

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

FRIDAY, 30 NOVEMBER 1973

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Mr. SPEAKER (Hon. W. H. Lonergan, Flinders) read prayers and took the chair at 11 a.m.

REFERENDUMS ON COMMONWEALTH CONTROL OF PRICES AND INCOMES

Mr. SPEAKER: I have to inform the House that I have received the following letter from Senator the Honourable Sir Magnus Cormack, President of the Senate—

“Office of the President of the Senate,
“Parliament House, Canberra.
“28 November 1973.

“Dear Mr. Speaker,

“I write to advise you that, at the sitting of the Senate on 27 November, I reported the receipt of your letter of 22 November 1973 conveying the resolution of the Parliament of Queensland in relation to the proposed referendums on the control of prices and incomes.

“The resolution was read and laid upon the Table and Motion was then proposed, by the Leader of the Opposition, that the Senate take note of the resolution. The debate was adjourned.

“Yours truly,

“MAGNUS CORMACK,

“President of the Senate

“The Hon. W. H. Lonergan, M.L.A.,

“Speaker of the Legislative Assembly,

“Parliament House,

“Brisbane. Qld.”

PAPER

The following paper was laid on the table, and ordered to be printed:—

Report of the Commissioner of Main Roads for the year 1972-73.

QUESTIONS UPON NOTICE

EXEMPTIONS UNDER NAVIGATION (SURVEY AND EQUIPMENT) REGULATIONS

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

(1) How many exemptions from compliance with sub-regulation (1) of regulation 8 of The Navigation (Survey and Equipment) Regulations 1963 have been granted by the Marine Board since March 22?

(2) What principles are applied by the Marine Board to determine whether an application for exemption should be granted?

(3) What information has he or the Marine Board published for the guidance and assistance of boat builders in Queensland in applying for such exemption?

(4) In view of the provision in sub-regulation (3) of regulation 8 that rule 67 of the Merchant Shipping (Passenger Ship Construction) Rules 1965 shall not apply to coasters or passenger coasters less than 100 feet in length operating in restricted limits, what fire protection and fire appliances does the board now require to be fitted to such coasters or passenger coasters?

Answers:—

(1) "Two."

(2) "The Regulation provides that the owner or builder must substantiate his application for exemption. The Marine Board considers the application and the surveyor's recommendation thereon and decides each case on its merits, having due regard to safety."

(3) "Copies of the amendment were circulated to the Boat Builders Association of Queensland. It is considered that the wording of the Regulation is such that further clarification should not be required."

(4) "Passenger coasters are presently required to be fitted with fire fighting equipment according to the United Kingdom Merchant Shipping (Fire Appliances) Rules of 1965. However, a Committee of the Australian Association of Port and Marine Authorities has drawn up a Code of Uniform Requirements Relating to Fire Protection on Commercial Vessels to suit Australian Conditions. This Code has been circulated to and commented on by the industry and the final draft is now ready for submission to the Council of the Association of Port and Marine Authorities for consideration as to its adoption, and I should add that the decision to break away in part from the Board of Trade requirement that all seagoing passenger coasters be built of steel was taken in the light of the experience that small passenger coasters for the Queensland coast have been of wood construction since the beginning of the industry and the safety record is excellent. The amendment to permit other than steel construction in passenger coasters up to 100 feet in length is consistent with that experience."

PILOT VESSEL "JOHN BECKINSALE,"

GLADSTONE

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

(1) Did the Queensland Government recently take delivery of the pilot vessel "John Beckinsale" for the port of Gladstone?

(2) What was the cost to the Government of the construction of the vessel?

(3) Will he table the tender documents relating to the design and construction of the vessel?

(4) Does the welding of the vessel conform to part 9, "Welding", of the specifications as set out in the tender documents?

(5) What was the actual maximum speed attained by the vessel on its trials?

(6) If the maximum speed attained by the vessel on its trials did not meet the maximum speed specified in the tender documents, under what conditions did the Government accept the vessel?

Answers:—

(1) "Yes."

(2) "The cost of the vessel was \$72,691.70."

(3) "I cannot see the need for tabling in this House the tender documents relating to the design and construction of the vessel. However, I will be pleased to make these documents available for scrutiny by the Honourable the Member for Lytton should he so desire."

(4) "Radio graphic examination required by the specification revealed that the welds in some areas were defective. Cracks, craters, and undercutting revealed by this method were located, cut out, and rewelded once under the supervision of a Marine Board surveyor. The examination also revealed that there was some lack of penetration and some porosity. To determine the severity of these defects, again in accordance with the specification, test pieces were made up. These were destructively tested before and after repair. Before repair the ultimate stress was 38,700 pounds per square inch. After one repair the figure was reduced to 33,600 and after the second repair the figure had dropped to 22,700. These tests confirmed the accepted fact that repeated repairing of aluminium welds severely reduces their ultimate strength. Naval Architects of my Department of Harbours and Marine who have long experience in shipyard welding techniques including aluminium welding recommended acceptance of the remainder of the welds without further repair. In making the recommendation they took into consideration the very high factor of safety of 27 to one when the ultimate strength of the weld after one repair was related to the design stresses in the ship structure."

(5) "Seventeen knots."

(6) "The speed specified in the tender documents was a maximum speed of at least 20 knots. It is the Department's experience that actual trial speed of small vessels is frequently less than design speed. There was no penalty clause relating to

speed in the terms of the contract. My Department accepted the vessel which is giving satisfactory service."

HEART DRUGS

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

(1) Has his attention been drawn to claims that a trial carried out by a Prince Henry Hospital team in Sydney has found disturbing variations in the effectiveness of heart drugs prescribed in Australia?

(2) Did this study establish that standards required for the manufacture of digitalis or digoxin are not high and that the amount of digoxin in tablets sold in Australia shows enormous variations?

(3) Have tests by the National Biological Standards Laboratory indicated that the content in 13 preparations of digoxin varied from 80 per cent. to 240 per cent. and that one-third of the batches tested did not comply with official requirements?

(4) In view of the concern that the publication of this report has caused, has his Department carried out similar tests or studied the report?

(5) Is there any danger to heart-attack cases as a result of the variations in drug standards?

(6) Which heart drugs are used in our State hospitals and what tests are carried out to verify their stated contents?

Answers:—

(1) "Yes, these claims are documented extensively in the Medical Journal of Australia of November 17, 1973, upon which the Honourable Member has obviously based his question. I would like to compliment him on this decision now to consult reputable journals for his medical information rather than to rely as heretofore on the romantic extravagances of the Dr. Kildares of television fame."

(2) "The investigation did not include a study of the content of digoxin in the tablets from each brand. It did show that there was considerable variation in the plasma levels obtained after the administration of different preparations."

(3) "Yes."

(4) "The State Health Department has studied both this report and a report received from the Australian Drug Evaluation Committee. The Commonwealth Director-General of Health has advised that the problem was discussed on September 14, 1973, at a meeting between representatives of the National Council of Chemical and Pharmaceutical Industries and Officers of the Commonwealth Health Department."

(5) "I am advised that there is considerable individual variability in the way that patients react to different drugs. There have been reports in the medical literature for some time on the variations in the availability of digoxin in the blood stream after it has been taken. In May, 1973, the Australian Drug Evaluation Committee circulated a letter on this matter to doctors. Doctors are continually on the alert for differences in effects and differing patient responses when heart drugs are used."

(6) "Digoxin, Lanatoside C, Proscillaridin are digitalis glucosides used in State hospitals. The drugs used in Queensland hospitals are recommended by the Advisory Committee on Hospital Drugs and Surgical Appliances whose membership consists of the Director-General of Health and Medical Services, the Deputy Director-General, the Superintendents of the Royal Brisbane, Princess Alexandra, and Toowoomba Hospitals, the Professor of Surgery and the Professor of Medicine of the University of Queensland, the Surgical Supervisor and the Deputy Medical Superintendent of the Royal Brisbane and Princess Alexandra Hospitals, and the Chief Pharmacist, Royal Brisbane Hospital. This Committee has recommended that the only drugs used should be those from manufacturers approved under the Commonwealth Pharmaceutical Benefits Act. The National Biological Standards Laboratory in Canberra is regarded as the reference laboratory for the examination of drugs available in Australia. The Australian Drug Evaluation Committee circulates all doctors immediately any discrepancy in drugs is known. Whilst the State Government Chemical Laboratory has carried out an assay of digoxin and other drugs in the past, routine assays by the State Laboratory would be a duplication."

WORLD DEMAND FOR SUGAR

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

(1) Is the current high world price for sugar an encouragement for countries to over-produce?

(2) Will the market which Australia and other Commonwealth countries have enjoyed in the United Kingdom for over 20 years through the Commonwealth Sugar Agreement be sacrificed by even greater production and prosperity for beet producers?

(3) What are the prospects for Queensland sugar growers for 1974 and subsequent seasons?

Answers:—

(1) "Periods of unusually high prices in any commodity are not in the interests of producers who, like the Australian sugar

industry, have a long term interest in export markets. In addition to encouraging over-production in export industries, high prices encourage expansion of production by protected domestic industries, which generally is not contracted when a surplus position re-appears. The Australian sugar industry would be better served by a more stable price, at a level reasonable to both producer and consumer."

(2) "It seems clear that Australia will lose its traditional outlet for negotiated price sugar in the United Kingdom, amounting to some 335,000 tons per year, some time after the end of 1974. All that is in doubt is the timing—whether we will lose the market overnight or whether we will be phased out over a period of years. Definitive negotiations on this issue will be held closer to the event. Whether or not the exclusion of Australia from the enlarged E.E.C. will result in increased beet sugar production is yet to be seen. It is certainly a danger and one about which the Australian delegation was concerned during the recent International Sugar Agreement negotiations in Geneva. Unfortunately, the E.E.C. did not participate in these negotiations, so it was not possible to fully test their position."

(3) "Available outlets for the 1974 season's crop have been estimated by the Sugar Board to be at least equal to the current season's estimated outlets of 2,850,000 metric tons. The supply commitment provisions of the current I.S.A., which place a ceiling on the price at which Australia could sell agreed quantities to its traditional export markets, would not be applicable in 1974. There are, however, considerable uncertainties which will affect our marketing after 1974. As I said earlier, some countries may see the present situation of high prices and the absence of quotas as one in which they should expand production without regard to the long term effects of such expansion. I would therefore counsel caution against an excessively optimistic view on available outlets and on prices in relation to 1975 and subsequent seasons. Historically, periods of high world prices have been followed by periods of depressed prices, particularly in the absence of an effective I.S.A. The Queensland Government will be doing everything possible to co-operate with the Commonwealth and Industry in obtaining an early re-opening of the I.S.A. negotiations."

RESEARCH INTO CRIME AND PUNISHMENT

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

(1) In view of the growing concern amongst Queenslanders at the escalating incidence of violent crimes and following newspaper reports of calls for harsher

penalties, has there been any study in Queensland regarding the age, social status, family background, education and psychiatric condition of offenders against the criminal law?

(2) What studies have been made as to the effectiveness of the Queensland prison and probation systems in so far as they reduce the criminal tendencies of those who have been processed by them?

(3) What evidence is available to show that harsher penalties are a greater deterrent to criminal acts than is the risk of being caught?

Answers:—

(1) "In relation to adult offenders, this is not a function of my Department. However, such action is taken for individual assessment in relation to each juvenile offender committed to the care and control of the Director, Department of Children's Services."

(2) "No in-depth studies have been made as to the effectiveness of the Queensland prison system but programmes have been instituted within the system to resettle prisoners in useful employment on discharge. In an effort to assist younger prisoners, arrangements have been made for some of them to enter into apprenticeships or complete apprenticeships already commenced. In this regard, it is understood that Queensland is the only State which allows prisoners the full privileges of apprenticeships. The Comptroller-General of Prisons, from observations he has made, is of the opinion that the Queensland prison system is now and has been for some years, effective in placing discharged prisoners in employment and it is generally accepted that satisfactory employment reduces tendencies to criminal activities. The Offenders Probation and Parole Act, of course, does not come within my administration."

(3) "This is not a function of my Department."

PRICE CONTROL POWERS ON INTERSTATE GOODS

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

(1) What powers has the State Government over the prices of interstate goods?

(2) In order to control the prices of goods, will all States have to adopt price control on a uniform basis or give such powers to the Commonwealth Government?

Answers:—

(1) "The State Government exercises no powers over prices, either intra-State or inter-State, under the *Profiteering Prevention Acts 1948–1959*."

(2) "No."

