

Queensland



Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 4 SEPTEMBER 1975

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Mr. SPEAKER (Hon. J. E. H. Houghton, Redcliffe) read prayers and took the chair at 11 a.m.

QUESTIONS UPON NOTICE

1. CONSUMER AFFAIRS LEGISLATION

Mr. Kaus, pursuant to notice, asked the Minister for Industrial Development, Labour Relations and Consumer Affairs—

(1) Did he receive a paper entitled "A Fair Deal for Consumers", which was presented by the Honourable C. Cameron at a meeting of consumer representatives in Sydney on 1 August?

(2) As legislation has been introduced in the Commonwealth Parliament, how will this affect our Consumer Affairs Act through the establishment of an Australian Consumer Protection Authority?

(3) What functions and powers will the authority have and what will be the basis of its operation?

(4) Is this authority a threat to private enterprise?

(5) Is the Commonwealth legislation really necessary?

Answer:—

I have received a copy of the paper presented by the Honourable Clyde R. Cameron, M.P., Commonwealth Minister for Science and Consumer Affairs, to a meeting with consumer representatives which he held in Sydney on 1 August 1975. To suggest that there appear to be a few inconsistencies in Mr. Cameron's remarks would be to understate my reaction to them. For example, he asserts on page 2 of his paper that the Australian Consumers' Association "have been the consumer's only ally". While I recognise the importance of the work done by the Australian Consumers' Association over the years, Mr. Cameron's statement suggests a regrettable lack of knowledge on his part of the functions of the State Consumer Affairs Bureaus. Later in his paper, however, Mr. Cameron does concede that the States have a very important role to play in consumer protection, and asserts that the administrative arrangements which he intends to make will ensure that the proposed Australian Consumer Protection Authority complements the work of the State Consumer Affairs organisations. In these circumstances, one might reasonably have expected that he would have consulted the States concerning the legislation which he has foreshadowed, under which A.C.P.A. is to be established. It seems that, as has occurred in other areas of Government administration, the States are again to be presented with a fait accompli. Mr. Cameron states

on page 8 of his paper, "Consumer protection should not be fragmented". Yet the very intrusion of his Government into an area in which all States have been active for some years must inevitably produce a situation fraught with duplication and fragmentation. With regard to the honourable member's inquiry as to how the Commonwealth legislation will affect the Queensland Consumer Affairs Act, I can only say that the extent of my knowledge of Mr. Cameron's proposals is limited to what I have read in press reports under such headings as "Tough New Law" and "High-powered Consumer Group Planned". The last press report to come to my notice indicated that the legislation is at present at the drafting stage, and that the Bill will probably not reach the Federal Parliament until next month. I am unable to indicate what functions and powers A.C.P.A. will have, or what will be the basis of its operation. However, in answer to the honourable member, I am firmly of the view that the approach adopted by the Consumer Affairs Bureau in this State is much more likely to produce results beneficial to the community at large than the Commonwealth "big stick" approach, to which much publicity has been given in recent times. In Queensland, action to prosecute traders is taken only as a last resort when it appears that the law has been deliberately flouted or negligently disregarded. In the vast majority of cases, however, action in co-operation with the business concerned achieves a good deal more for the individual consumer involved and for consumers in general than the "big stick" approach which appears to be the guiding principle behind Mr. Cameron's legislative proposals.

2. ALLOCATION OF SUBJECT POINTS TO SECONDARY STUDENTS

Mr. Casey, pursuant to notice, asked the Minister for Education and Cultural Activities—

(1) Has the Board of Secondary School Studies issued instructions, through the various subject moderators for Grade 12, that teachers will not be allowed to change the points allocation in certain subjects for the third and fourth semester?

(2) Will border-line matriculation students not be able to improve their points in certain subjects however hard they work in the last semester?

Answers:—

(1) The Board of Secondary School Studies has not issued any instructions that teachers will not be allowed to change "the points allocation" for 3rd semester and 4th semester. On the contrary, schools have been advised that they are permitted to determine for themselves the number of students who receive each rating, 7 to 1,

for semester 4. It is expected that the previous record of a group of students for semesters 1, 2 and 3 will be used as a basis for establishing the distribution of ratings for that group in semester 4. All that is required of a school that departs from a distribution established through moderation for semester 3, is a clear statement of explanation for such change.

(2) Entry to tertiary institutions is not in general based upon an aggregate of ratings. The principal basis of selection for entry to a tertiary institution is the tertiary entrance score which is derived from assessments made for this purpose at the end of Grade 12. These assessments take into account a student's achievement throughout the whole of his senior secondary school studies. The student receives credit for work he has done at any time during the course of study.

3. LOWLAND COASTAL STUDY OF WALLUM LANDS NEAR MARYBOROUGH

Mr. Alison, pursuant to notice, asked the Minister for Primary Industries—

(1) What is the position regarding the Lowland Coastal Study of wallum lands near Maryborough, which was to have been concluded and the report printed by July this year, and when will it be now completed?

(2) Is he aware that there is great interest in Maryborough in this study, particularly as regards lands which might be suitable and recommended for sugarcane growing, vegetable growing and softwood forestry plantations, and that there is serious consternation at the apparent delay in the completion of this study?

(3) Will he take urgent action to expedite the completion of the study?

Answer:—

(1 to 3) The Coastal Lowland Study is proceeding but, in view of the importance of relevant information likely to emerge from other studies not yet completed, it would be unwise to foreshadow a completion date for the report or to force an expedited incomplete version. It is pleasing to note that great interest is taken in this study by the people of the Maryborough district generally as well as by the honourable members for Maryborough and Isis, but this interest will be best served by the sounder recommendations which will emerge when more data is available.

4. TEACHER-TRAINING AT JAMES COOK UNIVERSITY

Mr. Aikens, pursuant to notice, asked the Minister for Education and Cultural Activities—

(1) Is it proposed to permit the James Cook University of North Queensland to

take over the complete training of teachers in the northern division and, if so, is it the intention of the university to make matriculation a requisite for enrolment for all teacher trainees?

(2) How many present teacher trainees did not matriculate according to university requirements and what will be the position, if and when the university takes over, of students who want to become primary-school teachers, if the same proportion do not matriculate, and will all in that category be denied the opportunity to become teachers?

Answer:—

(1 and 2) Although a working party has been exploring for some time the possibility of the amalgamation of the James Cook University and the Townsville College of Advanced Education, there are no firm proposals at this time. I repeat the assurance given to the House on 1 August 1974 by my predecessor that no hasty action will be taken to implement any recommendation that might arise from the activities of the working party. The welfare of all students in North Queensland will be a prime consideration in arriving at a decision. Matriculation in the previously accepted sense of the term no longer exists. Each tertiary institution sets its own minimum standard for consideration for entry but places are filled in order of merit until the appropriate course quotas are met.

5. FAMILY LAW ACT

Mr. Aikens, pursuant to notice, asked the Minister for Justice and Attorney-General—

Has his attention been drawn to the fact that magistrates and judges are declining to hear and determine cases where maintenance has been claimed by unmarried mothers against the fathers of the children concerned, because they consider that the Commonwealth Family Law Act precludes them from doing so and, if so, how and in what particular does the Commonwealth law affect unmarried parents?

Answer:—

My attention has not been drawn to any such fact.

6. EMPLOYMENT OPPORTUNITIES FOR TEACHER GRADUATES FROM TERTIARY INSTITUTIONS

Mr. Wright, pursuant to notice, asked the Minister for Education and Cultural Activities—

(1) Further to questions regarding departmental statements made to educationists associated with the Mt. Gravatt-Griffith Co-ordinating Committee and concerning the doubtful employment opportunities for certain secondary-school trainees graduating this year, and as he now has a copy of the document originally referred to,

will he clarify the previous answers given to this Assembly and the expected employment situation, especially as they pertain to English, history, biology, economics and social science teachers?

(2) What special effort is being made by his department to counter the expected over-supply market in these subjects?

Answers:—

(1) I have studied the statement from the Mt. Gravatt-Griffith Co-ordinating Committee to Griffith undergraduates concerning probable employment prospects in State secondary schools upon graduation. The notice is a fair statement of the position as it is presently known. I do not consider that my answer of 28 August needs clarifying. However I can advise that on present indications approximately 750 additional secondary teachers will be needed per year from 1979 onwards. This includes approximately 400 general secondary teachers, including specialists in English, history, biology, economics and social science as well as teachers of languages and mathematics.

(2) As I explained previously, the Board of Advanced Education maintains an overview on the teacher supply and demand situation. The board has a committee which includes representatives of the Department of Education and which considers in detail the question of numbers of teachers in various areas likely to be required. The board advises teacher preparation institutions of the situation so that serious oversupply should not result.

7. SECURITY OF SCHOOL EQUIPMENT

Mr. Wright, pursuant to notice, asked the Minister for Education and Cultural Activities—

In view of the growing number of incidents of breaking and entering, vandalism and fires in schools, which have led to the loss of items used for instructional purposes, as well as many items of personal or collective preparation such as tapes, slides, tests, administrative material and other teacher-aids which cannot be replaced, will he give urgent consideration to (a) the employment of live-in janitors, (b) the use of security services, (c) the construction of more-secure classrooms, (d) the increase of police-surveillance checks and (e) the provision of more-secure storage cupboards in rooms?

Answer:—

I refer the honourable member to my reply to the honourable member for Archerfield yesterday. Whilst I appreciate the member's constructive approach to the matter by offering positive suggestions, I can assure him that all of his suggestions, or closely related actions, have been considered. They will continue to be considered in the light of factors such as

costs, funds available and manpower. My department has a comprehensive equipment-marking programme. We have sought and obtained the assistance of the Police in guarding school premises and investigating crimes against schools.

8. CORPORATE AFFAIRS INVESTIGATIONS

Mr. Wright, pursuant to notice, asked the Minister for Justice and Attorney-General—

(1) How many convictions have been obtained under the Companies Act since the introduction of the uniform Companies Act of 1961?

(2) How many reports requesting or recommending investigations have been received by the Commissioner for Corporate Affairs from official liquidators?

(3) How many investigations have been carried out by the Commissioner for Corporate Affairs, how many were passed on to the State Crown Law Office for further action and how many were passed to the Fraud Squad for possible indictment?

(4) Why did the commissioner not investigate all requests from liquidators?

(5) Can copies of the 1974-75 report of the New South Wales Commissioner for Corporate Affairs be made available to interested members?

(6) In every liquidation in New South Wales where the final dividend is less than 50 cents per dollar, is investigation automatic and does it frequently result in indictment, and will he institute the same standard for investigations in Queensland?

(7) Will the new commissioner investigate existing and past requests, or will he only consider requests received subsequent to his appointment?

Answers:—

Statistics are readily available only in respect of the year commencing 1 July 1974.

(1) Eight.

(2) Records in the office of the Commissioner for Corporate Affairs reveal that in the period stated above there were at least 21 specific recommendations for investigations from liquidators. These figures do not include reports from liquidators advising of cases where it appears to him the company would be unable to pay its unsecured creditors more than 50c in the dollar or where prosecution action has been suggested for failure to lodge statements of affairs and other documents.

(3) Twenty-one. The commissioner referred seven cases to the Solicitor-General and none to the Commissioner of Police.

(4) Where a liquidator has furnished a report under section 306 of the Companies Act 1961-1974 in writing to the Commissioner for Corporate Affairs that it

appears to him, in the course of a voluntary winding-up, that any officer or member of the company has been guilty of any offence in relation to the company for which he is criminally liable, consideration to instituting an investigation based on a number of relevant factors would be given to such report as required under that Act. Provision also exists under the above section for the court (in the case of a winding-up by the court) either on the application of any person interested in the winding-up or on its own motion to direct the liquidator to refer the matter to the Crown Law officer. The honourable member will be aware that the vast majority of such windings-up fall within the latter category where the liquidator is appointed by the court and subject to its jurisdiction. It is common practice that in a voluntary winding-up the directors of a company, before commencing such procedures, make a declaration of solvency after due inquiry.

(5) Copies of the report of the New South Wales Corporate Affairs Commission for the year ended 31 December 1974 are available from the Commissioner for Corporate Affairs in New South Wales.

(6) Information available to the office of the Commissioner for Corporate Affairs in Queensland indicates that there is not automatic investigation into every liquidation in New South Wales where it appears to a liquidator that the company which is being wound up will be unable to pay its unsecured creditors more than 50c in the dollar. However, all such cases would receive consideration in accordance with the provisions of the Act as indicated in answer (4) above. Such investigations do not frequently result in indictment and, in fact, inquiries reveal that in the majority of cases this would not necessarily occur.

(7) As previously indicated, consideration is given and will continue to be given to requests from a liquidator where, in his opinion, officers or members of the company have been guilty of an offence in relation to the company for which they are or may be criminally liable.

9. HORNIBROOK HIGHWAY

Mr. Frawley, pursuant to notice, asked the Minister for Local Government and Main Roads—

(1) When will the toll on the Hornibrook Highway be lifted?

(2) Will he consider the installation of a telephone at each end of the highway, directly connected to the Redcliffe Police Station, in order that motorists can speedily report breakdowns and accidents?

(3) Are there any plans to modify the intersection of Elizabeth Avenue and Hornibrook Esplanade, as this will become a very hazardous intersection, especially

when the morning traffic from Redcliffe attempts to form one lane to cross the bridge?

Answers:—

(1) The franchise expires on 4 October 1975.

(2) The Main Roads Department is planning to establish an emergency communication system on the bridge and its design is in hand.

(3) Additional channelisation and other improvements are programmed to be put in hand as soon as the toll is lifted, to be followed by installation of traffic signals at a later date.

QUESTIONS WITHOUT NOTICE

GOVERNMENT WORK FOR PRIVATE SURVEYORS

Mr. POWELL: I ask the Minister for Survey, Valuation, Urban and Regional Affairs: Is he aware that, owing to lack of work opportunities, the survey profession is in a depressed state at the moment? What action will he take, if any, to employ private surveyors on any Government projects of a property or any other line-survey nature that has to be performed by authorised surveyors?

Mr. LICKISS: The present crisis in the surveying profession, and other kindred professions, is directly attributable to the peculiar fiscal policies of the Labor Government in Canberra and the lack of confidence in the private sector where persons in these professions are normally employed.

Directly in answer to the question as to what I may do about it—when I was appointed Minister in charge of the Department of the Surveyor-General, I immediately took steps to have an investigation made of outstanding work that could be performed by the private sector, and I issued instructions that this work should be directed there. At the conferences of surveyors at Rockhampton, Townsville, Cairns, Maryborough, Mackay, Bundaberg and Toowoomba, I had an opportunity of discussing with surveyors the problems facing their profession.

It is my intention to move ahead with the Survey Co-ordination Act, which has been in force since 1952, and I am making investigations to see what part the private sector can play in this field. I am looking at a more accurate mapping control system, and the possibility of action by the private sector in this role also. Survey co-ordination and mapping control are not fields that are normally open to the private sector. However, the Government realises that the surveying profession, with other professions, is in a state of crisis. So far as I am concerned, the socialist Federal Government is directly responsible for this situation, because most professions find their work in the private sector. We, as a Government, will do what we can to assist.

FIRE SERVICE LEVIES

Mr. WARNER: I ask the Premier: As there has been considerable opposition to fire service levies, will he advise what decisions are being taken in this matter?

