Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 20 SEPTEMBER 1961

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Mr. SPEAKER (Hon. D. E. Nicholson, Murrumba) took the chair at 11 a.m.

QUESTIONS

ESTABLISHMENT OF CENTENARY CULTURAL CENTRE

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) asked the Premier—

"Is he able to inform the House if the plan for a £250,000 State Theatre in Brisbane to commemorate Queensland's Centenary, approved by the Centenary Celebrations Committee at a meeting on October 8, 1958, at which he presided, has been abandoned?"

Hon. G. F. R. NICKLIN (Landsborough) replied—

"The implementation of the plan for the proposed establishment of the Centenary Cultural Centre was dependent on the raising of £250,000 from the public of Queensland. Due to the intervention of a number of major appeals such as the National Heart Foundation, the University Great Hall, the Blood Bank Building Fund and the Queensland Cancer Campaign, it has been found impossible to proceed with the project. I can assure the Leader of the Opposition that the proposal has not been abandoned, but, as he can appreciate, it was envisaged from its very beginnings as a long-term project."

AERIAL BAIT-LAYING CAMPAIGN AGAINST DINGOES

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) asked the Minister for Public Lands and Irrigation—

"In respect of the aerial bait-laying campaign against dingoes commenced in July last—

(1) Is he able to inform the House what area has been covered, how many baits were dropped, what was the cost of the project, and what were the perceptible results?

(2) In view of the fact that more than £120,000 has been spent on the production and distribution of aerial dingo baits, what evidence has his department from the field of the success or otherwise of this form of attack on the dingo?"

Hon. O. O. MADSEN (Warwick—Minister for Agriculture and Forestry), for **Hon. A. R. FLETCHER** (Cunningham), replied—

"(1) At a conference held during February last and attended by representatives of The United Graziers' Association, The Selectors' Association, The Local Government Association and the Co-ordinating Board, it was unanimously agreed that the Co-ordinating Board's policy of aerial baiting the sparsely populated cattle areas outside the Barrier Fence be continued and extended to any further areas the Co-ordinating Board may consider desirable, and that the Co-ordinating Board concentrate on the destruction of dingoes in the known pockets within the Barrier Fence either by aerial baiting or the employment of doggers or both. In accordance with the recommendations of this Conference an aerial bait laying campaign against dingoes was carried out between July 24 and August 29 last within an area approximately 50 miles wide abutting the outside of the Western, Northern and part of the Eastern section of the Dingo Barrier Fence. Aerial baiting was also conducted along the Grey Range, the southern section of the Great Dividing Range and in the Woodstock area west of Winton. During this campaign one million baits were distributed at a cost of approximately £10,000. Even if it is possible to assess the results of this campaign, such an assessment could not be made at this early date."

"(2) With the knowledge that there were large areas of Queensland where ground operations against dingoes were either impracticable or difficult, the Co-ordinating Board decided that the only practicable way to attack dingoes in these areas was to distribute baits from an aircraft. Because of the remoteness and inaccessibility of much of the area where baits were to be distributed, the Co-ordinating Board at no time attempted to carry out a ground survey along and in the vicinity of the courses flown by the aircraft to assess the results of any of its aerial baiting campaigns. Consequently, the Co-ordinating Board has no official reports from the field of the results of this form of attack on the dingo. However, as set out in Answer (1) above, the Co-ordinating Board was recently requested by the grazing industry to continue aerial baiting."

ADULTERATION OF SPIRITS, DOOMBEN RACECOURSE

Mr. MANN (Brisbane) asked the Minister for Health and Home Affairs—

"Did officers of his Department take samples of spirits at the bar at Doomben racecourse in March this year? If so, did analyses reveal that the spirits were adulterated and to what extent?"

Hon. H. W. NOBLE (Yeronga) replied—

"On the instructions of my Director-General inspections of metropolitan race courses were commenced at the end of February this year. The inspections covered all aspects of public health, and included the hygiene of food premises, general sanitation, and liquor testing. These inspections disclosed that there were shortcomings in various matters on the three Brisbane

courses, and also Ipswich. The clubs were given an opportunity to take corrective steps and they did so. This action by my Health Department was successful in having the shortcomings made good, with a consequent great improvement at all courses. Doomben was the first Brisbane course visited, the date being March 4. All opened bottles of spirits at the various bars were tested, and four (4) bottles at one bar and one (1) at another bar were found to be adulterated, the adulterations varying from 6.4 per cent. to 27 per cent. Inquiries usual in such cases revealed that there could be no profit motive for either the licensee or the club committee or members to instigate or condone such adulterations. It was disclosed, however, that the system of handling opened bottles of spirits made effective supervision difficult. On receipt of a firm assurance that remedial measures would be taken to correct this and thus remove the danger of adulteration of spirits, the Deputy-Director-General, who handles such matters, decided that a warning be given. This was in line with the general action for shortcomings in other matters at other courses."

MEAT PRICES IN TOWNSVILLE

Mr. TUCKER (Townsville North) asked the Minister for Justice—

"(1) Is he aware (a) that meat prices in Townsville have jumped to a record level following an upward trend in cattle prices at Garbutt sales and (b) that it was reported in 'The Townsville Daily Bulletin' on Friday, September 15, 1961, that butchers were charging 6s. and 6s. 1d. per lb. for fillet, 5s. 6d. and 5s. 7d. for rump, and 4s. 6d. per lb. for sirlion steak, and that one butcher said the prices were the highest he could remember in Townsville?"

"(2) Will he not agree that the aforementioned prices prove that meat is an item becoming too costly for the average family?"

"(3) If so, will he institute an immediate enquiry with a view to the reimposition of price control on this commodity?"

Hon. A. W. MUNRO (Toowong) replied—

"(1 to 3) Meat prices are not subject to Governmental price control, such prices generally being controlled by the normal working of influences of supply and demand and healthy business competition. Nevertheless the Commissioner of Prices does keep a watchful eye on price trends generally and I do receive reports from him on various matters from time to time. For my general views on this subject I would refer the Honourable Member to my Speech as recorded on page 139 of Proof Hansard No. 2 of August 30, 1961, relative to the motion by the Leader of the Opposition for the proposed disallowance of an Order in Council executed under the provisions of The Profiteering Prevention Acts."

APPOINTMENT OF ADDITIONAL INSPECTOR OF SCAFFOLDING, TOWNSVILLE

Mr. TUCKER (Townsville North) asked the Minister for Labour and Industry—

"Will he give serious consideration to the appointment of a second inspector of scaffolding in Townsville in order to ensure that one man is always available in Townsville while the other is on a tour of the large outside district?"

Hon. K. J. MORRIS (Mt. Coot-tha) replied—

"My Department has put first things first. Realising that very few country areas in Queensland had even one inspector when we assumed office, we have proceeded along the course of giving at least a reasonable service everywhere. When that is completed, we will look to determining which areas require further attention. The Inspector of Machinery at Townsville is also an Inspector of Scaffolding, and is available in Townsville during any absence of the Inspector of Scaffolding."

TRANSPORT OF MENTAL PATIENTS BY TOWNSVILLE AMBULANCE BRIGADE

Mr. TUCKER (Townsville North) asked the Minister for Health and Home Affairs—

"(1) Is he aware that the Townsville Ambulance Brigade is not in accord with the present arrangement whereby mental patients to be transported to the Charters Towers Mental Home from Ward 15, Townsville General Hospital, are their responsibility?"

"(2) As it has been pointed out, firstly, that ambulance bearers are not equipped to handle such types of patients and, secondly, with operating and running costs at approximately 10s. per mile an undue burden is placed on the Brigade, who receive no direct reimbursements for such journeys, will he transfer this responsibility to a Government Department better equipped to deal with it or, failing this, fully reimburse the Brigade for such transport?"

Hon. H. W. NOBLE (Yeronga) replied—

"(1) My Department has been advised to this effect by the Townsville Centre of the Queensland Ambulance Transport Brigade by letter dated September 14, 1961, and received in my Department on 18th idem, although the matter was previously raised by the Charters Towers Centre of the Queensland Ambulance Transport Brigade."

"(2) The Townsville Hospitals Board has advised that in the case of ambulance transport of patients to Mosman Hall, a male orderly from the Hospital staff accompanies the patient to Reid River where the patient is transferred from the Townsville ambulance to the Charters Towers ambulance. In any case, I am informed by the Police Department that

where the Hospital authorities consider Police assistance necessary, no difficulty would be experienced in obtaining such assistance on application to the local Officer in Charge of Police. The Government subsidises the Queensland Ambulance Transport Brigade and it is considered that such subsidy covers the transport of patients to and from Mental Hospitals."