COMPLAINTS, PRICES OF HOUSEHOLD PRODUCTS

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

(1) In view of the call in the *Telegraph* of November 28 by Erica Parker for action to be taken by him against uncontrolled price increases by stores on everyday household products and as this call is indicative of general public feeling, will he use his powers under the Profiteering Prevention Act to combat this commercial evil?

(2) How many complaints under the Profiteering Prevention Act were (a) received and (b) investigated by the office of the Prices Commissioner during each of the last five years?

(3) How many prosecutions were initiated under the Act during those years and how many were successful?

Answers:—

(1) "When I was in the United Kingdom I investigated this matter, and found there that it had not been possible to stop this pernicious practice. There are no means by which the practice can be prevented, and even the introduction of price control would not prevent increases being added to the prices of existing stocks."

(2) "The procedure for the investigation of complaints concerning prices has been for the matters to be referred to the traders concerned, and for appropriate advice to be conveyed to the complainants. However, since no commodities have been subject to price control under the Profiteering Prevention Act during the last five years, no separate record has been kept of the number of complaints received and/or investigated."

(3) "None was initiated."

SURPLUS ARMY HELICOPTERS FOR MEDICAL SERVICES

Mr. Ahern for Dr. Crawford, pursuant to notice, asked The Premier,—

As Air Force and Army helicopters have already been used for transporting emergency medical and surgical cases in Queensland, will he consider the financial possibility of purchasing from State finances the surplus Commonwealth helicopters which have been ordered and have now been cancelled for use in present and future medical services?

Answer:—

"In view of the difficulty being experienced in recruiting medical officers for service in isolated country areas, the Department of Health has been giving

serious consideration to the use of aerial transport for an extension of existing medical services in Queensland to ensure reasonable medical service for the smaller centres of population in the State. No decision has yet been made as to the type of service to be provided or the type of aircraft which would be considered suitable if such a service were to be implemented. The suitability of the Nomad aircraft for this purpose has been investigated. Until some finality is reached in this matter it would not be possible at this time to recommend the purchase of surplus Commonwealth helicopters as proposed by the Honourable Member."

FINANCIAL AID AND ACCOMMODATION, FAMILY PLANNING CLINICS

Mr. Ahern for Dr. Crawford, pursuant to notice, asked The Minister for Health,—

(1) What financial assistance does his Department provide for family-planning clinics?

(2) Why cannot facilities be made available by the Department for clinics, particularly in remote areas, to operate in conjunction with maternal and child welfare and other clinics, especially in the matter of sharing existing buildings?

(3) As no officer in his Department could still possibly consider that non-profit clinics could in any way denigrate the Queensland free health service, will he take steps immediately to consider the anomaly so that all welfare clinics, irrespective of management, can operate together?

Answer:—

(1 to 3) "In May, 1972, the Family Planning Association of Queensland and the Catholic Family Welfare Bureau were paid initial establishment grants of \$6,000 and \$3,000 respectively. These organisations were also paid \$3,000 and \$1,500 respectively as maintenance grants in 1972-73. In June, 1973, the Family Planning Association of Queensland was paid an additional grant of \$4,000 to meet an anticipated deficit in its operation for 1972-73. Consideration is presently being given to assisting still further these organisations in the conduct of clinics they are now operating and in establishing further clinics in country areas. There are two conflicting philosophies regarding birth control, each of which is supported by substantial groups in our community. The existence of these differing points of view would make the use of departmental facilities difficult even were they available on a suitable long term basis. Complications would also arise in the matter of payment as the present Government policy is not to charge for any of its services."

STUDENT ASSESSMENTS UNDER RADFORD
EDUCATION SCHEME

Mr. Ahern for **Dr. Crawford**, pursuant to notice, asked The Minister for Education,—

(1) Can he give any final correlation for the year with regard to the Radford methods of intra-school assessments for 1973?

(2) Are there any new ideas to be implemented in 1974 as a result of the 1973 experience?

(3) Is it yet possible to carry out an assessment of the top 25 students in the State for the purpose of continuing the allocation of open scholarships?

Answers:—

(1) "Where schools have polled the attitudes of students who are completing their grade 10 and grade 12 studies in 1973, there has been an overwhelming preference for school assessment over external examination. There is every reason to believe that each of these students has received a fair and accurate assessment of his achievement. Information on these assessments for grade 12 students, which is available to tertiary institutions, consists of a progressive semester by semester record of a student's achievement, recorded on the Senior Certificate, and information obtained at the end of the course of study in the compilation of an order of merit list. This information being available, no student should be at any disadvantage when seeking entry to a tertiary institution."

(2) "The 1973 experience has been taken into account in planning for 1974. There are no changes in principle proposed. There will however be some changes in emphasis in the procedures for moderation of standards of assessment. There will be more emphasis given to providing assistance to schools, especially through district moderation meetings."

(3) "No. The allocation of open scholarships was possible when all candidates sat for the same external examination—the Senior Examination. Scholarships were awarded to the 25 students who obtained the highest marks in that examination each year. With the abolition of the Senior Examination, this type of information is no longer available. There is no basis for establishing the top 25 students in the State for the purpose of continuing the award of open scholarships. The future of the open scholarship scheme was considered by Cabinet on September 24, 1973, in the light of the abolition of the Senior Examination, Cabinet decided that the award of open scholarships should be discontinued."

ALLOCATION OF ADDITIONAL AREAS FROM
RESUMED PROPERTIES, GOONDIWINDI;
MR. A. J. SLACK-SMITH

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

(1) Why was Arthur John Slack-Smith of "Dugan", Goondiwindi, granted an area of 1,440 acres of expired leasehold land when he was ineligible to enter the ballot which attracted 25 entries?

(2) Was not eligibility for the ballot confined to *bona-fide* share farmers and did he not state in his Answer to my Question on August 2 that there was no record of any share-farming agreement in respect of Mr. Slack-Smith's parents' Selection No. 3108 Goondiwindi?

(3) In view of what appears to be a farcical situation, what action does he intend to take to rectify this anomaly?

Answers:—

(1) "Mr. A. J. Slack-Smith was not granted the area of 1,440 acres mentioned nor was he an applicant at the additional area inquiry involving that land and which was held at Goondiwindi on October 24, 1972. However, he has previously been successful at a ballot conducted on May 30, 1968 among share-farmer applicants for portion 6, parish of Taraba, containing 3,871 acres."

(2) "Eligibility in respect of the additional area inquiry held on October 24, 1972 was not confined to sharefarmers but was in accordance with Section 269 of the Land Act. The sharefarming eligibility referred to the ballot held in May 1968. The statement to the House on August 2, 1973 referred to Mr. C. Slack-Smith."

(3) "See Answers to (1) and (2)."

LOCAL AUTHORITY BOUNDARIES INQUIRY,
BURRUM AND MARYBOROUGH AREAS

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

In view of a Press report dated November 29, in which Professor R. C. Gates is reported to have said that the work on boundaries of the Burrum and Maryborough areas were completed some time ago but had to be related to the whole Queensland study of the structure of local government and its functions and financing, will he provide additional assistance to the committee to expedite the completion of its report, in preference to reported proposals to appoint a new committee which conceivably would delay the matter further if the study were carried out under the same criteria and depth as the present study, which is now partly completed?

Answer:— Institute of Urban Studies or the Research Committee. No new Committee is proposed.
 "No additional assistance for this project has been requested by the Australian

STAFF ESTABLISHMENT AND OVERTIME, PRINCESS ALEXANDRA HOSPITAL

Mr. Marginson for Mr. F. P. Moore, pursuant to notice, asked The Minister for Health,—

(1) What is the staff establishment, covering all medical and nursing staff, at the Princess Alexandra Hospital?

(2) What was the actual staff establishment at the hospital for August, September and October?

(3) What was the total amount of overtime worked by the nursing staff at the hospital during that period?

Answers:—

(1 and 2) "The staff establishment for both medical and nursing staff, and the actual numbers employed, for the months of August, September, and October, 1973, at the Princess Alexandra Hospital, was as follows:—

NURSING STAFF	AUGUST		SEPTEMBER		OCTOBER	
	Establishment	Actual	Establishment	Actual	Establishment	Actual
Matron	1	1	1	1	1	1
Deputy Matron	1	1	1	1	1	1
Trained Nurses	241	168	245	163	245	170
Student Nurses	611	563	611	551	611	519
Assistant Nurses	160	131	160	126	160	138
Nursing Orderlies	16	17	15	17	15	17
TOTAL	1,030	881	1,033	859	1,033	846

An increase of 50 trained nurses was authorised on May 31, 1973, but it has not been possible up to the present for the Hospitals Board to recruit these additional trained nurses. In common with all areas of employment today, hospitals are also experiencing a marked shortage of appropriate staff in various categories.

MEDICAL STAFF	AUGUST		SEPTEMBER		OCTOBER	
	Establishment	Actual	Establishment	Actual	Establishment	Actual
Medical Superintendent ..	1	1	1	1	1	1
Deputy Medical Superintendent	1	1	1	1	1	1
Full-time Specialists	18	18	18	18	18	20
Senior Medical Officers ..	42	40	42	41	42	39
Junior Medical Officers ..	49	59	49	58	49	59
Visiting Specialists	95	95	95	95	95	96
Part-time General Medical Practitioners	Monetary provision	11	Monetary provision	11	Monetary provision	11
TOTAL	206	225	206	225	206	227

Included in the actual number of Junior Resident Medical Officers employed are 11 Supernumeraries who relieve on a rotational basis in country areas."

(3) "The total amount of overtime worked by nursing staff during the three months period was 3,419½ hours or an average of 18 minutes per nurse per week."

CONDITIONS AND REMUNERATION OF
JOCKEYS

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

Will he recommend, as a matter of equity, that the Queensland Turf Club ensures that jockeys have the right to advocate representation at all meetings between them and the club in relation to all remunerations, conditions and other relevant matters?

Answer:—

"The Queensland Turf Club, as Principal Club and the licensing body for race clubs in south-east Queensland, fixes the remuneration, conditions, etc. for jockeys in its area. Other Principal Clubs in the State carry out these functions in their areas. Negotiations regarding remuneration and conditions are held between the Jockeys' Association and the Q.T.C. and good relations have always existed between the parties in these discussions. The Association would naturally ensure it was well represented and, in my opinion, the Honourable Member's Question reflects on the ability of those representatives. I have no reason to believe that the Jockeys' Association has any reason for concern as regards the protection of the interests of its members. Only last week the Q.T.C. advised me that they had met representatives of the Jockeys' Association and agreed that, as from December 1, 1973, the losing riding fee would be increased from \$12 to \$13, and where the value of the prize to the winner exceeds \$200, jockeys riding a horse placed second or third would be paid 5 per cent. of the value of the prize for such placed horse, with a minimum of \$13."

Mr. Harris: Well, you had better do something about it.

Mr. SPEAKER: Order! My ruling is that there shall be no interjections during question time. I warn the honourable member for Wynnum under Standing Order 123A.

PRICE CONTROL

Mr. Davis, pursuant to notice, asked The Minister for Justice,—

As his approach to bread manufacturers and petrol companies not to increase their prices proves that Government intervention is warranted to control prices, will he now reconsider his previous negative stand on price control and reintroduce a positive policy of prices justification in this State, as is espoused by the Australian Labor Government?

Answer:—

"No."

CLOUDLAND BALLROOM, BOWEN HILLS

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

Further to his Answer to my Question on October 24 relative to the Government acquiring Cloudland Ballroom, Bowen Hills, for retention as a recreational and cultural centre, has he investigated the proposal and, if so, what are the findings?

Answer:—

"The Honourable the Minister for Education and Cultural Activities is continuing his enquiries into the future of the Cloudland Ballroom."

CERTIFICATES OF ROADWORTHINESS FOR
SECOND-HAND MOTOR CYCLES

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

With regard to the sale of second-hand motor cycles, what type of certificates are required, what is the cost of the certificates and how many have been issued under the provisions of the Inspection of Machinery Act?

Answer:—

"This matter has already been under consideration by the committee formed to review the operation of legislation in relation to certificates of roadworthiness comprising representatives of the Motor Trades, R.A.C.Q. and Government Departments. It was agreed that enquiries be made to ascertain whether there would be an adequate number of service stations with sufficient experience and staff to conduct roadworthiness inspections of motor cycles. It was also agreed that the Queensland Motor Cycle Importers and Wholesalers Association, which was represented at the above meeting, further examine this matter and advise the Department accordingly. It was found generally that the majority of Approved Inspection Stations were not keen to carry out this type of inspection and considered such inspections should be left to motor cycle repairers. The Queensland Motor Cycle Importers and Wholesalers Association have advised the Chief Safety Engineer, *inter alia*—'The conclusion reached was that the Association sees no real merit in the suggestion that the certificates of roadworthiness be required on the disposal of motor cycles.' At the present time under the provisions of the *Inspection of Machinery Act 1951-1971* a person disposing of a second hand motor cycle is not required to obtain a certificate of roadworthiness at the time of disposal. However, I am informed that strict supervision is exercised over structural alterations of motor cycles. I have arranged for enquiries to be made concerning the position in this matter in other States

and also overseas following which the Committee will further consider the matter."