Mr. BJELKE-PETERSEN: As the honourable member says, this is an issue that is raised from time to time in country areas. It is being considered by a committee, and it is a matter that I will raise with Cabinet, probably on Monday next, to see if some finality can be reached in the problems associated with it as they affect country people.

SENATOR-ELECT FIELD

Mr. GLASSON: I ask the Premier: Is he aware of claims that as from yesterday Senator-elect Field is no longer a member of the Labor Party. Is he also aware of another Labor man who stood against a Labor candidate and was expelled from the A.L.P.? Is he aware that the man who stood against the A.L.P. candidate and was called a rat and a scab was, only two weeks later, invited by the South Australian Premier (Mr. Dunstan) to be the Speaker of the South Australian Parliament?

Mr. BJELKE-PETERSEN: The Labor Party has many strange rules and attitudes and many strange bedfellows. Of course, in the case mentioned by the honourable member, it is not the duty of this House to determine whether Mr. Field is to occupy his position as a Labor man or not. He was elected as a man with a long history and high standing in the Labor Party. That was our interest when we undertook to abide by convention and appoint a Labor man. What happens to him after his election is, of course, for the Labor Party to decide. What Labor do will be on their conscience and their responsibility.

The Mayor of Port Pirie, Mr. Ted Connolly, to whom the honourable member made reference, sought Labor Party preselection and was tossed out. He then ran as an independent and won. Of course, the Labor Party makes rules to suit itself and Mr. Connolly is now quite an acceptable man; he is a suitable character, a really fine man, and he is Speaker of the South Australian House working with Mr. Dunstan, who cannot speak highly enough of him now. Of course, a few weeks ago Labor was condemning him. That is typical of the attitude of the Labor Party, so we can expect anything from it in relation to Mr. Field.

LONG SERVICE LEAVE

Mr. YEWDALE: I ask the Minister for Industrial Development, Labour Relations and Consumer Affairs: In view of the answer he gave to my question regarding long service leave for all Queensland workers, will he advise the House what progress his department has made in the framing of legislation

on this matter and what discussions have taken place with representatives of the unions that are pressing for this provision on behalf of their members?

Mr. CAMPBELL: I can only repeat the answer I gave to the honourable member yesterday. It is not the custom to discuss items of policy before they are presented to the House by way of legislation.

FAILURE OF LABOR MEMBERS TO TAKE OATH OF ALLEGIANCE

Mr. McKECHNIE: I ask the Deputy Premier and Treasurer: In view of the fact that after the 1972 Federal election many A.L.P. members of Federal Parliament broke the convention of swearing an oath of allegiance on the Bible, does he not think that the example set by those members has contributed to the moral decay of Queensland as well as of the other States? Was this action nothing more than one further example of the way in which the A.L.P. ignores time-honoured conventions when they are against the Labor Party's socialist, ungodly principles?

Sir GORDON CHALK: As I have said on many occasions, what a member does in Parliament is a matter for his own conscience.

BREATHALYSER TESTS

Mr. JONES: I ask the Minister for Transport: Has he read the report of statements made by Dr. David Fern, of the Australian National University, wherein he said that people suffering from respiratory ailments could give breathalyser readings 25 per cent higher than those given by a normal person in the same situation? Further, would the Minister clarify the law in Queensland as it relates to this situation?

Mr. K. W. HOOPER: I should like the honourable member to know that the whole matter of breathalysers is being investigated at the present time.

AUSTRALIAN CONSTITUTIONAL CONVENTION

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (11.47 a.m.): I move—

“That the resolution of this Parliament concerning the Australian Constitutional Convention adopted on 24 April, 1975, be altered by adding to clause 1 (a) the words ‘excepting that such delegates will not attend the meeting of the Convention presently scheduled to commence in Melbourne on 24 September, 1975, or any other meeting of the Convention until otherwise determined by this Parliament.’”

Honourable members will know that the reasons for this amendment to the resolution in question were set out in the ministerial statement which I made on 28 August and I do not intend to elaborate to any great extent on what I then said.

In October 1972, the Parliament agreed to participate in the Constitutional Convention as it was then envisaged and the delegation subsequently attended the first meeting of the convention in Sydney in September 1973. In the intervening two years the States have endeavoured to have the Commonwealth Parliament participate in a further plenary session of the convention. The Prime Minister evinced little interest and indeed attempted to put unilaterally to the people, by referendum, matters which it had been decided would be the subject of examination and consideration by the convention.

Earlier this year the Attorney-General (Mr. Enderby) indicated that the Commonwealth Government could see little point in pursuing the idea of holding a convention meeting in the foreseeable future. In an endeavour to keep the convention viable, the executive committee decided in May to approach the Prime Minister to discuss the representation of the Commonwealth Parliament at the convention with a view to at least a second meeting of the convention being held.

As a result of this discussion, and at two subsequent executive committee meetings, the Prime Minister made it clear that he would agree to Commonwealth participation on the basis that he would be allowed to incorporate in the convention agenda certain items relating to local authorities and to other matters in which his Government had a specific interest—interchange of powers, referenda voting rights for Territory residents, alterations in the majority of States requirement in referenda, and others—and on the basis that these items would receive priority consideration in Melbourne. While the executive committee deferred to the Prime Minister's wishes for the sake of keeping the convention viable, it has since become more apparent than before to those of us who previously viewed his motives with suspicion that his new-found interest in the convention agenda as now proposed was not animated by anything other than political expediency.

My Government will not be a party to double-dealing or to ploys designed to bewilder and confuse the people of Australia on such a basic fundamental as the Constitution of the Commonwealth of Australia. In Sydney in 1973 I spoke on the first day and said that a large majority of Australians were opposed to any increase in Commonwealth Government powers at the expense of the States. I have not changed my mind in the interim; and neither, I am convinced, have the majority of Australians.

The convention is too valuable a concept to be used by any one Government, of whatever political complexion, as an avenue of political aggrandisement. While the present Commonwealth Government makes it crystal clear that it is interested in the convention only as a means of attaining some of its ideological ends, I refuse to

commit my Government to such an undemocratic exercise. I am confident this Parliament is of the same view and will support the motion.

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (11.51 a.m.): In accordance with the decision taken by Cabinet, I formally second the motion.

Mr. BURNS (Lytton—Leader of the Opposition) (11.52 a.m.): The Opposition sees no logic whatever in the Premier's refusal to send a Queensland delegation to the session of the Australian Constitutional Convention in Sydney this month. This is another attempt by the Premier to exclude Queensland from the rest of Australia. It is a case of secession by seclusion. I believe that this latest decision of the Premier is further proof of his obsession with Canberra; an obsession which has reached the level of paranoia. This important convention is on the brink of collapse because of the tactics of the Premiers of Queensland and Western Australia. The convention's decisions are not binding; its role is exploratory.

In October 1972 the same Premier who now demands exclusion told this Parliament—

"There is no doubt that a review of the Constitution is overdue if the States are to continue as an effective level of government and as a partner in the development of the Commonwealth.

"The need for such a review has been highlighted by the need for a clear definition on such matters as financial relationships, taxation rights, revenue raising, off-shore mineral rights, social services, education, and transport between the States, some of which have been affected by judicial decisions over the years."

In 1972, when Mr. McMahon was Prime Minister and a Liberal-Country Party Government was in power in Canberra, the Premier believed that a constitutional review was necessary. In 1975, only three years later, he seeks to withdraw Queensland from these deliberations. We are asked to deny ourselves a say in discussions on constitutional enlightenment that could affect Queenslanders for generations to come. If this convention now dissolves, as the Premier obviously wishes, the valuable exploratory work that has proceeded since its first opening will be lost, I fear, for ever.

I believe this decision is spiteful and divisive. But after the disgraceful events in the House yesterday and last week, it is scarcely surprising. The Government has revealed itself to Australia as a group with no respect for constitutional principles as they exist, let alone their modernisation. The Government is the master of what I call plasticine politics. It moulds its principles to any shape to meet its twisted convenience of the moment.

The Premier is the opponent of fair voting rights in Queensland, and yesterday he revealed his determination, through this Parliament, to wreck proportional representation in the Senate. If ever a political leader should attend this convention for constitutional re-education, it is the Premier of Queensland.

The Government is a fugitive from conventional decency. Through its inconsistency and injustice it has made our State an administrative joke in every corner of Australia. The Government, and the Premier especially, have been motivated by an almost insane hatred of the Australian A.L.P. Government.

In pursuit of this ridiculous confrontation with the Australian Government, the Queensland Government has been conveniently inconsistent. It has frustrated the hospitals side of Medibank to such a degree that the ill and injured lost \$10,000,000 that was available. At the same time, it agreed that the Federal Government should establish a Family Court of Australia. This State Government denounced the R.E.D. scheme at every available opportunity, and now both the Premier and the Treasurer are in the front line of critics of the Australian Government because there has been a cut-back in the scheme. They now want it to continue.

The Premier condemns the growth of the Australian Public Service, but even his own ally, the Premier of Western Australia, has said that the growth of the Queensland Public Service is greater than that of the Australian Public Service.

But let me return to the Australian Constitutional Convention. Members will recall that it originated through the activities of the former Liberal Premier of Victoria, Sir Henry Bolte. He was upset with the decision of the High Court in the payroll-tax case, and decided to call a meeting of the States to discuss proposed amendments to the Australian Constitution. The Commonwealth was later invited to attend, and in 1972 the then Prime Minister, Mr. McMahon, agreed that the Commonwealth would send a delegation. The convention met in 1973 and set up standing committees which have been working since that time to the present to formulate proposals for discussion in September.

The Opposition believes that certain fundamental issues are now ripe for discussion at the convention. I think the Premier agrees with me on that statement, as I shall show from a couple of his statements at Premiers' Conferences as they appear in the records of proceedings held in the Parliamentary Library.

I refer first to the conferences of 1971 and 1972. Commonwealth-State financial relations are a matter that will have to be thrashed out at some time, and I suggest that it must be done as soon as possible. I made such a suggestion during the passage of the Appropriation Bill just the other day.

The Opposition believes that a proposal allowing the Commonwealth Government to give certain financial powers to State Governments and local authorities is a good one. We support it, and it is on the agenda for the coming convention.

There are a couple of such items on the agenda. Item No. S.6 (1), at page 4 of the agenda for the meeting of 26 September, refers to "recognising the fundamental role of local government in the system of government in Australia; recognising that the traditional sources of revenue available to local government are inadequate: declares that local government bodies should as a general principle be elected." It then goes on to deal with other matters.

No. S.6 (2) refers to "the borrowing of money by the Commonwealth for local government bodies constituted under the law of a State or Territory." We may not necessarily agree with what is contained in the items; the important thing is the opportunity to debate them.

I draw the Premier's attention to the fact that at the Premiers' Conference in 1971 he said that local government authorities were in an extremely serious situation and that something had to be done to help them. At the 1972 conference he made the same point again. He said that the problem as outlined in the report concerning local authorities indicates that it is a most real one on which the Commonwealth and States should come to some arrangement. In reply to him, the then Treasurer, Mr. Snedden, said, *inter alia*—

"The suggestion has been made that there should be a conference or a convention in relation to the Constitution. Now the Commonwealth, through the Prime Minister, has indicated our willingness to be involved in the future. Furthermore, the Prime Minister has made it clear that, so far as his Government is concerned, local government could very well be represented when the question of local government came up."

In 1971 and 1972, the Premier asked for the Commonwealth and the States to get together to discuss the problems of local government. There is now such an item on the agenda. The decisions of the convention are not binding. The convention is simply a forum for exploratory discussions. Why should we not therefore go along and discuss these matters as rational people? They are problems that will have to be faced, irrespective of the political colour of Governments in Canberra and elsewhere. When it comes to numbers, I cannot for the life of me believe that, with four non-Labor States and the numbers as they now stand in Queensland, there will be any stacking of numbers other than in favour of the point of view that the Premier puts. I do not see how the numbers could do other than favour the conservative forces in the community today. The Premier says that, because the convention might be stacked against it,

this State will not attend. I do not think even that possibility can be shown, especially when the decisions of the convention are not binding.

We therefore think that sooner or later, preferably sooner, there should be an end to all the arguments about the national Labor Government and that we should get down to discussing the many serious matters that need consideration. That is what I believe the Constitutional Convention is all about. What is needed is a new form of federalism that updates the federal system and makes it work in 1975. I have read the statements made at Premiers' conferences by the Premier and the Treasurer, and after each five-year confrontation they seem to say, "We don't get a go." A lot of the items that come up in those few hours' discussion over our financial relationships are problems that ought to have been thrashed out beforehand.

For the life of me, I cannot see that the present system is working to the advantage of all Australians and I feel sure all honourable members will agree that there are problems in the present system. Right through from the time when Mr. Gorton was Prime Minister, the system has shown signs of imbalance and strain and it has not been helped by having the whole matter turned into a violent political confrontation between the States and the Commonwealth. Honourable members who read the story of the constitutional debates around the turn of the century will find that people had to sit down and talk together irrespective of their differences. As responsible members of the community, as responsible Governments and as responsible Oppositions we have to thrash out what we are going to do. We have to work out what we can agree upon for the betterment of all, not just one section—the agenda, proposed motions relating to representation, national uniformity on defamation, local government finances, and, "That this Convention recommends a constitutional alteration to confer upon State Parliaments a right to initiate referendums of the electors upon proposed alterations to the Constitution." Why shouldn't we discuss that? Why shouldn't we discuss the States' right to initiate referendums if we want to?

Last week the Premier said Queensland would not send a delegation, because the Prime Minister would use the convention to put forward his own views and have them ratified by delegates. Isn't that what conventions are all about? Everybody puts forward ideas and tries to sway the majority of the delegates. The Premier is hypocritical in his statement. Four non-Labor State Governments would have delegations at the convention. If they disagree with a proposal, then common sense would suggest any future referendum on the proposal would have little chance of success. Victoria and New South Wales have said they will attend the convention and it seems strange that only Queensland and Western Australia have suddenly decided that the convention will be

used by some people as a vehicle for introducing disguised centralism. I rang South Australia this morning—

Mr. Porter interjected.

Mr. BURNS: I am pleased the honourable member interjected because I had forgotten this. I rang South Australia this morning and I was told that the South Australian Government will probably be sending a delegation.

Mr. Porter: How nice!

Mr. BURNS: They have said it in this way: that if that time—

Mr. Porter interjected.

Mr. BURNS: All right. I rang the office of the South Australian Premier this morning and I think we have to take notice of statements made by his staff. If I rang our Premier I would expect his staff to give me information in the same way as the Premier's staff in Adelaide have done. They suggested that the Premier of South Australia will not himself be going to the conference—that he has a problem with his legislative programme and with the numbers in the Parliament—but that most probably a delegation would attend.

Someone suggested to me only yesterday that Tasmania would not be attending. This morning the Tasmanian Premier sent a telegram to the Prime Minister and all State Premiers which read:—

"Firmly believe Melbourne session of Constitutional Convention should proceed as planned by executive committee. This opinion is supported by the entire Tasmanian delegation who believe second postponement should not follow the 1974 Adelaide postponement as executive committee agreed in Brisbane on 11/6/75 without dissent"

(and Queensland was there)

"to holding of second plenary session in Melbourne on 24/25 and 26 September we see no special need for executive meeting until the day prior to the Melbourne convention session. Signed W. A. Nielson and C. B. Fenton."

