Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 3 APRIL 1973

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Mr. ACTING SPEAKER (Mr. Lickiss, Mt. Coot-tha) read prayers and took the chair at 11 a.m.

PAPERS

The following papers were laid on the table:—

Proclamation under the Adoption of Children Act Amendment Act 1972.

Orders in Council under—
- Forestry Act 1959–1971.
- The Harbours Acts, 1955 to 1968.
- Water Act 1926–1968.

Regulations under—
- The State Transport Acts, 1960 to 1965.
- The Harbours Acts, 1955 to 1968.
- Queensland Marine Act 1958–1972.

MINISTERIAL STATEMENT

INVESTIGATION OF HOUSING FINANCE COMPANIES BY MR. P. D. CONNOLLY, Q.C.

Hon. W. E. KNOX (Nundah—Minister for Justice) (11.3 a.m.): During his investigation into the operation of a number of companies, Mr. P. D. Connolly, Q.C., became aware that persons associated with the companies under investigation were also associated with groups of companies then actively seeking moneys from the general public. These companies, which were engaged in the field of housing finance, gave publicity to the possibility of members of the public obtaining finance at less than normal rates of interest.

I was advised that the financial structure of these companies was questionable, and that the provisions of the Building Societies Act were being circumvented. In all the circumstances, I considered that a special investigation pursuant to the provisions of Part VI A of the Companies Act should be made into the affairs of these companies. Accordingly, on 21 December 1972 the Governor in Council appointed Mr. P. D. Connolly, Q.C., pursuant to section 170 of the Companies Act, to investigate all of the affairs of the companies during the whole of the period of their operations.

Mr. Connolly has completed his report in respect of six of these companies, namely—

Federated Housing Fund of Australia Limited;

The Federated Housing Fund Management Company Limited;

The Mutual Home Loans Fund of Australia (Qld.) Ltd.;

Mutual Home Loans Management Co. (Qld.) Ltd.;

Northern Mutual Loans Limited; and Services & Management (Qld.) Ltd.

In relation to the Federated Housing Fund group, Mr. Connolly found—

"(A) The fund company is within the definition of 'building society' in the Building Societies Act 1886-1972 and was illegally formed contrary to section 41 of that Act.

"(B) The operations of the fund company are not subject to the restraints imposed by Parliament on building societies because the relevant provisions are directed to 'registered building societies'.

"(C) I am of the opinion that it is in the interests of the public and of the shareholders that both companies should be wound up.

"(D) I am of the opinion that the directors have acted in the affairs of the fund company in their own interests rather than in the interests of the members as a whole.

"(E) I am of the opinion that it is just and equitable that both companies should be wound up."

In relation to the Northern Group Insurance, Mr. Connolly found that—

"(A) The fund company is within the definition of 'building society' in the Building Societies Act 1886-1972 and was illegally formed contrary to section 41 of that Act.

"(B) The operations of the fund company are not subject to the restraints imposed by Parliament on building societies because the relevant provisions are directed to 'registered building societies'.

"(C) I am of the opinion that it is in the interests of the public and of the shareholders that both companies should be wound up.

"(D) I am of the opinion that these companies have a severe liquidity problem. Should they overcome it, it is my opinion that the stage is set for the affairs of the fund company to be conducted in the interests of the directors and their associates rather than in the interests of the members as a whole.

"(E) I am of the opinion that it is just and equitable that both companies should be wound up."

In relation to the Mutual Home Loans group, Mr. Connolly found that—

"(A) The fund company is within the definition of 'building society' in the Building Societies Act 1886-1972 and was illegally formed contrary to section 41 of that Act.

"(B) The operations of the fund company are not subject to the restraints imposed by Parliament on building societies because the relevant provisions are directed to 'registered building societies'.

"(C) I am of the opinion that it is in the interests of the public and of the shareholders that both companies should be wound up.

"(D) I am of the opinion that the directors have acted in the affairs of the fund company in their own interests rather than in the interests of the members as a whole; and

"(E) I am of the opinion that it is just and equitable that both companies should be wound up."

Action to wind up the six companies is today being taken by me by petitions to the Supreme Court of Queensland. Mr. Connolly has still to complete his investigation in respect of the remaining two companies—Queensland Loan Home Fund Limited and Home Loans Management Pty. Ltd.

I table Mr. Connolly's report, and move that the report be printed.

Whereupon the report was laid on the table, and ordered to be printed.

QUESTIONS UPON NOTICE

Janitor-groundsman and Clerk-typist, Aitkenvale Opportunity School, Townsville

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

(1) As children of a number of my constituents attend the opportunity school at Aitkenvale, Townsville, why has assistance, in the form of a janitor-groundsman and a clerk-typist, been denied to this class 2 school, despite the fact that applications for the assistance were lodged with his Department on September 12 and 14, 1972?

(2) When will the assistance be granted?

Answers:—

(1) "It is not always possible to appoint ancillary staff to class 2 schools immediately upon their establishment. Every effort is made however to make the provision as quickly as possible and in accordance with the financial and man-power resources of the Department. Assistance in the form of a janitor-groundsman and a clerk-typist has not been denied to the Aitkenvale Opportunity School but there have been unfortunate delays in finalising appointments to these two positions."

(2) "It is anticipated that a janitor-groundsman will commence duty on April 4, and that a clerk-typist will be appointed to the school within the next fortnight."

Books for School Libraries

Mr. Row, pursuant to notice, asked The Minister for Education,—

(1) Is he aware that in spite of enhanced grants to Queensland schools for library purposes, the required books and publications cannot be purchased due to their unavailability from local sources?

(2) Will he therefore take steps, through the appropriate authorities, to ensure that books are made available from other sources, such as foreign publishers in places like Hong Kong, Singapore or Taiwan?

Answer:—

(1 and 2) "The increases in funds available for Library Development Grants and the associated booster grant scheme are significant and are designed to ultimately provide the best school library collections in the Commonwealth of Australia. It is inevitable that such an increase should provide initial strains upon the bookselling industry and upon the flow of books and similar resources to Australia from the traditional suppliers in Great Britain and the United States, and also from local industry sources. There is no doubt that earlier in the year a problem with shortages of books did exist, but the problem has largely been overcome through close co-operation between my Department and the book publishing and bookselling industries. There are no known publishers of English language books for children in Hong Kong, Singapore or Taiwan. It is well known that many publishers in Australia and Great Britain utilise the printing facilities which exist in those places and the books so printed are offered for sale in Australia in the usual way. I emphasise that the facilities for English language book production in Hong Kong, Singapore and Taiwan are printing facilities and not publishing facilities."

Reservation of Land in Parish of Gregory as Environmental Park

Mr. Bousen, pursuant to notice, asked The Minister for Lands,—

(1) Has his attention been drawn to an advertisement in the Bundaberg *News Mail* of March 27, wherein the lease of land described as portion R491, parish of Gregory, has been offered for sale for a period of 20 years?

(2) Why is the land being put up for sale and was any consideration given to reserving some of it for an environmental park?

(3) If not, will he take appropriate action to stop the sale of the lease until a survey is carried out as to its suitability as an environmental park?

Answer:—

(1 to 3) "Owing to the necessity to adjust the area of camping and water reserve R. 491, parish of Gregory, it has been approved to withdraw the reserve from sale originally gazetted for April 10, 1973. The matter of whether or not the area should be reserved for environmental

park in terms of recent legislation introduced in the House, will be looked into prior to further sale action being taken."

CLOSURE OF BRISBANE SUBURBAN POLICE STATIONS; CRIMES REPORTED, CLAYFIELD, MOOROOKA AND STAFFORD STATIONS

Mr. Lee, pursuant to notice, asked The Minister for Works,—

(1) Is it intended to close suburban police stations in Brisbane?

(2) How many criminal-offence reports were handled by (*a*) Clayfield, (*b*) Moorooka and (*c*) Stafford police stations during (i) 1971–72 and (ii) the half-year ended December 31, 1972?

Answers:—

(1) "No. However, I would point out here that there has been a considerable reduction in the workloads at suburban stations since the introduction of mobile patrols."

(2) "For the period July 1, 1971 to June 30, 1972—(*a*) (i) Clayfield, 594; (*b*) (i) Moorooka, 1,325; and (*c*) (i) Stafford, 710. For the period July 1, 1972 to December 31, 1972—(*a*) (ii) Clayfield, 114; (*b*) (ii) Moorooka, 354; and (*c*) (ii) Stafford, 147. The figures quoted are in respect of matters actually reported at the stations referred to during the relevant periods. I would add here for the Honourable Member's interest that since it is unlikely there has been a substantial overall reduction in crime, the only explanation for the figures quoted above, is that the work is being accepted by the crews of mobile patrols."

ALUMINA PLANT FOR MACKAY DISTRICT

Mr. Casey, pursuant to notice, asked The Premier,—

(1) Is he aware that Comalco Aust. Pty. Ltd. recently conducted a feasibility study in the Mackay district relating to the establishment of a second alumina plant in Queensland, at or near Mackay, and that the company was most happy with the prospects of the district as revealed by that study?

(2) Is he aware that a Government Member and certain Government supporters connected with local authorities in the Mackay area have intimated privately to the company that they are opposed to such development at Mackay?

(3) As the people of Mackay and district are anxious to see industrial development of their area and thus ensure a secure future for themselves and their families and future generations, will he reveal the details of any reports which the Government has received on this matter or of any approaches that have been made by the company regarding the establishment of an alumina plant at or near Mackay?

(4) Will he assure the company that the people of Mackay and district would be most receptive to such a plant being established at or near Mackay and that they condemn the reactionary attitude of those few persons who are opposed to such industrial development in the region?

Answers:—

(1) "I am aware that a study of a preliminary nature only has been made at several places in Queensland."

(2) "No."

(3 and 4) "The Government has received no reports nor any approaches concerning an alumina plant, but, should it do so, will act in its normal way towards achieving the greatest good for the State of Queensland as a whole."

CROSS-RIVER RAILWAY BRIDGE, SOUTH BRISBANE–ROMA STREET

Mr. Casey, pursuant to notice, asked The Minister for Transport,—

Will the proposed Merivale Street railway bridge, which will connect the southern and northern urban systems, have a standard-gauge connection, thus making Roma Street station the interstate passenger terminal and allowing rail travellers from the north to transfer to their interstate connections without having the inconvenience of transferring their luggage to South Brisbane?

Answer:—

"The cross-river connection between South Brisbane and Roma Street is being designed so that when constructed it will be capable of carrying standard-gauge trains. The estimated extra cost of providing dual-gauge tracks and associated signalling and other alterations is $1,865,000 on present day costs. As this would represent the extension of standard-gauge to Roma Street, an approach is being made through the Commonwealth Bureau of Transport Economics to determine whether the Commonwealth would favourably consider providing the necessary finance."

UNEMPLOYMENT GRANTS AND SUBSIDIES, LOCAL AUTHORITIES

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

(1) How much has been allocated in the form of grants to local authorities throughout Queensland over the past twelve months to relieve unemployment within the shires?

(2) How much has been paid to shires over the last twelve months in the form of subsidies?

(3) Are the unemployment grants and subsidies to shires likely to continue?

Answers:—

(1) "Special Commonwealth unemployment grants to local authorities and other local bodies outside the metropolitan area totalled $3,724,000 for the period February-June, 1972. To March 31, 1973, a further $7,556,337 has been allocated. In addition, a grant of $1,400,000 was approved in January last for the Brisbane City Council for expenditure by June 30 next."

(2) "Subsidies paid to local authorities and other local bodies during the period March 1, 1972 to February 28, 1973, totalled $16,370,982."

(3) "I have no information as to whether the special Commonwealth unemployment grants will be continued beyond June 30 next. So far as the State's approved subsidy scheme is concerned, there is no proposal to discontinue the existing practice."

Exemption from Stamp Duty on Housing Loans

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

(1) When the maximum permissible home loan is raised by the Commonwealth Government to beyond $10,000, will home purchasers, who are forced to borrow the maximum amount, be excluded from the exemption from stamp duty which now applies?

(2) If so, and in view of the soaring home construction and land costs since the legislation was enacted, will he give consideration to lifting the amount secured by mortgage, which is exempt from stamp duty?

Answers:—

(1) "Yes."

(2) "In view of the increases in limits of advances by various lending authorities, together with increased property values, the matter of increasing the limit for this exemption under the Stamp Act will be given consideration when I am drafting the 1973-74 Budget."

Testing, Motor Vehicle Drivers' Licences

Mr. R. E. Moore, pursuant to notice, asked The Minister for Works,—

(1) What is the present delay involved when citizens apply to be tested for a driving licence at (*a*) Milton, (*b*) Coorparoo and (*c*) country areas?

(2) As country drivers are not restricted from driving in the city, will he consider removing the three-months' residential requirement for all citizens seeking a licence in country areas? If not, what is the reason?

(3) Are the driving tests uniform in both city and country areas?

(4) Does he intend to establish more driving-licence issuing stations in Brisbane?

Answers:—

(1) "(*a*) Rosalie—motor cycles approximately 11 weeks; other motor vehicles approximately 10 weeks. (*b*) Coorparoo—motor cycles approximately 10 weeks; other motor vehicles approximately 8 weeks. (*c*) To supply this information would require advice being sought from each police station in Queensland outside the metropolitan area of Brisbane with a large expenditure of man hours. It is not proposed to take this action. In relation to (*a*) and (*b*) these are the general time lags. Numbers of appointments are cancelled by intending applicants. In emergent circumstances, particularly where a person's livelihood is at stake, the applicant is tested, usually within days, during appointment periods vacated."

(2) "There is no three months' residential requirement before an applicant may be issued with a driver's licence in country areas."

(3) "Every applicant for a driver's licence is required to pass a driving test of the nature prescribed by Regulation 107 (1) of the Traffic Regulations."

(4) "Yes. Investigations are currently being made into the establishment of a further centre on the northside."

Survey of Wallum Lands, Maryborough–Bundaberg Area

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

(1) With reference to his Answer to my Question on August 19, 1969, when, as Minister for Lands, he stated that the survey and utilisation study of vacant wallum land between Maryborough and Bundaberg had not been completed but a report was expected at an early date, has a report been received and, if so, what were the main recommendations?

(2) Do recent Press reports that a new demand for wallum land has sparked a full-scale land-use survey in coastal lowlands between Maryborough and Bundaberg refer to a new survey and a new survey team or an extension of the 1969 original?

(3) Is the "freezing" of 150,000 acres, referred to in his reported statement this week, new, or is it an extension of that notified to some applicants for land in the same area in previous years?

(4) In view of my many submissions seeking developmental-policy clarification and in view of widespread concern at the long "freeze" on land acquisition and development in the area, when will further land acquisition and development be allowed to proceed?

Answer:—

(1 to 4) "The Honourable Member is confusing two matters. The survey referred to in his earlier Question was carried out by officers of the Lands Department and Forestry Department. I would suggest that any questions in relation thereto, and also in relation to Press reports concerning vacant land, be directed to my colleague, the Honourable Minister for Lands. The current survey entails detailed land capability assessment of the whole area and the collation of the land-use data which have emerged from separate studies by a number of departments. This survey is under the direction of an inter-departmental working group."

CONTROL OF USE AND SALE OF FIREARMS AND AMMUNITION

Mr. Cory, pursuant to notice, asked The Minister for Works,—

What legislative action can be taken to control the carrying and use of firearms and/or the sale of firearms and ammunition?

Answer:—

"I am considering gun legislation. The exact form it will take will to some extent depends on a report now being compiled by the Police Department. The report will incorporate all the relevant information, including the effects of legislation on professional shooters, gamehunters, etc. However, my thinking at present is that it would be best to licence the owner rather than the gun. This would enable greater control over the distribution of firearms and of course would mean that—say—a professional shooter with several guns would need only one licence. Certainly, there is a need for gun control. I think that is obvious, particularly in the light of overseas experience. Of course it is not only the misuse of guns by the criminal element which disturbs me, but misuse by ill-informed and often careless firearm enthusiasts."

AGED PERSONS' UNITS, PINE RIVERS SHIRE

Mr. Leese, pursuant to notice, asked The Minister for Works,—

Further to my Question of December 7 regarding the building of aged-pensioner units in the Pine Rivers Shire, has the Housing Commission yet obtained ownership of a suitable site? If not, what are the reasons and, if so, have tenders been called and for how many units?

Answer:—

"Preference in selection was given to land where sewerage is available and arrangements are in hand to purchase 57·5 perches of sewered land. Tenders for 10 aged persons units will be called as soon as transfer of the land to the Commission is finalised."

STRATHPINE ROAD OVERPASS, BALD HILLS

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

(1) What is the expected completion date of the Strathpine Road overpass at the Bald Hills-Burpengary deviation?

(2) Will the overpass have provision for pedestrian traffic?

Answers:—

(1) "Towards the end of 1973 but pedestrians may be able to use the bridge about a month before completion."

(2) "Yes."

FIRE-SAFETY INSPECTIONS

Mr. Leese, pursuant to notice, asked The Minister for Development,—

Is he satisfied that sufficient fire-prevention inspections are being carried out to ensure maximum safety precautions?

Answer:—

"I refer the Honourable Member to my Ministerial Statement of March 15, 1973. This matter is receiving the earnest attention of the State Fire Services Council."

REMOVAL OF MOORING PILES, CREEK STREET FERRY TERMINAL, BRISBANE RIVER

Mr. Lane, pursuant to notice, asked The Minister for Conservation,—

As he is no doubt aware that since last Monday an excellent down-river ferry service is being conducted by the Golden Mile Ferry Service between New Farm and a new pontoon at the bottom end of Creek Street, City, what action has been

taken by his Department to have a number of old and rotting wooden piles removed from the vicinity of this landing where they are an eyesore to the hundreds of passengers who land there each day?

Answer:—

"The old wooden piles at the Golden Mile Ferry Service Terminal, Creek Street, are the remains of an old ferry terminal operated by the Brisbane City Council. The council has been asked to remove these piles and has agreed to accept responsibility for the cost. However, the council is not able to carry out the work with its own force and has requested my Department of Harbours and Marine to do so at the council's cost. The work will be carried out within the next few weeks."

Labour Shortage, Grazing Industry

Mr. Aiken, pursuant to notice, asked The Premier,—

(1) Is he aware of the particularly acute general shortage of shearers, shedhands and rural labour and that shearing is being completely held up on many properties because of the absolute unavailability of labour?

(2) Is the situation sufficiently alarming to industry to attempt to organise shearing schools or will the present conditions continue to worsen, as the current good season will result in large crops of lambs as graziers strive to build up depleted flock numbers?

Answers:—

(1) "Yes."

(2) "The present shortage of shearers has developed out of a succession of drought years with many of the smaller graziers in particular shearing their own depleted numbers. With the build-up of numbers this year, the question of shearing schools is one which the industry could well take up in conjunction with the Commonwealth Employment Service initially. If these are seen to be the answer to the labour shortage, the Honourable Member can be assured my Government will cooperate in the matter."

Hospital and Medical Staffs, Injune and Surat

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

(1) Are the hospital staffs at Injune and Surat to be withdrawn and are the present doctors not to be replaced?

(2) Is the situation developing in country areas, which are now supporting doctors and hospital staff, whereby centralising of doctors will result in these centres relying on visiting doctors, with clinics only for outpatients and urgent cases being forced to travel long distances for hospitalisation?

Answer:—

(1 and 2) "There is no intention to withdraw from hospitals boards the present authority in respect to the appointment of superintendents for the hospitals under their control. It is pointed out however that doctors are less willing to serve in country areas and hospitals boards are receiving very few applications when positions of medical superintendents are advertised. It is necessary to point out that the Department does not have general authority to direct medical practitioners. The Department however assists country hospitals boards by filling many vacancies with Government scholarship holders. At present there are 41 positions in country hospitals filled in this way. At times a short-term relief is provided by second year resident medical officers from metropolitan hospitals who serve two months in this capacity. When hospitals boards are unable to recruit medical superintendents it is sometimes necessary to vary the usual method of staffing until the boards overcome such difficulty."

Emergency Power Plants, Roma and Mitchell Hospitals

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

(1) Has the Roma Hospital recently installed an emergency power plant because of an unsatisfactory power service from the local power station?

(2) Why has the Mitchell Hospital, which has a far more unsatisfactory power service than Roma, been denied an emergency power plant despite the many appeals from citizens and the local shire council and is this hospital to be phased out in company with other country hospitals in this area?

Answers:—

(1) "Following on representations by the Roma Hospitals Board approval has been given for the installation of equipment to provide emergency light and power to selected areas of the Roma Hospital as part of a project to upgrade the electrical installations at that hospital."

(2) "As indicated in my letter to the Honourable Member on August 9, 1971, the decision not to proceed with the installation of emergency light and power at the Mitchell Hospital was made by the Roma Hospitals Board after consideration of advice received from the Roma Town Council. For the information of the Honourable Member I would advise that in

February, 1971, a committee comprising departmental and hospital medical personnel, a departmental engineer and administration officer was established to formulate a policy in respect of the installation of emergency light and power in hospitals. This policy has been adopted."

SOUTH-EAST PERIPHERAL BUFFER ZONE PROPOSAL, BRISBANE CITY COUNCIL

Mr. Chinchen, pursuant to notice, asked The Minister for Local Government,—

With reference to his Answer to the Question by the Honourable Member for Mansfield, in relation to the iniquitous "freezing" of land at Rochedale by the Brisbane City Council, that reductions in the number of parcels of land in the buffer zone would not be allowed, cannot this land be reduced to 10 acres as at present? If so, is the council empowered to impose this restriction?

Answer:—

"The subdivision of land in the City of Brisbane is subject to the provisions of the town plan for the city and the provisions of chapter 8 of the ordinances of the Brisbane City Council made under the *City of Brisbane Act* 1924–1972 and the *City of Brisbane Town Planning Act* 1964–1971. In terms of the ordinances, the subdivision of land is subject to prior approval by the council and the ordinances provide *inter alia,* that, except as otherwise prescribed therein, the minimum area of any proposed allotment in the non-urban zone shall be 10 acres. In my opinion, the area of proposed allotments in the subdivision of land in the non-urban zone is a matter for decision by the council subject to the minimum requirements specified in the ordinances. In terms of the *City of Brisbane Town Planning Act* 1964–1971 any person who is dissatisfied with a decision of the council on an application to subdivide land may appeal to The Local Government Court against such decision."

SEISMIC SURVEY BY GULF OIL EXPLORATION CO., GREAT BARRIER REEF

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

(1) Will the Gulf Oil Exploration Company's seismographic survey for oil by ship be extended from Mackay to Cairns, then Cairns to Cape York and Torres Strait? If so, what are the scheduled dates for the commencement and completion of this operation?

(2) At what date was the initial application made to State and/or Commonwealth authorities and when was the necessary authority obtained for the seismic survey for oil?

(3) As no findings of the Great Barrier Reef Petroleum Drilling Royal Commissions have been disclosed, how was the authority obtained during the Commissions' proceedings?

Answers:—

(1) "Gulf Oil Exploration's M/S Gulfrex has completed a scientific investigation of Queensland waters and those outside the Great Barrier Reef, and is now proceeding to the United States of America after five years of research all around the world."

(2) "The initial application was made to the designated authority by letter dated November 4, 1971. It was referred to the Commonwealth Government, which consented by letter dated July 21, 1972. The formal approval was signed by the designated authority on November 27, 1972."

(3) "By virtue of the provisions of section 123 of *The Petroleum (Submerged Lands) Act of* 1967 of Queensland and *The Petroleum (Submerged Lands) Act* 1967–1968 of the Commonwealth."

LOSS OF MONEY IN TRANSIT FROM BADU ISLAND; MR. B. NONA

Mr. R. Jones, pursuant to notice, asked The Minister for Works,—

(1) With reference to my Question on March 27 concerning an alleged conviction against Mr. Benjamin Nona for stealing, is he aware that documents purporting to be copies of a Ministerial Answer, in his name, to this Question, were distributed to journalists in the Press gallery of this Parliament, together with Ministerial Answers to other Questions on notice on the morning of March 27?

(2) Is he also aware that around 11 a.m. on that day copies of this document were withdrawn from the journalists in the Press gallery by a Government-employed officer working in this House?

(3) On whose instruction was it withdrawn from the Press gallery?

(4) Is he aware that the text of the original document was different from the ultimate Answer given by him in this Parliament on Wednesday, March 28?

(5) Why was it necessary to defer for one day the Answer which ultimately referred negatively to an answer by the Premier on March 7?

Answers:—

(1) "I am unaware of the circumstances as outlined by the Honourable Member."

(2 to 4) "See Answer to (1)."

(5) "To give further consideration to the Honourable Member's Question."

Leave and Salary of Public Servants Granted Churchill Fellowships

Mr. W. D. Hewitt, pursuant to notice, asked The Premier,—

(1) How many members of the Public Service have been granted Churchill Fellowships since the inception of the scheme?

(2) On what terms are they granted leave to take up the fellowships?

(3) What salary is paid to them during their absence?

Answers:—

(1) "Nineteen officers of the Public Service, including the teaching service, have been offered Churchill Fellowships since the inception of the scheme."

(2 and 3) "The conditions applicable to the leave granted to officers awarded Churchill Fellowships have recently been reviewed and the following conditions apply as from January 1, 1973:—Special leave on full pay is granted to enable an officer to proceed overseas for the period of study covered by the award provided the permanent head of the relevant department is satisfied that the fellowship awarded is directly related to the nature of the employment of the officer concerned and that the knowledge and the information gained by the officer will be of benefit to the Queensland Government. In this case the officer is required to enter into a contract of service to the Queensland Government for a period of two years after return from overseas. Where the study is a personal choice of an officer and of little relevance to the department concerned and, consequently, the conditions I have outlined cannot be met, special leave on half pay is granted to enable the officer to proceed overseas for the period of study covered by the Award, provided the permanent head is satisfied that the knowledge and the information gained will be of value to the State generally. In such a case, the officer is required to enter into a contract of service to the Queensland Government for a period determined in relation to the duration of the leave granted."

New Secondary School, Capalaba

Mr. Baldwin, pursuant to notice, asked The Minister for Education,—

In view of the increasing number of anxious enquiries I am receiving from parents in the Capalaba area and of the large number of students travelling from that area to secondary schools in Cleveland, Wynnum and Camp Hill and in order to lighten the loads on those schools, can a secondary school be established on the reserve at Capalaba in time for the commencement of the 1974 school year?

Answer:—

"Whilst my Department has plans for the establishment of a high school in the Capalaba area the enrolments at those schools currently serving the area do not indicate an urgent need for a school in 1974. The matter will be re-examined later this year with a view to assessing the urgency for a high school in 1975."

New Primary School, Springwood North

Mr. Baldwin, pursuant to notice, asked The Minister for Education,—

(1) In view of the number of requests that I have received from interested parents in the area of the proposed State primary school for Springwood North, will the school be ready for the beginning of the 1974 school year?

(2) Will he confer with his colleague, the Minister for Works, with a view to leaving some indigenous trees in suitable places in the grounds for educational, cultural and other reasons?

Answers:—

(1) "Provision has been made on the Draft Loan Works Program for the financial year 1973-74 for the construction of a primary school on this site."

(2) "I am personally very much in favour of preserving as many indigenous trees as is practicable and I am assured that every endeavour is made by the Department of Works to preserve existing trees when a new school site is being developed."

Industrial Survey, Moreton Region

Mr. Baldwin, pursuant to notice, asked The Minister for Development,—

With reference to an industrial survey of the Moreton region which is believed to be under way as a joint effort by his Department and the relevant section of the University of Queensland—

(1) Is the survey yet completed?

(2) Is a report yet completed?

(3) Will the report be published and copies made available to interested Honourable Members and, if so, when?

Answers:—

(1) "Yes."

(2) "Yes."

(3) "Yes. The report is presently in the hands of the printer."

UNIVERSITY MATRICULATION REQUIREMENTS

Mr. P. Wood, pursuant to notice, asked The Minister for Education,—

(1) When will the new university matriculation requirements be finalised?

(2) What effect will requests from the Board of Secondary School Studies have upon draft matriculation rules?

Answer:—

(1 and 2) "The Vice-Chancellor of the University of Queensland has advised that two sets of matriculation proposals are under consideration. Senate, late in 1971 formulated the principles on which matriculation at the end of 1973 for 1974 would be based. These were embodied in the draft rules dated January, 1972 which I tabled recently. The changes to these rules will essentially be of a formal nature; however, they will not be submitted to Senate before May. A meeting of the professorial board will be held on Thursday, April 5, to consider whether a major change should be made to the matriculation rules to apply at the end of 1974 for entry in 1975. Material to be submitted to that meeting includes documents from the Board of Secondary School Studies."

FIRE-ALARM SYSTEM, QUEENSLAND ART GALLERY; VALUE OF WORKS AND INSURANCE COVER

Mr. P. Wood, pursuant to notice, asked The Minister for Education,—

(1) What fire-alarm systems are installed in the Queensland Art Gallery?

(2) Is there any fire-alarm system there which would be activated by the presence of smoke?

(3) What would be the procedures to follow in the event of an outbreak of fire?

(4) What is the latest valuation of works in the gallery?

(5) Will he outline details of any insurance held either by the Government or by the trustees to cover works in the gallery?

Answers:—

(1) "Recently installed in the Queensland Art Gallery (in the last month) by Wormalds contractors, is a smoke-sensitivity pre-alarm system. This system is still under test by Wormalds and is to be connected direct to the fire brigade. It is expected the system will be connected direct to the fire brigade this week, depending on the availability of the P.M.G. line. When this connexion is made, in the event of one of the heads being activated in a particular sector of the gallery an alarm would be immediately raised at the fire brigade who would proceed directly to the gallery. This alarm system will operate at all times and not just after hours."

(2) "Yes, the alarm system is activated by smoke and/or the elements of combustion."

(3) "In the event of an alarm being given when staff are present, the following basic emergency procedures would be followed:—(*a*) One attendant, detailed by the head attendant, would immediately evacuate the public from the building. (*b*) The head attendant would notify the police, security and other emergency services as required, the director and assistant director and also inform the museum staff next door. (*c*) The most valuable art works which are designated and set in the most accessible position in storage would be removed as quickly as possible within the limits of human safety. In the event of fire after hours, the night watchman would immediately proceed to the section in which the alarm had been raised (as shown on the control board) and apply first-aid by fire extinguisher until the fire brigade arrived. This action would alert security automatically by the watchman moving through ultrasonically monitored sections of the gallery."

(4) "Valuation on the works on the gallery at March 30, 1973—$1,656,420."

(5) The whole collection is insured by the trustees with insurance brokers—Stewart Smith Insurances (Qld) Pty. Ltd. Fine arts policy—all risks. The underwriters are as follows:—Insurance Company of North America, 47 per cent.; Law, Union & Rock, 4 per cent.; New Zealand Victoria, 5 per cent.; Phoenix, 5 per cent.; Edward Lumley, 27 per cent.; S.G.I.O., 3 per cent.; and Stewart Smith Insurance London Office, 9 per cent."

STUDENT RESIDENTIAL ACCOMMODATION, DARLING DOWNS INSTITUTE OF ADVANCED EDUCATION

Mr. P. Wood, pursuant to notice, asked The Minister for Education,—

(1) How many students are accommodated at the Davis Hall of Residence, Darling Downs Institute of Advanced Education, and what is the weekly cost to students?

(2) Is any additional accommodation planned and, if so, what are the details?

Answers:—

The Director of the Darling Downs Institute of Advanced Education has advised—

(1) "There are 67 students in residence together with a master, a mistress and one resident tutor. The weekly cost to students is $18.50."

(2) "No additional accommodation for the Davis Hall of Residence is planned for the current triennium. However, $20,000 has been provided to allow for preliminary planning for further accommodation to be constructed in the 1976–78 triennium."

SUBJECTS ON SENIOR CERTIFICATE, RADFORD EDUCATION SCHEME

Mr. B. Wood, pursuant to notice, asked The Minister for Education,—

In view of the aims of the Radford Report that a wider range of subjects be offered to Grade 12 level, will he list the schools, together with the subjects, offering studies which may appear on the certificate as subjects offered by the school on its own initiative?

Answer:—

"The senior certificate issued by the board at the end of Grade 12 shows board subjects—for which syllabuses are approved and grades of achievement are moderated—and school subjects which a school offers on its own initiative. The attached list indicates the school subjects which will be included on the senior certificate in 1973, and the schools which are offering these subjects."

Paper.—Whereupon Sir Alan Fletcher laid upon the Table of the House the list referred to.

REMEDIAL TEACHERS

Mr. B. Wood, pursuant to notice, asked The Minister for Education,—

(1) Are remedial teachers available to high school students with learning difficulties?

(2) Has consideration been given to the establishment of modified courses at Grade 8 level?

(3) What particular attention is given to children with learning problems, especially those who have been identified and catered for at primary level?

Answers:—

(1) "Generally, there are teachers available in high schools to offer reading improvement courses to those students requiring this type of assistance. Other remedial work is provided where the guidance officer considers it necessary."

(2) "The establishment of modified courses at Grade 8 level has been considered, but it it felt that Grade 8 should be an exploratory year in which the school and the students should make the discoveries which will lead to the provision of the best educational program for each individual. If he thinks it desirable, any principal may introduce a Grade 8 course based on a reduced syllabus."

(3) "As stated in Answer to (1), the more common disabilities can be handled at the school by teachers who have received some training in this area. The guidance officer takes a particular interest in those students who were recognised as having learning disabilities in the primary school. If remedial teaching is still required arrangements are usually made for it."

NATIONAL PARK AND STATE FOREST, WEYMOUTH, CAPE YORK PENINSULA

Mr. Wallis-Smith, pursuant to notice, asked The Minister for Lands,—

(1) Have any decisions been made in connection with proclaiming a National Park over part of the Cape York Peninsula property "Weymouth" and two adjoining occupation licences?

(2) Has part of "Weymouth" been reserved as State Forest?

(3) As a Press statement by the Lands Minister on February 10, 1972, foreshadowed both areas as National Park and State Forest, what is the area in each?

Answers:—

(1) "No."

(2) "No."

(3) "Investigations of the Weymouth area have not been finalised, and therefore no decision has been made on the areas of any State Forests or National Parks in this region."

EMPLOYMENT OF ABORIGINES, COEN WATER SUPPLY SCHEME

Mr. Wallis-Smith, pursuant to notice, asked The Minister for Local Government,—

As $40,000 has been provided by the Commonwealth Government for the Cook Shire for works which can absorb Aboriginal workers, will he consider using some of this money to complete the water storage and other works connected with the provision of reticulated water at Coen, as all the plans have been completed and the work has commenced?

Answer:—

"The decision on the use of the grant mentioned by the Honourable Member is a matter for the Administrator of the Cook Shire Council, subject, of course, to compliance with the conditions under which the grant was made available. With regard to the proposal that some of the grant be used on the Coen water supply, my enquiries reveal that working documents for this scheme have not yet been submitted to the Department of Local Government and work has not been commenced. I am advised that the council has applied for planning funds of $5,000 for the project in the 1973-74 loan programme."

WATER SUPPLY FOR WASAGA, HORN ISLAND

Mr. Wallis-Smith, pursuant to notice, asked The Premier,—

As Horn Island does not come under the control of any local authority and as 22 Torres Strait Island families live at Wasaga township, where the Lands Department recently sold building sites, will he take appropriate measures to have money from the $15,000 Commonwealth grant to the Thursday Island Council used for the laying of a water main from the existing water storage to Wasaga, such work to be carried out by Torres Strait Islanders?

Answer:—

"As a result of the Queensland Government's assessment of the employment position in so far as Aborigines and Islanders in a number of centres in the State is concerned and in order to create additional employment opportunities for them, we submitted a case to the Federal Government for the allocation of funds to enable special projects to be implemented in a number of local authority areas. Included in the suggested programme were certain projects on Thursday Island requiring finance to the extent of $15,000 to be expended by the Thursday Island Town Council. Our proposals were accepted by the Federal Government and, consequently, funds are committed to the council's projects on Thursday Island. Horn Island is not within the area of the Thursday Island Town Council and the question of whether it should be brought under local authority administration is at present receiving the consideration of the Department of Local Government."

HOUSING LOANS, TRADE UNION BUILDING SOCIETY

Mr. Lane, pursuant to notice, asked The Minister for Works,—

(1) Is he aware of a current practice by the Trade Union Building Society, under which money is solicited from all sections of the community but strict preference for home loans is given only to members of unions affiliated with the Trades and Labor Council of Queensland?

(2) Has this preference effectively prevented any loans being made to persons not so affiliated?

Answers:—

(1) "No. It is understood that the society makes loans available to all persons within the community who fulfil required conditions."

(2) "No. I am unaware that the rules of the society governing membership of an affiliated trades union has prevented any person from obtaining a loan."

REZONING OF NON-URBAN LAND FOR INDUSTRIAL USE

Mr. Burns, pursuant to notice, asked The Premier,—

(1) What action does the Environmental Planning Committee or any air-pollution and water-quality body take when polluting industries, such as tanneries or brickworks, apply for permission to re-zone non-urban land to noxious, hazardous industry or any other industrial classification?

(2) Is any environmental submission made to the relevant local authority?

(3) Has his Government, under the State and Regional Planning and Development, Public Works Organization and Environmental Control Act, or any other Act, the power to intervene?

Answer:—

(1 to 3) "Applications for re-zoning are a matter for local authorities and such local authorities may request submissions dealing with environmental effects if they so wish. Governmental agencies are willing and prepared to assist councils if requested. Individuals, firms or companies who propose to establish industries must now obtain the necessary licences from the Air Pollution Council and the Water Quality Council. The Environmental Control Council does not have executive functions."

Mr. R. Jones: Speaking of local authorities, what went wrong?

Mr. ACTING SPEAKER: Order! The honourable member for Cairns is now warned under Standing Order 123A.

Mr. R. Jones: Oh, Mr. Acting Speaker!

Mr. ACTING SPEAKER: Order! I warned the honourable member earlier. If he does not heed that warning, I shall deal with him.

MIDWIFERY PRACTICES, ROYAL WOMEN'S HOSPITAL

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

(1) Is he aware that some doctors are so unhappy about what has been called the great public dissatisfaction with midwifery in Brisbane and the out-of-date midwifery practices at the Royal Women's Hospital, that they are canvassing donations towards the setting-up of a private hospital where more enlightened techniques can be used?

(2) What policy is adopted by the Department or the North Brisbane Hospitals Board in relation to the attendance of husbands in intermediate labour wards?

(3) What instructions are given to staff in relation to the use of modern methods of childbirth and, in particular, to natural childbirth techniques which require different relationships between doctors and patients?

(4) In view of the number of complaints and expressions of concern from Ministers and others regarding obstetric services and teaching, will he consider undertaking an urgent public inquiry into this most important matter and allow evidence from the general public, the nursing and medical professions, the Natural Childbirth Association and other associations?

Answers:—

(1) "No. The Honourable Member appears to be referring to a recent misleading and inaccurate newspaper article."

(2) "On the recommendation of the Royal Women's Hospital Advisory Committee, which in addition to Board's officers includes Professor E. V. Mackay, Professor of Obstetrics, University of Queensland, and Drs. K. Wilson, R. Drake and James Hill, all of whom are consultant obstetricians, the following decision has been made:—'Husbands are permitted to visit their wives in labour, but not during delivery, at the discretion of the sister in charge of labour ward at the time'."

(3) "In the course of their instruction in obstetric analgesia and anaesthesia, the pupil midwives receive instruction in natural childbirth and psychoprophylaxis. Nurses are also encouraged to attend in company with expectant mothers the classes that are conducted by the physiotherapy department for antenatal patients. These classes are conducted each day in the week and their purpose is to instruct the expectant mother regarding the physiology and psychology of normal pregnancy and labour. In addition they are assisted in the performance of exercises to gain control of individual groups of muscles, to maintain good posture during pregnancy and to increase mobility and elasticity of joints and ligaments which assist in labour. I am advised that it is important to realise that natural childbirth is not the be-all and end-all of obstetric management at the present time. While the technique of natural childbirth may prove satisfying to some patients, it is by no means universally applicable, and the advantages that are claimed by those who follow these techniques are at times exaggerations of the actual facts."

(4) "I am unaware of the complaints and expressions of concern from Ministers and others which the Honourable Member alleges."

Proposed Highview General Hospital, Southport

Mr. D'Arcy, pursuant to notice, asked The Minister for Health,—

As definite plans have been announced for the Highview Southport General Hospital, what is the commencing date of the work and what is the estimated cost?

Answer:—

"The proposed new building is a major project and requires detailed planning to ensure that the facilities to be provided are in keeping with the requirements of the area. Meetings have been held between hospitals board representatives, its architects, departmental officers and officers of the Department of Works to finalise preliminary sketch plans. A firm estimate of cost will not be available until sketch plans are completed. The time at which construction on this project can commence will be dependent on the time taken in the various stages of planning, the calling and review of tenders and the allocation of loan finance."

Toilet Accommodation, Musgrave Hill Primary School

Mr. D'Arcy, pursuant to notice, asked The Minister for Works,—

As the stench from the present cramped toilets at the Musgrave Hill High School is overpowering, rumours of hepatitis in the district are rife and many parents demand that their children come home rather than use the present toilets, will he investigate and expedite the building of extra toilets?

Answer:—

"As there is no State high school at Musgrave Hill the Honourable Member evidently refers to the primary school. Approval has already been given for the provision of additional toilet facilities at this school and it is anticipated that the work will commence in about two weeks' time."

Works Department Landholdings, Albert Electorate

Mr. D'Arcy, pursuant to notice, asked The Minister for Works,—

(1) What vacant land is owned by his Department in the Albert Electorate?

(2) What is the intended use of this land?

Answer:—

(1 and 2) "Educational land—Loganholme, an area of 15 acres—new site for the Loganholme State School; Woodridge East, an area of 25 acres 2 roods 26 perches a site for a future primary school;

Pine Ridge, an area of 3 acres 3 roods 39·9 perches being held as the nucleus of a site for a future primary school; and Norwell, an area of 2 acres 3 roods 19·2 perches this school is closed but the residence is being occupied temporarily by a teacher from a nearby school. Police Department—There is no unused vacant land. Queensland Housing Commission—Slacks Creek, 28 sites for houses; Kingston, 34 sites for houses; Nerang, 7 sites for houses; and Beenleigh, 1 site for aged persons units."

CURRENCY REVALUATIONS AND JAPANESE COAL EXPORT PRICES

Mr. Hanson, pursuant to notice, asked The Premier,—

(1) Has he noted that Coal and Allied Industries Pty., New South Wales, has recently re-negotiated its contracts with Japanese customers and that its shares have shown significant rises on the stock market?

(2) Has he any knowledge of Queensland companies re-negotiating with Japanese interests and is he aware of any satisfactory results?

(3) As the Commonwealth Government did urge rises and suggest that Australian coal was being sold too cheaply, is he aware that Kembla Coal and Coke Ltd., New South Wales, recently secured a 26 per cent. price rise in the export price of coal supplied to the Japanese by the company?

(4) Is he aware that Japan has agreed to continue the principle of meeting currency revaluation losses incurred by Australian coal exporters and, if so, is he prepared to refute his previously unacceptable allegations against the policies of the Commonwealth Government?

Answers:—

(1) "Yes."

(2) "Yes. Thiess Holdings Ltd. have obtained a substantial increase in the $US price of coal it exports to Japan from the South Blackwater Mine."

(3) "Yes, but this was mainly revaluation compensation."

(4) "It is not correct to say that the Japanese have agreed to meet currency losses incurred by coal producers as a result of revaluation. While I understand that there are some current contracts with protective clauses covering currency revaluations, it generally remains a matter for negotiation by the companies affected. In addition, it must be pointed out that these protective clauses introduce a price competitiveness factor into consideration which has resulted in some coal producers not having contracts renewed. I am most concerned that there is a danger that the policies of the Federal Government could result in the loss of most, if not all, of our coal export trade, and further, I am greatly disturbed that the Honourable Member and the rest of the A.L.P. will not speak up for the Queensland workers in this important Queensland industry."

PROHIBITION OF BACKYARD FIRES

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

Has his attention been drawn to an item in *The Courier-Mail* of August 23, 1972, headed "Backyard fire ban could ease pollution", in which is was reported that Brisbane would have to consider "no burn" days to ease pollution hazards caused by home-owners' backyard fires? If so, in view of the present serious health problem created by the fires, has any consideration been given to controlling them similarly to the control of industrial air pollution by legislation?

Answer:—

"There is sufficient power in the *Clean Air Act* 1963–1970 to control backyard fires. It is obvious however that before taking such steps, alternate methods of disposal of combustible waste will have to be provided by the Brisbane City Council and other local authorities."

NATURAL GAS RESERVES

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

(1) What consideration has been given to the Government Gas Engineer's report for the year ended June 30, 1972, wherein he comments on the limited reserves of natural gas?

