

Queensland



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Legislative Assembly

THURSDAY, 15 SEPTEMBER 1966

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

QUESTIONS**DESECRATION OF NATIONAL FLAGS**

Mr. R. Jones, pursuant to notice, asked The Premier,—

(1) Will he direct his attention to the *Telegraph* of September 13, "Teens and Twenties in Orbit," captioned "Queen of the Mods to wear Union Jacks"?

(2) Will he lodge a strong protest against such improper usage of the Union Jack Flag, and endeavour to prevent any repetition of it?

(3) Will he give an assurance that steps will also be taken to prevent similar desecrations of our flags, the Australian Flag and the Queensland Ensign, in the future?

Answer:—

(1 to 3) "While there is no legislative restriction on the use in Queensland of the Union Jack, the Australian National Flag or the Queensland Flag, I am sure that every responsibly-minded citizen would always wish that these flags be used in a manner and be accorded the respect to which they are entitled. Following on the statutory definition by the Commonwealth Government of the Australian National Flag in 1954, that Government saw fit to issue certain Rules for the guidance of those flying this flag. It could well be expected that this code could be applied to the use and display of all similar national emblems."

NORTHERN ROAD SAFARI BY MINISTER FOR LABOUR AND TOURISM

Mr. Lee, pursuant to notice, asked The Minister for Labour and Tourism,—

As it is now over two months since he led his safari to North Queensland, has he had any evidence which confirms the benefit

accruing to the tourist industry in Central and North Queensland as a result of that venture?

Answer:—

"No statistics are available. However, a report is contained in the *Melbourne Sun*, dated September 12, 1966, by that experienced and reputable journalist, Mr. Keith Dunstan, who is presently touring North Queensland, concerning Cooktown, which, among other things, states—and I quote—

'The point is that Cooktown is just starting to get into high gear with tourists—2,000 came by road in the last two months, and 60 light planes have called in over the past four weeks.'

This coincides with the period which has elapsed since the safari left Brisbane, with attendant publicity. I table a photostat copy of the article. This on-the-spot report by such a reputable and independent source is indeed confirmation of the value of the safari to the tourist industry in Central and North Queensland, and is the retort courteous to the Honourable Member for Bulimba and the Honourable Member for Mackay who, during the Address in Reply Debate, deplorably displayed a consistent knocker attitude towards the promotion of the tourist industry in those very important regions of this State."

Paper.—Whereupon Mr. Herbert laid upon the Table of the House the photostat copy referred to.

DECLARATION OF NATIVE FLORA RESERVE, KAWANA ISLAND

Mr. Sherrington, pursuant to notice, asked The Minister for Primary Industries,—

In view of the intense public interest concerning preservation of native flowers on Kawana Island and the concern expressed by the local branch of the Wildlife Preservation Society regarding their possible extinction, will he consider establishing portion of the area as a native flora reserve?

Answer:—

"By Order in Council dated July 16, 1931, under "*The Native Plants Protection Act of 1930*," native plants scheduled were protected throughout the whole of the State for an unlimited period. From time to time the list of plants so protected has been increased to include further species. The Act provides that—

'Any person who during the protected period picks a protected native plant which is growing—

(a) On any Crown land or State Forest or National Park; or

(b) On any public park or any land dedicated or reserved for a public purpose under "*The Land Acts, 1910*

to 1929" or any Act amending the same, or any other Act, or on any road; or

(c) On any private land, not being the owner or lessee of such land or not having obtained the permission of the owner or lessee thereof,

shall be guilty of an offence.'

It is understood that Kawana Island is an area now held under a development lease and it would therefore appear that the Question should be addressed to my colleague the Honourable Minister for Lands."

GOVERNMENT AID FOR TOWNSVILLE ROADWORKS

Mr. Aikens, pursuant to notice, asked The Minister for Mines,—

With reference to his Answer to a Question from the Member for Redcliffe on September 13, wherein he stated that the Government proposed to contribute approximately \$5½ million towards the cost of road and street projects in Brisbane in this financial year, how much, and in what manner, does the Government propose to contribute towards the cost of road and street projects in Townsville in the same period?

Answer:—

"The proposed programme for 1966-67 in Townsville City is—Main Roads programme for permanent works and maintenance, \$261,000; Commonwealth aid, \$45,690; Roads (Contribution to Maintenance), \$20,048; Nathan Street bridge, \$250,000; Government subsidies on road and street loans, \$76,670; total, \$653,408."

PRISONERS AT STUART PRISON, TOWNSVILLE

Mr. Tucker, pursuant to notice, asked The Minister for Health,—

(1) What is the number of prisoners presently held at H.M. Prison, Stuart, Townsville?

(2) Of that number, how many are twenty-two years of age or under and how many in that particular age group came from interstate addresses?

Answers:—

(1) "272 as at September 14, 1966."

(2) "Of that number, 68 are 22 years of age or under, and in that age group 25 came from interstate addresses."

POLLUTION OF NORMAN CREEK

Mr. Bromley, pursuant to notice, asked The Treasurer,—

(1) As complaints are still being received of debris floating on tidal water from the Brisbane River into Norman

Creek and as residents are concerned because of the possible health hazard to them and their school children, will he consider arranging the cleansing of the creek to eliminate the existing pollution?

(2) What amount of subsidy has the Government paid to Brisbane City Council for flood mitigation and capital works associated with drainage achievements each year during 1963-64, 1964-65 and 1965-66?

Answers:—

(1) "An inspection of the area to determine the extent of the problem has been arranged."

(2) "1963-64—\$156,656; 1964-65—\$122,094; 1965-66—\$115,795."

FORM OF QUESTION

Mr. MELLOY (Nudgee) having given notice of a question—

Mr. SPEAKER: Order! The hon. member's question appears to call for a great deal of expression of opinion. I shall have a look at it.

PAPERS

The following papers were laid on the table:—

Orders in Council under—

The State Electricity Commission Acts, 1937 to 1965.

The Southern Electric Authority of Queensland Acts, 1952 to 1964.

GRIEVANCES

Mr. SPEAKER: Order! This being Grievance Day, under the provisions of the Sessional Order I will state the question. Before doing so, however, I advise hon. members that the general rules of debate will apply and that a five-minute warning bell will be sounded at the appropriate time.

I now state the question—

"That grievances be noted."

THIRD-PARTY MOTOR VEHICLE INSURANCE

Mr. HOUSTON (Bulimba) (11.17 a.m.): I wish to raise a matter concerning third-party insurance, based on a question that I asked yesterday and a recent Press report.

It was reported recently in the Press that the Insurance Commissioner, Mr. Rutherford, is studying statistics from insurance companies to determine whether the present compulsory insurance premium of \$18.10 is sufficient. I believe that this is a matter of great public interest and, as a member of the committee that was formed in 1961 to deal with this important subject, I hold that the Government should be armed with certain information that it was able to gather while that investigation was being carried out.

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When I asked my question yesterday, I learned from the Minister's reply that the former Treasurer had not made a report to Cabinet on this matter. I think the Minister indicated that I should have been aware of that. I have no way at all of knowing, except that on several occasions I asked the former Treasurer to proceed with these investigations.

I am concerned at Mr. Rutherford's being asked to make this investigation and recommendation. I know from the inquiry that I referred to that he is not very happy with some features of the present Act. In a report that we received over his signature, he submitted—

"I conclude this Submission by stating my general viewpoint that, although the Motor Vehicles Insurance Acts can be improved as regards several details, the major principles upon which the Acts are framed are sound and ought not to be altered. The only reservation I have about these principles is a doubt as to whether or not it is correct to relate Compulsory Third Party Motor Vehicle Insurance to motor vehicle registrations instead of to drivers' licences."

It will be seen that the gentleman who has been asked to make this report feels that another system could be considered.

The committee that was established, comprising the former Treasurer (Sir Thomas Hiley), Mr. Carey, Mr. Smith, Mr. Hilton and myself, spent considerable time investigating this matter. We visited other States to investigate their systems, particularly Western Australia.

Mr. Carey: I did not go.

Mr. HOUSTON: We believe that other methods should be considered. The committee was not able to come to a final determination, primarily because of the Government's desire that no final recommendation be made. I think that is wrong, and I suggest to the Premier that he allow Mr. Smith, Mr. Carey or me to reconstitute the committee so that we may quickly bring down a recommendation on our findings and thus let the Government know exactly where it is heading in this matter. It is very important that the general public, particularly the motoring public, should not be asked to pay extra premiums if it can be shown that other methods can give exactly the same result and afford protection to everyone at a much lower fee.

In the latter part of 1960 third-party insurance premiums were increased from £5 5s. to £9, an increase of 90 per cent. That was additional to a 20 per cent. rise in comprehensive insurance premiums. In October, 1964, comprehensive insurance premiums rose by 15 per cent., and the first £25 damage had to be carried by all insured people under 25 years of age. A few days ago there was another increase in comprehensive

insurance premiums, of 25 per cent. on privately owned vehicles and 10 per cent. on vehicles under hire-purchase. If this pattern is followed it is reasonable to assume that third-party premiums could rise, by almost 90 per cent., to \$35.

Another point that disturbs me is that the Insurance Commissioner will interview and consider submissions from the insurance companies. In our committee investigation we did not interview only the insurance companies. We interviewed and received evidence from all bodies interested, and I shall mention them so that their names will be recorded. They included the State Government Insurance Office, the Fire and Accident Underwriters' Association of Queensland, the Insurance Commissioners, Mr. Grimley and Mr. Rutherford, the Main Roads Department, the Queensland Law Society, the Queensland Trades and Labour Council, the R.A.C.Q., Edward Lumley & Sons, the Queensland Police, the Queensland Bar Association, the Non Tariff Insurance Association, and the Solicitor-General of Queensland.

During the course of their inquiries, committee members Hiley, Smith, Hilton and I visited South Australia and Western Australia and had discussions with officers of the Western Australian State Government Insurance Office, solicitors, and the Premier of South Australia. I believe that arising from those discussions we have more information on the matter than has the Insurance Commissioner or, as the Minister for Education said yesterday, the Government. I believe that in the public interest it is urgent that all the information we have should be made available to the Government.

To show my good faith, months ago I submitted to my party a report of what I found. This is not necessarily the complete answer, because with five people on a committee—three of them are still in Parliament—it is possible that their views will differ slightly. But at least this report should be given some thought.

On the evidence so far before me it would appear that the R.A.C.Q. and the Main Roads Department support a form of trust, while, perhaps naturally, the insurance offices other than the State Government Insurance Office oppose that idea. They want no change in the present position of giving cover. It should also be mentioned here that the Queensland Law Society is of the opinion that a trust, as set up on the Western Australian style with its limits to claims, would not work in Queensland. While I agree with this view it is possible, and I think it could be proved, that a revised version of the trust system of giving cover without limit might be workable. When considering the views of the insurance companies and the Law Society, one must keep in mind their financial interest in the subject.

Evidence is to hand that legal costs are quite substantial, and I have set out a table. To give an example, in a claim in which a

person was awarded £400 damages, the plaintiff's costs were £201 3s. and the defendant's costs were £225. So the legal costs exceeded the amount of judgment. In the other extreme, in a case where the judgment was £5,000, the plaintiff's costs amounted to £496 9s. 4d. and the defendant's to £495 8s. 3d. Therefore, I believe that the present system has many features that are not good. One is the high premium rate, which could be increased, and another is the long delays in hearing cases. We have evidence before us that many cases have taken seven years to complete. How ridiculous that is! Fancy calling a witness 6½ years after an accident and asking him to give detailed evidence as to what happened.

I believe that all of these things should be investigated and ways and means found of determining the degree of guilt quickly so that when the injuries of accident victims have stabilised the only thing to be determined is the quantum of damages.

Mr. Aikens: Do you think there should be more criminal prosecutions?

Mr. HOUSTON: That may be an answer, too. The point is that every possible step must be taken to keep the cost of motoring within bounds and reduce the carnage on the roads.

I also feel that there should be an investigation of legal charges. I am not for a moment suggesting that under the present circumstances the fees charged by the legal fraternity are anything but just. However—again taking a line from the position in Western Australia—there is ample evidence to show that legal costs can be substantially reduced by means of negotiation when only one body is handling these matters.

Last but not least, I think that the variations in judgments are too great. We have much evidence to show very great differences between awards made by judges in similar cases.

(Time expired.)

HYGIENE IN MEAT DELIVERIES TO BUTCHERS' SHOPS

Mr. HUGHES (Kurilpa) (11.26 a.m.): I desire to raise as a matter of urgency something that affects not only the health of the community but also household budgeting. I refer to deliveries of meat by wholesale butchers to retail butchers' shops. I have pursued this matter in the House on other occasions, and I shall continue to do so relentlessly because I believe that some action is necessary for the protection of the community. I have asked questions in this House without obtaining the results that I believe are necessary and are urgently required.

Mr. Sherrington: You are not like Robinson Crusoe there, either.

Mr. HUGHES: It is nice that the hon. member agrees with me on this matter.

I understand that a survey has been conducted among retail butchers' shops on the subject of early deliveries of meat. Apart from price and convenience to the public, there are many factors to be considered, including the workability of the scheme not only at the abattoirs but at retail outlets.

Mr. Aikens: All you see is a side of beef coming at you with two feet underneath it.

Mr. HUGHES: That is just about right—four feet on top and two underneath. This is quite a common sight as meat is carried uncovered across public roadways and footpaths to retail shops. As long as this is permitted the health of the community is not being protected as it should be by a responsible Government and, to a limited extent, the Brisbane City Council. When bread, for example, is being delivered, it cannot be held in the hands, and the basket must be covered with a cloth.

Mr. Carey: Meat is a bit different; it is usually cooked before it is eaten.

Mr. HUGHES: That is true.

In the summer months, delivery of meat late in the day must mitigate against the health of the community, as the weather conditions must cause the meat to deteriorate. The response from butchers' shops was overwhelmingly in favour of early deliveries, so there is no problem at the retail outlet. Butchers seem to appreciate that their customer relationships would be improved by anything that minimises the deterioration of a product that is sold for human consumption.

In my opinion, this affects the cross-structure of the community in other ways. Firstly, it causes traffic congestion on arterial roads. No doubt other hon. members will have something to say about the cartage of goods and traffic incidents on the roads, but it is obvious that the traffic arteries of the city are being clogged by metal microbes, moving almost bumper to bumper. This, in turn, has an effect on the selling price of products, because delays inevitably add to the cost to the consumer. The person who finally buys the goods always carries the burden of extra costs, and in this case it is usually the housewife.

Undoubtedly the drought has created problems of quality and caused meat prices to increase, and I believe that, wherever possible, housewives should be able to effect savings. Apart altogether from the question of hygiene, early deliveries that eliminated delays would reduce costs. At the moment, it is not possible to take delivery of meat from the meat hall at the abattoir before 6 a.m., which means that, more often than not, deliveries to butchers' shops are made about five or six hours later, between 10 a.m. and midday. Meat is delivered in the inner

city from 8 a.m. onwards, and the vehicles delivering it have to pass through crowded city streets, thus causing a bank-up of traffic. One frequently sees a bank-up of traffic in Adelaide Street, particularly, and other places caused by delivery trucks going into large retailing establishments.

Mr. Chinchin: Why can't they start earlier?

Mr. HUGHES: The hon. member for Mt. Gravatt, who is looking at the matter realistically, asks, "Why can't they start earlier?" In "Government Gazette" No. 67 of December, 1965, regulation No. 95 of Part VIII, governing the Metropolitan Public Abattoir Board, provides for a 6 a.m. start for collections and deliveries. Because the Board says that they shall commence at 6 a.m., no wholesaler is allowed even to take delivery of or handle with his own staff meat that has been held for him. I believe that the Board will have to examine very closely the regulations covering this matter.

As I said earlier, late deliveries to meat emporiums in the city cause traffic snarls, and I believe that deliveries should begin earlier than 8 a.m. Personally, I should like to see all delivery vans out of inter-city streets, particularly Queen and Adelaide Streets, before 8.30 a.m. Brisbane has a traffic problem now and, according to the Wilbur Smith Report, by 1981 the number of vehicles in Brisbane will increase by 179 per cent. It is obvious, therefore, that traffic problems will have an even greater effect on the daily life of the citizens of Brisbane as the years go by.

Mr. Aikens: Not only do the delivery vans stop in the streets to deliver; they also stop in the streets to tranship their loads.

Mr. HUGHES: That is true, and that is one of the worst features of the problem that I am bringing to the attention of the House. In my opinion, the Government must examine it closely and do something practicable about it, not dilly-dally.