ADDITIONAL CLASSROOMS FOR AITKENVALE SCHOOL

Mr. AIKENS (Townsville South) asked the Minister for Education and Migration—

"As the anticipated enrolment at the Aitkenvale school at the commencement of next school year will be in excess of 500 pupils, necessitating thirteen or probably fourteen classrooms, and as there are only eight classrooms at the school at present with three classes being taught under the school, can he given any indication as to when and where the necessary additional classrooms will be built?"

Hon. J. C. A. PIZZEY (Isis) replied—

"The provision of additional accommodation at the Aitkenvale State School is still under consideration in the Department of Public Works and no date can be given as to when this accommodation will be ready for occupation. It is very likely that this additional accommodation of three (3) classrooms will be sited as indicated on the plan furnished by the Head Teacher."

DAMAGES AWARDED TO BARRY BLICHARSKI AGAINST RAILWAY DEPARTMENT

Mr. AIKENS (Townsville South) asked the Minister for Transport—

"Has his attention been drawn to a press report in the 'Telegraph' of September 15, 1961, of a judgment given by Mr. Justice Wanstall in favour of Barry Blicharski against the Commissioner for Railways in which His Honour stated that although Blicharski was entitled to half of the damages assessed at £10,132 he could only be awarded £2,000 as that was the statutory maximum which could be granted against the Railways Commissioner? If so, will he consider placing the Railways Commissioner on the same footing as other defendants in this regard?"

Hon. G. W. W. CHALK (Lockyer) replied—

"The accident to Mr. Barry Blicharski occurred on May 15, 1957, and therefore was subject to the limitation of damages as then prescribed by "The Railways Acts." However, I am surprised that the Honourable Member has overlooked that in 1958 I amended "The Railways Acts" by removing the limitation clause in respect of personal injury, whether fatal or non-fatal, incurred on or after December 19, 1958. At the time, I expressed regret that it was not possible to cover unfortunate events which occurred prior to that date."

"LABOUR ONLY" BUILDING CONTRACTS

Mr. AIKENS (Townsville South) asked the Minister for Labour and Industry—

"(1) Have representations been repeatedly made to him by master builders and unions connected with the building industry claiming that 'Labour Only' contracts are responsible for (a) shoddy workmanship, (b) smashing of established conditions regarding working hours and wages, and (c) an ever-decreasing number of apprentices being accepted into the building industry?"

"(2) Did the master builders and the unions concerned make a combined approach to the Industrial Court for control of overtime in the building industry to combat this pernicious practice of 'Labour Only' contracts and was such application refused because other organisations, completely unconnected with the building industry were allowed to appear in court and oppose the application?"

"(3) What does he propose to do with regard to 'Labour Only' contracts?"

Hon. K. J. MORRIS (Mt. Coot-tha) replied—

"(1) Representations have been received concerning 'labour only' contracts."

"(2) I am aware that an approach was made to the then Industrial Court by the Master Builders' Association and the Amalgamated Society of Carpenters and Joiners for the inclusion in the Building Trades Award of a clause prohibiting the working of overtime. The reasons for the refusal of the application are set out in the judgment of that Court and they do not include the reason as alleged by the Honourable Member. To enlighten the Honourable Member I would add that the parties who are to be permitted to appear before the Industrial Tribunal are determined by the Industrial Court, the Industrial Commission or the Industrial Registrar as provided for in Clause 5 of the First Schedule to the Industrial Conciliation and Arbitration Act. I suggest that the Honourable Member make himself familiar with the provisions of that clause."

"(3) The Building Trades Award presently prescribes that piecework is prohibited and 'labour only' contracts are considered piecework within the meaning of the Award. An examination of 174 of some 580 State Awards in force has revealed that the question of piecework is dealt with in at least 34 State Awards of those examined. Therefore it is apparent that this matter is an industrial matter under the Industrial Conciliation and Arbitration Act and consequently one for determination by it. The matter therefore is one for the Industrial Commission. This was apparently the view held during the many years of office of Labour Governments as the position obtaining under this Government is exactly the same as it was under the successive Labour Governments."

Mr. NEWTON (Belmont) asked the Minister for Labour and Industry—

"In view of the continued representation made by the Building Trade Group of Unions and the statement made by the President of the Master Builders' Association which appeared in 'The Courier-Mail of Friday, September 15, 1961, will he amend the Conciliation and Arbitration Act whereby 'Labour Only' contracts in the building industry are abolished, thus giving protection to the home buyer, the Trade Union movement and recognised builders?"

Hon. K. J. MORRIS (Mt. Coot-tha) replied—

"The answer to the question of the Honourable Member is contained in my answer this morning to a question on the same subject asked me by the Honourable Member for Townsville South."

PROPOSAL BY ROCKHAMPTON CITY COUNCIL FOR RELIEF OF UNEMPLOYMENT

Mr. THACKERAY (Rockhampton North) asked the Premier—

"(1) Has he received a letter from the Rockhampton City Council asking that the Commonwealth Government provide £50,000, the State Government £25,000, and the Rockhampton City Council £25,000, a total of £100,000, to relieve unemployment in Rockhampton?"

"(2) Has the Rockhampton City Council submitted a works programme in relation to the proposed scheme?"

"(3) Is the State Government prepared to allocate the amount required to alleviate unemployment in Rockhampton? If so, when will the allocation be forwarded to the Rockhampton City Council?"

"(4) Has he written to the Commonwealth Government supporting the scheme and asking for Federal assistance?"

Hon. G. F. R. NICKLIN (Landsborough) replied—

"(1) Yes."

"(2) No."

"(3 and 4) Consideration is still being given to this matter. When a decision has been made, the Rockhampton City Council will be duly advised."

REPORT ON PUNISHMENT OF JIMMY JACKO, AT HOPEVALE MISSION

Mr. DAVIES (Maryborough), for **Mr. WALLACE** (Cairns), asked the Minister for Health and Home Affairs—

"When will the report of Magistrate Lee on the flogging of the aboriginal, Jimmy Jacko, at Hopevale Mission be laid on the Table?"

Hon. H. W. NOBLE (Yeronga) replied—

"I feel that no good purpose would be served by tabling the report at this late stage. However, I would be pleased to arrange for the Honourable Member to peruse the report at my office if he so desires."

NUMBER AND COST OF TRAFFIC LIGHTS IN BRISBANE

Mr. LLOYD (Kedron) asked the Minister for Labour and Industry—

"(1) How many sets of traffic lights are now in operation at street intersections within the metropolitan area of Brisbane?"

"(2) What has been the total cost of the installation of these systems of traffic lights during the past four years?"

Hon. K. J. MORRIS (Mt. Coot-tha) replied—

"(1) Thirty-seven complete sets and three under construction."

"(2) Since March, 1958, £88,383 which includes the cost of modernisation of six sets of signals, which had previously been in operation since 1938. In 1938, 23 years ago, the Labour Administration installed their last traffic light, and, for nearly 20 years thereafter completely neglected this traffic facility."

WAGES PAID TO FOREMEN BY DEPARTMENT OF PUBLIC WORKS

Mr. NEWTON (Belmont) asked the Minister for Public Works and Local Government—

"What are the wage rates or salaries paid to job foremen employed by the Public Works Department for (a) ungraded positions, (b) Grade III., (c) Grade II. and (d) Grade I.?"

Hon. H. RICHTER (Somerset) replied—

"The rates of wages paid to job foremen employed by the Department of Public Works in the Eastern District of the Southern Division, in the Mackay Division, and in the Eastern District of the Northern Division respectively are—Ungraded positions, £22 10s. 6d., £22 19s. 6d., £23 1s. 6d.; Grade III, £23 10s. 6d., £23 19s. 6d., £24 1s. 6d.; Grade II, £24 15s. 6d., £25 4s. 6d., £25 6s. 6d.; Grade I, £26 5s. 6d., £26 14s. 6d., £26 16s. 6d. The weekly wage rates for the Western Districts of the Southern and Northern Divisions are 10s. 6d. and £1 2s. respectively higher than those for the Eastern Districts."

AMENITIES FUND WESTBROOK FARM HOME

Mr. BROMLEY (Norman) asked the Minister for Health and Home Affairs—

"(1) Does an amenities fund exist for the benefit of the inmates of Westbrook Boys' Home?"

"(2) Did he receive £100 from the 'Truth' Newspaper 'Pick the Winner' contest, plus other donations, together with £4 from Mr. Bingham, Editor of the 'Truth' Newspaper, towards an amenities fund for the inmates?"

"(3) If no amenities fund exists at Westbrook and he did receive the aforementioned money, does he intend setting up an amenities fund with this money being expressly used for this purpose or, if he is not in favour of this scheme, to what purpose was the money used, if at all, and what benefit did the boys receive from the donations?"

Hon. H. W. NOBLE (Yeronga) replied—

"(1) Yes."

"(2) Yes."