So there must be another reason for the Premier's sudden decision not to go to this September meeting.

Mr. Bjelke-Petersen: Did you ring Sir Charles Court this morning?

Mr. BURNS: As I said before, the Premier and Sir Charles Court have a reputation of trying to outdo each other on the national parliamentary scene as renegades or larrikins. Is the Premier suggesting that because Sir Charles Court is not going, we should not go? My view is that we should never miss an opportunity to go forward to put Queensland's case, because we do have a case. We are different from every other State and we are entitled to be represented there. The Premier says that we should not go, but I think by taking our bat and ball home, by

saying we will not go, we do not do our cause any good. And if the convention does go ahead, we most certainly will be leaving our State without a say at it. That cannot do any good to the State, the Government, or the Premier.

Mr. Porter: You kill the convention, and that is useful.

Mr. BURNS: There you are, Mr. Speaker! It is useful because it will kill the convention. If that is what Government members want to do, it again raises the old idea of secession—that Queensland does not want to be part of Australia, that it does not want to be involved in a debate with other State Governments and the national Government about the problems of Australia. What the honourable member for Toowong is saying on behalf of the Government is that we should kill the convention. If that is the view of honourable members, let them say so instead of fooling about with motions such as this. Let them say, “We don’t want to be involved. Let us get back to the proposal for secession that has been put up before today.”

I believe that the convention has already produced results. Some of the reports, booklets and information that have become available as a result of the holding of the convention have been very worth while and have brought forth material that may be of value. So I ask the Premier, through you, Mr. Speaker, not to use motions such as this to continue obsessional attacks on the national Government and the national Parliament. A continuing review of the problems associated with government at both national and State levels can only benefit each and every one of us.

As I said earlier, the convention is only exploratory. Its decisions are not binding on any of the participating parties. Therefore, there is no common-sense reason why Queensland should now, at the whim of the Premier, isolate itself from this high-level constitutional exchange. The Opposition hopes that a more balanced approach will prevail, and it remains ready to contribute towards talks designed to modernise the federal system in line with the new demands placed upon it. We regret that the Premier intends to impose party-political limitations on Queensland’s involvement in a convention that should be strictly non-political.

The Opposition hopes that Government members will abandon this senseless approach of confrontation, argument and hatred towards Canberra. I believe that Queenslanders are tiring of the State Government’s continuous pursuit of national obstruction, national confusion and national non-co-operation. The motion before us today will be seen as another example of the Premier’s dogmatic determination to prise Queensland apart from the rest of the nation. At the whim of one man the Parliament of Queensland is to be denied participation in talks designed to produce constitutional enlightenment for all

Australians, including Queenslanders. There is, I submit, no legitimate excuse, no logical reason, for a decision such as the one that honourable members are being asked to take today.

Mr. PORTER (Toowong) (12.8 p.m.): We have listened to the Leader of the Opposition reading his soggy, sorry, soap-opera script—a real hearts-and-flowers job! He suggests that because the stand has been taken here that we will not participate in a Constitutional Convention that is loaded to achieve ends aimed at furthering the Canberra grab for power, because we are not going to take part in our own destruction (as we refused to take part in it yesterday), Queensland is a sort of joke throughout Australia, that we exhibit insane hatred of the A.L.P., that we are pursuing ridiculous confrontation.

The honourable gentleman constantly seems to need to be reminded that in all the electoral tests on the issue of the State Government’s attitude towards the A.L.P.—its confrontation, its so-called exhibitions—the Labor Party has been done like the proverbial dinner on two plates. It has lost everything. The rump party that the Leader of the Opposition now leads—the scrappy 11 members in a House of 82—received little more than one-third of the votes at the last State election. Was that not a test of the Government’s standing with the electors, as compared with the standing of the A.L.P.? What else was it? Or does the Opposition believe that the electorate is stupid when it votes against the A.L.P. and very clever when it votes for it? Not only at the State election but at every election, including the Federal election of 1972, the people of Queensland have demonstrated overwhelmingly that they strongly support the stance that the Government is taking against what Federal Labor wants to do, that they strongly support the stance that the Premier has taken from the very beginning of these attempts by the Whitlam Government to crush the free institutions in this country.

That situation is continuing to this very day. Not one public opinion poll that is taken—not one; not even those which in their statistical findings tend to exaggerate Labor support (and there are some which tend to do that)—can find any justification at present for suggesting that the Labor Party is not steadily declining from the abysmal depths that it reached some few months ago. It is down one point more. It is now in the situation where the people are two to one against it. In the face of that the Leader of the Opposition has the nerve, the gall or the incredible stupidity to suggest in this House that what this Government does and what the Premier says is out of step with the attitudes of people in the State.

It is ridiculous for anybody to suggest that I speak for the Government. Indeed, nobody suggests that I speak for the Government.

I am purely a back-beacher with very little influence. When I say that the Constitutional Convention should have been abandoned the moment the Whitlam Government attained office, I express my views. We have to remember that originally the Constitutional Convention was suggested as the result of pressure from the States. I was one of those who strongly pressed for a Constitutional Convention, not to make things easier for the flow of power from the States to the federal centre, but to put in those safeguards against the erosion of the State's power and against the demolition of the federal system which have occurred following a number of High Court decisions—not constitutional changes but High Court decisions. For those reasons I pressed for a Constitutional Convention—not only since I entered this Parliament but also when I was on the organisational side of politics for my party.

Before December 1972 the perspective in which one looked at a Constitutional Convention was a markedly different one from the frame of reference into which one has to place it today. In December 1972 the A.L.P. took office in Canberra headed by that self-acclaimed man of destiny, Mr. Whitlam. From then we have had a constant series of actions designed to change the Australian scene; designed to end the federal system; and designed to provide a situation where all power resides in Canberra, where the States are shorn of all vestiges of sovereign power, and where fiscal authority totally resides in Canberra. We are asked to believe that because that situation now obtains we should take part in a Constitutional Convention stage-managed by this man—this extraordinary performer who will do almost anything for a little bit of temporary applause. We are asked to believe that the Constitutional Convention should be looked at in the same light; but it is quite idle for the Leader of the Opposition to pretend that one sees things today precisely in the terms in which one saw them pre-1972.

In the last few days Labor in Canberra completed its 1,000th day in office. We have had a spate of TV and other media offerings about the achievement of Labor in 1,000 days of office. Even the most servile, adulatory journalist had to concede that so much had happened in the 1,000 days that was most deleterious to the interests of the State that it was time we looked at the whole performance of the Whitlam Government in another way.

We have had from those people a constant progression away from all the things that were stable and worth while in the years prior to 1972. We have seen Australia move from its customary friends and allies, from the people with whom it has deep and abiding blood ties, into the area of collaboration and so-called friendship with Third World nations. We have had a Prime Minister who has spent money like water

in order to persuade these Third World nations that we are indeed their friends and no longer have any obligations or deep ties with our forebears and with nations like America to whom we owe so much.

On the domestic scene we have seen this steady movement away from a truly federal system, a partnership between the central Government and the States, to this highly centralised operation. I say (I would have said it yesterday had I spoken to the debate on the election of the senator, but it was not necessary for me to do so) that we are involved in a life-and-death struggle with the Labor Government in Canberra, which wants to overwhelm the institutions that the huge majority of us deeply cherish. I say again that every poll and every election have demonstrated this.

We must look at this question of removing our delegation to the Constitutional Convention in the light of the fact that we are fighting an A.L.P. Government in Canberra that has shown by every step it has taken and everything it has done since December 1972 that it wants to socialise Australia in our time. It wants to demolish the federal system; it wants to centralise power; it wants to use its fiscal authority to restructure Australia politically, socially and economically—and it wants to do all these things without changing one word of the Constitution and without obtaining one whit of approval from the Australian electorate.

All these changes are being achieved through an intricate network of cancerous conditional grants and through the disorientating effect of massive inflation. I have no doubt whatever that the A.L.P. in Canberra deliberately induced inflation. This is part of the age-old technique of changing a country's political and social institutions by debauching the currency. This is what the A.L.P. Government in Canberra has deliberately done. But now it is riding a tiger and cannot find a way to get off. Without doubt inflation is part of the operation; it is being used as one means of totally changing the face of the nation.

By vast propaganda operations and through intricate networks of aid the Labor Government is studiously exalting the parasite element in the community and at the same time degenerating the productive element in the community. It is trying to turn our society into one in which leaning on Government is a virtue and independence, initiative and thrift are a vice. Such a society is a sick one; and a sick A.L.P. wants to introduce it.

The Premier has been deeply involved in circumventing the constant moves made by Mr. Whitlam to prevent this State from having its own right of appeal to the Privy Council on constitutional matters. The day that right is removed from the States will be the day when Mr. Whitlam will be in a

strong position to do a Mrs. Indira Gandhi on us; we will be one step removed from a republic.

We have also seen Mr. Whitlam's unilateral attempts to sever Queensland's direct links with the Sovereign. The day that happens will be the day when Queensland is no longer a sovereign State. We have seen Mr. Whitlam's attempts to abolish the States' Agents-General in London, on the basis that Australia should have only one representative in London, or, for that matter, any other place—his representative. We have seen the vast proliferation of the A.I.D.C. and the iron clamp that Mr. Connor has put on mineral production. We have seen so many things; the list is endless.

At this stage of the battle, in the dire situation in which Australia now finds itself, there is no place for over-nice or Nancy-fancy attitudes to the way in which we must fight the Labor Government. We must use every weapon at our disposal, and under no circumstances should we participate in a convention that is to be stage-managed in such a way as to grease the skids under the States so that they will slide faster and easier into the morass of centralism, socialism and despotism that Mr. Whitlam so plainly plans for them.

Mr. SPEAKER: Order! An honourable member must not pass between the Chair and the member on his feet.

Mr. PORTER: The Prime Minister has made abundantly clear from the outset what this convention is all about. His speech at the opening session clearly indicated that if the convention did not come up with what he wanted to see produced, it would have literally no prospect of success.

The agenda for this session of the convention is so stage managed that unless a State accepts what is proposed, it will be seen as being opposed to local authorities' receiving adequate finance. We would be nongs of the first order to go down there and allow ourselves to walk into the trap that is set for us.

When we have a Government in Canberra plainly, utterly and absolutely determined to demolish the Federal system, to centralise all power and put it into its own hands, any so-called Constitutional Convention is a tragic farce, a con trick that the Federal Government is trying to perpetrate on the people of Australia. It is proper to collapse this tragic farce; it is proper to ensure that this pretence of a useful Constitutional Convention shall end until we have a Government in Canberra that wants to operate a Federal partnership. The Constitutional Convention can then reconvene with, perhaps, prospects of success.

We are not taking part in the forthcoming convention. That is what this debate is all about. The Leader of the Opposition suggested that we were therefore unique. That

is rubbish. Western Australia is not taking part. When I interjected about South Australia, the honourable gentleman came back with the rejoinder, "Ah, I rang South Australia this morning and they said that probably they will take part." I challenge the honourable gentleman to show me a public statement saying that the South Australian Government will participate in the convention. We know that Mr. Dunstan will not be there, anyhow; he uses the pretext that he is busy with his legislative programme. But he was not too busy to appear for about an hour on a TV programme last night answering some extraordinary questions and making some even more extraordinary answers. I suggest to the Leader of the Opposition that South Australia will not be taking part. That completely annihilates the prospect of success of the convention.

There is too much talk about the Constitution needing very considerable alteration and amendment. We hear suggestions that it belongs to the horse-and-buggy days and needs updating. The Constitution deals with basic ideas. It is not a document of detail; it is a document providing the rails, as it were, along which the federal system in Australia shall run. It most certainly does not require constant amendments changing this, altering that, taking this out and putting something else in. A Constitution does not change in the same way as fashions; it does not change as fashion changes from mini-skirts to maxi-skirts. A constitution is an enduring document. The British Constitution is only a fraction of the length of ours and it has not been altered in centuries. What is lacking in this country, of course, is the will, the intention, to carry out the Constitution in the way that our founding fathers expected it to be carried out. Given the will to make the Constitution work, very little indeed requires amendment.

The only amendments that I think should be put into it are those which would preclude the High Court of Australia from arriving at judgments that are utterly at variance with what the Constitution says. It is absurd nonsense to have a High Court (which has become increasingly political in its Constitutional judgments down through the years) literally rewriting the Constitution when, in referendum after referendum, the people of Australia say that they do not want it rewritten.

For my money, if there is to be an alteration in the Constitution, what should be included is a clause that prevents the High Court from completely upsetting or reversing the clear words and intentions written into the Constitution. After all, we have a High Court which is susceptible to change. There is nothing fixed about the size of it. We have already had the erstwhile Senator Murphy transferred to its bench. How many more will we have if Mr. Whitlam happens to stay in office? What would he do if he felt he could successfully get away

with it? Suppose we were provided with a High Court packed with people of a certain political persuasion. Should we then accept that it is proper for a Constitution to be so bent that it is turned back on itself in order to suit the political aims of a party in power? Of course not! For my money, very little in this Constitution needs altering except to add safeguards that the Constitution through its basic intents and purposes should indeed operate as the words in it say it should operate.

In certain circumstances, the overwhelming majority of people will certainly agree with us for not only is there no point in Queensland's attending a Constitutional Convention, carefully organised, carefully stage managed, its agenda cunningly prepared by an avowed socialist and centralist, a man who obviously thinks he can walk on water without any necessity for ice, but we would be failing in our duty if we did not accept the proposition that is before this House and withdraw our delegation from the coming session, just as we would have failed in our duty yesterday had we taken any other course than the one we took.

Mr. MELLOY (Nudgee) (12.27 p.m.): So far the Premier has had no support for his motion. Certainly the Deputy Premier and Treasurer in a very perfunctory manner seconded the motion. I presume he did so in that manner because he does not favour the motion. He has since been absent from the Chamber. I think he did what he had to do and that was that and he wanted no further truck with it.

The honourable member for Toowong trotted out his usual prepared speech attacking the Federal Government. That is the sum and substance of his attitude to the motion. As a matter of fact, he did not deal with the Premier's motion. The essence of his speech was what he termed "Canberra's grab for power".

Mr. Frawley: He did his usual good job.

Mr. MELLOY: He did his usual trotting out of a prepared speech against the Australian Labor Party Government in Canberra. He knows no other tune. He sings the same song to every piece of legislation that comes before the Parliament. He gives very little thought to the subject of the debate.

If the Government—and the honourable member for Toowong in particular—is so concerned about what happens at the convention, it is the duty of the Premier, and the honourable member for Toowong, to go to the convention and put their views. If they are frightened of what will happen, why not go along to the convention's plenary session and combat what they fear. The convention will go on. The honourable member for Toowong suggested that South Australia will not be there. I challenge him on that. I say that the South Australian delegation will be there. I do not think the honourable member for Toowong is game to put his

head on the block and say that South Australia will not be there. Let him get up and say that it will not be there. I say it will be there.

Just look at what has gone on about the Constitutional Convention. There have been difficulties. In the early stages, there were people who were frightened of any changes being made to the Constitution. They were frightened that the convention would be a success, and at various times it seemed that the convention would collapse. There was a time when the Commonwealth Government did not have a delegation present, but that was only because the Senate could not agree on its composition. That problem has been overcome, and the Senate has now agreed on its representation. Every State except Queensland, and perhaps Western Australia, has agreed that the convention must go on.

