that sort of thing could be sold. The manufacturers could "doll it up" by another name. It is important that the public should know about it.

Another provision strengthens control over margarine which may be made in another State and imported into Queensland.

The introduction of this legislation is a result of agreement by all Ministers of Agriculture at the last meeting of the Australian Agricultural Council, that the margarine legislation in all States should be modelled along the lines of the Victorian legislation. Unfortunately there has been wide variation in the Acts of the States although they agreed to the quota legislation some years ago.

That is all I have to say at this stage. I commend the Bill to the Committee.

Mr. DUGGAN (North Toowoomba—Leader of the Opposition) (4.35 p.m.): The Minister has earned for himself the reputation of being very pleasant and amiable, and he has taken advantage of those virtues to introduce a measure in a way that suggests that everything contemplated in it is in the best interests of all concerned, that is, the dairy farmers, the manufacturers, the employees, and the general public as a whole.

The Bill contains many obvious contradictions. In many ways, too, it contradicts the Government's policy. I make it clear at the outset that I am not unappreciative of the problems that confront the dairying industry. I realise that a tremendous amount of capital is involved in it and that it constitutes the backbone of the State's agricultural economy. It has been responsible for keeping

people on farms and developing small communities. If we took from them the occupation of dairying, we would interfere very seriously with their economy.

I am aware, too, that of all the people engaged in industry, few have as difficult a task in maintaining their families and have to work such long hours as those in the dairying industry. At one time it was regarded as a sweated industry, its proceeds being derived largely from the use of child labour and that of the dairyman's wife, who was called upon not only to look after the house but to do more than her share of milking.

Because of the catastrophic drop in world prices of butter with the incidence of increasing production, mainly by the United States of America and some of the Scandinavian countries, it is virtually impossible to market butter overseas profitably.

I am making these matters clear to show that I am not unaware of the problems that confront the dairying industry. Nor am I unaware that the taxayers of the Commonwealth have subsidised it to the extent of £13,000,000 a year. I am aware, too, that despite an election, the Commonwealth Government disregarded their obligations to the dairymen, to whom they traditionally look for support. They held a bunch of carrots in front of the dairymen when the election was pending.

I know of no other Bill that has been introduced into the Assembly that contains so many restrictive clauses and practices as this one. The fact that there has been a very large increase in the use of margarine, both table and cooking, is in itself an indication that there is a great public demand for it.

The first contradiction in the measure that comes to my mind is that this Government, who call themselves a free-enterprise Government and say they believe in competition, are the first to clamp down rigidly when it suits them on the method of manufacture and of sales promotion. In that way they are doing everything possible to prevent the consumer from using margarine. I do not think the Minister will contest that assertion, because it is quite true.

Why do people use margarine? Is it because of its nutritional value, or is it because of its price? Obviously, its price and its palatability and nutritional value are the two compelling reasons that cause people in the lower income brackets to use margarine. Some time ago I was contradicted and laughed to scorn in this Assembly when I said that from inquiries I had made of storekeepers on the Darling Downs, I learned that some of the worst offenders—if they can be regarded as offenders—in the purchase of margarine were the dairy farmers themselves. I know that that will be thrust aside; but I worked in a grocer's shop for a number of years and I have many former friends and associates who work there still.

Mr. Richter: Would that be table margarine or cooking margarine?

Mr. DUGGAN: Both.

Mr. Richter: A big difference, you know.

Mr. DUGGAN: Yes, but the farmers use both. This is where the contradiction comes in. The Government first of all compel the manufacturer to lower the quality of his cooking margarine by their insistence on a 90 per cent. animal fat content.

Mr. Madsen: Up to 90 per cent.

Mr. DUGGAN: Most people know that for palatability and quality it is desirable to use vegetable oils such as peanut oil and cottonseed oil, both of which are produced in Queensland. Moreover, the manufacturers must show on the four sides of the wrapper in inch-high letters that it is cooking margarine and that it is to be used for cooking purposes only. That in itself acts as a dissuading factor to a woman who goes into a shop and wants to buy it purely for economic reasons. Why all this great concern for the quality of a product when no similar concern is shown about meat? Why not say the consumer is entitled to have meat graded—1st grade, 2nd grade, and 3rd grade? Hon. members opposite abolished that. They said that in order to stimulate sales the butchers should be allowed to sell 3rd grade meat at 1st grade prices, and the Treasurer the other day interjected and said, "Why shouldn't they get a first grade price for 3rd grade meat, because many people overseas like the leaner types of meat?" If that argument is followed, why not permit the sale of the fatty type of meat at something less than the prices prescribed for the so-called 3rd grade meat?

Mr. Madsen: That is a matter of opinion.

Mr. DUGGAN: If the Government are so concerned about the public, why not give them the opportunity to decide for themselves? If it is a matter of opinion, let the public determine it. Let the margarine manufacturers market their product unrestricted and let the public decide whether they like brand A, or brand B, or brand C. Treat them the same as the meat people. The Government say the consumer should determine whether he likes fatty meat or lean meat. Why not do the same with margarine?

Mr. Madsen: They have the same chance of selection.

Mr. DUGGAN: Which?

Mr. Madsen: Of meat against something that is wrapped, and so on.

Mr. DUGGAN: Why not go on to cheese? Why not grade cheese?

Mr. Madsen: We do grade cheese.

Mr. DUGGAN: Not so far as the consumer is concerned.

Mr. Madsen: Yes, we do.

Mr. DUGGAN: No, very definitely, cheese is not graded.

Mr. Nicklin: Go down to Allan & Stark's and you can get four grades of cheese—mild cheese, matured cheese, epicure cheese, and so on.

Mr. DUGGAN: Yes, cheese can be bought by brand. Epicure cheese, as it happens, is a very fine-quality cheese made in New Zealand; but the label does not say, "This is a first-class cheese with certain properties." It simply says that it is epicure cheese.

Mr. Nicholson: The manufacturers cater for different tastes.

Mr. DUGGAN: If it is suggested that the marketing of types of cheese is based on taste——

Mr. Madsen: Laid down in the standard of manufacture.

Mr. DUGGAN: The customers may ask for Red Coon cheese. Is that graded?

Mr. Madsen: The standards are laid down.

Mr. DUGGAN: It is not laid down for each particular cheese. It is merely labelled "Red Coon cheese," and Gruyere cheese is merely labelled "Gruyere cheese". There is no stipulation that it is to be used only for grating purposes. The use to which it is to be put is left to the consumer. It is left to his free choice whether he uses it for cooking purposes or for putting on bread and butter. Nobody tells him that a particular brand of cheese or a particular type of cheese is to be used for cooking purposes only or to be used for spaghetti or to be doctored with tomato sauce or anything else.

Mr. Harrison: One is a natural product.

Mr. DUGGAN: The Government claim to be a free enterprise Government and stress the need for free choice and they talk about the need for developing Queensland industries. My inquiries suggest that there are three principal firms here. As the Minister said, some of them have been gobbling up quotas. One company known as Nutta Products (Qld.) Pty. Ltd. including Meadow Lea Company has a quota of 1,842 tons. Provincial Traders Pty. Ltd. has a quota of 1,644 tons, and Marrickville Margarine Qld. Pty. Ltd. 750 tons, a total of 4,236. How is this broken up? The Provincial Traders Pty. Ltd. is a wholly-owned Queensland company that has invested £750,000 in Queensland in its factory. Marrickville Margarine Pty. Ltd. has spent £400,000 at Cannon Hill, but the company with the biggest quota, Nutta Products (Qld.) Pty. Ltd. has spent less than £100,000 in Queensland.

Mr. Madsen interjected.

Mr. DUGGAN: Can the Minister refute these quotas? Are they wrong? The Minister is killing the Queensland companies that, on his own admission, have no guarantee. When the hon. member for Port Curtis interjected he said, "Unhappily we do not know whether we can insist on the New South Wales people carrying out their agreements." Who owns this Nutta Products (Qld.) Pty. Ltd.? Vegetable Oils, who have a virtual monopoly in New South Wales.

Mr. Madsen: Can you guarantee anything from any other State?

Mr. DUGGAN: If the Minister is going to show some preference why not give it to Queensland industries? He is showing so much concern for a company which, on his own admission, he has no guarantee he can control. The bulk of the money is represented by New South Wales capital. They have certainly the largest say in the manufacture of margarine in New South Wales. They have a virtual monopoly down there. At the present time they are engaged in a price war against a Queensland non-payable product. They have a price of 2s. 11d. a pound as against 2s. 6½d. here, which gives them a margin of 4½d. a pound to fight the Queensland interests who are endeavouring to market their non-payable margarine in New South Wales. The Minister must know that to be true.

Dr. Noble: They are selling quite a bit in New South Wales.

Mr. DUGGAN: Yes, and they are losing money because of the selling campaign backed by Levers and other important interests. What does £30,000 or £40,000 mean to an international organisation like Unilever? They can squeeze other people out. The Minister has been talking about the reduced number of firms operating here. In order to stimulate meat consumption he said that there should be more slaughterhouses and abattoirs in Queensland to provide competition.

Mr. Madsen: To kill the same quantity of meat.

Mr. DUGGAN: Exactly, but the Minister wanted more people to do that because he said it provided more competition.

These are the facts as I understand them. The figures given in the Federal Parliament by Mr. McMahon on 7 August this year show that the total of margarine manufactured had increased from 3,184 tons in 1950-51 to 14,528 tons for the 11 months of 1957-58. These figures were for table margarine only. Other margarine manufactured brought the total for the 11 months of 1957-58 to 33,432 tons compared with 25,981 tons in 1950-51. Surely these figures indicate that there has been a public demand for it. Is the Minister going to say in the next breath that he is going to impose a ban or make it difficult to market Corn Flakes and say that the people have to eat Wheat Flakes? It is the logical sequence

of what he is doing. Is he going to lay down the sales promotion campaigns? Why does he not go down to Allan & Starks or Finney Isles and tell their advertising men how they have to conduct their advertising campaigns?

Mr. Madsen: You want the New South Wales manufacturer to come in on your argument.

Mr. DUGGAN: The Minister is trying to peg down the quotas by making it a responsibility of this Parliament. That is what the amendment to the law does.

Mr. Madsen: Is that not a wise amendment?

Mr. DUGGAN: Why does not the Minister not do it with coal production? He leaves it to the determination of the Executive Council. Why not be consistent and say that no more than a certain quantity of coal can be produced in Queensland unless Parliament agrees instead of leaving it to the Minister for Development, Mines, and Main Roads to say whether they can exploit Kyanga or some other coal deposit?

Mr. Madsen: You do not want rights; you want the Minister to do these things

Mr. DUGGAN: What I am saying—and saying successfully—is that the Government are hog-tying everybody in connection with this matter. If this came from a Labour Government hon. members opposite would be the first to attack it and characterise it as unnecessary regimentation. Why do not the Government say the same thing to the shirt manufacturers? Are the Government going to say to them how many they are going to make in six months? If the Government are going to make it a static condition why not lay down quotas for every type of production? I would not mind if it were made general. The Government are not concerned a tinker's dam about the consumer. I should not mind if the Minister came out frankly. The Minister is a very frank person. I have a tremendous regard for him—a 22-stone-high regard for him. This is not personal. I would give the hon. gentleman credit if he said, "We are a Country Party Government and dairy farmers give us their votes and we are going to give them everything we can." But do not come out and indulge in political hypocrisy and say that the Government are trying to help the consumer and everybody else about the place.

Mr. Madsen interjected.

Mr. DUGGAN: Why should they be fixed, if you get down to tin tacks? I am not saying it is the sole cause of the trouble. When I was Minister for Transport I asked Mr. Richardson, the Valuer-General, to get some information—I did not want to know the names; only cases A, B and C—relating to representative cases in the sugar, grazing, wheat and dairying industries of properties that changed hands over a number of years. If you had to base the cost of production on the increasingly inflated prices paid we would be paying 10s. a lb. for butter. I am not unsympathetic to the dairy farmer. If the Government are going to control these things, if they are sincere about pegging these things, why do they not peg them as they do land sales in order to prevent the inflation that was going on? The Premier would know of the inflated prices paid for pineapple farms immediately after the war because people thought they would be able to make a lucrative living. We would have more respect for the Government if they came out honestly and said that it was designed for a particular purpose only. They should refrain from endeavouring to draw the wool over the eyes of the people outside or shed crocodile tears. Hon. members opposite are a Country Party Government legislating for Country Party interests, so why not be frank enough to admit that? Are the Government going to do this with all secondary industry? If somebody comes in will they say, "All right, we want you to engage in this operation but we will peg you down to an allocation of so much."

Mr. Madsen: We are going to lift the barriers.

Mr. DUGGAN: The only barrier the hon. gentleman will lift will be a barrier that will fall right down on the neck of the consumer.

Mr. Madsen: Would you lift all the barriers?

Mr. DUGGAN: Why are the Government not politically honest in this matter? Even the "Courier-Mail", the Government's mouthpiece which has been very helpful to them does not take too kindly to this regimenting of the people in their eating habits. I should have more respect for the Government if they said, "We are in favour of this matter. We are trying to get more votes and will do this or that", instead of talking about giving electoral justice to the people and all this other ballyhoo. I am completely sick of the insincerity displayed by the Government. They claim continuously that they are a free-enterprise Government, but in practice want to regiment everybody. That will be the rock on which the Government will perish, in that those who control the Liberal Party are getting heartily fed up with the practice. I had lunch last Friday with a Liberal supporter who had made a pretty substantial contribution to Liberal funds. He said, "That is the last £500 they will get from me."

The hon. member for Roma who is sitting so quietly will know that the same remarks could be applied to the wool-broking firms who withheld their payments until the Governmentt embarked on this jiggery-pokery with Mr. Payne. The Government are promising this and that and are getting themselves so tangled politically that they do not know where they are going.

I am trying to enlighten the public as to the true position. By way of interjection earlier I said that about the only thing the Bill does not require is the printing of the words "poison" on the four sides of the margarine wrapper in order to prevent the purchase of this product by a section of the community who regard the word poison with some trepidation. If the word was required on all sides of the wrapper, it would probably satisfy many Government members.

The Government are requiring cafes to display the fact that margarine is used on the table. On the one hand the Government talk about giving justice to everybody, yet they give themselves the right to suspend the licence of a firm that may have spent three-quarters of a million pounds in this State. That suspension would virtually mean that £750,000 of Queensland investors would go down the drain, if the firm breached the Act.

Mr. Madsen: What would you do if they kept on breaching it?

Mr. DUGGAN: Never mind what I would do, but the Government claim that they are a democratic Government and believe in free enterprise and believe in competition. The sooner the people realise they are a sectional Government the sooner the Labour Party will take their position on the Government benches.

Hon. W. POWER (Baroona) (4.58 p.m.): The Minister said the scheme was decided at a meeting of the Australian Agricultural Council, but by the Bill the Government are applying the Victorian Act to Queensland.

On the information available to me, I know there were three brands of margarine in the State, industrial, table and all purposes margarine, but the Minister proposes to reduce it to two types, table and cooking. I am informed also that all purposes is suitable not only for cooking but also for table use and that it is used on many tables in this State.

I agree with the Leader of the Opposition —it is quite apparent—that this Country-Liberal Government are not at all concerned about consumers. They are concerned only about one section of the community.

The Premier is to introduce a Bill of Rights, but what right would it give to those who desire to purchase margarine and are unable to do so, or to those who desire to manufacture margarine?

Mr. Madsen: Is that the only thing it will do?

Mr. POWER: Let us examine the position generally. Look at the amount of money expended by margarine manufacturers in Queensland. I will deal with only one firm. We were told on more than one occasion by the Government when they were in Opposition that their objection to the manufacture of margarine was that it was made from materials obtained from cheap labour countries. Let me tell the Government that table margarine is manufactured from oil that comes from Papua, a country within the British Commonwealth of Nations, and that all-purposes margarine is manufactured from edible fats. The Toowoomba abattoirs sold £25,000 worth of edible fats to one firm last year; the Bundaberg abattoirs sold £12,000-worth of edible fats to the same firm and the Townsville abattoirs did likewise. Hon. members can see that industries in Queensland are receiving some benefit from the manufacture of all-purpose margarine in the State. About £450,000-worth of material was purchased in Queensland by one firm and the money expended by the purchase of goods and materials for the manufacture of all-purpose margarine is in the vicinity of £2,000,000. The Government are now fixing quotas by legislation. I see no reason for a departure from the existing position. Should a request be made from the manufacturers of margarine for an increase in quota the Minister rids himself of the responsibility by saying that it is a matter for Parliament. The system of quotas has worked satisfactorily for years and why should a variation be brought about now?

Let us look at some of the conditions set out in the Bill. The conditions are framed to kill the manufacture of margarine in Queensland. I cannot see any justification for giving the Minister power to compel a manufacturer to mark his product "For cooking purposes only" when it is suitable for all purposes and is being used and has been used for all purposes for a number of years.

Mr. Madsen: He can call it "table" now.

Mr. POWER: As a result of its being marked "For cooking purposes only", many people will not buy it. People can buy margarine for 2s. 2d. a lb. That is the fly in the ointment. The public will now find themselves with a product marked "For cooking purposes only" when it can be used for all purposes. What right have the Government to do that? What mandate have they received from the people? The Minister for Labour and Industry wants to establish new industries in Queensland. The Government today are attempting to kill an industry by the restrictions they are placing on it under this legislation. There is no justification for it at all. We were told that up to 90 per cent. of animal fat will be contained in margarine described as "For cooking purposes only". Further restrictions will be placed upon the manufacturer. The manufacturer will be licensed and only a licensed person will be able to manufacture. Agents will be licensed.

The Bill has been introduced simply to meet the wishes of one section of the community. Its provisions will operate from 1 January next. No manufacturer will be able to produce more than his quota for a quarter. Unless he is granted an additional

quota, men will be thrown out of employment. The Government are showing a callous disregard for the employees in the industry.

The Minister will have the power to cancel the licence of any manufacturer, and is taking unto himself the right to give permits for the manufacture of margarine that is to be exported outside Australia. If this legislation is challenged under Section 92 of the Commonwealth Constitution, I do not think the Government will get away with it. They intend to operate on the licence system, but it can be regarded as a restriction of trade. If they tell a manufacturer that he is licensed to manufacture only a certain quantity of margarine, that must be restriction of trade. We learned that when we had trouble with beef going over the border.

Mr. Madsen: It has already been tested in another State.

Mr. POWER: I am only a layman, but I have at least some common sense. The Minister intends to deal with margarine that is manufactured outside the State and brought here for sale. He is laying down conditions as to quality. I have no objection to that, but he said that the conditions pertaining to the importation of margarine from another State would be such as might make the manufacturers there decide not to send any to Queensland. That was a veiled threat. The Government should be honest and sincere in these matters. Why apply a quota system to the manufacture of margarine?

Mr. Madsen: Your Government applied it.

Mr. POWER: We applied it, but I was always opposed to it. The Minister is now going further than our legislation went. Furthermore, he is making no provision to increase the quota from time to time. Our legislation provided for periodical increases.

Mr. V. E. Jones interjected.

Mr. POWER: The hon. member should stick to his pigs.

The Bill has been introduced simply for the purpose of assisting the dairy farmers. No regard whatever has been paid to the interests of the consumers. It will have such a harmful effect on the margarine manufacturers that I would not be surprised if a number of them went out of business.

The attitude of the Government is quite wrong. Why place restrictions on people who want to develop an industry here? Again, if the people want margarine, why stop them from getting all that they need? Margarine is the poor man's butter, and has been for many years. If Kirrabelle margarine were put on the table many people would not be able to distinguish it from butter. Has any evidence been produced that margarine is detrimental to the health of the people? Is the Bill being fair to an industry that buys many of the ingredients of its product from other industries in the State? If the Government are so concerned that the public shall have the best-quality commodity, why did the Minister abolish the grading of beef? He has never been able to answer that question.

Mr. Mann: Because of the pressure of the squatters.

Mr. POWER: That is so. And what is happening today? Third-grade beef is being sold to the people of the State at top prices. What concern have the Minister and his Government for those unfortunate people? None at all! All they are concerned about is one section of the community. While it is true that the dairying industry has difficulties, the workers have many more with the high cost of living brought about by the policy of the present Government. Why confine the restrictions to margarine manufacturers? Why not extend them to other products?

Mr. Ewan: Do you believe in free trade?

Mr. POWER: I believe there should be no restriction on the sale of margarine in Queensland. I have always heard the argument advanced by the Government of the day that healthy competition will solve all the problems. Now that healthy competition is coming in against butter they introduce this type of legislation. Because margarine is competing with butter and because it appeals to the family on low income, the Government are giving in to pressure and bending the knee to the dairy farmers. If we are to have competition in any industry let us have it in all of them. The dairying industry should be able to stand on its own feet. There should be no need for sectional legislation, particularly of a type that deprives the poor of the country and the workers of the State of the margarine that is on their table day after day.

Industrial margarine is being manufactured and sold to pastrycooks and others whereas all-purposes margarine can be used either for cooking or for the table; but the Government seek to prevent the manufacturer from indicating that his product is fit for the table. "Nobody has shown me that it is not fit for the table. No medical evidence or analysis has been presented." Yet the Government are going to say, "We will not allow you to say that your product is suitable for all purposes; it must be restricted to cooking purposes." Why the restriction if it is suitable for all purposes? These are the people who sat round the table at the Australian Agricultural Council meeting and agreed to an increase of 4d. a bushel in the price of wheat while we were buying a lot of rubbish. All these things have taken place over the years. There is no justification whatever for the Bill. It is sectional legislation and I am opposed to it.

Mr. BURROWS (Port Curtis) (5.15 p.m.): The hon. member for Baroona said that this is sectional legislation. There is

no doubt about that, but hundreds of Bills are introduced that affect only a section of the community. How can it be avoided? We have only to look at the Bills debated today. How could the Bill amending the Racing and Betting Acts affect the hon. member for Fassifern? What interest would he have in an Act dealing with racing? I have answered that argument of the hon. member for Baroona without any further elaboration.

He said that margarine is the poor man's butter. He has not much imagination if he thinks that margarine will remain at the same price once the dairying industry is eliminated. Without any apology I say that once the dairying industry is eliminated Lever Brothers and the monopolies that have a grip on the manufacture of margarine will put the price up to 6s. a lb. Anybody who knows anything about the computation of the basic wage knows that the basic wage is computed on the "C" series index. The price of butter is one of the items taken into consideration. The day that people use margarine at 2s. 6d. a lb. and prefer it to butter at 4s. 6d. a lb., what argument will there be against a reduction of 2s. in the basic wage?

Government Members: None at all!

Mr. BURROWS: None at all. The only thing that makes me suspicious is that some hon. members opposite are agreeing with me.

What do we do with the coal industry today? If I have a coalmine on my property, can I produce coal and sell it on the open market? No. That is where the Government are inconsistent, as the Leader of the Opposition pointed out. They have abolished the grading of meat. Because of the pressure of those interested they are taking this action. However, I never say that two wrongs make a right. If one Government made a mistake it is no justification for another Government to make one. Looking at it from both the State and national point of view we must see that something is done to save the dairying industry. I make no apology for supporting anything that can be done to assist. I cannot criticise the allocation of quotas for the production of sugar. I may own a piece of land around Bundaberg or Mackay that will grow sugar cane equally as well as any other land in the district. But can I grow cane without getting an assignment which is virtually a licence from the Government? No. The production is limited and controlled. Civilisation is becoming more complicated, and better brains than mine may be able to find a solution, but I do not know how we will avoid control.

Mr. Hanlon: Sugar output is related to demand, but in this case it is not. Would the hon. member agree with that?

Mr. BURROWS: No, the sugar output is not related to demand. The sugar output is protected against importation from countries which can grow it more cheaply, but the dairy farmer is not. That is not the fault of the State Government. Everyone knows that the manufacture of margarine was brought about by the Fairymead Company which has big interests in the Solomon Islands, and margarine was an outlet for coconut oil. Whereas they could not import sugar from Fiji and sell it in Australia they could import coconut oil and sell it not as coconut oil but as imitation butter. That is where it is wrong. I am not in favour of the total prohibition of margarine, but let it stand on its merits and be sold as imitation butter. The label on a bottle of essence of lemon or vanilla has printed on it the word "Imitation".

Mr. Nicholson: "Artifically coloured."

Mr. BURROWS: Yes. If you buy a bottle of patent medicine or some other product you will find the ingredients contained in it are set out on the label according to the Pure Food Acts. I cannot see any reason why the person who is selling imitation butter should not be compelled to put the ingredients on the label.

Government members have taken a belated interest in the dairying industry. How many hon. members opposite did anything to defeat the Federal Government which was the most criminal Government in the ruination of the dairying industry? Hon. members opposite advocated the return of this traitorous Government which has destroyed the dairying industry. I have to give credit where credit is due.

Mr. Hanlon: They never stopped the supply of margarine to gaols.

Mr. BURROWS: No. If there had not been a Federal election, how many members on the Government side would have got up and asked about the use of margarine at Government institutions. The hon. member for Callide published a statement in Central Queensland saying there was none used, but the hon. member knew that was not correct. I refuted it.

Dr. Noble: It is used for cooking in hospitals only.

Mr. BURROWS: The hon. gentleman says it is used only for cooking. I am glad of that interjection by the Minister. He wrote to hospitals and instructed them to reduce their overall expenditure. I cannot give the exact figure, but I think he told the Gladstone Hospitals Board to reduce their budget by £3,000.

Dr. Noble: That is so. That is happening all over the State.

Mr. BURROWS: Then the Minister states that margarine is used for cooking only in hospitals. He should be consistent.

The fact that the wages of a man are insufficient to allow him to buy butter is an indictment of the Government. Take the position of an age pensioner. If he can

save a shilling in the price of a commodity, he must save it. We should aim at raising the living standard so that people can afford to buy our primary products. The Government have attacked the living standard, and have then said to the people, "If you cannot afford butter, you will have to go without it. You can have dry bread."

I have heard hon. members state that dairy farmers buy margarine. Many of them cannot even afford to buy margarine on their returns for the last 12 months and their prospects for the future. That is a fallacious and weak argument. I know soft drink manufacturers who would not drink a bottle of lemonade if you paid them to do it. They drink beer but it cannot be argued that they are not entitled to a fair price for their soft drinks just because they drink beer. On the other hand the director of a brewery may drink only soft drinks. That might be a popular argument, but it is not logical. I have given my reply to the statement that dairy farmers use margarine. I was not exaggerating when I said, and I repeat it, that dairy farmers in Queensland—I mean butter producers, not milk producers—have the lowest living standard of any workers in the State. If that is disputed by any hon. member I should be prepared to devote a week of my time to taking him to dairy farms and pointing out the conditions.

Mr. Power: The Commonwealth Government can be blamed for that.

Mr. BURROWS: It is definitely the fault of the Commonwealth Government.

If hon. members claim that we should have absolute freedom of trade, the principle would have to be applied in all callings or industries. It would have to be applied in the sugar industry, the coal mining industry and many other industries that today are subsidised. Where would the great Mt. Isa Company have been but for Government assistance? At one time it was thought that the company would have to cease operations but it was assisted over its difficult period. Why deny the unfortunate dairy farmer a little assistance? The Government may have hesitated about some of the provisions of the Bill, but, as I said earlier, if a principle is good enough for one section, it should be good enough for all sections. To be consistent those who argue in favour of absolute freedom of trade should also urge the scrapping of all our laws. We would then live under the law of the jungle, by barter and exchange. I wonder how those hon. members would like that situation.

Hon. V. C. GAIR (South Brisbane) (5.30 p.m.): There is an old saying that personal interest colours judgment. I think that interest has been demonstrated in this legislation. It is a pity that we cannot have a balanced mind and a balanced outlook on legislation introduced into Parliament from time to time, and do what is the best for the State and the people as a whole? Sectional legislation is always received in a very unfavourable light by the people generally. There is always the suspicion of discrimination in favour of one section against another. The Leader of the Opposition charged the Government with being a Country Party Government concerned only with the producer, in this case the dairyman, in that they are attempting in this legislation to discriminate against the manufacturers of margarine as an alternative to butter.

We just heard the speech of the hon. member for Port Curtis, and I should say definitely that if he was representing an electorate other than Port Curtis in which there were many dairyfarmers, we could expect a speech altogether different to the one he has just delivered. This legislation is inclined to be sectional and is being supported only because people's opinions are coloured by their own personal interests. I can stand here as the head of a household and say—unlike many members of the Opposition and many dairy-farmers—that we do not buy margarine in our household, that we buy and use butter. I am not going to argue that because my wife elects to buy butter and uses butter that some other housewife should not have the right to buy margarine if she wishes to. We could argue the economics of one industry against another, but in the ultimate we get down to the basic principle of freedom of the consumer to purchase the things he wants, having regard of course, to the question of price, which is a big influence in determining what people buy. Medical men will tell us that the nutriment value of margarine is equal to that of butter. I have read the case for and against.