"(3) A Trust Fund under the name of 'The Westbrook Farm Home Amenities Fund' has been established at the Commonwealth Savings Bank, on which the Director of State Children is authorised to operate. The donors to the Fund stipulated that the money should be used for sporting equipment for the inmates of the Home, and their wishes will be respected. Orders have ben placed for cricket balls, tennis balls, boxing gloves and table tennis balls. Football boots are also being purchased. The balance of the money will be utilised at an early date for the purchase of other sporting equipment which will be required when the new floodlit recreation enclosure is completed."

Inclusion in Budget of Proceeds from Sale of Government Property

Mr. BROMLEY (Norman) asked the Treasurer and Minister for Housing—

"(1) Has he included in the Budget the financial proceeds received by the Government from the sales of the Collinsville Mine, railway property and other sales of a like nature, if any?"

"(2) If so, will this be classed as anticipated revenue for 1961-1962 or actual revenue with a specific purpose for the spending of it?"

"(3) If classed as actual revenue, what Departments will benefit by its use?"

Hon. T. A. HILEY (Chatsworth) replied—

"(1 to 3) Proceeds from the sale of the Colinsville State Coal Mine, and any other capital assets purchased or developed with moneys provided from the Loan Fund Account, are credited to the Loan Fund Account as Loan Repayments. The sale of such capital assets is not regarded as revenue. The Loan Fund Estimates will disclose the programme for all expenditure from the Loan Fund Account and will deal with new loan raisings and repayments in a composite presentation."

Revocation of Declaration of Hayman Island as Scenic Area

Mr. BROMLEY (Norman) asked the Minister for Agriculture and Forestry—

"(1) Did he inform the National Parks Association in a letter written on August 14, 1961, 'The Conservator of Forests advises me that since the time when provision was first made for National Parks in Queensland, the Department of Forestry has always kept in mind the basic principle underlying such reservations, viz., to reserve areas not only of a natural beauty but also of scientific and historic interest to be dedicated to the people and kept for all time in their natural condition. As the Minister for the time being charged with the administration of National Parks and Scenic Areas, I endorse this principle . . .'?"

"(2) If he did so, and in view of the statement of the Minister for Public Lands, Mr. Fletcher, as reported in 'The Courier-Mail' on Thursday, September 14, 1961, that the State Government had no intention of whittling down its National Parks areas (a) has he read letters of protest by the citizens of Queensland relating to the change of policy of the Government concerning the operation of the Forestry Act and the system of National Parks in Queensland, (b) did he receive a letter of protest from the President of the National Parks Association, Mr. E. W. F. Kemp, regarding the proposal to revoke Hayman Island as a scenic area, and (c) if so, does he intend to ignore these protests?"

"(3) If he does intend to ignore these protests, does this imply that his Department will no longer control the Forestry Act?"

"(4) Why has this Island been singled out for abandonment under the meaning of the Act?"

"(5) Why has the Government changed its policy in relation to this particular portion of the property of the people of Queensland?"

"(6) Is this proposal the forerunner to further changes and the beginning of the end of National Parks?"

Hon. O. O. MADSEN (Warwick) replied—

"(1) Yes. I am supported in the principles as set out in the quotation by my Government. To confirm this I point out that 60,121 acres have been gazetted as national parks since this Government assumed office, in accordance with the true concept of national parks."

"(2) (a) Yes, but I can assure the Honourable Member that there has been no change of policy of my Government concerning the operation of the Forestry Act and the system relating to the control of National Parks. (b) Yes. (c) Far from ignoring these protests, the sentiments

expressed in the several letters which have appeared in the Press recently have been carefully considered, and the public can be assured that the question of the future control of National Parks will not be lightly dealt with, as might be inferred by some of the correspondence."

"(3) I am charged with the Ministerial administration of the Forestry Act, the implementation of the provisions thereof being under the direct control of the Conservator of Forests and his officers, who are fully seized of their responsibilities in regard to the several matters included in such Act, particularly in regard to National Parks, State Forests, etc. The upward trend in the area of National Parks reservation demonstrates our attitude."

"(4 to 6) I think it is desirable, to enable the matter to be viewed in its right perspective, that the facts relating to Hayman Island should be stated at length. The island was originally gazetted a National Park on October 11, 1941. Prior to this, the island was held under Special Lease under the Land Acts by Mr. Hallam under the then Government's policy respecting island tourist areas. The current Special Lease is for a term of 30 years from November 1, 1941, and is held by Barrier Reef Islands Pty. Ltd., which is a subsidiary of Ansett Transport Industries Group. In the post-war years and with the development of tourist trade in Queensland, the Company effected improvements on the area valued at several hundreds of thousands of pounds, and has been negotiating with the Government for a number of years for conversion of part of the island to Perpetual Lease tenure and for a Special Lease under similar terms and conditions to those previously imposed over the balance of the island. Following conferences between my Colleague the Honourable the Minister for Lands and myself, the Company applied for a Perpetual Lease over an area of 225 acres, on which area the main improvements had been effected and which included an area for expansion. To ensure that the public interest is adequately safeguarded, provision has been made for an esplanade fronting the sea, varying in width up to three chains, and for all existing walking tracks through the proposed Perpetual Lease area to be excluded and for such tracks to be maintained by the Lessee Company. I would stress that I am advised that the law will not permit of the conversion of the Perpetual Lease tenure to freehold, for the reason that conditions will be imposed which will require the Company to hold the land for the purpose for which it is proposed, namely the provision of tourist facilities which are calculated to give considerable employment. Unless the conditions of the lease are fully complied with forfeiture may ensue. The area over which it is proposed to grant a Special Lease will be subject to conditions which will ensure that the public interests, so far as access and freedom to move thereon, will be maintained. A reference to the Annual Reports of the Conservator of Forests for the past five years will show clearly that there has been no whittling down of National Parks, but rather has the area increased. For example, the area under National Park reservation at June 30, 1956, was 788,119 acres, whereas at June 30, 1961, the area was 848,196 acres. The policy adopted by my Government in respect of Hayman Island follows the same pattern as has been adopted in respect of other islands off the coastline on which tourist facilities have been provided and in respect of which large sums have been expended on the provision of facilities to encourage tourists to Queensland. The cost of maintaining walking tracks and other provision for the convenience of the public falls heavily on my Department and in accordance with the present proposal Barrier Reef Islands Ltd. will be required to maintain these walking tracks and other facilities. Thus it will be seen that there has been no change in the general policy in regard to tourist areas on near coastal islands and I can assure Honourable Members that I shall examine all such proposals closely and obtain the advice of my Departmental officers before placing before this House any proposals for the revocation of National Park Proclamations."

DECLARATION OF CAPE YORK PENINSULA AS DROUGHT-STRICKEN AREA

Mr. ADAIR (Cook) asked the Minister for Transport—

"Owing to the drought conditions now existing in the Cape York Peninsula and the possibility of large numbers of stock dying of starvation, also the hardship experienced by graziers owing to the remoteness of the area and the excessive cost of fodder by boat and road transport of up to £36 per ton, will he give consideration to declaring the area a drought-stricken area with the view to granting freight rebates on fodder carried by boat and road transport similar to rebates applying to fodder carried by rail?"

Hon. G. W. W. CHALK (Lockyer) replied—

"Under the system of rebates allowed by the Railway Department in freights on fodder and starving stock, the allowance is made to the nearest rail head to the property in the declared drought-stricken area. Such a rebate would be allowed to graziers in the peninsular area as has been allowed from time to time to graziers well off rail in far-western and north-western areas. There is no provision on the estimates for extending this type of subsidy to private transport either by way of road or by boat. If this were done it would of course have to apply to the whole of the

State, irrespective of area providing that it was declared drought stricken. An amount of £238,171 was expended on rail rebates for 1960-1961 and I doubt whether the present financial position of the State could warrant the adoption by the Honourable the Treasurer of a substantial extension to the rebate scheme."

ADVANCES TO COLOURED PEOPLE TO PURCHASE CLOTHING AND OTHER REQUIREMENTS

Mr. ADAIR (Cook) asked the Minister for Health and Home Affairs—

"(1) Has his attention been drawn to the fact that coloured people under the control of the Department of Native Affairs have difficulty in getting an advance to purchase necessary clothing and other requirements even though they may have substantial credits up to £1,000?"

"(2) What are the reasons for such a policy?"

Hon. H. W. NOBLE (Yeronga) replied—

"(1) No."

"(2) I am assured by the Director of Native Affairs that such a policy does not exist. If the Honourable Member will give a specific instance or instances, he can be assured that the matter will be investigated."

WATERING FACILITIES ON STOCK ROUTE, LAURA TO COEN

Mr. ADAIR (Cook) asked the Minister for Agriculture and Forestry—

"Owing to the shortage of watering facilities on the stock route from Laura to Coen, will he have an officer of the Agriculture and Forestry Department inspect the area with the view to having suitable watering facilities provided?"