GAZETTAL OF ADDITIONAL HOLIDAYS,
CHRISTMAS—NEW YEAR PERIOD

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

(1) Has he received submissions from various sources and organisations for December 24 and 31 to be gazetted public holidays? If so, from what representatives have these submissions emanated?

(2) As most States, as well as Canberra, will be declaring or have declared one or both of these dates a public holiday, what will be the position in Queensland?

(3) As I have received many letters of enquiry on this matter, as well as verbal approval from several employers, what action has he taken to comply with the requests and suggestions that these dates be declared statutory holidays this year?

Answers:—

(1) "Yes, from several unions of employees, the Trades and Labour Council and the Combined Industrial Unions."

(2) "The position in Queensland will be that there will not be public holidays on December 24 and 31."

(3) "After Cabinet made the decision the matter was further reviewed in the light of these representations referred to in Answer (1) and the original decision was confirmed. It will be recalled that Queensland was the only State to grant a statutory holiday for Monday, April 24 1973, at which time it was made quite clear that the decision was not to be taken as a precedent."

ROADWORTHINESS OF USED MOTOR
VEHICLES SOLD BY COMMONWEALTH
GOVERNMENT

Mr. W. D. Hewitt, pursuant to notice, asked The Minister for Development,—

In view of the apparent success achieved by his Department on the effectiveness of legislation to remove unsafe motor vehicles from the road, does he share my concern about the Commonwealth Government's approach to the disposal of its used vehicles and the roadworthiness requirements of this State?

Answer:—

"I certainly do share the Honourable Member's concern. Honourable Members will know that it is the practice of the Queensland Government to have its used vehicles certified roadworthy at the time of sale. One would think the Federal Labor

Government would either have set, or would follow, our example in this regard. But it doesn't, and won't. Last December the Premier wrote to the Prime Minister requesting that all used motor vehicles sold by the Federal Government in Queensland should have certificates of roadworthiness in compliance with State legislation. The Prime Minister's answer, in October, stated it was Department of Supply policy to sell all goods in an 'as is' condition and that the policy on disposals would not be changed. This is despite an acknowledgement that, in some cases, vehicles sold through the disposal system on behalf of all Federal Government departments would, in some cases, be in poor condition. The Commonwealth rested on the fact that the expense of restoring these vehicles to a roadworthy condition would be prohibitive. Honourable Members will agree that this is far from good enough. Queensland law requires a vehicle to have a roadworthiness certificate before disposal. The Commonwealth argues that as long as a vehicle has a certificate at the time of re-registration everything is all right. This apparently means that they believe a buyer should bring an 'as is' vehicle up to certificate standard at his own expense and that the Commonwealth, as the seller, should be excluded from the obligation. This is quite a shocking shedding of responsible contribution to road safety. And yet we have yet another lip-service pronouncement that the Federal Government is seeking wider power to legislate nationally on road safety. The Federal Transport Minister even suggested that motorists driving interstate may have to face a compulsory roadworthiness check. I can imagine the chaos at Coolangatta at Christmas."

MEANS TEST FOR SPECIALIST TREATMENT
OF COUNTRY PATIENTS

Mr. Marginson for **Mr. R. Jones**, pursuant to notice, asked The Minister for Health,—

Will he give early consideration to the elimination of the means test applied to patients required to travel from provincial and country areas of Queensland to Brisbane and other hospitals for specialist treatment, if and when the required medical services cannot be provided at these out-lying centres?

Answer:—

"Patients who are required to travel from one hospital to another to receive specialist attention, and who, upon the application of a means test, are assessed as being unable to meet the costs involved, are provided with free transport. The means test is not applied in such a way as to deprive deserving cases of free transport. Patients in need of treatment at the Queensland Radium Institute are provided with free transport, irrespective of means."

SAFETY STANDARDS, LONG-DISTANCE
PASSENGER BUSES

Mr. Marginson for **Mr. R. Jones**, pursuant to notice, asked The Minister for Transport,—

Are regulations in force and, if so, what measures have been adopted to enforce safety-inspection standards for long-distance buses operating throughout Queensland, as recommended by the Australian Transport Advisory Council meeting, which was held in Port Moresby in July, 1970? If not, what is the expected date for their incorporation?

Answer:—

“Long distance buses operating throughout Queensland, which are licensed under the provisions of the State Transport Acts, are required to comply with the provisions of the Inspection of Machinery Acts in regard to six-monthly inspections, and these requirements are being strictly enforced by the Department of Transport. So far as interstate buses operating in Queensland are concerned, these also are subject to the provisions of the Inspection of Machinery Acts. The 1970 recommendation of the Australian Transport Advisory Council referred to by the Honourable Member concerns uniform national safety inspection standards for long distance buses. Uniform inspection standards which closely follow those which apply in Queensland have recently been adopted by all States and reciprocal arrangements are being worked out by the Advisory Committee on Vehicle Performance of the Australian Transport Advisory Council to ensure that vehicles registered in one State cannot evade the six months compulsory inspection requirement whilst operating in another State. Reciprocity already exists between New South Wales and Queensland in this regard but some States are only now adopting the regular six monthly inspection procedures which have applied in Queensland for many years. I might add that with my colleague, the Minister for Development and Industrial Affairs, we have established an Inter-Departmental Committee of officers of the Department of Transport and the Division of Occupational Safety to examine problems relating to the inspection of commercial vehicles, particularly omnibuses operating inter- and intrastate although the former are not subject to the State Transport Acts. When procedural matters are settled it is proposed that an omnibus registered in one State and operating in another State will be required to display a current inspection label to indicate to Inspectors or Police Officers that it has been inspected in accordance with national safety standards. Failure to display such a label will make the vehicle immediately liable to inspection in the State where it is then operating.”

ANNUAL REPORT, STATE ELECTRICITY
COMMISSIONER

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

As Parliament is entitled to the State Electricity Commissioner's Annual Report and as Parliamentarians need to be abreast of all activities throughout the State, will he take action to immediately table and distribute the report?

Answer:—

“The report is presently with the Government Printer. I can assure the Honourable Member that it will be tabled before the end of the current Parliamentary Session.”

CONTRACTS FOR CROSS-RIVER RAIL
CONNECTION, SOUTH BRISBANE—
ROMA STREET

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

(1) As the construction of the bridge and rail link between South Brisbane and Roma Street is a most urgent necessity as a community facility as well as for economic reasons, will he ensure that the contracts are dealt with without delay?

(2) Will the first of the two contracts be awarded in December?

(3) If there may be any delay, what is the reason?

Answer:—

(1 to 3) “The tenders received will be dealt with as expeditiously as is practicable, with the object of awarding the contract in December, 1973.”

KINETIC AUSTRALIA

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

(1) Has Kinetic Australia, a building company which went into voluntary liquidation on November 2, any connection with Kinetic Home Units, a company registered on the same date?

(2) Was Kinetic Australia registered under the Builders' Registration Act?

(3) Is he aware that at the time of going into liquidation the company owed employees wages and holiday pay, and as the company had done a considerable amount of work for his Department, will he take steps to have its wages books inspected to ascertain the exact amount owing to employees and ensure that moneys owing to them are paid before payments are made to any other creditors?

(4) Will he also consider recommending to the Attorney-General that the Act be amended to prevent fly-by-night builders from registering as a company?

Answers:—

(1, 3 and 4) "These matters do not come within the jurisdiction of my portfolio."

(2) "Yes."

REZONING OF RESERVE 517, MOOROOKA

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

(1) Has his attention been drawn to an article in *The Courier-Mail* of November 23 headed "Park planned at Moorooka," which is attributed to the Honourable Member for Yeronga, who apparently attempts to claim credit and political kudos for getting a subdivision blocked?

(2) Has his attention been further directed to an article in *The Courier-Mail* of November 29 headed "Parkland rebuke to M.L.A.", wherein the Lord Mayor of Brisbane and Alderman Burton reject the claim of Mr. Lee as an untruth?

(3) Will he, in the interests of the integrity of this House, give the true account of the three land transactions mentioned and strongly rebuke the party which is wrong and request an apology to the Press and public who might have been misled?

Answer:—

(1 to 3) "Yes, I understand that the Honourable the Minister for Lands and Forestry is aware of the articles referred to. For the information of the Honourable Member, I advise that on June 19, 1970 in terms of normal Lands Department activities and following problems associated with unauthorised occupation of the area the Department of Lands advised Brisbane City Council, among other things, that the possibility of developing ungazetted Road Reserve R.517, Cracknell Gully, Moorooka, containing about 2 hectares was being investigated and that the Council's views thereon and on the necessary rezoning of the area would be appreciated. On March 30, 1971, Brisbane City Council informed the Lands Department that it had decided to rezone the land from Special Uses 'A' (Road Reserve) Zone to Residential 'A' Zone subject to satisfactory agreement concerning developmental requirements. The Department of Lands was also considering at the time the development of two other areas of land, one at The Gap and the other at Monash Road, Tarragindi. Following further consideration and discussions with Council officers as to development works to be provided by the Lands Department as part of its subdivisional works, Brisbane City Council was informed on December 15, 1971 that the Department of Lands could not agree to all of the Council's requirements, but

would be prepared to provide the essential and major items. That approach to the Council was in respect of the three projects mentioned. Council was also informed at the same time that there had been an approach from residents in the locality of Reserve R.517 to have the area set aside as a Park and Recreation Reserve. On that basis, the Department's letter of December 15, 1971 sought Brisbane City Council's views on—(a) the services to be provided by the Lands Department in subdivisional projects and (b) in respect of Reserve R.517, the setting aside of the area as a park and recreation reserve under the control of the Council as Trustee. Negotiations followed with Brisbane City Council in respect of the Council's subdivisional requirements for quite some time and as a result of a conference on August 1, 1973 a firm proposition was submitted to the Council on September 5, 1973 on the basis that, provided the Council accepted trusteeship of Reserve R.517, Moorooka as a Reserve for Environmental Park Purposes, the Department would be prepared to meet certain Council requirements in its proposed subdivisions at The Gap and at Monash Road, Tarragindi. The Department considered the arrangement a reasonable one which allowed two Crown subdivisional proposals, at Monash Road, Tarragindi and at Chaprow and Settlement Roads, The Gap, to proceed in accordance with the full requirements of the Council and at the same time enabled the area in Road Reserve R.517 to be reserved in perpetuity. The reservation action was in line with Lands Department policy in that regard and also in accordance with the persistent desires of the residents in the locality as had been repeatedly advanced by the Honourable Member for Yeronga, Mr. N. E. Lee. The Department of Lands and Brisbane City Council are now proceeding to implement the necessary actions. I would mention also that it has recently been decided to discontinue the proposal to develop the area at Monash Road, Tarragindi and to reserve that area too as Environmental Park."

Mr. Lee interjected.

Mr. SPEAKER: Order! If the honourable member for Yeronga interjects again, I will deal with him under Standing Order 123A.

GOVERNMENT APPROVAL OF LOCAL AUTHORITY BY-LAWS

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

(1) Are all by-laws which are made by shire councils submitted to his Department for scrutiny and/or approval?

(2) Where a local authority wishes to vary a by-law, either temporarily or for a special case, does such action require the approval of his Department?

(3) In cases concerning health and building by-laws where arbitrary exemptions could affect the welfare of existing residents, are there any special requirements for exemptions and, if so, what are they?

(4) In view of the number of complaints which I have received concerning the granting of exemptions, what recourse for objection or appeal is open to those who believe themselves wronged?

Answers:—

(1) "Under the *Local Government Act 1936-1973*, a By-law made by a Local Authority must be submitted by the Local Authority for approval by the Governor in Council and publication in the *Gazette* before it has force and effect. The present procedure is for a By-law to be forwarded to the Department of Local Government by the Local Authority with a legal certificate that the By-law is within the legal powers of the Local Authority. Departmental scrutiny is mainly restricted to such matters as are raised in objections lodged with the Local Authority at the time the By-law was formally advertised under the Act."