Dr. Noble: Table margarine.

Mr. GAIR: Well, table margarine. The other variety cannot be considered as being unsuitable for cooking; butter may be a little better but margarine serves the same purpose. The nutriment value of margarine has been established, as I said, as being equal to that of butter. If people want to buy it and can buy it at a price cheaper than butter, and their purchasing capacity only permits them to buy margarine, is it fair for the Government to restrict the manufacture of a commodity that the people want, and that the people can only buy because of the increased cost of living to which the Government have been a party?

I am conscious of the need to do something for the dairy farmers, but I do not think that the Government are helping them by placing restrictions on a commodity that is regarded as a threat to the dairying industry. Let us help them in some other way. After all, I have the choice of going to Woulfe's or Pike's for a suit. We know that if we go to Pike's we can expect to pay more than at Woulfe's, but we also expect a suit of better quality. Similarly, if we want neckwear and we go to Pike's,

we expect quality and we expect to pay for it. But we can go to Woolworth's or Cole's and pick ties off the rack. In those places we can get a tie that will suit our tastes much cheaper than at Pike's. That is the liberty and the freedom of the citizen, which is my concern in the Bill.

Mr. Burrows: Why do you believe in directing a consumer to buy his coal from a certain colliery?

Mr. GAIR: I suppose the object of that over the years has been to distribute employment and to retain people in employment, particularly in places where small communities of people depend on the industry.

Mr. Burrows: Isn't that the same here?

Mr. GAIR: It is not an analogous case; there is no similarity at all. In many cases small communities that were engaged in coal mining, particularly on the Darling Downs, had to give up their mining interests because they could not compete successfully with the over-production that has been experienced in recent years.

Mr. Burrows: You have the same position with butter.

Mr. GAIR: Yes. We have the same position with butter today as far as markets are concerned. They say that the dairy-industry is in a chaotic state. What is the explanation? Evidently those people who have been associated with the industry for a long time, even with a sympathetic Government in power in Canberra, have not been able to work out a solution. Sympathetic as I am to the dairy farmer, it is not for us to determine in the final analysis whether the people shall buy margarine or butter, unless we are prepared to regiment the people in true Soviet style what they will buy and eat. Surely none of us will ever reach that stage?

Mr. Ramsden: Does the Bill stop people from buying margarine?

Mr. GAIR: It puts certain restrictions on the manufacture and sale of margarine. Does it, or does it not? My understanding of it is that it does. Otherwise, it would not have been introduced. I have been round this building too long and have had too much responsibility not to realise the real purpose of the Bill. It is a belated attempt at a small palliative to the dairy farmers, who have been clamouring for it for some time. Let us face the facts.

Mr. Ramsden: Do you think——

Mr. GAIR: The hon. member would not know.

Mr. Ramsden: I am asking a question.

Mr. GAIR: Let the hon. member ask the question at question time. I am making my speech now and he can get up and make his later.

What concerns me most about the Bill is the attempt by the Government to deny the consumer the right to buy margarine as it should be bought—properly labelled, not labelled to his disadvantage but labelled so that he will be free and unfettered in the purchase of the product. Apart altogether from considerations of price and labelling and marketing I know people who honestly prefer margarine to butter. Why should they be put at a disadvantage? If I want to wear a sack suit and not a tailored suit, have I not the right as a citizen in a free country to wear the suit of my choice? If I elect to wear a suit made from sugar bags I should have the right to do so even though I may be the subject of ridicule. No-one can deny me the right to wear a bag suit as long as I comply with the laws of decency in the State.

In recent years prices have continually increased and so has the buyers' resistance to butter and many other commodities. The hon. member for Port Curtis tried to make a point about the "C" series index and the basic wage.

Mr. Ramsden: A very good point, too.

Mr. GAIR: It might be. It suits the hon. member to commend him for it. He might have gone on to speak of all the other items in the "C" series index on which the basic wage is determined. An examination of each of them shows why the basic wage is so unsatisfactory these days. The whole system could be scrapped with advantage. I do not know why some Government have not had the courage to deal with it because it is ineffectual, unreal, and unjust and it does not reflect the actual cost of living. Fruit and vegetables and many other items are omitted from it. At one time the Chifley Government subsidised commodities on the "C" series index to keep the basic wage down. In other States Governments have concerned themselves only with the items on the index with a view to keeping down the basic wage and have allowed items not in the regimen to be sold at high prices although many of them have been just as essential as those in the index. That argument explodes itself because it is unreal.

Can we not devise some means of assisting so vital an industry as the dairying industry without restricting somebody else? The attitude of the Government is somewhat analogous to that of the industrial worker who says, "We cannot get an increase in our classification but people in an allied trade can get one. We will set about pulling down their wage standards to our level because we cannot get a rise." That is contrary to all industrial principles although we have heard it in alleged industrial quarters from time to time, particularly in the railways. The enginemen complained about what the clerks got or what somebody else got and they were content to pull them down simply because they could not get what they wanted themselves. Let us have a better appreciation of the position. Let us be big enough to appreciate the need to help the industry but not by restricting another industry that is very

vital. No-one can dispute the fact that in the manufacture of margarine much local and primary products are being used. The hon. member for Baroona gave the amounts of the various ingredients used in the manufacture of margarine, commodities which are just as important to Queensland as many other primary products. In the final analysis we should allow the public to be the judge of what they want. We should give them the freedom to purchase just what they want according to their own tastes and choice. That is my interpretation of British freedom in this democracy, and I think that is what concerns the average person. He wants the right to say whether he shall eat butter or margarine.

Mr. Ramsden: You are taking it from him.

Mr. GAIR: No. The Government are taking it from him by discriminating against the manufacturer of margarine.

Mr. Ramsden: No.

Mr. GAIR: The hon. member would not know. Over the years the standards of the Australian people have been very high. They have a better appreciation of values than people from many other countries of the world, including the United Kingdom. At least Australians know what values are and they are prepared to pay for value.

Butter has been a contentious subject for years. As a boy I was one of a big family and I remember when butter was 2s. a pound. That was in the day of Digby Denham who was defeated on the butter question in 1915. Those were the days of "Butterbox" Bebbington and others. We could not afford butter then. We took bread and dripping to school. Many others in the Chamber will confirm that.

Mr. Dewar: I did.

Mr. GAIR: The hon. member for Chermside is of later vintage than that.

Mr. Dewar: I still took bread and dripping to school.

Mr. GAIR: It did not do the hon. member any harm. It did me more good apparently, on appearances. The fact remains that we did take bread and dripping to school because we could not afford to buy butter. The same applies today in many cases.

Was there any great protest against the use of dripping? Was the dairy farmer getting the Government to rush in with legislation to prohibit a mother from spreading dripping on the bread and adding a bit of pepper and salt to make it a little more tasty? No. We took bread and dripping and we liked it. Butter was a luxury then. It is fast becoming a luxury again. There is only one way to assist the industry—give the dairy farmer justice and give the consumer the purchasing power to buy the product.

Mr. HARRISON (Darlington) (5.49 p.m.): Much has been said about the Government's policy being inconsistent with private enterprise and freedom of choice. We heard it from the Leader of the Opposition, the hon. member for Baroona and to a lesser degree from the hon. member for South Brisbane who was a bit more reasonable than the others. Those three gentlemen were Ministers of the Crown in a Government that treated this problem in very much the same way as we are doing. They faced up to a difficult problem by doing something which this Government are attempting to continue and straighten up in a few directions where they got off the rails. For example under their legislation there was opportunity for deception in the presentation of the article to the consumer. There is not much difference in policy between the Governments in the various States on this question. There is a general recognition that it is essential to give some protection to vital industries. In this case what is being done in regard to margarine is a mere bagatelle to what is being done in the way of protection through our tariff policy. The provisions of the Bill indicate that the Government have approached the question with a desire to be scrupulously fair to all concerned. The Bill gives protection not only to the dairy farmers but also to the manufacturer and the consumer. It permits the manufacturer to make the same amount of table margarine as he was allowed under the legislation introduced by a previous Government but there is a distinction between the labels for table margarine and cooking margarine. There is no restriction on the amount of cooking margarine that may be manufactured. Provision is made for a manufacturer to export margarine, but he cannot sell more than his quota in Queensland. The consumer is given much more protection than he had before. The new definition of margarine and the labelling provisions will enable the consumer to know the type and quality of margarine he is buying.

The hon. member for Baroona referred to an all-purpose margarine. That was a deceptive way of getting round the position. If there are clear labels on cooking and table margarine there will be no confusion. The dairy farmer, who is threatened with competition from margarine, has the continued protection of the quota which applied under previous legislation, to ensure that only a certain amount may be sold in any one year. The provision relating to quarterly volume of production will prevent much of the trouble experienced previously when quotas were exceeded. The provision for a clear distinction in the labelling will also eliminate confusion as to whether it is margarine or butter. There is a great need for it. The customer in a cafe does not know whether he is getting margarine or butter.

Mr. Nicholson: He pays for butter.

Mr. HARRISON: Yes. The Act provides that, if margarine is used on the table of a cafe or hotel, that fact should be indicated to the customers. The provision was ignored previously and the customers were deceived. I trust that it will be enforced strictly in future.

The Minister said that in England it was reported that a picture of a cow had been depicted on a margarine label. I can tell you phrases were also used on labels to indicate a relationship with dairy products, such as, "Made for the butter-dish", "Creamy and fresh as the morning milk", "Fresh from the churn taste", "A rich store of summer goodness". That sort of deception is unfair to the dairying industry, and with other things will be covered better by this Bill than previously. When similar legislation is introduced in the other States we will have a clearer picture than before of margarine manufacture in Australia.

Hon. O. O. MADSEN (Warwick—Minister for Agriculture and Stock) (7.15 p.m.), in reply: We have listened with considerable interest to the remarks of members of the official Opposition and the Queensland Labour Party and it was somewhat amazing to hear them talking about restricted freedom particularly when they suggest that we are favouring the dairying industry. We can cast our minds back to the Stand-and-Deliver legislation as it is commonly called which was brought before this Chamber. A legally-constituted body determined certain things which favoured the dairying industry and those things were accepted by most States in Australia, but Queensland stood out. It was a case of "Deliver or Else". Those are things we want to think of when speaking about restricted freedom. And let us remember too the Abattoirs Act which gave the Government the right to take possession of cattle and determine the value of those cattle without the owners having any say. One could mention many things when speaking about freedom. Is not licensing in itself a form of restriction, giving certain people rights denied to others? Where does all this start and where does it finish in an organised society? The Opposition itself are concerned with unions. The hon. member for South Brisbane spoke about the rights of the Hurseys. The Opposition said all sorts of things about what rights the Hurseys had and what they did not have. What about the rights of the individual—compelling him to pay to a political party which he has no desire to support? Let hon. members opposite lie low in regard to freedoms. We know how much freedom we got from the former Government when the hon. member for Baroona was Attorney-General. He does not even know the meaning of the term. When we speak of freedom in a country like this, it makes one think rather deeply. When we examine the whole set-up in the Commonwealth it is an appropriate time to talk about freedom when the exporting industries of this country are battling for an existence. What is the effect on the internal economy of the primary industries when they have to meet the inflationary rises in the very things that the primary producer wants. The people of this country provide the labour for our industries and I would be sorry if hon. members opposite would not subscribe to a policy which provides the greatest volume of employment. The primary producer could justly expect to purchase his equipment and tools of trade at a competitive price anywhere he wants.

Mr. Lloyd: Would you say that freedom is relative?

Mr. MADSEN: Of course it is relative, as long as it applies to everybody. What is the relativity in this instance? The interests of perhaps 200 people who are employed by the margarine manufacturers must be weighed against those of between 90,000 and 100,000 people who get a livelihood from the dairying industry.

The restrictions contained in the Bill will not affect anyone to any great extent. After all, these quotas applied during the time of the previous Government. They were sought by the manufacturers themselves. If any injury has been done to the margarine manufacturers in this State, it was caused by the weakness of the previous Government in not ensuring that the quotas were strictly applied. The manufacturers have been allowed to manufacture as much as 1,000 tons above the quota that the previous Government subscribed to. While quotas apply in this State, I can assure the manufacturers that they will be enforced. Again, if there is any need to review them at a later stage, it will be done properly.

It is amusing to hear hon. members opposite howling about restricted freedoms in view of what happened when they were the Government. We have only to take their very recent decision in the flour trade, following which the whole of the cost of importing wheat into this State was thrown onto the industries that use the offal.

I make no apology for the introduction of the measure. I have here some advertisements for margarine and I should like to know if hon. members opposite regard them as a fair method of advertising. One label for table margarine lists the vitamins that it contains. Another label bears the words "Super Spread." No doubt that is intended to gull the public into believing that it contains something extra and that they should use it.

Mr. Davies: Do you think that there is no truth in that assertion?

Mr. MADSEN: It is misrepresentation. I am sure that the Minister for Health and Home Affairs would agree that it is not

possible for vitamins to be retained in cooking margarine, because they are destroyed in its preparation. However, it is possible to retain the vitamins in table margarine. The Bill provides that table margarine will be labelled as such. However, if the margarine does not measure up to the requirements of table margarine it will have to be labelled as cooking margarine. Manufacturers of other products dare not label them as something that they are not. That applies particularly to butter. The standard is laid down for so much butter fat, so much salt and so on. I was rather amused at the suggestion of the Leader of the Opposition that we are denying the consumers Australian products. After all, they say they use up 90 per cent. of Australian products and call it table margarine. What is wrong with that?

Mr. Duggan: Don't you agree that they use the higher percentage of vegetable oils to make it more palatable?

Mr. MADSEN: Certain forms of vegetable oils. Oil chemistry has advanced tremendously and all sorts of ingredients can be added to increase the food value; but that does not excuse the manufacturers for selling a product that is not up to standard. In effect the provision is that margarine with under a 90 per cent. content of beef fats or animal fats will be regarded as table margarine, which no doubt attracts a higher price than cooking margarine. To what extent will the manufacturers be affected? We have quota legislation and we intend to enforce it.

I have been interested in the remarks of hon. members opposite but I have with me two letters, one addressed to me and one addressed to the Minister for Agriculture in Tasmania, who, by the way, is a Labour Minister. The opening paragraph of the letter to the Tasmanian Minister says—

> "We wish to commend and support the decisions, as published in the Press, made by the Australian Agricultural Council, at their meeting in Melbourne on 9th and 10th instant."

It says further on—

> "This result was brought about by advertising as table margarine, a cooking margarine product labelled to resemble table margarine."

This letter is from a margarine company itself. It continues—

> "As stated at the Agricultural Council meeting, the continuation of this practice would inevitably have led to a complete breakdown of the quota system."

The only effect would have been to force every margarine manufacturer into a trade strictly not honest but just outside the law. The letter is available for any hon. member to read. It is well to know these things when we have people like the hon. member for Baroona, who suddenly becomes a defender of these large manufacturers, so different from what we knew him to be in the past. The second letter, which was written to me, says—

> "The decisions reached at the meeting of the Australian Agricultural Council in Melbourne on the 9th and 10th October last for the clear labelling of margarine other than table margarine are, we feel sure, welcomed by the great majority of table margarine manufacturers in Australia."

Is there any suggestion there that we are forcing them out of business? None whatever. They welcome the legislation well knowing that if we have quota legislation we must make it workable. Such considerations influenced the Australian Agricultural Council, which represented all shades of political thought, to try to bring about legislation to control the quota effectively.

I have no reason to believe that the Bill will be burdensome to the manufacturers. Far from it. Rather will it see that all the manufacturers get a fair go. Is there anything wrong with ensuring that the product is so labelled that the consumer will know what he is buying? Surely he is entitled to that protection. There is plenty of evidence to suggest that in the last 12 months a great deal of margarine has been sold as table margarine that, strictly speaking, should not be regarded as table margarine. Surely no hon. member suggests that that is desirable. The public are entitled to protection particularly with a product of such a nature that they are not able to make an assessment for themselves. I have already indicated that it is possible to include vitamins in table margarine but it is impossible to retain them in cooking margarine because they are destroyed in the process. I commend the Bill to the Committee.

Motion (Mr. Madsen) agreed to.

Resolution reported.

FIRST READING.

Bill presented and, on motion of Mr. Madsen, read a first time.

FILLED MILK BILL.

INITIATION IN COMMITTEE.

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

Hon. O. O. MADSEN (Warwick—Minister for Agriculture and Stock) (7.33 p.m.): I move—

> "That it is desirable that a Bill be introduced to prohibit the manufacture and sale of filled milk and for other purposes."

For the information of the Committee, "filled milk" is milk made from non-fat milk solids, either of liquid or powder origin, in which the butter-fat is replaced wholly or partly with vegetable oil. It may be, and usually is, fortified with vitamins. Coconut oil is generally used but other vegetable

oils produced from cotton seed, palm kernel, soya bean and ground nut could possibly be used.

As the production and sale of filled milk in Australia would seriously affect the economy of the dairying industry, the Australian Agricultural Council at a recent meeting unanimously agreed that legislation should be passed in all States to forbid its manufacture or sale. The banning of the production of the product in Australia is practicable only if such legislative action is taken in each State. If one State were to stand out that State could manufacture sufficient for the whole of Australia. Under the Commonwealth Constitution it would be quite permissible for a State to manufacture and distribute it. Very little could be done about it.

A similar Bill has already been introduced by the Victorian Parliament; in South Australia the same purpose has been achieved by certain amendments to their Dairy Industry Act.

The object of the Bill is to prevent the manufacture and/or sale of any product prepared from non-fat milk solids and any fat or oil other than butter-fat and whether or not intended as a substitute for milk or for whole milk powder. While not being manufactured or sold in Australia at present, the release of any such products would have serious consequences on the dairy industry. Milk or whole milk powder is a particularly important industry. If a sale did not take place it would push more of our Australian product on to the export market. It would be hard to estimate the great benefit that accrued to the dairying industry from the sale of whole milk throughout the Commonwealth.

It is intended that it be made unlawful for any manufacturer or distributor to manufacture or sell any filled milk or filled milk powder in Queensland.

Power is provided to appoint inspectors and analysts with provision for inspection of any place suspected of being used to manufacture and/or sell any filled milk product.

Other provisions set out the powers of inspectors, the procedure to be adopted for sampling, detention and seizure proceedings, and penalties for offences.

Power is given to make regulations prescribing the methods of analysis of filled milk and the chemical and physical criteria for the fatty portion of filled milk and other matters which are necessary for the effectual implementation of the Act.

Filled milk is defined as any liquid or powder which contains not-fat milk solids to which any fat other than butterfat is added, but there is a proviso to exempt the addition of cocoa butter. This substance is included in certain baby foods and, in any case, the price of these foods prohibits them from being used as a substitute for milk or milk powder. It has been fairly difficult to define what can be regarded as coming within the definition of baby or invalid foods. Provision has been made in the Bill to allow for the setting up of a committee comprised of a representative of the Department of Agriculture and Stock, the B.M.A., and the Department of Health and Home Affairs which will advise the Minister on this question. It has been suggested that something may be exempted on a doctor's prescription, but we think that it would not be broad enough and it would be better to have an expert committee to advise the Minister on matters of this kind. There are certain foods, even though they may not come exactly within this category, that may be necessary for certain illnesses or for young children, and we do not want to exclude anything that may be necessary in those cases.

Mr. Davies: Has New South Wales agreed to introduce this?

Mr. MADSEN: Yes. New South Wales took the initiative and had the matter placed on the agenda for the Australian Agricultural Council.

Other definitions are given to provide interpretation for the various terms mentioned in the Act.

No person will be allowed to manufacture and/or sell any filled milk or filled milk product.

Provision is made for any person who has been appointed an inspector or analyst under the Dairy Produce Acts to be deemed to be an inspector or analyst for the administration of the Act.

An inspector will be authorised to enter, search and inspect any place used or suspected of being used for the manufacture and/or sale of filled milk, and if he thinks fit take samples of any such product or ingredient for the purpose of analysis, or to inspect or take extracts from books or documents. An inspector may detain or seize any filled milk at any place. In the event of any person's preventing or obstructing an inspector in the course of his duties, he will be guilty of an offence against the Act. The making of regulations with respect to various matters is provided for.

The penalty prescribed for offences against the Act is a maximum of £100, excepting that any person who manufactures or sells filled milk will be liable to a maximum penalty of £200 for a first offence and £300 for a second or subsequent offence.

I may say, that the Australian Dairy Farmers' Federation is greatly concerned about any threat to the Australian dairy industry from the manufacture and sale of filled milk. While it may serve a purpose, it is doubtful if it could be sold at the same price as whole milk after food of comparable value had been built into it. The food value would have to be reduced if it was to be sold at a comparable price. In view of the request of the Federation to the Australian Agricultural Council for legislative action

to be taken in each State to forbid the manufacture and sale of this product, and the unanimous decision of all Ministers of Agriculture to submit such legislation to their respective Parliaments, I commend this Bill to the Committee.

This is one of the restrictive measures referred to earlier by the Leader of the Opposition, but the product has not been produced to date in Australia and, if it was released here, tremendous injury could be caused to the dairying industry. It would almost sound the death knell to the industry. That being so, and as no-one will lose any money or suffer any hardship, the Bill should be carried. I am sure the other States I have mentioned will introduce similar legislation as a result of the agreement at the Agricultural Council.

Mr. DUGGAN (North Toowoomba—Leader of the Opposition) (7.42 p.m.): The Minister may feel a little more relieved, because we propose to accord the Bill our support, particularly as to date there has been no commercial development in this field in Australia, and therefore we would not be interfering with those who think they are entitled to take advantage of the application of science to industry, if that term can be used on this occasion.

We are cognisant, as I mentioned earlier, of the problems of the dairying industry, and do not want to be regarded as knockers of the industry. At the same time, any industry that is accorded a measure of protection must be made aware of its obligation to keep abreast of modern developments and to see that it is efficiently conducted. If, as in this instance, it is a virtual monopoly, it should put its own house in order.

The Minister through the agency of various sub-departments is anxious to improve the service given to dairy farmers such as contour ploughing, prevention of erosion, improvement of pastures and herds, anti-tuberculosis campaign, and various other aspects of the work of the Department of Agriculture and Stock. Although the Minister is anxious to improve those standards, we cannot bury our heads in the sand and close our eyes to scientific developments in the world. Just as automation can be of tremendous benefit to mankind, provided we use it intelligently or direct its operation intelligently, the application of science to industry, whether dairying or some other industry, can be of equal benefit. It is useless, like Canute, to try to hold back the waves and if the application of science to industry can make a good contribution we must see that it is introduced gradually to enable discovery of other purposes for which the land can be used and those employed in the industry and who own the land transferred to some other form of activity. I think that is the intelligent approach. If, as the Minister envisaged, in time pills and various synthetic devices can give the same food value for much less effort and less cost, why should we oppose the introduction of those things. We have to adopt them for the benefit of mankind. I realise from a purely realistic, political viewpoint that the Minister would feel it an impediment if he could not, during election campaigns, refer to the tremendous drudgery that takes place on dairy farms, that is, if people were taking capsules in place of dairy products. If this drudgery was removed from farm life it would take much of the spirit of electioneering away from the hon. gentleman and it would deny him the opportunity of talking about the terrible unions in the city who want to get on the back of the poor old dairy-farmer. And it would not be necessary for farmers who are members of Parliament wanting to get home early on a Friday afternoon to milk the cows.

I do not want to engage in fantasy but am merely pointing out that we are in full accord with this legislation. I do not want us just to ignore the impact of scientific advancements generally. The dairying industry has not, generally speaking, been geared as other industries have to the need for improved efficiency. Nobody could claim that it is comparable with the sugar industry in the tremendous research programme that has been undertaken. Other aspects of horticulture have advanced, but the dairying industry, because it is perhaps more difficult to organise, has not made the same improvement.

Let me refer to the production of cheese. In the face of Continental competition it took the dairying industry time to adjust itself to cater for the market so far as fancy cheeses are concerned. The impact of New Australians has made a tremendous difference to the cheese habits of the Australian people. There has been a recent effort on the part of the dairying industry to cater for the cheese requirements of the public and it has more or less got on top with the demand.

I commend the Minister for taking this early action before any difficulties arise, to prevent this product from becoming a further major concern in the dairying industry. But at the same time I want him to use his knowledge, his drive, his enthusiasm and his capacity to stand up to those engaged in the dairying industry and make them realise that they have obligations too. As Parliament gives the dairying industry certain privileges so must the dairying industry realise its responsibility to the people. I content myself by saying that we are in favour of the Bill.

Hon. O. O. MADSEN (Warwick—Minister for Agriculture and Stock) (7.49 p.m.), in reply: I think we agree with the Leader of the Opposition when he said that everybody in the industry should realise that science could produce quite a lot of the things in the next decade. I agree that it is absolutely necessary for the dairying industry

to try to be as efficient as possible particularly when it asks the consumers of the country to protect it to some extent by providing certain guarantees. I remind the Leader of the Opposition that the industry is doing everything it can at the present time but, generally speaking, it has been too poor to take full advantage of what science can provide.

Mr. Davies: It is its own fault to a big extent.

Mr. MADSEN: Living amongst dairy-farmers and being one are two different things. I was reared on a dairy farm and battled for myself and believe me, it was a hard row to hoe.

Mr. Davies: How many years did it take you to acknowledge the benefits of herd testing?

Mr. MADSEN: All these things seem so easy but I remind hon. members that people in the dairying industry are no bigger fools than anybody else in the community. In fact, when it comes to making a little go a long way, the dairy farmer is a financial wizard.

I agree with the Leader of the Opposition that we must advance with the times. I cannot let his remarks on the cheese industry go without comment. If anybody has retarded the development of the cheese industry in this State, it was the hon. member for Baroona when he was Minister in charge of prices. He gave no recognition to costs in the industry let alone give it encouragement. I agree that there is a field to be explored in this State in making cheese available particularly to New Australians, who are accustomed to many varieties of cheese that we do not eat.

I appreciate the attitude of the Committee towards the Bill. It is a very important one, and I am pleased that every State in the Commonwealth has agreed to introduce similar legislation.

Motion (Mr. Madsen) agreed to.

Resolution reported.

FIRST READING.

Bill presented and, on motion of Mr. Madsen, read a first time.

POLICE ACTS AMENDMENT BILL.

SECOND READING.

Hon. K. J. MORRIS (Mt. Coot-tha—Minister for Labour and Industry) (7.53 p.m.): I move—

"That the Bill be now read a second time."

On the introduction of the Bill I gave a full explanation of its purposes. As I said then, it is principally for the purpose of making provision for the appointment of a Commissioner's inspector to the office of the Commissioner of Police, and to validate all actions made by the present occupant of the position, Inspector Anthony, who was appointed thereto by His Excellency the Governor in Council on 13 February, 1958.

As I stressed previously, this appointment does not supersede that of the Deputy Commissioner, and upon the passing of this legislation the requisite action will be taken to amend Rule 4 of the Police Rules dealing with the rank and precedence of officers to include the office of Commissioner's inspector in the third position, namely, after the Deputy Commissioner.

I mentioned during the introductory stage that Inspector Anthony has had a vast and varied experience in police administration matters and is an officer of the highest integrity. I was pleased to hear acknowledgments by certain hon. members opposite during the introductory stage of his ability and efficiency.

Provision is also being made for the Commissioner's inspector to continue in office until he attains the age of 65 years, which will bring the retirement age of the occupant of this position into line with that of the Commissioner and the Deputy Commissioner. In addition, provision is made for the payment of a superannuation allowance to the Commissioner's inspector, details of which were mentioned during the introductory stage.

Advantage is being taken also at this time to provide for the repeal of Section 68 of the principal Act upon the coming into operation of the Justices Acts Amendment Act of 1958, Royal Assent to which has already been given.

As I said when I introduced the Bill, it is quite simple. I explained it very fully. I do not think there has been any opposition to the principles in it and I commend it to the House.

Mr. DUGGAN (North Toowoomba—Leader of the Opposition) (7.55 p.m.): I shall not delay the House very long. We gave the measure our approval but some reference has been made to the proposed functions of the Commissioner's Inspector. Perusal of the Bill seems to suggest that he could carry out some assigned duties that may transcend the authority of the Deputy Commissioner. Clause 3 (4) says—

> "The Commissioner's Inspector shall subject to this Act, exercise and perform all such powers, authorities, functions and duties (including such of the powers, authorities, functions and duties of the Commissioner) as the Commissioner may direct either generally or in any special case."