Anybody who has attended a meeting of the convention will realise the tremendous amount of work that is being done by the various subcommittees and working parties. A great deal of work has been done by sincere and genuine people who are really concerned about bringing the Constitution up to date. Their efforts will come to nought unless all the States continue to send delegations. But that is not to be the case, and again Queensland will be the odd man out.

The Premier said three years ago that changes to the convention were needed; but now he does not want anything done about it. He is prepared to cast aside all the work done by the various members from the States who have served on committees and subcommittees. There are very important matters coming up for discussion at the meeting in Melbourne. Reports are to be received from various subcommittees on matters on which unanimity has been reached despite the fact that members of different parties served on those committees. Although in some cases decisions were not unanimous, in most cases they were, with members of all parties reaching the conclusion that certain alterations in the constitution were desirable. Those reports are to be presented to the plenary session to be held in Melbourne.

I suggest that one of the reasons behind the Premier's motion is that he is frightened to front up to the Prime Minister.

Mr. Marginson: He wouldn't even have a cup of tea with him once.

Mr. MELLOY: That is so. I have seen a change in the attitude of the Premier and various other Government delegates when the Prime Minister has made points to which they have had no answers. They sink into their seats because they know that what the Prime Minister is saying is absolutely correct. He is too strong for them, and they cannot face up to him.

It is rubbish to suggest that the convention is rigged. Supporters of the Government parties in Queensland are in the

majority, so what are they frightened of? As a matter of fact, the chairman of the plenary session on 27 September is to be Lindsay Thompson, one of the Government's ilk, and it cannot be said that he has been unfair or prejudiced against the Government parties in the meetings that he has chaired. Government members have nothing to fear from the chairman of the plenary session. So what is their beef? Why don't they attend? What has Queensland to lose?

We have nothing to lose, and by attending we would at least have an opportunity to present the views of Queensland. If we do not go, we will not have a say in any decisions reached; we will simply have to accept them. It is true that the convention functions only in an advisory capacity to the Commonwealth Government, but if any decisions backed by all parties go to a referendum it could be claimed that they were endorsed by unanimous decision of the Constitutional Convention. This would carry a great deal of weight with the electors if any of these matters were put to them by way of referendum. As a matter of fact, it was the view of the delegates that wherever possible we should have a unanimous decision on the matters adopted by the convention because it was felt that this unanimity would carry a lot of weight with the electors whenever such matters were put to a referendum. So we are doing a disservice to this State if we do not send a delegation.

The convention has been a success for this State. At times it has wavered but at present it is making progress with the Constitution and I do not think we should desert the other States when they are doing this work.

Mr. Moore: They won't be there either.

Mr. MELLOY: They will be there. New South Wales, Victoria, Tasmania and South Australia will be there. The honourable member's mates from New South Wales and Victoria will be there; they want this Constitutional Convention to go on. Four States will be there so there is no reason why it will not go on despite the absence of Queensland and Western Australia. This Government is just the nigger in the woodpile. The Opposition feels that the convention should go on. It has been successful in the past and it will make a contribution to the government of this country.

We oppose any move to abandon the plenary session of the Constitutional Convention. It has been suggested that if there is a change in the Federal Government we will change our mind and attend but this is purely playing politics, which is not the purpose of the convention. The opinion has been expressed by many delegates that it is a non-party-political convention and comprises people who are concerned only with updating the Federal Constitution.

Mr. AIKENS (Townsville South) (12.37 p.m.): Unfortunately, once again we are having a party-political punch-up. I doubt if very many members of this House know what the Federal Constitution is; I doubt if perhaps more than a dozen have read it and I seriously doubt if more than four or five have read all the books that tell how the Federal Constitution was brought into being. I know that the reading ability of some of the members of this Chamber is somewhat limited, but I will recommend to them one book in the Library they should read—"The Federal Story" by Alfred Deakin. That book contains the notes that were made by Deakin when he was a delegate to all the constitutional conferences which occurred even before the Constitution became a fact. The notes were collected by his wife and long after his death given to the editor of the book on the understanding that nothing was expurgated or altered.

Reading that book will give honourable members some idea of how agreement on the make-up of the Federal Constitution was simply an act of compromise between one State and another, and, because it was an act of political compromise, quite a number of things crept into the Constitution that perhaps could be altered and quite a number of things were written into the Constitution in such a generalised way that the High Court of Australia, as was correctly stated by the honourable member for Toowong, has arrogated to itself the functions of the Federal Constitution.

I am sick and tired of the slobbering and sickening hypocrisy of the A.L.P. with regard to the Constitution.

Today we heard a rather sickening example of it from the Leader of the Opposition and another one from his deputy. The A.L.P. has always held the Constitution of Australia in contempt except when it was the Government of the day. Yesterday we had an example of the A.L.P. throwing the Constitution out the window—trampling it in the mud—because rather than accept the Constitution of Australia they accepted a decision made about 25 or 30 years ago by a group of men behind closed doors, men who set for themselves the precedent for the election of a State senator to fill an extraordinary vacancy in the Senate. As far as the A.L.P. was concerned, yesterday the Constitution of Australia did not exist; yet today members of the A.L.P. come out as champions of the Constitution.

I was rather amused to hear many prominent A.L.P. members, including Senator Keeffe and Senator Georges, saying that the decision that this Parliament reached yesterday was a decision to place a scab in the Senate. Fancy the A.L.P. talking about anybody placing a scab in any Parliament in Australia! I have sat in this House and seen industrial scabs of the worst type sitting on the Labor benches in this Chamber. Their scabbery was forgiven them because

they were scabs when the Right-wing section was in control in Queensland up till 1957. The moment the Left Wingers took over in 1957, the erstwhile scabs became noble fellows. No matter who a person is, as long as he belongs to the Left Wing of the Labor movement today, no matter what his record, his industrial history, or his personal history, and of course, as long as he is a dedicated opponent of the present Government, he is an excellent fellow.

What has happened now is that the Commonwealth Government is bribing its way around and through the Constitution. The Constitution provides that the Government of the Commonwealth of Australia shall have certain powers and that it can advance money and give money for certain purposes. But when the A.L.P. Government in Canberra finds that it would like to give money to a certain body and the Constitution does not allow it to do so, it adopts the very simple subterfuge of saying to the State Governments, "Well, we know we cannot directly give money to that particular organisation or instrumentality, but we will give it to you, the State Governments, provided you spend it in the way in which we, the Commonwealth Government, want it spent." Consequently, a State Government is placed in the predicament of either accepting the money and spending it in accordance with the terms of the Commonwealth Government, which is a breach of the Constitution, or, on the other hand, letting the money go and allowing its State to slip behind other States.

Let me deal now with Mr. Whitlam—and he is the man who is causing all the trouble. I commend to members of the A.L.P. an excerpt from Federal "Hansard". I had photostat copies made of it. However, in the parliamentary recess that ended a week or two ago, quite a number of private members, including myself, had to shift from the rooms they were occupying, so that accommodation could be made available for the multiplicity of new Ministers that have been foisted upon this Assembly and upon the people of Queensland. As a result of my being shifted from one room to another, my papers and my documents have become mixed up. As a matter of fact, I went down to my room to look for that excerpt from Federal "Hansard" while the Leader of the Opposition was speaking. I can get it again, but I could not find it in the short time available.

When he was Leader of the Opposition in the Federal Parliament, Whitlam stated that the way to govern Australia, the way to fiddle with the Constitution in Australia, was to stack the High Court. He stated that plainly and attacked two judges of the High Court who, according to him, hung on to their positions, one until he was 88 years of age and the other till he was almost 90 years of age. According to Mr. Whitlam, they prostituted their positions by hanging on to them until they could be filled by politicians of their own political kidney when they resigned.

He went further and said—and this is perhaps the most damning thing that has been said about the High Court of Australia, which, as the honourable member for Toowoong rightly said, is arrogating to itself the powers of the Constitution—"If you ask a barrister whether or not a matter is unconstitutional, or whether or not the High Court will declare it unconstitutional, he will tell you that it will not be a matter of whether the Constitution is right or wrong but simply a matter of the composition of the court." In other words, if a party has sufficient judges in its corner the court will rule that it is constitutional; if it has not, the court will rule that it is unconstitutional.

Not so long ago there was a sickening sequence of decisions made by the High Court on a 4:3 basis. I think decisions are being made now on a 5:4 basis. If honourable members want to know how putrid the High Court can be, let them read the High Court's interpretation in 1951 of section 302B of our Criminal Code as it applies to murder. If anyone can find anything more putrid than that, I will be pleased to hear about it. It is indeed an indictment of all Governments since, including this Government, that the Criminal Code has not been amended in order to stop the High Court's most monstrous interpretation of that Act being put into effect, as it is being put into effect every day.

In my time I have met some of the best con men in Queensland's history. I have knocked around in lots of places and I have seen them all. I have seen the three-card men, the thimble-and-pea men and the gold-watch-trick men; I have seen them flying the knob or the grey in a game of two-up, switching the changes in a game of dice, and all the rest of it. I have seen them all—Nigger Telfer and Ned Porter included. I have been the victim of some of them, too. I learnt the hard way. I was not born with any wisdom that I possess; I acquired it very expensively and very painfully. But I have never seen, and never expected to see, a political con man of the calibre of Gough Whitlam. There is nothing that that man will not do in order to get his way. He is the doyen of all the con men in Australia's history.

If honourable members care to read how the Commonwealth Constitution came about, and study what is actually written into the Constitution, they will see that the spirit of the Constitution was supposed to be the federal system—a working together of the States and the Commonwealth Government. I do not know anything that tends more to cause Mr. Whitlam's gorge to rise than the suggestion that he should work in with any State Government. I do not know what amendments have been suggested or dealt with by the convention, but I do know that if they are not designed to give the Commonwealth Government all the power that the Commonwealth Government wants under

Whitlam, then they will not hit the ground, even though the delegates from the non-Labor States might carry them.

For very many years we had a very eminent gentleman in Federal Parliament. He was a barrister. It is possible for a barrister to be an eminent gentleman, but it is very hard for a barrister to be an honest gentleman. That man's name was John Latham. He finished up as Sir John Latham and Chief Justice of Australia. At one time he was in the running for the leadership of the National Party, or the Liberal Party, or whatever its name was at the time, in the Federal Parliament. In order to make an easy run for Bob Menzies, he was put onto the High Court of Australia. Very frequently he spoke at various functions about decisions of the High Court and about the Commonwealth Constitution. He spoke about that greatest blot on the Constitution—section 92. On one occasion he said—it is on record—"I wouldn't like to tell the people of Australia how many thousands of pounds" (this was when a pound was really a pound and worth something) "I have made out of section 92. Section 92 is purely and simply a political slogan. It was written into the Constitution as an act of compromise, and it has been a wonderful golden harvest time for lawyers and barristers ever since."

If honourable members care to go through judgments of the High Court they will find that half a dozen different judgments have been given on what section 92 really means. The present Chief Justice of Australia, Sir Garfield Barwick, practised at the bar. He was also a federal politician. At one time there was a challenge to the Privy Council over a Labor piece of legislation. It was a challenge over an attempt by the Chifley Government to nationalise the banks. The Commonwealth Constitution, in sections 51 and 52 (the honourable member for Toowong can correct me if I am wrong), lays down specifically that the power to control the banks, with the exception of State banks, is in the hands of the Federal Government. So Dr. Evatt, as Attorney-General for the Chifley Government, went ahead with legislation to nationalise the banks.

Anyone who is conversant with constitutional law and aware of the objects of the framers of the Constitution knows that under those sections the Commonwealth Government had power to nationalise the banks. Naturally Sir Garfield Barwick knew it, so when he appeared before the Privy Council he, unlike Dr. Evatt—who, in his naivety, argued the case on the basis of sections 51 and 52, which gave plenary power to the Commonwealth in regard to banking—submitted that section 92 of the Constitution was the operative section. Section 92 does not even mention the word "banking"; it provides only for free trade and commerce between the States. And, bless my soul, the Privy Council proclaimed Sir Garfield Barwick the winner and declared the banking

legislation to be invalid. No wonder the Labor Party wants to abolish the Privy Council after that decision!

I do not know whether the Premier is right or wrong in the matter under debate; I do know, however, that under the Whitlam Government anything is likely to happen. I never thought that I would see any politician, particularly any Labor politician, who was prepared to do everything he could to defeat the concept of democracy and to smash the Australian Constitution and the federal system. Yet Gough Whitlam is trying to do all that.

Mr. Hanson interjected.

Mr. AIKENS: I wish the honourable member would be a little more lucid in his interjections.

I intend to leave the Chamber and let the Premier and the Leader of the Opposition fight this out between themselves. Of the two I would favour the Premier, because even with his failings and faults—if he has any—he is a Queenslander and believes in protecting the people of Queensland against the predatory, avaricious, grasping tactics of the Whitlam Government. That is something the A.L.P. is not game to do. I was born a Queenslander, and I hope I will die a Queenslander. Incidentally, I know that when I die the honourable member for Port Curtis will take a day off to attend my cremation. But that is by the way. If the Premier in his wisdom believes that no good purpose would be served for the people of Queensland by attending the Constitutional Convention, he should stay away.

Mr. HOUSTON (Bulimba) (12.54 p.m.): The reason for the Premier's inclination not to attend the Constitutional Convention is obvious. He is afraid of meeting Gough Whitlam in open debate.

Government Members interjected.

Mr. HOUSTON: My statement is backed up by the facts. I have had the opportunity of attending conventions at which the Premier has engaged in open debate with men of Mr. Whitlam's capabilities and prowess at debating. I have also seen him at work when he has had the numbers and made personal statements that could not be challenged by the person against whom they were made as he was not present. Yesterday we saw an example of the Premier's inability to engage in straight-out debate. Again I say that the Premier is afraid to attend the convention because he knows that he could not substantiate his arguments and that the Labor Government would wipe the floor with him.

Mr. Moore: It's a stacked deck.

Mr. HOUSTON: A stacked deck! On the Premier's say-so, backed by all the yes-men in the National Party as well as by some of the Liberals, Queensland's delegation consists

of 10 anti-Labor and only two Labor representatives. The Premier is frightened with the odds at 10 to two. They are too close for him.

The Australian Government delegation comprises eight Government members and eight Opposition members. The figures for the other States are as follows: New South Wales six from each side; Western Australia six from each side; South Australia six from each side, Tasmania six from each side and Victoria five Labor members and seven anti-Labor members. Delegates to the convention will be talking about constitutional matters, not political matters, yet the Premier of our so-called great, democratic State insists on a ratio of 10 to 2 in favour of the anti-Labor forces.

Mr. Katter: Don't you think it should be proportional?

Mr. HOUSTON: The day will come when there will be a squaring on the slate; let there be no doubt about that.

I am dealing with the convention at which there will be 39 Labor delegates and 49 anti-Labor delegates, if they all turn up. It seems that that is not a big enough majority for the Premier.

When the Premier was asked to go to dinner, with all his anti-Labor colleagues around him, for talks about inflation and the prices-and-income policy, he refused, although everyone else went. He is well known for his inability to discuss matters with people.

Mr. Hartwig: You don't talk about that at dinner time.

Mr. SPEAKER: Order!