(2) "A By-law cannot be varied without a new By-law being made and submitted for approval by the Governor in Council. However, in some cases, a By-law does provide for some exercise of discretion by the Local Authority in particular circumstances. In such case the exercise of such discretion would be entirely a matter for the Local Authority."

(3) "Discretionary powers of the type referred to in (2) are usually there for the purpose of meeting peculiar circumstances of irregular occurrence and unforeseen nature. Therefore it would be unusual for firm guidelines to be prescribed in the By-law."

(4) "This part of the Honourable Member's Question involves a matter of legal interpretation and accordingly I do not consider it is appropriate for me to comment thereon. At the same time, I would suggest that any complainants could well voice their objections to the Local Authority concerned and they might also consult their legal advisers in the matter."

QUESTIONS WITHOUT NOTICE

SUGGESTED TELEVISION DEBATE ON REFERENDUMS, COMMONWEALTH CONTROL OF PRICES AND INCOMES

Mr. B. WOOD: I ask the Premier: Has he received my telegram inviting him to debate the prices and incomes referendums with

me when he is in Cairns next week? If so, and in view of the willingness of the commercial television station to offer time for such a debate, will he accept my invitation?

Mr. BJELKE-PETERSEN: I did receive the honourable member's telegram. I treated it as something of a joke, of course.

An Opposition Member: Why?

Mr. BJELKE-PETERSEN: Naturally, I did not treat it seriously because I did not think the honourable member for Barron River would like to appear on television with me and have me tell the people of his electorate in North Queensland how he stands up for Canberra and how disloyal he is to Queensland. I say to the honourable member that I would receive a good deal of satisfaction from such a debate. However, I feel that if it were to take place he would be humiliated in the eyes of his electors.

Mr. B. WOOD: I have a supplementary question. Am I to take it that the Premier is not prepared to debate the matter with me publicly on television?

Mr. BJELKE-PETERSEN: The honourable member is one of the very junior members of this House and is treated as such. I would not like to humiliate him any further.

Mr. B. Wood: Won on a K.O.!

Mr. SPEAKER: Order! I warn the honourable member for Barron River under the provisions of Standing Order 123A.

STATEMENTS BY MR. HAYDEN ON ACCESS TO SOCIAL SECURITY DEPARTMENT FILES BY CENTRAL SUGAR CANE PRICES BOARD

Mr. ARMSTRONG: I ask the Minister for Primary Industries: Has his attention been drawn to articles that appeared in the Brisbane "Telegraph" of 14 November and "The Australian" of 22 November in which the Federal Minister for Social Security (Mr. Hayden) was reported as claiming that the Central Sugar Cane Prices Board has had access to his departmental files? If so, is such an assertion correct?

Mr. SULLIVAN: Mr. Hayden's statement has been drawn to my attention. Of course, the Central Sugar Cane Prices Board denies his allegations. I have written to him asking him to explain his allegations, and it would appear to me that he will have difficulty in doing so.

INCREASE IN INTEREST RATES AND REPAYMENT PERIODS, BUILDING SOCIETY LOANS

Mr. NEWTON: I ask the Minister for Works and Housing: Did the Government grant the increase of $\frac{1}{2}$ per cent to permanent building societies because they claimed they could not compete with finance companies,

whose interest rates to investors have always been much higher than those of permanent building societies? Is he aware that permanent building societies have agreed to adopt the policy of the Australian Federation of Permanent Building Societies not to increase the period of existing loans to borrowers to help offset the rise in monthly repayments that will result from the increased interest rates?

Mr. HODGES: Yesterday I answered very similar questions asked by the honourable member for Everton, and I direct the attention of the honourable member for Belmont to those answers.

Mr. NEWTON: By way of a supplementary question, I ask the Minister: In granting the increased interest rates, what assurances were sought by the Government from the permanent building societies that they would protect the interests of borrowers? Further, who gave the permanent building societies the right to alter their public advertisements to indicate that the new interest rates will apply from tomorrow?

Mr. HODGES: That matter is in the hands of the Registrar, who discussed it with me. Until such time as the increase had received the approval of the Governor in Council, the advertisements could not be altered. However, approval was granted yesterday, and subsequently approval was given by the Registrar to change the advertisements.

MINERAL LEASES AND AUTHORITIES TO PROSPECT HELD BY OVERSEAS COMPANIES

Mr. MARGINSON: I ask the Minister for Mines and Main Roads: Will he table in the House, before the Christmas recess if possible, full details of mineral leases and authorities to prospect held by companies with either direct or indirect overseas equity, and the extent of the interest of the individual overseas companies in mining projects in Queensland?

Mr. CAMM: This information would require a great deal of research not only in my department but also in company records and by the Registrar of Companies. I do not know whether I can examine individual company records to find out where the various shareholders may live or where they have acquired their shares. I will do what I can for the honourable member, who obviously wants this information for some useful purpose. Although I fail to understand what his reason is, I will do whatever I can to help him.

STATEMENT BY SENATOR MURPHY ON COMMONWEALTH CONTROL OF PRICES AND INCOMES

Mr. AHERN: I ask the Treasurer: Has he seen the statement by the Federal Attorney-General that he will give no indication of the

purposes for which the new powers over prices and incomes desired by the Federal Government will be used? Does he consider it satisfactory that this is the first referendum proposed to the Australian people in which a blank cheque has been requested? Further, does he recollect that even in the powers referendum during the war years Dr. Evatt was far more open-handed, as was also Mr. Chifley, in those referendum proposals?

Sir GORDON CHALK: I have read a statement in this morning's Press—I think it was in "The Courier-Mail"—attributed to Senator Murphy on this matter. If I recall correctly, he said that he saw no reason why the Prime Minister should spell out the terms of the forthcoming referendum. Although I was surprised at the content of the article, I am certainly never surprised at anything Senator Murphy might say or do at any time. I have always believed—and I think the people of Queensland and Australia believe—that a referendum is designed to enable the people to have a direct say on whether a particular law or laws should be changed. It is apparent from what has been said by Mr. Whitlam, and also from what has now been confirmed by Senator Murphy, that this referendum is aimed at giving the Commonwealth a blank cheque. I say that because, while the reference is to control prices, there has been no specific statement on the basis or the type of legislation the Commonwealth proposes to introduce.

If the referendums are carried, the transfer of power will entitle the present or any future Commonwealth Government to amend its laws and administer them according to its whims of the moment. We are being asked to give the Commonwealth Government a blank cheque, and, for that reason, let me say quite sincerely that I—and, I hope, the majority of the people of Australia—will vote "No" on both questions.

MODE OF DRESS, RAILWAY EMPLOYEES

Mr. BROMLEY: I ask the Minister for Transport: As the wearing of shorts by male personnel is permitted within the Public Service, and as this is a sensible regulation particularly in our tropical climate, does he approve of this mode of dress for the Railway Department? If so, will he confer with the Commissioner for Railways and introduce regulations giving employees of this department the option of wearing shorts?

Mr. K. W. HOOPER: The wearing of shorts and long socks, as approved for the Public Service, could be adopted by the Railway Department. I most certainly will take the matter up with the Commissioner with a view to allowing this mode of dress.

CHIMNEY EMISSIONS, QUEENSLAND GLASS
MANUFACTURING CO., SOUTH BRISBANE

Mr. BURNS: I ask the Minister for Health: Further to my question in relation to the pollution from chimneys of the Queensland Glass Manufacturing Co. at South Brisbane, opposite Coronation Drive, will he have tests carried out on the discharge from these chimneys at night after working hours, when the normal small discharge that occurs during working hours grows to alarming levels?

Mr. TOOTH: I shall certainly refer the honourable member's suggestion to the Acting Director of Air Pollution Control. I have been told that there are times when emissions from this area reach fairly substantial proportions. It must be understood, of course, that it is impossible to monitor every industry 24 hours a day, seven days a week. It is also recognised that at certain times of the day, such as when the furnaces are being stoked, there is an increase in emissions. These are all part of the problems of industrialisation. However, I give the honourable member an assurance that I shall refer the matter to the Acting Director and ask him to give it his personal attention.

HIGH-SPEED CHASES BY POLICE MOTOR
VEHICLES

Mr. HUGHES: I ask the Minister for Works and Housing: Has his attention been drawn to an article in yesterday's "Telegraph" relating to a chase by Police Department vehicles of an allegedly stolen vehicle during which the latter vehicle allegedly traversed city streets in a dangerous manner at speeds up to 80 miles an hour, causing danger to motorists and pedestrians? In the interests of public safety, has not a policy been laid down by the Minister and the Government that chases such as this will not take place? If not, will he consider implementing such a policy? Will he consider asking the Police Department to devise a plan by means of which a system of road blocks can quickly be brought into operation in the metropolitan area in order to obviate high-speed chases by police vehicles, thus possibly panicking drivers of stolen vehicles into excessive speeds and dangerous driving?

Mr. HODGES: The circumstances differ in each case. The Police Department does not encourage high-speed chases in built-up areas—or, indeed, anywhere at all. Police action depends upon the type of crime that has been committed. The Police Department does not wish to endanger police drivers or the public in general, and police endeavour to arrest offenders by the use of other methods. As I have said, the Police Department does not encourage high-speed chases, and the action taken depends upon the circumstances of the case.

PYRAMID SELLING SCHEMES
(ELIMINATION) BILL

INITIATION

Hon. Sir GORDON CHALK (Lockyer—Treasurer): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to provide for the elimination of pyramid selling schemes."

Motion agreed to.

THE CRIMINAL CODE AND THE
JUSTICES ACT AND ANOTHER ACT
(STOCK OFFENCES) AMENDMENT
BILL

INITIATION

Hon. Sir GORDON CHALK (Lockyer—Treasurer): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to amend The Criminal Code, the Justices Act 1886–1973 and the Brands Acts 1915 to 1965 each in certain particulars."

Motion agreed to.

LIQUOR ACT AMENDMENT BILL

INITIATION

Hon. Sir GORDON CHALK (Lockyer—Treasurer) I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to amend the Liquor Act 1912–1972 in certain particulars."

Motion agreed to.

PROPERTY LAW BILL

INITIATION

Hon. Sir GORDON CHALK (Lockyer—Treasurer): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to consolidate, amend, and reform the law relating to conveyancing, property, and contract, and to terminate the application of certain imperial statutes."

Motion agreed to.

REAL PROPERTY ACTS AMENDMENT
BILL

INITIATION

Hon. Sir GORDON CHALK (Lockyer—Treasurer): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a

Bill to amend the Real Property Act of 1861, as subsequently amended, and the Real Property Act of 1877, as subsequently amended, each in certain particulars."

Motion agreed to.

LOCAL GOVERNMENT ACT AND ANOTHER ACT AMENDMENT BILL

INITIATION

Hon. Sir ALAN FLETCHER (Cunningham—Minister for Education and Cultural Activities): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to amend the Local Government Act 1936-1973 and the City of Brisbane Town Planning Act 1963-1972 each in certain particulars."

Motion agreed to.

TOWNSVILLE CITY COUNCIL (SALE OF LAND) BILL

INITIATION

Hon. Sir ALAN FLETCHER (Cunningham—Minister for Education and Cultural Activities): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill relating to the sale of certain land by the Council of the City of Townsville."

Motion agreed to.

GIFT DUTY ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Lickiss, Mt. Coot-tha, in the chair)

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (12.8 p.m.): I move—

"That a Bill be introduced to amend the Gift Duty Act 1926-1969 in certain particulars."

Honourable members will recall that, in presenting the Budget for the present financial year, I indicated that the exemption relating to gift duty would be increased to \$10,000 and that the period for aggregation of gifts would be extended to 18 months before and after the date of the gifts. These concessions would largely bring the Queensland Act into line with Commonwealth legislation.

The Gift Duty Act presently provides general exemption from gift duty for gifts by the same donor to the same or other donee unless they aggregate more than \$4,000 over a period of 12 months before and after the gift in question. The proposed amendments will increase the general exemption

figure from \$4,000 to \$10,000 and extend the period for aggregation of gifts to 18 months before and after the gift in question. The Bill gives effect to these proposals.

Having regard to the increase in the general exemption figure, it is also proposed that the aggregate amount of gifts beyond which a return must be submitted to the Commissioner of Stamp Duties be increased from \$2,000 to \$7,500, and the period for aggregation of gifts be extended from 12 to 18 months. This is achieved by appropriate amendments to section 11 of the principal Act.