It goes on to refer to certain other powers that the Commissioner's Inspector shall possess. It seems to me that the Commissioner could direct the Commissioner's Inspector to undertake special duty and invoke his authority to supersede some other officer. As I indicated at the introductory stage, I have

a good deal of confidence in Inspector Anthony and I agree that the Commissioner should have a fair amount of discretionary authority in appointing a man very intimately associated with a particular duty that may be assigned to him. I realise that very many cases could be of great importance to the public; others could have some political implications and the Commissioner might feel that he should have a versatile officer who could be entrusted with particular tasks or duties. That is very wise. It is not for Parliament or the Commissioner to restrict unduly a man assigned to special duties. He should have full authority to probe or investigate a matter that the Commissioner needs some information on. Very frequently the very nature of the Commissioner's duties is such that he is called on by the Government of the day to furnish highly secret and confidential information on matters important to the State. I mention these matters merely to indicate that in my opinion it is possible under the Bill for the Commissioner's Inspector to exercise powers beyond those envisaged by the Minister in his introductory speech. Be that as it may, I still think the general purpose of the Bill is desirable, and for that reason we support it.

Hon. W. POWER (Baroona) (7.58 p.m.): When the Bill was introduced I had some misgivings about the attitude towards the Deputy Commissioner and I felt that the appointment of Inspector Anthony could have some effect on his position. My suspicions have been confirmed by Clause 4, which in one place repeals the words "Deputy Commissioner" and in another place inserts the words "Deputy Commissioner or Commissioner's Inspector." That leads me to think that if at any time the Commissioner desires to supersede the Deputy Commissioner and asks the Chief Inspector to act he will have the power. It is somewhat unfair and not a proper procedure to adopt. I have nothing personal against Inspector Anthony. I have known him for many years and I regard him as a very good police officer. My only objection was to his appointment on the eve of his retirement. The Bill provides that he will have all the powers at present conferred on the Deputy Commissioner. At present the Deputy Commissioner acts in place of the Commissioner in his absence. Previously Inspector Anthony has acted for the Commissioner when the Deputy Commissioner was away. The powers could be abused at any time. I do not think it would be Inspector Anthony's desire to usurp the position of the Deputy Commissioner, but——

Mr. Lloyd: What are you suggesting?

Mr. POWER: I am suggesting that the Commissioner is being given power to delegate any duties to the Commissioner's Inspector, because he is given the same powers as the Deputy Commissioner of Police and can be appointed to act as Commissioner in the absence of the Commissioner. I certainly am not very happy about that clause.

Hon. K. J. MORRIS (Mt. Coot-tha—Minister for Labour and Industry) (8.1 p.m.), in reply: I thank hon. members for their acceptance of the Bill. I again reassure the hon. member for Baroona that the whole purpose of the clause is so that the Commissioner's Inspector may act in the absence of the Deputy Commissioner or Commissioner. The hon. member will realise that in a State like Queensland where police work is so varied and the area to be covered is so wide it is quite likely that both the Deputy Commissioner and the Commissioner might be out of town. The powers are exactly the same for the Commissioner's Inspector as the Deputy Commissioner. I again give the hon. member for Baroona the assurance that as soon as the Bill receives Royal Assent the order of seniority will be designated in the rules. Most hon. members will realise that it could not be done in the Bill, but it will be included in the rules about which I have spoken two or three times. The hon. member for Baroona need have no fears that what he suspects is in fact envisaged. I again give him the assurance that the whole purpose of the Bill is to give to the Police Department the necessary powers to carry out its undoubtedly important function in the State of Queensland.

Mr. Power: I am quite happy to accept that assurance.

Motion (Mr. Morris) agreed to.

COMMITTEE.

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

Clauses 1 to 7, both inclusive, as read, agreed to.

Bill reported, without amendment.

VAGRANTS, GAMING, AND OTHER OFFENCES ACTS AMENDMENT BILL.

SECOND READING.

Hon. K. J. MORRIS (Mt. Coot-tha—Minister for Labour and Industry) (8.4 p.m.): I move—

"That the Bill be now read a second time."

If anything, this is a smaller Bill than the previous one. I think it was quite well received on its introduction by all hon. members. I do not think it is necessary to say very much at this stage. The objects of the Bill were fully explained on its introduction. As I explained then, the measure contains three principles, namely, the control of obscene records, tape recordings, etc., the repeal of Section 40 of the principal Act upon the coming into operation of the Justices Acts Amendment Act of 1958, where a similar provision is now provided, and for the taking of palm prints. I do not think there is anything more to add to what I said on the introductory stage, except to say a

few words about palm prints. It is a matter of considerable interest that back in 1941 the Commonwealth and the States decided that an official bureau of fingerprints should be established in Australia and that the headquarters of the recording system should be set up in one State. It was set up in 1941 in New South Wales. A few days ago I was asked to approve of the payment of our annual share towards the upkeep of this fingerprint bureau. Our contribution was £5,849 which seems a tremendous lot of money for such a bureau. Upon investigation I discovered that the agreement in 1941 provided that the States of New South Wales, Victoria and Queensland would each pay 19 per cent. of the upkeep of the bureau, while South Australia and Western Australia were asked to provide 9.5 per cent. and Tasmania 5 per cent. My view is that we are asked to pay more than we should in relation to our situation in the Commonwealth. When we ask for money from the Loan Council we are given it strictly in proportion to our ratio of population to the other States. If it is good enough for us to get it in strict proportion in that case the same should apply in this matter.

Mr. Gair: You are commencing to learn that.

Mr. MORRIS: We do get a little bit extra but not much. If a population basis is to be the broad basis on which we receive loan money—I suppose that together with area would be the yardstick—I think the same percentage should be taken into consideration when reckoning how much we should pay for the upkeep of this central bureau. When one takes that into consideration instead of paying 19 per cent., as we are called upon to pay under the 1941 agreement, we should be paying 11.461 per cent.; consequently I have taken steps to see if we can have the amount reduced to somewhere about £3,500. If we are successful we will save £2,000, and we should still be paying our share.

Mr. DUGGAN (North Toowoomba—Leader of the Opposition) (8.9 p.m.): The Opposition indicated during the earlier stage of the debate that we were in favour of control measures to prevent the sale of the type of record that is finding some demand amongst sections of our young people. Proper control measures should be introduced without doing anything that prohibits the freedom of the people. We all agree that salacious films and indecent records do not come within the category of the ordinary right of freedom of expression of the individual, particularly when this type of propaganda or the undermining of the morals of the community is aimed at the younger elements. For that reason I think it is timely legislation to prohibit the sale and distribution of the various things mentioned in the Bill. I cannot resist the temptation to draw attention to the failure of the Government to take heed of the very good advice given by a senior counsel, the hon. member for Mt. Gravatt, on 24 September last at page 457 of "Hansard". He said—

> "I have always thought that Section 25 of the Vagrancy Act is a blot on our law. If the person is charged by a police officer under that section with having property in his possession suspected of having been stolen, and the accused cannot give a reasonable account of how he came by it, he is convicted of the offence. The onus of proof changes to the accused in that instance. I think it is too high an onus in many cases."

He then went on to refer to other matters.

As the hon. member's influence is so strong in legal matters in the Government parties, I thought that perhaps his advice may have been followed and a provision included in the Bill to give effect to his suggestion, which I think is quite sound and with which I agree. However, the Government have not included such a provision and must accept responsibility for its omission. I hope the hon. member for Mt. Gravatt will continue to urge, when the Act is consolidated, that such a provision be introduced with other amendments.

Mr. Hart: The District Courts Bill will go a long way towards remedying the position under the Act.

Mr. DUGGAN: I accept his assurance, at least temporarily.

The Minister spoke of the recoupment of some expense which he thinks the State is being called on unfairly to pay for certain work. If he can get the service for a lower charge than at the moment, he is to be commended for saving a few pounds. I sound a note of warning. Whatever formula he puts forward for saving a few pounds, he should be careful not to destroy the other formula relating to the allocation of money by the Loan Council. He must be careful that any alteration of the basis which would save a few pounds in this direction does not jeopardise the hundreds of thousands of pounds made available by the Loan Council. It would be misdirected economy if that occurred.

The Bill deals principally with the sale of microgroove and other records with an obscene theme, and I think all hon. members will agree that action is needed to prevent the dissemination of that type of article among the younger elements of the community.

Motion (Mr. Morris) agreed to.

COMMITTEE.

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

Clauses 1 to 5, both inclusive, as read, agreed to.

Bill reported, without amendment.

FACTORIES AND SHOPS ACTS AMENDMENT BILL (No. 2).

SECOND READING.

Hon. K. J. MORRIS (Mt. Coot-tha—Minister for Labour and Industry) (8.14 p.m.): I move—

"That the Bill be now read a second time."

Hon. members will recall that I did not reply at the introductory stage, as I wanted to get the Bill printed and in the hands of hon. members. I shall therefore elaborate on the principles and give some information as to the operation of the Bill. It is not as simple as the Vagrants, Gaming, and Other Offences Act Amendment Bill.

On the introduction of this measure, as I thought hon. members opposite could hardly have failed to be thoroughly conversant with the circumstances leading up to the institution of the roster system in respect of garages and petrol stations, I did not elaborate very fully on the past history, as this matter was the subject of much Press publicity prior to and up to the time of the institution of this system. As I said previously, briefly the main principle of this Bill is to increase the penalties in respect of persons who contravene or fail to comply with the provisions of the Factories and Shops Acts in connection with the sale of petrol, oils, etc., at weekends, especially in view of the fact that under the Act as it presently stands, offenders can only be charged once between the period from 1 p.m. on Saturday until the prescribed opening hour on Monday, notwithstanding the number of offences committed by him during that period.

It has been the embarrassing position of inspectors after having breached an offender to witness him continuing to break the law on a number of occasions. This, however, is only being done by about 20 proprietors out of some 400.

Mr. Mann: How did you get that number? Have you had a census taken?

Mr. MORRIS: Yes. Our inspectors are out every Saturday and Sunday. We have only about 18 to 20 offenders. I can give the hon. member the story now. The number of people who are dissatisfied come within this file that I exhibit. I do not propose to table it because it contains a lot of confidential information. I say that each of these files represents one of the 18 to 20 garages, and this other file which I exhibit represents the balance of the garages who are satisfied with the roster system. The volume of files give hon. members an idea of the very few who are unhappy about the system.

Mr. Lloyd: Where would those 20 service stations be located geographically!

Mr. MORRIS: All over the metropolitan area. I cannot give the hon. member the exact location because if I did I would be giving details. I shall give him some further information as I go on because I have had another survey made and I have a letter which I propose to read. In the meantime let me continue with my speech. We can then deal with questions later on.

Mr. Mann: Did you refuse to see a deputation from the 20?

Mr. MORRIS: I am afraid I cannot tell the hon. member that. I have received so many deputations but I think, at some stage, when a case was pending and when it was sub judice I refused to see a deputation. I have said that this position applied to only about 20 proprietors out of some 400, but unfortunately, these 18 to 20 were breaking the law consistently. After the passing of this measure it will be possible for them to be charged with each offence and the law, consequently, will be upheld.

I was amazed to hear the hon. member for Kedron during the introductory stage say, amongst other things, that he could not see why the decision of the High Court, which had ruled that the award made by the State Industrial Court was invalid on the basis that the Industrial Court had no power to prescribe trading hours on a Sunday, should be interfered with. I cannot help but feel that the hon. member when making such a statement was wholly ignorant of or had completely forgotten the position which obtained prior to the award which was made by the Industrial Court following discussions held, at which I presided, and which was in fact the position existing when the Party to which the hon. member belongs was the Government.

The position at that stage was that Part VIII of the Factories and Shops Acts lays down in Section 31 that all shops except exempted shops, which are listed, shall be closed during the whole of every Sunday, and petrol resellers were so required to be closed. An award made by the Industrial Court on the 3rd November, 1944, for the Southern Division—Eastern District of the State restricted the sale of petrol etc. in the factories and shops district of Brisbane to the period between 7 a.m. and 6 p.m. Mondays to Fridays and between 7 a.m. and 2 p.m. on Saturdays. An emergency clause was inserted in the award allowing for the issue of up to two gallons of petrol to a motor vehicle without fuel, or otherwise out of action, to proceed to its destination. Therefore, the position at that time was that no garage or petrol station whatsoever was permitted to sell petrol, oils, etc. from 2 p.m. on Saturday until 7 a.m. on Monday, except in a case of emergency, when up to two gallons might be issued in the circumstances I have just mentioned.

For the better understanding of hon. members, perhaps I should at this stage trace briefly the history regarding trading hours for the sale of motor spirit. In 1936, an industrial agreement known as the Garage

and Service Station Attendants'—Brisbane—Agreement was gazetted and provided that no restriction of trading hours should prevail for the sale of motor spirit. In 1936 this agreement was made a common rule for the factories and shops districts of Brisbane. In 1940, the Industrial Court granted an application by the Brisbane Branch of the Garage and Service Stations Association of Queensland for a restriction of the sale of petrol, motor spirit, etc., and the Industrial Court declared the common rule to be an award covering the factories and shops district of Brisbane and restricted the sale of petrol, etc., from 7 a.m. to 7 p.m. Mondays to Saturdays and not at all on Sundays, Christmas Day, Anzac Day or Good Friday. This restriction operated from 2 January, 1941.

On 3 October, 1944, an application was made to the Industrial Court by the Federated Miscellaneous Workers' Union for an award covering the whole State for garage and service station attendants, but, as mentioned previously, the Court granted an award for the Southern Division—Eastern District of the State and restricted the sale of petrol, etc., in the factories and shops districts of Brisbane to the period between 7 a.m. and 6 p.m. Mondays to Fridays and 7 a.m. and 2 p.m. on Saturdays. It also allowed the supply of petrol to motor trucks doing continuous war work between 8 a.m. and 10 a.m. on Sundays. An emergency clause was inserted in the award allowing for the issue of up to two gallons of petrol to a motor vehicle without fuel, or otherwise out of action, to proceed to its destination.

On 13 October, 1947, the Industrial Court refused an application by the Queensland Automobile Chamber of Commerce to restrict the sale of petrol, etc., in the Southern, Northern, Mackay and South-Western Divisions of the State. Again, on 3 September, 1950, the Industrial Court refused an application by the Employers' Association of Central Queensland for a restriction of the sale of petrol, etc., at Rockhampton.

On 15 December, 1957, the Industrial Court dismissed an application by the Royal Automobile Club of Queensland for a variation of trading hours for the sale of petrol in the factories and shops district of Brisbane because of the death of Mr. T. E. Dwyer, who was one of the Court members hearing the application, and of the further fact that the remaining two members of the Court held differing opinions on the application. Then, on 20 September, 1957, an application was made by the Royal Automobile Club of Queensland for the deletion of Clause 5 of the award, which restricts the sale of petrol in the factories and shops district of Brisbane. Two members, Messrs. H. J. Harvey and J. P. Bennett, were opposed to any alteration of trading hours and the President, Mr. Justice Brown, and Mr. A. M. Taylor favoured some alteration, but in view of the fact that two members favoured and two opposed any alteration the application was dismissed.

Subsequent to this decision, in view of representations received by me from the Royal Automobile Club of Queensland, and as I believed that a case could be made to show that the motoring public generally should have some means of securing supplies of petrol on Saturday afternoons and Sundays, I convened a series of conferences with a view, by conciliation, to discovering a solution acceptable to all parties and also alleviating the week-end petrol sales restrictions.

As I mentioned on the introduction of the measure, the organisations represented at the conferences were the Queensland Automobile Chamber of Commerce, the Service Stations Association of Queensland, the Royal Automobile Club of Queensland and the Federated Miscellaneous Workers' Union of Employees, which covers the workers engaged in service stations. I am pleased to say that eventually it was decided unanimously by all parties to approach the Court for a consent variation of the award, which would permit the motoring public to obtain petrol lawfully on Saturday afternoons and Sundays from certain rostered garages. There is nothing strange or new about consent awards and they are occurring from time to time and did so during the term of the previous Government, of which the honourable member for Kedron and the hon. member for Charters Towers were members, the latter being of course the Minister for Labour and Industry for a number of years in that Government.

The approach to the Court for this consent award, I might add, was in keeping with the policy that trading hours generally were a matter for determination by the Industrial Court.

So it will be seen that, contrary to the allegations made by the honourable member for Charters Towers and the honourable member for Kedron that the present Government by this roster system had taken away from the Court the power to fix trading hours for petrol stations and garages, the approach was made to that Court in keeping with recognised procedure in respect of consent awards. The only part that I, as the representative of the Government, played in these negotiations was that I acted as chairman of a conference that I willingly called in an attempt to resolve the position and enable an approach to be made to the Court for an award to afford the motoring public some generally acceptable means of getting petrol and like products at week-ends. My action was approved by all parties concerned. If a similar course had been adopted by the previous Government the making available of petrol at week-ends to the motoring public could have been achieved much earlier than it was. The Court, by consent of the parties to the award, made operative from 4 November, 1957, the roster system, which, whilst retaining the previously restricted hours of

7 a.m. to 6 p.m. Mondays to Fridays, and 7 a.m. to 2 p.m. on Saturdays, allowed two service stations in each of nine zones in the factories and shops district of Brisbane to operate on a roster system to supply petrol between 2 p.m. and 6 p.m. on Saturdays and between 7 a.m. and 6 p.m. on Sundays.

With the exception of about 12 service station proprietors at that time, the roster system was accepted generally as a means of permitting the lawful sale of petrol by rostered garages on Saturday afternoons and Sundays. At the time it was introduced, there were two service station proprietors' organisations operating in Brisbane, namely, the Queensland Automobile Chamber of Commerce and the Service Station Association of Queensland. A third and very small association known as the Advanced Petrol Resellers' Association sprang up but received no support. I believe that is the organisation to which the hon. member for Brisbane referred when he asked me if I had refused to hear a deputation.

Mr. Mann: I do not know its name but it was suggested to me by two garage people that you refused to see a deputation.

Mr. MORRIS: That was the organisation; but the question was then sub judice. I point out to the hon. member that the third organisation, calling itself the Advanced Petrol Resellers' Association is to the best of my knowledge now almost inoperative if not quite. It has received very little support from the garages and I do not think it is supported by any but the present recalcitrant sellers. Its president, Mr. J. Wilkinson, challenged the validity of the consent variation of the Garage and Service Station Attendants' Award.

Mr. Mann: That is the one.

Mr. MORRIS: The Full Court, irrespective of Section 21 (2) and (3) of the Industrial Conciliation and Arbitration Act, decided that it had power to prohibit the Industrial Court when it exceeded its jurisdiction. The full Court then decided that the variation was invalid by reason of the delegation of the Industrial Court's power to the Chief Inspector of Factories and Shops which, under the provisions of the Industrial Conciliation and Arbitration Act, it had no power to do. We were not satisfied with that position. We took the opinion of learned counsel and the Government, through the Attorney-General of Queensland and others, appealed to the High Court of Australia. That court unanimously dismissed the appeal and, amongst other things, declared the award invalid because the State Industrial Court had no power to prescribe trading hours on Sunday. The High Court stated, when referring to the Industrial Conciliation and Arbitration Act—

> "This might give power to fix trading hours on week days but it does not enable the Industrial Court to permit trading hours on Sundays."

Following this decision, legal advice from the Solicitor-General was to the effect that action could be taken under Part VIII. of the Factories and Shops Acts for the issue of an Order in Council to validate the unanimous agreement and exempt either wholly or in part any shop or class of shop in any district or part of a district from the operations of Part VIII. of the said Act or any of the provisions thereof and the same shall thereupon be exempted accordingly for the period and upon the conditions stated. Section 31 of these Acts definitely states that there shall be no trading on Sundays as I have mentioned before, but provides that certain shops and establishments may be exempted from the provisions of this part of the Act. Therefore, an Order in Council was issued which exempts from Section 31 (dealing with no trading on Sunday) those garages and/or service stations in respect of which the occupier has received the prior approval in writing of the Chief Inspector of Factories and Shops to open between the hours of 7 a.m. and 6 p.m. on Sunday.

Therefore, it will be seen that prior to this decision by the High Court, it was thought that the Industrial Court had power to prescribe trading hours on Sunday, but as this was proved not to be the case, recourse had to be had to the powers under the Factories and Shops Acts. This is not in any way taking away from the Industrial Court its powers to prescribe trading hours, but is dealing with a position in respect of which it has been clearly stated by the High Court that the Industrial Court was not legally competent to determine.

I would add that the Labour Government in Western Australia had a thorough investigation of this problem made by a voluntary Royal Commission comprising two Country Party members, two Labour Party members and one Liberal Party member. After this investigation, and following the lead of this Government, the Western Australian Government instituted the roster system for week-end sales of petrol. I am informed that although the system is operating satisfactorily, our system is considered overall to be the better of the two.

If I might say so, after perusing the record of the debate on the introduction of this measure, the only person in the Opposition who seemed to have a practical appreciation of the position was the Leader of the Opposition, I have noted with much interest his suggestion that the matter of the supply of petrol during Saturday afternoons and Sundays might be the subject of a wide inquiry.

In this connection, I might add that it is recognised that possibly the present arrangement is not the complete answer to the problem, but it has alleviated the most unsatisfactory position that obtained during the term of the previous Labour Government, and, if experience suggests any amendment then it will be made.

It is realised that the present arrangement is not perfect by any means, but as mentioned previously, it is one that was unanimously agreed upon at the final conference presided over by me, at which were present representatives of the Royal Automobile Club of Queensland, the garage proprietors and the unions.

The hon. member for Kedron complained that insufficient consideration had been given to the drawing up of the roster. That is not in accordance with the facts. Perhaps I should mention the practice that is followed in the preparation of a roster.

Mr. Power: What are you stonewalling for?

Mr. MORRIS: The hon. member evidently has no knowledge of the facts, and I am trying to give hon. members that knowledge. I think it is good that hon. members opposite should be educated occasionally and I am taking this opportunity to do it.

First, it is prepared to conform with the nine zones into which the factories and shops district was divided, then letters are sent to all petrol resellers in the area asking them to signify their willingness or otherwise to participate in the roster.

I think it would be interesting for hon. members to hear the contents of this letter which was sent by the chairman, treasurer, and secretary of the Queensland Automobile Chamber of Commerce, which is an association with which most of the traders are affiliated. It reads as follows—

"Dear Sir,

"A fully attended meeting of the Chamber's Brisbane Branch Council, representing the entire area of Greater Brisbane, met last night and considered reports that an 'open go' on Saturday and Sunday petrol had been urged in the Legislative Assembly the day before. As a result we have been instructed to advise you that—

"Almost without exception, petrol retailers in Greater Brisbane oppose Saturday afternoon and Sunday opening, but agree that the roster arrangement has been well worthwhile to nearly everybody.

"Some rostered stations show a loss, but the consensus of opinion is that it is better to lose on two or three week-ends during the year than to lose every week-end even more heavily.

"Complaints against the roster system have in fact been against the few people who have continually flouted it, and the desire has been generally expressed that penalties for flagrant breaches of the law should be substantially increased."

Mr. Duggan: Why would they want to open on Sunday if they were losing money every Sunday?

Mr. MORRIS: They are prepared to open on two or three Sundays a year so that between them they can give service to the motoring public. They are not prepared to open regularly. There is the letter which was written on 28 November.

Mr. Mann: Whom from?

Mr. MORRIS: The Queensland Automobile Chamber of Commerce, signed by the chairman, Mr. E. K. Van Homrigh, the deputy chairman, Mr. J. J. N. Henderson, the treasurer, Mr. F. Taylor, and the secretary, W. L. Pope.

Mr. Davies: How many garages refused to go into the roster system?

Mr. MORRIS: Very few. There were 12 originally but there are now some 18 who do not want to be in it.

Mr. Davies: They are the 18 who are flouting the law?

Mr. MORRIS: No, a different group altogether. I told the hon. member before we circularised them that only 12 were not prepared to participate in the roster system.

It is recognised that borderline rostering might occur, but every consideration is given to spacing rostered service stations as far apart as possible and in locations to best serve the public. No service station proprietor is forced by us to participate in the roster if he does not wish to do so.

The hon. member for Kedron also mentioned that there should be such a thing as an emergency condition. In the proposed legislation, the Royal Automoble Club of Queensland is exempted from the penal provisions of the proposed legislation to enable it to provide a genuine roadside emergency service, which they do in fact provide for all motorists.

Mr. Lloyd: He must be a member of the Club.

Mr. MORRIS: No. If any motorist finds himself in an emergency the Royal Automobile Club will supply him with petrol. It has the legal right to do so.

Mr. Lloyd: Did the Minister say any motorist at all?

Mr. MORRIS: Yes.

Mr. Lloyd: Will be supplied by the R.A.C.Q.?

Mr. MORRIS: Yes, in an emergency. I assure the hon. member that is right. I took the trouble to phone the R.A.C.Q. to verify it.

Mr. Lloyd: Is that a new arrangement?

Mr. MORRIS: It is an arrangement operating as a result of the roster system. It operates with the approval of the two principal garage associations. They agreed to that clause in the agreement. The R.A.C.Q. will provide anyone with this roadside service in an emergency. That is in addition to the service legally provided each week by 18 rostered service stations, and the service

is considered sufficient to deal with any emergency. It may interest hon. members to know that the emergency calls received by the R.A.C.Q. in a month, that is, during the week, week-ends and at other times amount to approximately 250. That proves the lack of need for any further emergency-class service.

The hon. member for Charters Towers mentioned that when he was in the Cabinet in the previous Government, the question of permitting petrol and like products to be sold on Saturday afternoons and Sundays was discussed from time to time and that they decided that once they broke away from the court they would have to throw it wide open and let anybody trade who wanted to trade on Saturday afternoons and Sundays. This would quickly force every service station operator to work seven days every week. I emphasise that point. That would be the effect of it.

The hon. member for Kedron has also spoken in favour of petrol stations and garages being permitted to open on seven days a week. The question, of course, is much wider than this. Does the hon. member propose that preferential treatment should be given to petrol interests over other trades? He may deny that he is in favour of preferential treatment for petrol resellers or traders. He is Deputy Leader of the Opposition and I feel I am justified in saying that his comments if taken to their logical conclusion could only mean that if the official Opposition became the Government, they would take the necessary action to provide that trading hours for all callings should be seven days a week. Anyone who read the hon. member's remarks on the introductory stage could not come to any other conclusion.

Mr. Lloyd: You could not hear it and did not read it.

Mr. MORRIS: Either he wants preferential treatment for the oil interests or he wants every trader to open on seven days a week.

I ask the hon. member in all friendliness if, when making that suggestion of seven days a week he had sought the views of his masters at the Q.C.E. and so forth on this subject of seven days a week trading and whether they agree with it. I am quite sure they do not. He may have changed his story in the meantime, but if they read his speech at the introductory stage they could come to no other conclusion than that he was in favour of seven-day-a-week trading as long as it meant better service.

The previous Government, as mentioned before, if they had desired, could have issued an Order in Council exempting garages and petrol stations from the provisions of the Factories and Shops Acts, and this would have enabled them to trade for as many hours as they wished each day. It is significant that no such action was taken despite the opinion expressed by the hon. member for Charters Towers, who was the Minister in the previous Labour Government in charge of these Acts, that perhaps he had made a mistake and that it may have been better to have introduced legislation on this matter.

The hon. member for Kedron said many silly things the other night, although that is not characteristic of him. He mentioned the hardship which applies to the motorist by all garages and petrol stations not being open on Saturday afternoons and Sundays. Is he sincere in this regard? Does he forget the hardship which would apply to petrol resellers if circumstances forced them to work seven days every week. That is what he advocated.

I feel that the majority of private motorists make sure that they are well equipped for any journeys they propose to make on Saturday afternoons and Sundays under the conditions as they presently obtain.

It is interesting to observe in this connection that any extension of the hours apart from the present roster system has been consistently opposed by the organisation of the garage proprietors. After all, surely they are entitled to some respite from their labours. Then again, I would remind hon. members that even if unrestricted trading in all garages and petrol stations were permitted seven days a week the provisions of the award would apply to the employment of labour which would mean that all labour employed on Saturday afternoons and Sundays would be at penalty rates. Few garages employing labour would be able to operate profitably during that period. I say that the only garages that can afford to operate economically on Saturday afternoons and Sundays are those where the proprietors themselves and/or their wives and families can assist them in tending to the requirements of motorists who might require petrol during that period.

Mr. Davies: Have you ever been in the country?