Mr. HOUSTON: What did the Leader of the Liberal Party do after the Premier moved the motion we are discussing? He used very few words but the inference was strong. He merely said, "In accordance with the decision taken by Cabinet I formally second the motion." and sat down. What did that mean? It could only mean that within Cabinet the decision was not unanimous.

Queensland is in such a bad way that it needs its own constitutional convention to give the public an opportunity to tell the Government exactly how undemocratic it is. It is said that Parliament runs the State, but that is not so. The State is being run by the Premier and a few of his yes-men. Every Cabinet Minister from the National Party was hand-picked by the Premier. On no occasion has any one of them voted against him or made suggestions against him. Any who dared to do so would be bound to lose their Cabinet rank and their endorsement.

Mr. Camm: It's better than being a has-been in the A.L.P.

Mr. HOUSTON: That may be so, but the Minister's day will come. It is to my credit that I agree with, and abide by, democratic decisions, and I do not cry about them afterwards. I carry out my duty to speak on behalf of my constituents and to argue the cause for the Labor Party. I do not require a yes-man to support me and I certainly was not put here because of any yes tendencies similar to those of some Cabinet Ministers.

It is very significant that the vote on this issue would not be unanimous if everyone were free to vote according to his conscience.

What is wrong with talking about our problems? I am the first to admit that there are plenty of differences between the State and Federal Governments, but they have not arisen only in the last three or four years. They have been with us for years. There has been a progressive move towards centralism ever since the States agreed to hand their taxing powers over to the Commonwealth Government. Every State immediately became dependent on the Federal Government, and that dependence has increased year by year.

I remember our Treasurer condemning a former Treasurer in the Federal Liberal-Country Party Government because Queensland was not getting enough cash. That happened year after year, but the attacks were not as vicious as those in the past few years. In fact, the Whitlam Government has become an obsession with the Premier. In the long run, who is losing? Only Queensland and people associated with the State. In my opinion the Premier is trying to carry out the threat that he made some time ago to secede from the Commonwealth.

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

Mr. HOUSTON: Before the luncheon recess I was speaking on the realities of the Premier's motion. It is quite clear to me that if it is carried, the Premier will isolate Queensland from the rest of Australia. It is true that Western Australia, too, is playing with the idea of not attending the convention, but the Liberal Party and the National Party—or Country Party, or whatever it is called over there—have been talking of secession from the Commonwealth of Australia.

I believe that this is the first real attempt that the Premier has made in this Parliament to fulfil his desire that Queensland leave the Commonwealth. What he is doing in fact is telling Queenslanders that they are no longer Australians. I am proud to be a Queenslander and I am proud to be an Australian and I will oppose any move directed at isolating this State from our great nation.

Mr. Bjelke-Petersen: You are talking a lot of nonsense and you know it.

Mr. HOUSTON: I am not talking nonsense at all. The Premier made the statement and it was not until some time later,

when public opinion expressed in the Press gave him a roasting that he tried to make out he was joking. He knows that he was not joking then any more than he is now.

The boundary between Queensland and New South Wales, as we know it, is not realistic these days. That boundary was created years ago by physical barriers such as lack of transport and communication as we know them today. If our forefathers, in their wisdom, had foreseen the development of the aeroplane, telecommunication, television, rockets to the moon and the rest of it, they would have redesignated State boundaries. That, of course, would have made a tremendous difference.

Commerce does not recognise the boundary between New South Wales and Queensland. In the main the Northern Rivers towns conduct commerce with Brisbane far more than they do with Sydney, so the boundary, as we know it, is not recognised by those engaged in commerce and trade. However, it is very real to this Parliament—to the Premier and his party. The Premier does not always get his own way with the national Government, so he wants to put up as many barriers as he can.

What will happen if we do not go to this convention? The whole constitutional destiny of this nation will rest with the other States. It must not be forgotten that the Constitution can be changed by a referendum carried by a majority of voters and a majority of States. If Queensland and Western Australia are the two odd States out, the other States, through debate and compromise, will be able to arrive at mutual arrangements. If they do, it will not matter how Queenslanders vote; the Constitution will be changed.

Why not let us be there and be heard, argue the points and debate them and then refer them to the various committees so that we can have an Australian attitude rather than a southern States' attitude. I have heard the Premier and other Government spokesmen on many occasions criticise southern parliamentarians and allege that, by their numbers, the New South Wales and Victorian parliamentarians were dominating this nation. What is the Premier doing now? He is giving them an open go. He is saying, "You make the decisions affecting Australia." I believe that this meeting of the convention will be held whether the Queensland delegation attends or not. The reasons for the postponements of the meetings some time ago were very logical, and not one was based on any of the flimsy grounds that have been put forward today.

If Western Australia did not attend and Queensland did, and if delegates voted on party-political lines, the voting strength would be 33 to the Labor Party and 43 to the anti-Labor forces.

However, it has seemed to me that in the past there has been a determination by all

of those present, including the Prime Minister and Federal members, to try as far as possible to keep party politics out of the convention. Admittedly, it is not always possible to prevent political philosophies from intruding, but there is a great difference between voting on straight party-political lines and advancing political philosophies and theories in which one wholeheartedly believes.

I believe that the Government's move is completely wrong, and I support the view put forward by the Leader and Deputy Leader of the Opposition that the Queensland delegation should take its place at the convention. We would then at least know what is being said by those who we believe are opposed to us, and it would give us a chance to put our point of view before the news media and the people of Australia. If our representatives are not there, only the case against us will be heard. If Government members are worried that the Federal Government will dominate the proceedings, I point out that the numbers are not in the Federal Government's corner; they are in fact in the corner of the Opposition parties.

Mr. M. D. HOOPER (Townsville West) (2.22 p.m.): I agree that it would be quite farcical and a waste of time for Queensland, and indeed any State, to send a delegation to the meeting of the Australian Constitutional Convention whilst the Whitlam A.L.P. Government holds power in Canberra.

Mr. K. J. Hooper: Rubbish!

Mr. M. D. HOOPER: The honourable member may say "rubbish!", but no Federal Government has done more to circumvent the Constitution and destroy the three-tier system of government that Australia has had since federation. Under the present system there are three levels of government, namely, Federal, State and local, so that power is divided and no one level has too much power.

Mr. Chinchin: That's to go.

Mr. M. D. HOOPER: It will go if the A.L.P. remains in office in Canberra.

Mr. Houston: If there were a Liberal-National Party Federal Government and State Labor Governments decided not to go to a convention, that would be the very end of any review of the Constitution.

Mr. SPEAKER: Order!

Mr. M. D. HOOPER: The present A.L.P. Federal Government is completely centralist in its outlook, and it wishes to control and direct the lives of all Australians. At local government level, I tried on several occasions to give the Federal Government a fair go. I have attended some of its seminars to hear what it had to say, and to see how much substance there was in its arguments. I attended seminars in Canberra of the Australian Institute of Municipal Administration

and regional council organisations in Melbourne just recently. Both conferences were sponsored by the Department of Urban and Regional Development. At those gatherings Federal Government delegates showed that they had no intention of hearing any submissions or recommendations from local authorities or local government regions; all they wanted to do was brain-wash us into accepting what they think should be acceptable to local government in their "new concept" of 1975.

Their many denials that they are trying to destroy local government are unsustainable, because time and time again they put forward so-called initiatives which, when they are studied closely, are clearly seen to be merely attempts to circumvent the Constitution and ultimately destroy the rights of local government. Federal Government spokesmen have said on many occasions that there are too many local authorities in Australia.

Mr. K. J. Hooper: That is true.

Mr. M. D. HOOPER: The honourable member for Archerfield agrees.

They say they would rather deal with 100 regions. In theory, one hundred regions might sound very easy to deal with, but some of those regions are very compact, almost a quarter the size of Brisbane, while other regions are thousands of square miles in area and have nothing whatsoever in common with others. They are only compatible in their proximity to one another. They have not the same economic structure, or the same problems in the local government area, but that is the way the Federal Government wishes to see it. The States see local government in an entirely different light.

Mr. Houston: Do you believe in more States? If what you are arguing is right, why don't you support the new State in the North?

Mr. SPEAKER: Order!

Mr. Houston: I am only trying to help him.

Mr. K. J. Hooper: You're up and down like a yo-yo.

Mr. M. D. HOOPER: Good exercise.

Mr. SPEAKER: The honourable member for Archerfield will be in and out if he does not behave himself.

Mr. M. D. HOOPER: The States believe that in grass-root matters local governments are the closest to the people. They deal with the citizens day by day and know their problems. They handle those problems direct or if they cannot do so, communicate with the State Government. That is why the States wish to preserve the present system of local government. Although we now have regional associations in the State, if the regions were as envisaged by the Federal

Government they would be used in a different way. These regional bodies of ours have only an advisory capacity and they are consulted by the Government on how the regions can be developed. The States do not wish these regional associations to be involved in borrowing money or fighting with one another over who will get the best deal. The Federal Government sees it in an entirely different light. It wants regions controlled by bureaucrats appointed from Canberra, not the elected representatives of people who live in the region or the local authority area.

Mr. Chinchin: And the abolition of State Governments. That is the ultimate.

Mr. M. D. HOOPER: Of course. A shining example of one of its new initiatives is the attempt to introduce a fourth tier of Government through the Australian Assistance Plan. The Australian Assistance Plan has set up regional councils for social development. They are comprised of pressure groups, who in themselves are usually articulate people—some of them academics—but not necessarily people who represent disadvantaged persons in the community, persons in need. These pressure groups put up their own case for funds which should go to people in the community who are deserving of help. By virtue of expertise gained over the years, local authorities know the disadvantaged sections in their community, and whilst they agree with the concept of social welfare and would like to see it developed, they want the money from the Federal Government to pass through the State Government and thence to local government so that local government can develop the concept of social welfare in each community. The point about the Australian Assistance Plan is that the members of these social regional councils are not accountable in any way to local government, the State Government or, for that matter, even the Federal Government.

Mr. Chinchin: And they are not subject to the Audit Act, either.

Mr. M. D. HOOPER: Their accounts are not audited and they are not accountable in any way for their actions. If any of their so-called airy-fairy schemes get off the ground—

Mr. Marginson interjected.

Mr. M. D. HOOPER: That has been challenged by Victoria in the High Court, as the honourable member well knows. But if their airy-fairy schemes get off the ground and then fail, the projects will become the unwanted child of the local authority, which is going to have to adopt them and look after them in the future. With their per-capita grants of \$2 per head, some regions will get \$1,000,000 in future years to be spent by irresponsible bodies which are not accountable to the community at large.

I am sure honourable members would be interested to know that at the recent conference of regional organisations in Melbourne,

the chairman of one of the regions in western New South Wales informed the conference that the officer in charge of the Regional Council for Social Development had written to the respective member councils of the region saying that in his view the council officers were incompetent and that he would convene a conference to be attended by all council officers so that they could be lectured by officers of D.U.R.D. from Canberra. When he received some very stiff complaints from the local authorities concerned, he went one further and said, "It is not only you who are incompetent. The councils, too, are inefficient and I will get a grant from the Social Welfare Commission so that I can finance the entry of a team in the local government elections." That is on record as having been said at the Australian conference. So much for the Australian Assistance Plan!

The Federal Government's other plan, of course, is to control land development throughout Australia. If honourable members read the report of the commission of inquiry into land tenure, which was chaired by Justice Else Mitchell, they will find in it some damaging statements completely foreign to our way of life, especially in free States such as Queensland. The commission's recommendations have been adopted as Government policy by the Department of Urban and Regional Development, and they provide that ownership of land as we know it—freehold title that may be passed to other members of a family—will no longer exist. Ownership is deemed to be only a right of occupancy for a determined term of lease, and if a person leaves the land or wishes to sell it, he may sell it only with the permission of the Government. If it is resumed by the Government for some other purpose, the person concerned will receive no compensation for the land and will be compensated only for improvements erected thereon. What incentive is there for any person in the community to try to raise a family and create an estate for himself if he is going to be governed by the rules laid down by that commission of inquiry into land tenure?

The commission further recommended that planning should be taken away from local government areas. It said that planning departments of local government throughout Australia were inefficient and incompetent, and it recommended that all planning should be done in regions through development corporations. The members of all corporations would be appointed only from Canberra, not by elected representatives from the local authority regions or from the local authorities themselves.

Another item of interest is the Federal Government's so-called concept of growth centre development. Some three years ago Mr. Whitlam, when Leader of the Opposition, said that if elected to power he would declare Townsville and Albury-Wodonga regional growth centres. Investigations are

continuing, financed by Federal and State Governments, as to whether Townsville should be declared a regional growth centre. If the inquiries now being made indicate that such a decision should be taken, I hope that the Government of this State, at least, will take note of some of the pitfalls that have become apparent in New South Wales and Victoria.

I had the opportunity recently of visiting Albury and Wodonga, and I spoke to the mayor of Albury and asked him how things were going in Albury since the development corporation had been set up. He was very receptive to my call, and he told me that he was sorry the damn thing ever got off the ground and that he blamed himself for having initiated the idea in the first place.

Mayor Bunton said that about six years ago Mr. Whitlam came to him and said, "You are a man very experienced in local government. My party has been trying for years to gain power, but we don't seem to get anywhere with local government with our policies. How can we improve our image with the local government associations of Australia?" Mayor Bunton said, "There is one way you could do it. If you were to offer additional finance to local government, I am sure you would win some votes, because local government everywhere is always in need of money." Of course, what Government isn't?

The idea germinated in Mr. Whitlam's mind, and just on three years ago, at the opening of a new building called "Travelodge" in Albury that Mayor Bunton attended, Mr. Whitlam made the statement that after he became Prime Minister, if Labor was returned to power, he would embody in his policies a suggestion made by Mayor Bunton that he establish regions throughout Australia and that he would provide finance through development corporations. Mayor Bunton said, "That is not the way I put it to you. I said that you should deal direct with local authorities, not through regions." Mr. Whitlam said, "I am sorry. You may be right, but I have other people to talk to and make arrangements with and I have been told that this is the way it should be done." Obviously some of Mr. Whitlam's socialist friends, such as Mr. Uren, Mr. Connor and Dr. Cairns, said at that time, "We are going to have these socialist ideas incorporated in any development corporations or schemes for developing growth centres throughout Australia."

Another bait that the Federal Government had laid before local authorities in Australia is grants through the Grants Commission. If ever there was a sprat to catch a mackerel, it is that. On the one hand, the Government has virtually doubled the interest rates for local authorities in the last three years, causing large increases in rates to meet the interest on the borrowings we now have to make through the Loan

Council; on the other, it has given local authorities a bit of a plum in the form of some money through the Grants Commission.

No-one would be so naive as to expect that those grants would be handed out in a fair and equitable manner. It is now common knowledge that unless a council has strong A.L.P. representation it has no chance of getting a reasonable grant, and it might miss out altogether. Those are not my words. That has been said by the Lord Mayor of Sydney and many prominent men in local government throughout Australia—men on councils that have been missing out for the last two years because they were not of the right political colour for Canberra.

Mr. Hanson: Bad representation.

Mr. M. D. HOOPER: I would like to throw the words of Mr. Uren right back into the teeth of the honourable member for Port Curtis. When these complaints were put to Mr. Uren last month, he said, "The reason why the local authorities did not get large grants was that they were so efficient and did not have large areas of need."