I have directed questions on this subject to the Minister for Primary Industries, for whom I have great respect, and I believe that positive and effective action must be taken quickly. There are 650 retail butchers' shops in the Brisbane metropolitan area. This city now has a population of 677,000, and is planning for a population of 1,000,000 in 1981. The Wilbur Smith Report said that there were 151,560 vehicles on the road in 1960 and that it expected 422,800 to be on the road by 1981—an increase of 179 per cent. As the hon. member for Townsville South said by interjection, with more vehicles on the road, traffic problems will increase. The time has come for action to be taken. Travelling time in the city has increased because of late deliveries, and I suggest that it is not only practicable but necessary for deliveries to be made during the night, as is done now with petrol that is delivered to service stations.

I understand that an application was made to the Metropolitan Public Abattoir Board to effect deliveries earlier, but that the board has refused this request. This matter requires urgent Government attention. After all, the Government is propping up the Board. This means that some of the retail butchers' shops cannot get their meat until five or six hours later than they should. An earlier start is eminently desirable and it is necessary that we make it possible. It could be done without adding to the Board's costs. It will not affect its employees or its system of killing and handling as the wholesalers' staffs are responsible for this work. The only persons affected would be the lumpers and truckers, whose smoko time would have to be varied. I understand that they would be given a half-hour meal break instead of a 10-minute smoko.

This problem should be tackled effectively and purposefully. It could be done by a parliamentary committee, which could investigate and remodel the law in the light of the requirements of a modern city. It is a vexed matter, one that deals with a vital aspect of public health and also involves the traffic problem that prevails in our city and suburbs. It also involves certain hidden costs and, in addition, causes much inconvenience and embarrassment.

(Time expired.)

DISORDERLY BEHAVIOUR BY DELINQUENT YOUTH

Mr. AIKENS (Townsville South) (11.37 a.m.): I propose to deal with one of the most serious problems affecting the community today; it is the problem of louts and loutesses. I say at the outset that I honestly and sincerely believe that only about 5 per cent. of our young men and women can be classed as louts and loutesses, but every one comprising that 5 per cent. is a potential criminal who will eventually finish up either in court or in gaol. In order to grapple with the problem we must have stronger legislative measures and give increased power to the police.

It may be said that this is a big problem. I know that a Government committee was set up some years ago, and that it wandered around the country on a sort of safari and came back with a half-baked idea that got us nowhere. We have to face up to the fact that unless we deal with this small section of irresponsibles amongst our young men and women the whole of our social fabric will irretrievably disappear.

Dealing with one aspect of the problem, let us take, for example, the louts and loutesses that we see in picture theatres and other places of amusement and public recreation. I intend to refer to the position as it applies particularly in Townsville, but I have no doubt that it applies similarly in other places in the State.

It is true that the picture theatre proprietors in Townsville, or some of them, have banded together for their own protection and have drawn up a black list on which there are already about 45 names of louts and loutesses. Not one of those louts and loutesses is allowed into any of this group's picture theatres in Townsville.

Not all of the picture theatre proprietors are in this band; they who are have been forced to do it for their own protection. The only thing they can do, however, is either prevent these louts from entering the theatre or escort them out of it. They have no power whatever—neither have the police—to deal effectively with a lout or loutess once he or she gets into the theatre.

I have put this matter to competent police officers and they have told me these people can only be charged with offensive behaviour or with behaving in a disorderly manner. In other words, they have to be caught in the act.

One of the most dangerous things that louts and loutesses do is set off fire-crackers. Some of them are very large "bungers", which are dangerous, and sooner or later these louts are going to inflict personal injury, maybe death, on some unfortunate decent patron.

Before these louts can be prosecuted—I understand it can only be done on summons—they must be caught actually throwing a dangerous fire-cracker. That, of course, is an impossibility. What they do is light a cigarette and then insert the wick of the big "bunger" into the cigarette about half an inch from the burning end. The burning cigarette, with the big "bunger" in it, is then placed underneath a seat, which is probably occupied by a woman or a child. The louts walk away. About five minutes or so later, when they are seated in some other part of the theatre, off goes the "bunger", not only to shock the other patrons but at times to injure some of them. The louts have even been known to take pieces of mosquito coil into a theatre. They light the mosquito coil and then attach the wick of the "bunger" to it about half an inch from the lighted end.

The theatre proprietors in Townsville whom I have in mind employ police to try to keep order, but the police are powerless because this Parliament will not give them the necessary authority. I have seen a policeman with his cap full of dangerous fire-crackers that he has taken from louts in a theatre before the proprietor has ordered them out, yet no action could be taken against them for having dangerous fire-crackers in their possession.

As policemen have walked down the aisles of a theatre they have been pelted with hard lollies, some of them weighing as much as an ounce or two. I should like hon. members to visualise how they would feel if, while

walking down the aisle of a theatre, they were hit in the back or the back of the head with one of these hard lollies. Again the police can take no action when this sort of thing happens, because they have no power unless they catch the offender in the act.

I suggest to the Government that we deal with these menaces first. I suggest that we deal with the problems posed by these louts and loutesses one by one. I suggest that the Government make it a specific offence for any unauthorised person to carry a fire-cracker or the like into a theatre or place of amusement—that it be an offence to be in possession of a fire-cracker in those circumstances—and that the police be given the right to search and summarily arrest and take the offender to the watch-house, where, if necessary, bail could be arranged in the usual way.

That is the first thing I suggest, but as Grievance Days come along, if I am fortunate enough to get the call, I will put some more sensible, concrete suggestions to the Government if it wants to deal with the louts and the loutesses. I know that some members of the Government are reluctant to deal with them because they themselves are very closely associated with some louts and loutesses.

I do not know whether the parents of these louts and loutesses know what their children are getting up to. Even if they do, I do not know whether some of them would care. It is all very well to say that we should place the onus or some responsibility on the parents, but how can anyone place responsibility on a parent who is over at the pub getting full of grog on a Saturday night, or some other night, or out doing something that he should not be doing. I would be more specific on that point if there were not children in the gallery.

How can anyone instil a sense of responsibility into the minds of parents who have never concerned themselves about their children leaving home dressed in "mod" clothes—scruffy boys and scruffier young women of any age from 14 to 19? The police have no power to order these louts off the street; they have no power to break up congregations of young hooligans. These people cannot be charged with loitering because now they have to loiter with intent before they can be charged. If a group of young louts and loutesses are standing around, a policeman cannot simply go up to them and say, "Break up this party and go home." They can defy the police. Their parents will run to members of the legal fraternity, who will be only too happy to advise them how they can defy the police and get around the law.

I put this suggestion to the Government in all honesty and sincerity. If it is as desirous as I am, and as desirous as the great majority of the citizens of Queensland are, to grapple with this problem—bear in mind that only a small percentage of young men and women come in the category of louts and

loutesses—it will strike at these hooligans through the law by giving the police more power. Let us deal with this problem—

Mr. Hughes: Without sympathy.

Mr. Aikens: Yes, without sympathy.

Let us deal with it now. It will be too late to do something about it when someone loses an eye, or a young baby loses its life because a huge "bunger" has been dropped on its face or body. Let us deal with it before there is a serious accident. Let us make it an offence for any unauthorised person—naturally the word "unauthorised" is needed because a reputable person could be employed by a show society, for instance, to set off crackers. Let us make it a definite offence that is subject to arrest and conveyance to the watch-house for any unauthorised person to have a fire-cracker, or any explosive or the like, in his possession in a place of amusement or recreation, or other similar place. Let us deal with that problem first. Then, having dealt with it, we can deal with the various other problems as they arise.

I will not weary the Assembly further by talking about other matters, because time will beat me. The clock is always my enemy when I am speaking. Let us first decide to grapple with the serious and dangerous fire-cracker problem in theatres and other places of amusement.

RESERVATION OF CROWN LAND FOR NATIONAL PARKS

Mr. DEAN (Sandgate) (11.46 a.m.): I wish to bring before the House a grievance concerning an Order in Council laid on the table under the Forestry Acts, 1959 to 1964, by the Minister for Local Government and Conservation on 31 August, setting aside 5,200 acres of Crown land on Moreton Island as a national park reserve. I make it quite clear that I am fully in accord with the setting aside of land as a national park reserve, but my grievance this morning is that the area of land set aside for the use of future generations is too small. A far larger area of land should be considered while there is an opportunity to do so, and whilst the land is free of encumbrances.

While 5,200 acres may seem to be a large area of land—and it may be in some respects—it is not so in this case. Moreton Island comprises 68 square miles. To my mind, the area set aside is less suitable than much of the remaining portion of Moreton Island. Most of it is comprised of sandhills. It contains the highest sandhill in the world—Mt. Tempest, which is 915 feet at its highest point. Knowing as I do something of the terrain of the island, I consider that a much greater area north and south of this sandhill should have been set aside. For instance, there are the lagoon areas,

much of which should have been set aside because that is where the wild-life lives and congregates. The boundary of this areas could at least have been extended to Tangalooma Point. That would have been an improvement on the area described in the Order in Council. It would certainly embrace much better land for future use.

I have been informed that the southern end of the island has been taken over by mining interests, and that negotiations have advanced to such a stage that we cannot do much about it. However, there is still time to do something up towards Cape Moreton so that we will have a much larger area than the small section set aside.

Another disturbing feature of the present area, if I have read the plan correctly, is that there is no strip of sea-beach facing the sandhills included in the area set aside.

At least $1\frac{1}{2}$ or $1\frac{1}{2}$ miles of beach frontage should have been incorporated in the area set aside.

We realise that the interests of generations to come are the responsibility of State Governments in the conservation of land and the setting aside of areas as national parks. The Commonwealth Government has shown very little interest over the years in the creation of national parks in the States, and particularly in the Australian Capital Territory. From what I have read, the Commonwealth has provided no money whatever for this purpose. I could find no reference anywhere to any allocation of finance by the Commonwealth Government to help in the preservation of national parks in Australia generally.

In Queensland we are fortunate to a certain degree because we have certain reserves that can qualify as being truly national by reason of their size or their outstanding natural features. I mention such reserves as the Lamington Plateau, the Bunya Mountains, Carnarvon, Hinchinbrook, and the Windsor Tableland. They are good examples of what we have in Queensland, but they are quite insufficient when we consider the claim that this State will carry a large population in the not too distant future. Nevertheless, considering all those aspects and the few areas I mentioned, Queensland has only 1,700 square miles of national parks and scenic areas, or less than one-quarter of 1 per cent. of the area of Queensland. That is not good enough if we intend to make provision for the future large population that Queensland will have.

I consider that the time is running out for the gazettal of national parks of adequate size incorporating the many types of vegetation and habitat in Queensland that should be preserved. We have the opportunity only while they exist to be preserved. The work of the bulldozer and the ambitious land-subdivider is becoming too evident in much of our potential park land.

It has been said by well-known authorities that at the present rate of development taking place we have only the short period of five or six years in which to reserve another 1,000,000 acres of land in this State. It has been stated by a reliable authority that the present area is insufficient, that certain serious features are missing from those areas, and that we should reserve those areas while they exist.

I refer mainly to desert areas which are necessary when we consider the action taken by overseas countries to look after their desert areas, grasslands, springs of the Barkly Tableland, breaks in the rain forest in the Cape York Peninsula, the high sand dunes on the coast, and the sand mountains on Fraser Island. Many of us have seen them from the air, if not from ground level. We know the great potential in those areas and it is our responsibility and duty to preserve them for future generations. In addition, the brigalow lands and the wallum country should be set aside for this particular purpose. They are all extremely important in the plan of conservation.

Although Australia received certain praise at the First World Conference on National Parks at Seattle in 1962 for its rain forests and parks, there are still many types of rain forest not yet reserved, and we should consider setting them aside as national parks. It is of vital importance, when considering setting aside areas for the future, to remember that of the 17 national parks and several scenic areas in Queensland, only seven are of more than 50,000 acres. Areas should be set aside that preserve the character of our State for future generations.

Another point brought to my notice when doing some research was that two of our national parks, namely, Salvator Rosa and Carnarvon Ranges, are situated within 200 miles of Blackall. I am not conversant with them, but I have been informed by those who are that these areas should at all costs be protected for future generations. Even our largest national park of 133,000 acres, near Mossman in North Queensland, is small by world standards. Before it is too late, it is our bounden duty to the future generations of this wonderful State to take appropriate action to secure all suitable areas whilst the opportunity presents itself.

I do not want to be accused of being a knocker of development within the city of Brisbane or any other part of the State. The residential development that has taken place on Bribie Island is excellent from a purely residential point of view. But that is all! Bribie Island was once considered to be one of the greatest natural reserves in Australia. I feel that it should have been preserved in its original state. Many other areas come to mind. My colleague the hon. member for Nudgee has some valuable historical areas in his electorate. Whilst I fully support development in the proper places, I am

completely opposed to the wholesale destruction and desecration of natural reserves by the sudden urge for this rapid real estate development.

(Time expired.)

APPEALS UNDER CITY OF BRISBANE TOWN PLANNING ACT

Mr. LICKISS (Mount Coot-tha) (11.57 a.m.): I rise on a matter of great public importance and what appears to me also to be a grave miscarriage of justice in the City of Brisbane at the moment. In brief, it concerns the determination by the delegate of the Minister for Local Government to hear appeals, and for those appeals to be considered valid.

I preface my remarks by saying that over two years ago I drew the Minister's attention to what I considered to be an irregularity in the wording of replies being given to subdividers and other interested parties by the Brisbane City Council, over the signature of the Town Clerk, and upon which the subdividers acted by taking to appeal to the Minister the question of subdivision of the lands. I was told at that stage by the Minister that I was splitting hairs.

Last week in this House I asked a question which was ruled to be sub judice. I have no complaint with that. Let me say that I had in my possession a draft of the proposed case to be placed before the Full Court. I gave it to the Minister, who read it in my presence. All who read it will see the argument that I feel could be the subject of further action. This evidence was presented by none other than the Brisbane City Council itself, which in fact had caused the technical error, to prevent a subdivision taking place, even though in all these appeals the City Council presented evidence and took its chance before the Minister's delegate. What a shocking situation!

I now pass to a question that I directed to the Minister for Local Government on Wednesday, 14 September. It reads—

“(1) Is he aware that the Brisbane City Council is refusing to recognise and act upon the decisions of his delegate with regard to appeals brought pursuant to section 13 (1) of ‘The City of Brisbane Town Planning Act of 1959,’ the provisions of clause 18 of Ordinance 27 of Chapter 59, provisions of Ordinances 2, 4, and 15 of Part II of the now expired Chapter 8 of the Council Ordinances on the grounds that his delegate had no jurisdiction to determine the matters and accordingly that the Council has stated that it will not issue a Certificate of Approval as a result thereof?

“(2) Will he therefore consider taking such appropriate steps as will validate the decisions of his delegate in matters whether heard or awaiting hearing?”

Before asking that question, I got in touch with the Minister by telephone. I advised him of the letter that would be in my possession before the end of the day; I advised him of its contents; I told him that I intended to ask this question. I now note with interest the answer to the question—

“(1) ‘No.’

“(2) ‘See Answer to (1).’”

Mr. Sherrington: He is a man of few words.

Mr. LICKISS: That amazed me. So that the Minister will not, in future, have any doubt as to what is going on, and so that his officers, if they do not know already what is going on, may be given some lead, I shall now quote the text of a letter over the signature of the Town Clerk of Brisbane, Mr. J. C. Slaughter. It says—

“I have been instructed to inform you that the Council has received legal advice that having regard to the provisions of section 13 (1) of ‘The City of Brisbane (Town Plan) Act of 1959,’ the provisions of Clause (xviii) of Ordinance 27 Chapter 59, the provisions of Ordinances 2, 4 and 15 of Part II of the now expired Chapter 8 of the Ordinances, Mr. J. M. Serisier, the nominee of the Minister, had no jurisdiction to determine, as he purported to do on 5th July, 1965, the purported appeal lodged by you in this matter on 22nd February, 1965, and that his decision is consequently ineffectual.

“Accordingly, I have been instructed to inform you that the Council, in the circumstances, does not propose to issue a Certificate of Approval of the proposal plan.

“However, I have been instructed to bring to your notice your clients’ rights to make application for rezoning of the subject land under the provisions of ‘The City of Brisbane Town Planning Act of 1964’ and to inform you that if such an application is received by the Council it will be considered in the normal way.”

I suggest that the Minister should now know, if he did not know before, what is going on in relation to appeals heard by his delegate in the City of Brisbane. This virtually holds the Minister's delegate in contempt, and, as a result, it also holds the Minister in contempt. I suggest that it shows a blatant disregard for the spirit of justice in this State by the Brisbane City Council and, what is unpardonable, that the situation was activated by evidence presented by the Brisbane City Council after it had used snide tactics in purporting to give an answer from the Council when in fact it was quoting as its authority the Town Planning Committee's findings.