Mr. MORRIS: I am talking about where this applies. Seeing that the hon. member has advocated the opening on Saturdays and Sundays is it his wish and that of the hon. member for Kedron that garage proprietors, their wives and families should be deprived of all Saturday or Sunday domestic family enjoyment? Does the hon. member for Kedron want to see sweated labour in this industry? He certainly vigorously advocated it. If all garages opened on seven days per week—all garages I say—then the usual weekly purchase would be spread over seven days instead of a similar quantity in five and a-half days.

I believe this industry, in common with others, deserves a weekly break of at least 1½ days per week, and, by the roster system, it in fact gets this for 50 of the 52 week-ends without the risk of either losing a customer or losing any overall trade.

I reiterate that should the hon. member for Kedron, the Deputy Leader of the Opposition, feel that there should be unrestricted

trading in petrol seven days a week, he must also agree that such unrestricted trading must take place in fact in all other services which are normally conducted during the normal five or five and a-half days working week.

Should all parties concerned be agreeable to seven days a week trading, that perhaps might be a different matter, and should this obtain the present Government will give full and careful consideration to convening a conference of all relevant parties with a view to appropriate action being taken.

I have, I think, set out the position clearly. The present roster system, as I stressed previously, whilst operating very successfully, has the blessing of the very great majority of garage and petrol station proprietors and the union and is to the benefit of the general motorist.

One very vital point is—if by law all service stations were permitted to open, then, by virtue of their agreement with most wholesalers, they would be obliged to open.

Mr. Lloyd: You are admitting that?

Mr. MORRIS: I am saying it and I am telling the hon. member and giving him information he does not know. We are protecting garage and service station proprietors against such widening of the power.

In conclusion, I remind hon. members that it should be apparent that the only thing this Bill does, other than increase penalties applicable to law-breakers is, in conjunction with the Order in Council already issued, to bring into operation in full and by law those provisions of the consent agreement previously registered by the Industrial Court but disallowed by a High Court judgment.

I trust that by giving this full background of the reasons for the Bill hon. members will recognise that some of the things they wildly stated during the introductory stage are wrong, and that they made silly mistakes.

Mr. LLOYD (Kedron) (8.49 p.m.): For the last 40 minutes we have listened to the Minister describing some of the attacks made by the hon. member for Charters Towers and myself. I think he confined his remarks to the remarks made by us in an endeavour to give the impression that we had said, "Open all petrol stations on Saturdays and Sundays." We did suggest that, but we suggested that if the Government were going to roster the service stations, it should be on a voluntary basis.

We also said that the Minister's plan was in some way or another an interference with the powers of the Industrial Court. The Minister himself said that a decision of the High Court prevented the Industrial Court from deciding on working hours in service stations on Saturdays and Sundays.

The basis of the argument is that from time to time the Industrial Court has refused to grant service-station proprietors the right to trade on Saturdays and Sundays, so that in actual fact the Minister is interfering with the powers of the Industrial Court. I suggested that if the Minister arranged a roster system, the service stations should be allowed to open voluntarily and that it should not be made compulsory. The Minister has said that the oil companies would not bring pressure to bear on the service-station proprietors to open during the week-end.

Mr. Morris: Are you saying that I said they would not bring pressure to bear?

Mr. LLOYD: The Minister has said that the service stations on the roster were not forced to open on Saturday afternoons and Sundays, and I said that the oil companies would force them to open.

Mr. Morris: I said we would not force them to open.

Mr. LLOYD: Despite the fact that the Premier wants to complete the business of Parliament during the next couple of days, apparently the Minister has taken up 45 minutes to open up all this new territory in the interests of his own conscience. He realises that his roster system has not been a complete success. He has already said that if we allowed all the service stations in Brisbane to open on Saturday afternoons and Sundays, which I suggested as an alternative, the same privilege would have to be extended to every other form of trading in Brisbane. I remind the Minister, however, that the Government are granting permits to chemists to open all night.

Mr. Morris: That would be done only on the request of a body of chemists. We have not given one permit to a chemist to open at night, but your Government gave several permits.

Mr. LLOYD: How is it that a permit has been granted to a chemist at Alderley to open all night within the last few weeks?

Do not the Government realise that it is necessary for some chemists to open at night so that they can attend to doctors' prescriptions?

The Minister's case is that if a man needs petrol in an emergency, he is entitled to get it. If he had had his hearing aid tuned properly or had read in "Hansard" the debate on the introduction of the measure, he would have realised that I said that the concentration of the population in Brisbane was such that in many cases the roster system would not satisfy the community demand for petrol trading at the week-end. Does the Minister realise that the city of Brisbane covers an area of 375 square miles? I placed a case before him, but he decided to ignore it. He has simply drawn an arbitrary line within a certain radius of the General Post Office and has made it the boundary of the metropolitan area. Because the High Court has decided that the Industrial Court cannot

define petrol trading hours on Saturday afternoons and Sundays, he has decided to introduce this legislation to get over the difficulty. In the process of doing that, he has drawn the arbitrary line of the boundary of the metropolitan area. If he had read "Hansard" he would have understood my point, which was that the boundary of Brisbane is such that many parts of the city are semi-rural areas.

Mr. Morris: I don't think you understood your arguments yourself.

Mr. LLOYD: The population of Brisbane is concentrated mainly within a radius of 3 miles of the G.P.O. The boundary of the metropolitan area is 6 miles from it at the closest point. Many people on the outskirts of the city, up to 20 miles away from the G.P.O., are on one side of the geographical line where service stations are not allowed to open while those on the other side are allowed to open. Even the roster system would not satisfy the requirements of many of the people in those areas. That is the case I put before the Minister and he ignored it. That brought in the alternative argument of allowing all service stations to open on a voluntary basis and he ignored that, too.

Mr. Morris: That is what you advocated.

Mr. LLOYD: He ignored the case I presented about the concentration of population within the inner city area. What is the difference between one geographical line that is not giving service to the people and another that would? Moreover, the change of geographical line would bring in service stations operated by families. Many such service stations on the outskirts of the city do little trading of a week day. The Minister lets those within the area of concentrated population compete with those who have built up service stations to give service to the public but who are not able to earn a livelihood. He victimises those people by allowing garages and service stations in the inner city areas to sell petrol at the week-end whereas by drawing another arbitrary line he would give extra service to the community and allow deserving service station owners to secure a livelihood. That was the case I presented at the introductory stage as the Minister will see if he reads "Hansard." Government members interjected that those people should not have built service stations where they did and it is because he was not willing to accept my proposal and because of his guilty conscience that he is now trying to justify his action, which we claim to be some form of interference with the jurisdiction of the Industrial Court.

The sale of petrol at the week-end can be just as much an emergency as the sale of other commodities, for instance in chemist shops. Why is it necessary for doctors to remain available at week-ends? Are there not just as many instances of emergency with petrol as there are with other commodities? The previous Government believed that there were occasions when it was necessary to sell petrol outside the normal selling hours but, because of decisions of the Industrial Court they did not interfere with existing arrangements. The Minister has already given an example of some form of interference with the Industrial Court. He spoke of conciliation. Conciliation is all very well. In legislation presented within the last 10 days we saw conciliation in the Industrial Court being taken away as a mandatory power and being replaced more or less as a voluntary power on the part of the court. Where is the Minister's sincerity?

Mr. Morris: Would you say that asking for a consent award is interfering with the Industrial Court?

Mr. LLOYD: Certainly not. We agree.

Mr. Morris: That is all we did.

Mr. LLOYD: We agree, but we cannot reconcile it with the attitude adopted by the Minister and his Government on previous occasions towards other awards, and in fact in recent days towards the Industrial Conciliation and Arbitration Act. We necessarily believe that conciliation must come first. What the Minister did in calling a conference of these people was quite sound. But we do not think that the roster system created out of that conference is the final solution. He has said that in Western Australia it was necessary to call together an all-party committee and that committee made recommendations for the sale of petrol. One has only to go outside of the metropolitan area to see any number of service stations operating. Brisbane is peculiar in that it is one of the largest cities in the world in area, covering 375 square miles. Does the Minister think that he is going to provide all the necessary facilities for the community interest by creating a roster system or does he not think that he might give some consideration to the suggestion I made originally about using a boundary other than that of the metropolitan area? The concentration of sales of petrol throughout the metropolitan area is sufficient to give him an idea of what is required. Had he read the "Hansard" report of the introductory stage of the Bill it would not have been necessary for him to spend so much time on his second reading speech.

The Minister used the ridiculous argument that we were surrendering to pressure from oil companies. What a ridiculous argument! All we are concerned with is the community interest and service to the public generally. It is characteristic of the Minister that when he is unable to answer an argument he attempts to destroy the reputaton of the person advancing the argument. It is not necessary that that type of argument be used in Parliament in an attempt to rebut something put before hon. members as a useful alternative to a Government proposal.

I have no opposition to the proposed increase in penalties but I think we are entitled to make suggestions to the Minister. He has indicated that an all-party committee operates in Western Australia. I am making the suggestion that an all-party committee should also operate in Queensland to consider the trading hours of service stations. Maybe we will be able to give some suggestions to the Minister that, on more mature thought, he might consider to be sound.

Mr. Morris: I would be very interested to hear your suggestions.

Mr. LLOYD: I have already made them on two occasions but they have been completely ignored. I commend to the Minister again the suggestion that he should consider the concentration of population within a radius of the G.P.O. Service station proprietors on the outskirts of the metropolitan area are finding it difficult to earn a living but they provide a very important community service. Let him consider the suggestion we have made on this occasion in an effort to help him in his own decisions on this very important matter.

Hon. V. C. GAIR (South Brisbane) (9.5 p.m.): I have listened with great interest to the speech made by the Minister on this very complex and contentious subject. However, I cannot agree that from anything he said tonight he is satisfied that his roster system for petrol stations is the success that he would have us believe.

If the roster system is the success that the Minister would have the public believe why is it necessary to bring in legislation to provide for additional penalties? Why is it that we still have service-station people breaking the law? Why is it that we have a section of the public who are apparently not satisfied with the roster system and who require the service-station people to break the law to provide them with their immediate need of petrol. I know that this has been a contentious question for some time past. The Minister has made a good deal of the fact that the Government which I had the privilege to lead were prepared to stick to the court's award which was granted to the Garage Proprietors' Association. There is a section of our people who for a long time believed that the award had been made for the union concerned, but that is not the case at all. The garage proprietors obtained the award which laid down the trading hours for the service stations. While the award operated anl until some authority sought an alternate award, the Government of the day respected the award of the court. That was done consistently throughout our term as a Government. Irrespective of what might be said in respect of the garage proprietors' case for a day and a half off each week and for the closure of service stations from mid-day on Saturday until Monday, I think we as legislators have to recognise public demand. I think that the keynote in this question is public service. There are certain services which are undeniably and undisputedly a seven-day-a-week job; and transport is one of them. That is why we are compelled to pay penalty rates to our railway, tramway, shipping and airways employees. They are all required to function for seven days a week to meet public demand. The institution of a 5½-day week for our transport would bring chaos and dislocation to the whole community life of our country. You may be able to close drapers' shops and butchers' shops—

Mr. Harrison: You cannot close the dairy farms.

Mr. GAIR: That is true. Transport is another one. That is why I say that we have to appreciate those facts. The Minister is displaying a lot of enthusiasm about the encouragement of tourists, but you will not encourage tourists by introducing restrictive legislation. I had the opportunity of seeing how a lot of these things worked on the other side of the world just as the Minister has had in more recent times. The outstanding impression I gained while abroad, and I mentioned it on my return to Australia was the desire to give service, particularly to the travelling public. A motorist can drive into a town, city or village and be sure of getting accommodation, food, drink, petrol and other things he needs to continue his journey. Is that the case here? Is this city for all time to be a small, parochial village with all types of restrictions. It shall not become great if we do not cater for those who visit us, and if we continue to have all these restrictions and limitations on service——

Mr. P. R. Smith: Your Government kept it in bondage for a fair while.

Mr. GAIR: Even if that is so, there is no reason to perpetuate the mistakes. That is the argument of the politically prejudiced person, without any constructive ideas.

The Minister said that the previous Government gave permits or licences for all-night chemists' shops. That is true. I gave that permit for a day and night pharmacy at Woolloongabba some years ago because, as the son of aged parents, I was sick and tired of trying to waken chemists by pushing buttons, or unsuccessfully trying to arouse them by throwing stones on the roof. Having obtained a prescription from the doctor I was not able to get a chemist to make up the prescription. Why should not a permit or licence be issued to someone prepared to give all-night emergency service? The same argument applies to petrol stations. It may be said that motorists are able to buy their week-end petrol on Saturday morning. Normally that may be so, but a motorist may not intend to use his car over the week-end. He may go home on Friday evening with the intention of gardening or occupying himself in some other way over the week-end, but

he may be called to his sick mother who lives some distance from his home. He may be required to leave hurriedly. He is put to the inconvenience of obtaining petrol to get out of the metropolitan area in order to get sufficient petrol to take him to his destination.

The Minister has said that the alternative to a roster system is the opening of every petrol station, but that is not so. They should not be compelled to open, but the proprietors who want to open should be allowed to do so. Apparently there are some who are prepared to give that service, judging by the number of summonses and prosecutions or, according to reports, persecutions in some instances.

Frequently we heard Government members when in Opposition speak about the need for industry, for freedom of the individual to work in his own interests. We are not concerned about the employer of labour, but we are concerned about employees. They must be paid penalty or award rates for work on Saturday and Sunday. If a man, his wife and family are prepared to give that public service in order to build a bigger business or earn a greater income, why should we prohibit that merely because his competitor down the road is too lazy or indifferent or has probably built up his business to such an extent that he is independent? That is the view I take. Why penalise somebody because he is not too tired to work? Why penalise him because he has the industry and the energy to carry out a job of work? I say this particularly in the case of an essential industry.

I think I heard an interjection about shop assistants. I am not concerned about them in this case. However I saw shops on the Continent open on Sundays. The opening was optional. I repeat, with regard to the employment of labour, provided that the employees are protected and that they receive penalty and overtime rates or any other rates the award provides for work outside of ordinary hours. We cannot do more than that for those employed in essential industries. All our industrial laws over the years have laid down the commencing time and the finishing time. Finney Isles, T. C. Beirne, and other firms can decide not to open on Monday, Tuesday and Wednesday of next week, and nobody can do anything about it. There is no law to compel them to open. We saw the position in the post-war years when many butcher shops closed their doors and refused to open. There was no law to compel them to open. The industrial law says that they must not open before a certain hour and that they cannot trade after a certain hour, but there was no law to say that they must give a public service. The sale of petrol comes within the category of an essential service, and it is one of the things that you cannot limit to a 5½ day week, any more than you can stop the trams, the trains, the planes and the ships or you can turn off your water or your light. Men have to work in these industries seven days a week and provide a continuous service. The same applies in regard to the supply of petrol. The people must be given the means of transport by being able to get fuel and travel from place to place. The fact that service-station proprietors are being prosecuted every week shows that there must be a public demand. There must be a public demand for petrol otherwise it would not pay them to open and it would not pay them to commit themselves to penalties being inflicted upon them week after week. Those penalties are going to be increased for the giving of a public service. The Government have tried the roster system and possibly a few garage proprietors agree that it is a success.

Mr. Morris: Four hundred garage proprietors.

Mr. GAIR: The Deputy Premier holds up his hands and says, "Four hundred." Some of them told me in private that it was a damned farce.

Mr. Morris: No, they didn't.

Mr. GAIR: They told me that privately.

Mr. Nicklin: Why subscribe to it?

Mr. GAIR: Just the same as an industrial union agrees with the decision of the Executive of the union. Many are committed in such a way that they are not game to take a stand, believing at the same time that the whole thing is just a proper muddle. The Government have tried the roster system, let us try the other—give it a go—throw the whole matter open and make it optional. Do not compel anybody to open and then see whether the public service or the public demand will be adequately supplied. I think it will. It would not compel anybody to open if he did not want to open. I think that the Government would find that there would be plenty who would open, and who would be glad to open. If the Minister is concerned about the oil companies compelling the balance to open, we could give consideration to means of preventing the pressure of the combines in that direction, if the Minister is game enough to face up to that position.

I know that it is not an easy problem. However, the paramount consideration is not the garage proprietor, but the interests of the travelling public, who are entitled to an adequate service. The best service they can get is service by someone who will give it willingly, who is not compelled to give it. The success of any business is due to the energy and efforts of the individual. The successful man is not the man who is continually watching the hands of the clock. My father used to say, "The worker who watches the clock can always be depended on to remain one of the hands" The man who does not watch the clock—who is prepared to give service—succeeds in business. That does not only apply to service stations. The successful service station proprietors in country towns are those who are always on the job and who are not afraid to give service to the public.

I suggest to the Minister that he approach the matter from that viewpoint. He should not be determined to make his plan work at the expense of a section of the industrious people of the community by imposing increased penalties on them. Are they doing any great harm in giving the travelling motorist petrol when he needs it? The Bill provides for a penalty of £50 for every occasion on which he provides a motorist with petrol during prohibited hours. In the early days, men were deported from England to prison camps in Tasmania and other parts of Australia for small and frivolous offences. Do not let us get back to the old days and penalise people merely because they are prepared to work and give public service.

Mr. GARDNER (Rockhampton) (9,23 p.m.): Some of the views that have been expressed during the debate are very surprising. We must all recognise that this is an ever-changing and modern world, and that the age of the motor car is developing very quickly. This State has an average of one motor vehicle to every 4.5 people.

It is true that in the present age of motoring, the motoring public must be rendered a service. However, other services in the community are just as essential as those provided by service stations. For example, neither the baker nor the butcher are allowed to start work in the early hours of the morning. Every worker in the State is subject to an award of the Industrial Court.

The people engaged in petrol selling know exactly what is required in their own calling. If the R.A.C.Q. and the various garage and service station associations have agreed with the union on the introduction of a roster system, we should give it every consideration. I realise, of course, that it is virtually impossible to solve every problem confronting the industry. Within five years we may have an entirely different outlook on the matter. I am particularly interested in the retail petrol selling trade and anybody closely associated with it knows that it is the most competitive amongst small businesses. If there were an open slather with petrol stations allowed to remain open day and night and Saturdays and Sundays, with the survival of the fittest, it must react to the detriment of the industrial standards of the State. Anyone who makes close inquiries will discover that there is not a big margin of profit in a gallon of petrol after wages and overheads are taken into account. Of course, the travelling public are entitled to service but, if 18 service stations in Brisbane in geographical zones arrived at by arrangement with the organisations concerned remain open to provide that service, it seems very reasonable to me. It is true, though it has been ridiculed this evening, that there are men who would open on Saturday and Sunday and work all day on a non-paying basis. The petrol seller knows that a great deal of petrol must be sold if he is to employ labour at penalty rates to work on a Saturday afternoon or Sunday and make it worth while. If the people in the trade are prepared to work on a roster system, that is the best solution of the problem at this stage. The time may come when so many more cars will be on the road that we will have to change our opinion.

The garage association and the Queensland automobile organisation, with its 400-odd members in Brisbane, have done a good job in reaching agreement. I spoke to Mr. King of the R.A.C.Q. in Rockhampton yesterday and while his organisation wants a better service, it still renders emergency service. Those in the trade hold quite a different view from those who want to open the door to everyone. The possible breakdown of industrial conditions is an important factor to bear in mind. We would not stand for it from the bakers. If a baker opens and bakes bread before the legal starting time he is prosecuted. So with butchers. Where we have agreement among petrol sellers it is far better to preserve industrial conditions and still give a service. The Bill will be helpful. It will not solve all the problems but it is a starting point. We are trying to get an award by consent and in the meantime the legislation will cover the matter. That is the most practicable course at this stage. I know from personal experience some of the difficulties of the trade and I can assure hon. members that they are great. It is perfectly true that men would work of a weekend to preserve their ideal of the industry and to keep the industry on a sound and logical basis. Many would do it. They would do it to preserve their rights and to protect the industry so that it would not get into the haphazard state that other industries were in years and years ago. It has been the fight of Labour in days gone by to restore decent industrial standards and conditions. If we are going to accept the principle that it is good enough for mum, dad and little Willie to serve petrol over the week-end they will end up in the same position as the dairyman today, working seven days a week to make ends meet.

Hon. K. J. MORRIS (Mt. Coot-tha—Minister for Labour and Industry) (9.30 p.m.), in reply: Listening to the speech just delivered by the hon. member for Rockhampton was a very refreshing experience. There is a man associated with the trade. He has been pointing out the practical side as many of the practical men have pointed it out to me. I am delighted that one who is experienced in the trade has been able to give us the benefit of his experience.

I propose to deal very briefly with a few comments made by the hon. member for South Brisbane. Let me recapitulate. He said, "What is in the best interests of the travelling public?" He said that should be our concern. He went on to say, "There are cases of urgent calls for sickness. We have to give help for them to get petrol because

of these urgent calls. People must be given a means of transport. The keynote must be public service.'' As a Government we are not doing anything restrictive. In the time of the previous Government why did not they recognise these principles? Under the previous Government all garages in the metropolitan area were forced to close at the weekend. Are they forgetting it? We have recognised that there must be a service to the public. Because we recognised there must be this service we asked that all people interested in the industry should meet to see how we could give this service. They have mutually agreed on a roster system to give the service. There is nothing restrictive about the Bill. All we are doing is giving an extension. The hon. member for Rockhampton has recognised that. I repeat what I said earlier: the Leader of the Opposition recognises the problem. He made some constructive suggestions for even an improvement on what we have got. I have made a note of what he said. The hon. member for Rockhampton recognises the problem also. I am very glad to know that all people who are aware of the problem realise that we are not doing anything restrictive. We are liberalising the situation, we are making it possible for everyone in Brisbane to get petrol if they want it. It may prove to be necessary to liberalise it further as time goes on. If so, we will face up to that as we have faced up to the need for this liberalisation. Therefore I say it is very good legislation.

Finally let me say that since we have introduced the roster system there has not been one complaint made to our office by the general motoring public. Indeed, the motoring public are recognising that through the agency of the petrol reseller we are giving a service of which they have been deprived for many years by the previous Government.

Motion (Mr. Morris) agreed to.

COMMITTEE.

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

Clauses 1 and 2, as read, agreed to.

Bill reported, without amendment.

ELECTORAL DISTRICTS BILL.

SECOND READING.

Hon. G. F. R. NICKLIN (Landsborough—Premier) (9.36 p.m.): I move—

''That the Bill be now read a second time.''

The speeches of Opposition members on the introductory stage of this Bill revealed that although they are trying very hard they are really unable to offer any very sound or effective criticism of this most timely measure. I was rather sorry for the Leader of the Opposition. The hon. gentleman had to make the best of a very poor brief. His performance reminded me of the old story of the barrister to whom the instructing solicitor whispered, ''We haven't much of a case. Slam the other side for all you are worth.'' The Leader of the Opposition did just that. Rarely have I heard in this House a more lame and unconvincing speech. Boiled down the hon. gentleman's speech was mostly made up of quotations from newspapers, assertions of what various people are alleged to have said or done, and other irrelevant and extraneous matter. Mr. Speaker, he did not make one single objective criticism of the Bill—not one single objective criticism of the Bill in the whole of his speech. He even retailed an imaginary conversation on electoral redistribution that I was supposed to have had with Sir Thomas Playford, Premier of South Australia. This is what the hon. gentleman said, ''One of the things Sir Thomas told the Premier was 'Be very careful what you do with the metropolitan seats because that is the key to the whole situation.' '' I knew that the hon. gentleman had many attributes but I did not think he was capable of listening at a keyhole to a conversation. I did not realise that the Leader of the Opposition was a contortionist as well as an acrobat, who was able to hide himself under a table. I think he has a very vivid imagination. He is the last person in this House who should talk of pious political platitudes, political audacity, and humbug and hypocrisy. He belongs to a Party which, in its unduly long occupancy of the Treasury benches, became notorious throughout the Commonwealth for its manipulation of electoral boundaries to enable successive Labour Governments to dig themselves into what they fondly hoped would be an impregnable electoral fortress from which they could defy the rising wrath of a long-suffering people. With a monumental, unblushing audacity, and showing a mealy-mouthed hypocrisy worthy of that Dickensian character, Mr. Pecksniff, the hon. member described Sir Thomas Playford as the prince of gerrymanders who had successfully applied the techniques of the one-time Yankee Governor, Elbridge Gerry, to the fixing of electoral boundaries. This, of course, was a typical Labour red-herring. We are not concerned about South Australia. South Australia could never touch hon. members opposite when it came to a matter of gerrymandering or rigging of electoral boundaries. We have the most blatant examples of gerrymandering and boundary rigging in the political history of the Commonwealth perpetrated right here in Queensland by the Party opposite. The fact that the Leader of the Opposition has attempted figuratively to drag Sir Thomas Playford by his heels into the debate on the Bill reveals the feebleness of his case. Let the Leader of the Opposition and hon. members opposite defend, if they can, the jigsaw pattern of many electoral boundaries. The ingenious twistings and turnings, the lopping of bits and pieces off previous electorates, and adding them to other electorates to make them safe Labour seats, make the Yankee authority of gerrymandering, quoted

by the Leader of the Opposition, look like a small-time operator compared with hon. members opposite.

Mr. HANLON: I rise to a point of order. Is the Premier in order in reflecting on Mr. Justice Sheehy?

(Government laughter.)

Mr. NICKLIN: I feel sorry for the hon. member. He is new in the House, but he should know that the boundaries of electoral zones were not drawn by Mr. Justice Sheehy but by the Government of the day. That is how the wiggles in electoral boundaries came into existence.

The Nash electorate is an electoral monstrosity and provides a shocking example of gerrymandering. It is based on the city of Gympie, but does not take in, as one would logically expect, some of the countryside near Gympie. Rather it creeps out through the Wallum country where bandicoots and kangaroos are the only inhabitants, and takes in a portion of the city represented by the hon. member for Maryborough. The portions of the Gympie district not included in Nash, which should logically have been included in that electorate, were tacked onto Country Party electorates near that area.

The 1949 Act chopped pieces out of the Toowoomba seat, as a result of which the boundaries of the country electorates of Lockyer and Cunningham, essentially rural seats, extend right into the heart of Toowoomba.

In Townsville, the electorates of Hinchinbrook and Haughton creep right into the suburbs of that provincial city. Another classic example of manipulation or gerrymandering, or whatever it is called, is provided by the Rockhampton, Callide, Keppel and Fitzroy electorates. Callide is a particularly glaring example. One end of it lies in Rockhampton and the other end is in the township of Monto. The electorate takes in the Central coast hinterland from West Rockhampton to around Mundubbera. A person could stand in the centre of the Callide electorate and throw a stone into the electorate on either side.

The Government make no apologies for bringing down this measure. Queensland has long needed an equitable distribution of electorates, which will have due regard to the community of interests of the people in a given region. That certainly does not apply at present. Community of interest is completely ignored, with rural electorates taking bites out of city electorates.

The paramount principle governing this measure is community of interests. We have a group of metropolitan seats, the electors of which have their own particular community of interest. The city of Brisbane was a zone under the 1949 Act; we are continuing it as a zone in this Bill, but we are increasing its representation from 24 to 28 members for justifiable reasons, based on the growth of population, and the disparity of enrolment in some electorates compared with others.

We also have a strong community of interest in the second, or provincial cities zone, the cities being Ipswich, Rockhampton, Toowoomba, and Townsville, each of which is to be divided into two electorates; and Bundaberg, Cairns, Mackay, and Maryborough, each of which is to be one electorate.

Then, in the third zone, we have the purely rural districts to be represented by 38 electorates, which have their own special community of interest. I repeat that the essential principle of the Bill is community of interest, and the zones we have created certainly exemplify that.

In addition to the immediate total re-distribution of the State the Bill provides for future total or partial re-distributions as the movement of population takes place from time to time. The first of any subsequent re-distribution will be made by a commission of three persons appointed by the Governor in Council. Such a commission was the method provided in the 1949 Act and it was also the means whereby re-distributions were made under the legislation which preceded the 1949 Statute.

Except for the four provincial cities of Ipswich, Rockhampton, Toowoomba, and Townsville, any re-distribution will be on a quota basis. In regard to the metropolitan zone and the country zone, the quota will be determined by dividing the total number of electors enrolled for the zone by the number of electorates into which it is to be divided. In the case of the four provinical cities—each of which is to be divided into two electorates—the quota is to be determined by dividing the total enrolments into two.

For the purpose of the present re-distribution, the total enrolment will be ascertained as at 31 December, 1958, and in regard to any subsequent total or partial re-distribution, as at 31 December preceding the date of the re-distribution.