(2) Has the Government or have the gas companies concerned limited the sales of natural gas by not connecting any new consumers and limiting existing consumers and is it considered that this should be done?

(3) Are consumers made aware of this limitation of reserves, as they would possibly not commit themselves to new plants?

(4) Because reserves are limited, why is it proposed that the Dalby Town Council should have a franchise to reticulate natural gas?

(5) Will additional reserves be tapped from outlying and smaller fields and, if so, will this increase natural gas prices?

Answers:—

(1) "Twenty-three wells, including ten appraisal and development wells, were drilled in the area in 1972. It is hoped that additional drilling will prove further reserves of natural gas."

(2) "It is understood that, as a means of conserving available supplies of natural gas, the gas companies concerned are not actively seeking further major industrial loads. It is considered this is a reasonable approach."

(3) "All new industrial consumers are aware of this."

(4) "The small amount of natural gas to be used in the Dalby area will have no significant effect on the overall reserves."

(5) "This is at present under investigation and any effect on the price of natural gas is not known."

QUESTIONS WITHOUT NOTICE

PROPOSED CLOSURE OF EVANS DEAKIN SHIPYARD, KANGAROO POINT

Mr. BROMLEY: I ask the Minister for Development and Industrial Affairs: As it has now been officially announced that Evans Deakin's shipyard is to close down, what action is he taking in collaboration with the Premier and Cabinet to place any workers who may be retrenched in employment within Government departments and firms who are engaged in Government contracts or are otherwise seeking employees?

Mr. CAMPBELL: If alternative action is not forthcoming, the reported decision of Evans Deakin to close its shipyard will cause a serious setback to industrial development in Queensland.

I think it should be recognised at the outset that in accordance with the advice received from the company, this action has been taken after long consideration of all the factors involved. For several years now, in that section of its vast operations the company has incurred losses year after year. Although some portion of the losses could be attributed to other causes, it is quite obvious that the constant industrial friction and labour disturbances at the shipyard have been largely responsible for the heavy annual losses. It would be fruitless for such a large industry to continue if it cannot be assured of compliance with awards by the employees engaged therein. What has happened at this shipyard bears a parallel to the tremendous loss of working hours which occurred at the Gladstone alumina plant prior to the agreement that was reached in October last.

The honourable member asked what the Government is doing. The Government and the company have been in consultation on this very difficult matter, and the honourable member can rest assured that any action the Government can take to assist the company in this particular problem will be taken.

As was announced by the company, the workshop adjacent to the shipyard can be used for other fabrication purposes, and the company has expressed its intention to utilise those facilities for its general fabrication and contracting work.

It is little use bemoaning the impending closure without having regard to the main factors which have brought it about, namely, the constant attrition of that section of the enterprise by inter-union demarcation disputes and the refusal to observe the terms and conditions of employment.

ELECTION RESULTS, BRISBANE CITY COUNCIL

Mr. N. F. JONES: I ask the Minister for Local Government and Electricity: Is he aware that the Australian Labor Party made the legislative changes by his Government in the structure of the Brisbane City Council a major issue in last Saturday's municipal election? In view of the clear expression of public opinion on the question, will he now give an undertaking that he will give serious consideration to any submissions by the Lord Mayor of Brisbane with the object of repealing this discriminatory legislation?

Mr. McKECHNIE: There is no intent on the part of the Government to repeal any section of the City of Brisbane Act as enacted in this House last year. So far as the election results are concerned, it is now up to the elected aldermen to see if they can put into practice democracy as it is intended in the Act. In other words, aldermen will no longer have the excuse that the Lord Mayor will take no notice of them. They now have the power to speak on behalf of their constituents, and the ball is in their corner.

SIESMIC SURVEY, GREAT BARRIER REEF WATERS

Mr. ARMSTRONG: I ask the Premier: Is he aware of a report in "The Courier-Mail" of Saturday, 31 March, wherein Senator Georges was reported to have said at a meeting of the Barrier Reef Committee in Brisbane that the Federal Government had not been aware that an American seismic ship had been surveying Barrier Reef waters? Is there any factual basis that would enable the Premier to give the House an assurance that the claim by Senator Georges is incorrect?

Mr. BJELKE-PETERSEN: I have seen the report referred to. It would appear that Senator Georges did not acquaint himself fully with the facts of the matter prior to making his statement. Had he done so, he would have learnt that a geophysicist from the Commonwealth Bureau of Mineral Resources boarded the ship at Townsville.

Mr. F. P. Moore interjected.

Mr. ACTING SPEAKER: Order! The honourable member for Mourilyan is now warned under the provisions of Standing Order 123A.

Mr. BJELKE PETERSEN: This representative of the Bureau of Mineral Resources boarded the ship at Townsville, at the invitation of the owners of the vessel.

BOOKS FOR SCHOOL LIBRARIES

Mr. ROW: I ask the Minister for Education and Cultural Activities: In view of his reply to my question on notice earlier today, will he give an assurance that all available printing facilities, both inside and outside Australia, will be given equal opportunity to provide books and other publications that are so urgently required to build school libraries up to the desired standard?

Sir ALAN FLETCHER: I can give the assurance that wherever and whenever it is necessary to take action to relieve any shortage of textbooks or other books, the department and the Government will take that action.

WORKERS' COMPENSATION ACT AMENDMENT BILL

THIRD READING

Bill, on motion of Sir Gordon Chalk, read a third time.

JUDGES' SALARIES AND PENSIONS ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Acting Chairman of Committees, Mr. Wharton, Burnett, in the chair)

Hon. W. E. KNOX (Nundah—Minister for Justice) (12.10 p.m.): I move—

"That a Bill be introduced to amend the Judges' Salaries and Pensions Act 1967-1971 in certain particulars."

The salaries and allowances of the judges of the Supreme and District Courts were last increased on 21 April 1971. The salaries and allowances presently payable to them are as follows: the Chief Justice of the Supreme Court receives a salary of $23,600 and an allowance of $1,200, whilst the other puisne judges receive $22,200 in salary; the Chairman of the District Court receives a salary of $16,450 and an allowance of $1,500, whilst the remaining District Court judges receive $16,450 in salary.

The salaries and allowances now payable to Queensland judges are well below those payable to judges of other States in Australia, and even some of these are currently under review. For the information of honourable members, I have prepared a list of the salaries and allowances presently payable to judges of other States, which I now table. I seek leave of the Committee to have it incorporated in "Hansard".

The ACTING CHAIRMAN: Is it the wish of the Committee that the list referred to by the Minister be tabled and inserted in "Hansard"?

Honourable Members: Hear, hear!

Mr. HOUSTON: I rise to a point of order. Could the Minister make a copy of the list available to the Opposition so that honourable members on this side of the Chamber will have an opportunity to refer to it in the debate?

Mr. KNOX: I will table it now and a copy will be available to the honourable gentleman immediately.

Whereupon the honourable gentleman laid the list on the table.

SALARIES AND ALLOWANCES OF JUDGES AT 27 MARCH 1973

——	New South Wales	Victoria	South Australia	West Australia	Tasmania	Australian Capital Territory
Supreme Court—	$	$	$	$	$	$
Chief Justice (a)	29,800	29,500	28,200	27,000	22,500	..
(b)	1,150	1,500	..	..	..	..
Other Judges (a)	27,400	26,700	25,750	24,000	20,000	22,000
(b)	875	1,250	..	..	..	1,000
District Court—						
Chairman (a)	24,650	22,200	22,000	20,880	..	..
(b)	875	1,500	..	..	..	..
Other Judges (a)	22,580	22,200	20,200	19,440	..	..
(b)	500	1,000	..	..	..	..
Last Increased ..	1 January 1972	1971	13 April 1972	1 January 1973	July 1972	1969

(a) salaries. (b) allowances.

Mr. KNOX: The proposed Bill seeks to provide for the salaries and allowances of judges of the Supreme and District Court of Queensland to be increased on and from 1 April 1973 so that the Chief Justice will receive a salary of $29,000 and an allowance of $1,500, the remaining puisne judges will receive a salary of $25,000 and an allowance of $1,000, the Chairman of the District Court will receive a salary of $23,000 and

an allowance of $1,500, and the remaining District Court judges will receive a salary of $22,000.

The Bill also provides that the salaries and allowances of the judges of the Supreme and District Courts will be adjusted by the Governor in Council each year in the same manner as is provided for the future adjustment of salaries and allowances of members of this Parliament—namely, to accord with the variation which has occurred to 30 June in each year in the index published by the Bureau of Census and Statistics for the average minimum weekly wage rates for adult males in Queensland.

Honourable members will be well aware that it is the responsibility of Parliament to ensure that our judges are adequately remunerated for the important and demanding work they are called upon to perform.

I commend the motion to the Committee.

Mr. WRIGHT (Rockhampton) (12.13 p.m.): Members of the Opposition fully realise that, in comparison with those paid in other States, the salaries of judges in Queensland are low, and we accept the need for an increase because we believe in the principle that a man is worthy of his hire. However, I am a little bit concerned that we may be taking the wrong attitude to salaries generally, and I intend to expand briefly on that.

On 14 December 1967, the Chief Justice of the Supreme Court of Queensland received $17,300. Now, only six years later, it is proposed that he should receive $29,000, with an additional allowance of $1,500. This, to my mind, is a tremendous increase over such a short period. However, when one considers the salaries that it is alleged barristers are making in private practice, I suppose if people are to be attracted to these positions they must be paid their worth. It also is said that one must always ensure that judges are not open to graft and can never be bribed in any way and, for that reason, they must be paid adequately.

I think that both these contentions are valid and the principles must be accepted. But I wonder how far we are to go. At the moment we are following a rule that the rich will get richer and the poor will continue to get poorer, and this will go on and on until a break from this policy is made somewhere along the line. I realise that a person on a gross salary of $29,000 a year receives a lot less than that because income tax levied by the Federal Government, regardless of its political colour, is substantial.

Let us look back at why increases are granted. As the Minister said, this is the first increase since 21 April 1971, almost two years ago. In that time there has been a tremendous increase in the cost of living. If, say, it has been $500 a year, the average person on the pension, the average person on $48 a week and the average person on $70 a week has to meet that increase, just as a judge, whether he be a puisne judge or the Chairman of the District Court, has that additional call on his purse. If there is a 6 per cent increase in the cost of living, I believe that everybody should get only the extra cost involved. If the cost of living goes up by $500 in a year, everybody should get $500 rather than an increase of 6 per cent. I accept the principle of the trade-union movement that there should be a margin for skill, but let this be reviewed at certain times. We are following an extremely dangerous trend that is not only creating inflation but is having a serious effect on our economy.

Only this morning I read in a newspaper printed in Gladstone that Dr. Paul Samuelson, a famous American economist and writer of economic textbooks, said on his recent visit to Australia that "the only group to suffer badly in times of inflation were the pensioners and those on fixed income benefits." That newspaper article further stated—

> "He said the richer people were the less they tended to be hurt because they could hedge against inflation by buying stocks and land and by borrowing money."

Naturally we accept that. What I was particularly interested in was the programme he outlined and the details he gave by way of comparison between wages and various costs in October 1963 and those in October 1972, and in some cases in 1973. It is noted that the average earnings for full-time employees other than managerial for October 1963 were $48.20, and that in October 1972 they were $92.30. For managerial executive staff, the figure in October 1963 was $75.90 compared with $137.40 in October 1972. The cost of an average central city home was $8,000 in 1963, whereas in 1973 it costs $20,000.

Such costs are not going to be met only by the Senior Puisne Judge and the Chairman of the District Court. These costs are met by every person in the community. In 1962 haircuts cost 50c. I think the figure in this article for 1973 of $1.10 is wrong. I paid $1.50 for a haircut the other day. These costs are met by every person.

Mr. R. E. Moore: I can get my hair cut for $1.00.

Mr. WRIGHT: I am surprised to hear that the honourable member gets a haircut. I thought he would get a massage of some sort.

I could go on with these comparisons, but I will not delay the Committee. It is appropriate that we should look at such comparisons and accept the fact that prices are increasing and that the increased cost of living is being felt mainly by the lower-income groups.

Just as honourable members of Parliament now have their salaries decided by the Governor in Council, the rule could be the

same for judges, but somewhere along the line we have to look at the increases in salaries and wages. The rich are getting richer and the poor are getting poorer. I hope that some day, regardless of the Government in office, cognisance will be taken of that fact.

The ACTING CHAIRMAN: Order! There is too much audible conversation on my left.

Mr. JENSEN (Bundaberg) (12.19 p.m.): I support the statement of my colleague the shadow Minister for Justice (Mr. Wright) about the rich getting richer and the poor getting poorer. Probably the passage of the Bill will mean the start up of the merry-go-round again. As the honourable member for Rockhampton said, we do not mind a rise in wages because we believe that a man is worthy of his hire, but the increases granted by this Bill will start up the merry-go-round again, and teachers and public servants will be looking for their annual increases of 10 per cent. This only gives rise to inflation.

As the honourable member for Rockhampton has said, income tax accounts for a large proportion of very high salaries. However, for the moment I am not concerned about that; what I am worried about is the way in which wage increases are fixed to meet the rise in the cost of living. By all means, have margins for skill, but all salaries should be increased at a flat rate. Percentage increases in salaries are quite anomalous. For example, if salaries are increased by 5 per cent to overcome a rise of, say, $2.50 a week in the cost of living, the following anomalous situation could result: a worker who receives $50 a week would be given an increase of $2.50; a worker who is paid $100 a week would receive an increase of $5; a salary of $200 a week would attract an increase of $10; a salary of $300 a week, an increase of $15; and a salary of $600 a week, which is the salary that some of the judges are paid, would attract an increase of $30 a week. Why should a person in receipt of such a high wage be given an increase of that magnitude to overcome a rise of $2.50 in the cost of living?

It is about time that the trade unions and the economists brought some clear thinking to bear on this issue. The worker hopes that what he loses on the merry-go-round he will pick up on the swings. He has no hope in the world of picking up. As for the pensioners, their situation is even worse.

Mr. Hinze: What about the farmer?

Mr. JENSEN: The honourable member can talk about the farmers; I am speaking up for the workers, particularly the lower-paid ones.

The Minister has said that in future increases in judges' salaries will be fixed yearly. From time to time the Government claims that it takes the lead in legislation throughout the Commonwealth. Let it do so in this instance, too, by providing that all future increases to judges' salaries will be fixed at a flat rate.

It is quite apparent that our economists are unable to contain inflation. They simply do not know where to start. If an economist were asked why inflation continues at the rate of 5 or 7 per cent, I am sure he would be unable to answer the question. About three years ago at a gathering at the Mackay Sugar Research Station, Professor Gynther was asked why inflation could not be halted. He facetiously replied, "Even if Lou Jensen was Treasurer of the State, the situation would be the same." It is time that some new thinking was brought to bear upon the problem of inflation.

The Government is the party responsible for our current rate of inflation. It should have the courage to proclaim that in future all basic wage increases will be fixed at a flat rate, across the board. If the cost of living increases by $2.50 a week, all workers in the community—whether they be judges, businessmen or labourers—should receive an increase of $2.50. Similarly, if the cost of living rises by 50c a week, all workers should receive a wage increase of 50c a week.

Mr. Hinze: Even 50c for judges?

Mr. JENSEN: Yes, if the cost of living rises by 50c.

Mr. Hinze: You can't be "fair dinkum".

Mr. JENSEN: I am "fair dinkum". Why should a judge be given an increase of $30 to help meet a rise in the cost of living of, say, $2.50, when at the same time a labourer receives an increase of only $2.50? The increase in pay should cover only the rise in the cost of living because the worker pays the same price for, say, his butter or cigarettes as everyone else.

Mr. Bjelke-Petersen: Can you tell me why Mr. Whitlam should get $56,000?

Mr. JENSEN: Can the Premier say why he should get $30,000?

An Opposition Member: He gets $40,000.

Mr. JENSEN: Can the Premier tell me why he should get as much as that?

I believe in people being paid for the work they do.

Mr. Wright: After all, Mr. Whitlam is worth three times as much as the Premier.

Mr. JENSEN: I realise that. And the Premier must concede that he is personally not worth $40,000.

Mr. Low: How much do you intend to give back?

Mr. JENSEN: I am not going to give anything back.

I am trying to get this Parliament to pass some common-sense legislation, following which we could go to the Commonwealth and the other States and say, "We have made an attempt to contain inflation." America attempted to control inflation by imposing a moratorium on wages and prices. No doubt the Minister will tell me that this is a Federal matter.

Mr. Sherrington: Are you sure he would not say, "See Clem Jones."

Mr. JENSEN: I do not think he would say that.

To justify the salary increases, the Minister said that Queensland judges' salaries are below those in other States. But that is not a valid excuse for increases. If anyone wants to live in Canberra or Melbourne he is at liberty to do so, but I want to live in Queensland. Whether I get $2,000 or $10,000, I intend to live here; I will not leave this State for money.

Mr. W. D. Hewitt: You should realise how quickly the Public Service would be eroded if we did not maintain wage parity.

Mr. JENSEN: That would be terrible, wouldn't it? There will always be others coming on, and there are only so many jobs in any sphere. The positions would soon be filled. If public servants want to go, we should let them go. Queensland has a wonderful climate and environment and these matters, too, should be taken into consideration. If we followed the Minister's reasoning, we could well say that everyone should go to Weipa because the wages in Brisbane are not nearly as high as those paid there. The Minister's argument was stupid and does not carry any weight with me.

I do not believe that salary rates are everything. Our economists should engage in new thinking to contain inflation and hold wages at a reasonable level. In my opinion no man is worth over $30,000 a year. However, in view of the present-day wage structure, we must pay these salaries.

Mr. Hinze: What about Gough?

Mr. JENSEN: I do not believe that the honourable member and the Premier are worth what they are getting. If the honourable member had been listening, he would have heard me say that, if the Premier is getting $40,000 a year, Mr. Whitlam is worth what he is getting.

Mr. Lee interjected.

Mr. JENSEN: The honourable member comes here merely to fill in his time. He is simply a number, and the Government pays no attention to him.

The time is ripe for new thinking by the Government and the unions on the wage structure. If the margin for skill puts the tradesman's rate $20 above that paid to the labourer, the margin should not be increased when wages are adjusted to compensate for increases in the cost of living. If the cost of living increased by $2.50, I would not mind an all-round increase of $2.50 being paid to labourers, tradesmen, public servants, the Premier and me. If, tomorrow, the Premier were to introduce a Bill providing that, in future, parliamentarians, judges, workers and all others shall receive an across-the-board, flat increase, I would be willing to cross the floor to support him.

Mr. Bjelke-Petersen: And then the unions would fight that principle to the bitter end, for all they were worth.

Mr. JENSEN: They would not. They want this to happen. They realise that percentage increases are getting out of hand. They realise that there must be a margin for skill.

Mr. Bjelke-Petersen: They would not want their salaries or wages, which are at present well above those of the workers, brought down to the lower level.

Mr. JENSEN: I will conclude now. I wanted to listen to the facetious interjection by the Premier.

Mr. R. E. MOORE (Windsor) (12.31 p.m.): All I can say about the speech of the honourable member for Bundaberg is that he almost mentioned judges' salaries on one or two occasions. I was amazed to hear the honourable member for Rockhampton claim that unionists should receive an across-the-board increase, because every trade unionist I know talks about a percentage margin for skill. They all want an across-the-board rise and then a percentage increase in margin as well. So I cannot understand how this argument could be valid.

Mr. Wright: You weren't listening.

Mr. R. E. MOORE: I was listening. The honourable member did not know what he was talking about.

I would be happy if all salaries throughout the State, or the nation for that matter, were fixed by one court. The Industrial Commission should be able to fix salaries for judges, parliamentarians, public servants and everyone else. What dogs this nation is that too many bodies fix wages, with one body vying against the other. Whilst this is not the prime cause of inflation it is, together with costs, a major factor.

Mr. Sherrington: Our salaries should be tied to those of public servants.

Mr. R. E. MOORE: The salaries of public servants could be tied to ours, instead of ours being tied to theirs. After all, we are the highest court in the land, and I do not see why it should work in reverse, as the honourable member for Salisbury suggests.

Mr. Sherrington: You have just been talking about salaries being fixed by the Industrial Commission.

Mr. R. E. MOORE: I am happy to make my submission; I was simply replying to the honourable member's interjection.

Mr. Sherrington interjected.

Mr. R. E. MOORE: Parliament is a law unto itself and can legislate as it chooses. It is logical to argue in favour of percentage increases—the higher the salary, the greater the increase. However, I have often suggested that, regardless of whether it is applied to the salaries of judges, members of Parliament, public servants, or any other workers, a formula should be evolved on the principle of so many points for skill, obnoxious work, necessary study and brain fag, with perhaps a deduction for security and an addition for insecurity. Employers and employees should meet around the table and evolve such a formula, which could be reviewed every three to five years.

Mr. Wright: You agree that percentage increases can be unfair, so you are agreeing with what I said.

Mr. R. E. MOORE: I said that percentage increases could be unfair, but I do not agree with what the honourable member said. He says that if there is a rise of $500 a year in the cost of living, everyone should receive $500. But he then said that workers have to be given their margins for skill. Margins are calculated as a percentage of the base rate. This means that whilst skilled workers would get the cost-of-living increase of $500, they would also receive an increase in margins. In the result, they would receive more than $500. That is where the honourable member's argument falls down.

Opposition Members interjected.

The ACTING CHAIRMAN: Order! I remind the honourable member for Windsor that there is no occasion to answer all interjections.

Mr. R. E. MOORE: The honourable member for Bundaberg made a statement to the effect that there is no need to give judges higher salaries simply because increases have been given in other States. I remind him of the principle of "like with like" so often advanced by the trade-union movement. This principle is followed in the determination of the wages and salaries of railwaymen, transport workers, public servants, and many others. Applications are made by unions to all industrial tribunals on the basis of "like with like" comparisons. That disposes of that argument used by the honourable member.

Hon. W. E. KNOX (Nundah—Minister for Justice) (12.36 p.m.), in reply: It is probably to be expected that in a debate of this nature there would be a general canvassing of the wage structure within the community. At the same time, I feel that I should direct my remarks to the purpose of the Bill.

I should make the observation—I do not think it was made during the debate—that the salaries of judges in this State have in recent years tended to lag far behind those of judges in the other States. Even with the increases proposed in the Bill, the salaries of Queensland judges will still be lower than those of judges in New South Wales and Victoria, and more or less the same as those of South Australian judges.

I do not think it could be said that the passage of this Bill will stimulate inflation, nor would I think that that would be suggested, because, in matters of salary adjustment, Supreme and District Court judges are, as it were, at the end of the line. By no means could it be suggested that they set the pace in the fixation of salaries. I think members of Parliament are in much the same position, as any salary increases that they receive flow on from those that have already been received by the rest of the community. I do not think that is a serious handicap, but I think it would be better, if possible, to have them move at the same rate, and at the same time, as salaries and wages move in the community generally. However, the very machinery of legislation is against such a proposition. To overcome that problem, there will be, as I mentioned earlier, annual adjustments of judges' salaries.

Mr. Wright: Based on what?

Mr. KNOX: Based on the formula that applies to the salaries of members of this Legislature. When the salaries of members are adjusted in the future, judges' salaries will also be adjusted. Such adjustments will still be subject to the veto of Parliament following the tabling, in due course, of the relevant documents. This means that the Legislature will still have control over the situation, even though there will be annual adjustments in the future. In the case of the first adjustment, the period will be 15 months to overcome the problem presented by the period from 1 April to the end of June of this year.

Motion (Mr. Knox) agreed to.

Resolution reported.

First Reading

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

GOVERNOR'S SALARY ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Acting Chairman of Committees, Mr. Wharton, Burnett, in the chair)

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (12.42 p.m.): I move—

"That a Bill be introduced to amend the Governor's Salary Act 1872–1971 in a certain particular."

The purpose of the Bill is to increase the rate of salary payable to His Excellency the Governor from $26,500 to $35,000 per annum as from 1 April 1973. My colleague the Minister for Justice and Attorney-General has already introduced a Bill to increase the salaries of judges of the Supreme Court and the District Court as from 1 April 1973, and included in that measure is a provision increasing the total remuneration payable to the Chief Justice from $24,800 to $30,500 per annum.

The Committee will be aware that it is customary to provide an appropriate margin between the emoluments of His Excellency the Governor and those of the Chief Justice, and the proposed legislation increasing the Governor's salary is in accordance with this accepted practice and procedure. Whilst it is appreciated that the emoluments now proposed for these two very important offices widens the existing margin, it must be borne in mind that the salary and allowance of the Chief Justice will, in future, be adjusted on a yearly basis in the same manner as is presently provided for members of this Parliament. By increasing the margin at this time, it is felt that the need for amending legislation of this nature will not be as frequent as it has in the past.

I feel that now is an appropriate moment to pay a tribute to the manner in which His Excellency has discharged his responsibilities since he assumed office just over 12 months ago. Already Sir Colin and Lady Hannah have undertaken extensive travel commitments in our State, and it is now obvious that we have in His Excellency a most worthy representative of Her Majesty the Queen. In fact, I am sure that the people of Queensland are appreciative of the very fine work of Sir Colin and Lady Hannah.

I commend the motion to the Committee.

Mr. HOUSTON (Bulimba—Leader of the Opposition) (12.45 p.m.): When we are debating a Bill of this kind we think of the salaries paid to all members of the community, and we look for some relativity between those of various people. No-one would doubt that salaries and wages are primarily based on three factors. The first is the need to allow a person to rear his family and live at a certain standard. Of course, the standard varies from time to time depending on the circumstances within that community. Over the last century, each year has seen the introduction of new amenities following new scientific developments. For instance, I cite the introduction of refrigerators in the home to replace ice-chests, which, in turn, superseded the meat-chest under the house. We went from wireless to black and white television and the next step will be colour television.

As couples in each new generation embark on the seas of matrimony, the young bride hopes to go into a home of her own containing all the amenities in her parents' home, and the young bridgroom naturally wants to provide them for her. As time moves on, a constant increase in the purchasing power is required to buy not only the basic essentials of life but also all modern amenities.

Another factor in salary determination is the need to provide a margin for skill. The skill may be the responsibility a person has to accept, or the knowledge or technical skill he requires. In some cases it may be the danger associated with an occupation. Also taken into account are the energy and self-denial required of a person to qualify himself for a particular position. Over the years little study has been made of the relativity of various occupations and callings. It would be an interesting exercise to determine exactly the relative importance of many of the occupations in the community, and also the skill and responsibility required in those occupations.

The third factor in salary and wage fixation is very important. It is productivity or relative productivity. I separate the two because productivity in some industries is a physical thing that can be measured according to the articles produced. In other fields of endeavour, productivity can be of a more theoretical nature. In administration, skilled techniques of a higher standard are required for particular jobs.

In considering salaries and wages, at no stage can we take just one occupation. I agree that from time to time there must be an upward lift in salaries and wages on perhaps a percentage basis, this being the simplest way of doing it. But at other times, when the only factor involved is a rise in the cost of living, the increase in wages and salaries should be a flat amount to all employees. The ideal answer lies somewhere between a flat increase on every occasion and a percentage rise on every occasion. At this stage we are waiting for the Commonwealth industrial tribunal to make a determination in the National Wage Case. I congratulate the unions and the Federal Government on at least coming to grips with the problem. Naturally, we are withholding our comments in many respects until the Commonwealth industrial tribunal has an opportunity to look at some of the problems associated with wage and salary justice.

The previous Bill fixed salaries of judges. When the Judges' Salaries and Pensions Act was last amended, two years ago, I referred

to relativity, and conceded that certain highly paid officers in this State could not be regarded purely and simply as public servants, whose salaries are usually determined by the Industrial Commission. At that time I referred particularly to the salaries of the Governor, the judiciary and the Cabinet Ministers. I agree that some relativity should be maintained between the salaries paid to the occupants of those positions.

Whether or not we believe that a Minister is carrying out his duties efficiently, we recognise the responsibilities attaching to his position. Naturally the position of Minister of the Crown would be regarded as the junior of the three positions to which I have just referred. However, it seems to be ridiculous that a Minister, for example, the Minister for Justice, should receive an annual salary of $17,410 whilst the Chief Justice is paid a salary of $29,000. Incidentally, I am excluding allowances from these figures. Even the most junior member of the judiciary, a District Court judge, receives a salary $4,590 in excess of that paid to the Minister for Justice, who is responsible for the administration of justice. Furthermore, a District Court judge's salary is only $140 less than that paid to the Premier.

Mr. Hinze: It is out of focus.

Mr. HOUSTON: Completely out of focus. Over the past two years the salary of the Chief Justice has increased by 22.6 per cent, and the Minister has said that his salary is only increased to keep pace with that paid to the Chief Justices in other States. I have no quarrel with maintaining relativity under existing conditions. However, I hope that these conditions and relativity generally will be reviewed.

As to the Governor, his salary will be increased by $8,500 to $35,000. As I have said, the Chief Justice's salary is $29,000. By comparison the Premier receives $22,140, and the salary of a Cabinet Minister is half that paid to the Governor. With respect, it seems to me that we have allowed the situation to get completely out of hand. I do not for one moment suggest that the salaries of the Ministers should be increased. I believe that the public have accepted the method of fixing salaries paid to Ministers, and, for that matter, back-benchers, too. I cannot see why the relativity of these salaries should suddenly be completely upset. The Governor is now to receive twice as much as a Minister of the Crown, who has far more responsibilities towards the citizens than has the Governor, although the Governor plays a very important rôle in our constitutional set-up.

I trust that the Premier in his reply, will explain why it was necessary to increase the Governor's salary by 32 per cent. The Premier said that the Governor's salary will not be adjusted annually, but there is nothing to stop a similar Bill being introduced next year. In September 1970 we dealt with legislation to increase the Governor's salary, and a few months later, in April 1971, we dealt with similar legislation. Without a clear indication that the sum fixed by the Bill is to be the Governor's salary for the next three to five years, the Premier owes the Committee a clear explanation of the way in which the 32 per cent increase was arrived at. The projected salary of $35,000 is a good, round figure, but I should like details of the method of determining it.

Mr. HINZE (South Coast) (12.57 p.m.): I do not intend to deal with the matters raised by the Leader of the Opposition, although some of them are worthy of consideration. For a long time I have held the view that the salaries of Ministers are not commensurate with those of their under secretaries. The Leader of the Opposition made that point quite clear when he compared the salary paid to the Governor with those of the Premier and Cabinet Ministers.

For many years Parliament has adjusted the salaries of the Governor and members of the judiciary. The Year Book contains this statement dated 24 January 1861: "An Act to provide for the Augmentation of the Governor's Salary." At that time the schedule read, "Provided by Civil List annexed to Order in Council, £2,500; increase in Governor's Salary, £1,500." In 1973 we are considering a salary of $35,000.

I should like to know whether Sir Colin Hannah is to be the last Governor of Queensland, as I gain the impression that the Commonwealth Government intends to make the States redundant. It has already eliminated the Honours List, and is now trying to deal direct with local authorities. In fact, it has said that it intends to deal with the City of Brisbane direct.

Mr. Jensen: Are you worried?

Mr. HINZE: I am not at all worried; but if the honourable member were interested in the seat he represents he would be worried.

Mr. Houston: Don't you agree that local authorities want to deal direct with the Federal Government?

Mr. HINZE: The Leader of the Opposition knows as well as I do that local authorities in Queensland are wards of the State; they are the third arm of Government, under the State's control. I do not suggest that local authorities should not have access to the Loan Council in a proper way, but I am strongly opposed to the Commonwealth Government making funds available direct to local authorities, bypassing the sovereign State of Queensland. The Commonwealth Government's actions, however, do not stop at that. It is offering funds for tertiary education and a meeting is to be held next week to deal with Commonwealth finance for housing. I believe that very soon, in line with the attitude adopted by Whitlam and

the present Commonwealth Government, the sovereign State of Queensland and this Parliament will become redundant. The Commonwealth has eliminated the Honours List and is now making offers of funds for various functions under the control of State Governments.

This is something that concerns me greatly. It is happening in every walk of life and in every department throughout the State. Every week our powers as a sovereign State are being gradually eroded. As I have said, the question I want answered is whether Sir Colin Hannah is to be the last Governor of Queensland.

Motion (Mr. Bjelke-Petersen) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Bjelke-Petersen, read a first time.

[*Sitting suspended from 1.2 to 2.15 p.m.*]

JUSTICES ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Acting Chairman of Committees, Mr. Wharton, Burnett, in the chair)

Hon. W. E. KNOX (Nundah—Minister for Justice) (2.16 p.m.): I move—

"That a Bill be introduced to amend the Justices Acts 1886 to 1968 in certain particulars."

The Justices Acts and the Magistrates Courts Acts have long been in need of a complete overhaul to conform with modern conditions. A committee comprising representatives of the legal professions and a number of Government departments has been examining these Acts for this purpose. The subject is also included in the second approved programme of the Law Reform Commission, and it is proposed that the working paper of the committee be referred to the Law Reform Commission for consideration.

The task to be performed is a mammoth one and will take considerable time. In the meantime, it is considered desirable that a number of amendments be made to the Justices Acts which will effect savings in time for the Magistrates Courts, the courts' officers and the police, as well as savings in expense for the Crown.

It is proposed to alter the method of service of summonses, which are now served by registered A.R. Post, and to remove the necessity of formal service of a minute of conviction as a condition precedent to the issue of a warrant to enforce a court order. Whilst the defendant's rights will not be affected, it is in this area that considerable savings of police officers' time will be effected. This will be due to an anticipated marked decrease in the number of summonses and minutes required to be served by police.

The proposal to eliminate the endorsement of service on a summons will also be a time-saver for police officers and court officials. This function has now outlived its usefulness and is in effect only an unsworn duplication of the affidavit of service, which is being retained.

Another proposal, which it is considered will effect savings in time and expense, will enable a defendant who fails to answer a complaint and against whom a warrant is issued, upon his apprehension and with his consent, to be dealt with before a Magistrates Court in the district in which he is apprehended. It is presently provided that where a case is heard in a Magistrates Court in the absence of the defendant, that court, upon an application by or on behalf of the defendant within seven days of the decision, may for such reason as it thinks proper grant a rehearing of the complaint. From experience it has been found that the period of seven days is too short to ensure that justice is done in all cases. The proposed Bill will increase from seven days to 28 the period within which an application may be made for a rehearing.

Other amendments proposed will provide that no objection shall be taken to the validity of a summons on certain grounds; amend the words addressed to a defendant after an examination of witnesses in relation to an indictable offence; repeal the requirement of justices to issue their warrants when they adjudge a defendant to be imprisoned, as this is already provided for; make it mandatory for the clerk of the court or a justice to issue a warrant to enforce a court order and increase the period of imprisonment which may be imposed in default of payment of a fine.

I commend the motion.

Mr. WRIGHT (Rockhampton) (2.19 p.m.): The Minister pointed out that the Bill has been introduced because the Justices Act is being overhauled. Every honourable member who is interested in this aspect of legislation will agree that this is warranted. I was pleased to hear the Minister say that this matter will be the subject of further consideration by the Law Reform Commission. I hope that, in the near future, we will see the fulfilment of that consideration.

The proposals as briefly outlined by the Minister will be looked at in detail by the Opposition. However, as this subject involves justices of the peace, it might be worth while canvassing some of the opinions that people hold on the activities and jurisdicition generally of justices of the peace.

It is a great pity that there are in Queensland today so many thousands of justices of the peace who perform none of the duties associated with that office. Whilst the Minister is considering the Justices Act, I hope he will give some thought to this aspect of it. There are thousands of men and women who have "J.P." after their

names but who never undertake any of the duties set out in the schedule to the Justices Act. In many cases, "J.P." is merely a status symbol. "Jonathan Brown, J.P." may look well if Mr. Brown is seeking election to a council, and "Fred Williams, J.P." may look impressive if Mr. Williams is seeking election to a community organization.

It is a great pity that "J.P." becomes little more than a status symbol, because section 6 of the Justices Act provides that the Governor in Council may appoint as many justices as may from time to time be deemed necessary to "keep the peace in the State of Queensland." The activities of many justices are far from "keeping the peace", even though they may play some part in it.

I accept that justices perform a useful role in signing forms and witnessing documents, and I also accept that they play a very effective role in the judicial sphere. I hope that this will be continued. However, I feel that justices are completely untrained for these duties. The only training that one gets as a J.P. is what one is given if one joins the Justices Association. I feel that this Government, and Governments in the past, have accepted a system of obtaining justice "on the cheap" by the use of justices of the peace. If these people are expected to carry out their duties properly, they must be trained and given some sense of professionalism without losing the grass-roots level of justice. That is, of course, what we expect —that people will be judged by other people of integrity in the community.

I think that this ideal could be attained, without losing anything, if justices of the peace were given some definite training. Even magistrates have told me that the training they receive is not sufficient, and I would say that is certainly true of justices of the peace. There are many justices of the peace who, if they were given a questionnaire in which they were asked to set out their assignments, could not complete it. As it is, a person goes to his member of Parliament and asks him, "Will you nominate me as a J.P.?" The member may not even know him, but he writes to the Premier or to the Under Secretary of the Premier's Department, and in due course the police make an investigation into the applicant's character. Finally, he goes to the magistrate, or police officer if there is no magistrate in his area, and takes the oath, or makes an affirmation, and can then place "J.P." after his name. In many cases that is all that it means until the local soccer club or some other organisation wants a form signed.

Justices of the peace should be given a much more important role. However, before that can be done it is quite obvious that they require some form of training. I believe that it is necessary for them to be given a special course, which should be carried out and financed by the State. It is not good enough to have a system of justice on the cheap. Such a course should be brief but comprehensive, and should include matters such as judicial discretion, impartiality, rules of evidence, and also administrative functions and techniques required in the role of a J.P.

Whilst these points are not particularly pertinent to the Bill, they should be given some consideration. There are too many justices of the peace in Queensland; they are not carrying out their functions; and it is time that the whole system was reviewed and overhauled.

Mr. JENSEN (Bundaberg) (2.24 p.m.): I should like to have a few words to say on this matter. Most of us, as politicians, nominate three or four justices of the peace every three months. We are allowed to nominate three every four months, or perhaps four every three months. As the honourable member for Rockhampton said, many persons merely seek the right to use the letters "J.P." after their names, and that is the end of it. All that they want is the title. Others become justices of the peace because they realise that many documents require the signature of a J.P. If witnessing of such documents could be done by an elector instead of a J.P., fewer justices of the peace would be needed. Perhaps they should be given certain other duties. If so, they should also be given a course in law. I am aware that, in the absence of the Stipendiary Magistrate, two justices of the peace take the bench. However, usually they do not receive any remuneration, and they are appointed only to witness legal documents. They are not required to know what is in the document, and in those circumstances any elector on the roll should be able to witness a signature.

Last year the Minister for Lands and Forestry introduced the Litter Act. It has not yet been enforced in any way. If justices of the peace were required to accept some responsibility under the Litter Act, the Traffic Act, and other similar Acts, they would perform a useful function in the community. Honourable members are aware of the breaches of the Traffic Act that occur. Perhaps J.P.'s could be instructed to stop people who were speeding or committing other traffic offences and report them. If they were asked to carry out that responsibility, probably they should receive some remuneration. If they did not receive it, they probably would not ask to be nominated as justices of the peace.

It is all very well to have justices of the peace to witness signatures on documents, but the title really does not mean much unless a person has been a justice of the peace for a long time and is called on to sit on the bench in the Magistrates Court. There are probably 100 or more justices of the peace in Bundaberg, and I nominate three or four more every three months. If they were given

some special duties to perform, their services would be of value to the community. I reiterate that "justice of the peace" is really a useless title at present, and I think it would be of advantage to amend the law to provide that documents may be witnessed by an elector instead of by a justice of the peace.

Mr. SHERRINGTON (Salisbury) (2.28 p.m.): I believe that the shadow Minister for Justice (Mr. Wright) has raised some very pertinent points relative to the system of justices of the peace in this State. I agree wholeheartedly with his comment that many people in Queensland desire to become justices of the peace simply because they see the letters "J.P." after their name as some sort of status symbol.

After having gone to the trouble of being nominated and appointed, justices of the peace find that their services are not utilised to any great extent by the community, and I support the call by the honourable member for Rockhampton for some training to be given to people who are appointed to this position. I well remember some years ago, when I had the title "J.P." conferred on me, one of the very first problems with which I was confronted concerned a request to witness a confession that had been obtained by a certain person from a minor. Of course, I refused point blank to witness anything of that nature because I believed that there were greater implications than simply witnessing a signature. I had very grave reservations about doing what I was asked to do, but I must confess that at that stage I was not entirely satisfied as to my position at law. After receiving certain advice from the Crown Law Office, I knew that my decision had been the right one. Too many people receive appointment as justices of the peace without being fully informed of their obligations and responsibilities.

I have now been in this Chamber for about 13 years and during that time I would have nominated and had appointed about 200 justices of the peace. Despite the fact that in my electorate there would be those 200 justices of the peace, plus many who were appointed prior to my election to this Chamber, I am constantly being asked, "Where is the nearest justice of the peace apart from yourself?" The public has no way of knowing where they can get in touch with the nearest J.P. I suggest that the Minister provide a list of local J.P.'s at police stations or, by arrangement with the Postmaster-General's Department, at post offices. Constantly inquiries about the location of J.P.'s are being made at police stations and post offices.

There is a great need for reciprocity between the States in regard to the services of J.P.'s. Only a couple of weeks ago I was asked to witness certain documents concerning a land transaction in South Australia. On reading the documents I noticed that they could be witnessed only by a justice of the peace of South Australia. That was not the first occasion that such a requirement had come to my attention. The commission of a justice of the peace does not extend beyond the State boundaries and consequently such problems arise. The South Australian requirement posed a difficult problem for the person who came to me for assistance. To comply with the law, he would have to return to South Australia to get the document witnessed. A person living in Brisbane would not have such a great problem in meeting a New South Wales requirement because he could travel south and merely cross the border. Surely there could be reciprocity between the States on such a simple matter as the witnessing of documents.

The greedy, grabbing, grasping attitude of the Government is evident in the fee increase for the swearing in of a J.P. to $10. I think in my day it cost $5. Why should there be a need to increase the charge for swearing in a justice of the peace? I cannot see any real reason for it. In his reply the Minister might like to explain it. When I was going to be sworn in as a J.P., I thought it would be a momentous occasion, but the whole thing was over before I had time to settle down in the courtroom. There was not even a handshake. The manner in which the magistrate dismissed me could be likened to the abrupt way in which an accused person who is found not guilty is discharged by the Criminal Court. A charge of $10 imposed upon a person who appears before a magistrate in a 30-second ceremony to take his oath of office is nothing more than extortion.

I support the call by our shadow Minister (Mr. Wright) for a training course for newly appointed justices of the peace. Whilst the law requires a J.P. to carry out certain duties, there is also an obligation on the Government to inform him as to the manner in which he shall carry out his responsibilities, particularly during the early years of his tenure of office.

Mr. HARVEY (Stafford) (2.36 p.m.): I was pleased to hear the Minister say that this Act is to be further overhauled by the Law Reform Commission. Many of our laws are mere relics from the horse-and-buggy days, and are completely out of step with the way of life in this jet age.

Police officers must be completely disheartened by the light penalties that are imposed upon many offenders who are brought before the courts. Quite often a person who is convicted of an offence is required to do nothing more than pay a meagre fine.

The elimination of endorsement of the service of summons will save a great deal of time. The extension of the time in which to lodge an appeal from seven to 28 days is also a commendable amendment.

Unfortunately, in meting out justice the occupant of the bench, whether he be a judge or a justice of the peace, is hamstrung by the laws of the land. I therefore hope that the Law Reform Commission will give earnest consideration to putting teeth into future legislation of this kind. Too often are criminals who throw bricks through plate-glass windows, steal unlocked cars or commit burglary in houses that may have been unlocked allowed to go virtually scot-free. Perhaps 50 or 100 years ago such leniency may have satisfied the demand for justice. These days, however, heavy penalties need to be imposed upon those who commit offences calling for severe punishment.

Our newspapers are full of reports of serious crimes. Australia has the doubtful distinction of having a higher incidence of mass rape than any other nation in the world. In many rape cases it is the victim, not the rapist, who appears to be on trial, and in some cases the girl rather than the men who rape her is made out to be the criminal.

It is important that the Law Reform Commission consider these problems expeditiously, because the longer the delay the more will criminals commit offences in the belief that they will not be severely punished. I commend the amendments outlined by the Minister, but I suggest that we in this Parliament should be in earnest to ensure that we have laws commensurate with the problems confronting us, not those drafted in the horse-and-buggy days.

Mr. R. JONES (Cairns) (2.41 p.m.): I first wish to support the comment of the shadow Minister for Justice (Mr. Wright) that justices of the peace are honorary public servants. We are getting these first-class citizens, these honorary public servants, on the cheap. In effect, we charge them $6.30 to be listed as justices of the peace so that they can witness signatures on affidavits and other documents.