I hope that no time will be lost by the Minister in having this matter thoroughly aired and investigated, and I trust that, in the light of what I have said, he will take

immediate steps to validate the delegate's decisions as I suggested in my question, that is, in matters whether heard or awaiting hearing. People who thought they had gone through all the processes of appeal in the normal way are now in an invidious situation and are likely to incur heavy expense to obtain justice by having the matters reheard. I suggest that justice has been denied by a gimmick form of evidence presented by the Brisbane City Council to stop the development of this city and exert undue pressure on certain people. I think it is a shocking situation, which must be exposed in the public interest.

Mr. Bennett: Are you attacking the Town Clerk?

Mr. LICKISS: I am attacking the Brisbane City Council, and I will attack it again under similar circumstances. It is time Queenslanders woke up to the fact that the council that controls the very shop window of the State, Brisbane, is very slowly but surely destroying the State by such high-handed action.

SPEEDIER CONVERSION TO DECIMAL CURRENCY

Mr. BROMLEY (Norman) (12.5 p.m.): I could not see much sense of grievance in the matter raised by the last speaker.

Mr. SPEAKER: Order! The hon. member will state his own grievance. I remind hon. members on both sides of the House that when any member raises a grievance, the subject matter of the grievance cannot be debated.

Mr. BROMLEY: My grievance today is raised not only on my own behalf but on behalf of hundreds of thousands of people in Queensland who use money to purchase the every-day necessities of life. This applies, of course, to all sections of the community, members of Parliament included. It applies to pensioners, to people on low, fixed incomes, to housewives, to school-children, and, of course, to business people in all types and sizes of business.

On behalf of these people I call on both the State and the Federal Governments to do their utmost to speed up the procedure of conversion to decimal currency. As I continue with my speech I will explain why that should be done. I think this is a worthwhile grievance, because I have taken a public opinion poll of my own from various people, including many housewives and other womenfolk in the community generally and without exception they have said that in their opinion the change-over to decimal currency is proceeding too slowly and is causing much confusion.

I am concerned, of course—as I think most of us in this Chamber are—with the welfare of the majority of the people. In this case these are the ones who suffer most because

of the slow conversion. But businesses are also suffering because of the confusion that exists in people's minds as a result of advertising.

Big businesses are not pulling their weight and there is definitely a pronounced swing—I have Press cuttings here to prove it—back to the old currency of £.s.d., particularly in advertising. I have here some pages of advertisements from yesterday's "Telegraph". Some firms are endeavouring to gull the public into thinking that their prices are lower than others; but I do not think it is sound business. In fact, I think it is a type of business advertising designed, as I said, to gull the public into thinking that they are getting goods cheaper.

Mr. Inch: It is fraudulent advertising.

Mr. BROMLEY: As the hon. member for Burke says, it is fraudulent advertising. In these pages Waltons are advertising their 40th anniversary sale. The advertisement covers two pages, and not one price advertised is in decimal currency despite the fact that legislation has been passed in both the Federal House and here stipulating that we should deal in decimal currency.

Mr. W. D. Hewitt: Aren't some prices given in guineas, which makes it worse?

Mr. BROMLEY: No, but with some firms that is correct. In this instance, there is advertised here a two-robe unit for £69 19s. 6d., and so on. Throughout the advertisement the prices are in pounds, shillings and pence. The same firm also advertises dresses and frocks, and they, too, are priced in pounds, shillings and pence. No prices in decimal currency are shown at all.

Here is another one. It is an advertisement for Rockmans, with all the prices in pounds, shillings and pence. I pay credit to Woolworths, Coles, and other big firms that are doing the right thing. They advertise in large black print the decimal currency prices, and to help the public they show the old currency in small print. I pay particular tribute to Four Square and Nifty Thrifty stores, who do a fine job of advertising.

Mr. Carey: Thank you very much.

Mr. BROMLEY: I know the hon. member is interested in those firms.

This is the sort of thing that should be done to assist the public. They show "39c", "20c" and so on in large type, and then show in lighter type the equivalent in the old currency. That type of advertising is very good, and is a help to the public.

I give full credit to those firms who play their part in this matter. I could name others. David Jones, however, show their prices in pounds, shillings and pence in black print but the decimal currency price is shown only in small light type. The same

applies to Edwards & Lamb and Myers. They might think they are assisting their own business, which may be all very well, but we have to assist the people of Queensland.

We have to try to avoid the confusion that is existing while both currencies are in use. I think it was Germany that changed over completely to decimal currency in one day. Here the change-over is going on month after month. Something should be done about it, and there would seem to be a very simple solution. So many firms are hanging on to the old currency, yet no encouragement is being given to them by the Government to convert to the new currency. I think it has a psychological effect on the public. It is up to the Government and the Decimal Currency Board to get moving—to stop the rackets and rorts, as the hon. member for Belmont is interjecting. We should expedite the conversion to decimal currency so that the people of Queensland will know exactly where they stand.

If notice is taken of this grievance—I think it is a very important matter—it will be of benefit to all concerned.

REVIEW OF FREE HOSPITALS SYSTEM

Mr. W. D. HEWITT (Chatsworth) (12.14 p.m.): Hon. members will know that a few weeks ago the council of the Liberal Party carried a resolution that there should be a review of the free hospitalisation scheme, with particular emphasis on the possibility of imposing a liberal means test.

By way of preface, may I say that I think it is a useful exercise for all political parties, on occasions, to review their policies. I do not think anything should be so entrenched that from time to time it should not be looked at critically. In the course of time and in its own way the Liberal Party will look at this matter and make a determination, but there is, in my opinion, an aspect of the health administration that demands some urgent consideration. I believe this to be a matter that should be ventilated, and one that the Treasurer and the Minister for Health should look at closely.

Mr. Sherrington: Are you suggesting that we should sack the Minister for Health?

Mr. W. D. HEWITT: Not at all. If I might make an observation, I am a happy man today. It is my tenth wedding anniversary. I am happy with the world.

Mr. Murray: Does that come under the heading of grievance?

Mr. W. D. HEWITT: I am just establishing that all my grievances are contained in this place. I refuse to engage in cross-fire with the hon. member for Salisbury, because I am in a happy frame of mind.

I refer to people who are members of a medical benefits society and are hospitalised in a free institution. They receive treatment and, at the end of their spell in hospital, leave without payment being expected of them. We know that the Commonwealth underwrites the schemes and pays \$2 a day to the State instrumentalities as its share of the expense. If a person is a contributor to a medical benefits scheme he can make a claim for hospitalisation. Admittedly the \$2 a day is paid to the State hospital but the balance can, and often does, find its way into the patient's pocket.

There is a very clear distinction that should be established. We should all recognise it and few hon. members would disagree with it, namely, that it is one matter to advocate and support free hospitalisation but it is an entirely different matter to allow a person to enjoy free hospitalisation and also to make a profit from his incapacity. The State has a right to ensure that this money, which now finds its way into the patient's pocket, should go to the public purse.

Yesterday the hon. member for Salisbury, in speaking on another issue, described a situation as Gilbertian. I believe that this is equally Gilbertian. I think it would be difficult to draw a parallel with it. One insures a motor-car and pays a premium; one may be unfortunate to sustain damage to the vehicle and, as a consequence, certain repairs have to be effected to it. In the course of time a bill is levied and paid, but not so under this form of insurance. I dare say that in no other form of insurance does the person who suffers the grievance, loss or ill-health succeed in making a profit. This matter should be looked at critically.

I might say in all fairness that there may be some people who, because of their low income, suffer hardship, and may fall on very hard times. In such cases the Minister should be granted considerable discretion in the manner in which he may call for payment. However, as a broad principle, it is quite wrong for people to make a profit from free hospitalisation. The State has a right to this money and I ask the Treasurer and the Minister to look critically at this matter.

POLICE RESCUE LAUNCH FOR MAGNETIC ISLAND

Mr. TUCKER (Townsville North) (12.18 p.m.): On Wednesday, 5 August, 1966, I asked the Minister in charge of police if he would be prepared to provide a properly powered, sea-worthy boat for the use of the police officer stationed at Magnetic Island in carrying out rescue work. Quite often rescues at Magnetic Island have to be made at a moment's notice, and in any craft available. R.A.A.F. craft are available, but messages have to be sent from the island to R.A.A.F. headquarters and the craft has to come to the island. Up to half-an-hour may elapse before the craft is available to effect a rescue.

Quite often rescues have to be made at a moment's notice, and a delay of half-an-hour cannot be tolerated. With rescues having to be made at a moment's notice in any craft available, the lives of the people who are to be rescued, and those of the rescuers themselves, are endangered. The rescuers are not able to pick and choose. They have to take what is available at that moment, and go out irrespective of the state of the sea. Most of these incidents occur on a day when the seas are choppy and heavy, not on calm days.

The Minister refused my request, stating that funds were not available. I call that a damnably short-sighted policy. Even if in fact there is a shortage of money, we should not gamble with lives. That is surely false economy. How is it that we have no money to provide a rescue craft when we can find hundreds of dollars to send a safari to Cooktown?

Mr. Graham: It cost about \$1,300.

Mr. TUCKER: Yes, something like \$1,300.

Will the Government procrastinate until a bread-winner or a whole family is lost? I hope that does not happen. I feel strongly about this matter and that is why I am raising it, and I hope the Government will take note of what I am saying. I call on the Minister to reverse his decision and provide this much-needed safeguard for the citizens of Magnetic Island, and those of Townsville who cross Cleveland Bay, before a tragedy occurs.

Increasing numbers of pleasure craft—small boats, yachts, and sailing boats—are using Cleveland Bay. Townsville is the second city of Queensland, and scores of small craft use the waters of Cleveland Bay, around Magnetic Island and in adjacent areas. In Townsville there are four companies selling small craft; they depend for their living on that trade. If each company sells only one boat a week, an additional 200 pleasure craft will be using those waters by this time next year. With that increase there must be an increase in the number of accidents, and we should take precautions now.

No matter what craft enter those waters there must be a risk. It can be argued that no craft should go out in doubtful weather or conditions. But reef waters are tricky. This morning the water could be as calm as a mill-pond and a family who hoped to go boating could say it was an ideal day. But in no time at all an unexpected south-easter could start blowing and whip up the water, and, owing to the shallowness of the water, conditions could be choppy and the seas could be heavy in no time at all. So that in a quarter of an hour a person could be in trouble in Cleveland Bay, and there could be no reason for saying that he had not taken every precaution.

I ask hon. members to remember what happened to some experienced naval cadets near Hayman Island. They were to leave

their ship, go a certain distance, turn around, and return to their ship. Everybody in that manoeuvre was a responsible and able person. They were sent out by naval authorities, who surely understood weather conditions there at that time. However, those cadets lost their lives through weather conditions that no-one expected.

The Royal Australian Air Force Marine Section, which mans the crash launches in Townsville, has a proud record and does a wonderful job. However, crash launches are not always available, and it takes time to communicate with the section and get launches on the water. They also have obvious disadvantages for this type of rescue work.

The Magnetic Island Boat Club carries the brunt of rescue work and the transporting of accident cases from Magnetic Island to Townsville. This club has instituted a special marine rescue service. Its members make themselves and their boats available at any hour of the day or night, seven days a week, for emergencies. They are wonderful citizens doing a wonderful job, and I pay a tribute to them. Working as private citizens, they give the island and its environs a high degree of safety. They give their services free and freely, and would be offended at any suggestion of payment.

I requested a fuel subsidy to compensate these people for the cost of fuel used during rescues. These boats use 7 or 8 gallons of high-octane fuel an hour. In another example of short-sighted policy by the Government, that application was refused. The Government is sponging on the good offices of members of the club, who are giving yeoman service. Everyone knows that speed boats have certain limitations. They cannot put out in rough weather; they are not powerful enough to effect some rescues; and there is not always enough room in them.

What is needed in Townsville, under police supervision, is a new type of life boat, suitably powered with an inboard motor, to effect rescues in all weather conditions and transfer casualties and seriously-ill people quickly from Magnetic Island to the mainland. If such a boat was provided, I say on behalf of members of the Magnetic Island Boat Club that they are prepared to man it seven days a week, rostering themselves if necessary, at no cost to the Government. All they ask is that the boat be maintained and fuelled, and they are prepared to provide the rest of the service.

I am aggrieved by the Minister's refusal of this offer, and I ask him again to reconsider the matter and make a boat available.

Hon. J. C. A. PIZZEY (Isis—Minister for Education) (12.29 p.m.): I understand that Ministers have the right of reply on Grievance Days. The request made by the hon. member for Townsville North is no different from that made by groups of people living at other seaside resorts all along the coast of Queensland.

Mr. Sherrington: And the answer is the same.

Mr. PIZZEY: Yes, because it is a wise answer.

The rescue boats available in Brisbane have many other police duties besides their occasional use for rescue purposes. I do not think it would be a wise investment of public money to have lying idle in every seaside resort a motor boat of the type mentioned by the hon. member for Townsville North. In many cases there would be six, seven, and eight months between the occasions on which it was used. Generally, the local inspector of police comes to some arrangement with citizens in the community, whether they be members of motor-boat clubs or private boat-owners, to have boats made available in emergencies.

Mr. Sherrington: In other words, he has to scrounge round wherever he can.

Mr. PIZZEY: Hon. members opposite cannot remove the thought from their minds that the Government ought to do everything. It is quite a good thing for the police to work in with members of the community. The strange thing is that, in every case, not one speed-boat but half a dozen speed-boats answer the call. If the people of Queensland are prepared to show their community spirit by organising to assist the local inspector of police, I think it is very desirable that they should do so. Private aircraft may be available, together with aircraft of the R.A.A.F. Is it not better that the inspector of police should organise all the resources available than that he should send only one boat out? If a call is made, many boats go out, not just one.

Mr. Tucker: I do not say that should not happen.

Mr. PIZZEY: Well, is there anything wrong with the way it is working now?

Mr. Tucker: Yes.

Mr. PIZZEY: I cannot see anything wrong with it. I think it is working well, and I think it is a good idea to have the community working in with the Police Force and the Government.

Mr. Bennett: It is the community that is asking for this boat.

Mr. PIZZEY: The community is asking for more police to patrol the roads; it is asking also for more police motor vehicles. Many demands are made on the money available to enable the Police Department to protect life.

Mr. Duggan: What is your grievance in this matter?

Mr. PIZZEY: I am just answering a grievance. My grievance is that the hon. member for Townsville North has no real grievance. He is asking the police to do something that the public are prepared to do in co-operation with the police.

PEAK-HOUR TRAFFIC IN BRISBANE

Mr. NEWTON (Belmont) (12.32 p.m.): I raise the question of the flow of peak-hour traffic in the Brisbane metropolitan area, but what I have to say probably could be related to the major provincial cities in Queensland. The periods that I have in mind particularly are between 7 a.m. and 9 a.m. and between 4 p.m. and 6 p.m., Monday to Friday.

The present regulations were promulgated by the Country-Liberal Government when it had control of the Traffic Engineer's Office, and signs were erected for the principal purpose of keeping traffic flowing on the highways and byways during the peak traffic periods in the morning and evening. In many areas a number of vehicles, even vehicles as large as semi-trailers, are parked illegally during peak hours, and in my opinion this is one of the main causes of traffic accidents during those hours. I agree with the Commissioner of Police that it is not a time for traffic police to be sitting on their motor-cycles or in their motor-cars waiting to catch a person crawling past a "Stop" sign or a "Give Way" sign or wasting their time in dealing with minor traffic breaches that may occur.

In the metropolitan area as many as half a dozen policemen are being used during peak traffic periods in traffic blitzes involving the inspection of vehicles. About two months ago, in the district of Belmont, I saw five or six policemen stopping vehicles and carrying out inspections at about 5 o'clock in the afternoon. It is my opinion that at that time of the day this type of thing should not be done.

Mr. Sherrington: They would be better employed supervising traffic.

Mr. NEWTON: That is the point I am coming to. Until such time as we have highways and byways wide enough to cope with three lanes of traffic each way, the police would be better employed making sure that traffic lanes are kept clear in peak hours.

Many hon. members will know that in the southern States—this applies not only in the central traffic area but in the whole of the metropolitan area—traffic police are continually on the move, on motor-cycles or in cars, giving warnings to motorists about things they should be doing to keep the traffic flowing and to avoid congestion. They also make sure that where traffic notices forbid parking during peak hours those traffic lanes are kept clear of illegal parkers. In the southern States traffic police move up and down the lines of traffic, keeping it moving. They make sure that slow, heavy vehicles keep to the far left-hand lane. That is not done in Brisbane during peak periods, and when a motorist wishes to move from one lane to another he experiences great difficulty because of the heavy traffic clogging the middle lane. This applies particularly on

Story Bridge, where there are six traffic lanes. If these things were policed more strictly in Brisbane the traffic position would be much easier than it is at the moment.