Under the present electoral law, Queensland rolls are printed annually and show enrolments as at 31 December for each year. In a year in which an election occurs, the annual roll is complemented by a supplemental roll adjusting the enrolments up to the date of the issue of the writ for the election.

It follows that it is not practicable to base a quota otherwise than on a 31 December enrolment. A margin of allowance of one-fifth over or under the quota is permitted in respect of any particular electorate.

New factors which the commissioners are required by the Bill to take into consideration in re-distributing any electorate are probable future movements of population, and, as far as can be done, the making of electorate boundaries conform with the boundaries of local authority areas and divisions.

The purpose of a re-distribution is to provide for better representation of the people by equalising, as far as practicable, the numbers of electors in the various districts or groups of districts.

A re-distribution, whether partial or complete, is justifiable and desirable when—

> The number of electors for any electoral district or the number of electors respectively enrolled for any two or more electoral districts is or are excessively above or below the applicable quotas, if ascertained according to the provisions of the Electoral Districts Act, or—
>
> The total number of electors within the State or within any locality or localities thereof, has increased to such an extent as appreciably affects reasonable representation.

Those are the two factors we have taken into consideration in this Bill.

A reference to the enrolments as at 31 December, 1948, shows that the respective enrolments were disproportionate (to an appreciable extent in respect of the country districts of Albert and Murrumba, and to a much lesser extent in the districts within the metropolitan area) and probably did warrant a re-distribution.

How much more is a re-distribution necessary now when a reference to the enrolments as at 31 December, 1957, shows that of 24 metropolitan seats five are excessively above and at least seven are excessively below the applicable quotas, whilst in the country, the enrolment of one seat, Carpentaria, is excessive.

Let us make a survey of the history of electoral re-distribution in Queensland. Before 1887, there were 42 electorates, with 55 members; in 1887 the number of electorates was increased to 60, with 72 members; in 1910 the number of electorates was fixed at 72, with 72 members In 1931 the then Government reduced the number of members to 62. The election of 1932, based on the re-distribution of 1931 by the Electoral Boundaries Commission of that year, put the Labour Party back in office with a majority of four —33 to 29.

Before the election of 1935, the Forgan Smith Government appointed another commission, which abolished the Country Party seat of Murilla and replaced it by the Brisbane electorate of Baroona. The number of electorates remained unaltered.

The Act of 1931 provided for a quota (one-62nd of the total enrolment) and for a margin of one-fifth more or one-fifth less. A minimum, however, was fixed for certain kinds of electorates—

	Minimum Number of Electors.
Electorate wholly city or wholly part of a city (i.e., metropolitan)	The quota
Electorate including a city or part of a city	7,000

For the purpose of the 1931 redistribution, the figures were—

Net enrolment at 30-6-1931 ..	497,806
Quota	8,029
Maximum	9,634
Minimum	6,424

On the 1935 boundaries, the Forgan Smith Government came back into office with a majority of 30—46 to 16. The electorates were gerrymandered, but not to such an outrageous degree as in the redistribution of 1949.

Mr. Lloyd: Do you say that the 1931 redistribution was a gerrymander?

Mr. NICKLIN: No. It was a fair redistribution. It allowed the Labour Party to get back into office.

In the 1947 State elections Labour had a comfortable majority on a minority vote. Proof of this is furnished by the fact that Labour polled 272,103 votes, or 43.6 per cent. of the total, yet won 35 seats. The Country and Liberal Parties polled 287,237 votes, or 46 per cent. of the votes, but won only 23 seats. Other candidates—Independents, etc.—accounted for 64,990 votes, or 10.4 per cent. of the total, and won four seats.

That redistribution favoured the Labour Party very greatly. With only 43.6 per cent. of the total votes, it won 35 seats compared with the 23 seats that were won by the Country and Liberal Parties, who polled 46 per cent. of the votes.

At that election 22 electorates were above or below the legal limits—one-fifth above or below the State quota—under the Electoral Districts Act of 1931. Of the 11 below the minimum, 10 went to the Labour Party.

Evidently these advantages were not considered sufficient to give the Labour Party the electoral preponderance it desired, in spite of the fact that the late Hon. W. Forgan Smith in 1931, criticising the possible maximum difference of 50 per cent. under the Act passed by the Moore Government, said—

> "Every citizen should be regarded as being equal under the law; and where we group 6,424 people and give them as much authority in Parliament as another group of 9,634, we violate that principle . . . I have no objection to a slight margin being allowed as between city electorates and electorates that are in the pioneering state; but so far as it is humanly possible under any statute, we should continue the principle of one vote, one value."

On that occasion the late Hon. E. M. Hanlon said—

> "Discretion should be entirely in the hands of the Commission, and no legislation instructions should be given that people resident in certain parts of the State should have less representation than other people living in other parts."

The 1949 zone boundaries were drawn by the Government of which those two gentlemen were very prominent members. In 1949, the only justification given by the Hanlon Government for different quotas for zones was a claim that more representation for the North and the West would mean progress and development. That contention is fallacious; development depends upon policy, not on the number of representatives sent into Parliament.

The 1949 Act was a masterpiece of electoral gerrymandering, and the disparities in electoral enrolments between the 1931 Act and the 1949 Act were so fantastic as to savour of the grotesque.

Under the 1931 Act, the greatest difference between an absolute minimum and an absolute maximum electorate was 50 per cent.—a difference that had earned the censure of the then Leader of the Opposition, the late Hon. W. Forgan Smith. But under the notorious 1949 Act, the greatest difference could be 236 per cent. In other words, under the 1931 Act, a vote in a minimum electorate could not have more than a 50 per cent. greater value than a vote in a maximum electorate. Under the 1949 Act it could have 3.36 times the value; the maximum number of electors for Zone 1 was 12,859 and the minimum for Zone 4, 3,827. Yet we have hon. members opposite saying, "We want fair representation. We want a fair division between the various parts of the State."

The number of electorates in Zone 1 (Metropolitan) was increased from 20 to 24, or by 20 per cent.; Zone 2 (South-east) 25 to 28, or by 12 per cent.; Zone 3 (North), 10 to 13, or by 30 per cent.; Zone 4 (West), 7 to 10, or by 43 per cent. It is very noticeable that the biggest increases took place in the north and west, which hon. members opposite considered their best electoral prospects.

The quotas and minimum and maximum enrolments in the respective zones were:—

——	Quotas.	Minimum.	Maximum.
Zone 1	10,716	8,573	12,859
Zone 2	9,536	7,629	11,443
Zone 3	7,852	6,282	9,422
Zone 4	4,783	3,827	5,739

These were based on enrolments at 31 December, 1947.

The northern portion of the State, almost wholly represented by Labour since 1932, showed very little progress as compared with Brisbane and the south-east. The western portion, wholly represented by Labour, showed a loss.

The real reason for the disproportionate increases in representation of Zones 3 and 4, as compared with Zone 2, was to ensure complete domination by the A.W.U. and the Labour Party.

There is no question that it was designed deliberately to favour the Labour Party in the desire of its members to cling like limpets to the Treasury benches as long as they possibly could. Low-quota areas of the north and west were traditional Labour strongholds, and the system was devised to give Labour representation out of all proportion to the relative votes cast in the State.

Following the 1949 redistribution and increase in the number of representatives, the Labour Party again had a comfortable majority in the 1950 State elections on a minority vote.

The voting at these elections (allowing party votes for three uncontested electorates at the ratio received in 1947) was:—

——	Votes.	Percentage of Total.	Seats.
Labour	303,502	46	42
Country and Liberal	331,542	50·2	31
Independents ..	..	..	2
			75

It was not a very healthy position for the Labour Party. The three uncontested electorates in that election were Country Party strongholds that the Labour Party baulked at contesting. Had an election been fought in those electorates the percentage of total votes in favour of the non-Labour parties would have been even greater.

The results of the 1950 election in the Nash, Windsor, Bulimba, Carnarvon, and Rockhampton electorates should have shown Labour that the writing was on the wall; the margins in favour of Labour were so small that the aggregate majority in these five seats was only 487.

In 1953 and 1956, following unpopular Federal budgets in each year, the Labour Party recorded a small majority vote. The fact that it did so, enhanced the disparity of the electoral redistribution of 1949 because it gained double the number of seats in the House, as compared with the Country and Liberal Parties, although the Labour majority was little more than 30,000 votes. Thus we had the truly Gilbertian situation of Labour winning 49 seats, with a percentage of 50.54, and the non-Labour parties winning only 24 seats, although their candidates received 46.26 per cent. of the votes.

The grossly inequitable imbalance of electoral enrolments is highlighted by the average vote per seat won—Labour 7,348; Country and Liberal Parties 13,734. In other words it took almost twice as many votes to put the Country-Liberal Party candidate into office. Yet the Leader of the Opposition had the effrontery to accuse us of being a minority Government because we won to office—in spite of Labour's carefully rigged boundaries.

Mr. Speaker, surely nothing more ludicrous has been seen in contemporary politics than the spectacle of the Labour Party reproving us for being a minority party. To be consistent the hon. gentleman should have gone further, and delivered us a pious homily on the evils of "gerrymandering," of which his Party have proved to be such adepts. Under the Bill the 28 seats in the metropolitan area will have a total enrolment of 309,745, and a quota of 11,062.

The 12 provincial electorates will have a total enrolment of 146,276, and a quota of 12,189. The remaining 38 country electorates will have a total enrolment of 316,324 and a quota of 8,324. That will give a much more equitable and balanced representation than the position that exists today where we have quotas ranging from 10,000 to as low as 4,000, with an enrolment (as at 19 March, 1958) of 29,452 or 16,546 above the quota in the case of Mount Gravatt and an enrolment of 4,400 for Charters Towers.

Under the 1949 Act, one vote in Charters Towers is worth slightly more than six votes in Mt. Gravatt, and is worth slightly more than two votes in Warwick.

Prior to the 1949 election the proportion was only one and a-half. One of the arguments advanced by Labour in favour of the four zones they introduced was that it would ensure protection of the interests of these sparsely populated electorates against the preponderating influence of the more densely populated electorates of south-east Queensland. Based on the deplorable experience of Labour rule in Queensland which has always courted the big centres of urban population at the expense of country electorates, this has been a complete fallacy. Neither the western nor the northern electoral districts have accrued any material advantage or benefit from the present zoning system, rather they have been at a disadvantage. We will rectify those disadvantages. Any electoral redistribution carried out by the Government will be on an equitable basis, that is, a fair reflex of the democratic will of a majority of the people.

The hon. member for Ithaca rather naively, and quite unwittingly I am sure, more or less gave his blessing to the Bill when he asserted that the extra four seats sooner or later would eventually possibly benefit the Labour Party. That, Mr. Speaker, is quite a handsome admission that this Bill is not a gerrymandering measure. The hon. member gives credit to our sense of fair play. Even the hon. member for Ithaca believes that Labour will have an even-money chance of winning these seats. And, Mr. Speaker, that is far better odds than we ever had.

Mr. DUGGAN (North Toowoomba—Leader of the Opposition) (10.6 p.m.): Despite the recent histrionics of the Premier, I do not think the hon. gentleman has given any convincing reasons why the Bill should be proceeded with. I do not intend to do what I did on the introductory stage—quote various extracts from speeches made by Government members when they were in Opposition, nor do I intend to take up time with a long dissertation on the science of winning elections, nor do I intend to have a long statistical survey, such as the Premier has given us tonight. Obviously the back-room boys have been at work to try and bolster up a poor case by a lot of figures. Everybody knows that the Bill is designed for the purpose of keeping the Government in power; and all the talk in the world will not alter that opinion. Even friends of the Government believe that something should be done on these lines. If the Premier had pointed out the need for electoral adjustment—that is something that was acknowledged from time to time because of the additional enrolments—nobody would cavil at that. What we are criticising is the fact that almost everybody on the Opposition benches, despite the fact that the Electoral Commission has not been appointed, virtually knows now what the boundaries will be.

Mr. Dewar: How do you know?

Mr. DUGGAN: Because I have heard members discussing it.

Mr. Watson: They were pulling your leg.

Mr. DUGGAN: The hon. member is aware of the alteration to his boundary and has expressed satisfaction with it. The sad look on the hon. member's face when he came here has been removed as a result of that information. The Premier said that under our system they had no chance. But they were returned as a Government, therefore if they had no chance by what magical process are they on the Government benches today? If there is no manipulation of boundaries, why not say, "We won under those difficult conditions and we are content to see how strong we are by going back on the old boundaries." If the Government party is as good as hon. members claim, it will gain the people's confidence, so why not put your policy to the test? Hon. members are not prepared to do that.

Let us examine this talk about Sir Thomas Playford. The Premier said that I would need to be a contortionist or have very sensitive ears in order to hear the conversations that were supposed to occur here. The hon. member gave a statement to the Press that he intended to discuss matters other than price control with, he believed, mutual advantage. The hon. member opposite who is most trenchant in his criticism is missing tonight. He was told to get out of the road. I refer to the hon. member for Whitsunday.

Government Members interjected.

Mr. Chalk: He is sick.

Mr. SPEAKER: Order! There is no need for interjections of this kind. They are irrelevant and amount to interruption.

Mr. DUGGAN: It will indeed be a rare occasion when the hon. member for Lockyer can instruct me as to how I shall conduct myself.

Mr. SPEAKER: Order! I suggest that the debate should not develop into an argument between two hon. members on opposite sides of the Chamber.

Mr. DUGGAN: I take the strongest possible exception to the statement that I am taking advantage of the situation, in respect of the hon. member for Whitsunday. If the hon. member is ill and in hospital, I am very sorry to hear it, and I wish him a very speedy recovery. At no time have I attacked him personally, nor do I do so now. It is well known to all of us, and it would be admitted by Government members if they have any decency or honesty that the hon. member for Whitsunday voiced very trenchant criticism of the Bill. Hon. members opposite cannot deny that.

Mr. Hiley: Do you still say we have sent him away because of that?

Mr. DUGGAN: I said that, yes.

Mr. Chalk: That proves how low you are.

Mr. Hiley: You ought to be ashamed of yourself.

Mr. DUGGAN: The Government cannot intimidate me on these matters. If the hon. member for Whitsunday is sick, I am very sorry indeed and I wish him a very speedy recovery, but that does not in any way cause me to retract my statement that the hon. member for Whitsunday was extremely dissatisfied with the proposal. That is public knowledge.

Mr. Davies: "The Sunday-Mail."

Mr. DUGGAN: Not only "The Sunday-Mail", but hon. members opposite know that he voiced searching criticism of the Bill. The Premier said when this matter was first raised that dame rumour is a lying jade, in an attempt to prove that I was inaccurate, but I was proved to be particularly accurate in regard to the number of seats in the various divisions. The Premier has tried to be smart and has acted in a manner which is unbecoming of a Premier and a man who has generally set a high standard in this Chamber. He tried to nullify that criticism by answering me in that strain, but it was subsequently found that the allegations I made were absolutely true.

Let us examine for a moment the position in South Australia. Sir Thomas Playford is well known throughout Australia as the prince of gerrymanders. That statement can be verified in any number of books. I could quote from three or four special articles on the subject written by men who are not Labour supporters or writers. They acknowledge that by blatant and skilful processes of electoral manipulation the Playford Government have been able to remain in office for a long period. The hon. member for Nundah asked me to quote the figures. Let us see what that Government were able to do by electoral manipulation.

Mr. Evans: He was a babe in arms compared to you.

Mr. DUGGAN: In the 1953 South Australian election Labour polled 166,000 votes, while the Playford Liberal Country League mustered only 119,000 votes, or 57,000 less than Labour, yet Labour returned only 14 members as against the 21 L.C.L. and 4 Independent members. Of the votes cast Labour polled 55.7 per cent., as against 42.3 per cent by the L.C.L. The present minority Government in Queensland polled 43.13 per cent., which is a little less than 1 per cent. above the Government vote in South Australia, but they hold 42 seats, 11 more seats than their opponents who got 56.87 per cent. of the votes. As a further contrast with South Australia, let me mention that metropolitan Adelaide with 61 per cent. of the State population is represented by only one-third of the members of the Parliament, while metropolitan Brisbane with just under 40 per cent. of the State population is represented by 24 members, only one short of a third of the members in the House.

In the 1956 election in South Australia it took 22,560 electors to elect one metropolitan member of the House of Assembly, and in the 1957 election in Queensland, 13,300 electors elected one member to the Legislative Assembly. Each vote in the country in South Australia equals three in the city. But this does not matter a circumstance to Sir Thomas Playford, who once answered a public outcry for decentralisation with the statement—

> "I have studied this matter extensively, and can find no mandate for even supposing that there is such a principle in electoral matters as 'one vote one value'."

In a subsequent redistribution he maintained the ratio of 26 country to 13 metropolitan seats, with approximately 23,000 electors to each city seat and 6,700 in the country. No wonder the Premier of South Australia was invited here and given red-carpet treatment. The Premier and the Press acknowledged that and I do not think that the Premier will deny that some of his own members in their spare time went down to have a look at the position in South Australia. Since that time the president of the Country Party, the hon. member for Somerset, and the hon. member for Kelvin Grove, with the help and connivance of the Liberal organisation and the Liberal Party, have been trying to carve out the number of seats beneficial to the Government. I know that the Chairman of Committees, a very honourable man, faces the possibility of being edged out so that men like Charles Porter and others can be edged in. It is well known that some of these professional men have been knocking at the door for years and

cannot get into Parliament, but are trying to take advantage of the Bill to get into this House.

We have heard much about the decentralisation policy of the Government, to reach an agreement with the Liberals on a basis of acceptability. This Bill was talked about months ago but was only introduced in the dying stages of this session and then late at night. It was introduced into the Assembly late at night, and on the eve of the closing of the session we have the second reading stage. That is characteristic of this Government who are talking about the spirit of democracy. They intend to use their numbers to push the measure through, and it will be pushed through as a result of these conferences and discussions and squabbling in the caucus of the Government. Everybody knows that. Everybody knows that they have been squabbling for weeks and weeks. (Government laughter.) Yet the Government talk about unanimity. By reference to Victoria we know that the Bolte Government were defeated because the Country Party joined with the Labour Party in the Lower House to defeat the Liberals. That is the shape of things to come, and I look forward to the day when the decent element of the Country Party will rise in their wrath and kick out the Liberal intruders in their ranks. The Country Party say, "We want the retention of the Premiership. How can we carve up the State so that it will give a majority for the Country Party and so give us the Premiership?" Look at what happened at the recent Federal election. The member for Herbert in the Federal sphere was endorsed as a Country Party candidate but he went over to the Liberal benches. There is no loyalty amongst those people.

Mr. Dewar: Have a look at your own mates.

Mr. SPEAKER: Order!

Mr. DUGGAN: I have some respect for Country Party men. The vociferous member for Lockyer, the Minister for Transport, amuses me. He has one foot in the Country Party and another in the Liberal Party. I can tell him now that in our wildest imaginings we do not expect Labour to win the Lockyer seat at the next election. We know that it will be a very comfortable seat for the man who gets the Government's endorsement and we do not intend to waste time or money in getting a good candidate to stand against him. However, his constant gyrating from one party to another may bring him a formidable opponent from within, so I warn him to watch out.

Unquestionably the Country Party have engaged in horse-trading with the Liberal Party. The arrangement is that certain provincial areas and the metropolitan area will be regarded as Liberal zones. I agree with the statement of the hon. member for Ithaca about the 28 seats. The purpose is to get 14 certain Liberal seats with the possibility of another four. That is freely conceded by hon. members opposite in their private discussions. They consider that there are 10 certain Liberal seats and that they will get 14 with the possibility of another four. That is the basis of the Government's plan. In the course of time, however, something will happen that will make the people of Brisbane rise in their wrath against the Government. The Liberals are gambling on increased representation in the Brisbane area in the expectation that they will win the additional seats. However, they have not thought of what might happen if they do not win them.

Mr. Knox: Are you suggesting that they are not gerrymandered?

Mr. DUGGAN: The prospective boundaries have been gerrymandered. I have it on good advice that because of the embarrassment that the young Liberals are causing the Government, special attention has been given to the electorates held by them.

There is some very promising material among them. For example, I have a very high regard for the ability of the hon. member for Kurilpa. The hon. member for Mt. Gravatt, too, has ability and makes some reasonable contributions to the debates in the House. At least we know where those two hon. members stand. We do not know where some of the others stand.

As recently as last Saturday, the Labour vote in South Australia was 212,916 compared with the Liberal-Country Party vote of 202,256. There was an aggregate anti-Government vote of 246,782. The majority of the anti-Government parties was 44,526, but they cannot win because of the boundaries that have been fixed in that State. With 46.3 per cent. of the total vote, they have a grossly disproportionate percentage of the seats in the Federal House.

Figures can prove anything, but the greatest injustice of all on the Premier's case is the decision to create four additional seats in the metropolitan areea. It is quite unwarranted and is imposing an unnecessary charge on the taxpayers of the State. The Premier talks about the increased enrolment in the metropolitan area. From time to time he also speaks of decentralisation and of his support for a new State in North Queensland. With the resultant development in the North, there will be an exodus from Brisbane to the promised land. However, we do not hear any talk now about the creation of another State in North Queensland. It is like so many more of the promises that the Premier made to get into power. I refer, for example, to his promise to close the banks on Saturdays. He gave that promise before the election, but now he says it was the opinion of one man and not necessarily the policy of his party. Suppose we had challenged his policy speech and said, "We are not going to accept that. What evidence have we that it is the policy of the Country Party? It is only the policy of one man." What would they have replied? But the Government rode into

power on that general policy and when called upon to discharge their obligations they said it represented the ideas of one man.

Mr. Nicklin: Who said that?

Mr. DUGGAN: I say that about the banks. When we challenged him on the matter, that was the reply.

Mr. Nicklin: You said it but I did not say it.

Mr. DUGGAN: It is on the Premier's correspondence with the Bank Officers' Association.

Mr. Nicklin: No, it is not.

Mr. DUGGAN: Yes, it is.

Mr. Nicklin: You quote it.

Mr. DUGGAN: I will at the appropriate time. Unlike some hon. gentlemen, I do not carry everything in my inside coat pocket. I have to go away to consult the files outside.

Mr. Morris: Check up.

Mr. DUGGAN: The Deputy Premier knows it is perfectly true.

Mr. Morris: I do not. I know it is not true.

Mr. DUGGAN: Is it not true that the Premier wrote to the Bank Officers' Association before the elections and said that he was in favour of closing all banks on Saturdays? Let him answer that question yes or no.

Mr. Morris: What is this about a decision of one man? That is a figment of your imagination.

Mr. DUGGAN: I say that when they were asked to honour that promise they merely went for cover and said it was the decision of one man.

Mr. Morris: Who said that?

Mr. DUGGAN: I will give the hon. gentleman the answer later on. I have not got it in here but I will get it.

Mr. Morris: Who said it?

Mr. SPEAKER: Order! There is nothing in the Bill about closing banks.

Mr. DUGGAN: No, but I say very definitely that if the Government are politically honest they will be returned, if they are able to show the electors that they have carried out their pre-election promises. I am pointing out one reason why the change in electoral boundaries will not save the Government. The moment they came to power they repudiated a promise they gave.

The decision to increase the representation of Brisbane is entirely wrong and quite emphatically I say it is unjustified. Why should the Premier say that Brisbane is entitled to four extra seats when he is increasing the quotas in seats like those of Toowoomba? Toowoomba is divided into two electorates and the quotas of each will be to the order of 12,000 or 13,000. Will it be divided north and south or east and west? Whichever way it goes, why could he not divide the total population of Brisbane by 24, the number of existing seats? He cannot tell me that it is possible for hon. members who have not the facilities of Parliament House, with messengers and ready access to Parliamentary and departmental officers, to cater for electorates like those in Toowoomba, whereas it is not possible for the 24 Brisbane hon. members to do the same. If it is good enough for the Toowoomba representatives to cater for 12,000 or 13,000 people it should be good enough for those in Brisbane. We know very well that the extra number can be handled. The answer to any objection is to be found in the Sydney electorates. Metropolitan electorates there have 25,000, 26,000, and 27,000 electors. South Australia has 27,000 in every metropolitan electorate and it has fewer seats than Queensland. It is no good hon. members opposite giving us all this tripe and nonsense about the need for recognition of the increased population in Brisbane. All the talk about trying to give the people better representation is only so much poppycock and eyewash. It is a brutal bargain to give the Liberals a little extra so as to get 25 out of the proposed 38 seats in the country area. Can hon. members opposite deny in all sincerity that they have tried to work it out on the basis of guaranteeing 25 of the proposed 38 country seats? Of course not! It has been planned in a very cold-blooded way. All the talk and all the Premier's histrionics go for naught in the light of those facts. Time will reveal the truth of my statements.

In the Committee stage we propose to move an amendment to reduce the number of seats in the metropolitan area by four and to increase the number in the country by one. That will test the Government's sincerity in the matter of giving effective recognition to country people. I am certain that the people of Brisbane generally do not want extra members of Parliament down here.

I want to clarify one point about extra aldermen. At no stage have I cast, nor do I propose to cast, any reflection on the general work of aldermen of the Brisbane City Council. (Government laughter.) But I say in exactly the same way that if 24 members of Parliament can do the job effectively in the State sphere 24 men in the aldermanic field should be sufficient. If there is no justification for 28 members of Parliament there is even less justification for 28 aldermen to operate in the Brisbane area.

The Bill is a shocking and blatant piece of political propaganda. I repeat the words I used this afternoon when I was speaking about the Margarine Bill. If the Government had been honest enough to say, "This is a sectional Bill designed for the purpose of helping the man on the land," I would

have had much more respect for them. If the Premier had said, "We only won the election by the skin of our teeth and all sorts of good luck which might not be present on some future occasion; we are trying to do the very best that we can to protect ourselves," I would have more to say for him. But it is no use their saying that they are actuated by principles of democracy. Why do not they be honest and say, "We want to win and we are using every possible means at our disposal?" That is what they are doing. Despite all these things they will not win.

Government Members interjected.

Mr. DUGGAN: We will just see what happens in due course. Either one of two things will happen. Some decent, honourable men will be forced out to make way for some hopefuls who want to come in, or some of them will become so bloated with their previous electoral success that they will think they are going to get it at some future occasion. I know there are some who will make a very useful contribution for some time in this Assembly. While we hope that we will be able to regain the Treasury benches, we like to see men of ability, whatever side they may occupy, who can make a useful contribution. There are men in the Government who do and can do that. I hope they will continue to do it. I believe that there are men amongst them who will be successful in future elections, but some of them seem to be carried away with the fleeting success they received at the last elections and they think that nothing can go wrong. They will find out in due course. The Australian at times becomes prone to reach a certain decision which on reflection he is inclined to correct. Without being egotistical it was exemplified in a remarkable manner in the North Toowoomba area. I am under no illusion about that. Many factors were responsible there, but the predominating factor was that the people basically want fair play. There may be a section of people who for some reason at a particular time will embark upon a course of action which gives a certain result, but eventually on reflection, if they think an injustice has been done or someone has been unfairly treated, they will take the earliest possible opportunity to correct it. I think that is the condition of mind that operated in North Toowoomba, not only among normal Liberal voters and Labour voters but amongst others who have no tie to any political party—there are many of them—who wanted to see a fair go.

If this Government say that they are responsible for the development of the State, if they think that they can say everything is rosy and that there is a brilliant vista ahead, why do they not test their popularity with the electors under the present boundaries? I did not want to bring the hon. member for Baroona into this, but I remember that shortly after he and I were returned to Cabinet we wanted to give an account of our stewardship to the Caucus. We wanted to see how we were going, we wanted to test that in Caucus at the time. The same thing could happen with this Government. They could test their popularity by going to the people on the boundaries they were elected upon.

Mr. Hiley: You think that we should preserve the disparity between Mt. Gravatt and Chermside?

Mr. DUGGAN: No, I am not going to be so foolish as to say that at all. I say quite frankly that if that were the approach you would not find me talking in the strain I am.

Mr. Hiley: How could you divorce that from it?

Mr. DUGGAN: Because of the conversations and the squabbles that have characterised the discussions on this legislation in Caucus.

Government Members interjected.

Mr. DUGGAN: I have a great deal of fault to find with the Bill because I think it is merely a means of implementing a plan that the Government have hatched out amongst themselves, a plan that will be executed in the easiest way they can find. Why cannot the Government come out and say who the commissioners are, or at least say whether the chairman will be a judge of the Supreme Court, the Surveyor-General or the electoral officer? Why not say who it will be? Hon. members opposite talk of suspicion. Everybody is saying that the Government are going round trying to tout people whom they think will be acceptable to them. There is little wonder at our feelings in regard to the Bill. We do not think it is politically honest. I could do as the Premier has done and engage in a lot of analytical research work and quote figures which, in the final analysis, do not amount to much. The hon. gentleman mentioned South Australia and I have shown conclusively how a minority vote can put a Party back.