Hon. O. O. MADSEN (Warwick) replied—

"The provision of watering facilities on stock routes is not a function of my Department. Accordingly, I would ask the Honourable Member to direct his question to my colleague, the Minister for Public Lands and Irrigation."

COST OF OPERATING STORES SECTION, REDBANK RAILWAY WORKSHOPS

Mr. DONALD (Ipswich East) asked the Minister for Transport—

"What was the cost of operating the stores section of the Redbank railway workshop for the years ended June 30, 1960, and 1961?"

Hon. G. W. W. CHALK (Lockyer) replied—

"The expenses incurred in operating that portion of the Stores Branch located at Redbank were:—

Year Ended June 30	Expenditure £
1960	142,394
1961	178,604

The increased expenditure in 1961 was contributed to by the transfer of the Timber Section Office staff from Ipswich to Redbank which expenditure previously was debited against Ipswich Store; approximately £10,000 Award increases, £7,000 extra retirement payments, £4,000 for additional office machines, £2,000 additional compensation payments and certain other extraneous charges."

PAPERS

The following papers were laid on the table:—

Financial statement in connection with the Parliamentary Contributory Superannuation Fund for the year ended June 30, 1961.

Order in Council under the Southern Electric Authority of Queensland Acts, 1952 to 1958.

WORKERS' COMPENSATION (LEAD POISONING, MOUNT ISA) ACTS AMENDMENT BILL

INITIATION

Hon. T. A. HILEY (Chatsworth—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 Workers' Compensation (Lead Poisoning, Mount Isa) Acts, 1933 to 1941, in certain particulars."

Motion agreed to.

COMMONWEALTH AND STATE HOUSING AGREEMENT BILL

INITIATION

Hon. T. A. HILEY (Chatsworth—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 authorise the execution by or on behalf of the State of Queensland of a further agreement between the Commonwealth of Australia and the several States of the Commonwealth in relation to housing, and for other purposes."

Motion agreed to.

COMPANIES BILL

INITIATION IN COMMITTEE—RESUMPTION OF DEBATE

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

Debate resumed from 13 September (see p. 337) on Mr. Munro's motion—

"That it is desirable that a Bill be introduced to consolidate and amend the law relating to companies."

Mr. BENNETT (South Brisbane) (11.34 a.m.): We all know that companies in law are legal entities. In many ways they are given greater privileges than ordinary human beings who are also legal entities in the community, and are allowed to operate with a dual personality. Very often, with the creation of subsidiary and other companies, they are able to engage in questionable and nefarious practices. If an ordinary human being has a split, or dual personality, he is regarded in the same way as we regard the hon. member for Townsville South, as a case of schizophrenia—a Dr. Jekyll and a Mr. Hyde. However, very often we do not find the Dr. Jekyll side with companies; they are all Mr. Hyde. For instance, there are companies with subsidiary, or other companies, co-operating purely to enable them to avoid their taxation obligations, or other requirements under State Acts, such as the State Transport Act. We find that Western Transport has a subsidiary company in existence with the obvious purpose of avoiding its obligations under the State Transport Facilities Act. There is the well-known case of Mulga Downs Pty. Ltd. concerning people who tried to avoid their obligations under the Taxation Act by getting rid of their shares, in a suspicious manner, to another company that operated solely to allow them to cloak the real nature of the transaction. It is known also as the Hancock case in taxation law; it went to the High Court. They had many shares in a company known as Mulga Downs Pty. Ltd. which operated for grazing purposes. The profits in the year under discussion amounted to £24,000, and under taxation law Mulga Downs Pty. Ltd. would have been required to pay £7,000 in taxes on the profits that had been made if the correct dividends had been granted. However, in a spurious manner, to avoid taxation obligations, the shareholders and directors of Mulga Downs Pty. Ltd. sold their shares to a co-operative company operated by a man and his wife—there were only two people in the company—known as Rowdell Pty. Ltd., and they pretended to trade in stocks and shares. They bought the whole of the shares in Mulga Downs Pty. Ltd. and Hancocks were then able to claim that the income they received from the sale of the shares was accumulation of capital and therefore it was a profit to them on capital. It enabled them to avoid their taxation obligations.

Mr. Aikens: Does that not reveal a defect in the income-tax law rather than the company law?

Mr. BENNETT: No, that is clearly a defect in the company law. The taxation law says that certain income shall be taxable and it is then a question of whether the sale of the shares was an income or accumulation of capital, and that has to be determined under the Companies Act.

My purpose in raising this matter is to argue that these subsidiary companies, that operate to cloak questionable and suspicious tactics, should not be allowed to operate at all as companies under the company legislation in Queensland. In the case referred to, Hancocks having accumulated profits by the sale to this spurious company, without delay repurchased the whole of the shares in the company. They thus milched the company of its accumulated and current profits, but still had intact the grazing property with all its assets, with a bright business future, and not a penny to pay in tax.

Fortunately, as I said, this case found its way to the High Court, and one of the judges, the late Mr. Justice Fullagar, said—

"The inference seems plain enough that the real money to make the payment by the Hancocks to Rowdell for all the shares was intended to be provided, and was in fact provided, by means of a dividend or dividends from Mulga Downs."

In this case the fraud—and I consider it to be a fraud—was exposed and it was fortunate that it was; but under existing company legislation many of these cases, nay, in fact most of them, go undetected, and these wealthy interests, many of them grazing interests, avoid their taxation obligations. It is a typical case of those who already are over-endowed with this world's goods becoming even greedier and seeking to cheat to avoid their obligations, moral and legal, by creating artificial entities in the form of companies.

(Time expired.)

Hon. A. W. MUNRO (Toowong—Minister for Justice) (11.41 a.m.), in reply: In the first place I desire to mention one or two matters that are purely formal. The first is that in the Bill there have been two minor corrections, which have not been corrected in the bulk copies available for circulation. They are not in any way important but, as they have been corrected in the copy that I will officially table at a later stage——

Mr. AIKENS: Mr. Taylor, I rise to a point of order. The Minister, you know, is very softly spoken and, seeing that you have ruled that I must always occupy my seat at the back of the Chamber, it is very difficult for me to hear him because of what appears to be a pak-a-pu bank being drawn here in the corner.

The CHAIRMAN: Order! I ask the hon. member to refer to hon. members by their proper title. I am sure the Minister will consider the hearing difficulties of the hon. member for Townsville South.

Mr. MUNRO: I shall have something to say about the hon. member later on and I shall be particularly careful that he hears me.

Mr. Aikens: And I shall have something to say about you too; don't make any mistake about that.

The CHAIRMAN: Order!

Mr. MUNRO: At the present time I am dealing with formal matters, of corrections in the Bill. In Clause 165, page 181, line 36, there is a repetition of the word "from". Obviously it is a printer's error, and in the corrected copy the second word "from" is omitted.

The second error is in Clause 352, page 324, line 36. There is a comma which should not be there and, as it could possibly alter the meaning, it has been corrected in the print of the Bill that is being tabled.

Hon. members will remember that at the time of my introductory speech I circulated an explanatory memorandum of some 45 paragraphs. It was a short explanatory memorandum, merely for information and not in any way a part of the Bill, but it has been found since that a slight correction is necessary in paragraph 22. Actually the position was quite correctly stated in my speech to the Chamber and it is quite correctly stated in the Bill itself, but I just mention that in the corrected print of the explanatory memorandum, which will be attached to the Bill when it is circulated, there is that minor correction in paragraph 22. So that there will be no misunderstanding of that slight correction, the corrected copies have been printed on blue paper.

On the whole, the Bill has been very fairly and extensively discussed. There is not a great deal that it is necessary for me to say although I propose to make one or two brief comments on each of the speeches.

As I believe in dealing with the distasteful and difficult questions first, and particularly as the hon. member for Townsville South made an interjection, I propose to deal first with his contribution to the debate. In general, it had some useful features. Broadly, the hon. member did say something to the effect that "the Bill should do some good, but it does not go far enough". That is rather high praise from the hon. member for Townsville South for anything introduced by the Minister for Justice. Unfortunately the hon. member went on and conducted himself in a way that did not bring credit either to himself or to the House, and I draw attention to the fact that this took place during my absence.

Mr. Aikens: I am not responsible for that.

Mr. MUNRO: But I am. As I said, it took place during my absence and when I was on my way to attend a conference in the South in relation to the Companies Bill, in the interests of the Parliament and the interests of the people of Queensland, to see what could be done to make further improvements in it.

Mr. Aikens: And I was supposed to withhold comment until you condescended to return?

Mr. MUNRO: The hon. member expressed himself in relation to a number of matters that were only very remotely associated with the subject matter of the Bill. I very often disregard remarks by the hon. member for Townsville South, and I probably would not have mentioned this had I not noticed that he got what might be called a little headline in "The Courier-Mail" of 14 September under the heading, "Suicide probe sought". I do not wish to read the whole of the report, but it referred to the question whether there should be an inquest into the circumstances surrounding the suicide of Alex. J. Platen of Townsville and it said that the hon. member for Townsville South "demanded" an inquest.