In many instances, the screed issued to justices of the peace is probably received and taken as read. I agree with the statement by the honourable member for Rockhampton that annual seminars should be held for justices of the peace, with the proviso that justices of the peace shall attend at least one so that they may be informed of their duties and responsibilities by someone in authority.

As the local authority elections were held last Saturday, it should be noted——

Mr. Sherrington: It was not an election in Brisbane; it was a walk-over.

Mr. R. JONES: That is so, and the situation was the same in Cairns.

It may be of interest to quote section 8 of the Justices Acts, 1886 to 1968, which states—

> "The chairman of a Local Authority shall, by virtue of his office and without any further commission or authority than this Act, be a justice of and for the State."

In effect, every chairman of a local authority and every mayor of a city are automatically justices of the peace. However, an elected member of the Legislative Assembly, if he is not a justice of the peace, has to apply to become one.

I support the suggestion by the honourable member for Salisbury that a roll of justices of the peace be kept at police stations. Quite often I receive calls from people in different suburbs inquiring where the nearest justice of the peace may be found. Such rolls, particularly in provincial cities, should be kept up to date.

Mr. Bromley: I supply my own lists to the post office and the local police stations.

Mr. R. JONES: That is a very good idea in a metropolitan suburb, but it is very difficult to keep the list up to date for a provincial city.

It should be remembered that members of Parliament, including the Leader of the Opposition, are allowed to nominate only four justices of the peace every quarter, yet a Minister may nominate an unlimited number. At one stage, under Labor, the Leader of the Opposition, like Ministers of the Crown, could nominate an unlimited number of justices of the peace. I am sure that all members of this Assembly have a big backlog of people waiting to become justices of the peace.

Mr. R. E. Moore: There are 40,000 of them now.

Mr. R. JONES: I think that point was covered adequately by the honourable member for Rockhampton, who suggested that we should consider the duties of justices of the peace and appoint only people who felt they were needed in the community. Persons would not then ask to be nominated as justices of the peace merely for the status symbol of the title. They should be expected to work hard at their duties once they are given the title.

Justices of the peace are important in all areas but, in North Queensland, we have a problem. People transfer to the North to obtain promotion. Some of them, particularly those who work for finance companies, insurance companies and banks contact their local member of Parliament to be nominated for appointment as justices of the peace. They stay only a couple of years and transfer again to the South. They are then lost to the North. I suggest that, before a person is appointed as a J.P., he should be a resident of an area for at least two years.

Something else that I did not know until recently is that people fined for drink-driving are not entitled to be appointed as justices of the peace. I understand one fellow was rather embarrassed to find that he could not be appointed because he had been found

guilty of drink-driving. Had this been more widely known, perhaps I could have influenced the applicant not to apply——

Mr. Wright: In some cases it could seriously affect a person's career if he could not become a justice of the peace.

Mr. R. JONES: It could—particularly persons in the Public Curator Office or the Justice Department. A person who is unfortunate enough to join the "200 Club" is not entitled to become a J.P. I thought that it was purely a traffic offence, but it precludes a person from being a first-class citizen entitled to appointment as a J.P. I have been a J.P. since I entered parliament, yet I have been given speeding and parking tickets. I did not know that parliamentarians could tell the law that we were on urgent Government business or that we were on our way to Parliament House. Apparently we are above the law in this regard. When I received my speeding ticket, I was transporting a cadet bugler on Anzac Day from a parade to the cathedral. I was trying to get him there in time for the next service. I do not know that that was urgent Government business, but my detection by the radar trap certainly resulted in a few points being put against my name. However, it does not disentitle me from being a J.P. Had I been unlucky enough or foolish enough to get into my car after drinking five or six beers, I would have disentitled myself and my name would have been expunged from the register of justices of the peace.

Reverting to the duties of justices of the peace, I was a scrutineer last Sunday and I saw a J.P. sign an envelope on which there was no signature. This is ridiculous. It was not a Labor voter, by the way. I imagine that the J.P. did this unwittingly. As the honourable member for Bundaberg said, a J.P., in witnessing a signature, merely attests to the fact that the person has signed it.

Mr. Knox: That is right.

Mr. R. JONES: It is important that people know this. Many documents do not have to be read by a J.P., who merely attests to the fact that the person concerned signed it. A J.P. must ask the signatory certain things, which are set out in the screed.

Mr. Bromley: Do you know that it is not competent for a policeman above a certain rank to be a J.P.?

Mr. R. JONES: I did not know that.

I now want to comment on something else that was said in the Chamber. I am diametrically opposed to justices of the peace being asked to report on other citizens. I am a "dinki-die" Australian and I am against "dobbers". I do not believe that any citizen should be asked to report another citizen. That is the job of the law-enforcement authorities. When he first took office, the Minister for Transport said that he intended to amend the Traffic Act to encourage this practice. I am vehemently opposed to it. I believe that every honourable member, including the Minister for Justice, would oppose such a proposal.

Hon. W. E. KNOX (Nundah—Minister for Justice) (2.50 p.m.), in reply: I particularly thank the honourable member for Stafford for his contribution; he was the only one who spoke to the provisions of the Bill. However, I think it was reasonable to expect honourable members to discuss the duties of justices of the peace generally, because certain parts of the Act deal with them.

Perhaps I should comment on some of the points made by honourable members. It is true that there is a tremendous number of justices of the peace in Queensland, but, of course, they were all appointed for good reason. It is surprising how difficult it is to find a J.P. when one is wanted. Every police station has a list of names of justices of the peace, because the police make constant use of them. A person can rely on obtaining the name of a justice of the peace from a police station. The police require J.P.'s to sign their own documents, and usually a J.P. will be found somewhere handy, perhaps in a neighbouring house or shop.

The names of people who are appointed as justices of the peace are published in the Government Gazette every week, and a consolidated list is gazetted from time to time. It is a thick document, but it is available and is regularly brought up to date. The names are published in a public document which is available at the usual places of sighting such documents. The trouble is that the average citizen does not know that. All that I can advise is that persons requiring the services of a J.P. seek advice from their local police station, as police officers frequently use the services of justices of the peace.

Mr. Sherrington: I find that many people inquire at post offices.

Mr. KNOX: That could be because very often they have to go there to collect things such as mail and Social Service benefits. I am quite sure that most postmasters would know the names and addresses of some justices of the peace. In fact, it would not surprise me if most postmasters themselves are justices of the peace.

Mr. R. Jones: Couldn't we have them recorded in a restricted manner in regional business directories or something like that?

Mr. KNOX: That raises the problem of advertising. The names appear in the Government Gazette, which is a public document. Each week the Government Gazette contains the names of new justices of the peace. I do not think it would take long to find a justice of the peace by consulting the Government Gazette. It has a wide circulation in the community.

On the matter of training for justices of the peace, I recommend to people who have nominated for appointment as justices of the peace that they join the Justices Association.

Mr. Wright: Out of the 40,000-odd J.P.'s in Queensland, the Justices Association has only 600 members.

Mr. KNOX: For those who wish to know their duties, the Justices Association does a very fine job. It arranges for lectures and other means of conveying relevant information, and I cannot recommend a better way for a J.P. to become acquainted with his duties.

Mr. Sherrington: And it saves you the trouble of having to do it.

Mr. KNOX: The instruction is carried out under conditions that are conducive to encouraging enthusiasm in justices of the peace. I do not know if any honourable members have attended lectures arranged by the Justices Association. They are well presented, and the association does a fine job for its members. Quite a number of J.P.'s are very keen on this work, and they work hard to further the interests of the association. I have been a member of it for many years, and I am sure there are other honourable members who also belong to it. I think it is the best place to learn for those who may from time to time have the responsibility of sitting on the bench.

Only rarely do justices of the peace in the metropolitan area and provincial cities find themselves sitting on the bench, but in some country areas this is relatively frequent. Justices of the peace who find themselves in this position have the assistance and advice of court officials, and other officials who are there to help them, and they usually carry out their duties very satisfactorily indeed.

I assure honourable members that, by using justices of the peace, neither the present Government nor any former Government has attempted to cheapen the administration of justice. The services of justices of the peace on the bench are usually required in matters arising suddenly or in cases of special emergency, and I think it is in the interests of justice that justices of the peace are available and are used at short notice. This enables matters to be dealt with that would otherwise lead to the accused person being inconvenienced for a much longer period.

Mr. Jensen: Usually they only witness signatures. As I said, an elector could do that.

Mr. KNOX: The other duties of justices of the peace are clearly stated. When they are appointed, they receive forms. If they want more information, a comprehensive booklet is produced by the Justices Association that I recommend all justices of the peace to read.

The honourable member for Stafford pointed out the advantages in speeding up the procedures and also in getting rid of some of the redundancies and technicalities. I should hope that, as a result of the review being carried out by the Law Reform Commission, together with that of the committee that has been considering this matter and from which these recommendations have come, there will be a major overhaul of this Act and several other Acts relating to the supervision of the Magistrates Courts and their procedures.

Similarly, the Law Reform Commission has been specially commissioned this year to examine the procedures of the Supreme Court. I assure honourable members that when its report on the five or six Acts that govern these procedures comes to hand, it will be a very progressive step in the supervision of justice in this State.

Motion (Mr. Knox) agreed to.

Resolution reported.

FIRST READING

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

CONSUMER AFFAIRS ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. W. D. Hewitt, Chatsworth, in the chair)

Hon. W. E. KNOX (Nundah—Minister for Justice) (2.59 p.m.): I move—

"That a Bill be introduced to amend the Consumer Affairs Act 1970 in certain particulars."

The Consumer Affairs Act 1970, which provided for the constitution of a Consumer Affairs Council and for its functions and powers and the conduct of its affairs, the establishment of a Consumer Affairs Bureau and the appointment of a Commissioner for Consumer Affairs, was assented to on 14 December 1970 and commenced on 1 January 1971.

Having regard to matters which have come to the notice of the Council and in the light of the experience of the Consumer Affairs Bureau since that date, it is clear that certain amendments are desirable.

Provision is made in the Bill for the definition of "consumer" to be reworded in order to make it clear that it is not intended that incorporated persons and members of business partnerships are consumers as defined. "Services" is defined, and a small claims tribunal is identified as the agency established by the Small Claims Tribunals Act. The definition of "trade description" is widened to include the mileage shown on the odometer fitted in a motor vehicle.

The Bill makes provision for the Commissioner for Consumer Affairs to be appointed as a member of the Consumer

Affairs Council, and also provides that following the expiration of the term of appointment of the present 12 members the council shall be composed of such number of members as the Minister specifies, and shall have such qualifications for membership as the Minister specifies. In making such specifications, the Minister shall have regard to the interest in consumer affairs of all sections of the community.

The affiliation of the Council with any other organisation shall be subject to the approval of the Minister, and six members of the Council shall be a quorum for the purposes of a meeting rather than eight members as at present.

With a view to ensuring that the functions of the Consumer Affairs Bureau are at all times the direct responsibility of the Commissioner, the Bill provides that the performance of such functions shall be subject to the approval of the Commissioner.

Provision is made in the Bill authorising inspectors to require the furnishing of information and answers to questions which may be put to a trader, and the information so obtained may be admissible in evidence in a proceeding before a small claims tribunal.

The existing Act has separate sections dealing with false or misleading statements as to services, false representations as to royal warrant relating to goods, and false statements concerning goods. It is proposed that, where appropriate, similar provisions relating to goods and services be embraced in the one section of the Act. A new provision is being made prohibiting reference to the Consumer Affairs Bureau or the Consumer Affairs Council in any advertisement in order to prevent the advertising of goods or services with the inference that they have been endorsed by the Bureau or the Council.

The Bill provides that a person offering to supply goods or provide services shall not make or publish a statement or advertisement which indicates the deposit required or any periodic rates of payment unless the cash price for the goods or services is also indicated.

The Bill also provides that a person offering to supply prescribed goods or to provide prescribed services shall not make a statement which indicates that they are being offered at a price less than the price at which they have previously been offered unless he also indicates the present price of the goods or services.

Certain provisions of the existing legislation prohibit the publishing of misleading statements. These sections are to be widened to prohibit also the making of such statements.

The power of the Governor in Council to make regulations dealing with the composition of contents, design, construction, etc. of goods is to be extended to enable regulations to be made, if considered necessary, requiring that food containers be marked to show the component parts of their contents.

The existing provisions relating to the protection of officers in administering the Act are to be widened to ensure that the Commissioner is protected in respect of any disclosure or publication made by him concerning the supply of goods or the provision of services, or concerning any person associated therewith.

The existing provisions require that the Minister's consent be obtained before a proceeding may be taken by an inspector against a person who contravenes or fails to comply with a provision of the Act. A person who claims to be aggrieved by the contravention or non-compliance may take a proceeding with the Commissioner's consent. The relevant section is amended by the Bill to provide that in either case a proceeding may be taken with the Commissioner's consent.

Where it appears that a statement that contravenes the Act was made or published by a person who is employed by another, and was made or published in or for the purpose of the employer's trade or business, the Bill provides that the employer shall be deemed to have made the statement and to have committed the offence unless he proves that the statement was made by the employee contrary to his instructions. Protection is provided for an employee who has acted bona fide upon the instructions of his employer and, on demand, has identified his employer and his whereabouts fully and accurately.

In relation to defences to charges under the Act, the Bill provides that it is a defence to prove that the contravention was due to a cause beyond the defendant's control and that the defendant took all reasonable precautions to avoid the contravention. However, a cause shall not be taken to be beyond the defendant's control unless the court is satisfied that it is one that the defendant could not reasonably have foreseen or was one for which he could not reasonably have made allowances.

The existing provisions under which an inspector is authorised to enter premises in the course of his investigations in relation to the production, manufacturing, storing, etc. of goods are to be widened to include places where services may be provided. However, before an inspector enters any part of premises, which part is used as a dwelling, he will be required, unless he has the permission of the occupier of that part to his entry, to obtain a warrant from a justice. Similarly, an inspector will not be authorised to forcibly enter any premises other than under the authority of a warrant.

An existing provision of the Consumer Affairs Act provides that members of the Council and officers of the Bureau shall not, other than in the course of their duty under the Act, directly or indirectly communicate any information that comes to their knowledge in consequence of their holding their particular appointments. To clarify the

matter, the relevant section is to be amended to provide that it is competent for the Commissioner and his staff to communicate to a consumer whose complaint has been investigated by the Bureau, or to a small claims tribunal, information concerning the matter which has come to the knowledge of the Bureau as a result of the investigations, and which is of a class of information that the Commissioner has authorised to be so communicated.

A new section will facilitate the service of notices, requisitions or other documents upon persons or bodies corporate.

I commend the motion to the Committee.

Mr. WRIGHT (Rockhampton) (3.7 p.m.): It is obvious that these amendments, which are called for, will be far-reaching ones. I am sure that anyone who looks back over the operations of the Consumer Affairs Bureau and Consumer Affairs Council would agree that those bodies have been effective. However, the degree of effectiveness is open to dispute. It may be claimed that because they have handled approximately 8,000 complaints, they have been effective. However, whether or not all of those complaints have been resolved satisfactorily is arguable.

Mr. Miller: The small claims tribunals will be effective.

Mr. WRIGHT: That matter can be discussed at the second reading stage of the Small Claims Tribunals Bill.

It might also be claimed that the way in which the Council and Bureau have bluffed firms that have participated in false advertising or engaged in malpractices has been effective. The reports of both the Council and the Bureau as well as the comments of Professor Gates have had a positive effect, but, in the light of the fact that these malpractices have been allowed to continue, we must ask ourselves whether or not the warnings that have been issued have been totally effective.

The number of investigations that have been carried out is also a mark that can be added to the score of the Council and the Bureau. However, the two bodies have been unable to convince the Minister of the need to implement many of their recommendations. In a number of complaints I have learned that investigations were carried out in 1971 and 1972 but action was not taken until a year later. In spite of the fact that the Consumer Affairs Council's report on the bread industry contained very positive recommendations, the Minister has not yet taken any action upon them.

The Minister is endeavouring to remove some of the anomalies that exist in the Act, so it is possible that in future no-one will be able to claim that the legislation does not have any teeth. I think everybody will agree that up to this stage it has had only false teeth, which are not as good as natural teeth.

The Bureau and the Council function under the disadvantage of having no legal-advisory section. A number of complaints that have been made to those bodies have been returned to the persons who have complained with the comment that they do not come under the jurisdiction of the two bodies or under the Act, and I accept the statements by the Bureau and the Council. The anomalies will not be overcome by a small claims tribunal, because the people themselves will have to process their complaints before they take them to a referee. I wonder who will do that, but will defer comment on this matter until a later date.

The lack of power of the Council is a disadvantage. It has power to make recommendations to the Minister, but I believe they should be made to Parliament, which is surely the greatest power in the State, and they should be made direct to Parliament. While the right to advise the Minister for Justice is fair enough, it is obvious that he does not take much notice of the recommendations.

Insufficient control is exercised by the Minister or Parliament over members of the Council. I raised this matter last November when talking about a member of the Council, Mrs. Gabby Horan. Another Opposition speaker will give more details of this matter, because it is very relevant to what we are discussing today, that is, the effectiveness of the Consumer Affairs Bureau and Council. I am referring to an infamous instance in which a member of the Council endorsed a certain product. The Minister told us that a new provision prohibits reference to the Council in an advertisement, so that no-one will be able to infer in any way from advertisements that the Council endorses a product. I hope he also meant that it will not be possible to infer that a member of the Council endorses what is being sold. The real point is not so much whether the Council, en masse, has endorsed a product or dissociated itself from it, but whether members of the council have said, "We like this product or we buy or recommend this product."

In November last year, Gabby Horan, a member of the Council, denied publicly that she had any pecuniary interest in Farmer Greenfield's. I believe that it will be well proved later that she has a pecuniary interest in that firm, and has been well paid by it for a long time. Her statement in "The Courier-Mail" the other day that she had received two cheques by mistake was a deliberate fabrication, as will be proved by other members of the Committee.

The Council has been disadvantaged because it cannot take legal action. Many of the amendments could be described as commandments because they state that people shall do this or shall not do that. Part III of the Act, which relates to trade practices, is very important. Another section refers to false advertising. As members of Parliament

interested in what goes on in our electorates, we know that false advertising is still commonplace. The report of the Commissioner for Consumer Affairs cites numerous organisations that have engaged in false advertising and in using wrong descriptions to involve people in sales, but nothing has been done. The Act contains a penalty of up to $200 or six months' imprisonment for the first offence, and a fine of $500 or 12 months' imprisonment for a second offence, but in the two years since the passing of the Act I have not heard of anyone going to gaol or being fined $500, or of anyone being fined even $200.

Are we to infer that no-one has contravened the Act? I believe that it has been contravened by mock auctions, pseudo auctions, unsolicited mail and many other practices. It has been contravened by a dozen firms that have advertised articles for sale at $15, with a saving of $10, when the original price was only $20. That is a well-known tactic used by Waltons. I could go on and on and on, but there have been no prosecutions. We have read some very good reports prepared by the Consumer Affairs Bureau, and the Minister has made quite a number of public statements, but no-one has been fined or gaoled. Is it any wonder that commercial firms in Queensland engaging in malpractices simply laugh at our legislation? Is it any wonder that people say, "We do not have any protection from malpractices."?

I emphasise that the Bill actually uses the word "profiteering". When I asked the Minister the other day to give the definition of the word "profiteering" under the Act, he said that there was no definition. How on earth can we prosecute anyone or convict anyone for profiteering if nobody knows what it is? That is another ridiculous aspect of the Act.

I should like to see more far-reaching amendments than we are considering. The Act is found wanting in the matter of consumer education. I pay full credit to the Minister on the part he has played, with members of the Consumer Affairs Bureau and Council, in publication of the worthwhile "Abel Spender" pamphlets. They are marvellous because they warn people of the various problems that may confront them. A pamphlet I have here refers to the things that should be realised by people who are signing a contract. It states—

"Never sign a contract with blank spaces.

"Never sign a paper to get rid of a salesman.

"If he refuses to leave after you have asked him to go, contact the Police.

"Never sign a contract without getting a copy.

"Never sign a contract unless you know the total cost."

These are valid recommendations and warnings.

Another pamphlet is headed, "How to Spot Shady Deals." The main point is that these are warnings, and while they help people to beware of what can happen, they do not really educate the people. No. 14 in this booklet reads—

"Vanity can cost you money or health."

"No product or service we know can—
Grow your hair
Make you taller
Remove or prevent wrinkles
Develop your bust
Reduce your weight by—
Massages
Creams
Belts
Girdles
Sweat baths."

That is pretty good. It is great to have that type of material, but it does not educate people in the law. This is where it falls down. We can go from one extreme to the other. This is one extreme.

The other extreme is a book entitled "You and the Law in Australia", which was compiled by O. R. Scott. It is an excellent book dealing with many of the problems that confront ordinary people. Among other things it outlines the law relating to "Your Neighbour"; "You and the Landlord" and "Do You Buy on Terms?—including leasing, credit sales, lay-bys, loans, cash orders, advice for H.P. customers." Other sections are headed, "How to Recover Debts"; "When Buying or Selling a Motor Car"; "Making a Bill of Sale"; "If You are an Inventor, includes patents, trade marks, designs and copyrights" and "Front Door Salesmen". It is a very good book. But I could not expect anybody to sit down and read it; there must be a compromise. There is a balance between this extreme and the issuing of a few warnings.

The South Australian Government has come up with this compromise. It has produced a booklet which has several "Do's" and "Don'ts". Briefly, they tell a consumer to make sure that the price is competitive, to make sure that he gets a written quotation, to make sure that any guarantee and warranty he is given is in writing and so on. It also covers the law protecting people in that State. It briefly outlines the Prices Act, the Door to Door Sales Act, 1971, the Unfair Advertising Act, 1971, the Book Purchasers Protection Act, the Second-hand Motor Vehicles Act, and the Unordered Goods and Services Act, which is on the lines of legislation introduced in this Chamber only a few days ago.

It goes on to explain to the public the role of the Prices and Consumer Affairs Branch in that State. This is the type of education that is needed. This is one extreme and the book is the other. We want something that the people will sit down and read. The South Australian booklet contains 24 small

pages. People would be prepared to look at it and to carry it. We must come down to this aspect of education if we are to improve consumer protection.

Mr. Ahern: Did you see the advertisement in the paper at the week-end about dividing fences? It was very good.

Mr. WRIGHT: I did not see that.

Mr. Ahern: The Minister inserted it.

Mr. WRIGHT: I commend the Minister. What we have today is a far cry from what we had a year ago. I do not mind giving the Minister credit because he is trying to improve consumer protection. But I also say that he would not have done anything about it had it not been for the pressure placed on him and the Government by members of the Opposition. It is time that he accepted that point.

Mr. Porter: What rot!

Mr. WRIGHT: We all know the views of the honourable member for Toowong.

Let us get down to some of the basics. Last Wednesday night I went to the university and listened to an excellent address delivered by Professor Cowen, entitled "The Law and the Individual". It lasted an hour and 10 minutes. Professor Cowen covered many aspects of the consumer in society today. The most important pertained to consumer credit law. This is a subject we should look at because hire-purchase is a very important operation in society today. Many people would not enjoy the standard of living they have if it were not for credit sales. So we accept them; we condone them; we need them. But people do not know enough about the existing protections. They do not know and understand their rights and responsibilities in this field. When they have been caught by signing a hire-purchase agreement, the Consumer Affairs Bureau can do little about the matter.

I am handling a case at the moment concerning Farmer Greenfield's Family Foods Pty. Ltd. We are trying to get the woman out of a contract, but a hire-purchase agreement has been signed involving $450 at some 17 per cent interest. I do not think we will succeed. I think that we should in some way tie in the protections that we have here, and consumer credit law is something that we should explain to the people. If we are going to give people true protection, let us get down to the real problem, and surely that is price. This was emphasised in the recent report presented in this Chamber on the bread industry. Surely there is need for justification of price increases. But this is not done. There is a Prices Commissioner in this State. I believe that he has a staff of one, and he is supposed to control prices of a number of articles that are not named. We have the instrument, but we are not making use of it.

Unfortunately, we have for a long time assumed that people should stand by their bargains. Always it has been a case of caveat emptor—let the buyer beware. Always the assumption is made that agreements are reached between equals, and, for that reason, they should be binding. I say that this is no longer the position. The climate has changed. The pressures placed on purchasers today are far different from those placed on purchasers 25 years ago. People are conditioned today to believe that they should buy this and that. They are conditioned to believe that they should buy encyclopaedias that they cannot afford to give their children a better educational chance. They are conditioned to believe that they should buy bigger and better refrigerators, and so on. They are conditioned by high-pressure salesmen.

If any member wants to discuss such conditioning, I suggest that he have a talk with the honourable member for Rockhampton North who attended one of the "Dare to be Great" meetings. He will learn what it means to be conditioned. As a matter of fact, the honourable member came to me later and said, "I might even join the scheme myself." Of course, I knew he was only joking, because he firmly advocated the annihilation of this firm. I commend him for his advocacy, and the results that he obtained.

The point is that conditioning does take place, and today people cannot overcome it. They are gullible and avaricious, and they want the cheap purchase and the easy "quid." Surely this becomes a responsibility of consumer protection. I believe that we need to look at this whole concept. It is not good enough to have some laws that give some protection. What is needed is a master plan of consumer protection that outlines every protection provided for the people, and includes an education programme in the schools and for adults. Until this is done, I do not think that there can be effective consumer protection, and I do not believe that the Consumer Affairs Bureau or the Consumer Affairs Council will be as effective as it could be.

Mr. PORTER (Toowong) (3.23 p.m.): Whenever the honourable member for Rockhampton speaks on this subject, he seems to be obsessed with Mrs. Horan and Farmer Greenfield. He is unable to say anything along these lines without bringing this matter up and reiterating some fancy grievance that he has or that he believes somebody has. It is a shame that he should see things in so narrow a spectrum at all times. As shadow Minister for Justice, as I think he is referred to, he engages in quite fancy displays of energetic but useless shadow sparring.

The honourable member is a very vengeful person, too. He does not seem to be satisfied unless he has some piece of legislation that will yield for him some good, red

commercial blood. He wants to see somebody bleed all the time. He is a remarkably vengeful person. I wonder if he suggests—he did not, so far as I was able to follow him—that the present machinery has achieved nothing? If he knows of complaints by people who find that the present machinery of the Consumer Affairs Bureau is not operating, it would be interesting for him to bring such cases to this Chamber. But he does not do so. The honourable member has had the opportunity to produce facts. Instead, he loves to involve himself in exaggeration and hyperbole rather than facts. Surely he is not suggesting that the amendments do not strengthen the current machinery, which has worked well. I think he would have to concede that.

Mr. Wright: You weren't listening.

Mr. PORTER: The honourable member says I was not listening. I thought I listened to him with marked attention. However, when one takes away the patches of purple prose, there is very little left to deal with.

The honourable member should recognise that the Bill does quite marked things in strengthening the present machinery. There are a number of changes that will strengthen the position of the Council. We redefine the definition of "consumer" to exclude corporations, and surely that is a great virtue. Then there is the machinery of the Council itself: the number required for a quorum is reduced from eight to six; the number of members of the Council is to be as the Minister specifies and the members are to have the qualifications that the Minister specifies; the appointment of the Commissioner as a member of the Council; and the powers of the Commissioner are to be strengthened so that he can obtain information and, when he is authorised to so obtain it, to use it for particular purposes. Surely this will do a great deal to strengthen the way the Council operates.

Then there are a number of provisions that affect the way in which goods may be merchandised and which, if I may put it this way, will go a long way towards ensuring the genuineness, the authenticity, of proper mechandising. The Bill proposes that we prohibit the making of false or misleading statements relative to goods or services; prohibit the publication of false statements concerning goods or services; prohibit the making of misleading verbal statements as to the suitability of goods; and it requires, of course, that goods and services be fairly advertised and that they must not be falsely advertised as having been inspected, tested or approved by the Consumer Affairs Council, the Consumer Affairs Bureau, or the Australian Standards Association.

All of these things, I suggest, are very useful. They assist what has obviously worked well to date, and it surprised me to find the honourable member for Rockhampton so vindictive in his attitude towards the measure now before the Committee. Of course, the unfortunate part is that honourable members opposite, whenever they come to matters concerning commerce, trade or business in general, always want to resort to extremely violent and very extreme sort of remedies—the techniques of Senator Murphy which, of course, are nearly always much more lethal than the ill they purport to cure.

This machinery for protecting the consumer—to ensure that, by and large, the consumer can get value for money spent—will help to reduce the small deceits, the trickeries and the exaggerations which have existed from time immemorial, which will exist as long as man is man, and which have always prompted some sellers to try to mislead some unwary buyers as to the goods or the services they are offered. Surely these are very useful things. As far as I am concerned, it is infinitely better to try to protect the consumer in this way and ensure that he gets value for money—in other words, to contain the urges towards inflation in this way—than to have artificial blocks and props like price control and the other Left-wing, ritualistic procedures that honourable members opposite are always proclaiming. Oddly enough, they proclaim them irrespective of their utter and absolute failure in every country, in every era and in every form of society in which they have ever been tried, including Communist Russia and Capitalist America.

I believe that the Bill adds more value to a very valuable piece of machinery already existing, and I am surprised indeed to find honourable members opposite so vociferous in voicing objections or some sort of protests to the legislation now before the Committee.

Mr. BOUSEN (Toowoomba North) (3.29 p.m.): I often wonder why, whenever the matter of Mrs. Horan and Farmer Greenfield's products are mentioned in this Chamber, honourable members opposite defend Mrs. Horan, as the honourable member for Toowong has just done. Obviously there must be some sense of guilt in honourable members opposite, as Mrs. Horan is a member of the Consumer Affairs Council and at the same time is very deeply involved with Farmer Greenfield's products because of the remuneration she receives in connection with them.

I welcome the Bill as outlined by the Minister and I support everything that the shadow Minister for Justice (Mr. Wright) has said in relation to it. I also believe that there are insufficient teeth in the Bill to protect the consumers in the way the Opposition thinks they ought to be protected. I can recall that when the legislation was first introduced I said that it had insufficient teeth to protect the consumer against the rorts that have been worked by door-to-door selling and pyramid selling. The Bill before us today is not greatly different. I

know that in many of the cases I have submitted to the Minister it has been impossible to provide any satisfaction to the people who were robbed by glib salesmen.

One point that worries me is the lack of control over members of the Council. Provision should be made so that members of the Council could be dismissed if they had a pecuniary interest in, or business transactions with, firms that are so much in the public eye because of fraudulent sales. The activities of one member are destroying the image of the Council. That person advertises certain products that are continually the subject of criticism and allegations of fraud. That in itself must destroy the Council's good image.

Part II of the Act deals with appointments to the Council. It also provides that the Governor in Council has power to dismiss any member of the Council. But here again the legislation is found wanting because it does not say under what circumstances a member of the Council can be dismissed. As our shadow Minister (Mr. Wright) said, a member of the Council with a pecuniary interest in a certain firm cannot do justice for people whom that firm has robbed.

On 7 March I asked the Minister for Justice—

"(1) Are there any requirements for members of the Consumer Affairs Council to declare pecuniary interests in any business enterprise which is, or could be, the subject of investigation by the Consumer Affairs Council or the Consumer Affairs Bureau?

"(2) What restrictions are placed on members of the Consumer Affairs Council or the Consumer Affairs Bureau to participate in discussions or investigations into complaints on the business practice of firms if they have a pecuniary interest in the firms concerned?"

In his usual naive manner, the Minister skidded around the question and said there were no restrictions. It is wrong that this should be so. If the Council is to operate for the purpose for which it was created, there must be some provision for taking action against members of the Council if required.

On the same day I asked the Minister—

"(1) Has he, the Consumer Affairs Council, or the Consumer Affairs Bureau ever received a complaint or been informed that a member or members of the Consumer Affairs Council or the Bureau allegedly had a pecuniary interest in any firm or sales practice which has been the subject of complaint to the Consumer Affairs Bureau? If so, what investigations have been made into such allegations and what were the results?

"(2) Is there any provision which calls upon a member of the Consumer Affairs Council or the Bureau to resign if he has pecuniary interests in a firm which has been the subject of an adverse report by the Council?"

Again the Minister skidded around the question and said that the Consumer Affairs Act did not preclude from membership of the Council a person who has or may have had a pecuniary interest in any firm or sales practice which had been the subject of complaint to the Consumer Affairs Bureau. How can such persons do justice for people who are being robbed?

On 20 March I asked the Minister the further question—

"(1) Further to my Question of March 7 regarding the eligibility of persons serving on the Consumer Affairs Council and Bureau, under what circumstances would the Governor in Council remove a member from the Council or Bureau?

"(2) What Ministerial discretion is involved in (a) the appointment and (b) the dismissal of members of the Consumer Affairs Council?"

In his usual snide way, the Minister replied—

"This is a hypothetical question, and it is not my intention to anticipate circumstances under which the Governor in Council might remove a member from the Consumer Affairs Council. As previously explained to the honourable member, officers of the Consumer Affairs Bureau are subject to the provisions of the Public Service Acts and Regulations."

That does not mean a thing.

In his introductory speech the Minister said that the Bill will prevent members of the Consumer Affairs Council from making any statements that will either advertise or assist in the sale of products. But unless the Bill provides that the members will be prevented from holding a pecuniary interest in business, it will not go far enough.

I wish to read now from an agreement that was drawn up between Frank Adler, who was the major shareholder in Farmer Greenfield's Family Foods, and Mrs. Gabrielle Horan. The agreement is dated 4 June 1970, and reads—

"It is agreed that Mrs. Gabrielle Horan shall recommend, through media such as press, radio and television, etc., the freezer food selling plan known as Farmer Greenfield's Family Foods (a division of Adler Sales Pty. Limited) and in return for such recommendation, shall receive a commission of ten dollars for every freezer sold, less ten dollars for any freezer that has been cancelled or repossessed. Payments will be made to Mrs. Gabrielle Horan on a monthly basis."

On 5 June 1970, Frank Adler wrote to Mrs. Bell as follows:—

"Attached is Gabby Horan's copy of our agreement for the Farmer Greenfield's Family Food plan.

"It has been most pleasant doing business with you and I look forward to a mutually friendly and profitable association in the future."

On 3 July 1970, Frank Adler wrote to Mrs. Bell in these terms—

"I have pleasure in forwarding Mrs. Horan's commission cheque for the month of June. During this period twenty freezers were delivered for Farmer Greenfield's Family Foods and there are a number (approximately three) awaiting delivery in July.

"I hope this month that we may step up our sales considerably so that benefits will be greater for all concerned. I am very pleased with the cooperation I have had from you and Mrs. Horan and look forward to a continued association."

Mr. Wright: In November last year Gabby Horan said she had never received any financial benefit.

Mr. BOUSEN: Here is documentary evidence to the contrary.

In a letter to Mrs. Horan dated 28 July 1970, Frank Adler said—

"Dear Gabby,

"Just a note to keep you up-to-date with what is happening at Farmer Greenfield's, and to thank you for the excellent job you did on our television commercial last week. I am very pleased with the results we have had so far.

"You will recall our discussion last week when we were talking about a new manufacturer of freezers being more suitable than Simpson-Pope because of the problems that they gave us. I am sure you will be happy to know that we have made a decision with a new manufacturer, Metters, who have agreed to supply us exclusively with their 15 c.f. freezer (brochure attached) which has added benefits over our other model.

"Attached also is a copy of the points on the freezer that our sales staff use in the homes. You can see for yourself why we are very excited about this new model.

"Thank you once again for giving me every assistance in providing a worthwhile commodity to the Brisbane people that means good business for us and certainly good savings for them."

Mr. Miller: Who is that addressed to?

Mr. BOUSEN: Gabby Horan.

Mr. Porter: Who gave it to you?

Mr. BOUSEN: That's my business.

On 5 August 1970 Frank Adler wrote to Mrs. Horan as follows:—

"I did not get quite the result I hoped for during July, but the result was quite satisfying. As you know by my last note to you, we are now moving into the 15 c.f. Metters freezers and although these are eighty dollars extra in price, I am sure the bigger size will help close more sales.

"We had a couple of prospective customers ring to say they had heard you mention Farmer Greenfield's on air the other morning. Thank you very much for this assistance and I look forward to bigger and better things ahead with summer just around the corner."

In another letter to Mrs. Horan, dated 2 September 1970, Frank Adler said—

"As you can see, we had a better month during August and I am looking forward to better months again during the summer period. Thank you for your assistance and care.

"I would like to take you and Mrs. Bell to lunch next Thursday, 10th September, and if you would supply me with an address to pick up both of you, I will be pleased to do so at 12.30 p.m."

On 5 October 1970 he wrote again to Mrs. Horan, as follows:—

"I am pleased to say that we had a better month during September which results in my being able to present you with a larger amount than on previous occasions.

"We are spending more time at present planning for a bigger and better organisation for Farmer Greenfield's and should you hear any comments regarding our service, good or bad, I would be pleased if you telephone me with the information."

Then, on 28 October 1970, Mrs. June Bell, who is Mrs. Horan's counterpart, wrote to Frank Adler as follows:—

"Commencing from the remittance due to Gabrielle at the end of this month, would you kindly deduct half the amount due each month until the end of December, and one third of the amount due each month after that date, for tax instalments, and include same in your Group Remittances of each appropriate month?

"Hope business is booming. I know you will be, on that health diet of yours."

A further letter, dated 13 November 1970, from Frank Adler to Mrs. G. Horan, care of Mrs. J. Bell, was in these terms—

"Dear Gabby,

"As you will see, we had an excellent month during October and I am pleased to forward this cheque.

"When you get the chance, call in at Woolloongabba for a glass of milk and some soya beans."

And there was a cheque for $330.

Another letter from Frank Adler to Mrs. Horan, dated 14 December 1970, reads—

"Dear Gabby and June,

"I am having a few friends over for drinks on Christmas morning at my new home at 245 Wellington Road, East Brisbane, between nine and eleven. I would be most happy if both or either of you could attend.

"Farmer Greenfield's is progressing very well, as you will notice from this month's cheque. At present we are contemplating a larger investment in our own food producing plant to improve the quality of the food and the service to our customers. When you are in the vicinity of Woolloongabba some day in the near future, please call in."

The next letter to Mrs. Horan from Frank Adler is dated 15 January 1971, and reads—

"Dear Gabby,

"Hope you had a great Christmas and New Year and I look forward to seeing you one day soon. Farmer Greenfield's is going quite well and we have lots of new plans for the future. Apart from one or two minor complaints from those types who 'always complain about anything' all customers are very satisfied with the savings and service they receive.

"I am positive that we are going to have a very successful 1971 with Farmer Greenfield's. Give my best wishes to June."

The next letter to Mrs. Horan is dated August 1971, and reads—

"Dear Gabby,

"I hope you and June are well. Attached is our commission cheque for July."

A cheque was enclosed for $200.

The next letter was on 30 September 1971, in these terms—

"Dear Gabby,

"I hope you are feeling much better at the present time after your sojourn in hospital.

"Attached is our payment for the month of August.

"Should you require brightening up in the near future, call around to Woolloongabba where we have a stockpile of the latest off-colour jokes."

The following is a list of the cheques sent to Gabby Horan and the dates on which they were paid:—

No.	Date
342531	3-11-71
342577	30-11-71
335713	31-12-71
444	28-1-72
368566	29-2-72
127707	30-3-72
787416	28-4-72
312122	31-5-72
787807	30-6-72

I also have here a photostat copy of a cheque for $200 payable to G. Horan. The next document I have is marked "Confidential". It is dated 16 October 1972, and reads—

"Reference Mrs. Horan's Remuneration"

"Beginning from 1st October, 1972, Mrs. Horan's rate of remuneration will be upgraded to $300 per month.

Frank Adler."

The next letter is a confidential one from Frank Adler headed, "Mrs G. Horan's Expenses dated 3 January 1973" and is in these terms—

"Due to an error on my part, recently cheques have been sent to Mrs. Horan at the Queensland Housewives' Association office. In future all cheques for Mrs. Horan must be sent C/- Mrs. June Bell, Public Accountant, Bracken Street, Moorooka. The attached cheques have been returned from the Queensland Housewives' Association. These cheques are to be cancelled and a new cheque made out for $1,100 to Mrs. June Bell stipulating payment for services for Mrs. Horan to December 31, 1972. As there is no firm agreement or contract with Mrs. Horan at present I am not concerned over any future legal issues. However, the agreement has been made verbal between Mrs. Bell, Mrs. Horan and myself all in one meeting that the procedure of payment in future would be as outlined in the previous paragraphs.

Frank Adler."

It is quite obvious, of course, that the Consumer Affairs Council, with such a person being a member of it, cannot do justice to the people whom it is supposed to represent when cases of fraud are submitted to it for consideration.

Mr. R. E. MOORE (Windsor) (3.44 p.m.): In all my time in Parliament I have not heard such nonsense as that put before us today by the honourable member for Toowoomba North. He really had nothing to say. He could only attempt to malign Mrs. Horan claiming that he received letters from a certain source. It would not surprise me if he wrote them himself.

The proposed amendments are necessary because the initial legislation was introduced on the basis that we did not want a sledgehammer to crack a nut. We devised legislation that would not go too far, with a proviso that it would be amended when and if it was decided that it was necessary, and that is why the present measure is before the Committee. Consumer affairs, environmental control and pollution are orders of the day throughout the world, and people expect to be given protection in these fields. The consumer must be protected against the con-man or the "shark", but there are always two sides to a story and the purchaser's is not always the correct one. There are many instances of a consumer purchasing an article

against the advice of the vendor and, finding that he has made a mistake, wanting some form of redress. No record of the original conversation is kept.

Many Brisbane firms sell electrical appliances, including television sets and radios. Within the warranty period of six months, those firms contact people who have purchased their goods to find out if they are working satisfactorily or need any adjustment. This is done widely in America and I have no doubt that more and more firms will demonstrate that they are reputable firms by adopting this practice. This will come about because of the introduction of this legislation.

The Bill defines the word "consumer." Whilst incorporated persons and business partnerships could be consumers, the Bill prescribes that they are not consumers. Under the Bill, a consumer is John Citizen. The definition did not spell out the position clearly and it is now being amended.

The Bill provides for the Commissioner for Consumer Affairs to be a member of the Consumer Affairs Council. Previously he was not.

Difficulty has been experienced, because of sickness and other causes, in forming the quorum of eight, and it has been found necessary to reduce the number to six, which I believe is an effective number.

The Bill provides that traders must give information to inspectors and that that evidence is admissible before a small claims tribunal. At first sight it would appear that we are forcing people to give evidence against themselves. However, I repeat that the evidence is admissible in a small claims tribunal and not in criminal cases. If neither the Consumer Affairs Council nor the Consumer Affairs Bureau can obtain this evidence, it cannot work effectively. Therefore it has been found necessary to introduce this proposal. It has been enacted in Victoria and in other States, and we are following suit. I had some misgivings, but the Minister convinced me that this is the only way that the Council can operate effectively.

Mr. Hanson: Did you take much convincing?

Mr. R. E. MOORE: I always have to be convinced by logical argument. If the Minister can put up a logical argument, I will go along with him. If he cannot, I will not.

Mr. Wright: I thought you wrote the legislation.

Mr. R. E. MOORE: I am a member of the Minister's committee, and I had a hand in it. If I see a flaw in the legislation, the Minister is only too happy to consider it. He is amenable to amendments if he feels that changes are warranted. We are not like A.L.P. members who put their hands up and bow when asked to.

The Bill covers false and misleading statements about services. All members know how entrepreneurs by sharp practices put over convincing stories about the quality of articles, how they will perform, and the services that will be provided. The Bill prevents misleading statements designed to gull the public.

Another section of the legislation requires that advertisements state the cash price of articles, not merely the amounts of deposits and weekly payments. Hitherto, articles have been advertised at so much deposit and so much a week, and purchasers were unable to ascertain the real cost. A person may say, "I got this article for $2 deposit and $1 a week," and those may seem very favourable terms. However, the purchaser then finds out that he will be paying for the article for many years. The Bill overcomes that situation.

Under another good provision of the Bill, the component parts of the contents will have to be shown on food containers. It will be stated in simple language how much flour, protein, and so on, a product contains, but manufacturers will not be forced to disclose what may be trade secrets. It would be unfair to require them to do so. There are some recipes that have been handed down from person to person, and it would be unfair if a manufacturer was required to disclose his trade secrets to his competitors.

Mr. Sherrington: What about pies, without any meat in them, for 20 cents?

Mr. R. E. MOORE: Vilma Ward was able to make pies with meat in them for less. She did the "loaves and fishes" act with a pound of steak. I do not know how she did it. I have not eaten any of her pies, but she must have used some substitute.

Mr. Davis: Meat.

Mr. R. E. MOORE: I do not know what the substitute for meat is. Perhaps it is similar to what is between the ears of the honourable member for Brisbane—solid meat.