While amending the Act to give effect to Budget concessions, I am also taking the opportunity of amending the Act to overcome one means of evading duty. Honourable members are probably aware that the payment of gift duty under the present legislation is denoted by adhesive stamps affixed and impressed by the Commissioner of Stamp Duties. One means of circumventing this legislation is to make gifts by the transfer of Commonwealth Inscribed Stock. As the Commonwealth Government Inscribed Stock Act provides that stamp duty cannot be charged on transfers of stock, the Stamp Duties Office is unable to levy gift duty in relation to such transactions, gift duty being presently described as a stamp duty.

It is therefore proposed to eliminate from the Act all reference to gift duty as a stamp duty. This can be achieved by clauses in the Bill which provide for the repeal of section 25 of the principal Act and amended wording in section 31. Acceptance of these amendments will overcome the present means of evading duty and assist in protecting revenue from this source.

A minor amendment is also proposed to section 7 of the principal Act. The present legislation provides that gifts to the same donee be not taken into account as such for the purposes of gift duty if they do not exceed in the aggregate \$100. I propose that this figure be increased to \$200, and have included the necessary provision in the Bill.

The Bill also includes amendments which provide for the conversion of all wording in sterling to the equivalent value in decimal currency expressed in figures.

My officers estimate that the proposed amendments will cost the State approximately \$100,000 in a full year. However, I might add that a loss of succession duty will also be involved as, owing to the increased exemptions, more action is likely to be taken to diminish assets during a person's lifetime. At this stage it is impossible to assess the amount of revenue which might be involved

I commend the Bill to the Committee.

Mr. TUCKER (Townsville West) (12.11 p.m.): On behalf of the Opposition I indicate that we have no argument against the measure. In his Financial Statement for

1973-74 the Treasurer referred to a number of very desirable amendments to legislation, including the Gift Duty Act. No doubt the Treasurer will be submitting other Bills to the Committee today covering the other matters mentioned in his Financial Statement.

At the moment we are talking about gift duty. In his Financial Statement the Treasurer said—

“The exemption relating to gift duty will be increased from \$4,000 to \$10,000 and the period for aggregation of gifts will be extended to 18 months before and after the date of the gift. As a complementary measure, the period during which gifts made before death are to be brought to account for succession duty purposes will be extended from two to three years. These provisions will now conform with similar Commonwealth legislation.

The loss of gift duty as a result of the increased exemption is estimated at \$100,000 in a full year.”

We believe that this is very desirable legislation, particularly in the light of the inflationary trend. I do not know whether the exemption really goes much beyond the effects of inflation. The period of aggregation has been extended to 18 months before and after the date of the gift. This is a very desirable provision, which will certainly assist the average person in the community.

There appears to be a preoccupation by some people in the community with the payment of death and gift duties. I sometimes wonder whether the Treasurer should arrange for the preparation of an appropriate booklet, which could be made available to people who inquire about death and gift duties. On behalf of the Opposition I recently attended a kind of seminar, which was addressed by an accountant and a solicitor. On that occasion certain points were put forward about the minimising of death and gift duties. Certain sections of the community had the opportunity to take advantage of what was said at that seminar. It is a pity that the community as a whole is not made au fait with the payment of various duties.

I have an article here published in “The Sunday Mail” of 22 April 1973, headed, “Death duties can be minimised.” It was a very good article on probate and gift duties, and, amongst other things, it said—

“People seem to be nervous about it for some reason, when all they have to do is to go to the Gift Duties Office in the State Government building next to Anzac Square and ask for a gift duty return.”

That sounds very easy when an expert explains it in the newspaper, but, I, with every honourable member of this Assembly, know that people are singularly uninformed on this question, and that applies particularly to the ordinary people in the community. Wealthy people are usually worried about how their estates may be hit with succession

and probate duties, and they can afford to go to accountants or other experts for advice. They can afford to pay for the expertise that is available. They seek advice as to how they can reduce their estates by gifting away certain amounts over certain periods. The accountant or solicitor informs them what they can do. They may be able to gift away \$4,000 every 18 months. That will now be increased to \$10,000. If they gift away \$4,000 every 18 months, in a period of four and a half years, they can legally gift away \$12,000. I am speaking in terms of the old duty. When this legislation becomes law, the \$4,000 becomes \$10,000. However, it makes no difference to the point I am making today, which is that wealthy people can afford to buy the expertise available and in many cases reduce their estates to such an extent that very little death duty would be payable.

As I said, at the same time, ordinary people in the community, who cannot afford the advice of experts, are hard hit by these duties. I believe that these matters should be placed on an equitable basis and that certain sections of the community should not be in a position to escape payment of duties while the same avenues are not available to others. I do not say that those who take advantage of the provision are doing anything wrong; it is simply that the ordinary people in the community do not know about it.

That being so, would it not be fair and equitable to print some advice along the lines I have suggested, in order to give all persons knowledge of their rights. In other areas, this has been done by the Minister for Justice. I put that thought forward for consideration. I will probably be putting forward further suggestions regarding succession duty when the Treasurer brings that legislation forward. What I am saying now applies to both gift duty and succession duty and, if the Treasurer sees fit to comply with my request, he may do it in both cases.

I am well aware of the heavy duties and responsibilities at present resting on the shoulders of the Commissioner for Stamp Duties. I am also well aware that in these specialised sectors of taxation it is not easy to obtain the experts the Commissioner needs. This applies particularly in the Stamp Duties Office, but a somewhat similar situation exists in the Titles Office. Therefore what I suggest may cause some little inconvenience, for which I am sorry. There are areas today in which there is a dearth of these experts, and they cannot be trained in a few weeks. A clerk cannot be taken from another department and told to go to the Stamp Duties Office and act as an assessor. This work involves years of training. As I have said, at the present time there is a dearth of trained personnel in the Stamp Duties Office. Of course, recent deaths have worsened the situation.

I do not wish to add to the burden already carried by the Stamp Duties Commissioner and his staff by suggesting that the foregoing submissions should be put into force immediately. All I want to do is let the general public know what they will be entitled to do in making gifts to reduce their estates. This measure will benefit those members of the community who are presently hardest hit by the imposition of gift duty.

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (12.21 p.m.), in reply: I thank the honourable gentleman for his comments on behalf of the Opposition. I cannot imagine that this legislation will be criticised other than for the fact that perhaps it does not go far enough. We have endeavoured to bring State gift duty into line with the Commonwealth duty, and I believe that this alone will be of considerable benefit to the public, particularly those persons who may not be fully aware of their entitlements when making gifts either to members of their families or to other persons.

The honourable gentleman also referred to the preparation and distribution of a booklet. While he was speaking I checked this matter with my officers. I can recall the former distribution by the office of a sheet. Apparently, however, this practice is no longer followed. There is some wisdom in the honourable gentleman's suggestion that, in relation to this form of what I might term "taxation", the State could issue a booklet for the guidance of the general public. I am certainly prepared to take cognisance of his suggestion.

Motion (Sir Gordon Chalk) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Sir Gordon Chalk, read a first time.

STAMP ACT AND ANOTHER ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Lickiss, Mt. Coot-tha, in the chair)

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (12.25 p.m.): I move—

"That a Bill be introduced to amend the Stamp Act 1894-1972 and the Money Lenders Act 1916-1969 each in certain particulars."

Honourable members will recall that, in presenting the Budget for 1973-74, I indicated that the Stamp Act would be amended to increase the exemption level for stamp duty in respect of mortgages on the matrimonial home and to make certain other minor amendments. The exemption from stamp duty on mortgages on the matrimonial home will be increased from the present \$10,000 to \$15,000, the exemption to apply irrespective of the amount borrowed or the value of

the home. An appropriate amendment to Schedule I of the principal Act provides for this increased exemption level.

A further amendment to Schedule I included in the Bill provides for substantially reduced rates of stamp duty on settlement, deeds of gift or voluntary conveyances. It is consequential upon increased exemptions from gift duty provided in the Bill to amend the Gift Duty Act, and reduces the stamp duty on documents effecting gifts of up to the new gift duty exemption level so that only the normal rate of stamp duty applicable to conveyances of property, namely, 1½ per cent, is payable. The previous rates ranged from 1½ per cent immediately in excess of \$4,000 to 2½ per cent at \$10,000.

As the aggregation period under the Gift Duty Act is also to be increased from 12 to 18 months before and after the date of the gift in question, the provisions of the Stamp Act which deal with the stamping of instruments of gift are also amended by the Bill to increase the aggregation period under that Act into line with the gift duty provisions.

The Bill also repeals the provisions under the heading 'Share Certificate or Other Document' in the schedule of stamp duties. This proposal will eliminate the charge for stamp duty on share certificates. Honourable members will be aware that our main stamp duty revenue from shares is the duty of 30 cents per \$100 charged on each buying and selling transaction through a broker, or 60 cents per \$100 on each complete transaction effected other than through a broker. During 1972-73 the transactions effected through brokers realised \$1,080,000 revenue, while an additional amount, which cannot be assessed because of the use of adhesive duty stamps, was received on account of other share transfers. The duty we are abolishing is the duty on the actual share certificate, which previously carried a duty of 5 cents to 50 cents according to the number of shares covered by the certificate. The duty is not charged in other States and does not raise a significant portion of our Queensland revenue, the duty on certificates stamped through the Stamps Office in 1972-73 being less than \$10,000. It is therefore proposed to remove this provision, which discriminates against Queensland shareholdings.

The proposed amendments to the Money Lenders Act, concurrently with amendments to Section 35 of the Stamp Act, are required because of the substantial rises in interest rates over recent months, which gave rise to two problems—

1. Lenders who lend at what are generally regarded as relatively low rates of interest had to lift their interest rates above 10 per cent, at which point they became subject to registration under the Money Lenders Act; and

2. These lenders also became subject to registration with the Commissioner of Stamp Duties as persons engaged in credit

business and to payment of duty of 1 per cent on amounts of their loans when their lending rate exceeded 10 per cent per annum.

Honourable members will appreciate that, as a result, strong representations were received from many lenders, such as banks, money-market operators, pastoral houses and some insurance companies, who were not previously affected by these Acts and who it was not previously contemplated should be subject to their provisions. The Government therefore announced that it intended to introduce legislation with retrospective effect to 1 September 1973 to give effect to—

1. Exemption from registration under the Money Lenders Act where lending was at an interest rate not exceeding 12 per cent instead of 10 per cent at present.

2. Amendment of section 35 of the Stamp Act to lift to 12 per cent the rate of interest above which lending attracts a duty of 1 per cent as credit business.

To cover the possibility of future rapid rises or falls in interest rates, it is proposed to make provision for future variation of these rates under both the Stamp Act and Money Lenders Act by Order in Council.

I commend the Bill, which will give effect to these matters, to the Committee. It will be noted that its provisions are of a concessional nature.

Mr. TUCKER (Townsville West) (12.32 p.m.): Like the Gift Duty Act Amendment Bill, this Bill will implement a very desirable aspect of the Financial Statement. Some of its proposals follow, as a natural corollary, on the first piece of legislation introduced by the Treasurer today.

First, I shall deal with the matter of the matrimonial home. In his Financial Statement the Treasurer said—

“The Stamp Act will be amended to increase the exemption from stamp duty on mortgages on the matrimonial home from the present \$10,000 to \$15,000, the exemption to apply irrespective of the amount borrowed or the value of the home.”

The reason is very obvious. Because of the present inflationary trend, the level of \$10,000 is completely unacceptable. It must be remembered that a person who is purchasing a home is affected by the inflationary trends in the cost of land, as well as of a home. It is because of this that the exemption is being raised to \$15,000, and even that figure, in my opinion, is not high enough.

Only a few weeks ago I was advised by the Department of Works that it had accepted tenders for something in the vicinity of \$23,000 for the construction of its ordinary “E” type homes in Townsville. That price is exclusive of the value of the land. When later legislation is introduced, I shall take

the opportunity of speaking on the inflated price of land. Today, the cost of an ordinary type of home on what is perhaps not the most desirable piece of land in the suburbs could well be \$30,000.

It is reasonable to assume that many people will have to obtain mortgages beyond the \$15,000 to which the exemption level has now been lifted. I realise that the Government has made a gesture, and I am not going to argue with it except to say that, with present-day trends, the amount could have been made a little higher. I ask the Treasurer if the proposed amendment will mean that, if a person borrows \$20,000, the first \$15,000 will be exempt.

Sir Gordon Chalk: That is so.

Mr. TUCKER: I thought that would be the position. I wanted to be sure that that principle is to be continued.

In these days of inflation, with the heavy financial burdens that it places on young people who are endeavouring to obtain their first home, one could not argue that exemptions such as those proposed by the Bill are not good, or that they do not give young people some degree of assistance. The Opposition has no argument with that principle.