Mr. Aikens: My word, and you are not game to give it.

The CHAIRMAN: Order!

Mr. MUNRO: The report goes on—

> "He said the Townsville Acceptance Co. had been formed to lend money to traders. Platen, a furniture and hardware emporium owner at Rising Sun, had received £23,000.
>
> "Platen boosted his 'sales' by using fictitious names and addresses of alleged customers as well as those of genuine ones."

I am referring only to the relevant parts of the report. It continues—

> "Mr. Aikens said Platen realised he was so deeply in he could not get out, and committed suicide."

Broadly speaking, up to that stage, from what I know of the case, that may be substantially correct. It then goes on—

> "He had asked Mr. Munro to hold an inquiry into Platen's death.
>
> "Mr. Munro had replied that there was no need to hold an inquest because there were no suspicious circumstances regarding the death."

The hon. member for Bundaberg, Mr. Walsh, is then quoted as saying, "Do you believe the Minister is covering something up?" I do not quarrel very greatly with the hon. member for Bundaberg's reference to that, because we all know his peculiar sense of humour.

Mr. Walsh: I was watching your interests.

Mr. MUNRO: I am very glad to see that the hon. member for Bundaberg is here. We all know the peculiar sense of humour of the hon. member for Bundaberg and how he frequently gives the impression that he has a dossier or something of that nature in his hip-pocket. With his peculiar sense of humour he said to the hon. member for Townsville South, "Do you believe the Minister is covering something up?" The hon. member for Townsville South is reported to have replied, "I believe the Minister is deliberately covering something up. I cannot come to any other conclusion." According to this report Mr. Aikens then added, "The only way to get a public exposure of the whole of this rotten, putrid, stinking business is to hold an inquest."

This I repeat was published in "The Courier-Mail," which has a wide circulation throughout the State.

Let me say at this stage that I am not in the least concerned about anything the hon. member for Townsville South may say about me. I have been known in my electorate all my life. I have practised as a chartered accountant in Brisbane for a quarter of a century. There is nothing that the hon. member for Townsville South can say in the Chamber or anywhere else that will do me any harm because my reputation throughout the State has been very much higher than his. I am not concerned about this matter in a personal sense, but I am concerned about the standard of debate in the Chamber. I am concerned that an hon. member can make statements of this kind in the Chamber.

Mr. Aikens: And you will not answer them.

Mr. MUNRO: I will answer them all right. I am concerned with the fact that the hon. member can make statements of that kind. Should they be made about an hon. member who is not particularly well known, perhaps a younger man who has his Parliamentary career in front of him, they could do him very much harm. They could still cause harm even if the hon. member is so insincere as to make a statement which he later withdraws. Even though statements are withdrawn they can still do harm.

Mr. Aikens: Will you answer this? Will you come up to Townsville and debate this issue with me from the public platform?

Mr. MUNRO: I shall answer that question. I am not prepared to debate any question with the hon. member on the public platform.

Mr. Aikens: There is your answer.

Mr. MUNRO: Here is my reason: the hon. member for Townsville South has gone on record on many occasions as to his methods. He has said that he is prepared to fight Marquis of Queensbury rules or dog-and-goanna rules.

Mr. Aikens: You fight under Liberal Party rules which are even worse.

Mr. MUNRO: The reason I would not wish to debate any public question with the hon. member for Townsville South is that my code of ethics is such that I am prepared to fight any time, but I fight under Marquis of Queensbury rules, not under dog-and-goanna rules. Anybody who wants to fight under dog-and-goanna rules is not in my division.

Mr. Aikens: You do not care what you do as long as you protect the reputation of your political friends.

The CHAIRMAN: Order! The hon. member for Townsville South had an opportunity to make his speech. The Minister is replying. His continual interjecting is becoming disorderly behaviour. I ask the hon. member to cease interjecting.

Mr. AIKENS: I rise to a point of order. I just want to say that the refusal of the Minister for Justice to discuss this matter with me on the public platform in the North brands him as a squib, and the people of North Queensland will judge him on that.

The CHAIRMAN: Order! I ask the hon. member to withdraw the remark that the Minister is a squib.

Mr. Aikens: In deference to you, Mr. Taylor, I withdraw it.

Mr. MUNRO: The time of the Committee is valuable. I do not want to waste further time in exchanges with the hon. member for Townsville South. I said I would reply to his allegation. Quite obviously, the matter that he raised is one of administration. Actually, it is to some extent in my department and to some extent in the Police Department controlled by another Minister. I can give a completely unequivocal assurance to everybody that there is not the slightest foundation for the hon. member's suggestion. I have no association with this case; I have not the slightest association with any of the people in it.

It is really not necessary to give that assurance because I know that every decent hon. member of the Chamber knows that, but because this allegation has been made and has been widely published in "The Courier-Mail" I asked for a report from the Solicitor-General on the matter. I am going to read parts of it. I might leave out some matters of detail that are not really relevant.

Mr. Aikens: Are you concerned with the poor people who lost their life savings in Townsville Acceptance Company Limited?

Mr. MUNRO: This is a report of the Solicitor-General, dated 19 September, 1961. It reads:—

"The Coroner at Townsville, Mr. Kingston, S.M., furnished a certificate that no

good purpose would be served by the holding of an inquest into the death of Alexander Joseph Platen the police inquiries having failed to disclose any suspicious circumstances connected with his death.

"The basic object of holding an inquest is to ascertain whether the death has resulted from a breach of the criminal law.

"To this end when an inquest is being conducted it is only relevant evidence which is admissible. The Coroner must remember to disallow any question which he thinks is not relevant or is otherwise not a proper question.

"Section 34 of the Coroners Act expressly provides that no evidence shall be admitted by the Coroner for the purposes of the inquest unless in his opinion the evidence is necessary for the purpose of establishing or assisting to establish any of the matters within the scope of such inquest."

The Solicitor-General's memorandum goes on to set out a number of detailed matters more particularly within the scope of the inquest, which are not particularly relevant. Then it goes on—

"Questions affecting civil liability are no concern of the inquest and, as stated by the leading authority on coroners, Jervis on Coroners 9th Edition at p. 167 'In suicide cases the Coroner should not extend his inquiries into a general or detailed survey of the matrimonial or financial problems of the deceased.'

"If an inquest were held, then the Coroner would be exceeding his functions if he were to hold a detailed inquiry into the financial operations of the deceased.

"As the hon. member for Townsville South has set out in his letter of the 28th of June, 1961, the cause of Platen's death has been clearly established, which supports the Coroner in his recommendation that no useful purpose would be served by holding an inquest. Even if an inquest were held then if the member for Townsville South expected that the Coroner would turn the proceedings into a fishing expedition into the financial dealings of the deceased, he would be greatly disappointed because the authorities are clear that an inquest is not to be held for this purpose.

"It would appear that Platen was financed in certain hire purchase dealings by a company registered in Townsville by the name Townsville Acceptance Company Pty. Ltd. This company is in voluntary liquidation and the liquidator is C. E. Smith, Public Accountant of S.G.I.O. Building, Denham Street, Townsville. The directors, at the time the company went into liquidation were John Harold Gladstone Tadman, Chartered Accountant, Townsville, and Nellie Thelma Parker.

"If deceased has defrauded any person then that person can claim against his estate for the damage he has suffered.

"If the deceased's personal representative refuses to acknowledge the claim, then the claimant has a right to sue civilly for the damages which he has suffered as a result of the fraud.

"The allegation appears to be that Platen perpetrated frauds on the Townsville Acceptance Co. Pty. Ltd. by the medium of fictitious hire purchase agreements.

"I understand that the liquidator of the company has asked the police to investigate the matter and the Commissioner has called for a report by the Inspector of Police, Townsville."

I have read that report to show that there is not the slightest foundation for the vile insinuations in the speech of the hon. member for Townsville South. It would be quite impossible in law in an inquest into the death of an individual to extend the inquiry to a financial examination either of the affairs of the deceased or the companies with which he had dealings.

Mr. Aikens: Are you prepared to have an inquiry into the affairs of Townsville Acceptance Company?

Mr. MUNRO: Civil remedies are open to the parties, and, in the matter of an investigation of the affairs of the Townsville Acceptance Company, those inquiries are in fact being made.

Mr. Aikens: Since I made my speech.

Mr. MUNRO: That is not so. They do not even come under my department. If the hon. member for Townsville South had any really decent feelings, he would make an apology not only to me but also to the Committee.