Under the Bill, the Minister must give approval before an inspector can proceed against any person who does not comply with the provisions of the Act. This will prevent officers from becoming over-officious. Some officers can on occasions become over-officious and over-zealous. The Minister will now have to give approval before action can be taken against any person. There will not now be any frivolous actions.

Mr. Wright: You want to restrict them, that's all. How many prosecutions have taken place?

Mr. R. E. MOORE: I do not mind restricting them at all, because life is such that if you give some men a stick, they will want to belt you with it. That applies to the honourable member for Rockhampton.

Mr. Hanson interjected.

Mr. R. E. MOORE: I will not say anything about Wally Bourke, because he happens to be a friend of mine. He has no political ambitions, because he knows how hopeless his position would be, especially in the seat of Windsor. However, be that as it may.

Protection is to be provided for an employee who simply obeys orders of an employer when the employer is in effect culpable. He is also covered in relation to any information he gives about his employer.

Broadly, those are some of the important provisions in the Bill. The proposed amendments, of course, will not be the last ones that will be made to the Consumer Affairs Act. After all, legislation to some extent becomes a battle of wits. As a sharpshooter finds a way through it, the Government will plug the loopholes, but it is not intended to make life intolerable for the trader. The Government could go further, as other States have done, but it does not intend to do that. If this will suffice, we will let it go at that. On the other hand, if, with the passage of time and experience, it is seen that the legislation needs amending, it will be amended.

Mr. SHERRINGTON (Salisbury) (3.56 p.m.): I join with other honourable members on this side of the Chamber in voicing criticism of what has come to be regarded in this State as the first move towards consumer protection. I have said before—and I think it is worth repeating—that it should be called consumer resuscitation rather than consumer protection, because I have not been able to discern anything in the Act that attempts to prevent the robbing of the public or the misleading of the public, which, to me, represents true consumer protection.

I do not usually worry about the lesser lights in the Chamber, such as the honourable member for Toowong, but I should like to answer a few of his criticisms of the contribution of my colleague the shadow Minister for Justice. He complained that this terrible person from Rockhampton was out after blood because he had not seen the Consumer Affairs Bureau prosecute anybody, and that this was totally wrong and represented a witch-hunt by the honourable member for Rockhampton. He also complained bitterly because the honourable member for Rockhampton had the temerity to suggest that some of the traders in the community should be fined as a result of action taken by the Consumer Affairs Bureau.

Since I have been a member of this Assembly I have never been critical of the Public Service or of its officers, and what I intend to say now is in no way to be construed as personal criticism of members of the Consumer Affairs Bureau. But a few months after the Bureau came into being, people were running round and saying that it had become a toothless tiger, and I believe that some of the amendments now proposed will transform it from a toothless tiger into a gummy shark.

Let us look first at the provision which the Minister had the audacity to bring before the Committee and which was lauded by the honourable member for Windsor. Unfortunately, the honourable member seems to suffer from foot-and-mouth disease. Every time he opens his mouth he puts his foot in it, and he did so on two occasions today. He lauded the Minister for bringing down legislation that gives the Minister the sole authority to determine who shall be prosecuted.

Mr. Knox: No. That is in the existing Act; I am changing it in the Bill.

Mr. SHERRINGTON: What are you changing it to?

Mr. Knox: To the Commissioner.

Mr. SHERRINGTON: The Minister is transferring this authority to the Commissioner, yet the honourable member for Windsor said he applauded the fact that the Minister was the only person who held it. It would be the same thing as if the Minister in charge of police was the only person who could say that a law-breaker was to be prosecuted.

In terms of consumer protection, why does the Minister have to give somebody else the authority to decide whether a firm, company or person should be prosecuted? There should be only one qualification: whether a firm, company or person has broken the law. If a firm, company or person has broken the law, it or he should be the target of prosecution. It should not be a matter of somebody deciding whether to proceed with a prosecution. If evidence is available to prove that the law has been broken, it should be mandatory that the Consumer Affairs Bureau launch a prosecution. I return to my cynicism about the Consumer Affairs Bureau. This Parliament is regaled with reports which indicate that so many complaints have been made to the Bureau and that so many have been resolved to the satisfaction of the consumer. What I have to say is not in criticism of the personal attributes of the Bureau staff. I have too high a respect for public servants to want to reflect on them. It is because of the anaemic legislation dealing with consumer protection in this State that undesirable situations arise.

I propose to mention my wife's experience with consumer protection. About 18 months or two years ago she went into a large retail store in the city. I will not name it, although I will supply the name to the Minister if he wants it. While she was shopping she noticed that shoulders of bacon were 55c a lb. She thought, "I will carry on with my shopping now, but when I am leaving the store I will pick up a piece of bacon for the week-end." One hour and ten minutes later she went to the counter to buy some bacon but found that its price had risen to 65c a lb.—a 10c increase in little more than an hour. Being prepared to argue about it, she said, "I should have

come here an hour ago." The shop assistant asked, "Why?" She said, "You were selling this bacon then for 55c a lb." He said, "Oh, no; that was three or four hours ago." My wife said "No, it wasn't. It was exactly one hour and 10 minutes ago when I went past this counter." He went into a great spiel about having a couple of pieces of bacon that they wanted to get rid of.

I wrote a letter on this matter to the Commissioner for Consumer Affairs. The complaint was investigated, and in due course I was told that because the bacon had been exposed to fluorescent light there had been a certain deterioration of colour on the outside strip, although it was perfectly edible and palatable. For that reason the company was selling it for 10c a lb. less. The matter was never resolved to my satisfaction. I was so flabbergasted that such a flimsy pretext should be offered as a reason that I decided to "give the matter away". The additional 10c a lb. did not particularly worry me or my wife, but 10c a lb. on a 5lb. shoulder of bacon would represent the price of a pound of butter to the working man. That is the sort of thing that goes on in this city. Such "jazz" as saying that the bacon was discoloured is the way these things are supposedly resolved to the satisfaction of the consumer. What consumer could dispute this, if he wanted to?

I do not intend to become involved in the argument over Farmer Greenfield's Family Foods; the honourable member for Toowoomba North has covered it in full. However, I wonder how much longer the Minister and the Consumer Affairs Bureau will allow a member of the community, in return for payola, to pose as an authority on Farmer Greenfield's Family Foods or, for that matter, any other commodity.

Mr. Hinze: What about Vilma Ward? She was in it.

Mr. SHERRINGTON: I am not concerned about Vilma Ward or anyone else personally; I am speaking about everyone who sets himself or herself up as an expert on certain items. In the name of consumer protection I ask the Minister how long will he allow tennis players to tell the community that they have been eating a certain brand of rolled oats for years and that, as a result, their bowels have improved to such an extent that they have succeeded in becoming tennis stars? How long will he allow football players to advertise Brylcream? How long will he allow certain persons to pose as experts in spite of the fact that in all probability they have never used the commodity they advertise? Naturally, these prominent tennis and football players are quite willing to advertise the commodities in this way because they are paid for it.

Mr. R. E. Moore: That applies to every soap ad, too.

Mr. SHERRINGTON: It applies to soap, cigarettes and a host of other items. I challenge any one of those persons to prove his claim that, for example, he has eaten Uncle Toby's rolled oats for 10 years and that it has made him a champion footballer, or that he has drunk Foster's lager for years and that it has improved his stamina as a front-row forward for Brothers. I will say this for Hogan, who tells us, "Anyhow, have a Winfield": he does not claim to smoke that brand of cigarette.

This is a serious matter. Many members of the community are taken in by this type of advertising and purchase the products that are brought to their attention and that in some instances contain about 90 per cent of muck. Tennis and football stars are allowed to advertise in this way in return for payola, and it is time the Consumer Affairs Bureau did something about it.

All that the Bureau does is receive complaints from dissatisfied customers. I challenge the Minister to tell me of one case in which the Bureau has forestalled misleading advertising or phony salesmanship. It is nothing more than a receiving centre for complaints lodged by victims of shady trading practices.

Mr. Hinze: The Minister has made a statement about it.

Mr. SHERRINGTON: What a ridiculous comment! Apparently the honourable member believes that all these shady characters congregate in Parliament House and, after the Minister has made a statement, run for cover. I have said repeatedly in this Chamber that we should be providing consumer protection, not consumer resuscitation, which this legislation is merely designed to provide.

The honourable member for Windsor made another great boo-boo——

Mr. R. E. Moore: The legislation deals with consumer affairs, not consumer protection.

Mr. SHERRINGTON: It certainly relates to consumer affairs. I have not seen any consumer protection emanating from it.

The honourable member for Windsor said that the Act is to be strengthened by reducing from eight to six the number of members of the Council required to form a quorum. He said this was necessary because difficulty had been experienced in getting members of the Council together.

Mr. R. E. Moore: I made no such assertion. Through a slip of the tongue I said "Minister" when I meant to say "Commissioner".

Mr. SHERRINGTON: I will not call the honourable member for Windsor a liar. If I did, I would be called to order. The point is that he distinctly said that difficulty was experienced in getting eight members of the Council together. Surely the answer to the problem is not to reduce the number to six,

but to sack those who are not doing their job. The Minister should not reduce the number to form a quorum simply because the members are not showing up. He should sack those members who are not sufficiently interested to play their part. The Government should get rid of the dead wood on this Council just as the public got rid of the dead wood in the Brisbane City Council last Saturday, despite the Minister for Local Government.

Any country in the world that has introduced legislation similar to this has been concerned with consumer protection of the type I have advocated over the years. I do not know how often I have called on the Government to use the Consumer Affairs Bureau and Council to provide guidance for the people. The honourable member for Rockhampton read from a pamphlet prepared by the Consumer Affairs Bureau. I do not intend to "rubbish" it because I have not read it. Surely, in all seriousness, we do not believe that consumer protection ends with the issuing of a pamphlet, however laudable it may be. How often have I urged that the Consumer Affairs Bureau adopt an insignia similar to the one used in Sweden, where the Kite brand has become universally recognised. In that country, any company that wishes to indicate to the public that it has a product that is good and reasonably priced submits that product to the consumer affairs body, which, if it feels that the product gives fair value for money, issues a seal of approval for use by the company. A heavy penalty is imposed on any person who misuses this seal of approval.

Nothing like that originates with our Consumer Affairs Bureau. Whatever is done originates with the Australian Standards Association. It gives its recommendation because it thinks the product is good, not because it receives payola from a company. There is a vast difference between properly protecting the public by way of an official seal and what is done by the organisations in the community which give a product their blessing because they receive payola.

Instead of introducing these piddling amendments, the Minister should start doing something about consumer protection. He should be trying to help people who are unable to discern whether a product has quality or is reasonably priced. This can be done only by the Consumer Affairs Bureau affording such a service. No matter how poorly a person was educated in consumer protection, once he could recognise a seal of approval issued by the Bureau, he could buy a product bearing that seal with complete confidence. He would know that the product was recommended by the Bureau and that misuse of the seal attracted a heavy penalty. He would know that a manufacturer could only obtain the use of the seal by proving to the Bureau's satisfaction that his product was really good. Until that is done to help people make up their minds before making purchases, the whole question of consumer protection is a misnomer. All that is happening at the moment is that the culprit is being tracked down after the crime has been committed.

Mr. BURNS (Lytton) (4.16 p.m.): Consumer protection in Queensland is an expensive joke, and it is the consumer who pays the piper. At one stage or another, every member of this Parliament has been contacted by people complaining that they have been to the Consumer Affairs Bureau, or that they have told a firm that they intended to contact the Bureau, only to be told not to do so because the Bureau is a commercial joke. All that the Bureau does is write to the firm, enclosing a copy of the letter or complaint that the consumer has lodged. The firm then writes back a smarmy letter setting out its case, whether it is true or not, and very little is done about it. It is a complete cover-up for the firm, because the businessman has the right of reply to the complaint of a consumer.

This Government is a "19 per cent" Government, and that is the sort of representation it is giving the people of Queensland on the Consumer Affairs Bureau. It is all right for the Government to rig the boundaries to keep itself in power, but it is rigging the consumer affairs system to allow people who do not represent any reasonably sized section of the consuming public to be members of the Council. And I refer to the lady who has been mentioned so often in this Chamber. Her organisation has very few members. She has been challenged and has had to back down on the group's rules because they are undemocratic. She limits the membership of the organisation. She spends most of her time on radio or television, advertising products whose manufacturers are robbing the members of her association. Her association hands out nice little bouquets to organisations that advertise cigarettes. Yet the health authorities and most other responsible people in the country say that those advertisements should not be allowed on television and radio and that tobacco endangers one's health. What a consumer-protection operator she is!

Now that we are talking of giving 18-year-olds the vote, why not appoint to the Council representatives of the Public Industries Research Group from the university. These young men and women compiled a list of 7,000 people who were prepared to pay a certain amount each year into their organisation to undertake a great deal of research into consumer protection. P.I.R.G. members have been prepared to "take on" the mock-auction people, only to be thrown out of their premises. They were acting on behalf of the consumers. By their action they have really displayed an interest in consumer protection. Their representative should be appointed to the Consumer Affairs Council if we are to substantially strengthen consumer protection.

Not long ago a lady told me that the Consumer Affairs Bureau and the Consumer Affairs Council reminded her of Dickens's "Bleak House", in which this passage can be found—

> "This is the Court of Chancery, which has its decaying houses and its blighted lands in every shire, which has its worn-out lunatic in every madhouse and its dead in every churchyard, which has its ruined suitor with his slipshod heels and threadbare dress borrowing and begging through the round of every man's acquaintance, which gives to monied might the means abundantly of wearying out the right, which so exhausts finances, patience, courage, hope, so overthrows the brain and breaks the heart, that there is not an honourable man among its practitioners who would not give—who does not often give—the warning, 'Suffer any wrong that can be done you rather than come here!'"

That is what happens in the Consumer Affairs Bureau. Woman after woman has cried to me about some of the shyster furniture dealers and retailers who have been able to use the Consumer Affairs Bureau as the means of their protection rather than as the staff and the strong arm of the consumer.

The Minister said that the Bill will define "Consumer". Businessmen are now not to be recognised as consumers. Why is this being done? Why shouldn't businessmen, who are conversant with their industry, be allowed to complain to the Consumer Affairs Bureau about unfair practices or false advertising on the part of competitors? Shouldn't we be prepared to listen when businessmen say that what other businessmen are claiming is not true? Surely we should listen if a businessman says, "It isn't true that the list price of that article is $200," when he knows that it is being bought for less all over the town? Surely businessmen should be allowed to go to the Consumer Affairs Bureau and say, "People are being taken down by this firm." But, because they are businessmen, this Bill says they are not going to be allowed to complain.

I complained last year about a firm called Monarch Industries, which was operating in the fibreglass boat and furniture industry, and was robbing ordinary citizens. I was told that its operations did not come within the ambit of the Consumer Affairs Bureau. Today the ambit of the Bureau is being reduced, because it is being made clear that businessmen are not to be covered.

Let us talk about traders and businessmen for a moment. It seems to me that in respect of every piece of motel furniture, every commercial carpet for an office and every piece of equipment used in an office, such as typewriters, dictaphones, chairs and tables, under this Bill no businessman could complain if he received a bad deal. It would therefore seem that if a person set himself up in the field of commercial supplies, he could rob as much as he liked. Aren't we out to protect the consumer, and isn't that the person who is buying the goods? Why, then, restrict the Act to deprive people who purchase goods that are overpriced and of poor quality of its protection? Surely people are not being "wiped" simply because they are businessmen? What happens if a couple of young men in business buy some letraset and they find that it has dried up, as happens in the case of this particular type of printing material? Are we being fair in saying that they cannot complain about it? The supplier could be selling retail to the public, but they cannot complain about his operations.

So far as false advertising is concerned, problably one of the greatest examples of this has been seen lately. It has been discussed in this Chamber, and it is continuing. I remind the Committee that the President of the United States has said—

> "Every consumer has the right to make an intelligent choice among products and services . . . and to expect that he will receive accurate information on which to make his free choice, and to expect that his health and safety is taken into account by those who seek his patronage."

The last report of the Consumer Affairs Bureau referred to the "Bex and cup of tea" type of advertising. What have we done about that type of advertising, which could affect people's health? The Health Department is urging a reduction of the quantity of analgesics and barbiturates used in this State. The Health Department says that these drugs are dangerous, and should be used sparingly. Chemists in the United States have said in a report that care must be taken in advertising any product that is dangerous. Yet we do nothing about this type of advertising. We do not follow the thoughts of the President of the United States, the home of free enterprise, in this matter. We should be concerned at the tendency of some advertisers to walk as close as possible to the line separating what is legal from what is illegal.

I make this point with special reference to land on islands in the Moreton Bay area. I refer to places such as Macleay, Russell and Karragarra Islands. Last year in this Chamber, in answer to a series of questions that I asked the Minister for Local Government, I was assured by the Minister that these islands would be brought under local-authority control, and that those owning land on them would then have to pay rates and taxes.

The ACTING CHAIRMAN: Order! I remind the honourable member that the Committee is dealing with consumer affairs.

Mr. BURNS: We are talking about honest advertising, and I understood that the Minister mentioned false and misleading statements about goods and services. Is not a block of land a piece of "goods", and is it

not false and misleading to advertise it in this way? I submit that it is, and I want to continue with this proposition.

I then asked the Minister for Justice would he have the Consumer Affairs Bureau investigate this matter, and he said he would.

On 1 April 1973—only two days ago—two advertisements, copies of which I have here, appeared in a newspaper. The first one is headed "Tropic Isle Land" and is an advertisement by Russell Island Sales, Second Floor, 38 College Street, Sydney. It says, "Free of rates and taxes." The second one is an advertisement by Tweed Valley Pastoral Co., care of Harry Londy, Tweed Valley Pastoral Representative, Sebel Town House, 23 Elizabeth Bay Road, Elizabeth Bay, Sydney. It relates to the Trade Winds Estate on Macleay Island and the Bayview Estate on Russell Island, and it says, "No rates or taxes."

All honourable members are aware that the Minister for Local Government intends to bring these islands under the control of a local authority. He has announced that in this Chamber and it has been publicised in all the newspapers. Honourable members know, the Consumer Affairs Bureau knows, and everybody in Queensland who has any interest in the affairs of this Parliament should know. Yet two days ago people inserted these advertisements in a newspaper, knowing full well that those who bought the land would be paying rates and taxes immediately the relevant Bill was passed by this Assembly. They are certainly sliding along the line. There are no rates now, but there will be before very long. Honourable members know that these advertisements are false and that people will be taken down by them, yet nothing is done about it.

Surely the Government must admit that there are no teeth in our consumer legislation. There is no protection for the consumer, and these land sales are acts of sheer piracy. Knowing full well what this Parliament intends doing, these people are advertising internationally—in London—and in the southern States, but not in Queensland because they have received such a blast from the Minister for Local Government about what he intends doing to the islands that they would probably run into trouble if they advertised here.

The same argument can be used in respect of discounts and "specials". They also are false advertising. There should be a clear definition of what a discount is and what "specials" are, or we should outlaw them, because at present they are used in false advertising. Salesmen are saying, "$500 off, and we will also throw in a washing machine, a television set, and a camera for your kids. All you have to buy is one refrigerator."

It is an impossible situation, but advertisements of that type appear on television. The discount is more than the value of the article bought. Somehow or other that is not classed as false advertising. If it is so classed, nothing is being done about it.

I think it is about time that the Consumer Affairs Bureau—a good idea that has gone wrong—began putting inspectors into the field to check on consumer complaints. When a consumer complains and a letter is received from the firm in reply and there is an obvious disagreement between the consumer and the firm, an inspector should be sent into the field. It may be necessary for the Bureau to have its own legal staff to deal with some of the problems surrounding the legality of the action taken. The prime necessity is to protect the consumer.

Although the Minister has been trying to achieve something in many of the Bills he has introduced, I think he has found that the Country Party stranglehold around his neck has been holding him back. The old "free enterprisers", like the honourable members for Toowong and Windsor—the fellows who introduced the City of Brisbane Act Amendment Bill and brought themselves undone—have helped to draft this Bill and have brought the Consumer Affairs Bureau undone.

Hon. W. E. KNOX (Nundah—Minister for Justice) (4.28 p.m.), in reply: The debate has covered a wide range of matters relating to consumers, and I will deal with some of the points raised by the various members who took part in it.

The honourable member for Rockhampton said that the existing legislation has very little teeth and that there is no legal-advisory section. It was agreed when the legislation was introduced a little over two years ago that it was not known to what extent it would be necessary to pursue some matters such as consumer self-help, protection or education, whichever way one looks at it. As a result of the experience over two years, we are now in a better position than we were then to make some intelligent amendments to the Act. Indeed, as a result of experience with the Consumer Affairs Bureau, the Government saw its way clear to introduce legislation amending other Acts and establishing small claims tribunals.

I think it should be established that millions of transactions take place every year in the community, of all types and sizes. Most of them are satisfactorily concluded, to the benefit of the seller and the consumer, with no problems at all. Because of the over-concentration on some instances of failure to achieve satisfactory value-for-money exchange, the impression can be gained that such problems dominate the scene. That is far from the true position. The fact is that millions of transactions take place each year which are satisfactory and without problems. As in most things where human nature is involved, and where society is fairly dynamic —as it is in our case—there are going to be

some drop-out problems, and some failures. We have it in the consumer area, just as we have it in other social areas.

In moving to strengthen the Consumer Affairs Act, care has to be exercised that we are not in fact using a sledge-hammer to crack a nut or over-reacting to simple circumstances requiring only simple solutions. It behoves us to ensure that in tackling problems confronting consumers we do not create more than we are solving. Therefore it is highly desirable that we proceed with a certain amount of reasonable caution in some of these areas in order to discover exactly what we want to do before we provide the necessary power in legislation.

This series of amendments will add considerably to the strength of the Consumer Affairs Bureau in matters on which hitherto the Bureau and the Commissioner had not been able to move satisfactorily. The criticism of several honourable members about the limitations of the Bureau up till now are valid ones, but I make no apology for the fact that there have been limitations, because we felt the need to discover the nature of the problem, identify it and define it clearly before we moved. In the main, the amendments are major departures from the policy of the Bureau and the Act limitations that have applied for the last two years.

It is not necessary for the Bureau to have a legal-advisory section for its own purposes because the full ramifications and facilities of the Crown Law Office are available to it, and it uses them frequently.

Mr. Wright: I accept your point that the advice of the Crown Law Office is available to it, but it is not available to the consumer as an individual.

Mr. KNOX: The Bureau has been responsible for seeing that a number of consumers were placed in the hands of the Legal Assistance Committee so that they could be assisted with their legal problems.

Mr. Burns: Legal aid?

Mr. KNOX: Yes. It has also advised people to go to the Public Curator Office for legal advice. Others have been able to get legal advice from solicitors. There is no shortage of avenues for legal advice. In respect of consumers who reach the end-of-the-line position and can see no prospect of satisfaction, the Bureau has been successful in placing them in the hands of people competent to give them legal advice. I cannot see the necessity for the Bureau to have a whole team of people itself to do that sort of work.

Mr. Wright: Could you see it as an advantage?

Mr. KNOX: I do not see it as a great advantage at this stage because the number of complaints which reach this dead-end situation is very small indeed. As I said when introducing the Small Claims Tribunals Bill, the number is hundreds a year, not thousands. Of the millions of transactions that take place in the community, only a relatively small number reach the situation of impasse where people do not seem to be satisfied.

While people feel they have good grounds for complaint and should receive satisfaction, I am sure that when it comes to the crunch many of those persons who seek redress from the small claims tribunal will be disappointed in that the referee will make a determination against them on the basis that the complaint is either not valid or not made on good grounds. It is true that the Bureau is not able to give satisfaction to some of those people who feel aggrieved and reach the end of the road, but it is that situation that this Bill is designed to correct.

It is not to be assumed that everyone who complains to the Bureau makes a justifiable complaint. I hope that just because somebody complains about a trader it will not be assumed that the complaint is a sound one.

Mr. Wright: You also said that many complaints are not taken to the Bureau.

Mr. KNOX: That is true. In fact I would hope that most complaints would not be taken to the Bureau and that people who have a problem with a trader will approach him with a view to having the matter settled then and there. Those traders who are proud of their name and products are keen to fix up the complaints to the satisfaction of the consumer. I am sure that honourable members can think of many people who do this of their own volition. Indeed, the Bureau asks people whether they have been to the trader concerned before it will act on their behalf. It is of great importance that people approach traders, because, as I have said, the majority of them are anxious to protect their goodwill and good name. Nevertheless, there are some not-so-honest traders. I am sure honourable members know of some, I know of some, and the Bureau knows them all. The few traders who are not prepared to give full value will soon feel the heavy hand of the law upon them.

It is also true that prosecutions have been lodged as a result of complaints made to the Bureau. The Bureau is not required to launch prosecutions, but in matters involving fraud, or wrongful or misleading advertising, it brings the circumstances to the notice of the police. Some advertising contravenes the Vagrants, Gaming and Other Offences Act, and if it is brought to the attention of the Bureau it is then passed on to the police. The honourable member for Lytton referred to the advertising of land. This is covered by section 37A of the Vagrants, Gaming and Other Offences Act, and the Minister in charge of Police is examining

this advertising to determine whether or not a prosecution should be lodged under that section.

Mr. Wright: How many prosecutions have been lodged under the Consumer Affairs Act?

Mr. KNOX: Very few indeed.

Mr. Davis: None.

Mr. KNOX: I am not worried by the fact that there have not been any, because any practices that are considered to be illegal are adequately handled under existing legislation. We certainly do not want to bring within the ambit of this Act all those matters that are covered by existing legislation. There are Acts relating to health, the sale of liquor, the quality of food and drugs, under all of which prosecutions are lodged. The Bureau is able to place complaints that arise under those Acts into the hands of the particular authorities concerned. Indeed, the advertising of second-hand motor vehicles has been brought to the attention of the appropriate authority.

The honourable member for Toowong pointed out that this legislation was adding value to the Consumer Affairs Bureau. I forecast that, two years from now, further amendments will be enacted as we discover more about what is going on in the community, thanks to the Bureau's activities. The Bureau's files contain information that will lead us quite clearly in the direction we should be following in future legislative action. At this stage I would hesitate to say that we have thought of all avenues of protection that are needed by the consumer.

The present legislation will make it possible for the Bureau to move into the more important areas of its work such as education and self-help and where it will provide an opportunity for people to become better informed as consumers. The honourable member for Rockhampton dealt with this matter. I could not agree with him more. Indeed, that should be the Bureau's main function. If some of the problems that take up an enormous amount of time can be removed from its plate, the Bureau will be able to devote itself to the field of education. If we can educate the public widely and deeply enough, many of the problems confronting consumers today will not occur. They will be more discriminating and able to effectively check people in the community who are trying to mislead them.

The honourable member for Toowoomba North again raised the issue of Mrs. Horan and Farmer Greenfield. Every honourable member has seen the documents he referred to; they have been in circulation around Parliament House for four or five weeks. Various members of the news media, police and so on have had access to them. They have been around the "ridges" so long that the honourable member could have saved a great deal of time by simply tabling them so that they could be formerly recorded. We all know about them, and we have seen them and read them.

Mr. Wright: I do not think you have.

Mr. KNOX: Indeed I have.

I wonder what the purpose of the exercise was. In the Budget Debate in November last, I spoke of Mrs. Horan's position on the Consumer Affairs Council and her relationship with Farmer Greenfield. I said then —and I have checked the records to confirm my recollection of what I said—that I firmly believed Mrs. Horan was receiving remuneration for her work for Farmer Greenfield.

Mr. Wright: But she said she was not.

Mr. KNOX: I realise that, but that does not worry me. I am pointing out what I believed the situation to be in November last year when this matter was raised.

I assume that any personality in the community who becomes involved in recommending a product receives remuneration for doing so. That is a normal, professional business activity with which people can be legitimately associated. I said on that occasion, and I repeat, that any person not a director or policy controller of an organisation who allows his name to be associated with a product produced in Australia or elsewhere must realise that he has no control over the policy of the organisation. If it is an organisation of doubtful value, he can suffer because of his association with it. In the case of Farmer Greenfield, I said then, and I repeat it, that certain practices of the organisation were undesirable and anti-social, and that people being taken down by it should seek redress. And quite a number of them have done so.

Mr. Wright: In the last week over 100 people in Central Queensland have been taken in by Farmer Greenfield.

Mr. KNOX: People can seek redress and a number of cases involving Farmer Greenfield are under way at the moment.

If Mrs. Horan, or anyone else, wishes to become associated with this sort of organisation, she does so at her own risk.

Mr. Wright: But the point is that she is on the Consumer Affairs Council.

Mr. KNOX: Let us examine Mrs. Horan's position on the Council. I have found no evidence yet that she has used the name of the Council or the fact that she is a member of it in any promotional work that she has undertaken for Farmer Greenfield or any other firm. And she promotes the goods of several other firms.

Mr. Bousen: Everybody knows that she is on the Council.

Mr. KNOX: Other people on the Council are associated with enterprises and organisations that come under public attack from time to time.

Mr. Bousen: But they are not involved to the same extent.

Mr. KNOX: I do not know why the honourable member singles out Mrs. Horan for this type of persecution. Honourable members are becoming bored with the repeated attacks that are being made on her. She has to answer for herself. I am not here to defend her or to applaud her for her work with Farmer Greenfield. She has allowed her name to be associated publicly with that organisation. If there are any consequences that are not in her favour, that is her business and she has to look out for herself.

What I am concerned about is the position of members of the Consumer Affairs Council. All of them have been working as best they can. They have given a lot of their time for very small remuneration. As far as I know, Mrs. Horan has at no time used the name of the Council or her position on it to advance the cause of any product. If indeed she or any other member of the Council has used the Council for personal profit or advancement, and it is brought to my attention—and I ask any honourable member to do so if he wishes—I will take suitable action under the provisions of the Act and dismiss that member of the Council. But this issue should not be dragged through this Chamber as if it were a matter of great consequence to us. It may be of consequence to Mrs. Horan and to Farmer Greenfield. At the moment, with the knowledge I have, I do not think it is a matter of consequence to us. It is a pity that the time of this Parliament is wasted on this sort of fruitless persecution of a lady who is prepared to give of her time to the Consumer Affairs Council.

Mr. Wright: This would not have been continued had she not lied.

The ACTING CHAIRMAN: Order! The honourable member for Rockhampton accused a person of lying. I ask him to withdraw it.

Mr. WRIGHT: I rise to a point of order.

The ACTING CHAIRMAN: Did I mishear the honourable member?

Mr. WRIGHT: I did not accuse the Minister of lying.

The ACTING CHAIRMAN: No. The honourable member accused Mrs. Horan of lying.

Mr. WRIGHT: I believe that it is my right to do so.

The ACTING CHAIRMAN: I would not have thought so. I would have preferred the honourable member to say that it was an untruth. The Minister is in reply. He listened to the arguments advanced by honourable members and I ask them to extend him the same courtesy.

Mr. KNOX: As I said earlier, honourable members are becoming bored with this attack on Mrs. Horan. Let us assume that Mrs. Horan did tell an untruth about her association with that firm. I well recall my words last November when I assumed that she was receiving remuneration. I still want to know what consequence it is to this Committee if she told an untruth. What consequence is it to her position on the Council?

Mr. Bousen: It would prejudice the decision of the Council—particularly her decision—in a case involving Farmer Greenfield.

Mr. KNOX: Matters concerning Farmer Greenfield would not go to the Consumer Affairs Council for determination. What tripe!

Mr. F. P. Moore: Why don't they?

Mr. KNOX: They go to the Consumer Affairs Bureau. The Council is purely an advisory body. Opposition members do not understand the ramifications and workings of this operation.

Mr. Wright: If the Council carried out an investigation into food-freezer plans, it would go there.

Mr. KNOX: I imagine that, if there was an investigation (whether it was food-freezer plans, selling of meat in a butcher shop or drugs in a chemist shop), any Council member would declare his interest, if he had any. It would be a matter for the chairman and Council to decide whether that person should participate in the discussion on that matter.

Mr. Wright: Whom does she represent?

The ACTING CHAIRMAN: Order! I ask the honourable member for Rockhampton to allow the Minister to reply.

Mr. KNOX: If there is to be an advisory body such as the Consumer Affairs Council, it is inevitable that one or other of its members will be involved in some of the activities in which the Council has an interest. I have no doubt that members declare their interest as the occasion arises, and I have no doubt that Mrs. Horan has so declared her interest.

Mr. Bousen: That's wishful thinking.

Mr. KNOX: I hope we have heard the end of this nonsense, because I cannot see that the line being taken by honourable members opposite serves any great purpose. I have been asked for weeks, "When are we going to hear about Mrs. Horan and Farmer Greenfield's Family Foods, and when will the documents be produced?" I have been saying, "Wait till the Consumer Affairs

Act Amendment Bill is brought down, and I am sure someone will bring it up." No doubt honourable members opposite hawked it round their party, and the honourable member for Toowoomba North was the lucky one chosen. He wasted the time of the Committee, too.

The honourable member for Windsor always makes a useful contribution.

Opposition Members interjected.

Mr. KNOX: Of course, Opposition members always pretend to "rubbish" him. He is a sincere member who endeavours to make a worth-while contribution. He drew attention to the fact that power is being provided to require that the ingredients of the contents of a container be marked on the container. At this stage, it is not intended to invoke these powers, because it is highly desirable that such a requirement be uniform throughout the nation. I intend to speak with my opposite numbers in the other States in an attempt to have this requirement implemented throughout the nation. Food manufactured in New South Wales and Victoria and sold in Queensland would then have this information printed on the container, just as it would be printed on the containers of food manufactured in Queensland and retailed outside this State. From conversations that I have had with some of my opposite numbers, I am quite sure that this requirement will receive fairly wide acclaim. If it does, it will be a worth-while protection for the consumer.

The honourable member for Salisbury questioned the authority of the Minister or the Commissioner to use discretion in the launching of prosecutions. Somebody has to accept responsibility for launching prosecutions under every Act. It is not something that happens automatically. To use his own words, the honourable member said, "If the evidence is there, prosecution should be mandatory." There is no such thing as automatic prosecution.

Mr. Sherrington: Why shouldn't it be mandatory?

Mr. KNOX: Who makes the judgment on the evidence? Somebody has to make a judgment on the launching of a prosecution. There is no such thing as an automatic prosecution on the production of evidence.

Mr. Sherrington: I didn't say that, either.

Mr. KNOX: That is what I have written down—"If evidence is there, prosecution should be mandatory."

Mr. Sherrington: It smacks too much of this: if they are the Minister's friends, they can get off.

Mr. KNOX: The honourable member may say that, but it is incorrect.

Mr. Sherrington: Don't tempt me.

Mr. KNOX: The honourable member is not right in this matter, nor would he be right in any other matter that requires my attention and the exercise of my discretion in the launching of prosecutions under any of the other 150 Acts that I administer. If the evidence is there, and in my judgment and in that of my officers a prosecution should be launched, it will be launched. I am launching numerous prosecutions every week in a whole range of areas, as other Ministers are, and as they are required to under legislation passed by this Legislature. There is no doubt in my mind that these are launched as a result of the best advice we can get and on the information that is provided for us.

Mr. Sherrington: What did I say? If there was a breach, it should be prosecuted.

Mr. KNOX: You said it should be mandatory.

Mr. Sherrington: That is right.

Mr. KNOX: Somebody has to evaluate the evidence, form a judgment, and make the decision. In this case it will be the Commissioner, as indeed the Commissioner of Police does in prosecutions under the Acts that he administers, as the Minister and the Director do under the Health Act, as the Minister and the Under Secretary do under the Acts relating to labour and industry——

Mr. Sherrington: What about main roads?

Mr. KNOX: As the Commissioner for Main Roads does, and, in the case of railways, as the Commissioner for Railways does. This is not a new concept. It is a normal concept of administration. Somebody takes the responsibility for launching a prosecution, and in this case it is going to be the Commissioner, whereas previously it has been the Minister.

Mr. Marginson: He has wide discretionary powers, hasn't he?

Mr. KNOX: He must exercise them, otherwise injustices will occur and there will be frivolous prosecutions by bureaucracy.

Mr. Wright: I accept your point on that, but do you think it is right that the Minister should have a discretion over the right of inspectors to enter premises, as the Bill provides?

Mr. KNOX: The discretion is with the Commissioner; but the inspector requires a warrant if he goes into enclosed premises, a dwelling house, or parts of premises that are enclosed.

Mr. Wright: Did I hear you say that you could overrule the entry of premises by an inspector?

Mr. KNOX: The Commissioner can. He is in complete control of the operation.

Mr. Wright: On what grounds would he do it?

Mr. KNOX: If he has reason to believe that there is information of value to his inquiries that he has been prevented from getting, he can obtain a warrant and have the necessary searches made. There is nothing unusual about it.

Mr. Wright: I did not hear what you said in your introductory remarks.

Mr. KNOX: I emphasise that he cannot do it on a capricious whim. He has to go through the ordinary processes to get authority to do it.

The honourable member for Salisbury launched attacks on all the people, whether sportsmen, leaders of the Housewives' Association, or others, who associate themselves with products. He talked about payola. I am not exactly sure what he means by that. I understood that payola was the payment of money surreptitiously, not publicly, other people not being aware that the undercover payment was being received. In fact, the matter arose from disc jockeys giving special emphasis to particular records or to the background of certain records in their sessions and, unknown to the management or anybody else, receiving large sums of money on the side for doing that.

Mr. Sherrington: Would you say that the public were aware that some of the prominent footballers, cricketers and tennis players were being paid to advertise these products?

Mr. KNOX: Yes, I should say they would be fully aware. In fact, I would be very surprised if any member of the public doubted that the personalities who associate themselves with these products are being paid handsomely. In the case of Paul Hogan, I do not think there has ever been such a write-up as there has been relative to how much he gets, what he spends it on, and how he spends his time since he has been sponsoring the Winfield programme.

Mr. Marginson: No Norths players would do that, would they?

Mr. KNOX: They are in the business of promotion and selling. I have no doubt that they receive suitable remuneration where they are involved. If they did not, they would be the first people to make a fuss about it.

Mr. Sherrington: Are you saying that advertising of that type should continue?

Mr. KNOX: I find very little to criticise in it. I would criticise it if it gave false information.

I do not quite know the purpose of the remarks of the honourable member for Lytton about a corporation being excluded from the Act. All we are doing is to make sure that the corporation, for the purposes of the Act, is not regarded as a consumer. A businessman who, in his own private arrangements, buys a washing machine, a motor-car or a lawn-mower is just as much a consumer as anybody else in the community. The corporation is not.

Mr. Wright: Is there a point between the time when a person actually becomes a businessman and when he is still a consumer? Take the group that bought the idea of manufacturing the "Z" brick. They bought as a consumer but they never got into operation as a business. The Consumer Affairs Bureau could not help them.

Mr. KNOX: I do not know why the Consumer Affairs Bureau should be helping them. They should be able to take the necessary action themselves to protect their own interests. I know tile manufactures in much the same situation who have been sued for not meeting their contractual obligations. All sorts of remedies are available to corporations that are not easily available to the consumer.

Mr. Wright: They are not really a company and they are not a firm. They are nothing.

Mr. KNOX: If they are not a corporation, they are a consumer and should be able to act as a consumer. If the managing director of the biggest company in Queensland went to a shop and bought a lawn-mower that was not satisfactory, he would be a consumer under the Act. I do not care what his title or position is, he is a consumer. If his company bought a number of lawn-mowers, I would expect his company to look after its interests through the remedies available to it.

Mr. Wright: Would a person who was tied up in pyramid selling be regarded as a consumer?

Mr. KNOX: It is doubtful whether he would be because he is not consuming the product—he is not using it. He is merely a franchise-holder. On the face of it, he certainly does not appear to me to be a consumer. In effect he is a trader because he is looking for other people to whom he can get rid of the product. The businessman can complain to the Consumer Affairs Bureau if he thinks he has reason to. In fact he does do so, because the Bureau receives many complaints from businessmen who, as consumers in the community, are aggrieved. Those matters receive attention.

Advertisements for the islands in Moreton Bay are appearing in southern and overseas newspapers. The matter is currently under inquiry by the police. It is dealt with under section 37A of the Vagrants, Gaming, and Other Offences Act. It disturbs me that a number of the advertisements contain information which is quite incorrect. One of them mentions a projected skim vessel or hydrofoil service operating between Brisbane and the islands. Indeed, dotted lines on a map give the impression that the service already exists. Mention is made of a vehicular ferry all the way up the Brisbane

River. We have been in touch with the newspapers to let them know about this incorrect information, and some of the proprietors have refused to accept the advertisements. However it appears that such advertisements are still appearing in some newspapers. All we can hope is that people in the South become aware of the incorrect information.

Mr. Chinchen: If the Brisbane City Council shows a railway line on a map of an area where it is not intended by the Government to construct a railway line, is that false and misleading?

Mr. KNOX: It looks like it. I think I have seen that map. I know of no authority which the Brisbane City Council could possibly have used to show a railway line on the map. It has not yet included it in an advertisement; it is merely on the Town Plan. I certainly did not approve of the railway line the Brisbane City Council has on its maps.

While it is possible that these amendments may not go as far as some honourable members would wish, I assure all honourable members that we are advancing the powers of the Commissioner and the Bureau considerably, that we are moving with the times in this area, and that they can anticipate that in the next two years further amendments will be made to the Act. We are dealing with a dynamic situation in an affluent community, in which consumers are becoming better informed than previously, and in which we will find new avenues for consumer protection, self-help and education. I trust that the motion will receive the approval of the Committee.

Motion (Mr. Knox) agreed to.

Resolution reported.

FIRST READING

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

MARGARINE ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Acting Chairman of Committees, Mr. Wharton, Burnett, in the chair)

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (5.7 p.m.): I ask permission to move the motion in an amended form.

(Leave granted.)

Hon. V. B. SULLIVAN: I move—

"That a Bill be introduced to amend the Margarine Act of 1958 in a certain particular and to provide for a matter incidental thereto."

This is a very short Bill. It consists of three clauses, only two of which are of operative significance.

The Bill simply provides for an increase in this State's margarine quota as from 1 January 1973. This action is being taken in concert with all other States and the Commonwealth.

All honourable members will appreciate that our population has increased substantially since 1954, when the present Queensland quota was set. There has also been some change in eating habits.

I think we are all aware that some doctors recommend to certain patients that they eat polyunsaturated fats. Unfortunately, there is still a lot of confusion in the consumer's mind in this regard. I will not enter into the medical controversy; that is a matter for the medicos to sort out. However, it is quite clear that many housewives are under a completely wrong impression that all margarine is polyunsaturated. That is definitely not the case. A substantial proportion of all margarine sold in Australia consists of saturated fats. That applies to a lot of table margarine. It also applies to all cooking margarine, including the so-called spreads. In fact, 90 per cent of the fat content of cooking margarine, including the so-called spreads, consists of beef and mutton fat. I mention this at this stage only for the purpose of drawing attention to the fact that there are many misconceptions concerning margarine.

I expect later in the year to be in a position to introduce further legislation dealing with the packaging, labelling and promotion of margarine. I believe that is necessary to overcome some of the misleading presentation which has been indulged in by some margarine manufacturers. Such legislation will not be in any way discriminatory. It will simply be designed to ensure that the consumer knows what she, or he, is buying. Mainly, it will be aimed at ensuring that when a housewife wants polyunsaturated margarine that is what she gets.

I would have liked to include amendments regarding packaging and labelling in the present Bill. However, there are still some technical details to be worked out on an Australia-wide basis, and it is desirable that the provisions be uniform in all States.

The present Bill provides that the Queensland margarine quota be increased from its present level of 4,236 tons to 5,333 tonnes. The new figure has been expressed in metric form, but the quantity is equivalent to approximately 5,250 long tons. The new Queensland figure represents an increase of approximately 24 per cent.

New quotas have been agreed upon for all States. They have been worked out in a manner that will ensure that all margarine-manufacturing groups receive a similar percentage increase. The overall increase for Australia is 37.8 per cent.

In the past, some States, particularly Western Australia, South Australia and Tasmania have had very small quotas. The

Victorian quota was also fairly small. In the present changes, those States have been given a somewhat larger increase.

For the information of honourable members, I quote in long tons the old and new quota figures for all States:

——	Old	New
Queensland	4,236	5,250
New South Wales ..	9,000	10,800
Victoria	1,196	3,400
South Australia ..	528	700
Western Australia ..	800	1,400
Tasmania	312	600
	16,072	22,150

It will be noted from these figures that Queensland and New South Wales still have the largest quotas. This is as it should be, since these two States, particularly Queensland, are the main centres of production of vegetable oilseeds for edible purposes.

As far as polyunsaturated oils are concerned, safflower and sunflower are the two main crops. Virtually the whole of the Australian production is centred on Queensland and New South Wales. In 1972-73, depending on seasonal conditions, Queensland production of these two oil crops is expected to total 66,000 tons, whilst New South Wales is expected to produce about 51,000 tons. Thus, these two States will produce some 117,000 tons out of the Australian total of 120,000 tons.