Mr. Herbert: What will you do with your preferences?

Mr. DUGGAN: This is the runaway boy from Sherwood.

Mr. Chalk: You cannot talk about anyone running away.

Mr. DUGGAN: I did not run away from anything. In common with other members I am able to look back on a period of many years when we fought many an election over many issues and we have gone through a few political storms. In going through political or other storms one gets buffeted in some way or other. I do not want to appear to be egotistical, but some of the great political figures in both State and Federal spheres have had the misfortune to suffer temporary political eclipse and come back with added

strength as a result of that reversal. I think that interjection would be more acceptable if it had come from somebody who has been through storms instead of from a political neophyte who has been here for one term and who will be extremely lucky if he comes back for a second.

Mr. Herbert: What will you do with your preferences?

Mr. DUGGAN: The Labour Party will do what it thinks fit. We will not take part in any horse trading with any other political section. At least we will go on our platform and policy, and if defeated we shall go down in honourable defeat. It cannot ever be said that we went down because of a miscalculation in dealing in a Machiavellian way with our political enemies. If hon. members opposite think that by an arrangement of this kind they will return to the Treasury benches, that is their business; that is on their political consciences. Somebody suggested that I made an improper attack on the Premier some time ago. I did not attack the Premier for any political deal.

Mr. Hiley: You merely said that he was politically dishonest.

Mr. DUGGAN: I am afraid that the Treasurer is misquoting me. I have a high regard for the Treasurer, but there is a streak in the Treasurer that comes to light which I do not like. I like to acknowledge men who are fair and honourable, and in the great majority of cases the Treasurer is in that category—I have said that many times. But there are occasions—and I may be guilty in this respect—when in the heat of the debate we are careless of our expressions. Perhaps if we were more careful in our choice of words or thought, we may express ourselves in a slightly different manner. I am not suggesting for a moment that many phrases I may have used could not be improved, and I am making no apologies in that respect. I indicate very definitely that I do not mind a political opponent's entering into some political arrangement if he thinks he can thereby get some advantage, but I do object to the Government's pose of being politically honest when at the same time they are trying to arrange things in a political sense that will be advantageous to them. That is the position at the moment.

For that and other reasons which could be advanced, we are opposed to the Bill. We shall vote against it, and in Committee will press for amendment of some of the clauses to focus public attention on what we consider to be an unnecessary course of action that will add, again unnecessarily, to the cost of government in this State, and in addition on the agreement reached after a lot of hard political bargaining between Government parties that find compatability only in the sense that they enjoy joint occupancy of the Government benches. Apart from that, they have no political compatability. That was proved in the recent Federal election where Liberal and Country Party candidates lost their seats because of opposition of candidates of the same parties. The same thing happened in the electorate of Maribrynong where a Country Party candidate stood against the official Liberal Party candidate. The same thing happened in other electorates. Sooner or later this marriage of convenience will be dissolved. Whether it will be dissolved in the political divorce court, only time will tell. This marriage of convenience is not a lasting union, and it will not be very long before it is dissolved.

Mr. SPEAKER: Order! I have allowed a great deal of latitude.

Mr. DUGGAN: I realise that, but the Bill encompasses all the political activities of the Government. With all due respect to you, Mr. Speaker, and I do not want to transgress, because you are extremely tolerant and fair, surely all the individual acts of the Government have a bearing on their electoral success or otherwise. I do not want to go beyond what you consider to be a fair thing. I think the Government parties will ultimately find that they are politically incompatible, and this make-shift arrangement by which they hope to save their political hides will be exposed in due course.

Hon. W. POWER (Baroona) (10.43 p.m.): I have no objection to a redistribution of electorates as long as it is carried out in the same fair manner as the redistribution under the previous Labour Government. (Government laughter.) Hon. members on my left seem to be rather amused, but let me remind them that the last anti-Labour Government in this State in a redistribution scheme introduced by them were responsible for the abolition of 10 seats, nine of which were held by Labour and only one by a person of their own party with whom they were not very happy. Can anyone suggest that that was a fair and equitable redistribution of seats?

There is no doubt that this Bill is being introduced so that the Government could have the electorates rigged to their advantage. According to statements in the Press, and we must take them at face value, the Government appointed two members to go into the whole subject one from the Country Party and one from the Liberal Party. They have been charged with devising a scheme which will ensure the return of the Government. I remind hon. members opposite, apart altogether from gerrymandering of electorates, that no scheme of redistribution will save them from the wrath of the electors. That was proved when the last Anti-Labour Government were in power. They introduced a scheme that they thought would save their skins, but they were defeated. I cannot for the life of me see any reason at all for the increase in the number of electorates in Queensland.

I do not know that any member of Parliament is being overworked because of having to represent a given number of people. It is true that quotas are low in some country areas but country centres in western parts of the State have more than one centre in the area and the amount of travelling involved should be taken into consideration. I have heard it said from time to time when travelling throughout the State in my ministerial capacity that members of Parliament were not spending sufficient time within their own electorates. If it is not possible for them to travel completely within their electorates much of the business of their electors can be attended to by correspondence. There was every justification for the previous legislation dealing with electoral boundaries.

I am satisfied that the proposed redistribution has been worked out on the basis of electorates being favourable to the present Government. It is proposed to increase the number of seats to 78 and the metropolitan zone number to 28 with 38 in the country zone. That is all part of the plan worked out by the two hon. members who went into the whole question of finding out what was the suitable way for the Government to have the redistribution so that the anti-Labour parties would not be disadvantaged. I propose to support the amendments to be moved by the Leader of the Opposition.

Mr. Morris: I'll bet you will support him; you are doing your best to get over with him.

Mr. POWER: I know where I am going. The Minister and his Government are only there as a result of a dispute within the ranks of the Labour Party. I heard him state that the circumstances might not apply again. I hope they do not. With unity in the Labour ranks he and his supporters would have no chance no matter what redistribution was brought about.

The Government have decided, as a result of the recent Federal election that they are going to introduce the preferential system of voting with the idea of being elected as the Government. I think, when we analyse the number of informal votes cast that some consideration should be given to the abolition of preference votes by the Commonwealth Government. People should be able to decide the member they want to represent them simply by placing the number "1" against his name.

I am also concerned with the personnel of the Commission to carry out the redistribution. The Press have been correct in its forecasting not only with regard to the proposed redistribution but the Bills to be brought down this year. The Press was only out in the amount of superannuation to be paid to members of Parliament. It has been suggested that two public servants will be appointed to the Commission. I do not object nor do I have any quarrel to find with that. The great majority of public servants are very honest and decent people and I do not cast any reflection upon them. We had a couple of public servants on the last re-distribution. However, it has been suggested that on this occasion one of the members of the commission will be a solicitor or a barrister. I remind the Premier that when he was Leader of the Opposition he said, "We will be more satisfied if the Government will appoint a judge as chairman of the commission." The Minister at that time said that a judge would be appointed.

Mr. Nicklin: I moved an amendment to that effect, and you voted against it.

Mr. POWER: Did I?

Mr. Nicklin: Yes.

Mr. POWER: I would have had very good reason for voting against it. I knew what judge was to be appointed. Being a member of the Government party I would have some knowledge of what was taking place in Caucus.

I challenge the Premier to do the same on this occasion as the Labour Government did so that there can be no suggestion of any "jiggery-pokery". He should appoint a judge as chairman of the commission. If I ask him if he intends to appoint a judge, he will say that it will be decided later. In the interests of fairness and decency I ask him to appoint a judge of the Supreme Court as chairman of the commission. If he does, I can rest assured that nothing improper will be done.

I would be strongly opposed to the appointment of men who are supporters of the Government. I point out that the hon. member for Somerset and the hon. member for Kelvin Grove worked out the scheme that is to operate. If there is to be a re-distribution, let it be fair and equitable and let the members of the commission be above reproach. I am not opposed to the re-distribution; it had to come because of the size of some of the electorates. They carry more than double their quota, and it is time that action was taken to remedy the position. However, the re-distribution must be carried out in a fair and proper way. There should be no gerrymandering of electorates for the benefit of the Government. In fairness to all, the Premier should follow the same practice as the previous Government and appoint a judge of the Supreme Court as chairman of the commission.

Mr. HANLON (Ithaca) (10.54 p.m.): The Premier has followed the old strategy of using attack as the best means of defence. However, in the introduction of this measure he has displayed his complete lack of defence. We are dealing now with this Government's re-distribution, not the previous Government's re-distribution. Although some searching criticisms of the measure were advanced during the introductory stage, rather than reply to them in his second-reading speech the Premier attacked the previous re-distribution in 1949.

I was at pains to follow the Premier when he chided me for rising to a point of order because I took exception to his statement that the boundaries had been gerrymandered and thrown hither and thither in the previous re-distribution. He knows as well as I that a commission of three was appointed in 1949. I can be corrected if I am wrong, but I do think that Mr. Justice Sheehy was one of the members of that commission. If the Premier implies that individual boundaries—and he was talking about boundaries, not zones—have been wiggled around from Gympie to Maryborough, or something like that, and in other parts of the State, I remind him that it was done by the commission of three selected by the Government, which included Mr. Justice Sheehy. If he implies that His Honour would accept some direction or suggestion from the Government in the drawing up of the boundaries, I do not know why he should say I was too naive and inexperienced an hon. member to rise to a point of order on an outright reflection on a Supreme Court judge. He said that Mr. Justice Sheehy and the other members of the commission did not draw up the boundaries. If they did not, who did? Does he imply that they were merely rubber stamps or sinecures appointed by the Government of the day? If they did not draw up the boundaries, who will draw them up in this case? Let him deny the charge of the Leader of the Opposition that the boundaries to all intents and purposes are already drawn, as far as the Government are concerned. The Premier referred to the 1949 distribution but it is interesting to read some of his statements in the debate at that time. The Leader of the Opposition referred to some of them at the introductory stage but in Volume 155 of "Hansard", the Premier, then Leader of the Opposition, had this to say—

> "The Premier said something that was very true when he said that the life of this State is dependent on the country. That being so, he could at least, if he were game, when he was increasing the number of members of this Parliament, give the greater part of the extra representations to the country."

That comes strangely from an hon. gentleman who today is not only adding four seats to the metropolitan area but is also taking one seat away from the country in order to do it. This is the very same hon. gentleman who harangued the Labour administration in 1949 and called them gerrymanders and accused them of being politically dishonest in their handling of the re-distribution. He criticised them for increasing the number of city members, despite the tremendous increase in population since the previous re-distribution.

In 1949 the present Premier had this to say, too—

> "In introducing the Bill, the Premier said if we had a re-distribution under the present Act, with one quota, we should increase the representation of Brisbane tremendously and decrease the representatives of the country."

He went on to say—

> "There is a way in which there could be a new re-distribution of electorates in this State under the present Act that would give three additional seats to the country districts and preserve the balance of the metropolis with the country."

Where is that way today? Why is the Premier not pointing it out instead of adding four seats to the metropolitan area at the expense of the country?

Mr. Mann: Because he made a deal with the Liberals.

Mr. HANLON: That is true and that is what we are objecting to. As the Leader of the Opposition pointed out, we do not deny that there is an urgent need for a re-distribution of seats and for reducing the numbers in the huge electorates like Mt. Gravatt and Kedron to a reasonable level.

The Bill was introduced at about half-past twelve in the morning and the Premier told us he did not care how long the debate went; he would be quite happy to sit all night. Despite that he did not pay the Leader of the Opposition or other hon. members on this side who contributed to the debate the courtesy of replying. The Premier, who poses as the great champion of Parliamentary democracy, did not consider it necessary even to reply to our criticisms.

Mr. Nicklin: There was nothing to reply to.

Mr. HANLON: I am sick and tired of hearing that argument being advanced by Ministers and hon. members opposite. They said that the only reason they did not answer the Opposition's criticism to the Budget and various Bills was because they said there was nothing to answer. That is only their idea. They do not convince hon. members on this side. They do not convince the public outside who, after all, are the important people to be considered in our deliberations here. I could bring a galah or a budgerigar into the Chamber and sit it on the Government benches so that every time the Opposition raised an objection to a Bill it could say, "I am not going to answer because there is nothing to answer." It would take me only about a month to teach a bird to say that. If that is the attitude the Government are going to adopt the Opposition might as well pack up their bags and go home. If the Government want to set themselves up as a dictatorship they are going the right way about it by disregarding the objections expressed from this side. After all, irrespective of any quarrels we might have with the Queensland Labour Party, there is no denying that the various hon. members occupying the Opposition benches represent greater numbers of the public than hon. members opposite. If the Premier and his Ministers

are going to wipe aside any objections or opinions expressed from this side, as they have done on several occasions, merely by saying that there is no argument, Parliament might as well be dead.

The Treasurer came in, with a superior manner when the Leader of the Opposition was speaking. He suggested that the Leader of the Opposition agreed with electorates with 26,000 voters like Mt. Gravatt. What a ridiculous argument for the Treasurer to advance. Just because we have one or two electorates with 26,000 or 20,000 voters does not mean that we have to create four additional seats. The Leader of the Opposition made it very clear—surely clear to a person of the Treasurer's mathematical ability and intelligence—that all that is necessary today is to divide the total voting strength of Brisbane by 24. The Government propose to divide it by 28. The present Treasurer had a great deal to say in 1949 when the then redistribution was being considered. His remarks are very pertinent to this debate and the attitude of the Government. He said—

> "The Bill calls for special study. I was not unwilling that the size of the House should be increased because I was always unwilling that the number of country representatives should be reduced."

Listen to this sentence from the present Treasurer in 1949—

> "Personally I do not want to reduce the country representation by one member."

That is the very thing that the Government are doing today, yet the Treasurer made a few interjections tonight which he considered were enough to demolish the attack of the Opposition. In 1949 he said that he did not want to reduce the country representation by one member. He went on to say—

> "If a redistribution involved the creation of a few new seats I was ready to swallow that rather than attempt to make a readjustment by reducing the country representation even by one."

Those were the remarks of the present Treasurer in 1949. If the Premier wants to hark back to that debate I am sure it will not do him any good in his defence of this measure tonight. I could go on quoting ad infinitum from the remarks of hon. members in 1949 when they took a completely opposite view to that taken now.

The Premier had much to say about figures during past years and how Labour members were elected on so many thousand votes and secured so many seats, and the Liberal-Country Party secured a greater number of votes on the average. I will challenge the Premier at the next election on his own redistribution that the Liberal Party members will be returned by more people on an average than the Country Party members; and I wager if there is a Liberal-Country Party Government the Country Party will have more members than the Liberal Party. That position is apparent today under the old redistribution. If you take the total number of Liberal voters and the total number of Country Party voters and divide the number of Liberal members into the total Liberal vote and the number of Country Party members into the total Country Party vote, you will find that the Liberal Party members were returned with a greater number of votes than the number received by Country Party members. We can indulge in all sorts of arguments about figures. We could convince ourselves, if we took some areas into consideration, that we should have six or seven Communist members. Look at the figures for New South Wales at the recent election. If we indulged in the figure wizardry of the Premier we should say that we should have so many Communists because the Senate Communist vote was so-and-so. If we take that suggestion further we will get back to the old proportional representation which has proved a failure throughout the world.

The Premier failed to answer the original questions advanced by the Leader of the Opposition and other speakers on this side as to the reason why four extra seats were created in Brisbane. When the Leader of the Opposition mentioned that it would automatically mean an additional four aldermen, the Premier remarked either in the House or to the Press that that would not necessarily be so. The hon. gentleman said that you need not have 28 aldermen because you had 28 members. If that is so, let the Premier tell how it will be avoided. The Bill lays it down that the local authority divisions will follow the electoral divisions of the State. We must have four extra aldermen if we have four more members of Parliament. We are not implying that aldermen are not capable of carrying out their present duties. If you require four additional members why would you not require four additional aldermen? It follows almost automatically ever since Greater Brisbane was established in 1925.

Mr. Tooth: You consider that to be a bad thing.

Mr. HANLON: The hon. member should see his Whip and get permission to go home and go to bed. Because of the lateness of the hour and the strain and stress that the hon. member has experienced in fighting the Country Party as one of the front-row forwards of the Liberal Party in the redistribution battle he is probably feeling very tired.

Mr. Tooth: Why should you think it a bad thing?

Mr. HANLON: I have not been saying it is a bad thing. The Premier spoke of the 1949 redistribution. During the debate in 1949 hon. members did not know the boundaries. They had not seen the boundaries then. There were zones put before them. We have not had a chance of studying the boundaries under this scheme. It is all very well for the Premier to speak about wiggling boundaries under the 1949 redistribution, but

what of the boundaries under this scheme of redistribution? As the hon. member for Baroona has stated, the last anti-Labour Government in 1932 introduced a scheme of redistribution which abolished eight or nine Labour seats. Prominent members of the Labour Party then in opposition even had the districts where they lived cut out of their electorates in order to bring about their defeat. As the hon. member for Baroona pointed out, all the gerrymandering in the world did not save the Government on election day. The Premier himself has said that gerrymandering will not save the Government from the wrath of the people.

Mr. Hart: The election last year proved that.

Mr. HANLON: The next one will probably show it again, and we will be square. The Premier thinks he is entitled to criticise the redistribution under the 1949 Act, but we do not know the boundaries under this Bill. We will have something to say on the next occasion when redistribution is undertaken. When the Leader of the Opposition introduces the next Bill on redistribution of electoral seats we shall be able to speak on the boundaries under this scheme.

Mr. Nicklin: My boundaries are in the Bill.

Mr. HANLON: The boundaries of what?

Mr. Nicklin: The zones.

Mr. HANLON: Only the boundary of the zones, but the Premier was not criticising the zones. He spoke of the electoral boundary running from Gympie to Maryborough. What zone was he talking about when he mentioned the wiggle in that boundary? That was not a zone boundary; it was an electoral boundary. When we know the boundaries in this scheme of redistribution, we shall be able to speak about them.

Mr. Nicklin: They will be the Electoral Commission's boundaries.

Mr. HANLON: I am at a loss to understand the Premier. I rose to a point of order and asked whether the Premier was entitled to criticise Mr. Justice Sheehy of the Supreme Court. The Premier said I was young and inexperienced, and did not know what I was talking about; that he was not reflecting on Mr. Justice Sheehy or the three commission members because they did not draw the boundaries. The Premier cannot have it both ways. He cannot have it one way in the first part of the debate and at a later stage have it the other way.

We have an example of the position in the last Federal election. Hon. members opposite have spoken of gerrymandering of electorates and have said that is how Labour Governments were returned on a minority vote, but the Federal election proves that the Government can be returned on a minority vote even when the State is divided into equal electorates. The Country-Liberal Commonwealth Government a couple of weeks ago appeared to have won 14 or 15 out of the 18 seats in Queensland. I hope they have not won 15 and that Mr. Coutts will keep his head in front. But if the Government win 15 seats, it will show that the Australian Labour Party in Queensland received 16 per cent. of the seats in Queensland on a vote of something like 41 or 42 per cent. That position is possible in a State that is divided as near as possible into equal areas. The Premier in those circumstances should not quote figures in an effort to prove that in some centres in this State under Labour Governments the Liberal Parties did not receive a proportionate return in seats for the votes polled in their favour at the booth.

Mr. Speaker, I do not propose to take up any more time excepting to ask the Premier——

Mr. Chalk: Hear, hear!

Mr. HANLON: The hon. member interjects. His interjection is a typical example as the Leader of the Opposition pointed out of the philosophy of hon. members opposite, not only so far as redistribution is concerned but so far as parties are concerned. In 1949 the hon. member did not know what his seat would be, but he was prepared to be in the Liberal Party or the Country Party. It did not matter to him which Party he was in so long as he got into Parliament. yet he is prepared to criticise us and talk about our standards of political honesty.

As I was about to say, there are some questions the Premier has not answered and I ask him to answer them tonight. The first is, why increase the seats in the metropolitan area from 24 to 28?

Mr. Nicklin: I suggest that you read the debate on the introduction of the Bill.

Mr. HANLON: The argument advanced then by the Premier was because there had been an increase in the population of Brisbane by 140,000.

Mr. Windsor: 152,000.

Mr. HANLON: In the population of Brisbane, and for that reason there should be four extra seats. Suppose the Country-Liberal Government conducts another redistribution in 10 or 15 years' time—and let us hope that they never do—will they increase the number of seats in the metropolitan zone by four for every 150,000 increase in the population of Brisbane and take seats from the country zone? If the Premier wants to adopt that principle now he should be stuck with it; he cannot have it both ways. In 1949 he castigated an increase in the number of seats in the metropolitan zone. Now he is taking one seat from the country because the population of Brisbane has grown by 150,000 in nine years. In the foreseeable future the population of the city of Brisbane will probably grow to 1,000,000. When

that day comes will he, because he has made four extra seats for Brisbane on a population increase of 150,000, follow the same principle and continue taking seats from the country? Labour said that it would not appoint more than 24 metropolitan seats whilst it was in power irrespective of how the population of Brisbane might grow. If the Premier adopts the policy of four extra seats for every 150,000 increase in population in time there will be 50 seats in the metropolitan area and only a few in the country.

Mr. Evans: You did not listen to what Labour did about one vote one value.

Mr. HANLON: The Labour Party can always learn from its mistakes. The principle of one vote one value is a good one but is not sound so far as Parliamentary democracy is concerned. In the United Kingdom the great city electorates gradually taper from huge electorates in the metropolis as they merge into the rural districts. I suppose England could be placed in the area of the State between Brisbane and Maryborough. The home of Parliament has adopted the attitude of levelling off as they get away from the great centres of population. The Premier has not yet told us why he has increased the number of seats in the metropolitan area from 24 to 28. It is an attempt to calm the Liberals down by giving them four extra seats in Brisbane. I should like an answer from the Premier. The Minister for Development, Mines, and Main Roads seems to be finding the debate very amusing, but I expect to see him voting with the Australian Labour Party when the Leader of the Opposition moves his foreshadowed amendment. In 1949 he said, "Who wants these extra seats in the metropolitan area?" Who wants them today?

Mr. Evans: I am like you. I have learned from experience.

Mr. HANLON: At least the Minister for Development, Mines, and Main Roads concedes that Labour was right in 1949. Other hon. members opposite, however, will get up and parade theories that they objected to in 1949.

We will support the foreshadowed amendment by the Leader of the Opposition to retain the present number of 24 seats in the metropolitan area. During the introductory stage the Premier chided me for saying that the additional four seats will be to our advantage. However, unlike hon. members opposite, we are not prepared to jeopardise the future of the State merely for some cheap political advantage.

I hope that the Premier will tell us why he is increasing the number of seats in the metropolitan area from 24 to 28, and whether he will appoint a judge of the Supreme Court to the commission that he proposes to set up. We have heard that he will not. He objected to the commission that was appointed by the Labour Government even though it included a Supreme Court judge. Who does he think can be more impartial than a judge of the Supreme Court? I should like him to answer the questions that have been put from this side of the House.

Hon. G. F. R. NICKLIN (Landsborough—Premier) (11.23 p.m.), in reply: I must admit that on this occasion hon. members opposite made at least some slight criticism of the Bill, whereas on the introductory stage there was no objective criticism at all. Unfortunately, the hon. member for Ithaca has adopted the attitude that I disregarded my parliamentary responsibilities because I did not reply to him during the introductory stage. I point out to him that there is no obligation on a Minister to reply during the introductory stage. Replies can be made during the second reading stage.

Mr. Hanlon: It is customary to reply during the introductory stage.

Mr. NICKLIN: It is a custom that has grown up in recent years. However, it was not customary previously. It is to the disadvantage of a debate if the Minister in charge of a Bill gives a lengthy answer on the introductory stage and says nothing on the Bill during the second reading stage. It is far better to use the second-reading debate as it was originally intended. However, I repeat that the hon. member said nothing on the introductory stage that was worth replying to.

The Leader of the Opposition did not seem to know where he was on the introductory debate, and even tonight he seemed to be very unsure of himself. In one breath he admitted the need for a redistribution of electoral boundaries in Queensland, but in the next he said, "Why the need for a redistribution? If the Government think they can win on the present boundaries, why don't they go to the people on them?" There is a need for a redistribution, and a very urgent need. We have, particularly in the metropolitan area, a complete maladjustment of electoral boundaries.

Mr. Graham: In how many electorates?

Mr. NICKLIN: In most of them. Six are very much over the quota and 11 under. That is 17 out of 24 and that is a fair proportion.

The Leader of the Opposition, searching very hard for some criticism of the Bill, took exception to the time at which it was introduced. It is not as if he did not know it was coming on. It was on the business sheet for at least a week before it was introduced and it was on the business sheet on the day it was introduced. It was not the fault of the Government that it came before the House at 11 p.m.

An Honourable Member: He knew all the details of it, too.

Mr. NICKLIN: Undoubtedly. So why all the worry about the time of its introduction? Moreover, the Bill is so simple that it does not call for a Q.C. to ascertain the principles. They are straightforward and they are in keeping with the existing legislation.

The Leader of the Opposition talked a great deal about South Australia. There is no need to go to South Australia for examples of gerrymandering. We have right here in Queensland some excellent examples of it.

Mr. Power interjected.

Mr. NICKLIN: We know the hon. gentleman's famous words: "Why alter the boundaries while we are winning?"

Mr. Power: You won on the same boundaries.

Mr. NICKLIN: The Leader of the Opposition made a great play about the alleged conversations with Sir Thomas Playford. He will be very interested to learn that the subject of redistributions was not mentioned the whole time I spoke with Sir Thomas.

The Leader of the Opposition was very unfair in his innuendoes and in his criticism of the sub-committee appointed by the Government to examine the whole matter of redistribution. I refer to the hon. member for Somerset and the hon. member for Kelvin Grove, Messrs. Richter and Tooth. They were appointed to advise the party on the question of redistribution.

Mr. Hanlon: Do you deny that Mr. Hatton and Mr. Porter were also on the committee?

Mr. NICKLIN: Mr. Hatton did not have anything to do with the committee.

Mr. Hanlon: What about Mr. Porter?

Mr. NICKLIN: They were also asked to advise the party on whether the zoning system should be retained. They recommended a certain number of zones and provision is being made for them. Their advice and research were particularly valuable to the party. Let me inform those who alleged that squabbles took place in the Caucus room that the whole matter was debated in the party room in 40 minutes.

The hon. member for Ithaca made a great play of words on the reason for increasing the number of seats in the metropolitan area. I would suggest that to save the time of the House the hon. member read the debate on the introduction of the Bill. He will then know why we are increasing the number of seats in the metropolitan area.

Under the Bill there is no necessity for any alteration in the number of aldermen.

Mr. Duggan: In that case you are going to increase the cost of the compilation of the rolls.

Mr. NICKLIN: Not necessarily. What would be wrong with halving the number of aldermen in the Brisbane City Council area, with one alderman to look after two electorates? It probably would be a popular move.

As amendments are to be moved at a later stage of the Bill I do not propose to go any further into detail now.

Motion (Mr. Nicklin) agreed to.

COMMITTEE.

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

Clauses 1 to 3, both inclusive, as read, agreed to.

Clause 4—Number of members of Legislative Assembly—

Mr. DUGGAN (North Toowoomba—Leader of the Opposition) (11.32 p.m.): I move the following amendment—

"On page 2, line 49, omit the word—
'seventy-eight'
and insert in lieu thereof the word—
'seventy-five'."

We have had a full-dress debate on this point. The purpose of the amendment is to reduce the number of seats proposed in the Bill to the existing number which were considered to be adequate for the requirements of the State. If the Premier is sincere in his desire that the costs of government should be reduced without in any way weakening the efficiency of government he will accept this amendment. The only reason I think that he will be disposed to object will be that the amendment cuts across the pattern of the agreement that they have entered into. The amendment gives effect to our desire to reduce the number of seats in the metropolitan area. It has the added saving grace that it preserves the existing country representation, something that the Government should endeavour to maintain. I do not intend to speak at length on this amendment because we have discussed the matter both on the introduction and second reading of the Bill. I consider that there is no possible justification for three new seats.

Hon. G. F. R. NICKLIN (Landsborough—Premier) (11.34 p.m.): It is not my intention to accept the amendment moved by the Leader of the Opposition. As was pointed out when I introduced the Bill we are of the opinion that the population of the State has increased to such an extent that there is every justification for the number of members to be increased. The increase in the population, and consequently the electors, has been far greater between 1949 and 1958 than it was between 1933 and 1949, yet we find that the party now moving for a reduction in the number of seats at that time increased the number of seats by 13.