That is a part of my speech which I regard as somewhat distasteful but which I regard also as necessary in the circumstances. I hope that the occasion will not arise again when I or any other Minister will have to deal with a matter of this kind when we are supposed to be discussing the introduction of a Bill, in this instance a Bill to consolidate and amend the law relating to companies. It is quite wrong.

Mr. Walsh: You do not think the circumstances justify an inquiry under the Official Inquiries Act?

Mr. MUNRO: The matter at present is being investigated by the police, and when their reports are received the question whether any further action is necessary will be considered. This is a matter only very indirectly related to the motion before the Committee.

I shall very briefly skip over the contributions by other hon. members. The Leader of the Opposition dealt with the matter very fairly and very well. He expressed his realisation of the very good work put into the preparation of the Bill and said that the Opposition would co-operate to

facilitate the early printing of it. That is a good thing, as hon. members will then be able to examine it more thoroughly. The Leader of the Opposition expressed regret that the Minister had been so preoccupied with the Bill that he had not been able to deal with other matters relating to companies. Although the criticism is quite mild, it is really unfounded because, notwithstanding the fact that I have been preoccupied with the preparation of the Bill, hon. members know that I prepared an interim measure which was passed by the House in the latter part of 1960 and which dealt with some of the more pressing problems or problems that had to be dealt with as a matter of urgency. The hon. member for Carnarvon, the Leader of the Q.L.P., made a very useful contribution to the debate. Time does not permit me to deal with it at length. In developing his case he said that the Bill might be described as one to prevent stealing. That is an over-simplification, because this is a tremendously comprehensive Bill dealing with a vast number of matters. However, what he said was basically true, in the sense that a very important part of the provisions of the Bill is designed to deal with abuses of the finer points of company law—matters, which although in a strict legal and technical sense do not constitute stealing, may nevertheless amount to something which is, in effect, very analogous to it.

Mr. Hilton: The same effect.

Mr. MUNRO: Yes. I think the hon. member for Carnarvon made his point very well when he drew attention to that important aspect of the Bill, although I think we must see it in its proper perspective and recognise that it is only a very microscopic percentage of the persons who are concerned with the direction and control of companies who require that kind of repressive legislation. There are other parts of this Bill which could be more correctly described as doing something to encourage the development of this very necessary form of co-operative organisation.

The hon. member for Mt. Gravatt also made a very interesting speech. He dealt with the wider aspects of the Bill, in a legal sense, and said that the Bill was a triumph for Federalism, because it shows how Federalism can work. That is very true. This Bill is blazing the way, showing how we can deal with a number of other problems that cannot be dealt with quite satisfactorily by Commonwealth legislation, and certainly cannot be dealt with satisfactorily by six conflicting laws in six States. The hon. member for Mt. Gravatt referred to the valuable work of the Queensland Company Legislation Standing Committee, and he named the persons associated with it. I am very glad he did so, and I join with him in his commendation of the voluntary work that has been done to assist me and the Government on the subject matter of this Bill. On the whole, both sides of the Chamber have been very helpful when dealing with the Bill. The hon. member for Baroona made a useful contribution on a number of points. I will not refer to them now, but some of them may require a little further consideration during the Committee stage. He suggested that Ministers of the various States should confer on this legislation at various intervals, and consider further amendments. Never has a suggestion from the Opposite side been acted upon more promptly, because while the hon. member was speaking. I boarded a plane for Adelaide where we had a further conference to do precisely what the hon. member suggested.

Mr. Walsh: It is very fair of you to give him credit for that.

Mr. MUNRO: I should not go so far as to say that I did not have the plane tickets booked before he spoke. I think the hon. member for Baroona and I would be completely in agreement on this point. It is no good obtaining uniformity in these laws unless we also have some machinery for a reasonable degree of co-operation so that we will retain at least a reasonable measure of uniformity.

The hon. member for Port Curtis made a contribution in his usual humourous way. I am sorry he is not in the Chamber. He said, "There have been so many fingers in the pie that nothing but fingers remains in it." My only reply to that is that I think he has the wrong nursery rhyme. I think what he intended to say was that somebody put in a thumb and pulled out a plum. However, he really put some of his fingers in the wrong pie because he went on to develop his remarks with reference to the Sherman Act in the United States of America. They were quite interesting remarks but they did not relate to company law. The Sherman Act covers the field of monopolies and restrictive trade practices, which we may require to deal with here at a comparatively early date. However, it is something that is quite separate and apart from the field of company law.

I have already commented on the remarks of the hon. member for Townsville South.

I come now to the hon. member for South Brisbane, who made some very interesting observations but they related more to Commonwealth income tax law than to company law, although I agree that there is some scope for State legislation in the field of company law which can be complementary and helpful to the income tax laws of the Commonwealth. That is a matter that has received some consideration. If the hon. member examines the Bill carefully he will see one provision designed particularly for a purpose in relation to liability for income tax. The question of whether there should be further improvements in our law from time to time in that direction is one that may be worthy of consideration.

Mr. Walsh: Do you agree with the Prime Minister's statement that private companies should be compelled to disclose their profits?

Mr. MUNRO: It is not a question of whether I agree with the Prime Minister's statement. I suggest to the hon. member that he should be just a little patient and wait until he reads the Bill. I will give him a short answer now. In terms of this Bill, unlike existing Queensland law, there are three types of company—the public company, the proprietary company and the exempt proprietary company. The exempt proprietary company is the completely private type of proprietary company, if I may describe it in that way. The terms of the Bill are fairly complex in relation to disclosure. The broad position is that there is the legal requirement for the fullest possible disclosure in the case of public companies, that is, the companies in which the public are interested. In the intermediate type of cases, which we describe as proprietary companies, there is a less extensive requirement, and again in the case of the very small family type of company the requirement is very much less.

Mr. Walsh: That would mean more private companies, I think.

Mr. MUNRO: I do not think so. Actually the provisions relating to disclosure in the Bill are very much stronger and more extensive than those in existing Queensland law. I could talk further about that but it would involve matters of considerable detail that I would not be justified in dealing with now.

Mr. Hilton: Are there further amendments to come forward following the last conference you attended, to which you made reference a while ago?

Mr. MUNRO: Yes. That was my final point. We have been working on the Bill for two years; but as I indicated in my introductory speech, I do not think we can ever regard an extensive Bill of this type as being the last word in a particular field of law. Although the Attorney-Generals of the various States have agreed upon a Model Bill upon which this Bill is based, we are still working on various problems that arise from week to week, and almost from day to day. It will probably be two months before the Bill reaches the Committee stages, and I am almost certain that in that time we will discover minor defects in it—after all, there are 420 pages of it—and we will probably discover some problems of which we have not yet had experience. We discussed one or two things of that sort at Adelaide last week, and we will enter into correspondence about them before the Bill reaches the Committee stages. I expect that it may be necessary to ask the forbearance of hon. members in regard to the machinery to deal with that. When we reach the Committee stages of the Bill, which contains 384 clauses and 10 fairly extensive schedules, I expect it will be necessary to make some amendments that might create something of a problem for the Chairman of Committees. Our intention is to make it as good a Bill as we can. If we can introduce any amendments to improve it, I shall be happy to do so, and if any specific suggestions are put forward by hon. members opposite, I shall be happy to give them full consideration.

Even when the Bill is passed by the House, I know that there are some wider problems that we may not have dealt with in the Bill. For that reason, we intend to continue the conferences of Attorneys-General and legal officers to keep company laws in Australia modern and in conformity with the changing requirements of the community from year to year.

Mr. Bennett: Do you think it will be necessary to reprint the Bill in toto again before it is implemented as an Act?

Mr. MUNRO: No. I can answer that in two ways. It will not be necessary to reprint it as a Bill, because this is the Bill and any amendments will be supplementary to it. As the hon. member well knows, every Bill passed by the House is reprinted as an Act. For example, there are the line numbers on the pages of the Bill——

Mr. Bennett: I mean the reprinting of the Bill as a Bill.

Mr. MUNRO: No. I do not expect that any amendment will be nearly as extensive as that. Although there might be a number of amendments, they will mostly be of a drafting and machinery nature. I can say fairly definitely now that I do not expect any departure from the basic principles of the Bill in any amendments that may be accepted. The basic principles undoubtedly are sound. It is only in the refinements of wording and the refinements of providing machinery to deal with a particular problem that we might find some means of improving it.

Mr. Burrows: You intended the original Bill, the one that died at birth last December, to operate from 1 July last. The present Bill is very similar to the one that died at birth, but you want another 12 months before it becomes operative.

Mr. MUNRO: I do not think that there is a great deal of point in that. The revision that has taken place has been fully discussed already.

Motion (Mr. Munro) agreed to.

Resolution reported.

FIRST READING

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

WORKERS' COMPENSATION (LEAD POISONING, MOUNT ISA) ACTS AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Dewar, Wavell, in the chair.)