If the Federal Government were sincere in wanting to help local government, it could quite easily make direct payments to local authorities, as the Minister for Local Government and Main Roads (Mr. Hinze) has said time and time again. It could give all local authorities a cut of the common taxation cake through the State Governments without using subversive methods to win over local government or to bring local government to its knees.

I see no reason in the world why we should attend any convention convened by the present Federal Government. With the Federal Government saying, "Do as I say or you miss out," we know it would be a complete brain-wash. I support the motion.

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (2.37 p.m.), in reply: There is no need to say a great deal in reply. The matter has been fairly well canvassed by Opposition members and by my colleagues. On the very strong advice of the Attorney-General, Cabinet considered this question very carefully and came to the decision that I indicated. The honourable member for Bulimba spoke about our missing out and all the rest of it. If Western Australia and Queensland do not attend the convention, there are nine chances out of 10 that a conference will not be held.

The honourable member predicted dire results for Queensland. On many occasions Queensland has taken the lead in countering the Prime Minister's ardent desire to gain control of the people of this nation. This is just another instance when we have taken the initiative, together with Western Australia. I believe that other States will ultimately adopt the same attitude.

Mr. Casey: Why don't we go down there and suggest to the Constitutional Convention a new method of electing senators so that we can get away from a repetition of the fiasco of yesterday?

Mr. BJELKE-PETERSEN: If the honourable member were in his party he would have an opportunity of putting forward his idea. While he stays on the outer he has not much chance of doing it.

Mr. Casey: I am putting it to you as Premier.

Mr. BJELKE-PETERSEN: The honourable member is putting it to me as Premier, but I am not so interested in hearing representations from him.

I have outlined the reasons for the motion and we stand by them.

Question—That the motion (Mr. Bjelke-Petersen) be agreed to—put; and the House divided—

AYES, 49

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|-----------------|-----------------|
| Ahern | Lamond |
| Aikens | Lee |
| Alison | Lickiss |
| Bjelke-Petersen | Lindsay |
| Byrne | Lockwood |
| Camm | Lowes |
| Campbell | McKechnie |
| Chalk | Miller |
| Chinchen | Moore |
| Cory | Muller |
| Deeral | Neal |
| Doumany | Newbery |
| Edwards | Porter |
| Elliott | Powell |
| Frawley | Row |
| Glasson | Simpson |
| Goleby | Small |
| Greenwood | Sullivan |
| Gunn | Turner |
| Gygar | Warner |
| Hales | Young |
| Herbert | |
| Hodges | <i>Tellers:</i> |
| Hooper, K. W. | Hartwig |
| Hooper, M. D. | Akers |
| Katter | |

NOES, 11

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|---------------|-----------------|
| Burns | Marginson |
| Casey | Melloy |
| Dean | |
| Hanson | <i>Tellers:</i> |
| Hooper, K. J. | Wright |
| Houston | Yewdale |
| Jones | |

Resolved in the affirmative.

STATE COUNTER-DISASTER ORGANIZATION BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. W. D. Hewitt, Chatsworth, in the chair)

Hon. A. M. HODGES (Gympie—Minister for Police) (2.48 p.m.): I move—

"That a Bill be introduced to provide for the establishment of a State Counter-Disaster Organization and a State Emergency Service and their powers, authorities, functions and duties and for matters incidental to and consequent upon their establishment."

The purpose of the Bill is to—

- (a) formalise existing State counter-disaster arrangements;
- (b) provide the necessary framework to enable a State Emergency service to function in Queensland;
- (c) support community preparation and training for counter-disaster operations;
- (d) cater for the present and future needs of Queensland citizens in disaster situations; and
- (e) update existing legislation that has become outmoded whilst still embracing certain aspects.

The tragedy of natural and man-made disasters has continued to plague our society. Few countries of the world have escaped the horror of mass suffering. In most cases monumental relief efforts have been launched by the stricken country in concert with concerned world Governments and a wide range of voluntary humanitarian relief organisations and community bodies. Queensland has known such tragedies. The key to rapid, effective disaster-relief operations lies in adequate preparedness, plans and organisations with an aware public. I am sure all honourable members share the concern of Government and the public at the disasters that have occurred in Australia and more particularly those that have affected our own State.

Disasters of a minor nature are effectively handled by the professional emergency services—police, ambulance, fire services, etc.—while those of considerable magnitude, major disasters which are beyond the resources of the professional emergency services, require the combined efforts of professional emergency services, Government departments and instrumentalities, local authorities, voluntary organisations and all the resources of the community to combat their effects, and the legislation is for situations of these types.

Provision is made for the State Counter-Disaster Organization—

- (a) to be the body responsible for the over-all co-ordination of counter-disaster measures within the State involving all aspects from the preparatory to the recovery phase of counter-disaster operations; and
- (b) to comprise a State central control group, disaster districts, disaster district controllers, and disaster district control groups.

The central control group is to consist of a chairman and members from Government departments with the Co-ordinator General as chairman of the group.

Disaster districts are to equate to police districts and the district police inspector is to be appointed disaster district controller under the provision of the legislation.

Disaster district control groups are to be established with the disaster district controller as chairman and the members departmental and local government officials and representatives from statutory, essential services and community bodies. The disaster

district controller and his group will plan for and co-ordinate all efforts at district level to alleviate the effects of disaster.

The State Counter-Disaster Organization is currently named the State Disaster Relief Organisation and presently operates under Government administrative arrangements. The proposal is to formalise existing arrangements and change the title to one more in keeping with the role and functions of the organisation.

Provision is being made for the State Emergency Service—

- (a) to be responsible for the education and training of volunteers, including voluntary organisers in counter-disaster measures, and to provide counter-disaster education, information and advisory programmes for members of the public;
- (b) in actual disasters to form an integral part of the State Counter-Disaster Organization. (It is the community part of the organisation); and
- (c) to comprise a State headquarters, regions, local emergency service organisations, executive and advisory committees, and permanent and voluntary members.

The proposed legislation provides for the establishment of a local emergency service at local authority level based on its own resources and volunteers with assistance being provided in terms of equipment, grants, subsidies, training support, etc., from both State and Commonwealth resources as part of Commonwealth-State agreements.

It is proposed that the Civil Defence Act 1939-42, under which the State Emergency Service is presently established, be repealed as the Act specifically relates to war situations. The provisions of the proposed legislation embody any civil-defence measures that will be required to be undertaken for a war situation. The extension from natural and incident disasters to war disasters on the Queensland community is a matter of emphasis at the appropriate time and is based on the threat defined.

I am sure all honourable members will recall from their own experiences in disasters the necessity for the provision of support to all agencies and community members involved in counter-disaster operations relating to—

- (a) sightseers and the curious who appear to obtain enjoyment out of other people's misfortunes and seriously interfere with rescue operations;
- (b) the victims of disaster who will not heed timely warnings from the appropriate authorities to move and who inevitably involve other community members risking their lives to save them;
- (c) those people who obtain satisfaction from hoax calls and requests in disaster situations;
- (d) the need to have guaranteed cover for the public-spirited members acting in good faith and providing a community

service involving personal compensation, resources and property compensation, liability, and employment;

(e) time activation for counter-disaster agencies; and

(f) the members of the community who deliberately hinder and obstruct counter-disaster operations.

To ensure that these problems will be overcome in the future, the legislation proposes that—

(a) the power to declare a state of disaster in certain prescribed circumstances be vested in:

(i) a disaster district controller in respect of his own district for a period of three days, after referral to the chairman of the central control group or the Minister;

(ii) the Governor in Council in respect of any district or districts or the whole of the State for a period of 14 days; and

(b) upon a declaration of a state of disaster, certain additional powers be conferred on relevant executive members to assist in coping with the effects of disasters, to include such items as authority to evacuate, authority to close streets, authority to move vehicles, and authority to exclude persons from areas.

Provision also is made for offences, protection from liability of members acting in good faith, protection of employment rights, compensation for personal injury, compensation relating to resources and compensation for property damage.

It has been proven within Australia and overseas that legislation is required for counter-disaster operations to be entirely effective. The proposed legislation will provide the foundation for the concept of self-help and mutual assistance within each community of this vast State, with maximum participation by all levels of Government and for the people to join with Government to cope with disaster. The ultimate aim is the preservation of life and property of Queenslanders.

I commend the motion to the Committee.

Mr. MELLOY (Nudgee) (2.57 p.m.): This is important and very necessary legislation. Time and time again we have all seen the panic that has followed natural disasters that have occurred through flood, fire, explosion or other cause. Although emergency services have gone into operation, they have been more or less impromptu arrangements. Some State emergency services have functioned but they have not been fully operational in times of distress.

The Minister said that the idea is to promote public awareness of natural disasters. I think that this is most important. When an emergency arises, most people are caught on the hop, and it is a little too late then to tell them what they should

do in the circumstances. If it is planned to introduce some form of education of the public in this field, that in itself will go a long way towards reducing the panic that follows a natural disaster, as people will know what to do in such a situation.

The Bill envisages the combined efforts of professional emergency services, local authorities, voluntary organisations, and so on. I imagine that organisations such as the Red Cross, churches and sporting bodies will be required to co-operate with the new service that the Bill envisages to produce a co-ordinated effort in which there will be no competition for funds among the relief services.

There could be pitfalls in relation to the various areas apparently to be set up under police control, because problems occurred in the appointment of new district operation officers in the State Emergency Service. Apparently the Police Department called applications for these positions but I think applicants were restricted to members of the Police Force under the rank of senior sergeant. Apparently this caused some discontent among volunteers in the State Emergency Service and I understand there were some hundreds of resignations. I think this is something to be avoided in the appointment of any paid officers to this organisation.

I appreciate that, under the plan envisaged by the Minister, district police inspectors will be appointed as area controllers in this organisation, but I think that in any other appointments of a part-time nature, the qualifications and eligibility of ordinary people in the community should be looked at and membership of the organisation should not be confined to officers of the Police Force.

Mr. Hodges: These 10 sergeants have been seconded so they will have continuity of service when they are promoted to the rank of inspector. They are paid for by the Police Department.

Mr. MELLOY: Yes, but I still think we ought to co-opt the services of the general community in these things. The present State Emergency Service is not really a permanently functioning body. It is more an ad hoc organisation which assembles only when a disaster occurs. I do not think it is fully occupied with the training of the public in the operation of rescue services and the like. The Bill envisages the setting up of a State Emergency Service which will be held responsible for the education and training of volunteer members of the organisation, I imagine on a full-time basis, so that there will be at the disposal of the area controller at the time of any disaster a properly trained group of people and not just service organisations, like church and sporting bodies, thrown together in an emergency. We will have a properly trained organisation able to deal with any situation and to direct the public.

The Minister said the Bill will cover personal compensation, resources and property compensation, liability and employment. Does this entail a form of contributory insurance? When the Minister speaks of compensation does he mean financial compensation? Does the provision relate to some national disaster fund? How is the money to be provided for this compensation? Where will it come from?

I have here a summary of the expenditure by Queensland on national disasters from 1971-72 to 1973-74. In 1971-72 the Government of Queensland expended \$5,784,268 on disasters. In that year the Commonwealth Government contributed \$6,889,193, which means that we had a surplus in that fund available for the alleviation of distress. In 1972-73 the Government expended \$1,482,442 on disasters but did not receive a contribution from the Commonwealth.

Mr. Hodges: This will not be compensation for victims of disasters. This will be compensation for those on relief operations in the area of the disaster.

Mr. MELLOY: Involved in the relief operations?

Mr. Hodges: Yes.

Mr. MELLOY: In 1973-74 some \$31,000,000 was expended on disasters, of which the Commonwealth Government contributed about \$27,000,000. That is big money. If the Government undertakes a programme of compensation for loss of employment, property compensation and personal compensation, a considerable amount of money will be involved, and I think that the Minister might deal further with that in his reply.

The proposal also envisages situations in which members of the community deliberately hinder and obstruct counter-disaster operations. Perhaps that is a police matter. However, things happened in the Brisbane flood disaster that could have been handled more expeditiously than they were, and I have in mind particularly looters in the flood areas. Moreover, people went around in boats selling to people who were not able to leave their homes loaves of bread and packets of cigarettes at twice the usual prices. Situations like those must be encompassed in any control of a natural disaster, because some people in the community are prepared to exploit those in distress in a disaster.

The Minister stated further that a state of disaster may be proclaimed by the area controllers in various areas. I think he said that the area controllers can proclaim a state of disaster for a period of three days and take control of all movement in the area, and that, on a larger scale, the Governor in Council can proclaim a state of disaster for approximately 14 days. I think that is necessary. For example, when the bomb explosion occurred at Grange a couple of years ago and a large number of shops were destroyed, looters moved in. There was a danger of

buildings that had been damaged by the bomb collapsing, and the chief of the Brisbane fire brigade proclaimed a state of disaster in that area. I do not know what his authority was at that time, or whether he simply took it upon himself to proclaim that state of disaster for the protection of the public and to prevent them from going into the damaged buildings and perhaps being victims of an accident.

The Bill also proposes to provide protection from liability for members of the public or members of the organisation acting in good faith, the protection of employment rights, compensation for personal injury, compensation relating to resources, compensation for property damage, and for offences. That is very desirable, because time and time again one sees not only the difficulties and distress arising from the disaster itself but also a need to deal very firmly under the law with those who move into disaster areas and embarrass and cause distress to people in those areas. The proposed organisation must have the authority to bring in police to control any situations of that type which may arise.

The proposal outlined by the Minister will involve tremendous expense. We are not considering only disasters in the city but disasters that might occur throughout the State. During the last floods about 540 had to be air-lifted out of the Gulf country. That sort of thing cannot be done without incurring cost. Cost has to be taken into consideration, and I am sure that in his reply the Minister will give further details of this provision. During the floods roads were cut, mail services were interrupted and train services disrupted. All that meant extra effort on the part of the authorities concerned and involved cost. We have to find adequate means of getting people out of areas.

I presume this organisation will move in in the event of a mine disaster. At times the need goes beyond the scope of the mine rescue squad. We need a State authority that can move in to control a situation of such gravity.

The Minister has given a fairly comprehensive outline of the Bill but we will need to see it to acquaint ourselves with what is really involved and to comment on it fairly. Subject to our perusal of the Bill, I think the Opposition will accept it. It is certainly time the disaster organisation in the State was updated and provided with the necessary facilities. One of the faults of the Civil Defence Organisation was that it was not properly equipped and its members were not sufficiently trained.

Mr. Hodges: They were trained in civil defence, not in emergency services.

Mr. MELLOY: They were often called on when disasters occurred. No other organisation was available to cope with those disasters. The Bill should go a long way towards providing what is necessary to cope with a national disaster in the State.

Mr. CASEY (Mackay) (3.13 p.m.): I very much welcome the introduction of the Bill. My own interests in this matter are very well known to the Minister. I have followed very closely the work of the disaster organisations in this State because my own area of Mackay is one of the most disaster-prone areas in Queensland. It is often cut off by floods for a considerable period of time, and it is also in the main cyclone belt. As quickly as possible after cyclone "Ada" damaged the Whitsunday Islands and the Proserpine area, I went into that area to observe just what had happened and what was required to overcome particular problems.