Another matter that is strictly policed in the southern States is where heavy transport vehicles move slowly and cause great gaps in the traffic flow—when they are not travelling at the speed limit—say, 35 miles an hour—at which other vehicles are allowed to travel. In the southern States these vehicles are pulled into a side street by police and the driver is questioned as to why he is not allowing the traffic to flow as it should.

I want to make it clear that my first contribution on Grievance Day is not intended to be an attack on the Police Force. I do not wish to upset the Minister, who has already had to jump to his feet. As a metropolitan member who has had to rush here and there when Parliament has risen in the afternoon, I have often come across these things. It has amazed me that there have not been more serious accidents in the metropolitan area, particularly in the winter months, as a result of huge semi-trailers being illegally parked in streets with only two lanes in and two lanes out.

Let us hope that in the near future something will be done to keep traffic on the move in the metropolitan area during peak periods. I am sure it would relieve one of the greatest problems that affect the metropolitan area and major cities throughout the State. If the Police Force was used to its best advantage in peak hours I am sure we would overcome a lot of the traffic problems in the metropolitan area.

GOVERNMENT NEGLECT OF COOK SHIRE

Mr. ADAIR (Cook) (12.41 p.m.): I intend to devote my 10 minutes to condemning the Government on its Cinderella treatment of Cooktown and the Cape York Peninsula area generally.

Repeatedly I have brought before the notice of the House the urgent need for a new school at Cooktown. During the 13 years that I have been in Parliament I have repeatedly asked questions of the Minister for Education requesting a new school for that town. We are still using the original building that was constructed in the early days of Cooktown. Although I have repeatedly requested a new building, nothing has been done about it. Not one Government building has been erected there over the years that I have represented the electorate. Indeed, not one new Government building has been provided over the last 20 or 30 years. The police station and the court-house were built many years ago. Every now and again carpenters and plumbers patch up these old buildings, but that is all that is ever done.

The Government has put the responsibility of the Cook Shire in the hands of an administrator. The administrator, who is 70 years of age, is not capable of administering that large area.

The bauxite royalties received from Comalco should be used for the development of that part of the State. Weipa was in the shire of Cook until the Government excised it and handed it over to Comalco. All royalties from the sale of Weipa bauxite should be used for the development of roads in the area. Nowhere else in the State are the roads in such a bad condition as in the Cape York Peninsula. I cannot travel throughout my electorate by car. The only way I can travel to Coen, Bamaga, Aurukun, Lockhart River, and even to Weipa, is by air. Since the Done Report, my allowance has been such that I have no possibility of visiting any of those places once a year.

I am allowed \$400 (£200) in air fares to travel throughout the Cook electorate. My 18 return air-travel passes are from Brisbane to Cairns. I have been informed that the only money I can get to spend on travel in my electorate is the \$400, which has to pay for the cost of chartering a plane, or going by plane to Thursday Island.

It is impossible for me to visit many places in my electorate by road. In Gregory, and in other electorates throughout the State, car or train travel is possible, but in my electorate, owing to the condition of the roads it is impossible, even with a four-wheel-drive vehicle. There is therefore no way in the world that I can visit the remote areas in the Cape York Peninsula.

I condemn the Government, because the roads in the Peninsula are the worst in the State. For five months of the year it is impossible for graziers to traverse the roads, even with four-wheel-drive vehicles. They are confined to their properties until the wet season is over.

At present, C.R.E.B. is constructing a transmission line from the Daintree area, through the China Camp area to Bloomfield, and on to Cooktown. It has to make a road of some description to cart equipment for constructing the line. The line has been constructed from the Daintree River to Bloomfield, which is a distance of nine miles. The administrator of the Cook Shire claims that a road cannot be constructed in this area. He claims that he cannot find any possible route for a road, yet C.R.E.B. is doing so at present. I admit that it is only a third-class or fourth-class road—it is a road for four-wheel-drive vehicles only—but it has been built to erect the transmission lines over the route on which I have asked the Government to build a road to Cooktown. The construction of this road would make the trip to Cooktown 80 miles shorter than over the Mulligan Highway. The road is bitumen almost to the Daintree River, which

means that the bitumen goes almost half way. This road would open up a large area of good agricultural soil, mining country, and good cattle country, and it would also be one of the most attractive tourist roads in Queensland. When Gold Hill is crossed the driver looks down onto the sea and travels through scrub country to Cooktown.

I have pressed for the building of this missing link for years, but the Government has seen fit to follow the advice of the shire administrator; it seems that the Government acts on whatever he says. Until the Government assists Cooktown it will remain a ghost town. I appeal to the Government to take action to help the town to exist. Up to two years ago there was a sawmill in Cooktown, but it ceased operations because of the shortsightedness of the Department of Forestry. Because the Government would not reduce its timber royalties—and there are millions of feet of timber in the Mount Poverty area and other areas near Cooktown—the mill was forced to close down. It employed from 16 to 20 men, and that was the only employment available in Cooktown. The only employment there now is on Main Roads work.

The Forestry Department's refusal to assist the timber industry forced this mill to close down. I have asked repeatedly for the reopening of the mill. Rankin Bros. own it, and if they were given an incentive in the way of a reduction in royalties and the provision of roads they would no doubt reopen the mill and this avenue of employment would again be available. If something is not done shortly, how can those people be expected to stay there?

Mr. Aikens: Didn't you have the Minister for Labour and Tourism up there recently?

Mr. ADAIR: Yes. He travelled along the bandicoot track known as the Mulligan Highway. He claimed that it was a good road and that his party travelled from Brisbane to Cooktown in a certain time. Let him go there in November or December and see how long he is stuck there. Recently I was held up on that road. We were caught between two creeks. This road is not worth two bob in the wet season. As soon as it rains, traffic is out. That is the only access these people have, and although I have repeatedly asked for better access, which would benefit the country, the Government has done nothing about it.

(Time expired.)

MINING LEASES ON PRIVATE LAND

Mr. CHINCHEN (Mt. Gravatt) (12.52 p.m.): I preface my remarks with the statement that I discussed this matter with the appropriate Minister—the Minister for Mines—yesterday. He said that nothing could be done about the matter and I air this grievance so that other people may not be placed in the same position.

A person recently purchased, at auction, land from the Albert Shire Council. Subsequently another person contacted him saying that he held a mining lease over the land. The land is in a subdivided area. No work has been done at the mine in 10 years. Probably nothing has ever been done, although there is a pothole, or shaft, on the land. The man who holds the lease said, "Perhaps this could be satisfied by the payment of a few pounds." The owner said, "I shall look at the matter." Eventually the owner rang the man who holds the lease and said, "I intend to apply to have your lease forfeited." The other man replied, "Bad luck. You are just too late. I have applied for and got a six months' exemption."

The owner decided to go ahead with his application. The evidence given before the mining warden by the man next door was that for 10 years he had not seen anybody mining on the land. Another man gave evidence that he was interested in mining, that it was gold lease, that there was no gold in Kingston, and that nobody would be mining the area. This was undisputed evidence. Yet the warden decided that he was not satisfied that this person did not intend to mine, although he had not given evidence to that effect.

The result is that these people cannot get access to their land for at least six months. The man with the lease said to the owner, "Of course, this could go on for a long time. I can get exemption after exemption." Whether that is right or wrong, it seems wrong to me that a person can buy land and not know about the existence of a mining lease on it because such leases are not registered on the title deed.

Mr. Aikens: I can assure you that many queerer things than that go on under the Mining Act.

Mr. CHINCHEN: That could be so.

It is remarkable that these leases still exist, when no endeavour has been made to exercise the rights granted under them, in what is now a subdivided area. When an application for exemption is made, all that happens is that a small notice is placed in the Press and on a corner post of the property concerned. The owners of the land may not look through those notices in the Press and they may not visit the land. Why cannot this information be sent to the owners? In the old days, back in the 1880's when these things were not registered and everything was done in a loose manner, what is happening now was perhaps understandable. However, this is private land, with a registered title, yet no notice is given. In these circumstances the owners do not attend and are not heard on applications for exemption. After an application is granted, even though the lessee has done nothing at all under the lease, the owner can do nothing with his land. I do not know what the ordinary person does in a situation like this. Although I must accept that nothing

can be done at this stage, I suggest that the matter be looked at so that others will not find themselves in a similar difficult situation.

Mr. SPEAKER: Order! Before putting the question, I might mention that during my ruling on the conduct of the debate I neglected to say that Ministers could reply, if they wished, to anything contentious to which they felt a reply should be made. I feel that if these debates continue along the lines of the one this morning, there will be no difficulty if Ministers do not take too much time in replying. There have been this morning approximately 100 minutes of debate, of which a Minister took only four minutes, so I do not think any serious objection could be raised to that condition.

Hon. G. F. R. NICKLIN (Landsborough—Premier) (12.59 p.m.): I should like to inform hon. members that all the matters raised this morning will be noted and attended to.

Mr. SPEAKER: I shall now put the question.

Question—That grievances be noted—agreed to.

[Sitting suspended from 1 to 2.15 p.m.]

In accordance with Sessional Order, the House proceeded with Government business.

CEMETERY TRUSTEES (DECLARATORY) BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Hooper, Greenslopes, in the chair)

Hon. S. D. TOOTH (Ashgrove—Minister for Health) (2.16 p.m.): I move—

“That a Bill be introduced to declare the law affecting certain rights and duties of trustees of cemeteries, and for other purposes.”

In the Bill which, subject to the Committee's approval, I intend to present to the House, it is proposed to set at rest any doubts as to the extent of the powers of trustees of public cemeteries appointed under the Cemetery Act 1865 by declaring that they have and always did have power to repair any structure or to remove and dispose of any structure which, in their opinion, is or is likely to be dangerous to the safety of any person. Legal opinion has been obtained on this question, and it appears that there is an element of doubt as to the extent of the powers vested in trustees to repair or remove structures.

It is intended that the power of repair or removal to be given to the trustees will be in respect of all structures, including monuments, tombstones, cenotaphs, tablets, inscriptions or vaults, or the remains of any of them; also, such power will vest in the

trustees irrespective of whether they or any other person or persons erected or placed the structure in the cemetery.

It has been deemed expedient to introduce this short provision following an unfortunate accident in a cemetery where a child met her death as a result of injuries received when a headstone fell and struck her on the head. Advice has also been received from time to time from the trustees of other cemeteries that some tombstones, through age, exposure to the weather, dilapidation, and other causes, become a danger to the visiting public.

I desire to make it clear at this stage that the proposal will affect only those cemeteries operated by trustees under the Cemetery Act 1865 and not cemeteries managed by local authorities under by-laws made under the Local Government Acts.

Briefly, the Cemetery Act 1865 made general provision originally for the regulation of cemeteries throughout Queensland. However, the Local Authorities Act of 1902 expressly provided that the Cemetery Act 1865 was not to apply to cemeteries under the control of local authorities. Local authorities, in turn, were given extensive powers with respect to cemeteries in their areas. The Local Authorities Act was repealed by the Local Government Act of 1936, which now confers on local authorities powers in relation to the provision of, maintenance, management, control and regulation of cemeteries in their areas.

Local authorities which have made by-laws and thus control cemeteries in their areas include, for example, the councils of the cities of Cairns, Mackay, Rockhampton, Maryborough, Warwick, and the Gold Coast, in addition to a large number of shire councils.

Cemeteries within the City of Brisbane are dealt with by ordinances under the City of Brisbane Acts. Actually, almost 300 cemeteries are maintained by local authorities throughout the State. Just over 100 cemeteries are controlled by trustees under the Cemetery Act, and, for the information of hon. members, I mention those in Townsville, Bundaberg, Gympie, Ipswich, Toowoomba, and Roma.

Reference should be made in passing to a small number of church cemeteries, a well-known one being the Roman Catholic cemetery at Nudgee. There is also an Anglican cemetery at Sherwood. These will not be affected by the proposed Bill. Normally these cemeteries are cared for by the religious bodies operating them, who comply, as required, with the by-laws of the relevant local authorities relating to health.

A further provision in the Bill removes doubt and clarifies the position regarding the application of all those sections of the Land Act dealing with public trusts generally. This Bill makes it clear that those provisions apply to cemetery trusts constituted under the Cemetery Act.

Cemetery trusts are constituted under the Cemetery Act, but the Act is silent in so far as leasing of the trust property is concerned and it has never been clear whether the various administrative controls which apply to trusts for public purposes under the Land Act apply also to trusts under the Cemetery Act.

In view of the fact that an amendment was necessary to the Cemetery Act to clarify powers of trustees in dealing with structures on cemeteries under their control, the time was considered opportune to clarify that statutory provisions dealing with trusts for public purposes apply also to cemetery trusts.

The provisions of sections 334 to 357 of the Land Act, which are to apply to cemetery trusts, are largely of a machinery nature and to a certain degree are complementary to the provisions of the Cemetery Act in the constitution and administration of trusts. However, the important provision is that contained in section 343, which prescribes the limitations upon trustees leasing the trust property. It is provided by that section that a reserve cannot be leased without the authority of the Minister for Lands, who must be satisfied that the proposed lease is not contrary to public interests and not repugnant to the purposes of the trust.

In practice, cases of leasing cemeteries are not numerous but the odd case does arise where cemetery land is not immediately required for interments and it is in the interests of the trustees to lease the unrequired areas for, say, grazing in order to raise funds. In the past the Department of Lands has not permitted such leases on the grounds that the trustees did not enjoy the power to grant them. The amendment clarifies the position, in that, with the prior approval of the Minister for Lands, cemeteries may be leased according to the principles prescribed by the Land Act.

Briefly, those are the provisions in the Bill and I commend them to the Committee's consideration.

Mr. DUGGAN (Toowoomba West—Leader of the Opposition) (2.23 p.m.): There seems to be no reason why opposition should be expressed to this measure but, as the Minister has indicated, it is indeed unfortunate that the death of a child should have been the motivating factor in prompting the authorities to look at the powers given to trustees to deal with situations which, unless corrected, could involve similar accidents, or danger, or hazard, at some foreseeable future time.

As the Minister was speaking, for the life of me I could not appreciate why this proposed measure does not extend to embrace those cemeteries that are controlled by city or shire councils or, indeed, by church authorities, because the same factors apply in every case.

I shall deal later with another matter that I have in mind—garden cemeteries—but until recent times the general pattern of interment followed almost identical lines throughout the country—indeed, throughout the countries of the world—where, according to the wealth or affluence of the friends or relatives of a deceased person, some memorial, tombstone, vault or mausoleum—call it what you may—was erected to honour the memory of the deceased person.

At this time last year, in company with the Minister for Local Government and Conservation and certain other hon. members, I had the opportunity of making a trip overseas. One of the places we visited was a Chinese cemetery in the Philippines, and it was amazing to observe, in such a small, compact area, indications of poverty on the one hand and affluence on the other.

We were informed that some of the elaborate memorials to the memory of deceased persons had cost £20,000. They were structures with tiled roofs, mosaic tiles, elaborate ceramic patterns on the walls, and they were floodlit. Invariably, photographs of the deceased person were displayed. In some instances provision had been made for the wife or husband, or some other close blood relative, to be buried in the same mausoleum in the future. On the other hand, in the same cemetery we saw only mounds of earth to mark places where people had been buried. They were not recent mounds. Apart from these slight mounds, which were covered with weeds and grass, there was no indication that people had been buried there.

I know it is very close to the heart and sentiment of most people that fitting tribute should be paid to someone who has been lost and whose memory is revered by the close relatives left behind. On the other hand, I feel that there can be a tremendous waste of money in this direction. I am sure many hon. members will have had the experience I have had. I have known many age pensioners who had a very small balance in the bank wanting to spend the greater part of their money on an elaborate, expensive tombstone in memory of a departed husband or wife, even though they were living in conditions which did not justify that expense.

I suppose it would be unwise for the Legislature to lay down just how much a person should spend in erecting memorials and tombstones. I should be the last to interfere with this private right. It is very difficult for someone to set himself up as a judge of what should or should not be spent in this direction. With due respect to stonemasons and those engaged in the marble industry, I feel that over the years there has been a colossal waste of money in this direction. As the Minister pointed out, with the effluxion of time these memorials and tombstones can become very dilapidated and an eyesore in the community.

On one occasion when I was in the Kew cemetery in Victoria my attention was drawn to a tremendously expensive vault or mausoleum that had been erected to the memory of a bride of only a few months. It had been said that the husband had married her for her money. To dissipate that idea he spent the whole of her estate on this tremendously elaborate memorial. Although I suppose it was a very fine gesture, it seemed unnecessary to dissipate the whole of her estate simply to prove that he did not marry her for her money. There were a lot of coincidental details on the tombstone. Assuming that the date was 26 December, the tombstone indicated that she was born on 26 December, married on 26 December and died on 26 December. There were many coincidental things such as that.