I realise that concern may be felt in some dairy-industry circles about the increase. In order to allay any such fears, I point out that the main danger to butter sales in recent times has been from the so-called "spreads." They are in fact cooking margarine, and not table margarine, and are not subject to quotas. The present Bill will in no way affect this position. However, as I indicated earlier, I hope to introduce legislation later in the year to provide for more honest labelling of such products.

Finally, I repeat that the Bill is designed to bring table margarine quotas into line with present-day demand. It is expected that the increase will be mainly in the form of products made from vegetable oils and, in particular, polyunsaturated margarines. It is in this area that an apparent shortage has developed during the last year or so. The increases envisaged should ensure that adequate supplies are available for those who want them. Like you Mr. Wharton, I shall stick to butter.

I commend the motion to the Committee.

Mr. **BLAKE** (Isis) (5.15 p.m.): The Minister has said that this is a very short Bill. It may be short in length, but any legislation that deals with the margarine-butter question is long and controversial in effect. Honourable members will recall the warlike atmosphere that has prevailed whenever margarine-butter legislation has been proposed. The most recent example was in 1969, when margarine workers marched on Parliament House supposedly in defence of their jobs, and Press headlines screamed varying points of view. An example appeared in "Sunday Truth" of 19 October 1969. It read—

"A sticky Wicket Looms for Premier Joh.

"He could slip on margarine."

It speculated that any defeat of legislation to curb margarine manufacture would be taken by the Premier as a defeat of his leadership, and the debate on measures to protect butter from margarine was expected to generate more heat than any other measure introduced into Parliament for some years.

As honourable members know, that Bill was not introduced; it was allowed to die on the Business Paper. An article in "The Courier-Mail" of 17 October 1969 is headed, "Professor asks consumers for 'ban on butter'." Another is headed "A.L.P. must declare attitude—Premier."

The Premier, of course, was flying a kite to distract attention from his own embarrassing dilemma in having oil-seed growers and cattle producers in his own electorate opposed to the Bill then proposed. The A.L.P. has no need to declare its attitude to this matter. Its attitude and policy have been well known for a long time. We contend that an Australian product (or ingredient) has a right to compete for public acceptance on the market, provided that it meets necessary health regulations and is presented truthfully and without deception as to ingredients and price. The A.L.P. is of the opinion that the Government lags greatly in legislation designed to force truthful presentation of products intended for human consumption.

The Minister has indicated his intention to introduce, later in the year, further legislation dealing with the packaging, labelling and promotion of margarine. Personally, I believe that lack of labelling and detailed requirements regarding content and composition disadvantages some products in relation to others. I believe that butter, in relation to margarine, would be so disadvantaged under the present loose-labelling requirements.

The Minister has indicated the misconceptions that exist about polyunsaturated margarine and margarine containing large proportions of plain animal fats. We accept those points as valid. But he also said that the legislation on labelling will not be discriminatory; that it will simply be designed to let the housewife know what she is getting. If this stricter code of non-misleading packaging is applied only to margarine and not extended to all food-stuffs, it will in fact represent a form of discrimination.

We believe that the attempt at Australian labelling uniformity referred to by the Minister should be in keeping with the recommended international general standards on labelling for pre-packaged foods and should apply to all prepackaged foods. The recommendation reads—

"1. 'Label' includes any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on or attached to, a container of food.

"2. Prepackaged food shall not be described or presented on any label or in any labelling in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character in any respect.

"3. Prepackaged food shall not be described or presented on any label or in any labelling by words, pictorial or other devices which refer to or are suggestive either directly or indirectly, of any other product with which such food might be confused or in such a manner as to lead the purchaser or consumer to suppose that the food is connected with such other product.

"4. The name shall indicate the true nature of the food and normally be specific and not generic."

Incidentally, I refer to such practices as printing the word "cooking" in pale print on a pale background, which does not give a clear indication of the nature of the product.

The recommended international standards continue—

"5. A complete list of ingredients shall be declared on the label in descending order of proportion."

That is very important indeed, because if the ingredients are printed in a descending order of importance on the label a person can get a general impression of the contents at a glance without going into a detailed academic study.

The list concludes—

"6. The net contents shall be declared in liquid foods by volume."

A.L.P. members believe that the sooner these standards, or their equivalent, are adopted for all pre-packaged foodstuffs—I emphasise "all"—the better it will be.

Coupled with the matter of truthful labelling and presentation there must always be a truthful price structure, in keeping with reasonable costs of production and reasonable profit margins. This is the case with primary products, and I believe it should also be the case with all products bought by consumers.

Mr. Ahern: What do you think of the price of butter?

Mr. BLAKE: I thought sufficient investigation had been carried out at Government level to ensure that the price of butter could not be increased unless it was justified by costs. If that is not so, I have been greatly misled over the years.

Frequently we hear the argument that private enterprise and competition overcome all price ills, but in practice private agreements, backed by expensive "give-away" programmes, often indicate that the benefits of technology are not always fairly shared with the consumers.

The decision to increase present table margarine quotas has already been taken at Commonwealth level. The first move to increase the quotas was, I believe, taken in about August last. The quotas at that time were, as they still are, at an Australian per capita level of 2.9 lb. a head a year. It was decided to increase these quotas at the August meeting of the Australian Agricultural Council, at which the State Primary Industries Ministers—including, I presume, the Queensland Minister for Primary Industries—accepted that there was a growing shortage of table margarine. The Bill ratifies and adopts Queensland's quota, in agreement with other States. It is not a matter on which honourable members actually have to make any decision in this debate; the decision has already been made. Therefore, the warlike atmosphere that usually surrounds a margarine-butter political debate is not so much in evidence on this occasion.

Although the interests of butter producers and margarine producers will necessarily run different courses, much has happened in recent times to rationalise the relationship between the two interests, particularly in Queensland. The Commonwealth-State Marginal Dairy Farms Reconstruction Scheme was introduced in September 1970 with the purpose of assisting those dairy farmers who wished to leave the industry, assisting those who wished to remain to build up their farms by amalgamation of properties, and also assisting them with their debt reconstruction. The result of this has been a reduction in the number of dairy farmers. Some have been eliminated, some have amalgamated, some have turned to beef or vealer production, and, with or without State assistance, some have converted portion of their production to the fresh-milk market. Although the present outlets for transfer to a fresh-milk supply are limited, quite an appreciable quantity of milk that was formerly used for butter production has been transferred to the whole-milk field. All these factors combined have tended to achieve the scheme's objective of restricting Queensland's butter production in keeping with viable production units under Queensland climatic conditions. That was the objective of the scheme—or it was said to be the objective at the time.

I mention Queensland climatic conditions because I think they are very relevant to this discussion. I believe we have to face the realities of Queensland's limited ability to compete as a butter producer with areas in other States that are more climatically

favoured than Queensland. While any Queensland Government—I repeat "any Queensland Government"—must be held responsible for the welfare of Queensland dairy farmers who have been encouraged to remain in the industry, it would be a breach of its responsibility not to assess Queensland's competitive position as a butter producer realistically in relation to that of the other States.

This was illustrated to me quite starkly, in fact, when in 1969 I was asked by a questioner at a meeting of the Queensland Dairymen's Organisation whether the A.L.P., if it became the Government, would give him an increase of 20c a pound in the price of butter, because that was the increase that he personally would need to make a decent living. I asked him how any Government could promise him 20c a pound increase when the Australian Dairy Council had just recommended a 3c increase. The only conclusions that one could arrive at in such a situation were, firstly, that the men whom he had elected from the industry to represent him on the council were totally incompetent, or, secondly, that he was attempting to produce butter in a hostile environment, or, thirdly, that he was an inefficient producer.

I do not relate to the industry as a whole the claim of an individual that he needed an increase of 20c a pound, instead of the increase of 3c a pound recommended by the Australian Dairy Council However, these are the considerations that a producer or a Government must look at in relation to his or its State and national counterparts. I relate this to the fact that State agriculture or primary industry Ministers have already approved the principle of margarine quotas that we are discussing at present.

No doubt not only changing trends in production have had an influence on the issuing of these new quotas; there have also been definite and very distinct changes in consumer demands, and they have diminished the gulf of differences of interest between the butter producers and the table-margarine producers. Although previous legislation banned the production of margarine that looked like butter, we now hear of market demands for butter blended with vegetable oils. So we can see a definite change in consumer demands, as well as a definite lessening of the gap between the butter producer and the margarine producer. We even have Queensland butter producers who are producers of animal fats of another nature, and who are also oilseed producers. With fair legislation, the saleable products of one paddock are surely compatible with the products of an adjacent paddock on the same, or even another, farm, if presented truthfully to consumers.

On the Australian market we have a growing demand for margarine by consumers who actually prefer it because of taste or because of price, although the difference in price, is very small in the higher grades of margarine. Rightly or wrongly, some people prefer table margarine for health reasons. I say "rightly or wrongly" because of the divergence of medical opinion, which the Minister referred to. I am no authority on that point. When it comes to a question of the merits of polyunsaturated margarines in relation to cholesterol content and association with heart disease, I am not qualified to enter into the argument—in which, in any case, many qualified men cannot agree.

Irrespective of the rights or wrongs of conflicting medical opinion, in my view it is the right of consumers to have a choice, as long as they are not misled by false advertising or allowed to suffer a health risk because a product is not strictly in accordance with health regulation requirements.

The benefits of technology should be shared fairly with the consumer. The expenditure of so much money in promoting various products leads us to believe that if we are to give all products an "even go" on the market, some control should be kept over the benefits of technology so that a fair share of them is passed on to the consumer and they are not kept entirely by so-called private enterprise. There have been instances of collusion between people in maintaining prices. There is no denying that; they have come before the courts. We know that legislation is needed to overcome that sort of thing. Not only correct labelling but the devising of a correct price structure as well should be investigated.

Queensland has what appears to be a very high margarine quota. We have high production of the oilseeds which go largely towards the manufacture of table margarine. I think the Minister mentioned a figure of 66,000 tons. If there is an Australian demand for table margarine, as long as the consumer knows what he is getting and what are the health implications of the product he is eating, we on this side of the Chamber can relate the Queensland quota to the large production of oilseeds in this State. The principle of recognising the rights of other primary producers to compete on a market without deception is accepted by the Opposition.

Mr. AHERN (Landsborough) (5.35 p.m.): The Bill before the Committee providing for a substantial increase in the Queensland margarine quota has been agreed to by the Australian Agricultural Council. It has been said by many that this move is made in the interests of consumers and of the Australian oilseeds industry. It is on this particular point that I wish to speak.

At a recent conference the new Federal Minister for Primary Industry (Senator Wriedt) made the following comments:—

"At a recent meeting of the Australian Agricultural Council the Commonwealth Government played a part in the decision

to bolster the table margarine production quota from 16,000 to 22,000 tons annually. This decision, I believe, is in the interests of both the consuming public and the burgeoning oilseeds industry. Labor could no longer ignore rising demands from heart patients as well as ordinary consumers of polyunsaturated table margarine. The previous Government had turned a deaf ear to such demands."

I claim that the senator's statement is basically wrong.

Mr. Sullivan: Where did he make that statement?

Mr. AHERN: At an A.L.P. rural conference at Healesville on Saturday, 10 March.

Mr. Sullivan: Is that the meeting that broke up for want of a quorum?

Mr. AHERN: I think it was, but that is not mentioned in this document.

As I was saying, the senator's statement is basically wrong. All that an increase in quotas will mean is a like increase in the quantity of margarine that will be marketed in Australia. It is not correct to claim that quotas are being increased in the interests of the oilseeds industry. Although that thought might have been the background to the introduction of this legislation, I do not believe that the industry will benefit to a great extent. Nor is it correct to claim that quotas are being increased in the interests of heart patients.

If the increase envisaged by the legislation were to be confined to polyunsaturated vegetable margarines, there may have been some merit in the senator's claims. The Minister has foreshadowed the introduction of complementary legislation in the July session of this Parliament. At the moment all that the increase in quota means is an increase in the marketing of table margarine in Australia. There is no specific restriction to polyunsaturated margarines.

If effect were given to the intention behind the legislation as claimed by Senator Wriedt, there should be such a restriction, because with it the Australian oilseed producers would be able to compete against overseas vegetable-oil producers. At present 82 per cent of the production of table margarine comprises animal fat. The remaining 18 per cent is the polyunsaturated type.

The Minister has said that there is a demand for polyunsaturated margarine, which is not met. It will be good if some of the increased quota applies to polyunsaturated margarine, but there is no earthly reason why all or even half of the increase should go to it.

It could not be said that the increase will benefit the Australian producers, unless the Federal Government is prepared to provide adequate protection by way of some sort of customs or tariff arrangement so that our oilseed producers will be able to compete effectively. If the legislation ensured that the increased quota would apply to polyunsaturated margarine and provided adequate protection to the Australian oilseeds industry, it certainly could be claimed that the industry would benefit. However, this depends on the whim of the margarine retailers and on their sales promotion. Although I believe some across-the-board increases in margarine quotas in Australia are necessary, it is likely that the increased production will be of margarine based on animal fat, because such margarines are easier to sell and much cheaper to produce than the polyunsaturated types.

I take the honourable member for Isis to task on some of his comments because I believe that the Labor Party throughout Australia is highly vulnerable on this matter. If I had to interpret the spirit of the honourable member's statement, I should say he could be in a lot of trouble with the butter producers in his electorate. The general tenor of his remarks was that the quota restraint, which is imposed in the interests of people in the dairy industry, to protect them from an imitation product, should be waived, provided adequate labelling and health standards were complied with, and the product was produced by an Australian producer.

Mr. BLAKE: I rise to a point of order. I could not have said that. I made it quite clear that, if the product was presented in its natural form and correctly and truthfully labelled, we thought it had a right to compete, but that it should not be competing as an imitation product.

Mr. AHERN: I accept the honourable member's statement, but he is not ready to concede that margarine is an imitation product. Surely that cannot be contested. With all the technology available, it is dressed up to make it look like butter. The idea is to produce something that is cheaper than butter so that, accordingly, there will be a market for it. Its manufacturers use all the guile at their command to show that it is like butter. It is even said that it tastes creamy. Despite all the labelling provisions imaginable, we cannot get away from the basic point that margarine is being manufactured specifically as imitation butter. That is why, in 1969, dairy industry leaders made representations to us pointing out that all the labelling provisions in the world would not give protection because the margarine manufacturers would be able to get around them. The only way to get over that dilemma is to prevent margarine from looking like butter or prevent manufacturers from dressing it up like butter. We tried to do that, but we ran into problems in our own party rooms, and, living in a democracy, we had to compromise in the decisions made at that time. It is not possible to label this product out of competition with butter, because its manufacturing process is geared to making it resemble butter.

I was astounded at the general approach of the honourable member for Isis and the way in which he criticised the Government on this occasion. It is a fact of life that Australian margarine quotas were adjusted last time because the States in Australia controlled by Labor had not policed them. When we examined the situation in other Australian States, we found that, although Labor Governments had ostensibly agreed to control by way of quotas, they had not policed them, with the result that there was a dramatic increase in margarine production in New South Wales.

Mr. BLAKE: I rise to a point of order. I am not aware that I criticised quotas. I should like the honourable member to refer to the statement in which I criticised them.

Mr. AHERN: The honourable member is not listening carefully. He criticised the Government on the general margarine question. There is no doubt at all that the Labor Party is vulnerable on this issue so far as the dairy industry is concerned because States with Labor Governments have not policed their quotas. Pressure is coming from the Labor-governed States to abolish the spirit of margarine quotas altogether.

It seems to me, from the tone of the honourable member's statement tonight that, provided certain labelling provisions are met and only Australian products are used, this product should be allowed to compete freely with butter on the Australian market. The clear inference to be drawn is that the spirit of the quota system in Australia is not appropriate. After all, what is it there for but to restrain the over-all production of this product which is dressed up to look like butter? If the honourable member says that it should be allowed to compete freely, he obviously believes in the abolition of quotas, and is adopting the historical attitude of Labor Governments in other States—it is a matter of record—that quotas should be removed altogether. That is in fact what they are still agitating for.

If that is their attitude, I am happy to hear it, and I think dairy farmers would know quite clearly the Labor Party's attitude. They can have no doubt about it because, when this Government in 1969 tried to introduce a Bill on this question and A.L.P. members were asked to stand up and be counted, they said, "You can go to blazes. We don't care about the dairy farmers."

Mr. Tucker: Some of the members of the coalition Government pulled out.

Mr. AHERN: The honourable member for Townsville West makes that comment. Let me say that, in respect of any measure coming before Parliament, at times we will disagree. It was right and proper, seeing that we did not have the numbers, to withdraw the legislation. I could cite many instances of division of opinion in the Labor Party at this time. As a matter of fact, no political party is more divided at the moment than the Labor Party in this State. There was a division of opinion in the Government on the earlier legislation and I do not run away from that fact.

I predict that in the very near future the campaign against butter and animal fats, including 82 per cent of the margarines on the market at present, on the ground that cholesterol is directly involved in the hardening of arteries in heart disease will be proved to be a colossal mistake—and I use the word "mistake" because I do not think that "hoax" is appropriate. It will be shown that cholesterol is only an index of hardening of arteries, and that other fatty acids released into the body during tension periods are the real culprit in the situation. Two Tasmanian doctors have come up with this proposition recently. They said that cholesterol was really only an index of hardening of the arteries that had already occurred.

Mr. Tucker interjected.

Mr. AHERN: I do not intend to "rubbish" those research workers in Tasmania, as the honourable member seems willing to do.

Mr. Tucker: It has been said that every man has his price and I can see that some members on your side can be bought.

Mr. AHERN: The honourable member for Townsville West says that the two doctors in Tasmania were bribed. I am not prepared to accept that. I made those points because I felt it was important that they be made at this introductory stage.

Mr. O'DONNELL (Belyando) (5.50 p.m.): It is unfortunate that I have to follow the honourable member for Landsborough. The Minister said, almost in his last sentence, that people are confused over this issue. If any person is more confused than the honourable member for Landsborough, I should like to meet him. We are dealing with legislation relating to table margarine, and he has spoken about cooking margarine imitating butter.

Mr. AHERN: I rise to a point of order. I did not make that point. The honourable member for Belyando is totally incorrect.

The TEMPORARY CHAIRMAN (Mr. Low): Order! There is no valid point of order.

Mr. O'DONNELL: I have never consciously tasted margarine in my life, but I do not intend to allow that to influence me in what I am about to say. I shall tell the Committee why margarine has not entered my house. Margarine is an old product. I am approaching 60 years of age, and I can remember that when I was a child margarine was forbidden in my home as a matter of strong Labor principle because it was produced by the exploitation of coloured labour overseas. I am speaking now of cooking

margarine, which has been mentioned here today. That was an important Labor principle in the days of my youth, and I grew up in an environment in which margarine was not used.

Today, there are different types of margarine; I think the Minister classified it into three types. There is table margarine that is classified as polyunsaturated, and no doubt there is table margarine that is not polyunsaturated. There are then the cooking margarines, and it is these that are worrying the dairying industry. Table margarines are not in themselves a menace to Australian primary producers, provided their ingredients are totally Australian produced. No fair-minded primary producer in Australia has ever denied the right of another Australian primary producer to make a living. Labor members have no objection to the production of table margarine from ingredients produced in Australia.

Let us now have a look at some of the things that this Government did. It is not so long ago that the Federal Liberal-Country Party Government allowed into Australia thousands of tons of whale oil duty free to bolster up the cooking margarine industry. Let it not be forgotten, too, that the same Government allowed overseas vegetable oils into Australia in very large quantities to assist the table margarine industry. This was what worried the A.L.P. as a political party.

The honourable member for Landsborough also made the statement that the A.L.P. could not face up to the dairy industry. That is a lot of rubbish. I should like to know the percentage of support that the Australian Labor Party has received, as a party, from the dairy industry at any time. What difference would it make politically to us? We have only been trying to help the dairy industry.

An A.L.P. Federal Government introduced subsidies for the dairy industry. Labor built them up year after year, only to have them reduced by the Menzies Government. How many extra votes did the A.L.P. obtain from dairy farmers for that action? We would not have received one per cent more votes from them.

Let us return to the question before the Committee, which has much more in it than one might realise from listening to the Minister's introduction of the Bill. This is in a sense a debate that cannot arouse a great deal of spirited opposition, because, after all, the decision has been made and we are merely approving of it. There is a considerable amount of spirited debate in Australia, not only between the margarine interests and the butter interests but also among the margarine interests themselves. This is something that people do not realise, and it is not an easy question to resolve.

I do not know whether or not it is a question of competition, but it should not be forgotten that these very big enterprises support the present Government of Queensland and also supported the Government that recently was defeated in Canberra. Their outlook on the Australian scene is they wish to get rid of all quotas, and they do not hesitate to say so. However, if one were to say to them, "All right, let us dispense with quotas, but let us also dispense with licences," they would have another say. Three of them, of course, dominate the production of margarine in Australia. Unilever is one, Marrickville is another, and Provincial Traders is the third. Between them, they are responsible for more than 70 per cent of the margarine produced in Australia. They do not want the licences extended; they want quotas reduced. That should not be forgotten.

Some Government members seem to think that we of the Opposition are ignorant of these facts. I remind them that the Opposition is completely conversant with what is going on. We know very well that there is quite a division of opinion in Australia about these companies, and that Australian-backed companies are not very happy about the activities of overseas-based companies. These are all important matters, and they are continually creating a situation in which people are being confused.

Let us talk about honesty as it affects the Government. Early last year the anti-Labor Government sent overseas Australian margarine that was not labelled as either "cooking" or "table" because it said those descriptions were spoiling the overseas margarine market. It did not think anything of removing the truth from the packaging in order to make sales overseas. That is an indictment of that Government, and the Opposition is aware of what it did.

What does the Minister think when he comes into this Chamber and says that cooking margarine is a false product because it imitates butter? I suppose the companies that put "Spreadwell" on the pack, and so on, are attempting to delude people. But there is a reasonable standard of education in Australia today and people can read. They know that "margarine" does not spell "butter". At least, I hope they do; there is something wrong with their education if they do not. There is no need to do anything more than put on the same packaging a statement that the contents are 90 per cent animal fat.

I also have a grievance about some of the margarines. I think it is wrong to propagate the idea—this applies to all foods—that any product is entirely a health product. I do not think it would be false to say of polyunsaturated margarine that it has been recommended by certain doctors to certain patients, and that it has benefited them. That would be true. But to advertise it and suggest that it is one of the wonders of the world in the treatment of heart disease is, I think, going over the fence. It would be equally wrong to say the same

thing about butter or pure-fruit juices. Honourable members know that a person who takes these things to excess can do himself harm.

Why cannot there be an intelligent approach to this matter? How a product that is limited by quotas can gain any advantage by advertising such untruths, or virtual untruths, quite confuses me. In my opinion, there has already been sufficient argument relative to increasing the production of table margarine.

[*Sitting suspended from 6 to 7.15 p.m.*]

Mr. O'DONNELL: I do not think anybody would quibble about an increased margarine quota when it is remembered that the last allocation of quotas was in 1954. There has been a considerable increase in population over the intervening 19 years. We have to concede that many people eat table margarine by choice, and there has been wide recommendation by the medical profession for the consumption of margarine rather than butter by people suffering from heart ailments.

I have heard doctors affirm that polyunsaturated foods are of considerable help to people suffering from heart ailments. On the other hand, other doctors, whilst not actually denying the desirability of polyunsaturated foods, question the validity of the argument as it relates to cholestrol I can cite two cases. I doubt whether a surgeon friend of mine ever ate butter. Indeed, he was a health crank in that respect, although I would prefer to avoid the use of the word "crank". He did everything possible to keep himself physically fit, but when he was comparatively young he died very suddenly one morning while doing physical exercises. I have recently consulted a specialist and, quite frankly, while my condition was described as "rotten", I was not told to eat margarine. This is a very controversial matter and probably it depends largely on the doctor and, to a certain extent, the patient.

We have heard about the animosity between the dairy industry and the margarine industry, and just before the dinner recess the honourable member for Landsborough tried to make some political capital out of it. I do not think the honourable member knows that when we export margarine a grading system is applied. We do not export any margarine that is graded below 83 points, so that margarine of that standard is obviously being sold on the domestic market. Export margarine with a grading of 83 to 86 points must be labelled "Manufacturing margarine". Margarine with a grading from 86 to 93 points is allowed to go overseas without qualification or classification. Margarine with a grading above 93 points can be classified as "Choicest quality". If we had a similar grading system on the home market it would be a guide to consumers. The term "polyunsaturated" could be used where it applied. The standard has been set by the National Health and Medical Research Council. I asked a question on this point in the House not very long ago, because certain doctors had expressed the opinion that some margarine that was not polyunsaturated was being described and sold as a polyunsaturated product. In his reply, the Minister for Health said that his department had no knowledge of this happening in Queensland. I suspect that it could happen, and maybe even does happen. If the dairy industry wishes to offer constructive criticism of the margarine industry, it should investigate this situation.

A great deal of confusion has arisen over the use of the lower grades of margarine that contain animal fat. I am referring now to manufacturing or cooking margarine. This confusion is widespread among the general public and, as well, the dairy farmers. Cooking margarine can be purchased very cheaply, but if a grading system is adopted for the export market and margarine of below 83 points is considered to be unfit for export, why should it not also be declared unfit for local consumption? As I have said before, I am concerned about the health aspect and decry its use in salesmanship. It is quite obvious that, to certain people, some of the best-quality foods are poison. It is impossible to aver with any degree of certainty that a certain product will be beneficial to all consumers.

I have no doubt that a number of interested persons will agitate against any increase in margarine quotas. However, in the light of my 35 years' experience with the Queensland Dairymen's Organisation I have sufficient confidence in it, as well as in the dairying industry leaders, to know that many of the furphies will be dispelled. The establishment of the Q.D.O. left a great deal to be desired, not in the sense that its members were personally at fault but that their experience and ability were insufficient to cope with any situation that might arise. However, nowadays the organisation enjoys the utmost self-confidence.

The dairying and margarine industries can exist side by side. I believe that there was a real need for the introduction of new crops, such as safflower and sunflower, that would enable farmers to diversify. The production of oil from sunflower and safflower seeds should be fostered, provided its production is retained under Australian control. We are not interested in the importation of palm oil or coconut oil for the manufacture of table margarine. We must ensure that the product is all Australian. As such, it can take its rightful place in competition with the dairy industry.

I realise that to the Minister, who is obviously a supporter of the dairy industry, the Bill will be a little rancid. However, I think he will see merit in my comments. Of course, while he continues to eat butter he will retain his rotund appearance.

Mr. WHARTON (Burnett) (7.25 p.m.): I join in the debate on this important measure, which, perhaps, is not as controversial as it would have been a few years ago. Being a dairy farmer, I approach the Bill with mixed feelings that could perhaps be likened to those of a man who saw his mother-in-law going over the cliff in his latest model Jaguar. I am sure that all honourable members are concerned about the future of the dairy industry, but, at the same time, I realise there is merit in this legislation because it is designed to preserve quotas on a State basis. People in the dairy industry believe in quotas.

Mr. Sherrington: I reckon he'll have two "bob" each way.

The TEMPORARY CHAIRMAN (Mr. W. D. Hewitt): Order!

Mr. Sherrington: Well, 30c each way.

The TEMPORARY CHAIRMAN: Order!

Mr. WHARTON: I thank you for your protection, Mr. Hewitt. Dairy farmers have enjoyed the protection conferred by quotas, and they want them to be retained. Legislation introduced this session shows that the Government believes in orderly marketing of many of our primary products. We want to maintain the present set-up and, to do so, we must be prepared to meet changing circumstances by increasing table margarine quotas.

Mr. Sherrington: What do you think of the Minister for Local Government?

Mr. WHARTON: I do not think much of the honourable member because he is always making irrelevant interjections. I, with other people in the dairy industry, am greatly disturbed at the statement attributed to Senator Wriedt that the lid could be lifted off margarine quotas. We should be pressing now for the permanent preservation of quotas on table margarine.

The honourable member for Belyando spoke against oils being imported for the manufacture of table margarine. When this Bill becomes law, we must introduce labelling to ensure that polyunsaturated margarine is made only from Australian vegetable products such as soya bean.

Mr. Tucker: Why don't you get onto something new? All this has been said before.

Mr. WHARTON: I prefaced my remarks by saying that Senator Wriedt had caused a stir by saying that we should lift the lid off margarine quotas. What has the A.L.P. done for the dairying industry? A.L.P. spokesmen have said that Labor looked after the dairy farmers and gave them subsidies and so on. I recall that when Ben Chifley, a great Labor Prime Minister ——

Opposition Members interjected.

Mr. WHARTON: Opposition members have asked for it, and they will get it. They asked for something new on margarine.

An Opposition Member interjected.

Mr. WHARTON: There is no way in the world we can do without quotas for butter.

Margarine is in competition with butter, therefore it affects the dairy industry. In 1942 or 1943, Ben Chifley introduced a butter subsidy scheme.

An Opposition Member interjected.

Mr. WHARTON: Never mind about Gough; I do not want to talk about him. I am talking about Ben Chifley.

When Ben Chifley introduced the subsidy scheme, it was based on total production. In 1942-43 he gave the dairy industry $1,288,141 as a consumers' subsidy. At that time dairy farmers were getting 1s. 2d. a lb. for butter and the subsidy worked out at 1d. a lb. That scheme was always lauded as a great thing that the A.L.P. had done for dairy-farmers. When the farmer was getting 1s. 2d. a lb., the local price of butter was 1s. 6d. a lb. Export butter realised more than 1s. 6d. a lb. and Ben Chifley paid us 1d. a lb. subsidy and put the excess into the Treasury.

Opposition Members interjected.

The TEMPORARY CHAIRMAN (Mr. W. D. Hewitt): Order! Constant interjections are out of order and must cease.

Mr. WHARTON: He is the man who was supposed to have done so much for the dairy industry.

Mr. K. J. Hooper: Why subsidise an inefficient industry?

Mr. WHARTON: The honourable member does not know what he is talking about. No industry is more efficient than the dairy industry, and it is subsidised to help consumers. There is no industry in which people work longer hours for such a small return. And dairy farmers produce more than other farmers throughout the Commonwealth.

The problem is that Queensland is producing huge quantities of soya bean and other oilseeds which are the ingredients of polyunsaturated margarine. It is felt that those industries should be supported and given an outlet on our local market rather than be forced to export their products. Whilst export prices are quite good at the moment and whilst these producers would probably be better off exporting their products, they should be given the opportunity to meet the need on the local market for polyunsaturated margarine for health reasons. The legislation is aimed at achieving that result. Some honourable members have mentioned the virtues of polyunsaturated margarine. I do

not want to mention them at all. I merely point out that research has shown that butter does not cause heart problems.

An Opposition Member interjected.

Mr. WHARTON: Plenty of doctors. I have not the information with me but I have previously referred to Dr.——

Mr. Marginson: Dr. Wharton.

Mr. WHARTON: He is not a bad doctor. He would cure the honourable member. Research has proved that butter does not affect the heart, and in that regard it is certainly better than margarine. I have shown that the Bill is necessary in order to preserve quotas in Queensland and in Australia and so ensure a better and more equitable sharing of the market between butter and "spread".

Mr. F. P. MOORE (Mourilyan) (7.33 p.m.): This is another somersault on the part of the Country Party-dominated Government.

Mr. R. E. Moore: You don't know what you're talking about.

Mr. F. P. MOORE: The "wizard" from Windsor interjects once again. We all know that the Liberal Party had a stranglehold on the Country Party on the previous occasion when such a Bill as this was introduced. Joh. Petersen went to water; the legislation remained on the Business Paper for months, and then it suddenly disappeared.

An Opposition Member: He backed down.

Mr. F. P. MOORE: There is no doubt that he backed down. In good old Australian terms, it was similar to what happens when a dingo makes an attack and then runs away.

The honourable member for Burnett said that Ben Chifley gave assistance to the dairy industry but then obtained money from it and put it into the Treasury coffers. I cannot see anything wrong with that. As long as he did not adversely affect the dairy industry, he was doing something for the country in general.

Ben Chifley was the architect of rural construction in this country. I have previously produced the proof of that statement, and any honourable member who wants to check can find it in the Parliamentary Library. When the honourable member for Burnett was speaking, the honourable member for Ithaca interjected, "A great, great man." Undoubtedly he was. I understand that the honourable member for Burnett agrees with that.

Mr. WHARTON: I rise to a point of order. I do not agree with the honourable member. I believe that Ben Chifley brought about the need for rural reconstruction.

Mr. F. P. MOORE: I do not know whether the honourable member has taken a point of order on me, or whether——

The TEMPORARY CHAIRMAN (Mr. W. D. Hewitt): Order! I ask the honourable member for Mourilyan to proceed with his speech.

Mr. F. P. MOORE: I shall do so, Mr. Hewitt. I am reliably informed that the honourable member for Burnett was a member of the Labor Party during that period.

Mr. WHARTON: I rise to a point of order. I have never been a member of the A.L.P.—and I never will be, either.

The TEMPORARY CHAIRMAN: Order! The honourable member for Burnett has denied the truth of the honourable member's statement. He will please withdraw it.

Mr. F. P. MOORE: I withdraw the statement, but somewhere along the line——

The TEMPORARY CHAIRMAN: Order! There is no need to qualify the withdrawal. The honourable member will continue with his speech, and the Chamber will come to order.

Mr. F. P. MOORE: There has been a change of heart in the Country Party. As I have said time and time again—and will continue to say—the coalition of the Liberal and Country Parties has failed in all other States. This is the only State where it has survived, and here it is led by the Country Party, which received 19 per cent of the votes at the last election. The Country Party is strangled by the Liberal Party, hence the introduction of this Bill.

Although I listened intently to the Minister's introductory speech, I could not claim any accuracy in quoting figures. I can say, however, that the tonnages of safflower and sunflower seed produced in Queensland are greater than those produced in New South Wales, yet the New South Wales margarine quota is greater than the Queensland quota. Why cannot Queensland produce more margarine and export it? I cannot see why this State should not receive the benefit of the tonnage of safflower and sunflower seed grown in this State. Apparently the other States have again beaten Queensland to the punch.

This does not alter the fact that I am a supporter of the dairy industry. As a result of the last redistribution of electoral boundaries, there is now a large dairying area in my electorate.

An Opposition Member: Because of the gerrymander.

Mr. F. P. MOORE: Yes, but "Gerrymander Joh" did not succeed. According to all the newspaper pundits, I was going to have a hard tussle on the new boundaries of Mourilyan. But what happened? My vote

increased substantially, and I had a greater absolute majority. The dairy farmers heard more from me on the soap-box than they heard from my opponents. I found that I was able to speak to the people and make sure that they would get the "goods". These people are again at a loss, and small dairy farmers have been going to the wall while the big ones get bigger.

Mr. Sullivan: Would you agree that next time you will possibly have a harder tussle getting endorsement?

Opposition Members interjected.

The TEMPORARY CHAIRMAN: Order! When the Chamber comes to order, the honourable member for Mourilyan will continue with his speech.

Mr. F. P. MOORE: I will accept the Minister's interjection.

The TEMPORARY CHAIRMAN: Order! The interjection was quite irrelevant to the matter under discussion. The honourable member will not deal with it. He will proceed with his speech or be ruled out of order.

Mr. F. P. MOORE: I am not going to be interrogated by a slob like that.

The TEMPORARY CHAIRMAN: Order! The honourable member will withdraw that remark.

Mr. F. P. MOORE: I will withdraw the remark, but I will bet $1,000 right here and now that I will get endorsement and hold the seat.

Let me return to the Bill under discussion. In my electorate, and the Atherton Tableland, we have the Malanda and Millaa Millaa co-operative dairy associations, which are two major butter and milk factories. They are both well-respected companies. The Millaa Millaa Central Tableland Co-operative Butter Association Ltd. has a milk factory at Innisfail, and a report in the "Evening Advocate" of Friday, 23 March, indicates that the shareholders of the two companies are to meet on the question of amalgamation and that a statement will be issued on 6 April.

The TEMPORARY CHAIRMAN (Mr. W. D. Hewitt): Order! The Chair fails to see how milk supply has anything to do with a Bill relating to margarine.

Mr. F. P. MOORE: I am relating this to the fact that although Queensland grows the larger quantity of seed used for the production of margarine, its quota has not increased as much as the quota in New South Wales. Because of that, what is being done to encourage the milk producers in this State? Again I say that, in common with other members of the Labor Party, I am one of the fighters for primary industry over the length and breadth of Queensland.

I point out that if the shareholders of the Malanda and Millaa Millaa factories decide to close down the milk factory at Innisfail, it will mean the loss of a quota and of a centre of employment. That is what the Country Party wants in this State; that is what has been occurring. Honourable members opposite can claim that Queensland is the most decentralised State only because it was the most decentralised State before they came to power.

Let me return to the subject of cooking margarine. I remember the days when I went to school with dripping on my sandwiches. Honourable members opposite do not know what hard times were like. I used to exchange my dripping sandwiches for the ham and butter sandwiches of the sons of members of the Country Party who now sit on the Government benches.

Mr. Jensen: Dripping was very nice with pepper and salt on it. I loved it, especially on the twisty crust on the bread.

Mr. F. P. MOORE: That is probably what attracted the children of Country Party members when I took my dripping sandwiches to school, but I do not recall whether my mother put salt and pepper on the dripping.

After World War II, when the Chifley Government was in office in Canberra, butter was scarce and appeals were made to the dairy farmers on the Atherton Tableland to increase their production. The dairy farmers have received Government support ever since, and I repeat that honourable members opposite have never known hard times. The honourable member for Callide now has his property for sale for $500,000.

I reiterate that I do not think Queensland has received a fair share of the quotas when it produces the greatest quantity of grain for the production of margarine. New South Wales produces a smaller quantity of grain, yet it receives a bigger quota. Cannot Queensland export more margarine and gain a greater return for this State?

Mr. AIKEN (Warrego) (7.44 p.m.): The proposed Bill is long overdue, because Australia is one of the few nations in the world maintaining restrictions on the production of table margarine. With the demand that has existed in Queensland, and in Australia generally, in the last few years, the Bill should have been introduced much earlier.

With the agreement between the State Ministers and the Australian Agricultural Council for a 37.8 per cent increase in quotas of margarine and Queensland receiving 24 per cent, I think we are fortunate that the Bill has come before the Committee as early as it has. Shortages in polyunsaturated table margarine have occurred consistently. All other things being equal, when there is a demand for a product, it should be met. As the Minister pointed out, there is a need for provisions to ensure that the various types of margarine are correctly

labelled. Other speakers have dealt with that matter. Before the next session of Parliament we will make sure whether or not the consumer is fully protected.

The oilseeds industry is well on the move in Australia, particularly in Queensland. The rise in margarine quotas will mean a larger domestic market, and this should be an incentive to growers to step up production. And what better market can we have than our own domestic market.

The honourable member for Landsborough pointed out that there is a vast difference between cooking margarine and table margarine. No doubt, as the Minister pointed out, there have been misleading interpretations of different types of margarine. Probably there have been some problems in the labelling of margarine. Every protection should be given to the consumer in the labelling and marketing of this product. If tallow, cheaper fats and cheaper oils are used in the manufacture of margarine, that fact should be clearly indicated on the package. The oilseed producer and the crushing industry will be in favour of the Bill as more and more customers will in time change to the cheaper types of spread such as margarine, and possibly even a mixture of margarine and butter.

Continual research into more prolific oilseed production could lower costs in the industry. The Australian margarine manufacturer could eventually control the flood of protein-rich table products that could saturate Australia, and possibly he could in a big way move into world markets. As the present time the Australian margarine industry has hardly any recognition on world markets.

Of course, the stubborn dairyman will not surrender his previously strong position as the provider of table fare, and I believe that his determination to fight is without doubt. Costly Press, radio and television propaganda have illustrated the advantages of butter over margarine. Today the wings of the dairy industry have been clipped financially by drought, the loss of the British market, revaluation and the mounting stocks of butter, particularly in the heavy-producing countries of Europe, which under subsidy could saturate the markets of the world, leaving the Australian butter industry and even the Australian margarine industry in a risky position. I point out that today in the European Common Market there is something like 400,000 tons of surplus butter, 200,000 of which Russia is endeavouring to buy at a very low price. That is possible under the European Common Market system of subsidies.

Nobody is going to deny the general efficiency of the dairy farmer and the margarine producer. The dairy farmer is now very well aware that he must strip the deck for a life-and-death struggle with the margarine producer. As margarine encroaches more and more into the traditional fields of butter, he must maintain or even improve the quality and flavour of butter.

In 1968 the dairy industry, being aware of a growing surplus, accepted a voluntary cut-back in order to keep the industry output at an acceptable level. Since that time the output of the nation has fallen perceptibly and this year it is recorded at the very low figure of 175,000 tons. This is partly the result of inroads into the butter industry by margarine. Many experienced dairymen consider that a national quota and pricing plan is essential to the stability of their industry so that margarine can be held at bay.

The recent Australia-wide drought has caused a shortage of butter. To some extent the effects of this shortage were cushioned by Britain's entry into the Common Market and the resultant lowering of the demand for Australian butter overseas. Therefore, Australia has been able to hold its own. If Britain had continued to import normal quantities of Australian butter, it would have been very short in this country and there would have been a need for this Bill before now.

Past experience has shown that the Common Market, per medium of its lavish export subsidies, is capable of attacking Australia's export markets outside the traditional areas. This is being shown in both butter and margarine. I think that the production of margarine in Australia will rise considerably. However, it will always be faced with the threat of the Common Market.

Lower milk production as well as reduced outputs of skim-milk powder, butter and butter oil have left the dairying industry in a situation that, with the recent return to good seasons, will probably improve rapidly. But, at present, the margarine industry has made deep inroads into the butter industry, and I believe that butter will need to fight hard and strong to hold out margarine.

Unfortunately, the dairy farmer is regarded as the poor relation among primary producers, with the result that he has been downgraded by the Government. It must have been with some mortification that the Minister, who is a dairy farmer, introduced this Bill this afternoon. It was strange to hear him conclude by saying, "I commend the motion." Apparently he, like his Government, has become far removed from the thinking of the dairy farmer. Like a secret society, his Government has become quite remote from the primary producers. Apparently it has readily yielded to the demands of the oilseed producer.

In Queensland the areas of land capable of returning a high level of production are limited. In the light of a continual increase in world production as well as a rise in local rural production, the farmers should be regarded as people of some importance. These remarks apply equally to dairy farmers

and oilseed producers. However, the Government only leaks information back into the cities about how well it is treating farmers. The truth is, of course, that an ever-increasing number of farmers are leaving the land and butter production is slipping. Although margarine and oilseed production is on the increase at present, it may not continue to rise.

In the Coolmunda Dam area results have shown that oilseeds, such as safflower and soya bean, can be grown under irrigation. However, water costs are exorbitant and the farmers are loath to use irrigation, with the result that the dam is used only to 25 per cent of its potential. A great deal of public money has been spent on this public utility, but it is being wasted. As I have said, oilseed, particularly soya bean and safflower, can be grown in the area quite successfully. At present, Queensland can sell all the oilseed it can produce, with Japan an eager customer. If we can produce more margarine, no doubt Japan will accept it. Apart from being suitable for growing oilseed crops, the Inglewood area is suitable for the production of tobacco, cereals and fruit crops. It is time the Government took action to ensure that the potential of this area is fully realised.

Today, the housewife is plagued with high charges and rising food costs. When margarine is correctly labelled, and the housewife realises that she is not being "touched" when she buys it, the consumption will increase and, undoubtedly, quotas will be lifted. It is important to remember that marketing includes attractive packaging, presentation, handling and storage of the article. I am sure that the Minister will apply himself to these matters when he introduces legislation on presentation and packaging in the next session.

We should try to ensure that the producer gets a fair proportion of the amount paid by the consumer, otherwise he will not remain in the business. Today, the consumer is paying a healthy price for any rural product, but the producer does not get a fair share of the amount paid. A production-entitlement scheme designed to ensure stability in all primary industries is essential. Customers are important and must be fully considered and catered for. They need education in what rural industries have to offer, particularly in matters of health flowing from the consumption of butter and margarine.

When the Minister presents legislation during the next session of Parliament, I hope to see that some action is to be taken to aid the producers, which would be contrary to the normal action for which the Government is renowned, that is pigeonholing or shelving reports and thus denying a fair go to the hardest-working best-producing citizens. When the Minister introduces the legislation controlling presentation and packaging, I hope to see that it recognises that we have farmers who are worked hard and under paid. Under the existing marketing mechanism, the return for farm products is completely disproportionate to the cost of production and reacts violently on the producers. This position has remained constant for a long time, but nothing has been done to relieve it.

If more oilseed growers move into production, they will be in an area of quicksand. Future sales will depend on supply and demand, not production costs, and that must be foremost in the Government's thinking.