Similarly, after cyclone "Althea" hit Townsville in 1970, I was quickly in the area to see what could be done to relieve the distress caused by that major disaster. As the Minister knows, I met him in the Gulf of Carpentaria early last year after the floods. I went up there at my own expense to see exactly what the problems were in that isolated area. I know that several other members directly connected with that area also went up. As one from outside of the area I went there specifically to observe and find out some of the problems.

Just a fortnight after the Darwin disaster I was in that town. At that stage I was the only member of this Parliament to have gone up there, but I do not know whether any others have visited the area since. I went there to observe at first hand the tragic and disastrous consequences of a cyclone of such major proportions, which we have not yet experienced on the Queensland coastline but could possibly experience in the future.

Mr. Hodges: Our officers had to stay here to organise the receipt of aid.

Mr. CASEY: I accept that. I am just outlining for the benefit of the Committee what I have done so that members will realise that I am not talking academically off the top of my head, but from my own experience and knowledge. As the Minister would be well aware, I have been closely connected with the Disaster Relief Organisation in the Mackay district.

Mr. Hodges: I think I saw you up at Karumba one day, too, didn't I?

Mr. CASEY: Yes, at Karumba. I think the Minister would know, too, that I have been able to introduce into the Mackay Disaster Relief Organisation some aspects of planning and operations that have not been introduced in other areas. This has helped to make the Mackay organisation better able to cope with major disasters.

The Mackay region is a disaster-prone area. In addition to suffering damage from cyclones it is faced with a major flood problem in the Pioneer River. Fortunately for Darwin, that city has no major river system that can cause flood problems. If a flood comes as the aftermath of a cyclone its effects are even more severe than at other times.

Prior to the Darwin disaster Mackay was the scene of the most devastating cyclone in Australia's history. I am talking not in monetary terms but in terms of loss of life and damage. This occurred in 1918, and the cyclone was followed by flooding. The situation was made worse, however, by a tidal surge of mammoth proportions. Nothing like it has been experienced in other areas. Untold damage was done to the city and surrounding area.

From the experience I gained through these visits I was able to lend a hand in strengthening and reviving the local Disaster Relief Organisation, which, previously, had certain weaknesses in its set-up. I sincerely hope that this legislation will allow all such organisations to be strengthened in a similar way.

The work that it is envisaged will be done by the various committees throughout the State will fall on the shoulders of already busy people who are fully committed to their particular organisations. For example, the local police inspector, as well as having an increased work-load in his normal police duties, is required to play a vital role in disaster relief and rescue work. Similarly, the local authority officials, in addition to operating and maintaining local authority services, are called upon to perform relief work at the time of disasters. I suggest there is a need at all levels for co-ordination between the police, the Government departments and the local authorities.

There is, however, one person who in the event of a disaster is able to cut the red tape that binds officials. I refer to the member of Parliament. I sincerely hope that in the legislation the Minister will provide that members of Parliament are to be incorporated within the framework of the various disaster relief organisations. They are able to assist in many ways. In times of emergency a member of Parliament is able to contact the Minister personally and seek his assistance. I know that the Minister is quite amenable to receiving such requests from members. He knows the character of members and would realise that the details given to him by them were based on fact.

By the very nature of their occupations, members of Parliament are, or should be, expert at determining community feeling. After all, we all depend on it for our electoral support. Members are extremely capable at assessing situations and are able to look at them on an over-all basis instead of in a rather restrictive manner, as is done sometimes by police officers, local authority officials or officers of Government departments.

Mr. Hanson: Human relations are involved.

Mr. CASEY: Human relations come into it.

Members understand the human problems associated with disasters. Last year, during the floods in the Brisbane area, the need for assistance to overcome human problems became very evident.

On this occasion we are not dealing only with Brisbane, although Brisbane certainly gained a lot of experience during the Australia Day floods. The co-ordinating committee, or the central control group, under the chairmanship of the Co-ordinator-General would have gained considerable experience. Today we are considering groups in areas away from sources of material supply, in places where certain goods, equipment and foodstuffs may not be stored. To cite but one example—with our modern supermarkets, warehouses in northern areas are not what they used to be. Years ago, major warehouse stock was kept in some areas, but that is not so today. Last year, Mackay was cut off from the North and South during the lengthy Queensland floods. Although there was not any major flooding in the area for most of the time, warehouse stocks dropped considerably and there were shortages of necessary foodstuffs and other commodities. Because the railway line was cut in the Rockhampton area, manufacturers could not provide supplies and some considerable time elapsed before certain goods reappeared on the supermarket shelves.

In regional areas like Mackay, Townsville, Cairns and so on, in times of disaster co-ordination of more than State resources is required. There must be co-ordination of the resources of the State Government, the Commonwealth Government—through its various departments such as the P.M.G. and the air section of the Department of Transport—and local authorities. We then come to semi-governmental authorities such as hospital boards, fire brigade boards and regional electricity boards, all of which play a vital role. From what the Minister said, it seems that all these authorities will be included within the framework of district organisations.

Mr. Hodges: Plus more ready access to Commonwealth facilities under the new Commonwealth-States agreement.

Mr. CASEY: That is excellent because in many instances Commonwealth public servants, who know the problems in the area and who want to participate in the work of local disaster relief organisations, have had to stick their necks right out in giving assistance.

There is a problem of co-ordination between the three branches of government. From practical experience in my own area I have found that my assistance, or co-operation, as a member of Parliament has helped to cut across red tape. I have been able to greatly assist all of these authorities in carrying out their planning and in undertaking their tasks within the disaster relief organisation, as well as in looking after their

own very important responsibilities. I have been able to act with these bodies as co-ordinator, with public support, which is most important.

Mr. Hodges: You will understand that until last year we had a budget of only some \$40,000 between the Commonwealth and the State, and that that amount has been increased to almost \$400,000.

Mr. CASEY: Money has not been the only problem, as I am sure the Minister well knows. More than anything else, there has been a human problem. Co-ordination of the public effort has been essential on such occasions.

Mr. Hodges: Money has been the problem with equipment and training.

Mr. CASEY: That is why I sincerely hope that this move will help to strengthen this service.

One very strong criticism I have is that the administration of another section of the Minister's portfolio is creating problems for disaster relief organisations. I am referring to the reorganisation of police districts in Queensland. The police districts in Queensland have been completely split up. I can again use my own area as the best example. Reorganisation has created a severe problem in my area because the police district of Mackay ends at the city boundary, which is some three miles from the heart of the city. However, the urban area has spread out well past that limit. Technically, people in that area are in the Sarina police district. I do not want to come into an argument on police districts, but they do create problems in disaster relief.

If there is a cyclone in the area between Sarina and Mackay or in the southern sector of Mackay, there will be absolutely no communication between Mackay and Sarina, yet the Mackay centre resources will be called upon to cover the whole of the district. As was found during the cyclone "Ada" disaster, the same would apply to the northern sector. The Proserpine police were not able to cope. It is only a small station. Fortunately Proserpine was part of the Mackay police district at that stage so that Mackay, with its port, aerodrome and everything else, was able to organise a massive rescue operation. Consequently, it became the resource centre for evacuation, medical supplies, medical treatment and everything else.

Today, Proserpine and the Whitsunday group, which attracted something like 5,000 visitors at the time cyclone "Ada" struck, is part of the Ayr police district. Its headquarters would have no way of evacuating the islands in the Whitsunday group or of carrying out any of the disaster relief work required. It is absolutely impracticable for that police district to so much as plan what it should do in counter-disaster work.

Something the Minister must do is have a massive rethink of the particular part of

the legislation which ties the whole scheme into the police districts, because it simply cannot work. As I said before, I do not want to argue the problems the Minister will have following the reorganisation of the police districts but considerable problems lie ahead for him in counter-disaster relief work if it is to be completely confined to police districts. It cannot and will not work.

We will want the control centre in a group where the State, Commonwealth, local government and the local community groups are able to combine. They will be tied to where the normal resources of those community groups are used. The various State Government departments will carry out work in the areas in which they normally operate. They will not suddenly divide themselves up simply to tie in with police districts.

The point made by the Minister concerning the declaration of certain areas of the State as disaster areas is a very good one. I hope it goes far enough. We will know when we have a copy of the Bill. I hope that it will cover the problem which arose in my area during the major floods early last year. Mackay suffered no real problems but Funnel Creek, Connors River and many of the upper tributaries of the Fitzroy River were in high flood for a considerable time. Rockhampton suffered bad flooding and, because Alligator Creek and some other creeks backed up and were flooded by the overflow of the Fitzroy River, people could not get either into Rockhampton or south of it. But holiday-makers and other motorists trying to get to Brisbane headed off down the highway.

A creek would drop for a while and then the rain would come and it would rise again. People who had crossed it were caught. The local people, of course, were not travelling; they understood the problems caused by rainfall in their area.

The police attempted to place barricades across the road at Sarina to try to stop people from travelling south, but they had no power under any legislation to prevent them from travelling and all that they could do was issue warnings. Travellers would go down the road, cross one creek, and then be caught by another that had risen. The creek behind them would rise, and within 24 hours the call would go to the police to mount a rescue operation for another 150 people caught between Connors River and Funnel Creek. Legislation is required under which, for their own good, people can be prevented from placing themselves in this position. I hope that the Bill contains such a provision.

It is also necessary for the Minister to ensure that a proper communications system is set up so that accurate information is available. I have travelled this section of the road in times of flood and this makes a graphic story in itself. During the flood of Christmas 1973 I travelled from Mackay to

Rockhampton, and beyond Rockhampton to Brisbane, at a time when the police, acting on information received from radio stations, the R.A.C.Q. and other instrumentalities, were warning people that the roads were blocked and they could not possibly get through.

Mr. Hanson: That happens time and time again.

Mr. CASEY: It certainly does. If we bring down legislation that prevents people from travelling when, in their own interest, they should not do so, we have to make sure that the information on which restrictions are based is correct. Very often the police have been made to look foolish, and so have other instrumentalities that have given incorrect information based on police or radio reports. The Minister should have a very close look at this matter.

I said earlier that I would comment on the State Emergency Service. The Minister knows that I was critical of placing police sergeants in charge of the various areas. There are two very good reasons for my criticism. In the first place, as I think the Minister has found, problems are encountered under the Police Award in the methods of operation and the way in which police can act in these jobs. In the second place, sergeants will eventually be promoted. First-class sergeants are men who are on the way up in the Police Force. They will be promoted, and their experience will be lost to the emergency services. This is something that I do not like to see.

Mr. Hodges: A police sergeant goes into an area, and eventually he becomes an inspector.

Mr. CASEY: That may be so, but we are losing the expertise of the men whom we need to train others in this field. Certainly it is good that police inspectors will be properly trained, but I think that some military men should also be introduced to assist in the training of personnel for the State Emergency Service.

(Time expired.)

Mr. GYGAR (Stafford) (3.33 p.m.): I am delighted that the Minister is introducing legislation to provide the framework for a new and revitalised State Emergency Service, and lay a firm foundation for planning and organising in the event of a future emergency. The Minister emphasised the vital need for public awareness. That was shown in the 1974 Australia Day floods in Brisbane, when in my opinion more than half of the problems associated with that disaster arose from public ignorance and mismanagement. Well-meaning people often did not know what was required of them, and what those in control would like them to do. There were, of course, morbid vultures who went under the name of sightseers; I shall have more to say about them in a couple of minutes.

In considering this legislation, we should refer to the experience, at least in the metropolitan area, of the Brisbane floods and learn our lessons from them. All the good will in the world is of little use unless there is a firm backing of good communications, good intelligence-gathering and good methods of distribution and control of vital services and people.

We gather from the Minister's speech that the Bill will provide for a very effective headquarters. Perhaps I think too much along military lines, but there is a need to provide above all else an efficient emergency service headquarters, including command and communications. From my experience in the Brisbane floods, when I was involved with the military, I can say that there was a tremendous lack of communication and command. This was not the fault of any one person. No blame can or should be sheeted home, but the deficiency did exist. We must recognise the need and take precautions to ensure it does not happen again.

With the establishment that I, at least, envisage from the Minister's remarks, we will have an intelligent, resourceful and knowledgeable leadership that will be able immediately to step into the breach if we do have a disaster, of whatever sort, and fill the great yawning chasm that was found in the chain of command during the Brisbane floods.

Communications, co-ordination and control were lacking, and in this regard I would like to endorse the remarks of the honourable member for Mackay when he spoke about the part that members of Parliament can play in this regard. Members of Parliament do know their electorates and they have access to the resources and manpower in them. Who better than a local man could assist these disaster committees by informing them, out of his usually fairly extensive knowledge, where facilities and resources are available and where they can make contact with large groups of people who would be more than willing to help. This is something that happens every time there is a disaster. There are large groups of people who are more than willing to help but do not know what to do and whom to contact about where they can be most effective in alleviating human suffering and providing assistance. Local members can fill this gap, and I join the honourable member for Mackay in urging the Minister to consider some way in which we could assist—possibly under an informal arrangement, because in my opinion formalised arrangements would not work.

Members of Parliament would find themselves needing to go to various areas not completely related to those of the disaster committee; therefore to place them in a formal position would, I think, be undesirable. But I would hope that the channels the Minister will open—

Mr. Hodges: It happens now, of course.

Mr. GYGAR: Yes, it happens now, but there is perhaps a need to strike a compromise between what happens now, which is a very, very loose arrangement, and a formal arrangement under which a member is put on this or that committee or made a subchairman of this or that body. Their services should be fed into the system by giving them a position through which they have a direct channel of communication at the local level.

Mr. Hodges: A member can join the S.E.S. if he wants to. You can volunteer and join tomorrow.

Mr. GYGAR: This is right, but if we join the S.E.S. would we not be placing ourselves in a position where perhaps we should not be, where we would have dual responsibilities, one to our constituents in the broad aspect and one to the duties we would assume if we joined the State Emergency Service? I do not think that is really the answer but there is a need for a place in the organisation into which we can fit local members. I think we can look very closely at that.

I come back to the question of communications and control. This, to me, is the key, the point we must emphasise. We must have firm control of any future disaster organisation. I think radio stations play a particularly important part in this aspect of control. Again, hard work by well-meaning people is not enough. In the Brisbane floods we had all the radio stations, both commercial and the A.B.C., doing their best to assist, but unfortunately there was a tendency for some of their activities to be confusing. One radio station had a scheme which the management thought would help, while another had a different one. For example, one radio station was broadcasting messages from people who had been cut off, and this led to considerable confusion and, in my experience, to a lot of heartache. The people knew that various messages were being broadcast on different stations and, because they thought that some of their loved ones might be involved, they did not want to miss any of them.

I think we should look for some method of achieving co-operation from the various radio stations so they would be better organised. If we had that co-operation, people in a disaster area could confidently say, "I will tune in to the A.B.C. or this or that radio station", certain in the knowledge that everything would be broadcast on a certain station and they would know where to go. Again there would be that certainty which will take away so many of the fears, doubts and worries that people have. I suggest to the Minister that in a disaster there is no greater worry than the uncertainty that runs through the minds of people. They do not know what is going on, where their loved ones might be or what they can do.

Mr. Hartwig: Lack of communication.

Mr. GYGAR: Exactly. I suggest that local radio stations can play a very big part if they can be fed—perhaps sideways, but at least in some way—into the emergency services to assist in disaster relief.