The legislation also deals with duty on share certificates and instruments of gift. I cannot at this stage say what the Opposition's attitude will be to these proposals. However, we will examine them closely, and will have something to say about them at the second-reading stage.

The Bill also amends the Money Lenders Act. I agree that interest rates have risen during the last few months, and, because the traditional lenders have had to lift their rates to at least 10 per cent, there is need for an amendment to the Act so that they will not be subject to registration with the Commissioner of Stamp Duties. I can see that the present situation was never contemplated, and I have no argument with what is now proposed. The Treasurer said that any alteration beyond this point will be effected by Order in Council.

Sir Gordon Chalk: Either up or down.

Mr. TUCKER: Let us hope that in the months ahead there will be an adjustment down. The Opposition will also give consideration to this question. I should like to compare what is proposed with what is at present contained in the legislation. I can see reasons for the amendment, and on the second reading of the Bill the Opposition will have something further to say on the amendment of the Money Lenders Act. On the surface, there seems to be no reason for argument with the Bill, and the Opposition is agreeable to its introduction.

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (12.39 p.m.), in reply: I appreciate the need for the Opposition to see the

Bill before commenting further on it. I have endeavoured to outline what is contained in its clauses, which are quite straightforward. As I indicated, particularly in relation to the section of the Bill dealing with money lenders, further alterations will be made by Order in Council. I think all members appreciate that at present considerable fluctuations are taking place in the money market, and all I hope is that within a short time there will be a reduction in interest rates, which might be described as the price of money. Ever-increasing interest rates are not, generally speaking, in the best interest of the community as a whole.

I thank the Deputy Leader of the Opposition for his comments. He will be able to peruse the Bill when it is printed.

Motion (Sir Gordon Chalk) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Sir Gordon Chalk, read a first time.

LOCAL BODIES' LOANS GUARANTEE ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Lickiss, Mt. Coot-tha, in the chair)

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (12.42 p.m.): I move—

“That a Bill be introduced to amend the Local Bodies' Loans Guarantee Act 1923-1972 for the purpose of making special validating provisions in relation to certain borrowings by local bodies and certain guarantees by the Treasurer with respect to such borrowings, and for purposes incidental thereto.”

The Local Bodies' Loans Guarantee Act provides for the capital repayment and payment of interest on money borrowed by a local body within the meaning of that Act to be guaranteed by the Treasurer on behalf of the Government.

Honourable members will be aware that a loan must be authorised by an Order in Council, and that the date of the debenture issued by the local body in respect of such loan should not be earlier than the date of the Order in Council. Where this is not the case, the loan is not authorised and the debenture issued and the guarantee given are not valid.

Let me assure the Committee that no deficiency exists in the vast majority of guaranteed loans that have been taken up by our semi-governmental and local bodies. However, attention has been drawn to a few cases, particularly conversion loans, where in fact the lender may have no security because the date of the debenture issued in respect of the loan is prior to the date of the issue of the Order in Council.

Frequently, conversion loans are made available by the original lender and there is no actual repayment and reborrowing of the loan money. The term of the conversion loan commences on the maturity date of the original loan. For the loan to be valid and lawful, the Order in Council must be issued before the maturity date of the old loan. However, the loan formality procedure has not always been completed in sufficient time to enable this to be done.

As a general practice, both new loans and conversion loans are authorised in sufficient time to enable local bodies to complete all loan formality procedures, including the execution of the debenture, to enable payment of the loan moneys by the date nominated or by the commencement date of the conversion loan. It is therefore not considered that many cases have occurred in which the debentures and the associated guarantees are deficient, but it would be a tremendous task to examine all outstanding loans to establish just how many are deficient.

These loans were entered into in good faith, and before the legal position caused by delay in completion of loan formalities was realised. We do not desire that any strict interpretation should create concern for lenders who have provided funds for Queensland's development. The Government has therefore decided to introduce legislation to validate any existing loan that would otherwise have been legally deficient because of the date of issue of the debenture being prior to the date of the Order in Council. The Bill specifically validates the borrowing itself under these conditions, together with the debenture document and the guarantee given by the Treasurer on behalf of the Government.

The validation applies only to loans raised prior to the date of assent of this amendment to the Local Bodies' Loans Guarantee Act. So far as the future is concerned, lenders and borrowers will be advised of the necessity to have all formalities completed before the loan commences. The responsibility to ensure this is done rests on the parties to the loan transaction but, so far as Government departments are concerned, this particular aspect will be closely watched in future prior to Orders in Council being issued.

I think I have made the position quite clear. The need for the Bill arose out of something revealed in one or two transactions in recent times. Candidly, no-one knows how far back in the distant past these happenings might have occurred. In an internal conversion there has been acceptance by both parties, documents have been signed, notifications have been passed on to my department and notice has been given through the Government Gazette. I do not lay the blame on any particular person or persons. It is just one of those happenings. Nor can I say how far back we might have

to go to correct errors. For that reason I have decided to bring this Bill forward, and I commend it to the Committee.

Mr. TUCKER (Townsville West) (12.49 p.m.): This seems to be a fairly straightforward Bill. I can well understand the parties to a loan overlooking the requirement that debentures cannot be issued prior to the date of the Order in Council, which, of course, invalidates the whole of the procedures. Therefore there is a need for this special validating legislation to preserve the guarantees given by the Treasurer.

The honourable gentleman mentioned conversion loans. It is quite possible that this is an area in which loans have commenced prior to the issue of the Orders in Council. There is a need, therefore, to ensure that existing guarantees are validated. The Opposition can well understand that there could be a number of such instances. It would not be easy to go back and find them all, and we would not want the loans to be invalidated especially when everything has been done in good faith. I am sure that the Treasury Department will ensure that this does not happen.

We have no argument with the action being taken. This legislation will apply only to loans raised prior to the date of its assent. Having taken cognisance of the fact that this deficiency can occur, Treasury officials will be obliged to see that procedures are correctly applied in future so that the need for another amendment to the Local Bodies' Loans Guarantee Act will not arise.

After listening to what the Treasurer has told the Committee today, the Opposition thinks that the Bill is fair and reasonable. However we reserve the right to make further comment at the second-reading stage, after we have studied the Bill.

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (12.52 p.m.), in reply: I do not think there is any need for me to add anything. I made it clear in my opening remarks that we are validating actions which happened in the past. We have also laid down very rigidly in our office, and for people outside, that, in future, the law must be abided by. I hope that there will never be any further necessity to bring down a Bill of this nature to validate similar deficiencies.

Motion (Sir Gordon Chalk) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Sir Gordon Chalk, read a first time.

LAND TAX ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. Lickiss, Mt. Coot-tha, in the chair)

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (12.55 p.m.): I move—

“That a Bill be introduced to amend the Land Tax Act 1915–1972 in certain particulars.”

As I said earlier today, honourable members will recall that in presenting the Budget for 1973-74 I indicated that, in order to cushion the effects of rising valuations, steps would be taken to increase by 50 per cent the exemptions applying to resident landowners under the Land Tax Act in respect of both town land and land used for primary production. The proposed amendments, which I shall outline, will give effect to the increased exemptions. The opportunity is also being taken to incorporate an amendment to the Act sought by the Life Offices' Association of Australia. It is the Government's intention that the increased exemptions be applicable during the financial year 1973-74. The Bill therefore provides that the amendments shall be deemed to have commenced on 29 June 1973.

It is proposed that the statutory exemption to an owner, other than an absentee or a company, be increased from \$10,000 to \$15,000, and that the special exemption on country land personally worked by the owner be increased from \$30,000 to \$45,000. The amendments to section 11 of the principal Act as outlined in the Bill provide for these increased exemption levels. The present level at which an owner other than an absentee or a company becomes liable to lodge a return is \$12,000. The adoption of higher levels of exemption will allow this figure to be increased to \$17,000. This requires an amendment to section 16 of the principal Act and is provided for in the Bill.

The combination of the special exemption at the new levels and the minimum tax will mean that a farmer or grazier who personally works his land will not pay land tax if the unimproved value of those lands is less than \$47,000. In the case of a taxpayer other than a primary producer, an absentee or a company, the figure is \$17,000. There is no statutory exemption for an absentee or a company. At the present levels of exemptions it was estimated that land tax revenue for 1973-74 would be in the vicinity of \$6,890,000 and that taxpayers would number about 17,000. The proposed new levels of exemptions are expected to produce \$6,561,000 in tax from 12,508 taxpayers in 1973-74, compared with \$6,139,000 derived from 14,570 taxpayers in 1972-73. The cost of the concessions is estimated at \$330,000, which has been taken into account in the Budget. Another important effect is that the number of taxpayers is expected to be reduced to a figure of 12,500. Thus about 4,500

small taxpayers will be relieved of liability for this tax, at a very moderate cost to the Budget.

It is also proposed to make an amendment to the Act which was requested by the Life Offices' Association, whose members (life assurance companies) are engaged in the leasing of buildings. The association is concerned that section 44 of the Act may make invalid any provision of a lease or tenancy agreement which required the tenant to meet the burden of land tax payments. It is not necessary for the purposes of the administration of the Land Tax Act that an owner should be prevented from requiring a tenant to meet the liability for land tax, provided that the ability of the Commissioner of Land Tax to proceed against either the owner or tenant is not destroyed. The provision sought by the Life Offices' Association will be implemented by amending section 44 of the principal Act so that it will not make invalid any provision of a lease or tenancy agreement which requires the tenant to meet land tax payments. The suggested amendment has been adapted from a provision in the Victorian Act.

If the amendment to section 44 of the principal Act is accepted, it will also be necessary to amend section 22 of the Act, which gives the Commissioner of Land Tax the right to collect the tax from the tenant, who is then given the right to recover the amount from the owner. It is necessary to qualify section 22 of the principal Act so that the right of recovery of a tenant applies in those cases where the owner was responsible for the tax under any agreement or in the absence of any agreement as between owner and tenant. The Bill provides for the insertion of the necessary qualifying wording.

I commend the motion to the Committee.

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

Mr. TUCKER (Townsville West) (2.15 p.m.): On behalf of the Opposition I indicate that we have no argument against this legislation, which was foreshadowed in the Financial Statement introduced by the Treasurer earlier in the session. We are becoming accustomed to accepting legislation extending the land tax exemption, because almost yearly the Treasurer introduces similar legislation. I believe that inflation, more than anything else, is responsible for the increase in the exemption rate for normal building allotments from \$10,000 to \$15,000 and, for other types of land, from \$30,000 to \$45,000.

In dealing with this legislation, I shall concentrate on the effect of inflation on the price of land. I am wondering whether the \$15,000 exemption will cover most of the people in the State. That query is based on observations other than my own. It does not seem very long since I purchased my home in Townsville. At that time the value of the building allotment was shown on the contract at £150. Its valuation has now increased to \$4,500, and allotments of land

situated on a hill that I could almost hit with a stone from a shanghai are bringing between \$12,000 and \$13,000. Within the next few weeks the value of land in a new development may be even higher. To relate these increased values to my own case, I should say that it is only a question of time before the Valuer-General adopts the inflated value of this land and applies it to mine.

In speaking on land values, I shall not confine my remarks to the Townsville area. My colleagues have told me that reasonable land in Brisbane is selling for similar amounts.

Mr. Newton: The Government has received similar prices for land that it has auctioned.

Mr. TUCKER: That is so. I had in mind the price received for that land. On what I am told, land is selling in Brisbane at approximately the proposed new exemption figure—before we have even amended the Act.

My argument is fortified by an article that appeared in today's "Courier-Mail" headed, "State Authority urged for land controls". The article reads—

"The State Government has been urged to establish a ministry or an authority to co-ordinate land-development programmes in Brisbane.

"The State president of the Housing Industry Association (Mr. B. T. Sheehy) said that such a body could help to alleviate cost increases and limit speculation."

That is the main point of his argument. He then said—

"The costs involved, in a land-to-house ratio have almost reached a 50-50 level. We have a Housing Ministry. It is time a Residential Lands Ministry or a Residential Land Development Commission was set up."

My point is that this man, who no doubt is responsible and holds a very responsible position, said that the land-to-house ratio has almost reached a 50-50 level.

The Treasurer should be aware—we on this side of the Chamber certainly are—that anyone who wants a reasonable type of house in Brisbane has to think in terms of \$30,000 to \$32,000, and the price of a similar house in Townsville would be about the same.