As the honourable member for Burnett said, this important Bill will affect the dairy industry severely. Millions of dollars have been invested in farms, butter and cheese factories, and so on. But the returns to the dairy industry have ben meagre despite the huge investment and the declining numbers engaged in the industry. One of the tragedies is the unknown number of dairy cattle slaughtered. By way of adding insult to injury, I wonder how much tallow from slaughtered dairy cows has been used in the manufacture of margarine. I also wonder how many dairy farmers use margarine as a dietary aid, or because it is cheaper than butter.

The World Heart Foundation gave margarine a tremendous boost with its controversial report that animal fats, particularly butter, could be injurious to humans with faulty hearts and cholesterol problems. Today, the public, being more discriminatory than ever, has been well circularised through the news media on the merits of margarine. I believe that, if the dairy industry is to survive, it must reorganise itself and popularise milk, butter and cheese. If it is to remain in business, those products must be made more acceptable to customers. Unlike the honourable member for Landsborough, I am not trying to play politics. I do not intend to compare margarine and butter, which is an issue that has nothing at all to do with A.L.P. policy. I note the absence of the Premier tonight. He was here two years ago when he almost brought this Government to defeat over this very controversial matter.

After all, people buy margarine either because it is cheaper than butter or for health reasons. We are not trying to make an issue out of this. It must be remembered that margarine is well presented to the public and is highly palatable and nutritious. It ranks with butter in both of those fields. I am not a critic of the dairy industry; nor do I want to be one. Rather I am an admirer of the marvellous efficiency and expertise that have kept alive this industry despite its many adversities.

However, I am a critic of the Government that has leaned so heavily on the dairy districts, which traditionally return Country Party members of Parliament. I am concerned also about what will happen to the oilseed

producer. At the moment, the oilseed industry is in its infancy in this State and is only established in the south-east corner. It has vast potential but God only knows whether it will prosper under this indifferent Government.

It is not sufficient for the Government to administer subsidy hand-outs and to make technical services available to the dairy industry. The industry needs more than that. With the introduction of this Bill, the dairy industry is in a more dangerous situation than ever. Determined Government action is required to halt the unhealthy trends such as low returns, low morale, dangerous decrease in production, and the departure of trained and expert personnel from the industry. If it is to compete with the margarine industry, the Government must stop picking its nose and get busy.

This Bill is a bill of demand by the public. It asks for increased production to meet shortages. I do not know why this Government, which is a self-professed supporter of farmers, has not been able to give more assistance to the dairy farmer. There is a bad communication gap between the Government and the farmer on what profitability and a fair go and just return for capital outlay mean, with the farmer always receiving the worst end of the stick. It must be remembered that retail prices are not the net return to the producer. His proportion has been far too low.

Dairy farmers, to compete with margarine, could be forced to amalgamate properties. In this way top management could be employed and the farmers who have amalgamated could become shareholders and take advantage of the economy of scale and syndication of plant and buildings.

(Time expired.)

Mr. HANSON (Port Curtis) (8.4 p.m.): This is a very important measure. I feel that the Opposition's case has been effectively presented in a way that indicates, even to the most casual observer, that a considerable amount of research has been conducted by members of the Opposition's primary industries committee. On this occasion, the Government is trying to suggest that for many years the A.L.P. has fallen short in respect and encouragement for the dairying industry. This is one of the reasons why I enter the debate.

I was quite appalled by the attempt of the honourable member for Landsborough to distort, for cheap political capital, the constructive speech made by the honourable member for Isis. After the shadow Minister for Primary Industries had supported the intended quotas, which are virtually the whole crux of the legislation, and after he had said that it was the responsibility of any Government to have regard for the welfare of dairy farmers, the honourable member for Landsborough implied that the honourable member for Isis had "dumped" the dairy farmers. I was quite happy when the honourable member for Isis rose and took the appropriate point of order.

The honourable member for Isis constructively portrayed the narrowing areas of difference between the primary producers producing butter and those producing the components of margarine. Some primary producers, incidentally, produce both. The sooner the honourable member for Landsborough pulls his head out of the sand where, ostrich style, he has it now, and supports truth in the presentation of his supposed interest in primary producers, the better it will be. In order to make worthwhile contributions in debates dealing with primary industry, the honourable member should face realities in a world of changing primary production and consumer demand.

The Committee has been told by the Minister that as from 1 January 1973 margarine quotas will be increased, and the Australian Agricultural Council, consisting of Commonwealth and State Ministers, figured in this determination. No doubt the population increase, changing economic conditions, the conditions that have been experienced by this country over a long period, and changes in eating habits, have all tended to produce the belief that this legislation is necessary. In the more heavily populated areas, many dairy farmers are moving from the production of cream to the supply of milk. This is happening in my area.

Naturally, it is necessary to be realistic and face up to the present situation. A few years ago, when the Government had the somewhat regrettable task of giving notice of intention to introduce legislation concerning margarine, it more or less went to war, and then took to water. Where was the honourable member for Landsborough then? He was found wanting; he hid in the shadows. If he had come out into the open and struck a blow for those whom he says he represents, perhaps he would not now hold the office of Government Whip.

I also use this opportunity to take the honourable member for Burnett to task. He mentioned matters pertaining to the subsidy given by a Labor administration to dairy farmers 25 to 30 years ago. He was speaking the truth when he said that a Federal Labor Government was the first Government in Australia to give a subsidy to the dairy industry. The figures he mentioned were very small, but I remind him that many measures were introduced to provide subsidies to the dairy industry, the last being in 1947, under a Federal Labor Government, for a five-year term. That subsidy was based on a formula of progression. In 1952, when Mr. Chifley was no longer in office but whilst the agreement was still in force and functioning under the formula that he proposed by legislation, £17,500,000, equivalent to $35,000,000, was given by way of subsidy to the dairy industry of this country.

What has happened in the last 10 or 11 years, since I have been in this Chamber, and for years before that? The Menzies Government and other conservative Governments in Canberra gave the dairying industry a lousy $26,000,000. Incidentally, it was increased a few years ago following devaluation, but further devaluation has since taken that increase from the pockets of the dairy farmers.

Since this session began in August last year, I have repeatedly asked many honourable members opposite by interjection where they stood in regard to the determination by the McMahon Government of an interim equalisation price of 32.75c a lb. Have we heard any complaint from the coalition Government? No. It was fearful of the wooden horse of Troy on the back-benches, ready to sabotage the Government. The honourable members whom I attempted to interrogate were frightened and sat howling, cringing and hiding on the Government benches.

I asked the honourable member for South Coast, who poses as the great friend of dairy farmers, where he stood on this matter and whether he supported the equalisation price of 32.75c—incidentally, it was later increased to 35c—when the industry asked for 40c under the equalisation scheme. Only one Government member—a new member, Mr. Gunn, representing the electorate of Somerset—had the guts to say that he supported his own industry. I did not hear that from the lips of any other honourable member or from the lips of any Government representatives. So much for that!

Honourable members opposite speak about the Queensland Dairymen's Organisation. Who supported and assisted the primary producers' organisations in this State and provided them with the money to pursue their course of orderly marketing? It was Labor Governments. In the days of Labor administrations, thousands upon thousands of people were members of the Queensland Dairymen's Organisation. Today the numbers have dwindled so much that their ranks are very thin. So much for the criticism from the Government benches! In a debate such as this, where the intention of the Minister is quite clear and the Opposition generally recognises what is required, unjustifiable criticism comes from people who have been sadly lacking in the presentation of their own case.

The merits and demerits of polyunsaturated table margarine, etc., have been canvassed in this Chamber during the debate, and I do not wish to take up the time of the Committee by again expounding the policy of the Opposition in that direction. However, I look forward to hearing in a few months' time the Minister's intention relative to labelling. As honourable members know, many years ago in the United Kingdom a picture of a cow appeared on a margarine packet. That aroused a considerable amount of controversy within the industry, and I really do not think it was the correct thing to do.

During the debate earlier today on the Bill relating to consumer affairs, many Opposition members expressed apprehension about the price structure in Queensland and the question of price justification. I do not know whether it is the intention of people who have a lot of money and giant businesses to annihilate the dairy industry one day. I hope it is not annihilated, because if one looks along the coast of Queensland one finds many towns and communities that were founded as a result of the establishment of the dairying industry. In fact, probably no industry has opened up greater areas of land for greater numbers of people than has the dairying industry.

If the dairy industry in this State is annihilated and we reach the stage where we have to rely principally on table margarine, as legislators we would have to look very carefully at the price structure. We would find some justification coming from Liberal quarters for the price of margarine to jump suddenly, almost overnight, by 20c or 30c a lb. That would cause anxiety in the minds of people who today have similar worries about the price of butter.

It is an indictment of the present administration that the principal reason why many people in this State purchase table margarine is that they cannot afford to buy butter. The problem is not one of Labor's making; we have been out of office for 15 years. The problem has been caused by the occupants of the Government benches. It is time they came out of their somnambulistic state and did something constructive.

I look forward to the legislation that the Minister proposes to place before Parliament later this year. I sincerely hope it will not be like the last time, when the Government went to war but jumped into the water.

Mr. HARTWIG (Callide) (8.17 p.m.): I rise to make my contribution to this debate because I spent the first 35 years of my life on a dairy farm and therefore have some knowledge of the industry about which we are speaking.

The honourable member for Port Curtis does not have a practical knowledge of the dairy industry, where people have to work long hours each day for seven days a week. The honourable member's complete lack of knowledge of the dairy industry was very evident.

The maximum amount of table margarine that can be presently manufactured in Queensland, excluding the overseas export trade, is 4,236 tons. The Bill provides for an increased quota of 5,000-odd tons for 1973, an increase of just over 1,000 tons. The quota has not been amended for some considerable time. Under the Bill we still retain the quota system. While we are

assisting the consumer, we are also assisting many people who left the dairy industry and turned to the production of vegetable oil seeds.

The dairy industry has come through a very trying time. In my maiden speech in this Chamber I mentioned that portion of the subsidy to this industry had been removed by the Commonwealth Government, as a result of which the price of butter fat had fallen approximately 4c a lb. A price can be asked for a product only if someone is prepared to buy it. The honourable member for Port Curtis said that butter was too dear. He displayed a complete lack of knowledge of how hard it is to produce a pound of butter.

Mr. HANSON: I rise to a point of order. If the Chifley administration had been allowed to remain in office, the dairy farmer would have received cost of production.

The ACTING CHAIRMAN: Order! There is no valid point of order.

Mr. HARTWIG: As I say, the dairy industry has gone through a very trying time. Production has also suffered from the vagaries of the weather. As well, over the past few years Britain's impending entry into the European Economic Community had a dampening effect on this industry. The result was that some former butter producers changed over to the production of beef or grain. By this measure the Government is making a determined effort to assist the growers of oilseeds. However, the consumers of margarine will also benefit from an increase in quota.

Mr. Sherrington: Why?

Mr. HARTWIG: How stupid can you get! Of course the consumer will be protected by an increase in the quota.

The Bill has much to commend itself and will result in an increase in production of vegetable oils. The Minister is to be commended for its introduction. But, by contrast, some of the speeches by members of the Opposition were, to say the least, astounding.

The ACTING CHAIRMAN: I call the Minister.

Mr. Jensen: You didn't look this way.

The ACTING CHAIRMAN: Order! The honourable member for Bundaberg is not on the list of speakers. I noticed the Minister first, and accordingly I called him.

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (8.23 p.m.), in reply: The shadow Minister (Mr. Blake) has indicated that this measure is quite acceptable to the Opposition. However, some of his colleagues tended to get somewhat off the rails.

It was refreshing to me to hear the shadow Minister commend the Government on its introduction of the marginal dairy farms reconstruction scheme, under which properties that were considered to be uneconomic were brought together and finance was made available to those dairymen who, because they constituted uneconomic units, did not wish to remain in the industry. When the scheme was implemented, the cry of Labor supporters was that the Government's policy was, "Get big or get out." I was very pleased tonight, therefore, to hear the Opposition's spokesman on primary industries acknowledge the worth of that scheme.

Members of the Opposition as well as those on this side of the Chamber have acknowledged the need for an increase in the table margarine quota as a result of the shortage of polyunsaturated margarine. At this stage I will not reply to the individual contributions of honourable members. I will do so at the second-reading stage.

The honourable members for Belyando and Port Curtis—and the honourable member for Warrego in the early part of his speech—agreed that problems confronting people in primary industry had been caused by drought and depressed prices. However, in the last few years the honourable member for Warrego has constantly criticised the Premier and me, as Minister for Lands, and accused the Government of maladministration, all of which he alleged has caused the problems in primary industry.

I am sure honourable members agree that we have a growing oilseed industry. While in the past the dairy industry has been opposed to increased margarine quotas, it now agrees that they should be enlarged. Leaders in the dairy industry and the graingrowing industry got together, and spokesmen for the dairy industry agreed that if there was a shortage of margarine it was time the quotas were increased.

The honourable members for Belyando, Port Curtis, Warrego and Isis told us of the important role the dairy industry had played in the development of Queensland. I am wondering what they thought of the interjection by the honourable member for Archerfield, who asked the honourable member for Landsborough, "Is the inefficient dairy industry worth propping up?" That is typical of the peculiar attitude towards people in primary industry adopted by some A.L.P. members who have recently entered this Parliament. That remark made by the honourable member for Archerfield——

Mr. F. P. Moore: It won't appear in "Hansard". It was not acknowledged.

Mr. SULLIVAN: I do not care whether it appears in "Hansard" or not. The honourable member made the statement by way of interjection, and everyone in the Chamber heard it.

Mr. Burns: I was here, and I did not hear it.

Mr. SULLIVAN: Does the honourable member for Lytton wish to come to his defence?

Mr. Burns: I am only too pleased to defend any Labor man against the Country Party.

Mr. SULLIVAN: Let me tell the Chamber what the honourable member for Lytton said at a function I attended. When discussing the dairy industry the honourable member's comment was, "To hell with the 'dairy cockies'! They don't vote for us." They have a pretty good reason for not doing so.

Mr. Burns: That's a lie.

The ACTING CHAIRMAN: Order! The honourable member for Lytton will withdraw that remark. It is unparliamentary.

Mr. Burns: I withdraw it. What the Minister said is comp1ely untrue.

The ACTING CHAIRMAN: Order!

Mr. BURNS: I rise to a point of order. The statement attributed to me by the Minister is completely untrue. It is offensive to me, and I ask for its withdrawal.

The ACTING CHAIRMAN: Order! The honourable member for Lytton has asked for a withdrawal by the Minister for Primary Industries.

Mr. SULLIVAN: Mr. Wharton, you asked the honourable member for Lytton to withdraw his remark.

The ACTING CHAIRMAN: He withdrew it.

Mr. BURNS: The Minister's statement is offensive to me and I ask him to withdraw it. It is completely untrue.

Mr. SULLIVAN: I withdraw it; but I do not change my opinion.

The debate on the Bill broadened somewhat into a discussion of the dairy industry. At the second-reading stage, honourable members will no doubt be required to stick to its provisions. It is a very short Bill, and provides for an increase in the margarine quota.

In his traditional style, the honourable member for Mourilyan blasted the Government. I thank the Temporary Chairman (Mr. W. D. Hewitt) for asking him to withdraw a comment he made. I did not intend to rise to a point of order when he referred to me as a big fat slob. I may have indicated that I was going to stand. I merely wanted to point out to the people in the gallery that the honourable member for Mourilyan, before he came into Parliament, was a school-teacher, and probably the parents are glad that he entered politics.

Mr. F. P. MOORE: I rise to a point of order. I should have said that the Minister was a big fat lump of lard who would melt if he went out in the sun.

The ACTING CHAIRMAN: Order! There is no occasion for the honourable member to pass a remark like that. I ask him to withdraw it.

Mr. F. P. MOORE: I withdraw it, and I also ask for an apology.

The ACTING CHAIRMAN: The honourable member was given an apology previously.

Honourable Members interjected.

The ACTING CHAIRMAN: Order! There is far too much cross-firing in the Chamber. The Minister is replying to the speeches that have been made, and I ask him to continue.

Mr. F. P. Moore: Tell him to stop passing snide remarks.

The ACTING CHAIRMAN: Order! The honourable member for Mourilyan will withdraw that remark. Otherwise I will deal with him.

Mr. F. P. Moore: Why? Because it is unparliamentary?

The ACTING CHAIRMAN: It is, in my opinion. I ask the honourable member to withdraw it.

Mr. F. P. Moore: Very well.

Mr. SULLIVAN: As I have said, the debate on the Bill was broadened, and honourable members dealt with the dairy industry. However, most of them indicated that they were happy to hear me say that I expect, later in the year, to introduce legislation dealing with the packaging, labelling and promotion of margarine. The honourable member for Port Curtis said he was pleased to hear this. In private life he is a publican—and I understand, an excellent one. Like many hoteliers, he serves boiled "taties" in their jackets two or three nights a week in winter. Most hoteliers serve butter with them, but I understand that the honourable member for Port Curtis uses margarine. This legislation will therefore assist him.

Mr. HANSON: I rise to a point of order. That is a shocking accusation. I have said in this Chamber on many occasions that in neither my private life nor my business life do I use margarine under any conditions.

Mr. SULLIVAN: The way the honourable member accepted the measure and commended me on increasing the quota did

not indicate that margarine was offensive to him. However, I consider that the time is ripe. I believe that the dairy industry believes in this legislation and that the grain industry is in favour of an increase in the margarine quota, for which the Bill provides.

Motion (Mr. Sullivan) agreed to.

Resolution reported.

FIRST READING

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

INDUSTRIAL DEVELOPMENT ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Acting Chairman of Committees, Mr. Wharton, Burnett, in the chair)

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (8.35 p.m.): I move—

"That a Bill be introduced to amend the Industrial Development Act 1963–1971 in certain particulars."

Basically, the object of the Bill is to give the Corporation of the Minister for Industrial Development of Queensland the power to raise capital funds for the development of Crown industrial estates, and for the erection of factory buildings by the sale of debentures. The funds so raised will supplement the moneys made available by the Treasury for this very desirable purpose. I propose to outline briefly the various provisions of the Bill, and I am sure that after honourable members have had the opportunity of perusing the legislation they will support its passage.

As I have already indicated, the purpose of this legislation is to give the Corporation of the Minister for Industrial Development of Queensland power to raise capital funds for such purposes by the sale of debentures. The Treasurer has in fact approved that $400,000 be raised by debenture borrowing during the current financial year. Before the department can embark on a debenture fund-raising programme, however, legislative approval for such action is required.

It is proposed that the debentures will be offered to institutional lenders at such interest rates as may be determined by the Governor in Council. The corporation will be required to obtain the sanction of the Treasurer and the approval of the Governor in Council before entering into any negotiations to borrow funds by debenture. The legislation contains appropriate safeguards for debenture holders, and provides for the debentures to be an authorised trustee investment.

In addition, the Bill provides for the creation of an Industrial Estates Construction Fund and an Estates Maintenance Fund in the Treasury, and defines the purposes of such funds.

Clearly, in view of the nature of the department's activities, it is highly unlikely that in the foreseeable future we will become self-supporting or self-generating so far as funds for developmental purposes are concerned.

Provision is contained for any shortfall in estate recoveries, as against repayments due on loan-fund allocations and debenture raisings, to be met from Consolidated Revenue.

The Bill is designed to give impetus to the industralisation of the State, and I am sure that it will have the support of all honourable members.

Mr. BROMLEY (South Brisbane) (8.39 p.m.): The Minister made only a short introductory speech, and, frankly, I cannot see anything against the Bill. It seems to me that what it proposes is a good idea. I cannot see anything against a short speech on this occasion, either.

I intend to speak at some length on the raising of money by debentures, and I intend to ask the Minister some questions on this subject. First, I want to know what rate of interest will be paid on the debentures. Will anybody be allowed to subscribe for them? Will they be similar to Southern Electric Authority, Brisbane City Council and Government loans? I think that the Minister could have given the Committee more information about the debentures. In effect, the Government is announcing that it will guarantee the raising of debenture loans, and I think that Parliament has a right to know a little more about the matter.

The Minister says that he has the power to approve or otherwise, although he did admit that the amount of $400,000 mentioned in the Bill was approved by the Treasurer. Rightly so, because the Treasurer has complete control of the finances of the State.

The Minister mentioned also that the Bill contained provisions for a construction fund and a maintenance fund. I may be wrong, but I think that the most important provision in the amending legislation is that which will enable the Department of Industrial Development, in time, to become self-supporting. That is very desirable. When one sees the good work that the Brisbane City Council and other loan-raising authorities have carried out as a result of having the permission of either the State Government or the Commonwealth Government to raise money by debenture loans, one realises how the provisions of the Bill will assist the department and take a load off its shoulders.

However, when one looks at the work performed by the department, I do not know whether some of the provisions of the proposed Bill will assist greatly. The department—indirectly, the Government—should provide not only land but also the buildings needed. This is already being done to a certain extent—I do not deny that—but both before and since the present Minister took office I have arranged for people who wanted to start in business to go to the department and try to arrange finance. Quite often they have said to me later, "Getting the money guaranteed by the Government is not as good as it looks. I can do better through private fund-raising schemes." In my opinion, the cost of building is too high for ordinary business people to consider financing the construction themselves.

During the break for dinner, I had a look through Sir David Muir's report for the year ended 30 June 1972. On page 1 he said—

> "There is no doubt Queensland is destined to play an even more dominant role in Australia's future progress."

I agree with that, and it is even more true since 2 December, when the A.L.P. Government came to power in the Federal sphere, because Queensland and the Government will now receive more financial assistance.

On page 2 of the report Sir David Muir says that the rental factory scheme is proving a very popular incentive in the attraction of pioneer-type industries, particularly in provincial cities. That is quite true. As a matter of fact it was originally A.L.P. policy to provide that type of rental scheme. That has been adopted and improved on by the Government.

Mr. Lee: You opposed it.

Mr. BROMLEY: We did not oppose it. That was our policy. I know that is a fact because I prepared it originally. It was our policy that we should provide such a rental scheme. I think we could have improved on what is proposed about long-term leases. We could have provided that some of the rent go eventually to paying off the buildings, a scheme somewhat similar to that operated by the Queensland Housing Commission. In that way the buildings would be eventually owned by the manufacturers even though they were still on the sites of the Department of Industrial Development.

We know that there are many areas of industrial land throughout the State. As I have travelled throughout the State, I have become aware of the lack of Government assistance for development of sites in the West and the North. Other speakers may have something to say about that in greater detail. The lack of Government assistance has caused people to leave northern and western areas. I hope that the provision for the raising of funds by debentures will assist in this respect. If the debentures are to be guaranteed by the Government, people will take them up, that is, if the rates of interest are attractive.

It appears to me that too much assistance is being given to southern manufacturers. I do not say that it is direct assistance but it is certainly indirect assistance to the detriment of Queensland firms. I have freight rates in mind particularly. The rebated freight rates offered to southern manufacturers enable them to deliver goods in North Queensland cheaper than they can be manufactured in that part of the State. This retards industrial development in Queensland. Southern manufacturers are given an opportunity to compete unfairly with Queensland firms and send them bankrupt.

The Minister and his department should have close liaison with the Postmaster-General's Department. In areas like Townsville there is a long delay in the installation of telephones in business premises. Everybody knows that it is almost impossible to commence any business anywhere without telephone facilities. The days of sending smoke signals have gone. I hope that the Minister can do something about getting telephones installed much more quickly. There are delays of years in some country areas, and even on the Gold Coast there are long delays. I think that the honourable member for Surfers Paradise would confirm that there are delays of up to 18 months in some areas down there.

Mr. Bruce Small: It is improving very rapidly.

Mr. BROMLEY: I am glad to hear that. That must be because we have had a change of Government in Canberra.

As the Minister has said, development is continuing, particularly in the mining industry. But, unfortunately, the major benefits from the mining boom have accrued to overseas interests. Our natural resources are being exploited by foreign companies to such an extent that Australia is deprived of any real benefits. But I do not intend to dwell on this point.

The ACTING CHAIRMAN: Order! The honourable member for South Brisbane is talking about mining and overseas investments, which have nothing to do with the Bill. I ask him to stick to the Bill.

Mr. BROMLEY: The Minister said that the Bill contains provisions to enable his department to become self-supporting. He spoke of debentures, construction, maintenance and development. I, too, am dealing with those matters.

The sooner our natural resources are exploited to the full benefit of Australia, the better. By all means construct a steelworks in Queensland. I realise, of course, that the department could not embark upon a project of that magnitude on its own. Nevertheless I am confident that eventually this State will

be able to build a steelworks. Additional woollen mills should be constructed by the department, too. Queensland should be made entirely self-sufficient, and manufacturers should be encouraged to export to such an extent that the State can build up a real excess in its balance of trade.

On previous occasions I have advocated the setting up of a South-east Asian common market. I know that some manufacturers export their goods to that part of the world, but I believe that our markets there could be expanded.

It is only right that legislation should be introduced to provide for the raising of debentures and to assist not only those persons who require finance in order to expand but also those people who will be contributing to the funds.

The Minister has the attribute of making straightforward statements. The November 1972 issue of "Rydges" magazine reports that in June of that year, in referring to the Queensland Government, the Minister said that Comalco Limited had been given a series of options over the supply of power from the power-house for an aluminium smelter. He added that Comalco had a stranglehold for the time being on the supply of power. Comalco is a foreign-owned company. What action is the Government taking to assist Australian manufacturers to get started in a similar way? Foreign companies should not be helped to the exclusion of Australian producers.

The Minister referred to the development of a $100,000,000 smelter at Gladstone. However, his public statement was, to some extent, veiled by secrecy, because he failed to reveal that Comalco, C.R.A., Kaiser, Alcan, Pechiney, Kobe Steel, Mitsubishi and Holland Steel—all overseas companies—would be involved. Each of those firms is an overseas company with very little Australian capital or interest. If the money is available in Queensland, let us use it. I do not believe that large profits from our industries should be sent overseas. I am bitterly opposed to it, and I firmly believe that we should resist take-overs.

While talking about debentures and the Government guarantee of debenture loans, I suggest that the Minister's department use the first of the debenture moneys to buy all the land available. In the light of what has happened in the past 12 months, I believe that something has gone wrong with real estate in Queensland. Only last month, at public auction someone—I cannot discover the name of the purchaser—paid $80,000 for 8 acres at Woodridge. If the department does not step in, some of these industrial estates—and we have plenty of them—will be tremendously expensive to develop properly. I have no doubt that the department could make great progress in their development, as I have great respect for Sir David Muir. I have seen each of the industrial estates in Queensland and know that with proper encouragement—and this looks like the start of it—we will be able to promote industrial development and decentralisation throughout Queensland.

When I hear of crazy real estate deals in which land is fetching 10 or 20 times its real value, I fear that land will not be available for Queensland people and Queensland industries.

Mr. Bruce Small: Five acres on the Gold Coast brought $5,000,000.

Mr. BROMLEY: I should say that the Gold Coast is a rather different proposition from Woodridge. I would not mind having a little bit of dirt on the Gold Coast.

Mr. Bruce Small: You couldn't go wrong.

Mr. BROMLEY: That is so. If I had been on the Gold Coast as long as the honourable member and had made my money out of Sir Hubert Opperman and bicycles, I, too, would be in the real estate business on the Gold Coast.

I have here two advertisements given to me by people from England, both headed, "Invest in Australia". One is taken from the London "Daily Express" of 6 March 1973 and reads, "Invest in Australia. Ten-acre blocks of agricultural land. Profit from early subdivision. Each block will yield 40 home sites." It then refers to the price. It is obvious to me that overseas interests are buying up our industrial land.

(Time expired.)

Mr. LEE (Yeronga) (8.59 p.m.): The honourable member for South Brisbane gave us a conducted Cook's Tour around Australia and South-East Asia, but the measure we are discussing deals with industrial development in Queensland.

When any project meets with success, the A.L.P. always tries to cash in on it. I remember clearly that in 1964, when industrial development in Queensland was first mooted and it was foreshadowed that the Government would make a move in establishing industrial estates in the Brisbane area and also in provincial cities, the A.L.P. opposed the suggestion. Today they are completely on side because the Government's move has been a roaring success.

Mr. BROMLEY: I rise to a point of order. I do not mind the honourable member having a shot at me deliberately and directly, but Opposition members did not oppose any such move. We have always had a sound policy on decentralisation and industrial development, and our policies over the years ——

The ACTING CHAIRMAN: Order! The taking of a point of order is not an occasion for making a speech.

Mr. LEE: If they did not oppose it, they certainly did a lot towards "knocking" it.

Mr. P. Wood: You're a liar.

Mr. LEE: What am I?

Mr. P. Wood: I said you are telling untruths.

Mr. LEE: The honourable member said I was a liar. I ask for a withdrawal.

The ACTING CHAIRMAN: Order! I ask the honourable member for Toowoomba South to withdraw the remark.

Mr. P. WOOD: I withdraw any remark that is offensive to the honourable member.

Mr. Sherrington: I think the honourable member for Yeronga is dreaming.

The ACTING CHAIRMAN: Order! I do not need any help from the honourable member for Salisbury. The honourable member for Toowoomba South has withdrawn the remark.

Mr. LEE: The A.L.P. cashes in on anything that meets with success. In reply to an interjection from the honourable member for Surfers Paradise, the honourable member for South Brisbane said he personally would like to cash in on industry, and particularly on land, on the South Coast.

Mr. BROMLEY: I rise to a point of order. Normally I ignore stupid interjections, but I did not say that I would cash in. I said I would like to own a bit of dirt at the Gold Coast. The honourable member's statement is offensive to me, and I ask him to withdraw it.

The ACTING CHAIRMAN: Order! The honourable member for South Brisbane says that the statement is offensive to him. I ask the honourable member for Yeronga to withdraw it.

Mr. LEE: I will withdraw it, but I definitely heard him say that he would like to be a land speculator on the South Coast.

I congratulate the Minister, as well as his department and its officers. This was a completely new development in Queensland. It was first mooted in 1964, when I entered Parliament. The Government and its departmental officers must be proud to see such development throughout the State. The industrial areas in Brisbane are—

Acacia Ridge	118 acres
Colmslie	38 acres
Gibson Island	60 acres
Hamilton	1,330 acres
Lytton	400 acres
Rocklea	146 acres
Wacol	436 acres,

with an extension area of 1,040 acres.

We have a total of 3,568 acres of Crown industrial estate in Brisbane alone, and the honourable member for South Brisbane is saying that this money should be used to buy more land.

This is not the end of the story. An amount of $7,414,870 was spent on improving that land with contract labour, which is the best possible way to do it. In addition, a total area of 3,461 acres is set aside in estates in provincial cities, with another 3,639 acres held in reserve. Yet the honourable member for South Brisbane claims that this $400,000 should be used to buy more land because the Department of Industrial and Commercial Development has insufficient land in reserve. How ridiculous! He certainly did not read the departmental report, otherwise he would not have made that statement.

The Department of Commercial and Industrial Development must be deeply worried by the harm that the socialist A.L.P. Government in Canberra is doing to industrial development in Queensland. Development is coming to a halt as people are saying, "We must stop and take stock of what is happening." They really do not know what is going to happen with this socialist Government in Canberra.

The ACTING CHAIRMAN: Order! I should like the honourable member to confine himself to the subject matter of the Bill. He is getting too far from it.

Mr. LEE: I mention this matter because it is of concern to me, and to many other Government members, that the department will not be able to put its land to use as quickly as might otherwise have been the case.

The raising of $400,000 by debentures is a good idea. I believe the day will come when the Government may have to give further consideration to the raising of this finance, and possibly make it subject to Loan Council approval, as are funds raised, for instance, by the Southern Electric Authority. At this stage, determining a figure that does not bring the fund-raising within the ambit of the Loan Council is a good idea. I support the proposal, and I congratulate the Minister on the introduction of the Bill.

Mr. YEWDALE (Rockhampton North) (9.7 p.m.): At the outset, I should like to comment briefly on the shemozzle that we have just heard. The honourable member for Yeronga said that the establishment of industrial estates has been a resounding success. Whilst the Opposition supports this move, I cannot be so sure that industrial estates have been a resounding success. I cannot speak on this subject with any certainty, but I feel that there is a lot of land in industrial estates throughout the length and breadth of Queensland that is merely growing grass. Whilst these areas have been serviced to some extent, they are still waiting for the establishment of industries.

I understood the Minister to say that the aim was to raise capital funds to erect buildings, and also to create an estates maintenance fund. I take the matter a little further and suggest, if I am correct in my

assessment of the current position throughout Queensland, that the Government give some thought not only to erecting buildings but also to establishing viable industries and running them in competition with private enterprise. If private enterprise is not prepared to move in many areas, the Government should do so.

In about 1966 the Minister made a large splash in the Press along the coast of Queensland about the establishment of industrial estates. My information is that industrial estates were established in Bowen, Cairns, Townsville, Mackay, Rockhampton, Gladstone, Bundaberg, Maryborough, Southport, and, last but not least, Kingaroy. In the matter of industrial development, I cannot for the life of me relate Kingaroy with the other cities mentioned along the coast. I heard the story that the Premier was involved in a project to establish a fertiliser works at Kingaroy. The only way in which the fertiliser works could be established in the area was on an industrial estate. Subsequently, an industrial estate was established at Kingaroy to allow the Premier to have a fertiliser works established there. In my opinion, the industrial estate at Kingaroy smells to high heaven—and I mean that literally.

In the Rockhampton district, an area of 432 acres was established as an industrial estate at Parkhurst. In 1966, or a little later, the Department of Industrial Development spent $117,230 on that estate. There was talk of a couple of new industries being established at Parkhurst. In 1970-71 a further sum of about $48,700 was spent on this estate, and the possibility of the production of chemicals was mentioned. In addition, there was a suggestion that building materials would be produced there and, from memory, I think there was also some reference to a roofing tile factory being established.

I have taken the opportunity to browse through the report of the Commonwealth and Queensland Governments relative to industrial development. It recalled to my mind some of the development that has taken place in the Rockhampton area—for example, the development of Port Alma and the construction of a sealed road to the port. When I was engaged in industry, I appreciated that the port when developed would be viable and would cater for the meat industry, but I remind honourable members that the all-weather road to Port Alma was constructed only after a great deal of argument.

The ratepayers of Rockhampton were committed to assist in that development, and they are now paying to the tune of about $90,000 a year for it, in addition to their contributions through the Rockhampton City Council for the maintenance and repair of a road running from Rockhampton to Port Alma, turning off the highway at Bajool, the entire length of which is in the Fitzroy Shire.

The ACTING CHAIRMAN: Order! I ask the honourable member to deal with the principles of the Bill, which relate to the raising of funds by means of Government-guaranteed debentures.

Mr. YEWDALE: A further comment in the report to which I referred earlier was that about 20,000,000 gallons of water daily would be available for the industrial estate. There is in fact an abundance of water above the barrage on the Fitzroy River at Rockhampton, so it is true that millions of gallons of water are available adjacent to the industrial estate. However, the type of water industry needs is another question. If it needs clean, filtered water, it will not be available on the Parkhurst Estate. The residents of the City of Rockhampton have only about 10,000,000 gallons a day for their own use, and supplies are restricted on many occasions during the hot summer months.

I agree with the honourable member for South Brisbane that the Government has shown foresight in setting aside industrial estates for future development. However, I think it should also think ahead and obtain land adjacent to industrial estates, provide water, kerbing and channelling and bitumen roads, and establish housing allotments not only for the workers who will be employed in the industries established on the estates but also for workers in general. If it is good enough for the Government to assist the establishment of industry, it is good enough for it to make land available for workers' homes, particularly adjacent to industrial estates.

Mr. LANE (Merthyr) (9.14 p.m.): I am very pleased to enter the debate on this Bill. Basically, the financing of industrial estates throughout Queensland is a Treasury matter, and the Bill will increase the permitted borrowing by the State to the extent of $400,000 in the current financial year, and I understand also in future years, within limits laid down by the Treasurer and approved by the Loan Council. This is to facilitate the financing of capital works, both in terms of the development of land and the construction of factory buildings, on industrial estates throughout Queensland.

The Minister and his departmental officers are to be congratulated on the very efficient and businesslike way they administer the industrial estates which have blossomed throughout the State. I believe that the increase in this type of development is solid proof of the decentralisation policies at present being put into practical effect by the Country-Liberal Government of this State. The use of private enterprise to develop the State flows right down the line and creates many job opportunities in provincial cities and towns.

Members of many trades and professions throughout Queensland who hitherto found difficulty in obtaining local employment are now catered for by the factories and various

projects operating on these industrial estates. In the past, the sons of many country families found it necessary to migrate to the cities to find employment. After they had been trained at institutes of technology or at the University of Queensland it was necessary for many of them to remain in the capital city or travel interstate or overseas to practise their profession. Some of the larger developments now provide job opportunities for people to practise their professions nearer to their home situation. This is just part of the decentralisation plan. The programme has gone ahead in leaps and bounds. Of course this requires new approaches and new ways of financing, as are provided in the Bill.

I understand that at the present time there are almost 10,500 acres available to industry throughout the State, 6,000 acres of which are in provincial areas. Much of what the honourable member for Rockhampton North said displayed a complete ignorance of his locality. In that area the Minister's department has made available a total of 432 acres. The cost of this development has gone as high as $245,000. At this time the honourable member's home town is well catered for in terms of this type of development, so he has little cause for complaint.

The honourable member referred to the acreage availability in Kingaroy. I take it that he chose the town of Kingaroy because it is the home town of the Premier. The area made available in Kingaroy for this type of development is only 60 acres. Compare that with the 432 acres in the electorate of the honourable member for Rockhampton North. This is indicative of the attitude of the socialist Opposition and the political bias honourable members opposite show towards development.

An Opposition Member interjected.

Mr. LANE: Socialism and Fascism come very close together. If we take the full political circle, they rub shoulders with each other. They use the same heavy-handed tactics.

Let us think a little about the type of political bias arising from the peculiar philosophies on which the honourable member bases his remarks. It seems that the Opposition looks at industrial development on a political basis. It would extend industrial estates in the towns and cities of this State that suited it best politically, not what would best suit the over-all development of the State. It is when they have such a twisted approach to these matters that they run into problems. Their political bias immediately shows up. That is the heavy burden Opposition members bear when they wage war here.

In some of the larger centres in which industry might be established, the department has already acquired land to meet future needs No industry need have any fear about the shortage of space on industrial estates in Queensland.

Whereas four or five years ago, when the financing of industrial development was a fairly new concept, only $250,000 had been expended on development costs, the current total is approximately $10,250,000.

The honourable member for South Brisbane, in his usual cranky manner, adopted an attitude that showed quite clearly his lack of understanding of the willingness of certain people to invest large sums of money in our State. Recently I attended a dinner at which the directors and top management members of Utah, as well as of other large American and Japanese companies, members of the Opposition and other Government members were also present. Utah's managing director made the following very significant comment:—

> "Foreign investment flows to its friends but flees from its enemies."

That is exactly what it is doing today. Since Australia fell under a socialist Federal Government with extremist ideas, it has found that foreign investment has fled from it.

Mr. Lee interjected.

The ACTING CHAIRMAN: Order! I hope the honourable member for Yeronga is prompting the honourable member for Merthyr on the Bill. I would appreciate it if the honourable member for Merthyr would stick to the Bill.

Mr. LANE: The financing of large industrial enterprises is very expensive, so it is essential that the Minister's department have authority to make the necessary financial arrangements to enable it to keep pace with industrial development.

I now wish to refer to the situation at Evans Deakin's shipyard at Kangaroo Point, which is probably one of the largest industrial undertakings in Queensland.

Mr. K. J. Hooper: It's a shocking employer.

Mr. LANE: I shall refer to that assertion in a few moments.

Over the past few years this company—which, by the way, operates its shipyard on Crown land—has made every endeavour to weather a great number of industrial storms while at the same time incurring substantial losses. Opposition members tend to forget that the board of directors has a responsibility to the company's shareholders. It must attempt to maintain stability and to pay annual dividends to them.

The company has been sabotaged in the meanest industrial way by groups of militants who are employed at the shipyard. Since

mid-1971, 260,000 man-hours have been lost. The chairman and managing director said that this was more than 10 times——

The ACTING CHAIRMAN: Order! The honourable member for Merthyr will please stick to the Bill.

Mr. CHINCHEN: I rise to a point of order. The land occupied by Evans Deakin is State land used for industrial purposes, so surely it is an industrial estate.

Mr. Newton interjected.

Mr. LANE: I am pleased to see the honourable member for Belmont go red in the face. It is a colour that he is very comfortable with.

We all hope that the Evans Deakin shipbuilding industry continues in operation because about 1,500 men will be thrown on the labour market if it does not.

An Honourable Member interjected.

Mr. LANE: That is probably part of the socialistic objective.

Thanks to the development of these industrial estates and the progressive policies of the Minister's department, employment will be found for at least some of these men.

I congratulate the Minister on what he has done so far, and I look forward to a further boom year in private-enterprise development in Queensland, something that will really rub Opposition members the wrong way.

Mr. P. WOOD (Toowoomba South) (9.26 p.m.): I am happy to enter the debate to congratulate the Minister on a further sound, socialistic principle——

Government Members interjected.

Mr. P. WOOD: I have just listened to the honourable member for Merthyr trying to make capital out of a anti-socialistic stance. I think it is well to point out that the activities of the Department of Commercial and Industrial Development and the principles of the Bill, as I understand them, are in line with good socialist thinking. The Government is playing an active part in encouraging industry, providing sites, money and guarantees, and it is undertaking a whole range of surveys which traditional private-enterprise men such as the honourable members for Mt. Gravatt and Toowong would regard in their rational moments as socialist enterprises.

I visualise the principles and provisions of the Bill being considerably expanded to provide finance not only for site development, but also for large-scale industrial development. I can see this legislation being used by Governments to establish Government industries and I have no objection to that. When I think of the idiotic nonsense uttered by the honourable member for Merthyr in trying to prove how anti-socialist he is, I am astounded that he cannot even see that he is speaking to a Bill that is socialistic in principle and can be expanded to embrace wider socialist aims.

The department already provides financial guarantees, sites, and leasing arrangements. It will construct buildings for people who want to lease them as well as a whole range of services. I support all these activities because I think they are worthy and because they come within the category of socialist enterprises. Despite the nonsense uttered by some Government members, I am happy to see that, in practice, they are prepared to accept some socialist aims. They realise that we do not live in an entirely free-enterprise or private-enterprise system. We have a somewhat mixed economy and we must have socialistic and private-enterprise development side by side.

I was interested in the Minister's comment that one aim of the Bill was that the department should become self-supporting. I have some suggestions to offer based on my experience in Toowoomba, which may assist the department to realise its aim. The Minister will know all about the Gourmette Industries case in Toowoomba. The department spent over $60,000 on a building that was leased to that firm. At that stage Gourmette Industries was the only manufacturer in Australia of micro-ovens. I think the leasing arrangements were that the company would pay an annual rental of about 7½ per cent based on the building price. In any case the annual rental would have amounted to between $4,000 and $4,500. It is very unfortunate that this firm closed following a period of uncertainty. The Department of Industrial Development is only one of its creditors. I make it clear that the Department, the Minister and the Director bent over backwards in extending sympathy and help to this Toowoomba firm. I have absolutely no criticism of the department in the matter because I believe it did everything possible.

Based on this experience, I have some suggestions to make. The ownership and control of this firm changed not long after it moved into its new premises, which, as I have said, were provided by the department. At one stage a take-over bid was made. It proved to be abortive. That is probably just as well because I think the source of the bid was rather dubious. After that take-over bid, Brisbane business interests assumed control of the firm. From time to time those business interests gave assurances on how they would improve the liquidity of the company and overcome other problems that existed. None of these assurances came to very much. What developed was a very sorry state of affairs, which many people tried to avoid.

This firm had a good product for which there was proved demand. I believe that at that stage it was the only manufacturer of micro-wave ovens in Australia. Perhaps there is something to learn from

any experience like this. The technical director of that firm, who eventually became the manager, Mr. R. Geary, made a statement after the 1971 take-over bid that there was need for greater liquidity and more marketing and managerial know-how. I believe this is an important point. It is one on which I want to make some suggestions.

I followed the affairs of this firm with some degree of interest. From time to time employees of that firm came to me for assistance in obtaining wages owed and in solving a few other problems. My opinion is that one of the problems, after the initial period of operation, was lack of managerial and marketing skills. There were not many complaints about the product itself. It is clear that the comments of the technical director about the lack of managerial experience finally proved to be correct.

The department has a large interest in this matter. It is concerned to protect its own interests as it has a heavy financial investment. Quite naturally, neither the department nor the Minister wants to lose any of that money. It is in everybody's interests to ensure the health of this and other companies established on Crown industrial estates, although this one might be beyond resuscitation.