Mr. Power: Of the 13, 10 were wiped out by the previous Government.

Mr. NICKLIN: There was an increase of 13 seats for an increase in population of a little over 1,000,000, and we are increasing the number by three for an increase of almost 1,500,000. In view of those figures it is justified, and I have no intention of accepting the amendment.

Question—That the word proposed to be omitted from Clause 4 (Mr. Duggan's amendment) stand part of the clause—put; and the Committee divided.

AYES, 32,

Mr. Ahearn	Mr. Knox
,, Bjelke-Petersen	,, Morris
,, Chalk	,, Müller
,, Connolly	,, Munro
,, Dewar	,, Nicklin
,, Evans	Dr. Noble
,, Ewan	Mr. Rae
,, Gilmore	,, Ramsden
,, Harrison	,, Richter
,, Hart	,, Smith, P. R.
,, Heading	,, Tooth
,, Herbert	,, Watson
,, Hewitt	,, Windsor
,, Hiley	
,, Hodges	*Tellers:*
,, Hooper	Mr. Anderson
,, Jones, V. E.	,, Gaven

NOES, 20.

Mr. Adair	Mr. Hilton
,, Baxter	,, Lloyd
,, Burrows	,, Mann
,, Davies	,, Marsden
,, Davis	,, Power
,, Donald	,, Smith, A. J.
,, Duffey	,, Thackeray
,, Duggan	
,, Gair	*Tellers:*
,, Gardner	Mr. Graham
,, Hanlon	,, Wallace

PAIRS.

Mr. Lonergan	Mr. Foley
,, Low	,, Jones, A.
,, Nicholson	,, McCathie
,, Pizzey	,, Walsh
,, Beardmore	,, Houston
,, Madsen	,, Gunn
,, Roberts	,, Jesson

Resolved in the affirmative.

Clause 4, as read, agreed to.

Clause 5—Zones—as read, agreed to.

Clause 6—Number of electoral districts in respective Zones—

Mr. DUGGAN (North Toowoomba—Leader of the Opposition) (11.43 p.m.): I move the following amendment—

> "On page 3, line 21, omit the word—'twenty-eight' and insert in lieu thereof the word—'twenty-four'."

Later I shall move an amendment to omit the word "thirty-eight" on line 25 and insert in lieu thereof the word "forty-two". Originally I had intended to move an amendment for the insertion of the word "thirty-nine", but, in view of the decision a moment ago on the previous amendment which means that there will be 78 seats, country representation would have to be increased to 42 if Brisbane electorates are maintained at 24. Opposition members want to focus public attention on what we believe to be a wrong decision to create four additional seats in Brisbane at the cost of one seat in the country areas. It is a wrong decision by a Government who claim to be predominantly Country Party and in favour of development of the country. There is absolutely no justification for four additional seats in Brisbane, other than the bargain which Government parties have entered into. As a matter of fact, as a result of the smart work by the Liberals, the Country Party will ultimately find itself swamped by the Liberal Party. As the hon. member for Ithaca pointed out, that will be so if on each occasion because of an increase in population the Brisbane electorates are to be increased by four and the country electorates decreased. It follows as a mathematical certainty that with the gains the Liberal Party hopes to make in the provincial cities and in the metropolitan area it will have for the first time in its history a majority in the composite Government and will be able to demand the position of Premier. I think the Country Party would be wise if it realised this move before it progresses too far. As a matter of fact, although we do not accept their political principles, we have more sympathy for the Country Party than the Liberal Party and I offer the suggestion in the spirit of helping the Country Party.

Apart from this consideration the important point is that there is no justification to thrust upon the people of Queensland the cost of maintaining four additional seats in the metropolitan area. I pointed out earlier that if it is possible to divide Toowoomba into two electorates the same procedure could be followed in the metropolitan area by dividing the 24 seats into the total number of people in the Greater Brisbane area. I hope that the Premier will see the wisdom of this, but if he callously rejects my amendment the people in the country areas will protest effectively in due course. What is the good of talking about the desire to build up country areas when you are inflating the Brisbane area? The Liberals have the desire to build up their membership and are trying to appeal particularly to the public servants in the metropolitan area by certain administrative decisions. That party is trying to form the nucleus of a permanent membership to support it. It will find that the device it is using will be seen through and it will reflect itself in due course.

I hope that the Premier at this late hour will realise the value of the amendment and extricate the Government by seeing that the metropolitan area is not increased at the expense of the Country Party.

Hon. G. F. R. NICKLIN (Landsborough—Premier) (11.48 p.m.): I am always willing to accept an amendment if it can be justified, but unfortunately the Leader of the Opposition cannot make up his mind as to the reason for his amendment. In the first place he said that he moved it because he thought that there was no justification for the increased number in Brisbane, but he

said later that he really presented it to help the Country Party against the Liberal Party. If he cannot make up his mind there is no justification for accepting the amendment. On the other hand, I see every justification why there should be an increase in the number as proposed in the Bill. The purpose of the redistribution as I mentioned in my second-reading speech was to provide better representation for the people by equalising the number of electors in the various districts. That is exactly what the Bill does. Might I say that there is greater justification for increasing the number by four in the metropolitan area now than there was in 1949 when hon. members opposite fought very enthusiastically for an increase of four in the metropolitan area. Between 1933 and 1949 there had been an increase in the population of Brisbane by 102,282, but since 1949 until the end of last year there was an increase of 152,970 in the metropolitan area. If there was any justification for an additional four seats in 1949, there is much greater justification for it now. I cannot accept the amendment.

Mr. DUGGAN (North Toowoomba—Leader of the Opposition) (11.50 p.m.): The Premier has tried to score a debating point on the basis that I cannot make up my mind for the reason for the amendment. I will dismiss the point that we are actuated by a desire to help the Country Party. However, in the years ahead when the debate on this measure is read in "Hansard", members of the Country Party will see that what I have predicted tonight will come true. The more sober members of the Country Party know that the danger is there. The Liberal Party is trying to build up its numerical strength in the metropolitan area so that it can gain the premier position of the Government.

If the Premier thinks that he can look after his own affairs, that is no concern of mine. The Government have the numbers and they can force the measure through. What I am saying may not be of very much concern to them, but in 10 years' time when Brisbane's population has again increased extensively and there is another demand for additional seats in the metropolitan area, members of the Country Party will regret that in 1958 their leaders gave the Liberals a foothold by allowing them to get increased representation. If the Premier wants to cast my remarks aside contemptuously, I am not concerned. At least I have the satisfaction of knowing that I have placed on record my considered views, which I know are supported by many Country Party followers throughout Queensland. I repeat that the Government are increasingly coming under the domination of Queen Street interests.

Having said that, I proceed now to repeat that I do not think it is necessary to foist on the people of Brisbane an additional four members of Parliament with the consequential increase in cost. The work of the metropolitan area can be carried out just as efficiently by 24 members as by 28. If hon. members representing places like Rockhampton, Toowoomba and Townsville can handle the work of their electorates without the facility of quick contact with departmental officers, I see no reason why metropolitan members, who enjoy that quick contact, should not be able to cater for the needs of their electors.

Mr. LLOYD (Kedron) (11.54 p.m.): I should like to add one or two points to the case that was presented by the Leader of the Opposition. The Premier has said that provincial cities such as Townsville and Toowoomba will be divided into two electorates regardless of the enrolment. In other words, in those cities there will be an enrolment for each electorate of approximately 14,000, whereas in Brisbane the enrolment will be 12,000. Both Toowoomba and Townsville are growing rapidly, so that in a couple of years the enrolments in those cities will be far in excess of those in Brisbane, if four additional seats are to be provided in the metropolitan area.

Mr. Richter interjected.

Mr. LLOYD: It is all very well for the president of the Country Party to make excuses for the legislation, which is simply a compromise between the Liberal Party and the Country Party. At present there are 75 members in the Queensland Parliament, which is more than the number in some of the other State Parliaments although the population of Queensland is not as great as the populations of those States.

Mr. Nicklin: No Upper House.

Mr. LLOYD: It is all very well to say there is no Upper House. What use is the Upper House of any Parliament either in administration or in the distribution of electoral boundaries? All the work is done in the Lower House and hon. members opposite well and truly know it. The Upper Houses are comprised mainly of useless members of Parliament.

Mr. Chalk: Is that what you say about Western Australia?

Mr. LLOYD: It does not matter which Upper House we take. Is there any Upper House in the Commonwealth serving any useful purpose? Not one!

The CHAIRMAN: Order!

Mr. LLOYD: If hon. members opposite interject along those lines it is necessary to reply.

The intention of the Government to increase the number of metropolitan electorates from 24 to 28 indicates immediately a complete lack of consideration for the interests of

the State as a whole. The Premier has promised new States to some parts yet he is not prepared to give the country the extra representation that was provided for them by Labour Governments in the past. He tries to convince the people of the North that he is prepared to give them a new State yet he intends to divide provincial towns into two electorates regardless of the enrolments and to give four extra seats to Brisbane making the enrolment of each 12,000 or perhaps less.

The population of Brisbane is approximately 39.7 of the total for the State. Under the past system of distribution of seats Brisbane has control of 32 per cent. The Bill, iniquitous as it is, and an attempt to bring up the level of Liberal Party representation if possible to that of the Country Party, means that there will be in Brisbane, with 39 per cent. of the population, a 36 per cent. representation in the State Parliament despite the fact that all the development of the State in the past has been, and all the development in the future will be, outside the metropolitan area.

The amendment moved by my leader is a sincere endeavour to provide extra representation for the country people and it should be considered by the Government.

Question—That the word proposed to be omitted from Clause 6 (Mr. Duggan's amendment) stand part of the clause—put; and the Committee divided—

AYES, 32.

Mr. Ahearn	Mr. Knox
,, Anderson	,, Morris
,, Bjelke-Petersen	,, Müller
,, Chalk	,, Munro
,, Dewar	,, Nicklin
,, Evans	Dr. Noble
,, Ewan	Mr. Rae
,, Gaven	,, Ramsden
,, Gilmore	,, Richter
,, Harrison	,, Smith, P. R.
,, Hart	,, Tooth
,, Heading	,, Watson
,, Herbert	,, Windsor
,, Hewitt	
,, Hiley	*Tellers:*
,, Hooper	Mr. Connolly
,, Jones, V. E.	,, Hodges

NOES, 20.

Mr. Adair	Mr. Hanlon
,, Baxter	,, Hilton
,, Burrows	,, Lloyd
,, Davies	,, Mann
,, Davis	,, Power
,, Donald	,, Smith, A. J.
,, Dufficy	,, Wallace
,, Duggan	
,, Gair	*Tellers:*
,, Gardner	Mr. Marsden
,, Graham	,, Thackeray

PAIRS.

Mr. Lonergan	Mr. Foley
,, Low	,, Jones, A.
,, Nicholson	,, McCathie
,, Pizzey	,, Walsh
,, Beardmore	,, Houston
,, Madsen	,, Gunn
,, Roberts	,, Jesson

Resolved in the affirmative.

Mr. DUGGAN (North Toowoomba—Leader of the Opposition) (12.4 a.m.): It would not be competent for me to proceed with the next suggested amendment which proposes to increase the number of country members to 42. Seeing that clause 4 provides that 78 shall be the maximum number and that an earlier provision in Clause 6 provides for 28 electoral districts in the metropolitan zone, zone 1, and 12 in zone 2, which makes 40, it leaves only 38 in the next provision. But I propose to vote against the clause to record our protest against the inadequate provision made for country representation. We think it should be greater. I am surprised that the Government are not making some provision to see that this is corrected in some way. Mention was made that we had increased representation in the metropolitan area by four on a previous occasion, but we increased country representation at the same time by nine. At no stage did we prejudice country representation by city representation, but that is what is being done in this clause. In order to record a protest against the inadequate provision made for country representation we propose to divide on the clause.

Question—That Clause 6, as read, stand part of the Bill—put; and the Committee divided—

AYES, 32.

Mr. Ahearn	Mr. Hooper
,, Anderson	,, Jones, V. E.
,, Bjelke-Petersen	,, Knox
,, Chalk	,, Morris
,, Connolly	,, Müller
,, Dewar	,, Munro
,, Evans	,, Nicklin
,, Ewan	Dr. Noble
,, Gaven	Mr. Rae
,, Gilmore	,, Ramsden
,, Harrison	,, Smith, P. R.
,, Hart	,, Watson
,, Heading	,, Windsor
,, Herbert	
,, Hewitt	*Tellers:*
,, Hiley	Mr. Richter
,, Hodges	,, Tooth

NOES, 20.

Mr. Baxter	Mr. Lloyd
,, Burrows	,, Mann
,, Davies	,, Marsden
,, Davis	,, Power
,, Donald	,, Smith, A. J.
,, Dufficy	,, Thackeray
,, Duggan	,, Wallace
,, Gair	
,, Graham	*Tellers:*
,, Hanlon	Mr. Adair
,, Hilton	,, Gardner

PAIRS.

Mr. Lonergan	Mr. Foley
,, Low	,, Jones, A.
,, Nicholson	,, McCathie
,, Pizzey	,, Walsh
,, Beardmore	,, Houston
,, Madsen	,, Gunn
,, Roberts	,, Jesson

Resolved in the affirmative.

Clauses 7 to 23, both inclusive, and schedule, as read, agreed to.

Bill reported, without amendment.

DISTRICT COURTS BILL.

SECOND READING.

Hon. A. W. MUNRO (Toowong—Minister for Justice) (12.13 a.m.): I move—

"That the Bill be now read a second time."

The basic principle of this Bill is the establishment of District Courts and that principle has been debated and accepted by the Assembly in the consideration of the resolution for its introduction. In addition I then gave a general outline of the main provisions contained in the Bill.

At this stage, when we are considering the second reading of a Bill containing 194 clauses, there is perhaps some doubt as to what would be the most convenient procedure for a further discussion of the principles of the Bill. On the one hand it could be suggested that the Bill has only one really important principle, that is, the establishment of District Courts. On the other hand it could be asserted that almost every one of the 194 clauses contains a subsidiary principle of some importance.

I am sure hon. members will agree that no good purpose would be served at this stage by any recapitulation of the arguments for or against the establishment of District Courts. Similarly, any detailed discussion of the merits or otherwise of a particular clause may more appropriately take place at the committee stage. In these circumstances, I propose, at this stage, to give only a brief review of the subject matter of those clauses of the Bill which I regard as covering important principles.

The Bill is divided into nine parts and in discussing these principles, I will deal separately with each part. So far as it is practicable to do so, I will refer to the various principles in the same order as the relevant clauses appear in the Bill.

Part 1—Preliminary—(Clauses 1-5): Clause 2 provides for flexibility in the commencement of the Act and for the Act to come into force in parts in different districts and at different times.

Part II.—Courts, Judges, Jurors and Officers—(Clauses 6-48): Clauses 15, 16, 24 and 25 cover the payment, tenure of office and retirement of judges. Clause 16 provides a power for removal of a judge for incapacity or misbehaviour while Clause 24 provides for the retirement of a judge by reason of permanent disability or infirmity. Clauses 24 and 25 protect the interests of a judge in appropriate circumstances as regards entitlement to a pension. Clauses 28 and 29 provide for the application of the Jury Acts, 1929 to 1958. Clause 48 provides that a party to an action or other proceeding under this Act may appear in person or by a barrister or solicitor or by any person allowed by special leave of the judge in any case.

Part III.—Criminal Jurisdiction and Procedure—(Clauses 49-56): Clauses 49 and 50 limit the criminal jurisdiction of the district court which is concurrent with that of the Supreme Court but not extending to indictable offences in respect of which the maximum term of imprisonment which can be imposed exceeds 14 years. Clauses 54 and 55 provide more specifically for juries in criminal cases.

Part IV.—Civil Jurisdiction—(Clauses 57-69): Clause 57 limits the civil jurisdiction of the district court which is concurrent with that of the Supreme Court in personal actions up to £1,500 and in the case of any accident in which any vehicle is involved to £2,500. Supplementary provisions are contained in Clauses 58 to 69. One important supplementary provision is that contained in Clause 67 which provides for a consent jurisdiction to try any civil action which might be brought in the Supreme Court.

Part V.—Civil Procedure—(Clauses 70-135): These clauses deal mainly with procedural matters not involving important principles. One clause, however, which is worthy of particular mention is Clause 118, which provides machinery for a jury to be summoned, broadly, in cases in which the amount or value exceeds £600. Clauses 111 and 119 also have some application to trials by jury.

Part VI.—Recovery of Possession of Land—(Clauses 136-142): These clauses deal with various matters in connection with the recovery of possession of land which are matters of general law rather than of particular application to the working of a district court.

Part VII.—Appeals—(Clauses 143-157): Clauses 143 to 147 contain provisions with reference to appeal to the Supreme Court in certain cases. The broad principle on which Clause 143 is based is that there will be a right of appeal from a district court to the Supreme Court in all civil cases where the sum or value exceeds £600 while, in addition, the Supreme Court or a judge thereof may grant leave to appeal in other cases in which some important question of law or justice is involved. In Clause 147 there is a further provision in terms of which the parties may agree that the decision of the district court judge shall be final.

Part VIII.—Enforcement of Judgments—(Clauses 158-187): These clauses deal with various matters related to the enforcement of judgments and are mainly of a procedural nature.

Part IX.—General Provisions—(Clauses 188-194): Clause 188 is probably the most important part of Part IX. It provides for the adoption and application of certain rules of the Supreme Court and in addition provides that Rules of Court may be made under this Act, modifying any provision in respect of practice or procedure of the court contained in the District Courts Act.

The first, second and third schedules of the Bill cover a number of incidental matters and in this connection I may mention that at a later stage I propose to move, by way of amendment, a slight addition to the items of court fees that are contained in the third schedule. The proposed amendment has been circulated for the information of hon. members.

Hon. W. POWER (Baroona) (12.23 a.m.): Many of the clauses of the Bill are purely machinery, but I am very concerned about the departure from the present procedure that is adopted in removing a judge from office. When members of the Government were in Opposition they were always very critical of any attempts by me, as Attorney-General, to speed up the work of the Supreme Court. They said that I was interfering with the work of the judges. They also criticised me because on one occasion I refused to see the Chief Justice in his chambers and requested him to come to my office.

Hon. members opposite have always said that judges should be responsible to Parliament alone, and that they should be removed only by a vote of Parliament. However, they are now taking from Parliament the right to remove a judge from office and vesting the power in the Governor in Council. I do not agree with the proposal. I should like to know the reason for the change of front by the Government. Why depart from a practice that has been operating for years?

It could be inferred—although I am not saying that it will happen—that the vesting of this power in the Governor in Council could have some effect on decisions by judges. I make it quite clear that I am not saying that is true. I have no desire to reflect on the judges, and I do not think it would. Nevertheless, it leaves that nasty taint and I should like the Minister to explain the reason for the departure from the practice.

I am also concerned at the provision of the Bill restricting the powers of district court judges to deal with persons where the sentence involved is less than 14 years. As the idea of appointing the district court judges is to speed up judicial work, if it is competent for them to deal with any indictable offences and impose sentence why restrict them? This is what could happen: A district court sitting could take place in Charleville and almost all of the cases to be heard could be dealt with by the district court judge. There may be one murder trial set down or another case with a sentence of more than 14 years involved. A few weeks after the district court sitting a Supreme Court judge would have to visit the area on circuit to deal with that one case. I cannot see any reason for limiting the powers of the district court judge and I should like to hear something from the Minister on it.

I am concerned, too, at the power given the Governor in Council by proclamation to withdraw criminal jurisdiction from the district court. The clause says—

> "The Governor in Council may, by proclamation, withdraw from a court, either absolutely or for a time to be limited by the proclamation, the criminal jurisdiction possessed by the court, and after three months from the publication of the proclamation in the "Gazette" the criminal jurisdiction of the court named in the proclamation shall cease."

I cannot see any justification for that provision. If district court judges are to be appointed, why take power to withdraw the criminal jurisdiction? Why not go the whole way and give the power to withdraw civil jurisdiction, too? But why the necessity to withdraw anything at all?

I do not intend to deal with the clauses one by one; I am trying to adopt the most expeditious course. I do not want to rise as each clause is called. I hope the Minister will give me a comprehensive reply at the end of the debate.

Clause 53 reads—

> "When a person has been committed for trial or sentence in the Supreme Court or a Circuit Court or has been indicted in any such court for an offence triable in a district court any district court judge if so requested by the Chief Justice may try or sentence such person and for that purpose shall have the same powers and jurisdiction as if the committal had been to or the indictment had been presented in a district court. The request of the Chief Justice may be made in respect of a particular case or cases or in respect of specified categories of cases."

Are the Government going to allow a magistrate to commit to the Supreme Court cases that could be dealt with by a district court? I cannot see any justification for that. Rather than have the Chief Justice give this direction why have them committed to the Supreme Court if they can be dealt with under the jurisdiction of the district court? I would like information on that matter also.

I am concerned about the limit of jurisdiction provided in Clause 57. A district court in civil jurisdiction will have authority to hear and determine a personal action arising out of any accident in which any vehicle is involved where the claim is for no more than £2,500, but in any other case the limit is £1,500.

Mr. Hart: That is motor car accidents.

Mr. POWER: Irrespective of what it is, motor car, tram car or bus, if a district court judge is capable of dealing with a matter of personal accident up to £2,500, why should there be a lower limit in other cases? District court judges will be men learned in law, men who are fully qualified for their positions. I am sure that the Minister will adopt the attitude I would adopt

and did adopt towards appointments. I never made a recommendation for appointment to the Bench without first conferring with the Chief Justice. At no time was he responsible for appointments but I sought his advice whether he considered a person would be suitable as a Supreme Court judge. As district court judges will be capable men why say that with regard to (*a*) he can deal with cases up to £2,500 but with regard to (*b*) he can deal with cases only up to £1,500? District court judges will be qualified in law, having passed the same examinations as appointees to the Supreme Court Bench. I cannot see any reason for a limited jurisdiction of £2,500 in one field and £1,500 in another. It would not matter whether it was only £1 involved, a case must be determined on the evidence and on the law. I would like to have some further information from the Minister about why these highly qualified men will have their jurisdiction restricted in this way.

Let me deal with arrests by a bailiff. Some time ago a warrant was issued for the arrest of a man by the name of Ney Smith. A warrant was given to a sheriff of the Supreme Court to execute. To use common parlance, you never saw such a hell of a mess that he made in this case! A great deal of money was wasted in an effort to have Ney Smith arrested by the sheriff. Talk about the Canadian Mounties—every time we picked up a newspaper we read about the sheriff saying, "We will get our man." What did I find on investigation? Police officers were talking to Ney Smith in various parts of the State but they had no power to arrest him. The bailiff was flying from one place to another. All these costs had to be met by Ney Smith when he was eventually arrested. I wanted to know why. I asked for an amendment of the law to be prepared to enable common sense to apply, that police officers be allowed to make arrests of men who were wanted in the State of Queensland. I found that all that was necessary was to amend the Rules of Court. All that had to be done was a recommendation by the Chief Justice and approved by another judge for an amendment of the Rules of Court. These were submitted to me and later approved of by the Governor in Council, enabling any police officer to arrest Ney Smith. That procedure went on when the whole thing could have been concluded in a short space of time. The sheriff at the time was Mr. Emerson.

The clause in this Bill states—

> "The bailiff or keeper of the prison to whom the warrant, or any warrant issued in pursuance of it, is directed, shall respectively execute and obey the same, and the police officers within their several jurisdictions shall aid and assist in its execution."

I want to know from the Minister whether it is clear. It does not say that they shall execute a warrant. I want to know from the Minister whether the court procedure will apply to any arrest by a bailiff under the Bill. Where a warrant has been issued, will there be the same procedure for arresting the person? Is it intended that any police officer may be responsible for the arrest of any person without waiting for the bailiff to execute such a warrant? I am fortified in my opinion, particularly by the amendment which the Minister proposes to move, which provides for a certain amount of money—£1 10s.—to be paid to a bailiff for executing a warrant. I think that the matter should be clarified and that what applies now should continue—that if a person fails to appear and a warrant is issued the police throughout the State should have power to execute the warrant, not the bailiff. It would cost a lot of money if the bailiff had to do it. My request is not unreasonable. The warrant should be executed by members of the Police Force throughout the State. The matter may be clear, but to my mind it is not, and I would like to have it cleared up. I hope that a rule of court will be introduced so that authority can be given to members of the Police Force to execute a warrant from time to time, which may be issued by a judge.

There is one other matter than concerns me a good deal, and it relates to offences. The clause says—

> "If any person wilfully insults a judge, or a juror, or a registrar, bailiff or other officer of a district court during his sitting or attendance in court, or in going to or returning from the court, or otherwise behaves himself in court, a bailiff or other officer may, with or without the assistance of another person, by order of the judge, take the offender into custody . . ."

I readily agree that power to deal with offences under this heading inside a court are necessary. I am not opposed to that part of the clause dealing with an insult offered to a judge or a member of the jury, as that would be improper interference in the administration of justice, but I am concerned about that part of the provision covering an insult to a bailiff who may be going to and from the court. I think the Bill in that respect goes too far. A person who insults a bailiff may then be brought before the court and charged with contempt of court. A bailiff and many other people sometimes go to hotels for a little refreshment, and I have no objection to that, but an insult may be offered to a bailiff at that time. The provision is wider than the provision under this heading for the Supreme Court. I refer hon. members to the Public Acts of Queensland, 1828-1936, Vol. 2 at page 760. Section 199 reads—

> "Any person who in any manner obstructs or resists any public officer while engaged in the discharge or attempted discharge of the duties of his office under any Statute, or obstructs or resists any person while engaged in the discharge or attempted discharge of any duty imposed

on him by any Statute, is guilty of a misdemeanour, and is liable to imprisonment with hard labour for two years.''

Those people are dealt with in accordance with the Criminal Code. Under the Bill greater powers are given to district court judges than to judges of the Supreme Court. I am disturbed by this interference with trial by jury. I am quite prepared to admit the need for the provision in respect of a judge or a member of the jury, but not in respect of an insult offered to a bailiff.

Clause 193 of the Bill deals with penalties that can be imposed by a judge on a charge of contempt of court. I think it goes too far because it deprives the person accused of the right of trial by jury. The Bill gives greater power to a district court judge than to a Supreme Court judge. I am opposed to that principle. It will take away the right of trial by jury contained in the section of the Act to which I have referred. It provides adequately for action against people who may commit the offences that I have already outlined.

Therefore I say to the Minister that he would be well advised not to proceed with a contempt of court charge against a person when that person is alleged by the bailiff to have said something to him when the bailiff was coming to or from the court. The person should be charged under the Criminal Code. I propose to vote against this clause as I do not want to see the right of trial by jury taken away from a person.

I go further and say that the time is long overdue when a person charged with contempt of court should face a jury. The judge in this case can not only accuse but he also lays the charge and he deals with the accused. He is the prosecutor, the judge and the jury. He imposes sentence. I know that this clause will be resisted by members of the judiciary and the magistrates. If a person has been charged with an offence it should not be left in the hands of the person making the charge to deal with the person charged. I am strongly opposed to any attempt to charge a man with contempt of court simply because a bailiff makes the statement that he was insulted going to or coming from the court. I do not object with regard to attempts to interfere with a jury. The bailiff might be coming back from having some liquid refreshment and he could make an accusation against somebody. The statement might not have been used by the person charged. The bailiff makes the complaint and the person concerned is brought before a judge and the judge will decide whether he is guilty or not.

Mr. CONNOLLY (Kurilpa) (12.48 a.m.): I have a few comments to make on the observations of the hon. member for Baroona with respect to Clause 193. This clause is taken from the old District Court Act. There is no novelty about it. I am sensible of the motives of the hon. member but I do not think his fears are well founded. Hon. members will bear in mind that in regard to contempt for insulting a bailiff of the district court in his going to or from a court, that the person concerned can only be taken into custody on the order of a judge, and he can only be punished by the judge. I think hon. members will take a common-sense point of view. It is possible that a bailiff might become unduly sensitive and he might report back to the judge that somebody said something insulting to him. The judge would be unlikely to make an order for the apprehension of that person. The provision comes in toto from the old District Court Act. It is necessary to have this provision but its administration will be in the hands of the district court judges. The hon. member need not worry because the Bill provides for punishment for contempt for interfering with bailiffs whether going to or coming from the court. Of course, it is possible to envisage circumstances in which such a power is necessary.