On my submissions, and the statement by Mr. Sheehy, it is reasonable to assume that the land price would be almost \$15,000. Some months ago the Treasurer said he would raise to \$15,000 the exemption applying to resident landholders on town land. However, since then land prices have soared. No doubt when the Treasurer decided on that figure it was reasonable, but again I quote from this newspaper article. It reads—

"Demand for land was increasing at a rate of 25 per cent a year, and prices for residential blocks had soared by 50 per cent since the beginning of the year."

That indicates what has happened to land prices in the past 10 months. The result is that the exemption level of \$15,000 is already out of date.

Mr. Sheehy suggests certain controls. He claims that a good deal of the trouble results from a developer taking up to three years to get an issue through the authorities, and that this is the reason for the scarcity and the high cost of land. Perhaps he has a good argument. I believe, in addition, that this problem has arisen because many developers have formed cartels and are not prepared to release land. They are setting their own prices rather than establishing the cost of developing an allotment—I am told on good authority that many allotments cost between \$1,500 and \$2,000 to develop—and taking that and a percentage of the capital outlay, and then adding a fair profit. The price being asked for developed land has not been set in that way. I differ from Mr. Sheehy in this regard, although I agree that something should be done to improve the present procedure.

The matter of land prices would be attacked in a proper, reasoned, responsible and expeditious way if the Government developed land and made it available at a reasonable price. I regret that the advice given by the Minister for Lands and Forestry was not accepted by the Government and that it did not avail itself of the Federal Government's offer in the development of land. I believe that those points are pertinent to a discussion on raising land-tax exemption from \$10,000 to \$15,000.

The Treasurer said his action would "reduce the number of land-tax payers by more than 2,000 below the 14,570 paying tax in 1972-73." If the inflationary trend continues, as most authorities believe it will—although I have heard some submissions that it may be levelling out in spite of Mr. Sheehy's claim that there has been a 25 per cent increase owing to demand—the Treasurer is not correct in surmising that as many people as that will benefit from the increase in exemption. Many people will shortly own allotments valued at more than \$15,000, and the Treasurer will have to introduce another Bill if he desires to exempt the people he intends to under this measure. It is a fact of life that he will have to live with and overcome.

Since the Treasurer brought down his Budget there has been a constant increase in the demand for land, and also in land sales and transfers, as is shown by the number of documents being lodged in the Titles Office. Although the Opposition has no argument with the lifting of the exemption level from \$10,000 to \$15,000, I believe, in the light of what has been taking place in the last few months, that many more people will be coming into the category above \$15,000, and the Treasurer will again have to do something about the situation, perhaps next year.

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (2.27 p.m.), in reply: I listened with interest to the remarks of the Deputy Leader of the Opposition. It is true that the Government has regularly brought down legislation of a somewhat similar nature, with the object of gradually reducing the number of people who pay land tax. The Deputy Leader of the Opposition said that he felt the Government was possibly not achieving what it claimed as its objective.

In my earlier remarks, I gave what I expected would be the position in this financial year. I said that in 1973-74 it was estimated that land tax would return \$6,800,000, and that those paying land tax would number about 17,000. Under the new exemption proposal, it is expected that the revenue produced will be \$6,500,000, and that taxpayers will number 12,500. In 1972-73, \$6,100,000 was obtained from 14,570 taxpayers. It is true that increases in land valuations continue to return to the fold those whom the Government has endeavoured to exempt.

I do not quite agree with the reasoning of the Deputy Leader of the Opposition. I feel that in many places land values have reached their peak. My view is that this is the result of the financial situation in this country. From sales that are being made and documents that are being lodged, I know that the indications are that much of the high speculation of the past will cease, and it is now my hope that there will be a return to valuations that can at least be described as reasonable. If that happens—and I believe it will—I hope to be able to keep the promise that I made when I brought down the Budget.

The Deputy Leader of the Opposition also referred to some of the negotiations that have taken place between the State Government and the Commonwealth Government on the possibility of setting aside an area of land that could be subdivided and sold to those requiring residential land at a reasonable figure. Those discussions have not broken down. They are continuing, and I hope that ultimately the Commonwealth and State Governments will be able to arrive at a satisfactory arrangement by means of which an area of land can be acquired and made available after subdivision.

The principal difference now between the views of the Commonwealth and those of the State—I remind the Committee that I have taken part in these negotiations—is that the Commonwealth is anxious to resume, or freeze, as it were, a very large parcel of land and then proceed to develop it over a period of, say, 10 years. Anyone who knows much about land will be aware that, if that comes about, there will be a tremendous number of people whose property will virtually be frozen, who will not be able to leave the land because it will not be required for some time, and who will find that the value of their property has decreased. In

addition, they will not be in a position to dispose of it because other people will not be anxious to acquire it.

What the State has said to the Commonwealth is this: "We will go along with a small area of land, provided funds are made available to enable that land to be purchased at today's value, or at a fair value, from those who own it." Having had their land acquired and having moved off it, the persons concerned can then acquire within a reasonable time another property of their own choosing and become established on it.

That is the basis of the argument now proceeding between the two Governments. I hope that ultimately agreement will be achieved, because I think that it will be in the best interests of the community generally.

However, the Bill has been introduced for the purpose I have stated, and I know that it will at least bring relief in quite a number of areas, particularly to those in the smaller category. The Deputy Leader of the Opposition said that possibly \$15,000 is not enough. Generally speaking, I believe that the ordinary home is on an area of land that is valued at less than \$15,000. I can speak for myself because I own a home in Brisbane. When I bought the land on which my home stands, it was valued at \$1,900; today its value is over \$8,000. It is certainly not up in the \$15,000 category. I also own a piece of land at one of the seaside resorts, and it is not valued at anything like \$15,000. It is not beachfront land, of course. In my opinion, by raising the figure to \$15,000, the Government has provided reasonable protection.

On the primary industry side, all honourable members are aware that farming properties have increased in value. However, by increasing the figure to \$47,000 for unimproved land before tax is paid, I believe that the Government has done what is fair and reasonable.

I have reason to believe that the proposed Bill is a step in the right direction, and one that will be approved by the majority of Queenslanders.

Motion (Sir Gordon Chalk) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Sir Gordon Chalk, read a first time.

SUCCESSION AND PROBATE DUTIES ACTS AMENDMENT BILL

INITIATION IN COMMITTEE

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

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (2.35 p.m.): I move—

"That a Bill be introduced to amend the Succession and Probate Duties Act 1892–1972, the Succession and Probate

Duties Act 1892 Amendment Act 1895–1969 and the Succession and Probate Duties Act 1904–1969, each in certain particulars; and to repeal certain enactments concerning the payment of succession and probate duties."

Honourable members will recall that I foreshadowed substantial succession and probate duty concessions when the Budget for 1973–74 was presented. The proposed amendments which I now outline will give effect to those concessions.

It is proposed that the Succession and Probate Duties Act be amended in several areas, including the abolition of the present separate 1 per cent probate and administration duty—probate duty in the case of a will; administration duty in intestacy. It has been Government policy to give relief from death duties as circumstances allow. In the past such relief has generally been aimed at the smaller estates passing to the immediate family, where the need has been greater. However, on this occasion it has been found possible to give substantial concessions to smaller estates by a very significant increase in the basic exemption and, in addition, to give some benefit throughout the whole range of values. As probate duty, which is a 1 per cent charge on personal property handled by the executor or administrator, involves extra administrative costs on the part of both the people handling the estate and the Commissioner of Stamp Duties, who assesses the duty, it has been the desire of the Government to abolish this separate duty as soon as the financial position of the State made this possible in the light of competing priorities. The amount collected in probate duty in 1972–73 was \$902,000 but, while this annual amount will be lost in the waiving of the duty, there will be some offsetting savings in the administration of the duty. The loss of duty and the related saving in costs will, of course, occur only as the time-lag between date of death and the assessment and payment of duty expires.

Honourable members will be aware of problems associated with the present legislation which places the onus on the surviving partner of proving their contribution to a joint banking account. This has been a bone of contention, more so in these times of greater financial independence in many families. It is proposed to repeal the section that previously required such proof.

Under the amending Bill the exemption in respect of a surviving spouse is increased from \$20,000 to \$50,000. Where a successor is other than spouse or lineal issue there is an increase from \$1,000 to \$3,000. In the case of lineal issue over 21 years where there is a surviving spouse, the exemption rises from \$3,000 to \$6,000 to equal the exemption entitlement where there is no surviving spouse.

Over the years we have seen some quite large fluctuations in prices on the stock market and in some cases this has caused heavy losses in the winding up of estates. While values of property for death duty purposes are taken at the date of death, a substantial fall in values before some of the stocks and shares can be sold to meet the duty can seriously diminish the value of an estate. All investors on the stock exchange must accept the high risks of price fluctuations associated with that form of investment, but such risks are magnified when the liability to duty is taken into account because, while the duty remains at the level calculated at the date of death, the means of paying it fall away. The greater the fall in value, the greater the number of stocks and shares which have to be realised at a loss to satisfy the duty.

While this rule applies also to other assets, the largest variations are generally those associated with securities traded on the stock exchange. Bearing in mind the existence to a lesser degree of the problem in respect of other assets and the fact that gains as well as losses can be incurred by the estate, it has been decided that it would be equitable to expect an estate which includes marketable securities to bear the effect of up to a 10 per cent reduction in the total value of the estate resulting from stock exchange fluctuations. Where the losses on realisation exceed 10 per cent of the value of the estate, the provisions set out in the Bill will become operative, and relief from the payment of duty will be given to the extent that the loss exceeds 10 per cent of the estate value. The provisions will be effective where marketable securities are realised within twelve months following the date of death. Applications for the relief will be required to be made within fourteen months after the date of death.

These provisions should not be interpreted as acceptance by the Government of a general policy that property should be valued at any date other than the date of death, but as the provision of relief to meet the occasional case where the existing provisions result in an extreme burden on the estate. We continue to adhere to the principle that valuation at the date of death is the fairest approach and that estates should generally bear the losses and benefit from the gains which occur thereafter. Whatever date is selected, there will be some who are disadvantaged by it and some who are advantaged so that, in times when values generally are rising, the adoption of a later valuation date would have the over-all result of increasing the amount liable for duty.

At present, payment of duty on the matrimonial home may be deferred until the spouse dies, remarries or sells the dwelling. With the very substantial increases in exemption levels, this right to deferment is to

be abolished. It was found that this concession was not greatly used, being only a deferment, and preventing the estate being completely wound up. Under the present provisions the right to deferment applies only where the dwelling is valued at less than \$20,000.

However, provision will be made for the payment of duty over a period of up to 10 years without interest where the Commissioner is satisfied that a person who was living in the dwelling owned wholly or partly by the deceased is unable to meet the duty on the succession to the deceased's interest in the dwelling without hardship. Under the new provision there will be no limit on the value of a dwelling which can qualify for the concession and no limitation as to the beneficiary's relationship to the deceased.

The proposed increase in the exemption for the spouse or child under 21 years will adequately cover the value of most dwellings together with other property held by many estates, so that it is not envisaged that approval of payment by instalments will need to be sought on the grounds of hardship by beneficiaries who qualify for this level of exemption.

At present, gifts within two years of date of death are included as a succession for succession duty purposes. Any gift duty which might have been paid on such gift is deducted from the duty so assessed. The Commonwealth estate duty legislation provides for gifts within a period of three years to be included in an estate, as do the relevant Acts in all other States except South Australia, which operates on an entirely different aggregation principle. It is therefore proposed to adopt the uniform period of three years in this State also.

The Bill repeals certain of the old death duty and income tax statutes which have ceased to have any application. Among them are certain provisions which grant concessions in estates of persons who die within a limited period of injury received in a war in which the country is engaged. We are repealing these provisions because they have no present application and are incorporated in statutes dealing with income tax which could have no future application. However, should at any time circumstances again arise which would be relevant to provisions of this nature, the Government would be prepared to consider the introduction of concessional provisions more appropriate to current levels of exemption.

The opportunity is also being taken in the Bill to formally convert monetary references to decimal currency amounts.

Once again the Government is taking positive action to continue its policy of reducing the effects of succession duty on the community, in particular, on estates left to

members of the deceased's immediate family. I feel that the concessions will be generally welcomed and that the Bill will be acceptable in general principle not only to the Committee but to the people of Queensland as well.

I have endeavoured to adopt a reasonable approach to this type of State duty. I am aware of many instances where, because of happenings and the way in which the Act is presently written, hardship is caused. I hope that what we have set out to achieve will materialise, as I believe it will, and I am quite certain that it will be to the benefit of quite a number of beneficiaries of estates administered through the various departments.

I commend the motion to the Committee.