I should like the department to provide a counselling or advisory service for industries establishing on Crown estates, at least in the first instance, and it could be expanded subsequently. In our efforts to decentralise, we may, from time to time, find local firms that have good technical skills but lack managerial and marketing skills. This would seem to have been the case in Toowoomba recently. The department could quite rapidly develop the ability to give good, sound advice on problems relating to management and marketing. It already has within the department, and available to it, a considerable amount of expert knowledge of the kind that I believe would be widely sought. It should be available in the first instance to lessees of Crown sites. I think it would be found that after a period there would be a wide demand for such consultative services.

The Minister said that one of the objects of the Bill was to make the department self-supporting. In respect of the consultative services that I have mentioned, I believe the department, in the normal course of events, should charge lessees and other people who seek them, just as any person consulted in matters such as engineering or business management would charge for his services. I do not view it as a free service to be provided by the department, but rather one to be charged for.

As the department is in a very real sense a trustee of public funds, it might also be argued that the Government has a responsibility to exercise some supervision over the money that it has invested. I suggest that consultative services of the type that I have mentioned might be a means of providing such supervision of invested funds. I think it would be worth while for the department to investigate the possibility of writing into lease documents a provision requiring the use of departmental consultative services if certain circumstances applied. It may be possible to write into lease documents a clause under which the managers of the Toowoomba factory would have been obliged, when difficulties arose, to obtain the good, sound managerial advice which they seemed to lack.

I do not pretend that it would be a simple matter to write such a provision into leases—indeed, it may be difficult—and it would have to be such that it did not deter prospective lessees. But I must again refer to what I believe is the responsibility of the Government to protect its interests. In providing such protection, it would also be protecting local industry and local labour in industrial establishments. Such a service might in the future prevent failures such as the one that occurred recently in Toowoomba.

Mr. NEWTON (Belmont) (9.38 p.m.): The introduction of the Bill is very appropriate, and it is interesting to hear that its main purpose is to provide the legislative action necessary for the raising of finance by means of debentures to carry out some of the work of the Department of Commercial and Industrial Development. The Minister mentioned that the Bill provides for the creation of an Industrial Estates Construction Fund and an Estates Maintenance Fund.

When dealing with such legislation, one has to look at its background. The Department of Industrial Development was established in 1963, and many members will recall some of the speeches that were made on that occasion. Great stress was placed on what this department would mean to the State in future years. We now have to take stock of the position. Many honourable members will recall the offers that were made on that occasion by the then Treasurer, Sir Thomas Hiley, who took us around a number of projects that had been developed, he claimed, by the Government.

Because of what has now happened in the shipbuilding industry, one has to raise the matter of finance spent on industrial development, particularly the construction of buildings on industrial estates. We were assured that, as a result of the spending of millions of pounds on the Evans Deakin shipyard at Kangaroo Point, the requirements of the shipbuilding industry in this State would be met for more than 20 years.

What is the position today? In reply to a question by the honourable member for South Brisbane this morning, the Minister explained the present situation at this shipyard. In the light of that, when a Bill such as this is introduced, honourable members should take stock of why it is intended to raise money by debentures, how

it will be spent, and what the State will receive in return. In my opinion, the situation at Kangaroo Point is shocking. Although honourable members opposite might blame the trade unionists to a certain extent for what has occurred, many other people also are to blame. When the land was made available to the company, we were given an assurance that the money spent would enable the shipbuilding requirements of the State to be met for over 20 years.

In fact, the blame lies on the shoulders of the counterparts in the Federal sphere of honourable members opposite. They did not endeavour to use what the Government of Queensland had provided by obtaining orders for that shipyard. The Minister is well aware of the time that the yard lay idle, awaiting orders for the building of ships in this State.

As I said earlier, honourable members should take stock of the situation. As far as I am aware, once legislation is approved providing for the raising of money by Government-guaranteed debentures, it will be necessary only to table an Order in Council indicating that the department concerned intends to raise the money from such-and-such a source at an agreed rate of interest to carry out further development in this State. That is the procedure followed by most other Government departments, unless it has been changed without my knowledge.

Like other honourable members on this side of the Chamber, I was interested in the comments of the honourable member for Yeronga about land held in reserve in the metropolitan area and over the length and breadth of the State. When I visited many parts of the State during the last State election campaign, I was surprised to see land in certain provincial cities and towns on which the Department of Industrial Development had provided roads and other necessary facilities but on which no buildings had been erected. In my opinion, money must be spent more wisely in developing industrial estates throughout Queensland. Although I do not blame any officer of the department or the Minister, members of this Assembly who have travelled round the State will know that certain industrial estates are, in effect, white elephants.

When the Act was introduced and the Department of Industrial Development searched the State for land suitable for industrial estates, the price of land would not have been as high as it is now. However, I do not think the department made sufficient effort to obtain land adjoining the industrial estates provided by the various local authorities. It is a serious situation when the Government is asking for approval for a Bill to raise money for that specific purpose.

Nobody would disagree with the setting up of an Industrial Estates Construction Fund. We have all had people coming to us because of what has happened in the metropolitan area as a result of freeway and other resumptions. Overnight, firms have found that their business premises were involved. Because of the nature of their businesses they have sought advice from members of Parliament as to the possibility of getting assistance through the Department of Industrial Development to construct buildings on land if they could obtain it through that department. That sort of thing can happen anywhere in the State.

As to an Estates Maintenance Fund, I wonder to what extent the Government has to carry the financial load. An indication has already been given of how much it costs to develop an area as an industrial estate after it has come under the control of the Department of Industrial Development. It is a pity that the Minister did not explain the need for this maintenance fund at greater length. The need for a construction fund is understandable. Surely to goodness there must be some return to the Government somewhere along the line as buildings of an industrial estate are leased. Wouldn't that in some way cover maintenance costs? After all, that is only good housekeeping. The Wacol project was one of the easiest to develop. Others in Brisbane were very costly. Admittedly the provision of transport facilities to the Wacol estate provided a problem, and a railway line had to be extended into it. Transport is always important to an industrial estate, no matter where it is.

The honourable member for Yeronga named a number of projects. Considering the money that has been spent on the southern bank of the river and remembering the industries that have been established there, it is about time the Government took stock of industrial development in this State. It is vitally important that we have a very good look at this matter.

It is to be hoped that the position will now be taken more seriously than it has been up to the moment. If we are to provide funds for the construction and maintenance of buildings on industrial estates, we must get some guarantee from the firms that are getting the advantage of the estates—an advantage over other firms throughout the State—that they will not close down as the Evans Deakin shipyard is threatened to be closed down. For the millions of pounds that were spent on that shipyard in the early 1960's we have not received any return on our money, and now the shipyard is to be closed down and its workers forced to find employment elsewhere.

Mr. BURNS (Lytton) (9.50 p.m.): Like other members of the A.L.P., I, too, support any proposal to allow the Government to become involved in the development of the State as well as to raise and spend money on the development of Government industrial estates and buildings. Therefore, I support this measure.

My electorate contains a number of industrial estates, totalling approximately 500 acres in area. The worst developer in my electorate has been the Government. The first Government estate is the one at Colmslie. It is situated partially on a flood plain, which was built up to a height of 8 or 10 feet with the result that the floodwaters were pushed out of this plain into Brenda Street, the Colmslie Hotel and back through the Morningside area. The Department of Industrial Development showed very little regard for the local residents.

I am pleased to see the Minister for Marine Affairs in the Chamber, because his department is guilty of the same offence in its modernisation of the Cairncross Dock complex. The new slipway has been constructed on raised ground, and Perrin Creek has been twisted around so that floodwaters cannot get away. The creek is so narrow that a man with a broken leg could jump across it, yet in times of heavy rain it is required to carry the water that drains from the Seven Hills–Morningside area. This is very bad development.

Further down the river, on Gibson Island, 60 acres have been set aside for industrial development. Although it has been claimed that the area is fully occupied, it seems to contain a large number of vacant blocks. The discarded ash from Bulimba "A" or Bulimba "B" Power House was poured into the creek to join what was formerly the island to the mainland. The result has been that a large section of the mouth of the creek is nothing more than a mudbank covering a large quantity of ash, which was washed down the creek. Again the Government has shown very little concern for the boating fraternity and the local residents.

The Lytton Industrial Estate comprises an area of approximately 400 acres. So far, only one industry is in the process of being established there. The Government has not pumped the area at all, but instead has constructed roads four or five feet high in an attractive geometrical pattern, thereby creating the nicest selection of mosquito-breeding grounds in the heart of Brisbane. An employee—I do not know whether he is paid by the Government or the council—is engaged in spraying all the ponds that have been created. He rides round on a motor-cycle, and raises the back wheel on a block so that he can connect his spray to the motor bike's engine. I think he will have a lifetime job, as no-one is settling on the estate except the mosquitoes.

Mr. Hanson: It's a mosquito stud farm.

Mr. BURNS: The honourable member is quite correct. It could be, in line with the Government's idea of allowing only new industries to the State to be established on these industrial estates. It seems to me that a large number of people in Queensland are anxious to commence industrial operations but are unable to obtain land. In the Lytton electorate, for example, caravan-repair industries and industries associated with the small-boat fraternity have been refused permission to become established there. In fact, real-estate agents will not even sell land in the harbour noxious-industry area to a local caravan service firm. When Queensland Druggists Ltd. intended shifting from Stanley Street, I sent representatives of the company to the department, who told them, "I am afraid we can't help you, because you are not a new industry."

It should be immaterial whether industries that wish to lease land on industrial estates are old or new ones. Isn't the main concern the creation of employment for workers? Shouldn't we be interested in industrial development by both long-established and new industries? Or is the Government's only concern for the new industries, which in many instances are owned by overseas interests?

In relation to this measure, I am rather concerned about environmental planning. The other day, when I asked the Minister what "noxious, hazardous-industry zone" meant in Brisbane, he told me to ask the Brisbane City Council. That is probably what people are told when they go to his department to find out what it means, or what sort of industry can be established there. If the Minister will not tell a member of this Parliament, I should like to know what his departmental officers tell the public.

I should also like to know what environmental planning has been devoted to the proposed shift of the Evans Deakin shipyard. In the light of all the stories that are circulating, I think it worth while to point out that I know how badly the management of Evans Deakin were performing, and how well they looked after themselves. I know that great quarried rocks were taken from the area to build up certain properties. The management of Evans Deakin have a lot to answer for but they are trying to place the blame for what is happening on the workers. Many people will be able to measure their standard of performance.

I read in a report submitted to the Brisbane Airport Committee by the Department of Harbours and Marine that an Evans Deakin shipyard is to be built at the mouth of the Brisbane River, on Fisherman Island. The final meeting of the environmental committee studying the airport has been held and committee members were told that cranes of approximately 300 feet would need to be erected for the shipbuilding industry. They were told to allow for them when making provision for aircraft flying into the area. On the one hand we are told that the industry is being closed down, but a secret report says that a shipbuilding yard is to be built at the mouth of the river. On a number of occasions I have asked the Premier

what was happening relative to the environmental study for the airport, and he told me to approach the Commonwealth Government on the matter.

When I asked the Minister for Marine Affairs what was being done to raise the level of the land and fill some of the creeks in the area near Fisherman Island, he told me that was not planned. However, the report states that the Department of Harbours and Marine is undertaking this work. Anyone who flies over the area now can see the area that is being pumped or dredged—perhaps by the Harbours and Marine Department—and filled with spoil from the river. This development is taking place, but I do not think it has been environmentally planned. The only environmental investigations being undertaken in Queensland are the ones carried out by the Commonwealth Government in relation to Brisbane's airport and the other carried out at Mt. Isa after George Fisher stood over the Government. Because the Air Pollution Council gave readings for sulphur dioxide in the town that were disastrous and the Mount Isa Mines management said that the readings were incorrect, Mount Isa Mines stood over the Air Pollution Council and the Government, and forced them to establish a special environmental planning committee for that town.

The Premier can put on a great act about the State and Regional Planning and Development, Public Works Organization and Environmental Control Act 1971, but what about a little environmental planning for the Government's own industrial estates? The Lytton Industrial Estate is being built near the bank of the river, right beside a big new housing area, called the Golf Links Estate, at Lindum and Wynnum West. There are 70,000 people living in the Wynnum-Manly-Redlands area, but right beside them, in the path of prevailing winds, the new shipyard is to be established.

The oil refineries have been established there, and the environmental study group set up for the airport was told that these two oil refineries are to be enlarged in the future. But now, a further 400 acres of noxious, hazardous industries are to be established in an area close to a residential area. We are not planning at all in our own industrial estates. We passed the State and Regional Planning and Development, Public Works Organization and Environmental Control Act 1971, which is being amended in 1973, but we take no notice of it when we plan our own industrial estates.

We should certainly go ahead with the development of these estates. We should certainly raise the money and construct the buildings, and also fill areas on the estates to get rid of the mosquitoes from the Lytton area. But before we put a dirty, filthy polluting industry in this area, similar to the others that have been established throughout this electorate, we should make sure that there is environmental planning. We should be sure that the people in the area have a right to protest to the Minister and say, "We don't want that foul, rotten industry here." If they must have it, the Government should ensure that any of the buildings on the land set aside are properly controlled for pollution; that the necessary equipment is installed and that we do not have to wait a couple of years, during which people get sick at night, for someone to install the equipment to protect the environment referred to in the legislation we have introduced. If that is done, the people in the area will be very pleased to have industrial development there. If it is not done, the Government will be damned for what it has not carried out in the name of development and planning.

Mr. HANSON (Port Curtis) (10 p.m.): The Bill no doubt stems from the department's anxiety in regard to the infusion of funds into the department to develop industrial estates, maintain them, and erect buildings on them, and so promote industrial development in the State with the consequential provision of job opportunities for the young people of Queensland. No doubt the financing of buildings has caused the department a considerable amount of concern and is the reason for the introduction of the Bill.

As an A.L.P. member of long standing viewing the department's performance and looking back on its history, I would say that it is a matter of sincere regret that this measure has had to be introduced tonight, because there is machinery, the foundations of which were laid many years ago, to provide for this emergency and, in a sense, the industrial development of the State. The surplus profits of the State Government Insurance Office, when it was created by a Labor Government, were oriented towards Government and semi-government loans. Only in recent years has there been a whittling-down in this regard.

During my time in Parliament, I have seen the creation of the investment board through which the profits of this office have been directed towards the financing of many private-enterprise projects throughout the State. Incidentally, some of them have been wild-cat projects, and I instance the H. G. Palmer company and others which suffered great financial loss. I repeat that it is a matter of sincere regret that the department has been unable to satisfy its loan requirements through the State Government Insurance Office and the profits that no doubt accrue thereto. It was the intention of the Labor Party, on the foundation of the S.G.I.O., that Government and semi-Government loans would be supported to such a degree by this office that Ministers and departments would not suffer the anxiety and turmoil which no doubt resulted in the introduction of this Bill.

As the Opposition shadow Minister (Mr. Bromley) said, the debenture loans are to be Government guaranteed, which is the case

with most loans raised by semi-government or Government bodies. May I acquaint those Government critics of the performance of the Federal Labor Government of a few facts. In the days of the previous Federal administration, we saw the creation of the Australian Industry Development Corporation. This could be a very good source of funds to assist in the type of enterprise proposed under the Bill if we had co-operation between the State instrumentalities, the State administration and the Federal administration. It is very necessary and vital for the future of this country that this be established.

I am pleased to note that there has been a rethinking within the Federal sphere in the past few weeks about this very important corporation. There will be a removal of the equity restraint within the guide-lines laid down in the formation of the corporation, so that the Government can acquire considerable equity in enterprise and in operation.

A national investment fund will be established to raise capital within Australia for the corporation's activities, and I dare say that the Minister and the department could have a look at this development. As the ramifications of the department extend, this might become a very valuable source of funds. There are people in the money market who jealously guard interest rates, and whilst they may on occasions be patriotic, they will always look seriously at the interest rates allowed on debentures. Naturally there will be rivalry and competition to obtain funds.

Under the new guide-lines to be laid down by the Federal Government, it will be possible for the Australian Industry Development Corporation to be turned into a vehicle for the promotion of Australian ownership of industry. That is very necessary. At present, it is possible for people whose major interests are outside this country to go to the Department of Commercial and Industrial Development and borrow funds. On this matter, I might refer to a question asked in this Chamber only a few days ago by the honourable member for Mackay of the Minister for Development and Industrial Affairs concerning a certain fishing or prawning industry.

I also wish to commend the Federal Labor administration on the easing of restrictions that do not allow of a substantial Government equity in industrial development.

It will also be the intention to extend activities beyond industrial development and mineral processing into the production, transport and distribution of goods. It is very necessary to have an over-all coverage of production, distribution and consumption of goods. Economically, this is very wise indeed, and no doubt it will lead ultimately to the creation of more job opportunities for young people.

I also think that it is imperative that the Department of Commercial and Industrial Development take steps to initiate industrial activity instead of waiting for proposals. In certain developing areas of Queensland, there is good money to be earned by anyone who is willing to invest in the provision of warehouses. The return is good indeed. I should like to see the department enter this field with some aggression. I should like to see it always ready to initiate proposals rather than wait for proposers to approach it.

In speaking of the provision of funds that will be necessary under a debenture system, it is worthy of note that, under the guidelines laid down for the Corporation of the Minister for Industrial Development, the Government will in future be able to direct funds into an industry if it is in the national interests. This will enable that industry to get onto its feet and play an important role in the development of the country. I wish the department well in its debenture raising.

As I said earlier, there will be very serious competition and rivalry, and it will be up to the life insurance companies and superannuation funds to make finance available for developmental projects. Many of them have operated for years in a very lucrative field of business in this State, and I think that they should bear that in mind.

As a member of the Australian Labor Party, I regret that the surplus profits of the State Government Insurance Office are not being directed to the areas to which I should like them to be directed and to which it was originally intended that they should be directed. Therefore, I hope that private insurance companies will play their part and assist with the debenture raisings that take place from time to time. It will be a patriotic action on their part to take up such debenture issues, but the rate of interest will, of course, have to be made attractive to the persons lending money.

The intrusion of the Department of Industrial Development into the debenture market will have a considerable effect on other borrowers. Inevitably difficulties will arise and it will be necessary to bring down further amendments in future. However, if the proposal provides job opportunities, it will be a significant step forward. As it is something new in the department's operations, I and other members of the Opposition wish the scheme success.

When the Bill is printed, it will be examined carefully by the Opposition's committee.

Hon. F. A. CAMPBELL (Aspley—Minister for Development and Industrial Affairs) (10.12 p.m.), in reply: I thank honourable members for the way in which they have received the proposal. It seems that there is nothing in the proposed Bill with which anyone could disagree, and my task in summing up would have been very simple if that had been the only comment made. However, as

usual, honourable members departed from the true purpose of the Bill and dealt with other issues, and I believe that some of the criticisms and charges that were made should not be allowed to pass without comment.

The shadow Minister (Mr. Bromley) asked what rate of interest would apply to the debentures and whether small investors would be able to take them up. In reply to the latter part of the question, I thought it was clearly understood by most honourable members that the terms and conditions of debentures of this type are such that one looks to institutions for subscriptions.

The honourable member asked was it not possible to organise these debentures along the lines on which the Brisbane City Council and the S.E.A.Q. organise theirs. Surely the honourable member would not regard it as feasible, for the proposed amount of $400,000, for the department to set up a loans section. Invariably, a considerable amount of paper-work is involved in receiving applications and processing the debentures. Apart from the problems associated with this, for borrowings outside the umbrella of the Loan Council, the council lays down the conditions of borrowing.

I will repeat what I said at the outset. The approval of the Governor in Council will be required before the issue of any debentures. This will be done by Order in Council, which will set out (a) the amount that may be borrowed, (b) the currency of the loan, (c) the rate of interest and (d) the terms and conditions of redemption.

The honourable member for South Brisbane asked, "Is it going to assist?" Certainly it will assist because I am assured by the Treasurer that the extra amount of $400,000 will be over and above the normal allocation that the department can expect at Budget time.

The honourable member also said that some people believed it was not as easy as it seemed to get a Government guarantee for a loan. I do not think I have misquoted the honourable member. Let me remind him first of all that we are dealing with public funds. As long as a proposition is a viable one—and it is a manufacturing operation—and it comes within the warrant of the legislation, I see no reason why an application would not succeed.

The honourable member was good enough to applaud the Government's rental scheme and suggested a long-term rental scheme with the rents going towards refinancing. That is provided for in the Bill.

He urged that there should be close liaison with the Postmaster-General's Department. We have the closest liaison with the Deputy Director of Posts and Telegraphs. Because the development of the State has been so dramatic, it seems that the demand for telephones runs ahead of the planning of the Postmaster-General's Department. We are continually asked by industry to assist in having applications processed through the P.M.G. Department as expeditiously as possible. I am happy to state that the P.M.G. Department is very willing to assist as far as possible any industry which is hampered by the lack of a telephone.

Mr. Sherrington: They are not doing very well around my way.

Mr. CAMPBELL: Mr. Bowen possibly would be the right person for the honourable member to contact.

In the case of our own industrial estates, we can provide advance information regarding the establishment of an industry. It is not so easy when industry becomes established elsewhere. There is a tendency for some industrialists to lodge their applications for telephone connections almost coincidentally with the industry's operations coming on stream. When it is given reasonable notice, the P.M.G. Department is most anxious to meet the requirements of industry with a minimum of delay.

I found it a paradox that the honourable member should be urging for a great increase in the encouragement of exports. We have not been lagging in this regard, as the honourable member knows. I hope that he will have some influence in this field with his colleagues in Canberra. The prospects of export, in the light of new policies emanating from Canberra, are not as bright as they were hitherto.

The honourable member for Yeronga referred to the success of our industrial-estate policies. He very ably rebutted the charge of the honourable member for South Brisbane that we do not look ahead sufficiently in the acquisition of land. The honourable member for Yeronga quoted at length the large portfolio of land we have throughout the State, and observed that in accordance with our decentralisation policy two-thirds of that land is situated outside Brisbane.

In a rather disparaging fashion the honourable member for Rockhampton North cast doubts about the success of industrial estates in decentralised areas. He also urged the setting up of industry and running it, as did the honourable member for Toowoomba South, and I will make some comment on that when I come to his remarks. I was disturbed by the honourable member's reference to the location of the Kingaroy estate. He seemed to imply that there was a political motive behind the choice of its location, possibly because it is within the Premier's electorate. His implication was bad enough, but he then went on to suggest that there was "devious action" in the location of some type of fertiliser works. Again he involved the Premier. It is most unworthy of the honourable member to make such scurrilous attacks, which are entirely without foundation.

He asserted that our State development programme has not been the success that we claim. Apparently he measures success by the number of industries that are already established. On the other hand, the honourable member for South Brisbane urged the Government to purchase more land. Obviously, in this regard the Opposition is speaking with two voices.

The honourable member for Merthyr referred to the decentralised nature of our industrial land policy, and highlighted the lack of politics in the location of industrial estates. The department will locate an industrial estate anywhere to meet a demand.

The honourable member for Toowoomba South claimed that our policy on industrial estates is in line with good socialist principles. Like the honourable member for Rockhampton North, he advocated the setting-up of Government-controlled industries. The fact that the Government gives incentives to industries to become established is a far cry from any socialist principle. The incentives that we do offer—which I deny are socialist—are those that any free-enterprise Government would give to private enterprise and are very far removed from socialism.

The honourable member also referred to the problems experienced by Gourmette Industries. I thank him for the manner in which he raised this matter. We are still continuing our efforts to keep the operation afloat, and negotiations are proceeding with certain fresh interests in the hope of infusing additional capital and managerial experience into the business. A final decision is expected within a week.

He referred generally to the department getting into the act of providing managerial and marketing know-how. I do not think that my department should become a foster-mother to industry. What the honourable member is suggesting connotes the acceptance of financial responsibility, and I would hesitate to become too deeply involved in this, because I firmly believe that private enterprise is more capable of managing any industry. Unlike me, the honourable member does not have a recollection of the tragic experience of previous Labor Governments that became involved in the management of State enterprises in the early 1920's. I should hate to see similar action taken now.

I remind the honourable member that, while I cannot see the department entering into the management of industry, it is gradually increasing its services. A recent addition to our department is the branch of the Industrial Design Council of Australia, which will render tremendous assistance to industry. A survey of latent manufacturing potential is being conducted and there is a policy of marrying local industry, in joint venture operations, with people from overseas.

The honourable member for Belmont referred to speeches made at the time of the inception of the department.

Mr. Marginson: That was a good point.

Mr. CAMPBELL: That is so and, upon reflection, I am sure that many of the claims made then were well justified. In one decade we have progressed from nothing to the tremendous activities that are taking up the time of our officers in the supervision of industrial estates throughout Queensland. The progress has been far better than the expectations which, in the eyes of the honourable member, were quite optimistic. The honourable member dwelt for a time on the problem at Kangaroo Point. In referring to the number of times the yard lay idle, he described it as a shocking state of affairs. He said it was all very well to blame the unions and inferred that management should share much of the blame. One reason why those yards have had problems in getting continuity of work is surely the lack of confidence engendered in potential customers because of the shocking record of the labour force in this yard.

Mr. Davis: You are always knocking the work-force.

Mr. CAMPBELL: Not at all. Neither am I saying that the management, perhaps, could not have adopted a better policy in labour relations. While I am not knocking the work-force, I do say that anybody who attempts to defend the bad industrial record at this yard is doing a disservice to the State. The fact remains that even when this company was, metaphorically speaking, virtually on its financial knees, the work-force seemed completely indifferent to the plight of the company by persisting with so many irresponsible work stoppages, the bulk of which were not a matter of employer-employee relations. By and large, they were demarcation disputes between one union and another. That would be bad enough if the industry were flourishing and viable. In those circumstances the work-force might be able to engage in the luxury of industrial disputation. However, even when the company's annual reports have shown that its shipyard had a debilitating effect on the company—even last year 80 per cent of the loss was attributable to the shipyard activities—these employees were not prepared to pull up their socks to assist the company to finance itself out of its problems.

This company is basically sound and is widely diversified. With the assistance that the Government might be able to give, it should be able to weather its present financial storm. I have a conviction that it will weather the storm and will continue to be a very large employer of our skilled work-force. We should be proud of this company instead of "knocking" it.

Mr. Bromley: I asked you to assist it this morning and you said "No".

Mr. CAMPBELL: The honourable member is incorrect. He should know that confidential negotiations are under way and that I am not at liberty to reveal them. I have only said what I have said tonight because I was provoked.

The honourable member for Belmont implied that some of the estates are white elephants. That could be fair criticism if they do not develop as rapidly as some people think they should, but in our experience the development of these estates follows a clearly established pattern. It is always difficult to get the first one or two lessees onto an estate. I am looking at the honourable member for Lytton when I say that.

Mr. Burns: You want to put some dirt on them first.

Mr. CAMPBELL: There is enough land, and the honourable member knows it.

Mr. Burns: You haven't built the estate. You have only built the roads.

Mr. CAMPBELL: If the honourable member does not know, he should go and look at the estate tomorrow, but he should know there is adequate land which has been properly filled. It is kerbed and channelled.

Mr. Burns: I will show you some photographs outside the Chamber.

The TEMPORARY CHAIRMAN (Mr. W. D. Hewitt): Order! The honourable member for Lytton has made his point.

Mr. CAMPBELL: The honourable member is trying to deceive the Committee when he implies that it has only been done in the last six weeks. I do not believe that he is a worthy representative of this area if that is the negligent way in which he refers to his electorate.

Mr. Burns interjected.

Mr. CAMPBELL: He also saw fit to criticise the Colmslie Estate.

Mr. Burns: Of course I did.

Mr. CAMPBELL: Why does he not acknowledge the efforts of my dedicated officers instead of "knocking" them?

Mr. Burns interjected.

The TEMPORARY CHAIRMAN: Order! I ask the honourable member for Lytton to cease his constant interjections.

Mr. CAMPBELL: Did he acknowledge the creation of a recreation area on the Colmslie Estate? Did he acknowledge all the industries that have been established there?

Mr. Burns: I acknowledge that you are flooding the area with what you have done.

The TEMPORARY CHAIRMAN: Order! I ask the honourable member for the last time to cease his constant interjections.

Mr. CAMPBELL: I shall come back to the Lytton Estate now and advise the honourable member who has so much to say and has so many opinions on everything. He talks about the roads on the Lytton Estate. He does not even know they are bund walls. So many of his remarks were so wide of the truth that they are not worth further comment.

He made a great mouthful about lack of planning. He implied that we do not plan. Surely he knows that planning is the responsibility of the Brisbane City Council. We work in complete co-operation and co-ordination with the council in this regard.

He also referred to lack of environmental control. I ask him what his Government did in this regard. What did the honourable member's party do about clean water, clean air, and all the other environmental matters that have been left to this Government? The honourable member is like an empty vessel—it makes the most noise. This Government leads Australia in environmental control.

The honourable member for Port Curtis pontificated in his characteristic fashion. He dealt at great length with the Australian Industry Development Corporation and the socialistic programme being developed in Canberra for expanding the operations of this corporation.

Motion (Mr. Campbell) agreed to.

Resolution reported.

FIRST READING

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

BUILDERS' REGISTRATION ACT AMENDMENT BILL

SECOND READING

Hon. A. M. HODGES (Gympie—Minister for Works and Housing) (10.37 p.m.): I move—

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

There appears to be little opposition to the Bill, and the extent of discussion emanating from the Opposition benches is therefore surprising. When the discussion is examined, however, it is seen to consist largely of comment that is irrelevant or ill-informed and personal attacks—not necessarily on me—that contribute nothing to the business of the House and do nothing but waste its time.

Much of the Opposition criticism is of the "I told you so" nature. This is an atttitude that it is easy to adopt, especially in regard to legislation such as the Builders' Registration Act 1971, which by its very nature is bound to be controversial. It is self-evident that the higher the qualifications

for registration are set, the better the consumer will be protected. It is also clear that if these qualifications are set too high, the builders will be adversely affected.

The interests of the public and the builder do not always coincide; if they did, there would not have been the need for a Builders' Registration Act in the first place. A balance therefore has to be struck between these two conflicting interests. The Government was acutely aware of the problem, and took such measures as were then available to it to solve it equitably.

As the honourable member for Merthyr has rightly pointed out—

"Because of the peculiar, informal nature of its organisation, the building trade is a particularly difficult one on which to impose legislation of any kind."

There is not—or at least there certainly was not in Queensland at the time the original Act was drafted—any research data on which to make a decision as to qualifications for registration. Reference was made to other legislation, especially that of Western Australia, where a similar Act has been operating since 1939, and experience elsewhere was thus largely drawn upon. The matter was certainly not overlooked, as some Opposition members have claimed.

When a balance has to be struck between two conflicting interests, the answer will never appeal to those who hold extreme views in either direction, or to those who, for political advantage, pretend to hold those views and advance them secure in the knowledge that no-one in his right senses will adopt them. This, I suggest, is the basis for the Opposition's attitude in the present case.

To revert to the main point at issue, events have shown that what might suit one State need not necessarily suit another. It is easy to see in retrospect, but not so easy to forecast. The important thing is that the Government has now the results of more than a year's research data of the best possible kind—practical application. It has recognised that the standards for registration of practising builders and supervisors were set too high. It has openly admitted this and has come forward with an amendment which will rectify the situation. I find it very difficult to see any sense or reason in adverse criticism of this action.

I will go further and strongly refute allegations that the building industry has been thrown into confusion. I have already said that the board has not adhered to the letter of the Act, but has used its discretion in registering practising builders with the very object of avoiding this alleged disruption. This has also been the object of the exemptions referred to by various honourable members. If and when the legislation is passed, these exempted persons will be able to obtain registration. In the meantime, they can still practise their calling. Criticism of these exemptions is, in fact, one of the best examples of muddled thinking I have yet seen.

Another aspect of registration should receive general reference. The utmost care was taken in preparing the application forms to ensure that they could be readily followed. They included explanatory notes and, in the case of an individual, a complete transcript of the relevant portions of the Act—none of which was legally necessary. Yet the board received application after application incompletely or incorrectly filled out, without the necessary supporting information and in many cases without the prescribed fees, even though these were set out in the explanatory note.

The board used every possible endeavour to assist these applicants by writing to them, not only once but in some cases four and five times. Again, this was taken well beyond the call of duty. But when an applicant persistently neglects or openly refuses to supply the data required for the consideration of his application, what recourse has the board other than to reject his application? This, honourable members will find, is the reason for many of the rejections to which such pious objection has been raised.

There were some other comments from individual members, but virtually all those who took part in the debate suggested that the amendments were timely, and necessary to make the Act workable.

I commend the Bill to honourable members.

Mr. NEWTON (Belmont) (10.43 p.m.): The Minister's second-reading speech was very interesting. I am sure that the House will recall that, in replying to the debate at the introductory stage, he said that he would answer in his second-reading speech the comments made by honourable members. But all we have heard tonight is a challenge thrown out by the Minister. The Opposition accepts that challenge because it believes that the Act relating to the registration of builders is a disgrace.

The Minister said also that events have shown that what suits one State does not necessarily suit another. All I can say is, "God help the people who are advising him!", because the building industry is uniform over the length and breadth of Australia. I have attended conferences in every State in Australia relating to the building industry and I know that is true. In spite of all the ballyhoo about "what suits one State does not suit another", I say that the Minister has been wrongly informed.

I say to the honourable gentleman that the attacks made by members of the Opposition made it unnecessary for several Government members to enter the debate and make similar attacks on the Government. They were fully aware of what has been going on ever since the original legislation was passed in 1971. Tonight the Minister denied that

the building industry has been thrown into confusion. If the Minister wants examples, I will give him some later on. I can do that when dealing with the principles of the Bill.

The board has not been brought into the debate so far because we wanted to find out first just who was responsible for the actions that have been taken over the period since the legislation was first introduced. Our objections have not been biassed; they have been sincere in the interests of people in the building industry who have made complaints to us since the original Bill was introduced.

Having had time to study the Bill, the Opposition feels that it goes a long way towards overcoming a number of the anomalies.

Mr. Hinze: They what are you crying about?

Mr. NEWTON: The honourable member will hear later on.

We do not hesitate to say that our efforts to have the Act amended to provide registration for all persons desiring to be registered as builders have almost been successful. At the Committee stage we will be moving amendments in an endeavour to pursue that point further.

The Bill opens up again the whole subject of the registration of builders. We intend to take advantage of that fact before the Bill is finally passed through the Committee stage, so that there will be no doubt in the mind of anybody as to what it means. At least on this occasion we have been given a few more days to study the Bill and realise its consequences than we were when the original legislation was before the Chamber.

Mr. ACTING SPEAKER: Order! The honourable member for Lytton should be either inside or outside the Chamber.

Mr. NEWTON: The Minister should be commended for taking these and other steps to amend the principal Act. The amending legislation reviews the whole position covering the registration of builders. The Minister indicated tonight that the board desired to do many things to help builders, but we want to be sure of that. I do not want to delay the House tonight, but I have file after file of cases that have been brought to my attention. Whether the Minister likes it or not, builders in this State have already become involved in litigation because of the actions of the board and the Government.

Mr. Hinze: You approved of the earlier Bill.

Mr. NEWTON: We never approved of it. Right from the start we endeavoured to open the door for registration to every builder in the State. That was our policy then, and it is still our policy. We place the blame for the litigation I have mentioned squarely on the shoulders of the Government. As I say, I could give example after example.

Was the Builders' Registration Board told of the Government's intention to amend the Act to overcome the problems that were raised time and time again by honourable members on both sides of the Chamber? It was quite evident that the board was anxious to have a builder appear before the Magistrates Court for a decision as to whether he should be registered so that his case could be used as a test case.

A particular builder has written as follows:—

> "During the last few months I have had correspondence and telephone conversations with reference to my application, and have complied with the requirements of the Registrar.
>
> "On 28 December 1972 I was advised that my application was unsuccessful. I then asked for an appeal, which was to be discussed in an interview with the Board on 22 January 1973. However, on 19 January 1973 I was informed by telephone by the Registrar that my appointment was cancelled and to take necessary action through my solicitor. Obviously I still feel in my opinion that my application should have been accepted on my original application.
>
> "On 13 March 1973 I was informed by the Registrar, Mr. A. Nicholson, by telephone that they would not attend my appeal in the District Court that day but would give me exemption because of the 'amending legislation clarified qualifications for builders' registration' due in Parliament in 1973. My exemption would be gazetted on 17 March 1973 to 17 September 1973 pursuant to section 33 (2) of the Act.
>
> "Before my telephone conversation with you on 13 March 1973 I did go to the Magistrates Court and my solicitor asked for an adjournment until 17 July 1973, hoping by then the result of the new legislation would be in my favour and the appeal would not be necessary.
>
> "I am sure you will appreciate that I cannot fully understand these changes the Board of Registration make, which has caused my much wasted time and expense. Had I been granted this exemption earlier it may not have been necessary to have gone to the expense of making an appeal through the Magistrates Court, which I sincerely hope I do not have to continue with."

That is only one example. On behalf of the builders in Queensland, I ask: Who will compensate those builders who have already been forced to take action in order to protect their livelihood? All the Government's ballyhoo and pious talk about registration stinks to high heaven.

The Opposition has closely examined the Bill and demands certain assurances from the Minister tonight. As we see the Bill, it

covers builders who are already registered. The Minister has indicated that it also gives those builders who are exempted the right to reapply for registration within six months of the Bill receiving royal assent. I hope that when the Bill becomes law all builders, particularly those who have been exempted, will be informed of their right to reapply for registration.

Mr. Hinze: What would you know about building?

Mr. NEWTON: Just as much as you know about dairying.

It is evident that applicants who have been rejected by the board are given consideration in this legislation. If we read the provision correctly, it seems that applicants who have been rejected have now a right to reapply for registration.

Mr. Miller: What are you concerned about?

Mr. NEWTON: I will tell the honourable member as I proceed. I am concerned about the legislation as a whole.

Mr. Miller interjected.

Mr. NEWTON: If someone allays my fears at this stage, I will be satisfied. If I do not get satisfaction, I have quite a deal of time during the Committee stage to raise certain matters. On behalf of the Opposition, I indicate that when this legislation is passed we hope it will give everyone operating as a builder the right to registration.

I am pleased to note that the difficulties relative to "supervisor" in the definitions are being overcome by the Bill. This definition caused a lot of trouble in administering the Act. On many occasions, foremen or leading hands, who would be in a category similar to that of supervisor, had difficulty in getting registration. The position of a carpenter or a bricklayer seeking registration is clearly defined in the Bill. This clarification must surely assist the Builders' Registration Board when dealing with applications.

Quite a number of applications were rejected under the provision relative to $25,000 worth of work being undertaken in any one year over five years.

Mr. Miller: Why didn't you move an appropriate amendment previously?

Mr. NEWTON: As I indicated earlier, the previous legislation was introduced one night and we had the second-reading stage the next day. On that occasion we were lucky to be able to move whatever amendments we did. Opposition members told the Government at the second-reading stage that this provision would be the stumbling block for many builders in Queensland. The deletion of the provision that includes the figure of $25,000 will no doubt assist the board in dealing with future applications.

The Minister indicated that the provision relative to fees and charges being refunded is clearly set out in the Bill. I do not intend to delay the House, but I could cite a number of examples of fees paid, and the amount of money refunded. Now that the provision is spelt out in the amending legislation, we will be watching closely to see what happens with moneys that have been paid.

We cannot argue about the provisions covering quantity surveyors or members of the Australian Institute of Building. We take it that these people have been members of corporate bodies for at least four years, and the purpose in reducing the period from three years to two years is to achieve uniformity. However, we should like the provision explained. It provides quite clearly that tradesmen must serve an apprenticeship of four years, with two years' practical experience in their calling. We have no objection to these people, as we know their qualifications and the important role they are playing in the building industry. But we must ensure that what is being done will achieve uniformity.

I shall now deal with a matter that obviously the board or the Government has come across. It is interesting to note because it could have resulted in a dangerous situation arising. I refer to a change of director or supervisor in a firm or company where that person has obtained registration on behalf of the company or firm, and what must be done in regard to the registration of that company or firm. It is pleasing to see that this has been covered in the Bill. The Act spells out what applies in regard to firms and companies. The person has to be nominated by the particular company or firm, and if the directors or partners cannot get registration the firm has the right to nominate a person who later on can get registration from the board. There is no doubt it has happened and will happen again that a person in this category will relinquish his directorship or membership of a partnership, and such firms or companies could find themselves in difficulty if they could not quickly find someone else to nominate to fill the position.

It is good that a period has been stipulated in which the board must be notified of such changes, and who is to fill the position. The board should now be able to finalise applications much sooner, because it will have power to demand that an applicant furnish further information within a prescribed period. The Minister said that this was previously one of the reasons for the delay in deciding some of the applications submitted to the board. It is good that this provision has been written into the legislation. If the board is not happy with an application or the qualifications submitted, it has the right to ask the applicant to furnish the necessary information within a prescribed period. This is to the applicant's

advantage, if he is sincere and wants registration. He can save himself the payment of unnecessary fees if he co-operates with the board.

The Opposition cannot agree to the principle that the person doing work below the value of $500 does not have to be registered. This would allow an unscrupulous builder to do shoddy work and get away with it. He could cheat pensioners and persons on low incomes who have saved hundreds of dollars to have their homes repaired. The honourable member for Ithaca has been very vocal on this subject. With his experience as a painting contractor, he would know something of what goes on in the building industry. But I cannot understand him when he says that if we do away with this principle, we take away from certain people the right to earn a livelihood.

Mr. Miller interjected.

Mr. NEWTON: During the introduction of the Bill, the honourable member said that the Opposition was taking away the right of certain people to operate as contractors. That is not the position at all. The honourable member knows quite well how many jobs could be done for $500 on the principle, "You supply the materials and I will supply the labour." This is where you make a big mistake. Further, you go on—

Mr. ACTING SPEAKER: Order! The Chair is not "going on". Will the honourable member please address the Chair.

Mr. NEWTON: Yes, Mr. Acting Speaker.

Let me indicate further how out of touch the honourable member for Ithaca is with the building industry. In dealing with the question of work done on a labour-only basis, one deals with a price per square for labour, and the materials are provided by the principal contractor. I hope that Government members do not confuse the price per square for labour only with the price per square for construction of a building overall. The prices for labour only per square today fall into very many categories. The external walls of a house may be fibro, chamfer boards, weather boards or brick veneer, but the price per square for internal lining throughout the house depends on the type of lining used. Work of this nature is being done for as little as $80 a square. It can go higher, but it usually ranges between $80 and $120 a square. When ordinary linings are used only in the kitchen and bathroom and plaster is used for the ceilings and walls of the rest of the house, the price for labour only decreases per square. In such cases, prices can be as low as $70 a square.

In the case of a registered builder doing labour-only work, we say that the amount of $500 is still far too high to give the required protection. For that sum, an extension of three or four squares could be added to a house on a labour-only basis. Such additions could involve setting out, putting in stumps and foundations, constructing the walls, and, what is one of the most difficult parts of the job, breaking through the main roof of the house.

Mr. Miller: For $500?

Mr. NEWTON: On a labour-only basis, yes. The honourable member should not confuse labour-only prices with prices per square for complete construction of a building. They are two entirely different things. One deals with a contract for the supply of labour only, with the builders supplying the material. I shall give an example of how a person could be caught under this section.

I could go on and deal with what the honourable member for Ithaca said at the introductory stage relative to giving protection to the general public. Let me take the number of jobs that can be done up to $500. For example, remodelling of a bathroom could include removal of wall boards or ceilings and walls and replacing them with other wall boards, providing built-in cupboards and tiling round the bathtub or the washbasin, or whatever it may be. On many occasions work of this type has been done and it has then been necessary to inspect the shoddy job.

The same position arises when remodelling of the kitchen is carried out, as it is virtually every day of the week because people wish to have modern kitchens. The whole kitchen is remodelled, including ceilings and walls. Of course, the most important part is the built-in units, wall cupboards, and so on, which make the kitchen very attractive.

In addition, there is the replacement of front and back landings and steps. I could go on and on—the extension of eaves and the soffiting of them; the replacement of windows, including jambs and stops; the replacement of roof rafters, joists and battens and struts; the enclosing of verandas and porches, including the ceiling and lining of the walls, plus the replacement of louvres, windows, or sliding windows, as the case may be.

Again, there is the construction of a garage on an ordinary allotment. A building 20 feet by 10 feet, with no ceiling or lining for the interior walls, and with a flat roof, could be built for under $500.

Then there is the replacement of fences. Again many forms could be used involving costs below the $500 mentioned in the Bill. The building of concrete paths and driveways and concreting under a house and enclosing it is something that is well known to all honourable members.

I could go on and give example after example of the work that can be done if it is provided that anybody doing work under $500 does not have to be registered.

Mr. Hodges: What is your point?

Mr. NEWTON: My point is that the figure should be eliminated altogether, and I shall be dealing with this at the Committee stage. Honourable members on this side of the House use the same argument now as they used when the original Bill was introduced in 1971. We think the figure that should be used is $100. If it had not been used on that occasion, we would have been moving now for the elimination of the $500.