As I say, I think it would be wrong for the Legislature to interfere in these matters; nevertheless, it is a fact that in modern cities disfigurement of the landscape occurs by the appearance of some of the cemeteries within a city's boundaries. Unquestionably they can constitute an eyesore. I have not had an opportunity to check when the legislation was introduced, but some years ago a Bill was brought down to provide that in some of the new cemeteries there should be only small brass plates or plaques in the ground with very small headstones, six inches to 12 inches high, which would never become an eyesore.

People who have visited the War Memorial Cemetery appreciate just what can be done with proper landscaping, the planting of trees and shrubs, and the maintenance of lawns. In the areas where deceased persons are buried there is merely set in the ground a concrete block showing the particulars of the deceased. If I can use a macabre term they are beautiful places where people are laid to their eternal rest.

I believe that every encouragement should be given to ensure that this type of development is continued so that there may be public acceptance of such places as proper and appropriate for deceased persons to be remembered and revered. But why in the name of goodness should we exclude the other cemeteries—numbering approximately 300, without taking into account the church cemeteries—from the provisions of this requirement? It obviously involves 300 separate actions by the authorities to amend their ordinances, as these circumstances are common to them all. In cemeteries where people have been buried for a period comparable with the years of operation of the cemeteries affected by the provisions of this Bill, the tombstones are of the same age and, because of the effects of weather, movement of the soil and other circumstances, no doubt the tombstones constitute the same danger as in the case of the child who unhappily was killed by a falling headstone.

I think we could simplify matters considerably. I have always advocated that we should take action in one bold, decisive step

to obviate the necessity for red tape. In this case cumulative action is necessary by all the authorities to pass by-laws, and to have them promulgated and so on. If it was mandatory, and power was conferred on them to remove headstones, we would obviate the necessity for their taking action. It could well happen that, in the period preceding the proclamation of the Act, because of tardiness in taking action to amend the ordinances vesting authority in council trustees to do something a similar accident could occur. It is like closing the door after the horse has bolted.

The Minister may be able to give sound and complete reasons why this has not been done, but from his explanation I cannot understand why action was not taken. The Minister may not have expected this line of argument. He may consider that there are strong reasons for not doing so. This is not a direct criticism of the Minister's action; it is merely constructive criticism suggesting that this may or ought to be considered, and even at this late stage it may be considered by the Government.

We often wonder why authorities do not have power to take action, and then we find that some law prevents them from doing so. Sometimes an obstinate person refuses to co-operate, as happened when the new main road on the Toowoomba Range was being built. There was quite a ravine between the area that the Main Roads Department took over for the construction of the alternative second-lane highway leading into Toowoomba and the property of the person concerned. Because there had been an encroachment by resumption on some of her property she adopted a very unco-operative attitude towards the Main Roads Department. The department said it would fill in, free of cost, the ravine on her property.

It would have been better for the property-owner, and certainly from an aesthetic point of view it would have provided a better entrance to Toowoomba. However, she was quite adamant. I am not saying that she should have been compelled to co-operate, because it was private property. If I had been the owner of the land I would have been very happy to have the ravine filled in, but she refused because she resented the noise nuisance and the fact that the road ran alongside her property. I can understand her objection, but unfortunately, in this modern age very often individual convenience has to be cast aside in favour of progress for the masses. For that reason, some people may not agree to have a headstone removed or some other action taken to remove a danger of some kind.

I can well understand the Minister's desire to put this power beyond doubt or legal challenge, but would the Minister indicate why it is not desired to apply it to all cemeteries? Possibly it is not necessary to interfere with the functions of local authorities, which have wide and extensive charters. After all, whether sewerage is provided in a

city or an electorate is a matter for the people of that city or that electorate. The provision of civic amenities is properly the responsibility of the elected representatives in a given area.

But some things are common to everybody. Death will come as inevitably as the sun will rise tomorrow in the east and set in the west. Where there is a common denominator there is justification for making a uniform law. That seems to be the only criticism I have to offer at this stage. The beautification of cemeteries is a matter for people who are interested in aesthetic considerations generally.

As far as it goes, the Bill is important and essential. It is only as a result of some happening of this kind that the Government is forced to introduce such legislation. Invariably measures considered in this Chamber give power to do something that seems to be unnecessary or is simply a matter of common sense. But if there is a legal challenge or other complication a Government is required to amend legislation. That is why we have constant conflict between smart lawyers who see a defect in the law and try to use it to protect someone or to obtain financial redress. They use the loopholes that sometimes appear in the law. It is only in circumstances such as the Minister outlined that we become aware of the need to take action.

Putting beyond doubt the powers of trustees in certain other matters is reasonable and proper in the circumstances outlined by the Minister. I do not think anyone would cavil at the machinery provisions that accompany the main purpose of the Bill. This measure covers only 100 of more than 300 cemeteries. Why does the Bill deal with only 25 per cent. of them when the problem is a common one? There seems to be no power reposed in the Government to require local authorities to take appropriate action to amend their by-laws; it may be that they do not have to. If that is the case my argument loses some of its force and validity, and I ask the Minister to stop me from developing it any further.

Mr. Tooth: The problem is that under the Cemetery Act the powers of trustees are in doubt, whereas there is no doubt about the powers of local authorities in this matter.

Mr. DUGGAN: Quite often a special Act of Parliament is introduced to permit trustees, for instance, to dispose of public halls, or to deal with a 1914-18 war memorial which nobody is interested in. It could be an old cannon that children climb onto.

Trusts may have been set up 70 or 80 years ago, for example, for library purposes. Private Bills have to be introduced to give power to dispose of halls worth about £400 or £500, and, considering the time of the Legislature, the "Hansard" staff, and other servants of the House, it could perhaps cost

that much to pass the necessary legislation. I cannot see why a Bill cannot be introduced giving the Executive Council authority to take this type of action. Where no violation of principle is involved, a permanent and continuing power could be given to the Executive Council.

After the Second World War several funds were set up for various purposes connected with showing appreciation of the services rendered by people who took part in the war. Because some of those funds did not reach their objectives, or because of a lack of interest or for some other reason, the schemes were not proceeded with and private Bills were introduced to give authority to dispose of the funds. I do not believe that the Executive Council should be given authority to implement principles over which the Legislature should have control. I have argued along those lines before, and I again make that point abundantly clear. If, in the implementation of such powers, something appears to be contrary to the intention of the Legislature, appropriate remedies should be provided. On general administrative matters, however, I feel that a move should be made to obviate the necessity of advancing the same arguments time after time.

That is the general appeal that I make to the Minister for transmission to the Government. I have no criticism of the Minister personally, or of the Government in this matter. The introduction of the Bill affords an opportunity to express thoughts on these matters, and I hope the Minister will accept what I say in a constructive manner. In indicating our approval of the measure, we suggest that the Minister put to the Government the need to take steps to obviate the necessity for supplementary action by the Legislature, local authorities, or other bodies that may be affected by the legislation.

Mr. PILBEAM (Rockhampton South) (2.43 p.m.): I rise to support the measure and the principles that it advocates, although I must admit that my main interest lies not with the trusts who control cemeteries but with the local authorities who, in increasing numbers, are taking over the control and administration of cemeteries. I support the contention that the rights and duties of trustees controlling public cemeteries should be clearly declared, for there is no field in which so much ignorance is displayed. It is of the utmost necessity that members of trusts be acquainted with their rights to restore headstones, etc., that are in a dangerous condition and could constitute a threat to human life.

There is no need to remind local authorities of their rights and duties, because no evidence of this type of neglect is seen in cemeteries that have been taken over by local authorities. Local authorities must in every case draw up by-laws controlling the administration of cemeteries, and I know of no local authority that has not included in its by-laws the

right to restore headstones. Indeed, it would be foolish not to do so. I know that we in Rockhampton have just taken over two old cemeteries and are busy compiling by-laws relevant to them now. These provisions are in fact being written into the by-laws, and the council would be very foolish if it did not write them in.

Although the Minister who is introducing the Bill does not have any control over local authorities, I assure hon. members that local authorities are not falling down in their duty. The Leader of the Opposition can accept without question, I think, that cemeteries controlled by local authorities are well and truly protected by suitable by-laws. He mentioned an instance in which there was an over-display of ornamentation. Local authorities are dealing with this sort of thing, too. Virtually every modern cemetery now brought into being by local authorities in Queensland is of the garden type, and the by-laws include a limitation on the size of the stone and make it mandatory to place it in a certain way. So that the cemeteries can be maintained economically, the headstones are usually of a certain minimum size and are placed flat on the ground to make mowing of the surrounding areas easy. Beautification is brought into being in the parks, and gardens and trees are established in them. This makes them beautiful and a very suitable resting place for those who have passed on.

Church cemeteries are now very few in number and are on freehold land. I should be very surprised if the local authorities in whose areas they are situated did not have some control over them.

Where cemetery trusts are in existence in Queensland—this is the position in Rockhampton; I think it applies generally—they have been in existence for very many years. They are composed of many good citizens, but one usually finds that the men on them have grown grey in the service and have not been able to condition their minds to the provision of a modern cemetery. That is why I believe they should be taken over by local authorities in almost every instance. Too often one sees cemeteries overgrown with vegetation and long grass, and with tombstones either lying on the ground or in a dangerous state. In addition, when cemetery trusts have been taken over by local authorities, it has been found that records have been lost and that conditions generally are very unsatisfactory. In most instances, in fact, local authorities have been forced to take over the cemeteries because trusts have not been able to cope with the situation, and in every case there has been an improvement in the standard of the cemeteries as a result of the more modern administrative methods and greater income of the local authority. It is essential that cemeteries should be maintained satisfactorily. As the Leader of the Opposition said, in the past a cemetery may have been

situated on the outskirts of the town, but it is now in the middle of a good residential area. This is where trusts have fallen down on their job in the past and why local authorities have been able to step in and provide an amenity much more suitable for modern living.

The Minister spoke of the need to restore headstones that are in a dangerous condition. Local authorities are faced with a much greater problem than this when they take over cemeteries from trusts. One usually finds not one stone but many hundreds of stones in a dangerous condition. The situation becomes very complicated, too, because for years members of the public have been, as far as they are concerned, buying land to provide a last resting place for themselves. They do not realise that the areas in question are held under trusts created for cemetery purposes, that they are not held under freehold title, and that no title can be given to anybody. If one asks any member of the public who has paid £4, £5 or £6 for a plot whether he owns the land, he will say that he does. Of course, he has no title to it.

Mr. Houston: They get the six-feet-down part.

Mr. PILBEAM: Yes. Hon. members would be very surprised to find how difficult it is to cope with a situation such as that.

I am not concerned with the cost to the local authority of restoring the situation; that is their obligation. But I am concerned with the tremendous difficulties that face a public authority that tries to close a cemetery. There may be a cemetery that has not been used to any great extent for 30 or 40 years, but there will still be hundreds of people who have receipts in their hands showing that they paid £4, £6, or maybe £10, for a plot. It might be a plot sufficiently large to bury six people. If anyone tries to close that cemetery he will find himself up against people who are very touchy about this sort of thing. That is something to which I should like to refer the Minister. I suppose he will say it is a matter for the local authority.

We sought permission to close a cemetery in Rockhampton and we were told by the Department of Lands that it had no right to issue Orders in Council to give us the right, that the whole situation must be controlled by by-laws passed by the local authority itself. We could pass by-laws stating that we will close a cemetery at a certain time on certain conditions, but let anyone try doing it and see the opposition he encounters!

In some cemeteries there is not only one headstone, but hundreds, in a dangerous condition. With a cemetery such as that in Rockhampton, right in the centre of a modern city, we must try to arrive at some sort of standard list of requirements that can be met to satisfy the public and give the

city an opportunity to close it. My reference to the Minister on this occasion would be that he, in co-operation with the Minister for Local Government and Conservation, should look at the situation and see if it is possible to give us some sort of list of requirements which, if met, would enable us to close a cemetery.

I do not think anyone will deny the desirability of doing this, but what length of time should we allow to elapse after we advertise our intention of closing a cemetery? For how long are people justified in relying on receipts they hold for money spent to reserve plots of land? Have we the power to transfer that right to another cemetery? If a local authority tries to do all these things without superior authority it will come up against stiff opposition, but if the Government would give us a list of requirements which we could publicise and which were satisfactory to the public we would probably have little trouble in closing a cemetery.

As I say, there is not only one headstone in a dangerous condition but, in many cases, some hundreds. In addition, it is an unhygienic situation where a cemetery, once on the outskirts of a city, is now right in the heart of that city. I ask the Minister to give some consideration to that point.

So far as the general problems relating to trusts are concerned, I strongly support the measure. I think it is a good one, and it is certainly very timely in view of the ignorance that has been displayed in the past.

Mr. W. D. HEWITT (Chatsworth) (2.54 p.m.): I think there will be few who will voice opposition to any aspect of this Bill. In fact, I find myself in agreement with the Minister in particular and very substantially in agreement with the observations made by the Leader of the Opposition. I think he was quite constructive and helpful in his observations.

I do not know whether it is of use to the Committee, but I point out that among by-laws gazetted for the Burrum Shire Council on 13 September 1966, this by-law was, in fact, spelled out under the heading "Removal of Monuments, etc."—

"The sexton shall have the right to secure or to take down and remove any monument, headstone or other surface structure which in his opinion is unsafe."

There is one instance in which new by-laws containing this right have been approved.

I want to make some observations on this subject, largely to sustain the arguments put forward by the Leader of the Opposition. Firstly, one could say that it would be temerity—indeed, I suggest, offensive—if we were not to respect the rights of those who wish their dead to be buried. This is a religious conviction, and all of us respect those convictions. We would defend them in

every way possible. Having said that, let me say that I believe that greater emphasis can be placed, and is being placed these days, upon the use of ground-level plaques rather than tombstones. That is a tendency that has gained momentum in recent times, and it is to be applauded. Anyone who has recently driven into Nambour from the northern approaches must have been impressed by the parkland aspect of the cemetery there, which has only plaques at ground level. I think there is evidence that the tombstone is possibly something of the past.

I have some knowledge of an English law which provides that 100 years after the date of the last interment in a cemetery there is a right to remove all tombstones and to convert the cemetery into a parkland area. I should be interested to know if such a right exists here. Although it is probably a local authority matter, one wonders whether huge cemeteries presently in use, such as Toowong, would have sections within them where burials have not taken place for 50 years or more, and whether at least a portion of those cemeteries could be converted to parkland to provide breathing space. It would start the trend so that in the fullness of time the whole area would be ultimately converted. I think there is need for useful thinking on this matter, and I hope the Minister will make some comment upon it.

With the Leader of the Opposition, I agree that it is unfortunate that too often a fatality motivates action. None of us sit in judgment upon the Minister for Health, but it is unfortunate that a youngster had to die before this matter came to our attention. I am not referring only to this subject. We all know of instances where kiddies have been drowned in unprotected waterholes. Recently a couple of youngsters were killed on the South Coast when an unsafe swing collapsed. The lesson in all these things is that we should attempt to be custodians of public safety and try to sound the bell, not after, but before a fatality occurs.

Mr. Pilbeam: I think they have always had the right, but this is re-declaring it.

Mr. W. D. HEWITT: I bow to the hon. member's superior knowledge.

Recognising the fact that at this stage of a Bill hon. members take rather a broad licence of the subject matter under discussion, I hope, Mr. Hooper, that you will bear with me if I move a little away from the subject to a theme that is not entirely divorced from the matter under discussion. In the broad term, it is a discussion of the attitude towards death in other countries. Evelyn Waugh, in a book titled "The Loved One", satirised the way the Americans view death. Although it was written in satirical fashion, I think it reasonable to say that the book was not a great departure from fact in many ways. In 1963 Jessica Mitford caused a tremendous furore in the United States by writing the book "The

American Way of Death." In it she highlighted the way Americans, in a rather ghoulish fashion, handle the deceased. It was rather interesting that as a consequence of her book a journal that called itself "The Business Week" in November, 1963, made an assessment of the average cost of death to American families, and found that in fact it was \$US1,500. I suggest that is a pretty expensive way of death.

In her book Miss Mitford dealt at some length with the emphasis that Americans place on such matters as embalming, ornate caskets and incidentals, extravagant clothes for the person they euphemistically refer to as "the loved one", and the nauseating method of prettying-up the corpse and leaving the casket half open. In all too many ways Australians are rather slavish in the way they follow American trends, but apparently it does not go all the way. Those who buy a few shares on the Stock Exchange and who happened to invest in ten-pin bowling recognise that Australians do not necessarily follow American trends. I think that Australians have enough good sense and good taste not to follow such trends.

I think it is useful on such occasions to draw a distinction to emphasise my disgust and contempt of the profit exploitation motives of American morticians in this matter and to contrast it with the simplicity embraced in the Australian procedure.

Mr. Davies interjected.