Mr. TUCKER (Townsville West) (2.49 p.m.): At the outset, I indicate on behalf of the Opposition that the amendments, which, of course, were foreshadowed in the Treasurer's Financial Statement, are quite acceptable to the Opposition. In fact, because they will be of considerable help to those people in the community who do not possess a great quantity of this world's goods, we welcome them. This is an area that deeply concerns people, because everyone knows that, sooner or later, probate and succession duty must be faced up to.

I have here quite a sheaf of newspaper articles attributed to people in the community who are concerned about this matter, and who felt that others might benefit by what they had to say. In fact, I was amazed at the number of these articles. I do not intend to refer to other than a few headlines. The first, taken from the "Telegraph" of 25 July 1972, is in these terms—

"Death Duty—Greedy Hand in the Widow's Purse".

The next one, taken from the "Sunday Sun" of 3 December 1972, reads—

"Death Duty is a Financial Killer".

In "The Courier-Mail" of 14 November 1973, the following appeared—

"Widows are 'humiliated'—Woman's evidence".

The article read—

"Death duties distressed and humiliated many widows, the State Government inquiry into the status of women was told in Brisbane yesterday."

Those headlines show how deeply concerned all members of the community are about succession and probate duty.

We welcome the abolition of probate duty although it represents only a small part of such duties, succession duty being a much heavier impost. We believe that the exemption rate of \$50,000 is much more

realistic than that created under the legislation we have just dealt with. The increase in the exemption from \$20,000 to \$50,000 could well cover the value of an average house and many other possessions of the ordinary person in the community. This is a good step forward in protecting a surviving spouse or a child under 21 years of age.

We agree with the amendment covering a joint bank account. To demonstrate to the Committee that we obviously agree with this amendment, I refer to the policy speech delivered by my leader (Mr. Houston), who on this subject said—

"On Succession and Probate Duties, after close study and analysis of the existing conditions, I feel that some of the features are not only undesirable, but also morally wrong. Therefore, Labor will carry out a thorough public investigation into the whole of the ramifications and application of Succession and Probate Duties.

"Three issues, however, Labor will rectify immediately. The first concerns the joint bank accounts."

I emphasise that the Leader of the Opposition made that statement about 18 months ago. I am very glad that the Government has taken cognisance of his submissions, and is now recognising joint ownership of funds in such bank accounts, rather than attributing ownership to the husband.

The Leader of the Opposition also said—

"On taking the vows of marriage, men and women declare that what belongs to one will be shared with the other, and vice versa.

"A woman who rears a family at home and carries on all the household duties surely should not be considered to have no income. Her efforts are part of the home and if she was not present as a wife, then someone else would have to be paid.

"Under the present succession and probate laws, if a husband dies and the wife cannot show she was working, or by other means deposited her money into the account, then the whole of the money is considered to be her deceased husband's and is included in the assessment and the determinations as the rate of, and the amount of, succession and probate duty.

"Labor will, on attaining office, amend the law so that all moneys held in joint account with a spouse are, in fact, jointly-held moneys and therefore only half the amount will be credited to the deceased's estate."

There is no need for me to argue further, because that was Labor's policy. That is what we put forward on what we thought should be done about joint bank accounts. Because of that, I welcome this measure. I think it is fair and equitable that a wife

should be considered to have a half share in a joint bank account. However, I hope she will be able to operate on it.

There are certain other matters that the Treasurer could look into during the months that lie ahead. The first is household furniture. This is included in the husband's estate unless the widow can produce evidence, such as receipts, that she contributed to its cost by going out to work and saving money.

The next matter is the family car. Quite often it is owned jointly, but even if it was registered in the wife's name it, too, would be included in the husband's estate, as it would be rare that a widow could prove that she purchased the car out of her private funds.

All these matters should be investigated in an effort to ease the burden placed on a widow. Statistics prove that women live longer than men. It is for that reason that we often see headlines about "greedy hands in the widow's purse". In about 80 per cent of cases, it is a woman who has to bear the burden of paying succession duty as well as suffer all the associated worry and nervous tension. The widow's burden should be still further eased.

I may be wrong—the Treasurer can correct me later if I am—but I do not think a de-facto wife is in the same category as a spouse. Not long ago the Treasurer introduced a Bill to amend the Workers' Compensation Act and rightly gave recognition to a de-facto wife and her children in this regard. If a de-facto wife is not regarded as being in the same position as a spouse in the payment of succession duty, she could be forced to pay higher duty. However, if she is, I am completely wrong in my submission. These days there are people who, for various reasons, cannot marry, but they nevertheless enjoy a lasting relationship and have a family. Any discrimination that exists against a de-facto wife should be removed. If there is none, so much the better.

Many honourable members, particularly Country Party members, have recommended the abolition of probate and succession duties because of the burden they place on a widow. Their argument is valid in this regard. I, too, would like to see them abolished. However, I also realise that they make a fairly solid contribution to the State's revenues. I am not quite sure what they amounted to last year, but, in the previous year, I think approximately \$20,000,000 was received by the State in death duties.

It is all very well to talk about abolishing taxes of this nature, but what would be imposed in their place? At present, probate and succession duties occupy a very important

place in the State's taxation system. They provide a source of revenue and, if they were abolished, other taxes would have to be found to take their place. I do not think the State at present has sufficient wealth to enable it to do away with succession duty.

I have considered this matter for quite a long time. If we abolish death duties we would probably satisfy a considerable number of people in the community, but another means of obtaining revenue would have to be found to take their place. Should we, for instance, institute some form of capital gains tax? By this means an estate is virtually taxed beforehand, and there is no waiting till someone dies before levying death duties. At the present time there are many who feel that this is the only fair means of taxation, as those with large amounts of money are taxed and the very small estates are not. Perhaps one means of overcoming the present difficulty would be to say to the Commonwealth Government, "We intend to vacate the field of succession and probate duty. We want you to impose a capital gains tax and return it to the State."

There are many others who have been searching for ways of abolishing death duties. It was reported in "The Courier-Mail" of 12 July 1973 that a policy committee of the Liberal Party in Queensland was considering this question, and it had made some submissions on a pay-in-advance death-duty plan under which a new "time-payment tax" could be substituted for death duties. Everywhere in the community, especially in political parties, people are looking for a new tax to take the place of death duties.

Mr. R. E. Moore: A capital gains tax is unfair in times of inflation. It is not so bad when values are going down.

Mr. TUCKER: That is possibly true. Nevertheless, it can be said that there is heavy pressure today to do away with death duties, and I am endeavouring to put forward a responsible submission to show that it is not easy to abolish them without finding another source of revenue to take their place. If I were sitting on the other side of the Chamber tomorrow, I would have to say the same thing.

Even though it is difficult to find an alternative source of revenue, I do not think we should abandon all hope of ever doing so. If some type of equitable taxation could be found that placed the burden fairly on the shoulders of all and did not fall heavily on widows, who are the ones who bear the greatest burden of worry in probate and succession matters, I would welcome it.

There is one other point that I want to make on the matter of succession duty; I think I touched on it at the beginning of my submissions today. There are many people

in the community, especially solicitors, who complain that estates are not being dealt with expeditiously. I am now making no reflection on the people in the Stamp Duties Office, because I am well aware of their difficulties.

It has been said that the process can take as little as six weeks in Victoria and New South Wales. I do not know whether or not that is drawing the long bow, but in Queensland the processing of estates sometimes seems to take years and years. I wonder whether there is some way in which we can deal with them more expeditiously, because I am aware that people have suffered severe financial difficulties because of the system now operating in Queensland.

That is not the fault of the Commissioner of Stamp Duties or the Stamp Duties Office, because they operate under the law as it stands. But one can say quite truthfully, I think, that some sections of the law and the way in which the law operates are quite archaic. For example, in New South Wales and Victoria it is sufficient to swear in front of a justice of the peace the truth of a probate statement. In Queensland it is necessary to produce bank statements and to explain all withdrawals over about \$200 in the proceeding two years—I think that is the period—and all honourable members are well aware of the trouble and anxiety that causes.

Many people come to me and say, "I don't know what dad did with his bank account. I don't know where his cheque books are. I don't know what he drew this out for or what he did with that." I think each of us is aware of the worry that these procedures cause in the community, and, as a matter of fact, they also take up a good deal of time when an estate is being processed. Most of us are aware, Mr. Hewitt, how slowly the processing of estates grinds along. They come out at the other end ultimately, but it may take them 18 months to two years to do so. I do not know whether that is happening in all Australian States, or whether being able to swear to the truth of a probate statement speeds up the procedure.

Anything that can be done should be done to assist those who are concerned in an estate. Because of the present shortage of trained officers in the Stamp Duties Office, it might also assist that office to process estates more speedily. The stage has been reached when I have heard people say, "One of the assessors found a casket ticket in the estate, and he sent out a note to find out whether or not it had won a prize." That is one of the funny remarks sometimes made; I do not think they have any basis in fact. I do not think we would lose very much if we adopted some of the methods used in

the South. The estates would go through faster and officers of the Stamp Duties Office would not have such a heavy burden. In fact, we possibly would lose very little of the additional revenue now obtained by processing estates in a very detailed fashion.

Mrs. Jordan: Wouldn't you agree that people think it can't possibly happen to them and, therefore, do not bother to keep receipts and so on?

Mr. TUCKER: Yes. Every one of us is guilty of that. I do not think I could produce receipts for the furniture or the refrigerator, say, in my home.

Mr. Houghton: It is all right if it is covered by insurance. It is never challenged if it is insured in the spouse's name. I agree with some of the submissions you are making. In my opinion some solicitors themselves are responsible for a great deal of the problem.

Mr. TUCKER: They probably are. There may be blame on both sides, but I do not think it is all the fault of the solicitors. I think the process could be speeded up if we looked at it again.

(Time expired.)

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (3.9 p.m.), in reply: I think it is true to say that probate and succession duty is one of the most widely discussed taxes of this State, or, for that matter, Australia as a whole. Ever since I have been associated with the Treasury, approaches have been made to me by many organisations and I have received a considerable amount of correspondence from people advocating some new form of approach to succession and probate duties. I have always said that, if I could be shown some means by which the State could derive a more or less equal return to Consolidated Revenue from the possessions of people in their lifetime, I would happily introduce legislation to wipe out succession and probate duties. To date no one has come forward with such a proposal.

On one occasion I got into quite some argument with members of the United Graziers' Association. I made a straight-out offer that if they were prepared to pay taxation on a certain basis now, they would not have to pay succession and probate duties after they passed on. That was not acceptable to them, and I think I can understand their reasons.

Down through the ages the State has derived certain financial benefit under the heading of succession and probate duties. I believe that will still be so. However, what we are endeavouring to do under the Bill is lighten the burden for beneficiaries, and this is about as far as we can go at the present time.

The Deputy Leader of the Opposition raised a number of points. I will peruse his remarks, and, if there is anything that calls for further comment, I shall cover it at the second-reading stage.

By way of interjection the honourable members for Redcliffe and Ipswich West raised points that the Deputy Leader of the Opposition touched upon. The Deputy Leader said that he probably could not produce receipts for the furniture in his home. Where it can be proved by registration papers or an insurance policy that the ownership of a motor-car vests in the surviving spouse or de facto partner, that property is not taken into account in the deceased person's estate. The same principle applies to furniture. Action can be taken to protect a de facto partner, but the action must be taken by the respective partners. Whilst not taking into consideration the de facto partner, we have taken into consideration the children of the de facto wife, if it can be proved that during the previous years those children were being supported by the deceased. Offspring born as a result of a relationship between the de facto wife and the deceased father are protected.

In broad principle we have shown a fairly humane approach to what is required, and I believe that what we are doing is both fair and just.

As I said, I will peruse the remarks of the Deputy Leader of the Opposition, and, if I feel that any of them call for a reply, I shall deal with them at the second-reading stage.

Motion (Sir Gordon Chalk) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Sir Gordon Chalk, read a first time.

Hon. Sir GORDON CHALK (Lockyer—Treasurer) (3.17 p.m.): Before moving the adjournment of the House, I should like to express to the Deputy Leader of the Opposition my appreciation of his co-operation, which has enabled me to present five Bills today. Very often, too much time is spent in this Chamber on introductory debates. We have witnessed today the example of having five Bills printed, and thus in the hands not only of the Opposition but also of Government members. Honourable members will now have the opportunity to peruse them and, if further discussion is necessary, the opportunity will be there during the second-reading stage. Today we have demonstrated how we can have Bills printed and presented without any great delay, and I again express my appreciation to the Deputy Leader of the Opposition for his co-operation in this direction.

The House adjourned at 3.18 p.m.