Hon. T. A. HILEY (Chatsworth—Treasurer and Minister for Housing) (12.23 p.m.): I move—

"That it is desirable that a Bill be introduced to amend the Workers' Compensation (Lead Poisoning, Mount Isa) Acts, 1933 to 1941, in certain particulars."

There is one principle and one only in the Bill. It provides for the deletion of the residential qualification of the chairman of the Mount Isa Medical Board.

The principal Act provides for the appointment of a medical board at Mt. Isa consisting of three legally qualified medical practitioners, all of whom must be local residents, for the purpose of considering lead-poisoning cases. These members are appointed by the Governor in Council, one being nominated by the company, one being elected by the workers, and a chairman nominated by the Minister.

When the present chairman, Dr. Wilfred Park, who is attached to the State Government Insurance Office, Brisbane, was first appointed member and chairman of the Mount Isa Medical Board in 1956 the residential requirement of board members was overlooked. In the circumstances, as Dr. Park does not live at Mt. Isa and it is desired to retain his services as a member and chairman of the board, it is considered advisable to amend the Act to ensure the legality of his appointment. The residential qualifications will still apply to the other members of the Board.

That is the only principle in the Bill but I think it may be of interest to hon. members if I make a survey of the problem of lead-poisoning and the progress that has been made. All the evidence available to me suggests that at Mt. Isa Mines today there is virtually no incidence underground but that the incidence is almost entirely of surface character, principally surrounding the smelter.

The committe should know the number of cases that have been confirmed by the special Lead Committee. In 1957-1958 one case was confirmed as suffering from lead-poisoning. In 1958-1959, six cases were confirmed. In 1959-1960 three were confirmed and in five other cases the Committee found that there was a raised lead excretion. In each of those cases the company was ordered to remove the men from the lead hazard and place them in another section of the mine. In 1960-1961 there were six confirmed cases.

All my advice is that for lead miners generally the incidence at Mt. Isa is low. The Government's view is that it is not good enough to be satisfied that our record is low compared to world standards; our view is that low would be better if it was less again. Consequently, we have favoured every step that could be taken aimed at prevention rather than correction of the trouble after it has commenced. The result was that the Government viewed with favour approaches to the Industrial Court for an examination of the problem made by the industrial unions first in 1959 and again in 1961.

The Government rightly made available to the Committee the services of Dr. Rathus and his two reports provide interesting reading on this subject, to trace, first of all, the facts of the situation, the changes that have occurred, and the improvements that can be detected. I intend to make reference to the two reports by Dr. Rathus and his team of research workers, but first I think hon. members would be interested in two very brief extracts from a book published under the sponsorship of the company itself. It is titled, "Mines in the Spinifex." A quotation from page 160 paints a picture of some of the early steps and shows how crude, inadequate and dangerous they were. The extract reads—

"Callow's smelter betrayed a lack of metallurgical experience which astonished the visitors. They saw the unchecked hazards of lead-poisoning, they saw the suffocating smoke in which men worked on the feed floor. But these nuisances were mild beside the basic inadequacy of the sintering machines, which roasted the lead concentrate into sinter, and the furnaces which smelted the sinter into metallic lead-silver. The designers of the smelter had blundered; radical and expensive remedies were necessary. It was soon clear that the sintering machines must be duplicated and a third furnace erected."

Quoting again from page 169, it reads—

"The hazard of lead-poisoning increased the sense of insecurity. In the mine and dusty treatment plant no week passed without a man contracting mild lead-poisoning. Scores of men were susceptible because of their raw conditions of life on the field, the addiction to alcohol, the deficiency of fruit and vegetables in summer, and the lack of personal hygiene and dental attention. Poverty prevented the company from implementing the utmost safeguards in its plant; moreover a dental clinic was essential, but the company was already running its hospital at a heavy loss and could not afford a dentist.

Although the incidence of lead-poisoning was surprisingly low for a new field and would virtually vanish when the carbonate ores were exhausted, the industrial peace was often ruffled by fears of a malady which seemed to strike so suddenly and indiscriminately."

That quotation will give the Committee a picture of the early days of Mt. Isa when conditions were bad. From that I pass

to the report of Dr. Rathus, made consequent on the order of the Industrial Court. It is dated March, 1960. The first passage is at page 1767 of "Queensland Government Gazette," 104, and reads—

"The Lead Hazard:

"This, of course, is the major preoccupation of both mine staff and mine workers. From available records, lead-poisoning underground is, under present conditions, unknown. However, in the surface workings fine dust is first met with in the mill and even a visual appraisal and some knowledge of the factors causing lead-poisoning, would lead one to conclude that the chances of absorbing lead increased step-wise from the mill to the furnaces and final casting."

That is a terse summation of Dr. Rathus's assessment of the lead hazard at that time.

The next passage occurs at page 1775 of the same gazette. Dr. Rathus, at this point, deals with the work of the Lead Board. I was heartened to read the passage, because the question that always causes worry in medical administration is whether the medical men are too hard in dealing with the public. The Committee will be interested to hear what Dr. Rathus says in the following paragraph under the heading, "Lead Board Accepted cases of Lead-Poisoning"—

"A total of 16 cases have been compensated as far as can be ascertained since 1954. As the Lead Board record only states whether or not agreement has been reached in respect of compensation and the diagnosis, I examined the personal cards of these men at the Medical Centre. My general impression is that of all the cases, none exhibited more than moderate symptoms. A few of these men were still working at Mt. Isa and were included in the general investigation."

He then gives their numbers. His report continues—

"Most of the others had left, but it may be accepted that no cases of compensable lead-poisoning that have occurred at Mount Isa have been allowed to reach a stage of undue severity.

He then said very significantly—

"In all fairness, I must state my personal opinion and this is that quite a number of these men would not have been compensable under stringent examination. Some had high lead excretions with no symptoms; others had minor symptoms with high lead excretion. In situations outside of the smelters, many of these would have done quite well on transfer alone. However, it is the function of medical officers responsible for the supervision of workers, to decide what is in the best interests of the man, and where no situations that are safe from lead exposure are available for a lead worker, there is no doubt that compensation should be accorded where sufficient evidence exists of excessive lead absorption."

I thought the Committee would be interested in those quotations. They are a tribute to the way in which the Board has functioned. It appears that Dr. Rathus's view is that, if some of the admitted cases had been rejected, on purely medical grounds, the rejection could not have been challenged. The fact that the Board, when there has been some doubt, has leaned in favour of the applicant, is pleasing to me and the Government, and I know from discussions I have had that that policy will continue to be a feature of the administration.

Mr. Donald interjected.

Mr. HILEY: That is the idea of the removal. They receive compensation, apart from the remedy of transfer to another place.

Mr. Aikens: If absence from work is caused by lead-poisoning, it would be difficult to prove it did not occur as a result of his employment at Mt. Isa. You are talking about cases where there is a very shadowy distinction, whether they had lead-poisoning of sufficient degree to warrant their going off work or making a claim?

Mr. HILEY: Yes. Dr. Rathus's observation was that a man should get compensation but he agreed that a more exacting testing would not necessarily be conclusive. The Board has acted in such a way as to give a considerable benefit of the doubt in doubtful cases.

Mr. Aikens: You mean to say that the doubt is in the diagnosis that they may or may not have been suffering from lead-poisoning?

Mr. HILEY: Only the degree of disability flowing from it. He pointed out that a man could get a fair percentage of lead excretion, but no symptoms of lead-poisoning and that does not justify compensation. In spite of that, the Board wishes to give him the benefit of the doubt and give him compensation.

Mr. Lloyd: When was the Lead Board first appointed?

Mr. HILEY: The original Act was passed in 1933.

The next article was published in "The Queensland Government Industrial Gazette." In this second report by Dr. Rathus there are a number of quotations that impressed me very much. The first is to be found on page 20, under the heading, "Lead Smelter." It says—

"It is most important to obtain a general picture of the situation as it existed in April, 1961, as compared with that in November, 1959. There is no doubt whatsoever that extensive changes have been effected by the Mt. Isa Mines smelter staff. It is fair and reasonable to draw attention to the fact that many of these changes have followed the pattern suggested by myself in 1959. However, I am aware of the fact that Mr. K. W. Nelson, Chief Industrial Hygienist for the

American Smelting and Refining Company, was invited by Mt. Isa Mines to visit their plant in order to comment upon and advise how best to implement some of my suggestions. As the result of the various incidents in the history of Mt. Isa Mines, a large number of improvements and alterations have been effected in and around the lead smelter since 1 January, 1960, with the intention of improving the standard of industrial hygiene."

Then he reports in detail on improvements and additions that have taken place in dust menace, ventilation, conveyor system, &c., sinter plant, wind box area, and blast furnaces. On page 22 of the same Gazette, he again confirmed what had earlier been established, under the heading, "Medical Examinations and Allied Matters." He said—

"In my report of 1960, I had established that workers in and around the smelter were found to be the only group exposed to a specific and significant lead hazard. Accordingly, examinations were confined to routine testing of this body of men by a battery of the generally accepted tests, as described in my previous report."