Mr. Power: The provision is there.

Mr. CONNOLLY: It is necessary to have it there. While I am alive to the hon. member's motives, his fears are ill-founded.

I am dealing with the hon. member's comments in the reverse order, because that is the most convenient way of doing it. As to the execution of warrants of the district court as compared with the practice of executing warrants of the Supreme Court, there was a defect in the procedure of the latter court that was revealed in Ney Smith's case. There was no provision for the execution of Supreme Court warrants by members of the police force, and such a provision was inserted in the rules. Clause 168 of the Bill follows the wording of a section of the old District Courts Act. It provides that police officers within their several jurisdictions shall aid and assist in the execution of the warrant. It seems to me that that answers the question raised by the hon. member.

Mr. Power: You remember Ney Smith's case.

Mr. CONNOLLY: Indeed I do, and the hon. member is quite right in what he says. There was a defect in the rules of the Supreme Court. However, there was no such defect in the old District Courts Act nor is there any in the Bill.

In all common law countries the district court, or whatever it may be called, is essentially a court of limited jurisdiction. The hon. member referred to the restriction of the jurisdiction of the district court. By its very nature it is not a superior court but a court of limited jurisdiction. To say that there should be no restriction on its criminal jurisdiction is in effect implying that we ought not to be providing for a district court or a country court but for another Supreme Court.

The simpliest answer to the hon. member's point is that this is the sort of court that is provided in all common law coun-

tries. Only in Queensland have we had to suffer for so long without such a court. Once you say that there is to be a court of limited jurisdiction, it is a matter of opinion where you set the limit of jurisdiction. The limit set by the Bill is quite reasonable. It reserves to the Supreme Court and excludes from the district court the major criminal offences. There are not many of them, but they arise every year.

The hon. member referred also to the position that might arise where cases within the jurisdiction of both the district court and the Supreme Court may have to be heard on circuit. He said that that would involve two circuits, one by the district court and another by the Supreme Court. However, a later query by the hon. member answers that question. The Bill has been carefully framed and aims at the greatest possible flexibility. To obviate the problem raised by him, provisions such as those in Clause 53 have been inserted. If two cases are to be heard on circuit, one within the jurisdiction of the district court and the other within the jurisdiction of the Supreme Court, there must be a circuit by the Supreme Court. In order to obviate the necessity for a district court to go on circuit also it is possible, by virtue of provisions like Clause 53, for the cases committed for trial by a district court to be removed into the criminal jurisdiction of the Supreme Court.

Mr. Power: It does not say that here. It says that anyone committed to the Supreme Court can be dealt with by the district court.

Mr. CONNOLLY: It may not be Clause 53, but it is in the Bill.

Mr. Munro: It works both ways.

Mr. CONNOLLY: Clause 53 may be the converse. Hon. members can see that the converse position may arise. It may be that no matters arise that are within the exclusive jurisdiction of the Supreme Court and that a district court is going to the place. So it is necessary for the provision to work the other way and for all the matters committed for trial before the Supreme Court to be sent down, as it were, to the district court. The Bill has flexibility and that is the whole object of clauses like Clause 53. If the provisions are not all in Clause 53 they are elsewhere in the Bill close to it.

Mr. Marsden: Of course it will suit the convenience of barristers.

Mr. CONNOLLY: A happy thought. The hon. gentleman raised the question of the limited civil jurisdiction of the district court. By its very nature it has to be a court of limited civil jurisdiction. There is only one court of unlimited civil jurisdiction and that is the Supreme Court. In England, too, there is only one court of unlimited civil jurisdiction and that is the High Court of Justice.

Mr. Power: It only covers cases of up to £2,500.

Mr. CONNOLLY: I will answer that too. The reason for the jurisdiction up to £2,500 for vehicle cases is that vehicle cases are usually very simple to try. They are negligence actions and it is a relatively simple decision for a man with any experience because it becomes a question on the allegations of both sides whether A was guilty of negligence giving rise to the collision and the consequent damage and injury or whether B was.

Mr. Power: It is a branch of the law of torts.

Mr. CONNOLLY: That is so, but in that branch negligence cases are one of the simpler types of personal actions. It is a type of action that is cluttering up the court lists. I am sure that such cases comprise half the Supreme Court civil list. As they are so simple, it is thought that cases up to the higher limit of damages can be heard by the district court. It is not very much more difficult to try a motor car accident case in which a man has broken his leg as to try one in which a man has broken his arm. The same questions arise; the only difference is the amount of damages.

Mr. Power: And sometimes which contribution each side will make.

Mr. CONNOLLY: Those are not delicate questions of law. They are largely questions of fact on which a trained man gives his best opinion and that is all anybody can do. They are not difficult questions of law, not even really difficult questions of fact. That is the explanation I commend to the Chamber. I think it is a reasonable approach to the subject of the limited jurisdiction of the District Court.

It is heartening to see that concerning the matter of the removal of judges hon. members opposite have learned the need for the inviolable status of judges of the Supreme Court. Perhaps they have learned it so well that they rather confuse the status of Supreme Court judges with the status of judges of lesser courts. The question arises only in respect of judges of the superior courts. The practice of a judge being removed only by an address presented by the Legislative Assembly, or where there are two Chambers, by both Houses, to the Queen's representative, applies in England, I think to the whole of the Supreme Court of Judicature. County court judges are removed by the executive for proper cause. This provision to remove was contained in the old District Court Act. There is no novelty about it. It is a provision that is available in Victoria. I am not quite sure of the practice in New South Wales.

Mr. Duggan: Is there not a tendency to copy provisions in similar legislation rather than to examine their merits first?

Mr. CONNOLLY: I would not dispute that. But I do think in this instance there is a clear distinction to be drawn between

the judges of the superior courts and the judges or officers of any other courts. It is the judges of the superior courts who uphold the constitution between the Parliament, the Government and the people. All judicial officers are not called upon to do that because all matters of consequence can go ultimately on appeal, if in no other way, to the Supreme Court. As long as the status of judges of the Supreme Court is secure and inviolable, the protection is there. It is not one accorded to the judge himself but to the people in that they have a judicial system which is as far as possible beyond tamper by the executive. Thus the security of the people is assured. It is not necessary to afford the same protection to the judges and officers of the lower courts. That is the reason for the distinction. I do not think the provision is embodied in this Bill or in the Acts or other common law jurisdictions, as in England, Victoria, or New South Wales—to cite some instances—merely because it is copied from somewhere else. Somebody has though it was a proper distinction to draw. I personally am quite satisfied with the provision and I commend it to the Chamber. If anyone thinks differently all that I can say is that it is a matter that it is possible to have different opinions about. I think that Clause 16, the principal Clause concerned with removal from office, is in line with the machinery provided in other places where there is an intermediate jurisdiction. It leads me to think that our legislation will be completely in line with the best that is being done and has been done for many years in States and countries that have experienced this type of jurisdiction and how it fits into the constitutional set-up.

Mr. Power: You must admit that the appeal is from Caesar to Caesar in that the Governor in Council——

Mr. CONNOLLY: The Governor in Council is a body which after all we like to think is sensitive to public opinion, but it is responsible to the Chamber. I am personally satisfied that the reason for the drawing of the distinction is as I have indicated. I think that the provision is an entirely adequate one.

Mr. DUGGAN (North Toowoomba—Leader of the Opposition) (1.6 a.m.): I do not propose to keep the Assembly very long. I should like to re-affirm our opposition to Clause 16. The hon. member for Kurilpa has given his opinion on the matter, I am prepared to accept the hon. member's statement that he thinks it is a reasonable and valid provision. I am not as familiar as the hon. member and others are with the reason for other Legislatures having a similar provision for subordinate judges. The reason might be found in the fact that we do invest the superior courts with a good deal of authority and protect them from all sorts of difficulties which the ordinary person experiences because of the need to make the judiciary quite free from any pressure and so that their general conditions of work and remuneration and recognition by society are such that the laws of the land will be carried out fairly and impartially. We think as these superior courts are getting perhaps gradations of status somebody has to think of a particular distinction, the same as is the practice in the Army. It may be that over the years someone has considered that these distinctions should be made. That is one of our criticisms of the Bill. We think that the Bill is setting up two classes of justice, one superior class and one not quite so superior, and that is why this provision is retained. We feel very strongly on this matter. We believe that the judiciary should not be subject in district courts to the will of the Executive. The hon. member for Mt. Gravatt did mention on one occasion that even a magistrate should not be subject to some form of pressure by the Executive Council, and the Minister in reply to my request for an acting judge made the point that it was not desirable as it did in some way make an acting judge subservient to the Executive Council. I do not think that should be the case. We reaffirm our opposition to Clause 16. As I understood the hon. member for Kurilpa, the hon. member's contribution was a very reasonable one, but I beg to differ from him in our assessment of that clause.

In one of our provincial cities a gentleman was kind enough to express one or two comments which I should like to bring before the attention of the Attorney-General and the hon. member for Mt. Gravatt because they seem to be worthy of consideration. They are as follows:—

> "In lines 39 and 40 it is stated that a district court judge, if so requested by the Cheif Justice, may try or sentence a person committed for trial or sentence in the Supreme Court or a circuit court or who has been indicted in any such court for an offence triable in a district court. The significant word is 'try.'
>
> "In the next clause, 54, it is provided that all indictable offences prosecuted in the court shall be tried by a judge and jury of 12. Hence it is not proper to speak of a judge only as having authority to 'try' a person. I realise that the point is verbal only, but I believe that no opportunity should ever be lost of emphasising that for indictable offences courts consist of judge and jury. The jury is an integral part of the court, not merely a panel of assistants to the judge. Indeed, I think the whole section is misconceived insofar as it purports to confer jurisdiction not on a particular district court but on a particular judge."

Reference is also made to Section 59 and 60, equitable claims, in these terms—

> "As the judges are to be fully trained lawyers, I can see no reason why, up to the money limit of their jurisdiction, District Courts should not have full, equitable jurisdiction. This jurisdiction includes control over trust and trustees, adiministration

of estates, interpretation of Wills and prevention of threatened breaches of contracts or commission of civil wrongs. It also involves the important power of taking accounts between parties where breaches of trust or other duties are alleged. The Supreme Court, of course, has full powers in these matters but frequently one is forced to advise clients against pursuing their remedies in the Supreme Court because of the great cost involved. The Bill aims at removing this difficulty in common law actions but confers equitable jurisdiction only where the action is for the payment of a sum of money or damages. If this is allowed to stand, it means that only well-to-do are to have the benefit of equitable remedies. It means too, that in this respect the bad doctrine of centralisation is to be preserved, in that general equitable remedies are to remain available only in Brisbane, Townsville or Rockhampton."

Reference is also made to Section 143, appeal to the Supreme Court, in these terms—

"The sum of £100 required for security appears to be too much, in that it is much more than the likely costs of the respondent if successful. Such costs would be closer to £50. Security in a greater sum than is required to meet the respondent's likely costs is only a deterrent against appeals, which I suppose it is not intended to be."

In regard to Section 155, appeal from Magistrates Courts, this is the comment—

"It is observed that such appeals are to be heard in Brisbane, Townsville or Rockhampton. This means that in all except those favoured spots it will be necessary to engage agents and counsel in all cases. It should be possible for such appeals to be heard wherever the judges sit so as to enable appellants, if they like, to prosecute the appeal through solicitors only. This applies particularly where the amount involved is not large."

Those views have been placed before me by a gentleman in one of our provincial cities as a result of the perusal of the Bill. I do not propose to take up the time of the Chamber, because the debate at the introductory stage was fairly long and general. Our attitude then was that we realised the intention of the Minister to try and speed up the hearing of cases and to lower the cost of litigation, but we thought the approach was wrong and that those ends could best be achieved by appointing additional judges to the Supreme Court. We also spoke of means of dealing with other requirements that we thought were desirable. I do not propose to raise this matter again at the Committee stage. By raising it now, the Minister may, if he elects to do so, give some general comment or refer it to the officers of the department and deal with the subject at some other appropriate time.

Mr. HART (Mt. Gravatt) (1.14 a.m.): Two general attacks have been made on the Bill. The Leader of the Opposition repeated them to some extent in an article that appeared in this evening's issue of the "Telegraph." He objects to the method by which judges may be removed, that is, by the Governor in Council. There is an old saying via trita via tuta, which means that the highway or the common way is the safe way. It is not considered and never has been that the removal of district court judges by the Executive interferes with the independence of judges. It never has been considered that way. Clause 16 of the Bill which deals with the removal of judges is taken directly from S.17 of the District Courts Act of 1891. This Act was introduced by Sir Samuel Griffith the greatest jurist this State has produced. For the information of hon. members I shall refer to the provision in the first Small Debts Act of England of 1846. The provision reads—

"That it shall be lawful for the said Lord Chancellor or when the whole of the district is within the Duchy of Lancaster for the Chancellor of the said Duchy if he shall think fit to remove for inability or misbehaviour any such judge already appointed or hereafter to be appointed."

A similar provision existed in the English County Court Act of 1888 and is still in the Act of 1934. The same provision exists in the law of New South Wales and in the law of Victoria except that the Victorian words are "misbehaviour or incapacity" and in Clause 16 Parliament has the right to remove county court judges also. I think the use of the word "incapacity" which is the word used in the Commonwealth Constitution and in Victoria gives greater protection to the judges because with the word "inability" it might be suggested they could be removed because they gave wrong decisions. There is a certain amount of misconception as to what the words in our Bill mean. It has been stated that the Governor in Council could arbitrarily remove a judge from office, but that is not so. A judge can only be removed for misbehaviour or incapacity. Under the English law it is possible to test a judge's removal from office by an action in the court. If a judge is removed arbitrarily he can test the removal in the court. It is only very rarely that this power of removal has been exercised.

In the case of ex parte Ramshay reported in 18 Q.B., p. 174, a judge was removed in England and he brought an action over his removal. It was held that he could sue on quo warranto. When the next judge was appointed he brought his action because he said he had not been properly removed. Lord Campbell, in giving judgment, said—

"Ramshay did not say that grave charges of misbehaviour as a judge were not brought against him or that he had no notice of these charges or that he had

not a fair opportunity of being heard upon them or that evidence was not adduced to support them.''

The Court did not actually interfere in that case but if Mr. Ramshay had alleged and moved any of those matters it would have. Provided the Governor in Council does not proceed correctly, a person can always bring an action. The necessary protection is there. Any political party can remove a judge but the sanction is public opinion, and the same sanction would exist in the case of a district court judge.

The Leader of the Opposition criticised me for what I said about magistrates, but they have not got anything like the protection that judges have. They have no means of bringing the matter before the forum of public opinion to the same extent.

Mr. Power: You must admit that a Supreme Court judge who is removed by Parliament still has his common law rights. I am not a Q.C., but that is the position.

Mr. HART: It is too late at night to go into that now.

It has been suggested that men of ability will not accept a position as a District Court judge. That is not so. The salary is £3,750 a year, which is the salary that was fixed in England last year for county court judges. What is most attractive, however, is that a District Court judge will retire on a pension of at least £1,500 a year.

Mr. Davies: Have you heard the names of the three men who are being mentioned round the town?

Mr. HART: No. All I know is what I read in the Press.

The hon. member for Baroona referred to Clause 193. The clause reads, ''If any person wilfully insults a . . . bailiff.''

It is necessary to have that provision.

Mr. Power: It says, "going to or returning from the court.''

Mr. HART: It will have to be done wilfully. If somebody insulted a bailiff without knowing who he was, it would not be contempt of court. The power has to be included in the legislation so that a bailiff is not wilfully impeded in carrying out the functions of the court.

Hon. A. W. MUNRO (Toowong—Minister for Justice) (1.22 a.m.), in reply: My task of replying is made very easy because most of the points that were raised by the hon. member for Baroona and the Leader of the Opposition have been fully and effectively answered by the hon. members for Kurilpa and Mt. Gravatt. I am sure that the House would not want me to repeat the arguments advanced by them.

The debate has been very interesting. The contribution by the hon. member for Baroona was quite thoughtful and indicated that he has studied the Bill thoroughly. At the same time, there were some definite misconceptions in his viewpoints. Although he has obviously studied the Bill thoroughly, he has not the background of practical experience of the workings of either District Courts or the Supreme Court, and he was perhaps unduly apprehensive on one or two matters where there was really no need for apprehension.

The hon. member for Baroona failed fully to recognise the distinction between an intermediate court and the Supreme Court. That distinction, in both the status and the jurisdiction of the court, is very important. If we consider the remarks of the hon. member for Baroona in the light of the distinction that has been so clearly made since between the status and jurisdiction of a Supreme Court and of a District Court, a number of the objections expressed by hon. members opposite will disappear.

I do not wish to repeat anything that has been said from this side but, from the debate on the introductory stage and on the second reading, it must be conceded that the main opposition to the Bill has revolved around Clause 16. That is the clause that deals with the power to remove a judge from office in the circumstances set out in it. The two hon. members who have already spoken from this side of the House have given the reasons for the provision. They have indicated the very important distinction between an intermediate court and the Supreme Court and they have given some precedents. The hon. member for Baroona referred to it as a departure from usual practice. Let me make it abundantly clear that it is not a departure. In the first place, Clause 16 is completely identical with the section that was in the old Districts Courts Act of 1891.

Mr. Power: Which was abolished by the Labour Government.

Mr. MUNRO: Yes, the whole Act was repealed by the Labour Government. Nevertheless, in looking to established practice, it will be observed that the clause in the Bill is identical with the section in the old Act.

I have said on countless occasions in the House that, apart from getting the best and most authoritative advice we can get in Queensland, we study what is done in other States. Section 18 of the District Courts Act of New South Wales is in very similar terms. To save time I will omit from it the parts that deal with the salaries of district court judges. The section has been amended, but, taking the part comparable with the clause in the Bill, provision is made in New South Wales that the district court judges shall hold their office during ability and good behaviour. After dealing with other matters that are not relevant, it says that the Governor may remove any judge for inability or misbehaviour. That is substantially the same as in the Bill.

In Victoria the county court is very similar to the district court that we propose to establish. Section 9 of the County Court

Act of 1957 says of county court judges that they shall hold their office during good behaviour. I ask hon. members to note that there are alternative methods of removal. The next subclause states—

> "The Governor in Council may remove any such judge who becomes incapable or who neglects to perform the duties of his office or upon the address of both Houses of the Legislature."

Mr. Power: Do you agree that the same principle should apply to the Supreme Court judge?

Mr. MUNRO: No. I think I explained at the outset to make the position abundantly clear that the reason for the difference of opinion on this is that the hon. member for Baroona does not recognise the difference between a Supreme Court and an intermediate court. For heavens sake do not let us go back over that. The three speakers on this side have endeavoured to make that point clear. They have tried to explain that the position of a district court judge is not in any way identical with that of a Supreme Court judge. I will let it go at that because I do not want to take up time by giving reasons in detail. I will give one further example. I will show that we have gone even to South Australia. They refer to them in South Australia as local court judges. There the appointment of a local judge is made during His Majesty's pleasure in terms of Section 13 of the relevant Act. Where it is provided that a local court judge holds office during pleasure it means that in the absence of any provision to the contrary he can be dismissed at pleasure. I do not want to take up further time by going into reasons.

Mr. Power: Will you give me an answer to my question about Clause 51?

Mr. MUNRO: Yes, in time. Let me make the point clear: not only is the provision completely right on the merits of the case and on the best advice we have been able to obtain in Queensland, but also it is substantially in accordance with the established procedures of the States of New South Wales, Victoria and South Australia. I will not believe that they are all wrong even if the hon. member for Baroona assures me that they are.

I had intended to explain the reason for the difference between the limited civil jurisdictions up to £2,500 and £1,500, but the point has already been dealt with by the hon. member for Kurilpa.

I think the hon. member for Baroona made a good point when he said that we must consider the position in the outlying parts of the State. I am not using his exact words. I completely agree that it would not be a good thing to have a Supreme Court judge visiting a centre and dealing with cases slightly outside the jurisdiction of the district court judge, then perhaps a few weeks later the district court judge visiting the centre and dealing with cases within his jurisdiction. We have given a good deal of thought to that. When the new procedure is working completely it is proposed to lessen to some extent the number of centres to be visited by a Supreme Court judge. By so doing we will lessen duplication of travelling. It is a good feature of the Bill that it recognises that within the limits of the jurisdiction of the district court there is a concurrent jurisdiction between the district court and the Supreme Court. That will give a large degree of flexibility. I am quite satisfied that it will work out reasonably well in practice.

A few moments ago the hon. member for Baroona asked me to go back to Clause 51 which provides that in certain circumstances there could be a withdrawal of a jurisdiction. I ask the hon. member to consider Clause 51 in conjunction with Clause 2, bearing in mind the explanation which I gave on the introduction and also the reference I made to it in my opening remarks tonight. The keynote of those two clauses is the necessity for flexibility in bringing the establishment of the district courts into operation. Therefore we have made provision so that the new courts may be brought into operation possibly in one part of the State at a time, and possibly with one jurisdiction at a time. And as we are providing for that and it is the intention to adjust the new facilities available to the actual needs, therefore it is necessary to have that flexibility. As we propose to bring in the operation of the district courts in that manner I think it necessarily follows that there may be the necessity to make some variation in some operation which has come into force.

The Leader of the Opposition did express some misgivings in reference to Clause 53, but I do not think that there is any ground for misapprehension there. If you look at Clause 53 you will see it is there merely for the purpose of dealing with matters of change of trial from the Supreme Court to a district court. It does not give any special power to a judge to exclude a trial by jury. It is a well-known rule of interpretation that if you want to know the real meaning of a clause you have to read the whole Bill. Clause 53 should be read in conjunction with Clause 54, which deals more specifically with the point on which the Leader of the Opposition was in doubt.

Mr. Davies: Clause 54 says that a person shall be tried by a judge and a jury of 12, and Clause 53 mentions "any district court judge", but does not mention a jury.

Mr. MUNRO: The dominant point dealt with in Clause 54 is the matter of a jury in criminal cases. Clause 53, as I read it, merely deals with the incidental matter of the change of trial from the Supreme Court to a district court.

There is one other matter that was raised by the Leader of the Opposition which is worthy of comment, and that is that where

the district court sits as an appeal court the matter would be dealt with either at Brisbane, Rockhampton or Townsville. The clause was specifically included in the Bill for this reason: if the district court or any other court is sitting as a court of appeal, it can be accepted that the legal issues involved will be particularly important. It is obvious that an appeal either wholly or in part must be on a question of law. Brisbane, Rockhampton and Townsville are the centres of the Supreme Court, and at those centres there are adequate facilities for dealing with appeal cases, including the very important facility of an adequate legal library to which a judge may refer if he needs to do so. For that reason it was felt it would be more appropriate to hear appeal cases in a locality where the district court judge would have all the necessary facilities.

Motion (Mr. Munro) agreed to.

COMMITTEE.

(The Chairman of Committees, Mr. Taylor, Clayfield, in the chair.)

Clauses 1 to 15, both inclusive, as read, agreed to.

Clause 16—Removal from office—

Hon. W. POWER (Baroona) (1.43 a.m.): The Minister in his reply said I did not understand the difference between a Supreme Court and a district court. I assure the hon. gentleman that I have had experience of both courts, although not as a criminal, and am well aware of the difference between them. I asked why there should be a differentiation in treatment of district court judges and Supreme Court judges in regard to removal from office of a judge. I probably know more about district courts than the Minister. Judges should be free from political taint. That is a fundamental truth, and accepted by the Premier and the Government. That has been their attitude and I agree with it, and for that reason the removal from office of a judge is left in the hands of Parliament, but under the Bill that power is given to the Governor in Council. The hon. member for Mt. Gravatt may care to comment on the point. The Governor in Council may remove a judge, provided that 21 days' notice is given to the judge of the intention to remove him, and he is given the right of appeal to the Governor in Council. In other words, he is given the right of appeal from Ceasar to Ceasar.

He also has his common law rights, which the hon. member for Mt. Gravatt, a leading Q.C., must know. The hon. member quoted a number of Latin phrases which I have not had the opportunity of studying. I always believe that the law should be so simple that even members of the legal fraternity can understand it. I hope that will be the aim of the Minister when introducing legislation.

Coming back to the removal of a Supreme Court judge any such judge can appear before the Bar of the House to state his case, and the Parliament can debate whether his removal is correct or not. After his removal he has a right at common law. I cannot follow the hon. member's arguments about things that happened in Victoria or New South Wales. When similar Acts have been introduced in those States they have been repealed here. I know that the hon. member will say that the procedure now being followed was contained in the District Court Act, but I remind him that a Labour Government abolished that Act.

Mr. HART (Mt. Gravatt) (1.47 a.m.): The hon. member wanted examples of what has happened in Queensland. When the Labour Party were in power in this State judges could be removed without any resolution of Parliament. Magistrates are judges because they have power to deal with cases up to £600 and to send people to gaol for six months. They are therefore judges.

Mr. Power: They are not.

Mr. HART: They judge between people on things with which they are vitally concerned, and they can be removed without any resolution of Parliament and without any such protection as this Bill gives. The principle of the clause was recognised in England in 1846 and by the County Court Act of 1888 and 1934 and it was recognised in our Act of 1891. When that Act was going through the House the only objection from the Opposition was that it did not go far enough. The point was raised that the Governor in Council should have power to suspend them, but Sir Samuel Griffith, the greatest jurist of the time would not have that, and he retained the very clause to which the hon. member for Baroona and the Opposition are objecting to.

Hon. W. POWER (Baroona) (1.48 a.m.): The hon. member for Mt. Gravatt has misled the House when he said that a magistrate is a judge, and that a magistrate could be removed from office for any reason at all. That is not correct. He must know that a magistrate has the right of appeal against his dismissal, and if he is dismissed the reason for such dismissal must be given. The hon. member should be aware of that. At one stage he complained that magistrates were not properly qualified to deal with matters coming before them. The Bar Association and the Law Association investigated legislation to be introduced by my Government to give magistrates jurisdiction up to £1,000 and complained that the jurisdiction was too much and it was reduced to £600. A Queen's Counsel tells us that a magistrate can be dismissed without any reason at all being given. He should study the Public Service Act. There is the right of appeal.

Hon. A. W. MUNRO (Toowong—Minister for Justice) (1.50 a.m.): It might be appropriate to point out that in discussing Clause 16 we are discussing not magistrates but judges of the district courts. It is also appropriate to point out that this

matter was flogged to death both during the introductory stage and the second reading stage. Any further discussion on it would merely involve tedious repetition.

Clause 16, as read, agreed to.

Clauses 17 to 49, both inclusive, as read, agreed to.

Clause 50—Exception from criminal jurisdiction—

Hon. W. POWER (Baroona) (1.51 a.m.): The Minister has agreed that it would not be advisable to have both the District Court and the Supreme Court visiting the same centre in the country. However, I am rather disturbed by his statement that it is proposed to limit visits by Supreme Court judges to some areas. That is a retrograde step. There will be a change of circuits and places now visited by Supreme Court judges will be eliminated from the list. It will also mean additional cost, because a prisoner will have the venue of his trial changed from one place to another.

Hon. A. W. MUNRO (Toowong—Minister for Justice) (1.52 a.m.): It will be realised by the hon. member for Baroona that a number of cases in the outlying parts of the State will be dealt with by District Court judges in terms of Clauses 49 and 50. It will also be realised by him that the classes of cases that are excepted from District Court jurisdiction would be comparatively rare.

Mr. Power: What about civil cases?

Mr. MUNRO: We are dealing now with Clause 50, but the same argument would apply to civil cases. It would be very uneconomic, and it would not be necessary to have Supreme Court judges travelling over an extensive circuit in the outlying parts of the State if there were no cases for them to deal with. The proposal merely adjusts the circuits to the necessities of the situation.

Clause 50, as read, agreed to.

Clauses 51 to 194, both inclusive, as read, agreed to.

First and Second Schedules, as read, agreed to.

Third Schedule—

Hon. A. W. MUNRO (Toowong—Minister for Justice) (1.58 a.m.): I move the following amendment—

"On page 56, after line 16, insert the following paragraph:—

'Poundage on executing every warrant of execution or other process under or by reason of which money is received by the bailiff or execution creditor, £5 per centum on first £100, and £2 10s. per centum above that amount,

But not to be less than .. 2 0 0'"

The amendment has been circulated. It is a very simple one. The item should have been included in the original printing of the Bill but it was overlooked and the amendment is substantially in the nature of a necessary correction.

Amendment (Mr. Munro) agreed to.

Third Schedule, as amended, agreed to.

Bill reported, with an amendment.

The House adjourned at 2.2 a.m.