Mr. W. D. HEWITT: I am not competent to express an opinion on the hon. member's interjection, but our costs are much lower than \$US1,500, which is ridiculous. I hope that our morticians will have sufficient good sense not to introduce such practices, and I hope that the Australian citizens at large have enough good taste not to accept them.

I have taken advantage of this opportunity to draw this distinction because, on occasions, a little foresight is useful, and by recognising that changes may creep in we may be conscious of them and be able to do something to prevent these disgusting practices.

The Bill is timely and, with other hon. members, I commend it.

Mr. LICKISS (Mt. Cooth-tha) (3.1 p.m.): I rise to support the principles in the Bill. I will direct my remarks particularly to the aspects of it that deal with the handling of cemetery lands. In my experience in matters of land administration, and from a study of the situation in other States and other countries, I know of no lands which, once alienated from the Crown, present such difficulties in further dealings and, might I say, where such profound reluctance is shown when such dealings are considered to be desirable in the public interest, as those concerning land set aside for cemetery purposes.

Of necessity, cemetery lands are often set aside in planned development. They are set aside in anticipation of population growth, but not on all occasions does the growth occur. Consequently, rather large areas of land may become redundant from the point of view of the use for which the land was set aside. Very often, particularly in Queensland, the land is set aside in the form of a restricted deed of grant and if that title is not acted upon it is a title in perpetuity. Land set aside for cemetery purposes appears to cause a reluctance on the part of authorities to deal further with it.

I do not wish to say very much more about this subject, other than to commend the Minister for recognising the necessity of being able to deal with cemetery lands. I realise that only part of the Bill deals with this point, but that part has been of constant interest to me for many years. I am sure that other States would do well to emulate what the Minister proposes under this measure.

We all know that cemeteries are a necessary part of any community. They fulfil the religious beliefs of many people and no-one would agree that undue control should be exercised over them. However, we have an obligation to people other than the relatives of those who are buried in the cemeteries, and I believe that the principles contained in the Bill go a long way to meeting the requirements of all.

I do not wish to say anything more other than to congratulate the Minister again on the measure.

Hon. S. D. TOOTH (Ashgrove—Minister for Health) (3.5 p.m.), in reply: I shall reply firstly to one or two comments made by the Leader of the Opposition, who has just been called away from the Chamber to deal with an urgent matter.

I was interested in his remarks, particularly his reference to the need for developing garden cemeteries. One or two other hon. members referred to that matter and there seems to be general agreement about it.

The Leader of the Opposition asked why the provisions of this Bill were not being extended to the 300 cemeteries under the control of local authorities. By interjection I pointed out that while the powers of trustees under this Act are in doubt, the powers of local authorities in these matters are not in doubt. I go further and say that it is not part of the Government's duty—indeed, it would be undesirable—to adopt a big-brother attitude towards local authorities. They have their own statutory powers and they are expected to exercise them in a responsible way.

Mr. Hanlon: Did the fatality occur in a local authority cemetery?

Mr. TOOTH: No. It occurred in Toowoomba, in 1964. Although I am not quite sure, I do not think there is a local

authority cemetery in Toowoomba; they are all under the provisions of this Act. We feel that where it is the responsibility of the local authorities, in the majority of cases they are facing up to their responsibility. I have here extracts from ordinances from one or two local authorities containing this particular provision, and the hon. member for Chatsworth mentioned another from the Burrum Shire Council, so I feel that this matter is under proper control.

Mr. Pilbeam: Almost all of them have it.

Mr. TOOTH: The hon. member for Rockhampton South would be aware of that because of his particular responsibility. He said that the Rockhampton City Council had taken over certain of the cemeteries previously held in trust under the Cemetery Act 1865.

It may be interesting for the record if I refer to what happened in Rockhampton. Over a period of years the Rockhampton Cemetery Trust experienced difficulty in meeting its financial obligations. It reached the stage where all existing cemetery land was virtually filled and a new cemetery was urgently required. The matter was submitted to Cabinet by the then Minister in January, 1963, and it was decided to resume land in North Rockhampton for the new cemetery at the expense of the State, such land to be handed over without charge to the cemetery trust.

Mr. Pilbeam: One of the few gifts from the Government.

Mr. TOOTH: Cabinet considered the matter in August, 1963, and decided that the Rockhampton City Council should be requested to accept responsibility for the control and maintenance of cemeteries in Rockhampton, and that the proposed resumption proceedings should continue and the land resumed at the State's expense would be vested in the council free of charge. On 22 August the council advised that it would accept this responsibility. The trustees thereupon resigned and the council was made the trustee by the Department of Lands in January, 1964. The compensation paid for the resumed land was \$12,000. Advice has been received from the Department of Local Government that as yet the Rockhampton City Council has not passed by-laws relating to cemeteries, but the hon. member for Rockhampton South has indicated in the course of his remarks this afternoon—

Mr. Pilbeam: The reason for the delay has been that the 10 trustees were taken off the old deed of trust, which has been in existence since 1867, and no new ones were added.

Mr. TOOTH: That indicates the need to look at this particular problem. I am glad that the hon. member has had an opportunity to make an explanation and indicate that the council is proceeding in the matter.

The Leader of the Opposition referred to the frequency with which special legislation has been brought down. One of the reasons for the declaratory provision concerning certain sections of the Land Act was to avoid this problem. When a cemetery under the Cemetery Act is closed by the Governor in Council to further burials, the Cemetery Act is silent in dealing with or "winding up" the trust. In certain cases cemeteries closed many years ago have been dealt with by specific legislative proposals, notably the conversion of the old Paddington cemetery to what is now known as Lang Park; the conversion of the Maryborough cemetery to a public park; and the conversion of the old Gympie cemetery to a public park.

There was reference to the need to turn these disused, or completely used, areas to something of a more aesthetic nature, not only removing physical hazards but also making them more acceptable in appearance. The hon. member for Rockhampton South made some inquiries as to how this could be achieved. I have some notes prepared by my colleague, the Minister for Lands, on this point. If I may trespass on the indulgence of the Committee, I should like to read them and have them included in "Hansard."

A cemetery under the control of private trustees, as distinct from a local authority, is subject to the provisions of the Cemetery Act, and there is no provision in that Act to deal with a closed cemetery. Conversion of the cemetery to some other purpose of, say, quiet recreation, would require special legislation. The provisions of the Land Act are now being made operative in respect of these cemeteries.

Where the cemetery is, or can be, placed under the control of a local authority, the provisions of the Local Government Act and Land Act, not the Cemetery Act, apply. In a case where the local authority is trustee and where the department is satisfied—

(a) That the cemetery has been closed for many years;

(b) That the cemetery is in a neglected state or for any reason is impeding the progress of a city or town;

(c) That the question of re-interments does not arise;

(d) That it is in the interests of the community that the cemetery be converted to a public park or garden and that this action is generally acceptable to the community,

executive authority is sought under the Land Act to cancel the cemetery trust so that the cemetery becomes vacant Crown land. In those circumstances the common-law principle applies that anything in or on the land is part and parcel of the land. At the same time, upon cancellation of the trust any right given by the trustees, or any obligation imposed on them, is extinguished by cancellation of the trust.

The department will then allow the local authority to remove headstones and develop the cemetery as a park on the basis that the local authority is acting as the agent of the Crown, the owner of the land, including anything contained therein or situated thereon.

After the development of the cemetery as a park, the land would be set aside as a reserve for park purposes under the Land Act and placed under the control of the local authority as trustee. A recent case is that of the Emerald cemetery.

For the information of hon. members, I should like to give an indication of what was conveyed to the Emerald Shire Council in this matter. The council was advised that the Land Administration Commission was prepared to allow it to effect conversion of the cemetery to a park, subject to the following requirements—

(a) The giving of six month's public notification in "The Courier-Mail" and a local newspaper notifying the council's intention. The notification was to specify that the council intended to convert the closed cemetery to a public park and the council would bear the cost of removal of tombstones except where any individual had particular requirements, when such individual would be responsible for the cost thereof.

(b) The council was to erect a permanent memorial, stating that the area was formerly a cemetery, and a register of interments was to be available for inspection at office of the council.

(c) The council was to compile and maintain a record of interments from surface information.

(d) No tombstone was to be removed until the expiration of the period of public notification and until after cancellation of the cemetery reserve.

(e) After the removal of tombstones and other monuments, the council was to develop the area as a public park.

(f) Under no circumstances would consent be given to any lease in respect of the area, and it was expected that the council would not erect or permit to be erected any structure whatsoever upon the converted cemetery.

They are some of the conditions outlined, and I have much more information here.

Mr. Pilbeam: There are two points in particular on which I should like some enlightenment. The first is this: you advertise the closing of a cemetery for burials. How long after that do you think would be a reasonable time?

Mr. TOOTH: A period of six months.

Mr. Pilbeam: You say there are no re-burial rights included. But if people have re-burial rights—if they have receipts showing that they have the right to re-burial—are they cancelled out?

Mr. TOOTH: When the provisions that I have outlined operate, things such as that do cancel themselves out. A reasonable period of time is allowed, at the end of which the conditions laid down would operate.

Mr. Houston: If they have a receipt, they have to die in that period to be able to use it.

Mr. TOOTH: I do not follow that.

Mr. Houston: The hon. member for Rockhampton South asked a question relative to those who have a receipt showing that they have a burial plot on that ground.

Mr. TOOTH: That was clearly indicated in the section of my remarks in which I said that the local authority becomes trustee for the Department of Lands and the local authority is acting as the agent of the Crown, the owner of the land and anything contained therein or situated thereon. When the processes that have been outlined have taken place, the situation, as I understand the advice from the Minister for Lands, is that this is Crown property and any concessions given by the trustees are extinguished.

Mr. Houston: If he has paid £5 for a plot—

Mr. TOOTH: It is a reservation.

Mr. Houston: He loses his £5.

Mr. Pilbeam: We refund the money.

Mr. TOOTH: We are talking only about cemeteries that are full and have not been used for years. Obviously, this situation is not likely to arise where there is a closure of a cemetery. The provisions relate only to cemeteries that it has been decided to close. If the cemetery is still operating, authority of this sort is not likely to be given.

Mr. Pilbeam: That does not relate to the case that I cited. Where burials took place right up till six months previously, one could not very well close that cemetery.

Mr. TOOTH: No, obviously not.

Mr. Houston: I was trying to help you with the answer to that question.

Mr. TOOTH: I thank the hon. member.

The provisions of the proposed Bill deal with cemeteries that are no longer being used for interments and in which the last interment would have been made about 50 years ago, or even longer.

Mr. Pilbeam: That is the point I am trying to get at. We have already closed one cemetery. What do you think would be a reasonable time to allow to elapse before converting it to a park?

Mr. TOOTH: I would hesitate to make an off-the-cuff pronouncement on that point, but I should say it would be a very considerable time. Possibly we have reached the stage where I have made as many explanations as are necessary, and I suggest to the hon. member for Rockhampton South that if there is anything further in this matter that he wishes to clear up—

Mr. Duggan: He should bring it into Caucus.

Mr. TOOTH: No, I do not think Caucus is the place for it. I think if he addresses himself to the Minister for Lands on this matter he will probably have all his problems explained.

Motion (Mr. Tooth) agreed to.

Resolution reported.

FIRST READING

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

WEIGHTS AND MEASURES ACTS AMENDMENT BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Hooper, Greenslopes, in the chair)

Hon. J. D. HERBERT (Sherwood—Minister for Labour and Tourism) (3.23 p.m.): I move—

“That a Bill be introduced to amend the Weights and Measures Acts, 1951 to 1965, in certain particulars.”

Hon. members will recall that during the last session of Parliament I introduced legislation to amend these Acts. This was necessary in anticipation of the promulgation of uniform packaging regulations which are presently being drafted and which will apply to all States of the Commonwealth.

Two very important matters which were raised during these interstate conferences on packaging were the practice of offering meaningless discounts by marking packages “5 cents off” or “save 8 cents” and so forth, and the deceptive practice of packing an article in a large outer container so that the outer container is only half or less than half full.

However, it was considered that these were matters which were outside the sphere being covered by these conferences and that they should be considered separately in other places.

The concern regarding these two practices, which is felt in all States and also in the United Kingdom and the United States of America, is also shared by this Government. Consequently, the position has been closely examined and legal advice is to the effect that it is competent for these two matters to be met under the present weights and measures legislation in this State in so far as Queensland is concerned.

It is of interest to note that the Fair Packaging and Labelling Act which has been introduced in the Senate of the United States contains a provision to control the practice of offering meaningless discounts.

In regard to this United States measure, examination has disclosed that the great majority of the matters proposed to be covered by it are already in fact covered under our Queensland legislation.

I am sure all hon. members are aware of the feeling of consumers generally concerning these two practices. Dr. Epstein, the Deputy Chairman of the Australian Consumers' Association, made a pertinent comment in this regard when, as reported, he stated—

“Because most goods these days are pre-packed, the buyer doesn't see the actual goods but has to rely on what is written on the package. He can only find out both the quality and the quantity of the article after he has bought it.”

I am pleased to say that investigations have revealed that there has been some improvement in packaging practices since manufacturers and packers have become acquainted with proposals to be included in the packaging code, but as these matters are outside the ambit of the code, and with a view to controlling these matters, it is proposed to amend subsection 1 of section 55 of the Weights and Measures Acts by giving the Governor in Council power to issue regulations to control both the practice of offering meaningless discounts and also the deceptive practice of packing an article in a large outer container so that the outer container is only half or less than half full. The Uniform Packaging Regulations will also require such packets to have the weights of the contents of such packets printed legibly in certain sizes on the outside packets.

It is hoped that the regulations concerning these two matters will be drafted so that they shall, at the very latest, be promulgated at the same time as the Uniform Packaging Regulations covering many other matters regarding the packaging of goods.

I commend the measure to the Committee.

Mr. SHERRINGTON (Salisbury) (3.27 p.m.): I do not think I could be accused of egoism if I were to preface my remarks by saying that I express my appreciation to the Government for this rather belated recognition of the many submissions that I have made since my entry into Parliament in 1960 about the offering of meaningless discounts and the false packaging of goods in oversize cartons and containers.

This is an important measure, although a belated one. I have no doubt that the Minister will be happy to know that he will receive the acquiescence of the Opposition in this measure if, on examination, it appears to us that it will curb the practices that have

been going on. Since my entry into Parliament in 1960, as a matter of public importance, I have continually drawn attention to these undesirable practices. I was getting heartily sick of the answers to questions to the effect that conferences of the various Attorneys-General were considering this matter, despite the fact that Mr. Justice Cuthill produced a document running into six volumes dealing with every aspect of false packaging, and despite the fact that the Australian Consumers' Association, by public outbursts and through its magazine, "Choice", had been continually drawing attention to what was going on.

It would seem that Australia has been the slowest country to take any action in this matter. Only recently the United States Senate introduced draft legislation dealing with false packaging, but I think it can be fairly said that it was left to Sweden—one of the smaller countries of the world—to take positive action to combat undesirable practices and undesirable labelling. Sweden, through its Bureau of Informative Labelling, or, to use the almost unpronounceable Swedish term, "Varudeklarationssnitsen", has done the most to make it easier for the customer to ascertain whether he or she is getting fair value for money.

Research shows that the use of false packaging and deceptive advertising on packages, such as meaningless discounts, has followed in the wake of the uprise of the chain-store type of merchandising. I think it is to be regretted that, over a number of years, the suburban corner store has been virtually eliminated. It has been gradually swallowed by the supermarkets which, I have no hesitation in saying, have been responsible in no small measure for the promotion of deceptive packaging or, as they choose to describe it, the "silent salesman". One has only to read what Vance Packard said in his book called "Hidden Persuaders" to realise what tremendous research is engaged in by packaging firms into the psychology of selling and to realise the millions of pounds that are poured into research with the one object of deceiving the customer so that he will purchase an article.

I pay a great tribute to the Australian Consumers' Association for its unending efforts, on behalf of the consumers over a number of years, to have these matters rectified. As early as 1962 the Australian Consumers' Association first put its views before a magistrate and said that it thought every package should at least tell the purchaser just what he was getting for his money; that every package should clearly show the net weight or volume of content and the actual selling price.

The weight or volume should not involve odd fractions so that we can easily determine the price per pound or per pint for comparative shopping. Basically, the idea behind merchandising should be to assist the consumer.

The Molony Commission, which held an inquiry in England, referred particularly to the difficulties confronting a consumer when, in Article 74, it said—

"A number of representations drew attention to the difficulty which the consumer may experience in making true comparison of the prices of goods offered in different quantities; for instance, in calculating that a 7½ ounce packet at 1s. 3d. is more economical than an 11½ ounce packet at 1s. 10½d. It was therefore urged that certain classes of goods when displayed for retail sale should be required to bear a clear indication of price per unit quantity."