At the foot of the same column on the same page, he said—

"There is no evidence whatever that severe cases of lead-poisoning have occurred at Mt. Isa over a long period. There can be little doubt that this may be accepted as due to the system of medical supervision that has been developed. It is most important to realise that the facts presented in this survey merely reflect the background of the kind of exposure that is at present possible as far as absorption of lead is concerned amongst men who were in and around the lead smelter. Only the consecutive results that are plotted on an individual man's card showing the trend of changes over many months or even years, will assist in determining the degree to which lead absorption is affecting any individual man."

For some pages after that he deals with highly technical material.

The next quotation is under the heading of "Lead Board Cases" to be found on page 27 of the Gazette. He says—

"Nine men were interviewed who had been boarded during the past year. I examined their files at the medical centre and with three exceptions found that very good grounds existed for boarding. Most of these men had stipple cell counts showing a rapid rise to more than 10,000 per million.

Where lead excretion figures were available these were invariably high, mostly about 0.3 mg./litre. Others were boarded on a symptom complex only, or a combination of findings and symptoms.

The Lead Board appears to have an important function in certifying that a man should be removed permanently from a lead hazard, or where symptoms are severe enough to entail loss of work. However, it is my observation that men who have symptoms, or routine tests showing evidence of more than moderate lead absorption, are removed immediately from the smelter and the Board proceedings become a mere formality. This is as it should be, as the first function of the Medical Superintendent of the Mines medical centre is to see to the welfare of these men.

Of 19 men called up because of high stipple cell counts or coproporphyrin levels, only four had any complaints at all, and at the time of examination were not very specific. Conversations with these men were more informative in a general way. For instance, boilermakers were curious about the hazard of oxy-cutting on girders coated with lead dust. As will be recalled, the extent of alterations around the smelter entails a great deal of this work, and it is men such as these who may quite rapidly become cases of plumbism if care is not taken to indoctrinate them in the hazards attendant upon this kind of work. Painters would in like manner be exposed to lead dust, and it is often the inadvertent exposure of such men not officially listed as lead workers, who fall prey to the insidious accumulation of lead in their tissues.

I was informed by all, however, that the wearing of respirators was insisted upon by the Management. It still remains the duty of workmen to obey such injunctions as bearing on the maintenance of good health, and not as impositions.

It remains the duty of Management to point out the obvious and lesser known hazards of different processes, and to provide the necessary protective equipment where required. I gather for instance, that air-wash masks were only very recently brought into use around the smelter. More use could be made of modern equipment of this kind in situations where their use would be a practicable solution."

Then finally, in his conclusions at the end of the second column on page 27, he made this significant statement—

"Under the present system of routine testing, personal protection, and mitigation of atmospheric contamination, there appears to be little chance of serious cases of lead poisoning occurring at Mount Isa Mines. Cases with moderate symptoms will make their appearance, but as long as the present concepts of preventive medicine hold, they should be detected readily and suitably treated or advised. It seems to me immaterial whether a man works a total of 40, or 48, or 35 hours a week at present. There could be little, if any, noticeable effect on the men."

That is as far as the absorption of lead is concerned.

I mention those things for two reasons—firstly to provide a background for the Committee of the subject against which the board

is working, and, secondly, to encourage those who are interested in the subject to read these two extremely interesting and valuable reports by Dr. Rathus. I want to indicate quite clearly that my assessment of it is that the Lead Board is doing a valuable job and that, in administering the cases that come before it, it is, on the independent judgment of Dr. Rathus, leaning over in the customers' favour rather than the favour of the office. That information should be appreciated by all hon. members interested in the very vexed question of lead-poisoning.

I repeat that the only principle in the Bill is to remove the necessity for the chairman to be resident at Mt. Isa. That should have been realised when Dr. Park was appointed by our predecessors back in 1956. In turn, I should have realised it some time before now. However, we have realised it and we are taking this opportunity to ask Parliament to correct it by making it no longer necessary for the chairman to live in Mt. Isa.

Mr. LLOYD (Kedron) (12.45 p.m.): The Treasurer's introductory speech gave a very interesting survey of recent reports relating to the incidence of lead poisoning at Mt. Isa. It raises in our minds the effect that lead poisoning must have had in the early days of lead mining in the Mt. Isa area, in particular, and in other mining areas in Australia and throughout the world.

The reports read by the Treasurer indicate that there could still be some doubt about whether a man who is passed by the Lead Board as not being affected by lead poisoning could have some effect in his bloodstream. It shows how virtually impossible it was in the early days of industrial medicine to locate the condition and take necessary curative action against it. It reflects great credit on the industrial unions and the industrial movement of the country, I believe, that they have worked so hard to convince employers and governments that a branch of medicine known as industrial medicine should be given the importance that it has achieved today. I understand that early in 1950 Dr. Duhig, a man who is well trained and who has become quite famous in the world of industrial hygiene, visited Mt. Isa on his own initiative. From his reports came a considerable amount of valuable information about the incidence of lead poisoning in that town. Governments have now made their representatives available for this work, and they have indicated the great importance they place on the welfare of the men. I think it has also been realised by governments and employers that this dread disease—I use the word "dread" because I understand it has a cumulative effect on the human body —causes a tremendous falling off in production, sickness, and even death.

The original legislation may not be needed now. The principal object of the Bill is purely and simply to abolish the residential qualification of the chairman of the board. In 1933, when the Lead Board was first established, the number of cases of lead poisoning in Mt. Isa would have been far greater than it is now, and it probably would have been necessary to have local residents as members of the Board. Apparently that is not necessary today, because Dr. Park has been able to perform his duty as Chairman of the Board satisfactorily while residing in Brisbane.

The Treasurer mentioned that in some instances the Board may not be completely convinced as to whether or not a man has lead poisoning and said that it bends over backwards to give him the benefit of the doubt, which is only right. I wonder how many cases of lead poisoning that emanated at Mt. Isa still remain undetected in the community. I say that because the question has been raised in medical circles whether the death of John Schmella, the Secretary of the Q.C.E., was actually caused by an attack of lead poisoning many years earlier. The fact that he worked at Mt. Isa 20 or more years ago and resigned from the service of Mount Isa Mines Ltd. with a clean bill of health is not sufficient proof in certain medical circles that the disease from which he died was not caused by the onset of lead poisoning while he was employed there. This question might be raised not only in regard to Mr. Schmella but also in regard to many other employees of the mine. They may be treated by a doctor or a specialist in later life for some form of ill health that it may not be possible to connect with the original attack of lead poisoning but which, in effect, on a full analysis of the diagnosis and the medical history of the man, could be traced back to the service at Mount Isa Mines Ltd. many years ago. Because of the ignorance that existed for many years about lead poisoning that could possibly be the case. No doubt there are many ex-employees of Mount Isa Mines Ltd. who may from time to time require medical examination. The Treasurer has said that lead poisoning cases are dealt with by the Lead Board who make appropriate recommendations to the State Government Insurance Office for workers' compensation. There are other diseases that have a similar impact on the general health of workers in industry. I have silicosis in mind. In factories manufacturing fibro-cement a huge amount of fibre dust is present in the atmosphere. Even with present-day industrial medicine many cases are still more or less mysteries to the medical fraternity. Many workers contract some form of illness that can be directly connected with a form of employment that they may have left 10, or even 20 years before. Just as that applies to lead poisoning that can be attributed to employment years earlier at Mt. Isa, it could be applied equally to silicosis caused through the inhalation of coal dust or perhaps fibre dust in a fibro-cement factory at which an employee worked many years ago. Even today with the development and improvement of industrial

legislation, the conditions of employment in factories and mines, we have not yet reached the stage where we can say that we are completely safeguarding the health of all employees working in all types of industry.

Mr. Hiley: The really dangerous stage will be when we say it is perfect. In fact perfection can never be reached. We always have to keep trying.

Mr. LLOYD: That would be correct. I think that some of the legislation has been framed with the fear that people may try to take advantage of it. There are many doubtful cases in which there can be no direct proof that the illnesses from which employees are suffering is directly attributable to their former employment. If workers' compensation payments had to be made in all cases of doubt, the amount of money involved could be tremendous. I think the legislation has been framed with that in mind. At the same time I think we can gradually improve not only the conditions of employment, but also the State's social legislation to enable us under present-day medical hygiene to safeguard adequately the health of all workers in industry. At the moment I do not think there is a great deal we can say about the principle involved in the Bill.

Mr. Hiley: I will move that the Committee report progress.

Mr. LLOYD: In that case we will reserve any further comment.

Progress reported.

The House adjourned at 12.56 p.m.