I pointed out on that occasion—I do so again now for the benefit of honourable members opposite—that the reduction of $500 to $100 does not take work away from anybody. It allows pensioners, tradesmen or builders to carry out the work with material provided by the person or persons for whom the work is being performed. This custom and practice has been followed in the building industry since its inception, and the Act will not make any difference to it.

Mr. Miller: Are you prepared to take $100 and do a $500 job for labour only?

Mr. NEWTON: No. I am surprised at such an interjection from an honourable member who has worked in the building trade.

Mr. Miller: That is the impression I gained.

Mr. NEWTON: The honourable member always gets the wrong impression. The other night he said that if the amount was made much lower people would not be able to get any work. I deny that tonight, just as I denied it the other night. The custom and practice that applies in the building industry does not take away that right.

The Bill provides for the repeal of section 32 of the principal Act. That provision was debated very strongly when the original Bill was before the Chamber, and it has caused a lot of harm since the Act came into force. It indicated quite clearly that before any local authority could approve plans for building work above the value of $4,000, a registration number had to be submitted with the plans. Let me make that point clear. A registration number was required, not to get a permit to build but in order to submit a plan.

We have no objection to what the Minister is endeavouring to do. Possibly it could be said that it will not assist the board as much as it was assisted by the provisions of the principal Act. But we say that John Citizen should have the right to lodge his own plans and specifications with a local authority if he so desires. Previously, if a person wanted plans approved by the local authority he could have them drawn up by anybody he liked, including a tradesman. Once the plans and specifications were drawn up, he could submit them to the local authority and obtain approval to go ahead with the job. Whoever he got to construct the building was his own business. We feel that the Bill returns to John Citizen the right to submit his own plans. I have already indicated that that provision has been one of the worst obstacles to overcome.

The fact that the board is to have power over builders exempted under the principal Act indicates once again that the Minister has had a good look at the weaknesses in that legislation. Builders in that category could be protected under the principal Act. What is the Minister's intention here? It is easy to understand why, until now, so many builders have had to be exempted and so many names have appeared in the Government Gazette in accordance with the requirements of the principal Act. It is to be hoped that once the amending legislation is passed we will not have such a long list of exempted builders.

An important point is that even though a builder is exempted under the Act, he is not exempted from carrying out the provisions of the Act. The Bill provides that if an exempted builder carries out faulty construction work he can be dealt with in the same way as a registered builder. That is a step in the right direction.

There is another point we are not very happy about. Again the Minister will say that the matter has been previously argued in the Chamber. I am referring now to the service of notices on registered builders. We are concerned mainly at the manner in which notices will be served. The Bill provides that a notice may be left by leaving it with "some other person apparently an inmate thereof or employee thereat". That provision seems to be a dangerous one. Why should such a person be required to accept service of a notice that should be served on a registered builder?

The Bill also provides that a notice may be served by leaving it with a person who is apparently of or over the age of 16 years. This provision, too, is an unsatisfactory one, because I suggest that many lads of 16 years of age are employed in the building industry as apprentices. I would go so far as to suggest that in provincial cities and towns certain builders would only employ apprentices. We suggest it would be better to provide that notices may be left with a person who is apparently of or over the age of 18 years.

The Opposition's comments have been and will be designed to ensure that all the problems that have arisen under the Act will be overcome. It is a pity that the Act has had the effect that has been obvious since its proclamation. It is shocking that builders have been forced to become involved in litigation, to seek legal assistance, and even to appear before a magistrate to seek adjournments. In view of the many complaints that have been made, the questions that have been asked and the speeches that have been made in this Chamber, someone somewhere along the line should have become aware of the serious situation that had

developed. It is a pity that it was not drawn to the attention of Parliament earlier. I make no bones about the fact that the Opposition has circulated throughout the State copies of speeches made at the introductory stage. The result is that we are receiving correspondence from many persons who claim that the provisions relating to litigation should be further examined.

The Opposition has interpreted the Bill as providing that all builders will be given the opportunity of registering. It is also our interpretation that they will have six months after the Bill receives royal assent in which to apply for registration.

At the Committee stage we will be moving certain amendments in an endeavour to broaden the field even further than at present so that all builders will have the right to be registered and so that the Act will achieve what it is intended to achieve, as set out in the yellow document that was printed. This is what it says—

> "The purpose of the Act is to regulate the building industry so as to proctect the public against any inefficient or unscrupulous practices within the industry.
>
> "The attainment of this objective will assist in raising the standard of performances and practice within the industry."

Mr. N. F. JONES (Everton) (11.26 p.m.): I was quite surprised when the Minister said that the criticisms levelled at the Act were unfounded and that there had been no chaos within the building industry. By their very number, the amendments proposed under the Bill condemn him. If the Minister's statement were true, we would not be here debating the great number of amendments put forward by the Minister to improve the original legislation. In my opinion they go a long way towards ensuring that, when carried, the building industry will not be faced with some of the problems it met after the original legislation was passed, which was prior to my entering Parliament.

Tonight, I wish to deal with one or two principles in the Bill and support the submissions made by the Opposition's shadow Minister (Mr. Newton). As the Opposition's spokesman on housing, he covered the measure fairly well, so I will be brief in my comments.

I think it was the honourable member for Merthyr who said at the introductory stage that the Builders' Registration Act had passed through a number of trials and errors. In my opinion, it was a long and serious trial. I only hope that the amendments will rectify most of the errors.

After examining the amendments, Opposition members were pleased that the Minister had seen fit to take note of a number of proposals put forward by them. Members of the building industry must also be pleased to note that the Act provisions, as amended by this Bill, will be in more workable form. A certain amount of confidence will thus be restored to people in the building industry, particularly those who were refused registration under the Act.

The amendment to section 4 of the Act to include labour-only gangs is worth while. On a number of occasions members of the Opposition have drawn the Minister's attention to the necessity for such a provision. We have repeatedly pointed out that registration should be available to all people involved in the building industry. The inclusion of labour-only gangs will broaden the scope of the legislation so that more people in the building industry will be subject to some form of control. While personally I could have reservations about labour-only gangs, they are now a part of the building industry and, as such, should be registered under the Act. Their inclusion will give greater protection to the person or persons having work carried out on a labour-only basis.

As the Act stands, the owner of a dwelling supplying material for work on a labour-only basis ran the risk of having the work carried out by a fly-by-night operator. In such circumstances he has little hope of redress. Now that labour-only gangs are to be registered, the public will receive greater protection, and we know that the intention of the Act was to give the public protection. The extension of registration to labour-only gangs will also assist the small builder before he becomes a full-time contractor, that is, a builder who supplies the material and labour required to carry out a job according to the plans and specifications. A young man starting out in business in his own right will be able to work as a registered builder even if he has not the necessary finance to purchase material to carry out a job. This provision will give him an opportunity to establish himself and his reputation as a registered builder without the financial burden of buying material to undertake jobs that would qualify him for registration in the industry.

I should like the Minister to tell me whether labour-only gangs employed by large contractors will have to be registered if they act as labour-only gangs on large jobs. I should like some clarification on this matter. If this is to be the case, it will give added protection to people who are purchasing houses from large contractors who employ labour-only gangs.

The extension of the registration to cover a larger area of the building industry must be of greater advantage to the public than the provision in the existing Act. The consumer is at a disadvantage under the Act, but will be in a better position under the amended legislation. The advantage to be gained by the person having the job carried out is that he will have some redress against the person doing the work.

In addition, an area is created in which younger or small builders can tender at a more competitive price. It does not leave the owner in the disadvantageous position of having only a large builder

tendering for his job who can dictate terms and price, and, possibly because of the large amount of work he has on hand, the time of commencing and finishing the small job. If a long period elapses between the calling of tenders and the commencement of a job, the consumer has to meet the increased cost of the material used. Under the proposal he will now be able to get a small builder to do the work.

I shall refer briefly to the Minister's proposal to reduce the $4,000 limit to $500. I know that the honourable member for Belmont mentioned this, but I ask the Minister why he has set $500 as the figure. Reference to page 2741 in volume 258 of "Hansard" will show that on 9 December last year the Opposition moved that the amount should be lowered and that the Minister said he could not agree because, if he did, there would be no chance of builders reaching the $25,000 ceiling. Now that the ceiling is to be removed, I can see no good reason for not reducing the limit to $100. This would give greater coverage to those involved in the building industry.

"The Minister may issue directions to the Board on matters of policy and the exercise of its powers and functions and the Board shall observe and carry out the directions so given."

Mr. ACTING SPEAKER: Order! I trust that the honourable member is not quoting from the Bill because that is not permitted at this stage.

Mr. N. F. JONES: I am sorry, Mr. Acting Speaker. I started to quote the clause before I realised that that was not the proper procedure.

The Bill provides that the Minister takes full control. I am pleased that this is so because, as an elected representative, I believe that the Minister should have full control under the Act. It should not be left to a phantom public servant. The Minister should take control under the Act and accept his responsibility. The people can then judge whether or not he administers its provisions in a proper and fair manner. I only hope that other Ministers take note of the way in which the people of Brisbane showed, by their votes last Saturday, that they were not too happy with the way in which the Minister for Local Government has handled—or mishandled—his responsibility.

Mr. ACTING SPEAKER: Order! The honourable member is departing from the principles of the Bill.

Hon. A. M. HODGES (Gympie—Minister for Works and Housing) (11.36 p.m.), in reply: Again I am rather amazed at the attitude adopted by the Opposition. The honourable member for Belmont opened by viciously attacking me and the Government, and then went on to agree with every provision in the Bill. The Government was big enough to recognise, after 12 months of operation of the legislation, that the standard set was too high. We have openly admitted that, and the Bill has been brought down to rectify the situation. I find it difficult to see any sense or reason in the adverse criticism of this action, especially by the honourable member for Belmont.

I was very lenient in my second-reading speech. I did not want to be in any way vicious or vindictive. I can say, however, that 90 per cent of the Bill was provided by the building industry itself in Queensland. It was the industry that virtually produced the Bill, yet the honourable member for Belmont condemns the Government and everybody else associated with it. I repeat that it was the building industry itself that formulated the Bill in the first place. What was said by the honourable member this evening was mischievous, preposterous and utterly fallacious. The Labor Party was in office in this State for 24 years, yet it made no endeavour to introduce legislation to assist builders. A file extending over 30 years shows that the Labor Party consistently refused to give the building industry the system of registration that it desired.

As the honourable members for Belmont and Everton have indicated that two or three points that were raised will be discussed at the Committee stage, I have nothing further to add at this stage.

Motion (Mr. Hodges) agreed to.

COMMITTEE

(The Acting Chairman of Committees, Mr. Wharton, Burnett, in the chair)

Clauses 1 and 2, as read, agreed to.

Clause 3—Amendment of s.4; Definitions—

Mr. NEWTON (Belmont) (11.39 p.m.): I take the opportunity to speak on this clause because it is the one that broadens the legislation to cover labour-only builders. Here again the Opposition appreciates what is being done, as the inclusion of labour-only contractors should help to provide the complete coverage that we seek in the building industry. All builders who have the required qualifications, including labour-only contractors, will now have the right to obtain registration.

The Opposition makes it clear that it does not intend to oppose the clause, which allows labour-only contractors to be registered as builders. I have already given examples, and again I say to the Government that a large percentage of building work in Queensland is now being done by labour-only contractors. It is interesting to note also that quite a large amount is being done on that basis both for the Government and for private enterprise. Particularly in the construction of houses, the Minister has let many contracts to big builders over the length and breadth of the State under which the main contractor

lets the work out to subcontractors. Honourable members on this side of the Chamber agree with the clause, which they think will strengthen the present position.

I was rather surprised to hear the Minister say in his reply on the second reading that whatever was in the Act before the Bill was introduced was the responsibility of the building industry. He said, in effect, that he accepted in toto recommendations from the industry.

Mr. Hodges interjected.

Mr. NEWTON: The Minister had a "shot" at the Opposition in his reply. He did say that, as he will see when he reads his "Hansard" proof tomorrow. I do not think he meant to say it, because when a Bill is being introduced the Minister, his officers and everybody concerned with the department endeavour to get as much information as possible to ensure that the provisions included in it give effect to their intentions. There was no excuse in this instance, because there were Acts operating in other States to which reference could be made.

Mr. Hodges: Which clause are you referring to now?

Mr. NEWTON: It does not matter which clause I am referring to. I am on my feet, and I am taking this opportunity, whether the Minister likes it or not, to reply to what he said when replying to the second-reading debate.

The ACTING CHAIRMAN: Order! The honourable member for Belmont should be dealing with clause 3. I ask him to return to that clause.

Mr. NEWTON: Very well, Mr. Wharton.

The word "supervisor" is to be deleted. The Opposition is pleased to see that, as it caused some confusion to the board. The way is now clear for foremen and leading-hands to be registered, as provided in other clauses. The fact is that the words "including the provision of labour only" are now to be included in the definitions.

Clause 3, as read, agreed to.

Clauses 4 to 8, both inclusive, as read, agreed to.

Clause 9—Amendment of s. 31; Offences by persons not registered as builders—

Mr. NEWTON (Belmont) (11.44 p.m.): I suppose this really is a question of the Opposition being consistent with the action it took when the principal Act was introduced. Although we appreciate that the $4,000 has now been reduced to $500, we do not think it goes far enough. It is not my intention to repeat the argument that I used on that occasion or, indeed, to repeat the argument that I put forward earlier in this debate. However, the inclusion of labour-only contracts has made a difference, and I shall give a number of examples of the effect that this has had. In the light of the $500 and the prices per square that I now have before me, quite a substantial addition to any house or building in this State could be involved.

It could involve, for example, quite an amount of repair work being done on a labour-only basis to the external parts of a building, including the roof structure. Up to that amount, it could include the complete remodelling of rooms in a house. At the introductory stage I referred mainly to bathrooms and kitchens in a house. On the labour-only basis, the material is supplied by the owner and the builder supplies the labour.

Mr. Hodges: I want to know what clause you are speaking to.

Mr. NEWTON: Clause 9.

Mr. Hodges: About vacancies on the board?

Mr. NEWTON: I am not talking about vacancies on the board. I am talking about the reduction of the $4,000 to $500. I have not even mentioned the board. If I had, I am sure that I would have been pulled up. I am talking about clause 9, to which I will be moving the Opposition's first amendment, and which deals with an amendment of section 31 of the principal Act.

The provision has strengthened the argument we used when the original legislation was before the Chamber. Accordingly, I move the following amendment—

"On page 5, line 27, omit the word—
'five'
and insert in lieu thereof the word—
'one'."

As I said before, we believe that the Bill should give complete and full coverage in order to protect people from those in the building industry who operate in an unscrupulous way and do shoddy work. By this amendment, at least we will be affording the protection that the legislation sets out to provide.

Hon. A. M. HODGES (Gympie—Minister for Works and Housing) (11.48 p.m.): I do not intend to accept the amendment.

Mr. Newton: I didn't really expect you would.

Mr. HODGES: It is not that I have not accepted amendments in the past. I accepted amendments when the previous Bill was before the Committee. The deletion would create the necessity for excessive administrative and inspectorial control which could not possibly be justified by results. That is recognised not only because of our own observations but also because it has been admitted by the New South Wales authorities that they are finding themselves in tremendous difficulties because of something similar to what is proposed.

Mr. MILLER (Ithaca) (11.49 p.m.): I was happy to hear the Minister say that he was not prepared to accept the amendment. After listening to the honourable member for Belmont, it is quite obvious that he is the spokesman for the union and is endeavouring to use the Bill to control non-union labour. It was quite obvious also from the stand he took at the time of the original legislation that he was opposed even to unemployed carpenters having the opportunity to work on a job up to the value of $4,000 only because he wanted to control non-union labour. Tonight he is endeavouring to remove the limit of $500. If his amendment were accepted, the result would be that nobody except a carpenter could carry out any work whatever. In country areas where there are no carpenters, people would be forced to import carpenters from other parts of the State simply because the Building Workers' Industrial Union has asked the honourable member to suggest that no amount should be fixed.

Mr. Sherrington: Do you believe in non-union labour?

Mr. MILLER: I do not, but I see no reason at all why pensioners who were previously tradesmen cannot be given the opportunity of working in their old age to help supplement their income.

Mr. Sherrington: They are members of the union.

Mr. MILLER: They will not be registered under the Bill. The Opposition's amendment would prevent them from doing any work at all.

Mr. NEWTON (Belmont) (11.52 p.m.): I am, of course, not amazed by the comments of the honourable member for Ithaca in relation to union labour. All I can say is that his mind must be a blank. The position to which he has made particular reference was dealt with when the previous Bill was introduced in 1971. On that occasion the Minister made it quite clear that among those persons who would be exempted were those who work on the land.

Mr. Miller: I am not talking about the man on the land.

Mr. NEWTON: You have had your say.

The ACTING CHAIRMAN: Order!

Mr. NEWTON: On that occasion I indicated that the Opposition would not raise any objection at all to that aspect of the legislation. All the honourable member for Ithaca is trying to do tonight is drag red herrings across the trail.

He has claimed that I am the spokesman for my union. No member of the Opposition who is a member of a union would want to see work that rightly belongs to his union carried out by other than union labour. It is clear that the intention of the Bill is to enable a person who does not know anything about building to carry out certain work. The honourable member has clearly demonstrated his insincerity. He did not want the Act in the first place, so I do not know why he has not urged its repeal. He has had 12 months in which to arrive at a means of overcoming this particular problem.

If the clauses that apply to registered builders also applied to people who do work below the value of $500—so that, for example, they could be called before the board and made to rectify faults—it would not have been necessary for the Opposition to move its amendment.

We will ensure that the people know that anyone who carries out work to the value of less than $500 does not have to be registered, so that if persons who have work done for them meet any problems they can make the Opposition aware of them so that they can be passed on to the Minister. It is quite evident that many Government members have had no experience at all with builders who carry out repairs, alterations and renovations. I exclude from those comments the Minister for Transport, who was engaged in that type of work for a considerable time. He knows as well as I do that we have been called upon to rectify mistakes in work that would almost make a builder weep, mistakes that pensioners and people on low incomes are called upon to pay for.

Hon. A. M. HODGES (Gympie—Minister for Works and Housing) (11.56 p.m.): The honourable member for Belmont gave us a clear indication that he does not regard the people of Queensland as being very intelligent. Not one person need employ an unregistered builder. Anyone who wishes to have work done will no doubt avail himself of the services of a registered builder. The honourable member's argument was completely fallacious.

Mr. MILLER (Ithaca) (11.57 p.m.): The honourable member for Belmont specialises in drawing red herrings across the trail. He said that I was referring to men working on the land, but I made it clear that I was referring to people in country areas who wanted repairs carried out on their homes. The honourable member was fully aware of what I was referring to. I remind the honourable member that I have supported the introduction of this measure on many occasions in this Assembly. I also remind him that, on every occasion, he was very vocal in opposing the proposal. If anyone has any new thoughts on the registration of builders, it is members of the Opposition and not Government members.

I assure the honourable member for Belmont that I am very happy to know that unions will inform the public that there are carpenters who are not registered. I am only seeking a right for these people to

do work; a right for a member of the public to be able to choose whether he wants a registered carpenter or, perhaps, a pensioner to do a job. I firmly believe that we should have this amount of $500 to enable pensioners to earn extra money. A member of the public should have a right to say whether or not he will employ a registered builder or carpenter or a pensioner. I repeat that we should not have to import carpenters to country areas to do small jobs, because that is not an economic proposition. As the honourable member for Belmont assured the Chamber in reply to my comments that he is concerned only with scab labour, to use his words, I believe that the Opposition is trying to control non-union labour through this Bill. That is the main aim of the Building Workers' Industrial Union.

Mr. NEWTON (Belmont) (11.59 p.m.): The Minister and the honourable member for Ithaca are both confused. The Minister made certain statements about work carried out under the value of $500 and the honourable member for Ithaca gave a completely different opinion on this provision.

To reply firstly to the honourable member for Ithaca, he should thank God that there is now a different Government in the Federal sphere because under the former Liberal-Country Party Government pensioners could not earn more than $156 a year. At that time a pensioner was allowed to earn only $3 a week.

The ACTING CHAIRMAN: Order! The honourable member will confine his remarks to clause 9.

Mr. NEWTON: I should like to know what else I am speaking on.

The ACTING CHAIRMAN: The honourable member is certainly not dealing with clause 9.

Mr. NEWTON: It seems, Mr. Wharton, that you are taking away my right to reply to the honourable member for Ithaca and the Minister on clause 9. Opposition members made their position clear during the introduction of the Bill and again tonight. Any complaints we receive regarding work up to the value of $500 will be referred to the Minister in the same way as we have referred complaints to him from builders who were not granted registration.

Amendment (Mr. Newton) negatived.

Clause 9, as read, agreed to.

Clauses 10 and 11, as read, agreed to.

[Wednesday, 4 April 1973]

Clause 12—New section 42A; Service of notices, etc.—

Mr. NEWTON (Belmont) (12.1 a.m.): This clause adds a new section. We have no argument with paragraphs (a) and (c). However, we are concerned with paragraph (b), which reads—

> "by leaving it for him at his place of abode or business last known to the Board with some other person apparently an inmate thereof or employee thereat, and apparently of or over the age of sixteen years;"

I am mainly concerned with the employment of apprentices. There is no doubt that a good relationship exists between builders and apprentices. I believe that a person of 16 years is too young to be served with notices by the board. This could involve an apprentice in his first or second year. To test the feeling of the Committee, I move the following amendment:—

> "On page 5, line 47, omit the word—
> 'sixteen'
> and insert in lieu thereof the word—
> 'eighteen'."

Hon. A. M. HODGES (Gympie—Minister for Works and Housing) (12.3 a.m.): The age of 16 is the one commonly stated in provisions of this nature in other legislation. It has been so for many years in this State. I cannot see any reason for departing from that standard, and I therefore have no reason to accept the amendment.

Amendment (Mr. Newton) negatived.

Clause 12, as read, agreed to.

Bill reported, without amendment.

POLLUTION OF WATERS BY OIL BILL

SECOND READING

Hon. N. T. E. HEWITT (Auburn—Minister for Conservation, Marine and Aboriginal Affairs) (12.5 a.m.): I move—

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

My introduction of the Bill described in some detail the major provisions of the Bill and the reasons for their inclusion in it. As I informed honourable members during the introduction, the Bill is complementary to Commonwealth legislation and is intended to ensure that an offender could not escape legal action on the grounds of jurisdiction. Either the Commonwealth or the State Act would apply.

The honourable member for Cook raised the question of the proportion of oil in an oily mixture discharged. In terms of the Bill, the discharge of any oil or mixture containing oil is an offence, irrespective of the ratio of oil in the mixture. It will no longer be necessary to prove for prosecution purposes that there was at least one hundred parts per million of oil in the mixture. This will make it much easier to prosecute. Often by the time a sample is taken the oil film has diluted below that level, and the sample will not support prosecution.

The honourable member also raised the question of policing the Act in the remote areas off the North Queensland coast. I concede that this is a problem. There is little to be gained by mounting a costly investigation in a remote area unless information is received at the time of observation of oil. In North Queensland waters, with the strong currents and mostly moderately windy conditions, oil disperses rapidly. If information of an oil slick is received in good time the best endeavours are made to investigate it.

With regard to the matter of lines of communication which was raised by the honourable member, I can assure him that there is full communication between local and port authorities and the Department of Harbours and Marine, and also between that department and other State departments as well as the Commonwealth.

On the matter of uniformity, this Bill is based on a model Bill proposed by a committee of the Association of Australian Port and Marine Authorities, and the model Bill has been generally approved by the Commonwealth and all States.

The honourable member for Cook also raised the question of the change in title of the Bill. The purpose of the change is to extend the provisions of the Bill to include all waters in Queensland likely to be polluted by oil, including tidal waters, lakes, water storages, rivers, creeks, and the like. The existing Act relates only to navigable waters, which may not include shallow streams and lakes.

The honourable member for Chatsworth referred to the "Oceanic Grandeur" incident. I am sure he would agree with the honourable member for Port Curtis that there was no reflection on the ability of the pilot in this instance. The ship was holed by an uncharted pinnacle. Although at one time its forward deck was partly submerged, the vessel was afloat at all times. The "Oceanic Grandeur" incident, I am pleased to say, has been the only one of its kind in Australian waters. It provided valuable experience on which many of the provisions of this Bill are based. It provides that the Minister may in similar circumstances require such action to be taken in relation to the ship or its cargo as is specified in his notice served on the ship.

The honourable member for Chatsworth raised the question of the use of dispersants in the "Oceanic Grandeur" incident. There is no evidence to support the claim that the comparatively small quantity of dispersant used (about 150 drums) had any adverse effect upon the pearl culture industry. This claim was fully investigated by a C.S.I.R.O. scientist, and was refuted.

The honourable member for Barron River raised the question of co-ordination between Government departments. A special interdepartmental committee exists to determine policy for dealing with oil spills. There is a clear definition of responsibility between the Commonwealth and Queensland which has no relation to the question of legal jurisdiction. There is a clear administrative understanding that the Commonwealth has prime responsibility to deal with offshore spills, and the State has prime responsibility in all other cases. Close consultation between Commonwealth and State officers takes place in any offshore oil incident. The proposed legislation is complementary to Commonwealth legislation in case there is a challenge on the question of legal jurisdiction. The complementary legislation will ensure that if action is challenged under one Act, it may be taken under the other.

The honourable member for Barron River also raised the question of action taken on the various items of general conclusions contained in the report on the "Oceanic Grandeur" incident. Action has been taken on all these items. The types of oil likely to be carried on the Queensland coast are known, and experiments are carried out by officers of the Department of Primary Industries on all dispersant chemicals submitted for evaluation of toxicity and stability of emulsion. Light aircraft are used to spot and track any reported offshore oil spill.

Arrangements are in hand for the establishment of major stockpiles of dispersant and equipment at Brisbane and Cairns. An inventory is kept of supplies of such materials and equipment at all ports. All possible information on tidal currents along the coast has been gathered. Experience has shown that in most cases wind is the major factor influencing the movement of floating oil.

An inventory has been prepared of small craft and light commercial aircraft in all areas.

The most efficient means of communication in an emergency has been found to be the police communications centre. All departmental vessels are equipped with radio fitted with police working frequencies.

As I mentioned previously, there is now a clear-cut administrative arrangement between Commonwealth and State Governments for dealing with an oil spill. The oil industry, through its Environmental Conservation Executive, has prepared an Australia-wide organisation and has pledged its co-operation with technical and material asistance to all levels of government.

Consultation continues between the Commonwealth and the States on the national oil pollution plan. A point has been reached where stockpiles of dispersant and spraying equipment are about to be set up throughout Australia. Research continues into other methods of dealing with floating oil.

Queensland regulations relating to the Torres Straits Pilot Service have been amended to provide more control over matters affecting safe navigation. The Commonwealth have instigated detailed tidal studies in the Torres Straits and have installed additional navigation aids.

The honourable member for Barron River also mentioned the matter of the Greek sugar ship which was reported to be discharging oil after leaving Townsville. When challenged, the master offered a logical explanation for the discolouration. It is routine to wash down after leaving port. No subsequent reports of oil in the vicinity were received. The only way to investigate properly a reported spill in offshore waters is by surface craft. Many reports of suspected oil pollution have proved to be false. In many cases the discoloration has been proven to be of natural origin, such as reef plankton. A judgment has to be made as to whether there is justification for sending out a special vessel, often over long distances, to investigate doubtful reports. In this instance it was decided that a special investigation was not warranted.

The honourable member also raised the matter of the effect of dispersants on marine life. My Government is conscious of this possibility and has adopted an interim policy until more is known on this subject—namely, that dispersants will not be used except when there is a risk to human life and property by fire or explosion, or in other special circumstances. There is a strong body of opinion that oil itself is less objectionable in the biological sense than an oil-dispersant mixture.

I agree with the honourable member for Windsor that there is as yet no complete answer to the control and clean-up of major oil pollution, even in countries such as the United States of America and Great Britain. There is no really effective method of dealing with a major oil spill at sea except in calm conditions, which rarely occur. This has led my Government to adopt the interim policy, until better methods become available, of leaving an oil spill alone unless there is danger to life or property by fire or explosion. In Queensland, where so many fisheries and the Barrier Reef depend on non-toxic waters, it could be dangerous to adopt any other policy. Furthermore, it is probably more efficient and, in the long run, cheaper to clean beaches by mechanical means than to mount a sea operation. Experience so far has been that dispersants have little effect on oil which has lost its volatile fractions by evaporation, a process which occurs quickly in tropical or semi-tropical conditions.

The honourable member for Albert expressed the opinion that the proposed maximum penalty of $50,000 is inadequate. The existing legislation provides for a penalty of only $2,000. Under the proposed legislation the offender is not only liable to be fined but he is also responsible for clean-up costs. This liability is limited only in the case of a tanker, and the limit is set at $12,600,000. A spill on Gold Coast beaches would be a very serious matter, but beaches can be cleaned fairly quickly by use of mechanical earth-moving equipment. Furthermore, this might be a more correct approach than a massive use of dispersant, at greater cost, and at the risk of ruining the prawn and other fisheries, both commercial and recreational, which are of significant value to the Gold Coast.

On the matter of research, I can assure the honourable member that considerable and continuing research into all forms of water pollution is being carried out by the Water Quality Control Council.

The honourable member for Lytton asked whether the proposed legislation would apply to industries which are discharging wastes into waters under an agreement or licence in terms of some other Act. In his quotation from the Alcan Queensland Proprietary Limited Agreement Act of 1965, the honourable member quoted only part of the Act. In doing this, he was completely misleading. The further provisions, which he did not quote, read as follows—

> "Any such discharge shall not (unless specifically authorised by the Minister for a particular purpose) be substantially injurious to marine life, shall not cause harmful pollution of waters, and shall not contain harmful solids. The Minister may from time to time direct the company to make known to such persons as shall be specified by him, and the company shall so make known, the nature of the effluent discharged, or to be discharged."

Clause 8 of the Bill certainly excludes discharges that are permitted under other laws which would include agreements ratified by Act of Parliament, but clause 8 is confined in its operation to discharges that occur in accordance with the terms of the authority granted under that other law. So that, to take the case of Alcan as an example, if the discharge by the company were of oil that was in excess of the quantity permitted under the agreement, this Bill would then apply and action could be taken as provided by it.

The honourable member also raised the matter of the defence in the existing Act against prosecution where it cannot be proven that a discharge contained at least one hundred parts per million of oil. It will be much easier to prosecute offenders when this defence is removed, as I explained in my reply to the honourable member for Cook.

I agree with the honourable member that enforcement is often a problem. In the Brisbane River, unless oil is actually seen emerging from a ship it is seldom possible to support a prosecution unless either the ship's master admits the offence or irrefutable evidence is found on the ship. It is the intention of the Department of Harbours and Marine to set up a river patrol. One of the most important functions of such a patrol will be to look for illegal discharges and to take immediate steps to stop the discharge, to

obtain evidence for prosecution and to commence the clean-up. It is the policy of the Department of Harbours and Marine to prosecute whenever sufficient evidence can be obtained.

In reply to the honourable member for Sandgate, I am advised that it has not been reliably established that either mortalities of fish, including mullet, in the Moreton Bay region, or mortalities to oysters, can be ascribed to oil contamination or pollution. However, the pollution by oil of Moreton Bay and any other waters must be prevented as far as possible and any offenders suitably dealt with. That is the purpose of this Bill.

In reply to the honourable member for Port Curtis, the Bill does empower the harbour authority to provide oil facilities for the reception of oily residues, or, with the consent of the Minister, require the owner of oil or repair establishments to provide such facilities.

The honourable member also raised the matter of compensation for persons who suffer loss or damage by reason of a discharge of oil. Clause 25 of the Bill provides for recovery from the owner of loss or damage resulting from a spill of oil from a tanker. This is in accordance with the international convention.

Of course, action for recovery of damages caused by an oil spill from any source may be taken in a civil court.

I have not attempted to deal with every detail raised in the debate on the introduction of this Bill, but I believe that my remarks have dealt with the more important points raised by honourable members and that at this time nothing has been said which could constitute a challenge to any part of the Bill.

Mr. WALLIS-SMITH (Cook) (12.18 a.m.): It was quite a sensible change for the Minister to extend the provisions of the Bill to cover all waters. After all, whether waters are navigable or not, they can be and are polluted by oil. The Minister explained some of the purposes of the legislation, and we on this side of the Chamber are quite happy about them. I hope that the Minister and his department will not let anything stand in the way of complete implementation and policing of the clauses of the Bill.

The Minister enlarged on the discharge of oil from ships and on land and from the equipment used in the transfer of fuel. Since the introduction of the Bill, there has been an oil spillage in the Port of Cairns. Human error must have been the cause because it has been reported that a valve was left in a wrong position and a leakage of oil resulted.

When refuelling is carried out by pumping oil from underground storage there is always the possibility of a flow-back of oil. I know of two occasions when flow-back occurred while fuel was being transferred from railway wagons to depots. In one instance thousands of gallons of oil were lost, and it lay 2 to 3 feet deep along each side of the railway line. In view of the report that only 3 tons of oil was reported as being spilt at Cairns, it was alarming to learn that a 6-inch layer of oil was floating on the surface of the water.

As the Minister has said, wind rather than currents is the main factor in spreading oil slicks. It is easy to understand that they can drift into many places, not only in deep water but also around river estuaries and tidal flats. Thousands of dollars worth of damage could result to property and boats.

The Minister has answered my query as to the percentage of oil in a substance. The discharge of any oily substance constitutes an offence. I was disturbed at the possibility of an element of doubt intruding into this matter; however, his explanation has satisfied me that the discharge of any oily substance is an offence.

The Bill gives the Minister sweeping powers, and on that score is to be commended. He is able to move a ship or even to arrest it in order to prevent further pollution.

The expense involved in cleaning up pollution caused by oil can be quite considerable, so it is pleasing to note that a person who causes pollution, in addition to paying the prescribed fine, will be required to meet the cost of cleaning up.

The Bill sets out the areas that will be under the control of a harbour board, a local authority, a harbour trust and the Marine Board.

The term "cargo" is defined as including ballast and ship's stores and fuel. I think everyone realises that in this modern age nearly all vessels use oil fuel. This means that the large quantity of fuel carried by ships puts them almost in the category of tankers. Apart from the discharge of residue oil, there is always the danger that in the event of a wreck or a collision a large amount of fuel oil could be discharged into the sea and thereby cause serious pollution. Oil tankers are the only ships on which a limitation of fine is imposed, but the fine could be $12,600,000 which is not inconsiderable.

The incident involving the "Oceanic Grandeur" was dangerously close to a calamity. I ask the Minister to consider the possibility of providing that ships shall not sail in reef waters without a pilot. A flight over the Barrier Reef shows how extensive the reefs are, with some running from east to west, but the majority running from north to south. It is easy to realise, if a ship takes the inside channel, why it should be under the supervision of an expert pilot. I should like the Minister to consider making it mandatory for oil tankers particularly to carry a pilot

while travelling in Queensland waters, because I believe that a calamity further south would have dire effects. The Minister told us that it may be better in such circumstances to leave the oil on the water rather than attempt to disperse it with detergent or emulsifiers. I should think that a calamity in our enclosed waters would create oil problems for many years on the island beaches and the coastal tidal flats. In view of the currents that run inside the Barrier Reef and the protection afforded by many coral outcrops and large islands such as Hinchinbrook Island, it would be almost impossible to clean up a major oil spillage. The Minister told us that it would be cheaper to try to clean up a large oil spillage than to disperse it, but I believe it would be almost impossible to clean it up.

I should like all ships, but particularly tankers, travelling inside the reef waters to carry pilots, because all vessels now carry a large quantity of oil.

To give the Chamber an idea of the oil imported into Australia, I cite the following statistics—

	Gallons
1961-62	3,687,545,000
1969-70	5,713,660,000
1971-72	3,361,339,000

The total quantity moved by sea in and out of Australia annually represents 3,726,148,000 gallons. In 1971-72 Australia exported 364,809,000 gallons, which is the equivalent of a daily movement of 997,000 gallons. The danger is constant throughout the year, irrespective of the season. That is why I believe movement of oil ships should be under the control of pilots, who are always available from the Torres Strait south.

The Minister mentioned the possible use of light aircraft and any other craft available, and an efficient linking-up with the police. This will be an advantage in getting to the scene quickly. The Minister also referred to our long coastline and the many isolated areas along it which would be difficult to police. The better policing of the Brisbane River will be welcomed. It is fast becoming a river of which we cannot be proud.

The Bill prescribes the equipment that ships will have to carry. It includes a tank for residue oil. The Bill also provides the records that must be kept. If those two provisions can be adequately policed, they will go a long way towards stopping the unlawful discharge of oil from ships. The amount of oil carried by a ship could be recorded at the point of departure and the officers who board the ship at its destination would know if any oil had been discharged. This is one way of overcoming the discharge of oil by ships. I hope that the Minister can arrange for records to be inspected. The officer has power to board a ship at any time to view the records or to see the equipment, and a heavy penalty is provided if he is prevented from carrying out his duty.

The Opposition is quite happy with the Bill and will move no amendments or otherwise obstruct its passage.

Mr. W. D. HEWITT (Chatsworth) (12.32 a.m.): At the introductory stage the honourable member for Port Curtis chided me gently for loosely using the words "sinking" and "grounding". I accept the rebuke. I did use those words loosely, and I readily concede that the "Oceanic Grandeur" neither sank nor grounded. Rather, it hit an uncharted pinnacle and the pilot of the ship could not be blamed. If any of my comments implied that blame attached to him, I assure the honourable member for Port Curtis that it was not intended.

An Opposition Member: Such was not the case.

Mr. W. D. HEWITT: Such was not the case. I thank the honourable member for his assistance.

I have informed the honourable member for Salisbury that I will talk for only 40 minutes, and he is relieved. As one who has waited some time for this legislation to be introduced, I greet it with enthusiasm. It is a very necessary piece of legislation to have upon the Statute Book.

The penalty of $50,000 is reasonable, considering the great damage that can be done. I also believe that the wide powers given to the Minister are timely. The Bill quite rightly allows shipowners certain defences if they can prove that the discharge of oil was necessary to save life or was attributable to a collision or other happening beyond their control. While this is reasonable to avoid a criminal offence, I want it clearly understood that the rights to civil action are fully preserved. If a local area is polluted, it does not matter much whether it happened deliberately or as the result of an accident. The damage is the same and the right to redress must be preserved.

When a Bill provides that the Minister "may take action as he considers appropriate to preserve the waters from pollution by oil", honourable members would quite rightly concede that those powers are very wide indeed. In a special reference to bulk oil tankers, the Bill provides that the Minister should "cause such things to be done as he thinks proper to prevent or reduce the extent of the pollution." I do not think the Minister could ask for powers wider than those, and I do not think that Parliament would dispute that in an extreme emergency such powers are absolutely necessary.

The Bill refers to equipment and management of intrastate ships. This is very appropriate. It is a truism that prevention is

certainly better than cure, and it is important that standard equipment be carried on ships and that this be properly regulated. For that reason, I am pleased that the Bill contains such a provision.

Loath as I am to cut short what promises to be an outstanding speech, I am prepared to bow to the will of the House. Before concluding, however, I wish to refer to the provision that calls upon harbour boards to provide facilities to enable ships to dispose of oil residue. The relevant clause provides that harbour boards "may" provide these facilities. If, on the one hand, we are to impose heavy penalties on polluters, we should, on the other, see that they are given the opportunity when in harbour to rid themself of sludge and surplus oil. I hope the Minister will be able to bring some pressure to bear on harbour boards and make sure that they in fact provide such facilities, and that they take up the option that is afforded them by this Bill.

One could dwell upon the running brawl that took place for years between the State and Commonwealth Governments with regard to incinerators for the disposal of ships' garbage. Whilst this brawl proceeded, any type of highly contagious disease could have been introduced to this country. I do not think that situation reflected particularly well on either the State or the Commonwealth. I believe that some authority should have installed incinerators, and then worried about who was to "pick up the tab". Again referring to the truism that prevention is better than cure, I think it is incumbent on harbour boards to provide facilities by means of which oil and sludge can be properly disposed of, thus minimising the risk of pollution of waters.

Having made those points, and recognising that at this hour of night the players and the stayers are sorted out, I am prepared to say that I support the Bill with enthusiasm, and I am very happy that the Minister has seen fit to bring it down.

Mr. D'ARCY (Albert) (12.38 a.m.): I have only a couple of points to raise. The Minister mentioned the increase in the fine from $2,000 to $50,000. Although that is a substantial increase, in my opinion it still does not reflect the real seriousness of major oil pollution.

The Minister pointed out that he is to have wide powers of detection and enforcement. The important thing is that those powers be used. In the past, they have rarely been used. In fact, so weak have the Government's efforts been in so many areas of enforcement that it cannot really be expected that the Minister will use the powers that he is now to be given. The Minister said that he intends to institute patrols of the Brisbane River. Although I look forward to this step, the actual methods of detection must still be a major consideration of Parliament. Enforcement is even more important. Enforcement is probably the most important single feature.

The Minister also mentioned research. Although the Government is taking some action in this direction, I do not think it is nearly sufficient for a State that has such extensive water boundaries. Because of the natural asset of its waterways, Queensland faces more difficulties than other States. Its future is dependent on those waterways; therefore, pollution by oil surely must be a major consideration. As legislation is being framed for the guidance of future generations, I stress the importance of the Government playing an important role in future research.

Mr. BURNS (Lytton) (12.41 a.m.): I wish to refer briefly to the Minister's statement that the section in which a standard is laid down of one hundred parts per million of oil in water will be removed. It is not in the Bill. In the booklet "The State of Queensland", issued by the Public Research Group, this point is made—

> "No real tangible standards existed to define pollution for any of the Acts except where the Pollution of Waters by Oils Act 1960-61, Section 4 (3), (a) and (b) defined it to be 100 parts of oil mixture to 1,000,000 parts water."

It has been said by the Minister—probably correctly—that an attempt will be made to deal with anyone who puts any amount of oil into a river or a stream, or into coastal waters. It seems to me that it will be open to a smart lawyer to argue against a conviction without set standards and I suggest that no-one will be convicted of this offence.

In an article in "The Courier-Mail", Alan Underwood reports on an analysis of water taken from the Brisbane River that he made on 7 December 1972. The article reads—

> "The oil and grease content is 6,300 units.
>
> "On this, the Water Quality Council chairman (Mr. R. D. King-Scott) commented:
>
> 'There should not be any oil or grease in the water. But in a river where there are boats, a content of about 100 units is permissible.
>
> 'This sample shows 6,300 units.'"

If a statement is made by the chairman of the Water Quality Control Council that in the average river one can expect 100 units of oil, how will it be possible to obtain a conviction when the Minister says, "We can't catch them discharging it. We only find it in the river later on. One of our problems has been that we cannot find 100 parts per million of oil to water."? Any lawyer will go into court and use Mr. King-Scott's statement about there being 100 parts of

oil in the river continuously. He will say, "You say that my client put one part of oil into a million parts of water, but you can't prove that he did." We have created a way out in that no standard is laid down. The old standard of over 100 parts provided some opportunity to put a case in support of a prosecution and say, "We have taken these samples and there is more than 100 parts per million oil to water." The situation now is that 100 parts are in the river consistently and the Minister is saying. "If they put one part in, we will prosecute them." It cannot be done; it is an impossibility. A smart lawyer, acting on behalf of the company concerned, will win on every occasion. There is very little possibility of the Minister being able to implement that provision of the Act. Instead of six or eight people being prosecuted in 10 years, in future there will be none.

It is all very well to refer to what happens in New South Wales and Victoria. Queensland takes pride that we are acting first. In this instance, in my opinion the Government is doing the wrong thing by removing the only standard that gives it an opportunity to prosecute those who pollute the streams of this State.

Hon. N. T. E. HEWITT (Auburn—Minister for Conservation, Marine and Aboriginal Affairs) (12.44 a.m.), in reply: Only a couple of points have been made to which I think I should reply.

The honourable member for Cook raised the question of the use of Torres Strait pilots inside the reef. This was discussed with the Commonwealth, which was not in favour of the proposal, and my information also is that it would not be acceptable internationally.

The honourable member for Chatsworth spoke about the responsibilities of harbour boards. I will certainly be keeping an eye on what harbour boards do. If we find that they are not doing the right thing by getting the receptacles in quickly, we will take some action.

The point raised by the honourable member for Lytton has been noted. We will certainly be doing our best to catch anyone who discharges oil. No doubt he was referring to small craft in particular.

Motion (Mr. Hewitt) agreed to.

COMMITTEE

(The Acting Chairman of Committees, Mr. Wharton, Burnett, in the chair)

Clauses 1 to 44, both inclusive, and schedule, as read, agreed to.

Bill reported, without amendment.

The House adjourned at 12.48 a.m. (Wednesday).