That is very important to the housewife who, because of these "silent salesmen" has difficulty in deciding where she can get the best value for her money.

It is to be regretted that we see the disappearance of the small suburban store-keeper. At least he was basically honest. When he was asked his opinion about a certain product he gave an opinion commensurate with his experience. Today, confronted with 3,000 to 4,000 items in a chain store, all with varying weights and phoney discounts, how can a customer make an accurate assessment of which is the fairest deal for her money? Bad as this may be, and bad as the use of deceptive discounts may be, there is no lower practice in merchandising than deceptive packaging or slack filling.

Mr. Bromley: Bigger packages and less contents.

Mr. SHERRINGTON: That is what I am saying. In a spirit of nicety we refer to it as deceptive packaging; in fact, it is downright fraudulent merchandising of products. Is it any wonder that today I speak with considerable feeling on this matter, to which I have continually drawn attention for the last six years. It has taken six years for positive action to be taken.

Sweden, one of the smallest countries in the world, has a standards bureau. Before any product can be labelled in that country it must meet the specifications laid down by the bureau. I have here a list of some of the things that come under its control. It is a voluntary organisation. The number of licenses for informative labels has risen from 363 in 1962, the year of the bureau's inception to 905 in 1965. The number of firms labelling their products with these informative labels rose in that period from 230 to 564. As the hon. member for Townsville North rightly interjects, the companies that are honest in their advertising, packing, and claims, are finding that this bureau is to their advantage because people have learnt to trust the label issued under licence by it. I do not want to weary the Committee by reading this long list of firms which indulge in fraudulent packaging.

Mr. Bromley: You might notice that over the last nine years it has got worse and worse here.

Mr. SHERRINGTON: I agree with that. Although the Chairman is a tolerant person, I know he would not allow me to go beyond the bounds of the measure. Suffice it to say that the upsurge of these practices has followed closely in the wake of the abandonment of price control, because under that system it was laid down that articles were to be so much a pound, an ounce, a dozen, and so on. Today, without the safeguard of price control, the way has been opened to the use of phoney discounts and deceptive packaging.

Mr. Pilbeam: They are all on the counter now.

Mr. SHERRINGTON: The Chairman would not allow me to go outside the Bill to answer the hon. member's interjection. He suggests that all articles are now on the counter because there is no price control. Let him contact the price-fixing authority in South Australia to see whether there are any shortages or black-marketing there.

Returning to the subject of deceptive packaging, we find that, because of a sales gimmick, one brand of chocolate appears to give the purchaser more than previously. The package appears larger to the eye, and it certainly is longer and wider. However, when it is put on the scales it will be found to contain less chocolate than it did before. All these things are designed to confuse the customer so that he is unable to decide which is genuine and which is not.

Again I refer to the magazine "Choice" in pointing out some of the very undesirable features in packaging. Not only is the slack-fill method used, and not only are the contents of packages not disclosed, but today articles are being packaged in absurd quantities. This applies particularly to dried fruits and similar commodities, and housewives often find that they have three or four packets of fruit with about one ounce in each. They are therefore buying more than they actually need.

Once again I refer to "Choice", though I shall not name the companies concerned because I do not think they are any less culpable than are others. In reporting on a test carried out on packets of dried fruit, "Choice" asks, "Why must we have packs containing 10 ounces or 12 ounces?" It says—

"Most recipes require four, eight or 16 ounces so there is no advantage to the housewife in buying a packet with an odd number of ounces in it. One is perhaps justified in thinking that it is a sales gimmick to persuade the harassed housewife to buy a smaller amount of fruit in what appears to be a cheaper pack, but which has almost the same dimensions as its weightier neighbour?"

Mr. Bromley: This is a "current" problem you are raising.

Mr. SHERRINGTON: I quite agree, but I ask the hon. member not to tempt me into saying something that might be unparliamentary.

"Choice" continues—

"Many of the 12 oz. cardboard packs look much the same as the 1 lb. packs, especially when viewed at from the front!"

This deception has many dimensions. A package may look large from the front, but very much thinner from the side. In the product referred to, over an inch of empty space was found at the top of the cardboard box. I think it is very desirable that one should view the question of deceptive packaging from the point of view of the slack fill of the carton and also from the point of view of the actual contents.

One of the complaints is that it has become fashionable to decorate packets of dried fruits and other articles with artists' very colourful impressions of what they are supposed to contain. The Consumers' Association found that in one instance the illustration depicted cherries and almonds; in fact the packet did not contain one real cherry or one real almond. It said that the illustration on another packet depicted about 40 per cent. of the contents as red and green cherries, whereas in fact only 6 per cent. consisted of cherries.

No matter where one looks, one sees continual research being conducted into slick methods of salesmanship designed to achieve the "silent" salesman that stores promote today. Is it any wonder that I say, on behalf of the Opposition, that this legislation is welcome although somewhat belated?

Of course, one cannot forget our women-folk in a debate on this subject, because one of the most blatant examples of deceptive packaging is to be found in the field of face cream and other cosmetics. However, as my time is running short, I cannot go into that subject; I have a number of other matters that I wish to bring to the Committee's attention.

I am convinced that deceptive packaging is to be found in every type of merchandise in stores today. It is important, therefore, that action should be taken to curb the meaningless discounts that are offered and also the offering of so-called "specials", which has become a feature of the chain stores. A retailers' association has been very critical of this method of merchandising, which it claims is deceitful. In effect, a number of below-cost items are promoted and the price of hundreds of other articles is inflated.

It is important, too, that a standard of weights should be adhered to. Again, the Australian Consumers' Association has been very vocal on this subject. It has suggested that a system of standardised weights and measures is desirable and possible, and it has

listed in its submission the desirable weights for packaged goods in ounces and pounds and the desirable liquid contents of containers. The practice of not adhering to standard weights is rampant. I can recall, for example, the marketing of instant mashed potatoes in identical packets that differed by three-quarters of an ounce in weight.

Unfortunately, I have not time to go into the exotic sizes of packages, but it has been proved over and over again that certain terms have been misused. For example, one very often finds the smaller size of an article advertised as "giant size." One has only to listen to television at night—if one can stand television advertisements—to find out how far these people will go. One brand of tooth-paste claims that university tests prove that it combats decay better, but nobody can find out which university made the tests. One particular brand of washing machine advertised on television claims that it drags the clothes down into the deep water zone; another advertiser claims that there are 43 beans in every cup of coffee. And so it goes on. What utter nonsense! So long as one is prepared to watch the advertisements one can see the rest of the television programme.

A Government Member: We have to listen to you.

Mr. SHERRINGTON: It is a pity that some hon. members opposite do not listen to me more. They beat the air over the last half hour about cemeteries, not caring a hoot who is in them, instead of getting down to the fundamentals of life and ensuring that the people that they, and we, represent are getting a fair deal for their money. They will get up in this instance and support people who have fleeced the general public for years with this type of robbery and deceptive packaging.

Mr. Murray: I would sooner have you than Frank Adler any time.

Mr. SHERRINGTON: I do not want to mention him, except to say that the C.M.O. is welcome to him.

(Time expired.)

Mr. PORTER (Toowong) (3.52 p.m.): I have a strong objection to this measure. I can state it simply and, fortunately, briefly. I fully commend any appropriate action that is taken to prevent manufacturers and traders from trying to wantonly deceive the buying public, but I think there is a great deal of confusion here as to what is merchandising, which has gone on since the world began in the distribution and sale of goods, and what is trickery.

I am not quite sure that I have this right, but, as I understand it, the Minister is amending the Weights and Measures Act to provide the power which will enable his department to control the size of packages in

relation to the volume of their contents in order to stop manufacturers from deceiving the public, but the regulations which will flow from this, will, in fact control the size of the printing on the packet showing the net weight of the contents.

Now, nobody is against a requirement that the net weight of the contents of any packet should be very clearly printed on the packet, but in my opinion to put into an Act a power that is quite different from that and goes far beyond it is something else again. If the power in the Act was only a power required for regulation I would not be standing up at the moment, but a power in the Act which goes beyond the power required for the particular regulation is unnecessary. This, I am told, is called a "reserve power". Well, that is a nice euphemism. I cannot see any virtue whatever in handing over to officials the power to tell a manufacturer that he shall have this size of package and this shape in which to market his goods.

I would say that the argument that this power is necessary to stop the manufacturer putting a small content into a large packet in order to deceive the public is nonsense, if the net weight is clearly printed on the packet. It just cannot happen; you cannot deceive the public if the net weight is printed on the packet. You may well say, "Ah, but the people do not read the packet." I say that they should.

Mr. Sherrington interjected.

Mr. PORTER: Which only shows the enormous yawning gulf between the hon. member's political philosophy and mine.

If customers do not read what is on the packet in terms of weight, they should. If we do not think the wording is big enough for normal purposes, let us alter the wording of the regulation so that it will be big enough. If someone puts out a packet six feet high, let us require that the wording be one foot high, but there is no necessity to control the size and shape of the packet. In any case, if a manufacturer does something foolish the natural laws of competition will quickly put him in his place.

Hon. members supporting this measure must think that housewives are the greatest nitwits around the place if they imagine that they will go into stores and be tricked time after time with dud packets. Ask any store manager what happens with gimmick packages on his shelves. They just do not remain sellers for any length of time at all.

This power to control the size of the packet is unnecessary as long as we enforce the proper printing of the weight on the packet. To me it represents an unwarrantable intrusion into the rights of the individual, into the rights of the manufacturer and into the rights of the retailer. We always declare in our type of democracy that the consumer

is sovereign and has the final right of choice. Now we are saying that the public official is sovereign and that he will have the final right of choice; he will say what sort of packages will be used.

It reminds me of a chap I heard one day in the Sydney Domain. He was up on a soap box talking about the great day when the revolution came. He said, "When the day of the revolution comes, brothers, you will all have caviare to eat at every meal". A mild little fellow in the front interjected, "I don't like caviare", to which the man on the soap box replied, "My friend, you will eat caviare and you will like it".

It is suggested, of course, that one of the reasons we must do this is that it will give us uniformity with other States. I am all in favour of uniformity when it is good uniformity, but if it is bad it only makes the bad thing six times as bad. Certainly I should not like to see this Parliament get into the habit of worshipping uniformity as some sort of sacred cow in its own right. After all, the bigger the turkey the bigger the egg it can lay.

I oppose the power to control the size of a package in relation to the volume of its contents because I regard it as quite absurd, unnecessary, an infringement of the basic individual rights and responsibilities—every individual has some responsibilities—and a gradual extension of the "big-brother-is-watching-you" complex to which bureaucracy is always partial.

Mr. AIKENS (Townsville South) (3.58 p.m.): I think it can be truthfully said that every party has within itself the seeds of its own destruction. Anyone who cares to examine the political history of the democratic countries will find that every Labour Government has been destroyed by the extreme Left and every Conservative Government has been destroyed by the extreme Right. We have just had an example of extreme "Right-ism" from the hon. member for Toowong, who apparently is a disciple of the old American system of rugged individualism, which means that everybody has the right to fatten and batten on the people and that there should be no restriction by the Government or any instrument of Government; that the people should be asked to go along to the polls on polling day and elect a Government ostensibly to protect them. Then the Government, having been elected, adopts the attitude of the hon. member for Toowong, and the extreme Right of the Liberal Party, and throws the people to the wolves, saying, "All our election promises were so much eye-wash".

Every Government has its responsibilities and every member of Parliament has his or her responsibilities. First among those responsibilities should be the ensuring that the people he or she represents, and whose vote he or she sought on polling day, are not robbed and are not fleeced.

It is indubitably true that the people of Queensland, and of the other States, have been robbed and fleeced by the big combines and the unscrupulous, greedy and dishonest traders.

Mr. Bennett: If your price was equal to your estimate you would be a millionaire.

Mr. AIKENS: We read a lot about murders in the papers these days. If the hon. member for South Brisbane were ever found murdered the police would have to question every member of this Assembly as a suspect. That is how unpopular the hon. member for South Brisbane is!

There has developed among the big manufacturers, the wholesalers and the general stores an open, blatant, naked and unashamed attempt to rob and delude the public. I read a very interesting item from the report of one of the innumerable conferences held by the traders—either wholesalers or retailers—in which a man who was in the position to know said that we are approaching the stage today where the cost of the ornate package or packet is sometimes greater than the cost of its contents. When we add the cost of the ornate package or packet to the cost of advertising, ballyhoo and blarney, we realise that when people pay 1s. for an article they are getting about 3d. worth of goods.

The hon. member for Toowong claims that we should not act as big brothers. I do not know how else we should act as members of Parliament, elected democratically by the people to protect them. Should we act as little infants and wander around throwing our hands in the air, saying that we cannot do anything to protect them, and that even if we could, we will not?

If the Bill does all that the Minister claims it will do—and I am afraid that it will not—it is a step in the right direction, and the Minister and the Government should be congratulated on its introduction. What more ridiculous thing can there be than for a housewife to buy a big packet of breakfast cereal—I always thought a "serial" was a story that went on from week to week, but philologists and etymologists on the A.B.C. now call them "cereals"—I call them breakfast foods. The housewife buys a huge packet, something like the packet in which a Minister of the Crown would take home his weekly pay if he were paid in \$10 bills, and finds in the bottom of the packet only a handful of food. How often have we seen a great big placard in a general store saying, "Chocolates (or lollies) 2s. 6d. a half-lb"? That sort of thing induces people to buy the packets of lollies, but when they take them home they discover that they contain only 5 or 6 ozs. The weight of the packet has no relation whatever to the great big placard above the counter where the lollies are sold, yet the hon. member for Toowong would like us to believe that we have no right to stop this fleecing and robbing of the public.

Mr. Hanlon: Quite often the retailer does not want the huge packets because they take up endless space for stock and cause extra expense.

Mr. AIKENS: That is so.

This legislation is long over-due. I understand that the delay in its introduction was caused by the confusion arising from the Federal Constitution. Apparently this is one of the powers left to the States, but before they can do anything about it the six States must get together and agree on the principles to be embodied in the measure, otherwise the State that disagrees will gain some advantage. We have seen that happen—and the hon. member for Baroona knows it full well—with company legislation, hire-purchase legislation and other legislation that is still left with the States.

We have to get down to the lowest common denominator. When we have a conference with the other States to deal with this matter we have to accept the best we can get from the fellow who is the odd man out. In most cases it is Mr. Bolte, the Liberal Premier of Victoria. Although Mr. Bolte has been responsible for some good legislation for the Victorian people to reduce the terrible toll of the road, every time it comes to protecting the people of Victoria, or of any other State, from those who batten and fatten on them under the guise of big business, Mr. Bolte, like the hon. member for Toowong, invariably comes out on the side of the legalised robber.

I shall have a look at this legislation carefully. I feel sure that the Minister for Labour and Tourism has gone as far as the Federal Constitution will allow him to go. I will be very much in favour of this Bill.

I shall give the Committee an example of the sort of thing that is defended by the hon. member for Toowong and the other Right-wing members of the Liberal Party.

Mr. Ramsden: You don't say that I am a Left-winger?

Mr. AIKENS: I do not know whether the hon. member for Merthyr is a Right-winger or a Left-winger in the Liberal Party. I know he is a dissident factor at times, and there is still no tunnel under the river.

I put this case to the Minister for Labour and Tourism, who dealt with it like a laggard, although he wrote and apologised for his dilatoriness in not getting on with the job straight away. A big chain store in Townsville used to sell one-third pint bottles of milk in its cafeteria for 6d., which incidentally was 50 per cent. more than the fixed price. Every school holiday, that is, for 10 weeks of the year—seven weeks at Christmas, one week in May, and two weeks in August—when women brought their school-children into the cafeteria for a meal, or morning or

afternoon tea, this chain store jacked up the price of these one-third pint bottles of milk to 9d.

Mr. Bromley: Was it flavoured milk?

Mr. AIKENS: No, plain milk. Therefore they were charging 2s. 3d. a pint for milk which was priced at 1s. a pint retail.

Mr. Hanson: It wasn't Malanda milk with water in it?

Mr. AIKENS: I will not digress and speak about Malanda milk. Anybody who goes from Townsville along the railway line or along the road will see a 20-inch pipeline coming from Mount Spec to Townsville. It is known as the Malanda supply line. I hope we are afforded an opportunity to deal with Malanda milk this session.

The CHAIRMAN: Order!

Mr. AIKENS: There was this big chain store, with its monstrous profits, charging children 9d. for one-third of a pint of milk during the school holidays. I put this matter up to the Minister for Labour and Tourism. He acknowledged receipt of my letter. He is one of the few Ministers who acknowledge letters within a month or three months. With some Ministers we have to wait until we are almost tottering on the brink of the grave before we get an acknowledgment, and I shall pinpoint some of them one day; I will put a bomb under some of them.

The CHAIRMAN: Order!

Mr. AIKENS: I wrote to the Minister again and told him of a deputation of Townsville housewives which had approached me. The Minister told me that it was not his domain at all; that it came under the jurisdiction of the Brisbane Milk Board, because this Government, in its wisdom or unwisdom, gave control over the price of milk to the Brisbane Milk Board. He said that the Brisbane Milk Board had advised him that the price of a one-third pint bottle of milk was 4d., that it was not going to prosecute this big chain store because dog does not eat dog, and that the Board would take it up with the big chain store. The result was that the big chain store does not sell any milk at all in bottles in its cafeteria; it sells cardboard cartons of some other liquid for which it is charging 9d. I do not know what is in the cardboard cartons. That is a case of a chain store openly and blatantly charging 9d. for a one-third pint bottle of milk, for which the official price is 4d. They were deliberately and maliciously robbing children, and the Government did nothing except write them an admonishing letter. Now they have stopped selling bottles of milk at that part of the cafeteria counter and are instead selling cardboard cartons of some mysterious liquid. That is the sort of thing over which the hon. member for Toowong is chiding the Minister. We are becoming accustomed to attacks on

Ministers by the "ginger group" of the Liberal Party. I do not know when it will develop into open eruption.

Mr. W. D. Hewitt: You applauded it yesterday.

Mr. AIKENS: I did, and I still applaud it. Do not get the idea that I am being critical of those hon. members opposite. I hope we hear more of this. It is democracy as I understand it, and it is the way that Parliament should be conducted. It is a good thing to see back-benchers having the temerity and courage to stand up and attack their own Ministers and condemn, criticise, and belittle them. It is hopeless to expect this bedraggled Labour mob over here to do anything like that, because the moment they raise any protests—

The CHAIRMAN: Order! I ask the hon. member to keep his remarks within the bounds of the Bill.

Mr. AIKENS: I give the hon. member for Toowong, and all the other members of the Liberal Party "ginger group", full marks for conducting themselves as democratically free, elected members of Parliament, but I still reserve the right to disagree with their point of view. I do not condemn hon. members opposite for criticising the Minister; I exhort them to do it more often. It is a good thing, and I hope to see more of it in this Parliament.

The CHAIRMAN: Order! I remind the hon. member for Townsville South that in this Bill we are not debating democracy, and I ask him to stick to the principles contained in it.

Mr. Bennett: He is prostituting democracy.

Mr. AIKENS: The hon. member for South Brisbane would know much more than I do about prostitutes. He represents them in court and fleeces them with his big fees.

I am happy to have been led astray on this occasion, and I am happy that you have allowed me, Mr. Hooper, as far as you are able, to have this little dissertation on democracy. I want to say, however, that I do not disagree with the Minister; I disagree with the hon. members who disagree with him. When I examine the Bill I hope to find that it contains all the protection that Parliament can give to the unfortunate people who have for too long been fleeced by the rugged individualists who were extolled by the hon. member for Toowong.

Mr. HUGHES (Kurilpa) (4.14 p.m.): I have a few observations to make on this Bill. The hon. member for Townsville South may become a mental gymnast when he finds that an independent thinker on this side of the Chamber is able to say that he agrees with the Minister.

I believe that this is a measure that should have been introduced earlier. Because of agreements between States and for other sound reasons, this action is being taken now. However, its introduction is better late than never.

Much good will come from the Bill in many ways. In the marketing of various articles, such as food and soap-powders, there has been for too long in the minds of merchandisers an attitude that suggests a planned campaign to confuse the buying public.

Mr. Houston: It is more like blatant robbery.

Mr. HUGHES: I am not suggesting that it is blatant robbery; I am suggesting that it is plain confusion. For example, a housewife faced with a number of packets of soap-powder of varying size, some with 3c off, some with 5c off, some with 7c off, would become confused. She would not know how much each packet contained, because the weight is not stamped on them. How could she form a correct judgment in making her purchase when she did not know how much each packet contained? The fact that some are marked with a few cents off must cause even greater confusion.

Mr. Aikens: She does not know the quality of the contents, either.

Mr. HUGHES: She would know that by testing them personally. Obviously, if she buys an article today that does not do the job, she will not buy it again.

Mr. Sherrington: How does she know that they are not all the same?

Mr. HUGHES: That is one thing that free choice and competition does away with. If someone builds a better mouse-trap, he will sell it. Under a private-enterprise system, the better mouse-trap will always be the one that sells.

In my opinion, forms of packaging and presentation have left a great deal to be desired. The Bill will correct these shortcomings. Housewives will know the contents of packages because the weight will be stamped clearly on the front of them. After evaluating the various products, they will know where they stand on the basis of price and which package gives them the best value for their money.

There is another aspect of the matter to which the Minister should give careful consideration. In Queensland there are many "Mum-and-Dad" stores in suburban areas and larger retailing outlets run by individuals or by families. They could well have in stock a large number of packages with "5c off" marked on them. After the Bill is passed and the Act is proclaimed, against whom will the Government take action for a breach of this sort? The intention of the

Government has been well publicised, and manufacturers will in future have to take the necessary steps to prevent their products being sold in these packages. However, there will be many such packages in warehouses, and no doubt there will be many in retail stores. I should like the Minister, therefore, to tell us what will happen when the Act is proclaimed.

Mr. Aikens: The manufacturers have known for some time that this was coming off.

Mr. HUGHES: That may be so. Some of them may not have adjusted their machines, or they may have had a great number of cartons made and stamped. Rather than waste those, they may put their products into them and try to merchandise them.

Mr. Aikens: Can't they overprint them?

Mr. HUGHES: I do not know that they can be overprinted. Some of them cover about 2 square inches. Many of the retail stores may find that goods are marked in contravention of the Act. What will the position be? Who will be prosecuted, and what penalties will be imposed?

Mr. Bennett: Do you think these people will stop contributing to Liberal Party funds when the Bill becomes law?

Mr. HUGHES: The hon. member would know very much more about contributions to party funds than I do. I do not know of breweries making contributions to Liberal Party funds. One has only to study the political history of this State to see how the Labour Party, through Gair and others, was tied up in slush funds in various ways. I could learn quite a lot, if I so desired, from the hon. member for South Brisbane and other members of the Labour Party. They should look within themselves for that answer, not to me.

Will the Government, through the Department of Labour, take action if any of these goods remain on the shelves for sale? What will happen to the goods that are so marked? Will the storekeeper be able to offer them for sale to the public in order to clear his storerooms?

Mr. Aikens: It could apply from a certain date.

Mr. HUGHES: That may be so, but we do not know that yet. Section 92 of the Commonwealth Constitution deals with free trade between the States, so to whom will the Government go to take disciplinary action in this matter? Will it be at the local-store level? I hope protection will be given to the local storekeeper. I hope, too, that the Minister will enlighten the Committee on this point.

I should like to mention also that some brands of soft drink do not show the weight or contents on their labels.

Mr. Bennett: They tell me you never look at a soft drink.

Mr. HUGHES: I drink more soft drink than I do hard liquor.

There are many aspects of this matter that could cause concern to local storekeepers, and I hope early consideration will be given to how these people will be affected by the policing of this Act and the application of penalties. Regulations will be made when the Act is promulgated and those regulations will relate to the policing of the Act. I hope we will get answers to the questions I have raised. That will allow us to understand and debate the matter during the later stages of the Bill.

In regard to the relationship between the size of a package and the weight of its contents, a principle has been introduced in the Bill on which I feel we should keep an open mind, because there are arguments both ways. Sound arguments can be advanced in favour of the method of merchandising by placing a small article in what appears to be an oversized packet; and equally sound arguments can be advanced against it. The economics of business come into this matter and the last price—the retail price—of the package to the consumer is related to what the manufacturer presents and the way he presents it.

Mr. Newton: Why should the consumer have to pay for a large-size packet with nothing in it, as you are advocating?

Mr. HUGHES: I say there are arguments for and against it. I am not specially advocating it; I am asking hon. members to look at the matter with sound common sense. Because of the form, manner and method of the presentation of merchandise, there is a good deal of impulse-buying in shops today, but because of the greater volume sold, obviously the price is reduced.

My only concern here is the rights and interests of the people I represent. I hope that the points I have mentioned will be given detailed consideration by the Minister and that he will be able to inform the Committee in greater detail on them.

Mr. CAMPBELL (Aspley) (4.25 p.m.): I do not see that there is any extreme political philosophy in this measure. If it were a matter of extreme political philosophy we would not be considering this legislation at all. I believe that the Bill has been rendered necessary because of practices introduced in merchandising over the last few years.

Mr. Newton: Your views are entirely different from those of the hon. member for Toowong.

Mr. CAMPBELL: I have my adherence to a political philosophy. I also like to display tolerance and common sense in considering a measure. In considering this

measure I am guided by the fact that over the last few years a number of manufacturers have thought it expedient to introduce practices which are really not in the best interests of the community. As a member of this Parliament, I believe I have a responsibility to look at such a situation and give my judgment on it.

The Minister dealt with three main aspects of promotion which have been developed over the past few years, particularly since the trend towards bulk packaging, as distinct from the practice which previously existed when the grocer, being a tradesman, did most of the packaging of the grocery lines himself. What has happened does not apply only to this country. Certain manufacturers have been quick to seize on the opportunity to gull the public through deceptive practices, such as the advertising of meaningless discounts and by not marking on packages the weight of their contents. Quite a number of manufacturers have been reluctantly compelled to adopt the stupid practice of displaying meaningless discounts on the exterior of packages simply because their competitors have done so. Analysis of the claims used to promote products, such as "So many cents off", has shown that they are made merely to deceive the public into believing that they are actually getting a product at a concessional price.

I do not want to bring forward evidence of the various deceptive practices engaged in by manufacturers, because over the last two or three years hon. members on both sides have brought into the Chamber glaring and blatant examples of them. When introducing previous legislation dealing with this matter, the Minister presented quite a blatant example from a leading, world-wide manufacturer of soap-powder. That was evidence of a blatant attempt to deceive housewives.

I suppose that as a Liberal I should adopt a "let-the-buyer-beware" attitude.

Mr. Bennett: Caveat emptor.

Mr. CAMPBELL: I thank the hon. member for the Latin phrase.

However, I believe that in certain instances we are obliged to protect the purchaser against his own weakness. For that reason, hon. members on both sides have drawn attention to the way in which the public have been deceived by door-to-door salesmen. I do not want to enlarge on that subject; suffice it to say that these practices have been going on in the community, and if we close our eyes to them I do not believe that we are living up to our responsibilities.

It is true that the Bill contains a reserve power which can be used to exercise control over the size of packages in relation to their contents. I cannot imagine any action being taken under this power that would be contrary to the public interest. If it were taken I do not think it would last for long, public reaction being what it is.

Anybody who tries to defend the obnoxious practice of deceptive advertising, either with over-large packages or with meaningless discounts, is not acting in the consumer's interest. The very fact that these stupid tactics are employed is an indication that it is hoped to attract custom by these means, instead of trying to sell an article on its worthiness.

Mr. Houston: You will pass this on to the hon. member for Toowoong?

Mr. CAMPBELL: I do not pass advice on to anybody; I simply hope that the advice will be heeded. There are times when, even as Liberals, we are forced to restrict the freedom of individuals and citizens in the interests of the community. This legislation does not conflict with my political principles.

Whilst I agree with most of the arguments adduced by the hon. member for Salisbury, I cannot agree that these practices developed because of the relaxation of price control.

Mr. Sherrington: I did not say that. I said it accentuated it.

Mr. CAMPBELL: I accept that the hon. member said it was accentuated by the absence of price control. If that is so we would not expect this situation to exist in Adelaide, but South Australia has the same problem under its system of price control.

Mr. Sherrington: I also said that this developed when the chain stores came into existence.

Mr. CAMPBELL: It is only a coincidence that it increased subsequent to the de-control of prices in this State. It is a world-wide practice, and Governments throughout the world are taking steps to curb it.

I believe that the very fact that legislation exists to which recourse can be had in the event of a continuation of these blatant practices will have a restraining influence on manufacturers. I am led to believe by my friends in the trade that manufacturers themselves are happy with this legislation, as they have had to embark upon practices that they did not altogether like. They were forced to adopt them because their competitors used them. I do not think there is any need to worry, in that the rights of manufacturers are not being whittled away by this legislation. Experience over the past few years has shown that some action had to be taken, and I believe this legislation will serve a useful purpose.

Hon. J. D. HERBERT (Sherwood—Minister for Labour and Tourism) (4.34 p.m.), in reply: I am happy that this legislation has had the general support of the Chamber. There are quite a few comments I wish to make in reply. I should not like the hon. member for Salisbury to be deluded into

thinking that, his comments in the past had anything to do with the Government's dealing with this problem. Action was decided upon before I entered Parliament, and discussions among the various States commenced in 1952. The unco-operative attitude adopted by Queensland at that time meant that nothing was done until this Government came to office in 1957. From then on the responsibility for non-acceptance rested on New South Wales. This was a national problem, and we had to get some sort of sense across to New South Wales. That did not happen until the electors in that State woke up recently, and now, at the national level, we are getting somewhere. It may be of interest to hon. members to know that one of the draftsmen of this uniform packaging code is a Queenslander. Queensland always has been in the lead in packaging matters.

The hon. member for Salisbury is apparently not aware that there are in existence requirements for the packaging of dried fruits. They can be supplied in 4 oz., 8 oz., 12 oz. and 16 oz. packages. The fact that words "cherries" and "almonds" are on the package and that there are no cherries or almonds inside it is not a weights and measures matter at all; that is a matter of quality, not quantity.

The remarks of the hon. member for Toowong may best be answered by referring to the A.C.A. dictum about a theoretically wide freedom of choice, but freedom of choice based on ignorance is valueless.

Where a package is much larger than is required for its contents, the customer is paying for the price of the cardboard and whatever else may have been used in the manufacture of the package.

Mention was made of stocks on hand. We have announced that this legislation will be in operation no earlier than 1 January, so that storekeepers will have plenty of time to dispose of stocks on hand. Many have already stopped ordering packages that they know will be disallowed, and many manufacturers, realising that they will have to conform eventually, are conforming already.

Section 92 of the Commonwealth Constitution will not apply, because the sale of goods will not be prohibited. In addition to weights and measures regulations, this applies also to the food and drug regulations and similar material.

The Deputy Chief Inspector of Weights and Measures has submitted the following comments concerning random investigations made by him. He found that some storekeepers do not vary their prices in many instances. If they get a couple of cents off, they retain the same price irrespective of the marking on the outside of the packet.

At one large store, 2 oz. ordinary bottle packs of instant coffee were on sale for 4s. 6½d. each, and a similar brand in a 4 oz. size for 8s. 9d. There was also an 8 oz. size in

a "Cookie" type jar, which had printed on the label in large type—"You pay only for the Instant Coffee." This was selling at 17s. 11d. The inference to be drawn was that the purchaser got the jar for nothing. But, on a comparison of values, four 2 oz. packs cost 18s. 2d., or 3d. more than the 8-oz. pack, and two 4-oz. packs cost 17s. 6d., or 5d. less than the "Cookie" jar pack. That destroys the claim that the customers were paying only for what was in the bottle.

The large size of at least one brand of tooth-paste was and could be deemed a slack fill, with lots of spare space in the packet. Many hon. members have had the experience of buying a large packet of tooth-paste, only to discover when it was taken from the packet that it was very small.

In addition to what will be contained in regulations to be issued under this Bill, when the uniform packaging code is promulgated many items presently exempt from having the net weight marked on the packet or container, including toilet preparations, tooth-paste, and baby-powder, will be required to have such information printed thereon for the information of consumers.

Not long ago in one store in Brisbane inspectors purchased what appeared to be two identical packets of the same brand of soap-powder on the same day, at the same price, and from the same stock. I shall not name the store or the brand of soap-powder, because, as has already been mentioned, most manufacturers are doing the same thing. Closer examination showed that in small print on the side of the packet, and at the bottom, was "13 ozs." in one case and "11 ozs." in the other. In other words, the firm producing this line of soap-powder had decided that by taking 2 ozs. from the packet and leaving everything else, except the small print, the same, they could maintain the same price rise. They were annoyed at the retailer for putting these packages together and making it obvious what was being done. That practice will be stopped when these regulations come into force.

I should like to thank particularly the hon. member for Aspley for his contribution to the debate. The proposition that he put up was sound and reasoned, as was all that he did in the great amount of work that went into the preparation of the Bill before it got anywhere near this Chamber. My committee has been very careful in preparing this measure because we realise the dangers that could be involved in it. We are now satisfied, however, that what the Bill provides will be to the benefit of consumers in this State.

Motion (Mr. Herbert) agreed to.

Resolution reported.

FIRST READING

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

The House adjourned at 4.45 p.m.