We also should be prepared in circumstances of disaster to call in the armed forces without any measure of reluctance. It was unfortunate, I consider, that this was not done as quickly as it could have been during the Brisbane floods. Again I do not sheet home the blame to anyone; probably there were problems of communication, co-ordination and intelligence. People did not know how bad it was going to be or which areas would be affected. Better maps of the Brisbane area are now available, showing which areas will flood and which areas will not. But if a similar situation arises in the future, I urge those responsible to look to the armed forces.

It is a strange thing that there is no reluctance to call on the R.A.A.F. to provide helicopters for rescue missions. But when the need falls outside that very tight compartment, there seems to be a great reluctance to go to the Army, the Navy or the Air Force and say, "We have a need. Can you fill it?" The services have vast pools of manpower ready and able, with a great quantity of equipment, and usually they are people in the right age and energy brackets.

Mr. Hodges: In the Brisbane floods, we had the armed forces' representative in the co-ordinator's headquarters all the time, taking part in the complete co-ordination.

Mr. GYGAR: I realise that. But there were large numbers of troops—in fact, I was one of them—who were sitting in barracks, kicking their heels and dying to get out and do something. They were not asked. I do not know; perhaps there was a breakdown in the chain above me and the troops were asked to assist and did not get there. However, there were thousands of troops who were itching to get out and do something that week-end. I suggest that probably thousands of citizens were in the same case. But at least the troops were there, organised, with a disciplined command structure and vast capability, and that should not have been overlooked. I know it was not overlooked completely in the Brisbane floods, but there was a time when the troops could have been out assisting and they were not. If only one houseful of furniture was lost that need not have been lost, I think we should look again at the way in which a decision is reached as to whether or not the support of the armed forces should be called for.

The other aspect that I wish to mention is sightseers—the morbid, bloodthirsty vultures who gather round the edges of every disaster. They were the most disgraceful feature of the recent disaster in Brisbane, and they, either directly or indirectly, caused the deaths of two good men. That should not be

allowed to happen; it should not be tolerated by any Government or any Government instrumentality. Strong powers are needed to control sightseers, and I hope they are included in this legislation. Heavy penalties are needed to get these vultures off the streets so that people who are fulfilling a purpose can get through and accomplish something. I note that the power to close roads is to be included in the Bill, and I applaud that but I strongly urge the Minister to consider the problem of sightseers when plans are being drawn up. Unfortunately, as the level of irresponsibility in the community rises, clowns of this type will become more and more evident, more and more destructive and more and more a hindrance. We should keep them in mind now so that we can make plans and take firm measures to get them out of the way and let the productive people get down to the business of co-operating with the State Emergency Service and overcoming any future disaster.

Mr. DEAN (Sandgate) (3.44 p.m.): The Business Paper for today indicates that the Committee is now considering the introduction of a Bill to provide for the establishment of a State Counter-Disaster Organization and a State Emergency Service and their powers, authorities, functions and duties and for matters incidental to and consequent upon their establishment, and it will obviously be very important legislation covering a very wide field.

Some years ago I carried out a very extensive survey of civil defence work in the city of Brisbane and what it should cover. Over the years methods have changed. Years ago when we spoke about civil defence we did not think so much about major floods, such as we have experienced, or a disastrous fire, as about a possible attack on the city from the air or something like that. Of course, not much protection can be afforded against a bomb attack because, first of all, very little prior notice of it could be expected. Civil defence authorities are now organised to cope with floods. Certainly we hope we never experience a major fire in the city. Members who have served on a fire brigade board anywhere in the State well know that all who serve on a fire brigade board have a secret fear of a major fire, and they hope and pray that it will never occur.

The Minister said that the Bill would formalise present organisations. That is very important indeed. Many organisations are willing to come forward and help—they do come forward and help—but, unfortunately, until recently we did not have the organisation to direct their efforts in a useful way to ensure that they would not be wasted or indeed hinder others. We saw that displayed in the floods a little over 12 months ago. Statistics indicate that a similar flood had not occurred in Brisbane within 100 years. We were quite unprepared for a flood of

that magnitude. Many bodies, including service clubs, and private people gave aid on that occasion but the organisation was not what it might have been.

About 18 months or two years before the cyclone struck Darwin I was in that town and I was impressed by the local Civil Defence Organisation. It employed the local warden system. The warden in a particular area displayed a plate on his front fence to indicate that he was the civil defence warden for that area. Of course the cyclone that struck Darwin was of such magnitude that the system, good though it was, was not good enough. The security the people felt they had just did not exist. The cyclone struck so suddenly and was so severe that the system could not cope with it.

I feel sure that the Minister's officers must have given consideration to the good system that operates in New South Wales, which has had a very well organised civil defence system for many years. During a very wet season a friend of mine drove down to Sydney. When he returned he told me that he would not have made Sydney but for the regular information that was given over the radio in New South Wales. Motorists were regularly advised as to which roads were cut, where the floods were the worst, and alternative routes to Sydney. He told me that but for that information he would have taken the wrong road and probably been flood-bound for many days.

The Minister said that all the arrangements will be under the control of the police inspector, or he will be the main controller. I have been told that that does not always work efficiently. It is not that the police inspector cannot do what is necessary, but he has many other duties to perform as well. A certain amount of conflict arises between the civil defence authority and the local police officer. It is a matter of who should give the orders. If it is laid down that the orders are to be given by the police inspector, that is all right as long as the police inspector is on hand at the time.

Mr. Hodges: When you read the Bill you will see that the system is being changed to make it more easily operable.

Mr. DEAN: I can see from the Minister's comment that his officers have investigated this aspect very closely and have read overseas literature.

Even in the dark days of World War II such conflict occurred. In London, which had a civil defence organisation probably better than anywhere else, such conflicts arose, and it is a tribute to the work of that organisation that during the blitz, in spite of those conflicts, only approximately 50,000 people were killed—a very low proportion of the total population of the city. The point I am making is that conflicts do sometimes arise, so I am glad to hear the Minister say that his officers are aware of the problems that have arisen in other countries.

I hope that civil defence wardens will be trained and will work in local groups. A State-wide organisation could not work without the assistance of local groups. The State has to depend on local volunteers, or the cost of maintaining a permanent State-wide organisation would be colossal. Many local people would be willing to play their part.

One group that does wonderful work in times of disaster is the Salvation Army. It seems to have a very efficient organisation that can be swung into action virtually at a moment's notice to provide relief to disaster victims. The Red Cross is another organisation that comes to mind. It, too, is well equipped to cope with disasters. Other associations, such as service clubs, however, are not able to work as a body until they can get their members together. Furthermore, usually their equipment is limited and they are forced to use whatever facilities are available on the spot.

The person in New South Wales to whom I referred told me that the amateur radio operator plays an important role in times of emergency. I do not think radio would be as advanced as it is today if it had not been for the ham operator. The modern transceivers that are available can be operated by almost anybody, even by persons with very limited knowledge of radio. In times of disaster they may be the only means of communication, so it is impossible to overestimate their value. Two-way radios, such as those installed in motor vehicles, also play a worth-while part in times of disaster. We should be thankful that both this city and the State have a highly efficient radio network.

The honourable member for Mackay has commented on information provided with good intention by every Tom, Dick and Harry. On many occasions, unfortunately, wrong information is broadcast to the public, so I hope there is some way that radio stations and TV channels can be directed not to broadcast information given to them unless it comes from sources known to be reliable. I suppose, however, that we are not able to dictate to radio stations what they should or should not broadcast. It is important to educate the public on the desirability of contacting local rescue and relief organisations when the need arises.

We cannot always use a phone, but it would be very helpful if we had a central point similar to the one that we have for rescue work in the bay for contacting rescue launches. In bay rescue work we contact the rescue launches instead of asking everybody with a motor launch to assist. It is much easier to contact one person who is in control of the rescue work. In this context we should be very careful about what I might term the dissemination of information.

I suppose it is wrong to make assumptions about the contents of the Bill; but I am very interested in how we are to get local groups together. At the moment we have a

few local groups which, in my opinion are not as strong or as active as they could be. Is it envisaged that local groups will have regular training and that they will be easily identified? During the war—and, at some places, prior to the war—we had civil defence schools that trained local people.

I hope that the Bill contains provisions giving encouragement to the setting up of local units, and helping them with their expenses. Expense will be incurred by people undergoing training and in buying gear and equipment. Perhaps a uniform or an armband will be necessary. A local officer in charge of a group must be able to identify himself because people will not accept direction from anyone who has no authority, and that is only right.

I am concerned mainly about local groups and communication when people are to be notified. It will be remembered that during the Australia Day flood trouble was caused when wrong information was given about river levels. Many Ipswich people were caught when they relied on Brisbane River levels taken at a certain point, because they did not take into account the level of the Bremer River, which, with the incoming tide, added to the height of the flood. It is to be hoped that we learnt from the experience of the last major flood in Brisbane and Ipswich.

Public appeals are always launched in times of disaster, and citizens generally are very generous. If they cannot help physically, they help financially. During the last disaster a great deal of confusion arose when two major appeals were conducted. I hope that the Bill contains authority whereby only one appeal may be launched so that people may send money and goods to one centre.

I eagerly await the Bill and I sincerely look forward to the day when we will have security of mind knowing that if disaster strikes we will be able to render adequate assistance to alleviate distress.

Mr. WRIGHT (Rockhampton) (3.59 p.m.): Like previous speakers I welcome the introduction of this legislation. It is in keeping with the action taken by other countries which have made progressive moves. It is fairly obvious that serious consideration has been given to aspects such as structure, function, and various decision-making facets.

The Minister did not speak at great length and, indeed, we did not expect very much from him at this stage. We know that we will have a chance to consider the Bill. The ideas sound excellent in theory but only time—not even the second-reading debate—will tell how effective they are in practice.

The over-all principle should be—and I think the Minister skirted around this—to involve the community to a maximum. I am speaking not simply about the everyday citizen but in the sense of the expertise and facilities that are already available. There

is not much sense in setting up something that is brand new and costly to the State. The Minister has given much thought to the idea of the regional or centralised approach, and I think that is commendable.

When discussing training, we should not be speaking only of the training of volunteers. We seem to get a hang-up about training only those people who come forward. I should like to see the concept of training include education of all people because, regardless of television warnings about cyclones and the suggestions made in the newspapers, very few people would really know what steps to take if a cyclone is approaching. If they do know, I doubt whether many know why. This surprises me. In areas from Rockhampton north cyclones are to be expected every second year or, in some parts, every year. They can in fact be disasters in themselves; so greater emphasis must be placed on ensuring that people know the steps to be taken when a cyclone is approaching.

One sat back and listened and watched intently what happened during the Darwin disaster. I am sure that many people were amazed when they heard of people who were saved by simply sitting under the landing section of a house or in the bathroom. We heard all sorts of quips, reasons and stories about how people were saved during that cyclone. Some measures taken were not in line with what one is supposed to do. So possibly we need to look at the procedures that we suggest people take when cyclones are approaching. Naturally pamphlets would have to be produced and advertisements published in the media.

We should also try to encourage organisations throughout the State to talk about the issue. Most members of Parliament know that, if they want their names to come before the community, they should write regularly to their local organisations. Whether or not meetings of those organisations are reasonably attended, I could guarantee that in Rockhampton, which has something like 350 organisations, my letter would be made known to some 6,000 or 7,000 people. Imagine the result on a State-wide basis.

Regardless of the cost of postage, I suggest that the Minister correspond with organisations, requesting that they discuss this issue. He should approach the C.W.A., the scouts, the church groups and other organisations in the community and ask them to discuss this issue, because we are talking about lives. I do not think people will sit down and read pamphlets and advertisements or take enough cognisance of what is shown on television; so we have to try other approaches. I suggest that the Minister consider approaching community organisations to have this made a topic of discussion. Let it be known through Rotary and other groups.

Mr. Hodges: That is what the police sergeants are doing now—educating the people in the districts in which they have been stationed.

Mr. WRIGHT: I know that they do approach organisations and speak at Rotary clubs, Lions and so on. I suggest that the Minister go further and contact the C.W.A., the C.D.A., the Y.C.W. and so on. It need not be a personal visit, although it is pretty important to have a speaker. But this should be done to encourage these organisations to discuss a pamphlet that the Minister or the organiser of the central group may send.

In addition, a programme in schools is vitally important because we must educate the citizens of the future as well as the citizens of the present. It will be costly but it is very necessary. It is also important that we use the available expertise. The Minister said that we are using the police, the ambulance and the fire brigades. I would suggest the inclusion of first-aid groups, the St. John Ambulance Brigade and so on. I think that the Army was mentioned by the honourable member for Stafford.

Let us make sure that we use the expertise and facilities of the armed forces, including the C.M.F. I add to this the idea of using departmental personnel. Some time ago I made the suggestion to the Minister for Main Roads that some type of flying gang be set up, especially in the central region, so that assistance could be given to people to cross flooded creeks. Unfortunately human leeches, as I could perhaps call them, have ripped from \$10 to \$25 off travellers to drag their vehicles through. The honourable member for Belyando spoke of people who were selling bread to stranded people at \$1 a loaf. This type of thing happens when people are caught and cannot continue their journeys, and it will happen regardless of the setting up of a counter-disaster organisation. Possibly assistance should be more readily available on the spot. Use could be made of departmental personnel and their equipment to ensure that, if people are caught behind flooded creeks which are just too deep to allow cars to get across, heavier equipment could be used to tow them through.

I do not know what the Minister can do about those human leeches to whom I have referred who sell commodities, especially food, to people who are caught in such circumstances. I agree with the honourable member for Mackay that something needs to be done not only to prevent people from continuing journeys that they should not be making, but also to deal with those who engage in the very unsavoury activity of taking money from those people.

Mr. Hodges: We will have more authority under the Bill.

Mr. WRIGHT: That is very good. I know that representations on those problems were made to the Minister and other members of Cabinet. Obviously something is now being done about it.

Another point made by one speaker related to the need for up-to-date assessments of road conditions. I commend the

R.A.C.Q., as I think most people would do, for the work that it has done over many years, but I agree with other speakers that it should not be the only organisation on which the public depends for road information. I should like to see some system under which local people in flood-prone areas contacted departmental personnel, or the proposed new groups, from whom up-to-date information would always be available. As much as the R.A.C.Q. tries to keep accurate road information coming forward, it is often 24 hours old. I have been in the type of situation referred to by the honourable member for Mackay; that is, I have been told that because the road has been cut I cannot drive from A to B, although others have been able to travel quite easily from B to A.

I also agree with the involvement of the Army in this work. It has available a huge force of men who are not always used.

Mr. Lindsay: I beg your pardon! There are hardly any left.

Mr. WRIGHT: That is the type of comment that one expects from the honourable member. I know that he has a hang-up about the Army. No doubt he has a fine service record and all the rest of it, and perhaps we will hear more of it. But he did not let me finish my point. There are personnel in the Army who are not being used as effectively as they could be.

Mr. Lindsay: What do you know about it?

Mr. WRIGHT: I was not old enough to be called up for National Service, but I volunteered for the C.M.F. I was in it for two years, and thoroughly enjoyed my time. So if the honourable member for Everton will sit back comfortably and listen to me, he may learn a few things.

I suggest that there are in the Army people who are trained to cope with the unexpected situation—men who are used to roughing it. They also have available the necessary equipment: vehicles that are specially designed to cope with bad weather conditions, a link-up with other forces, communication facilities and access to helicopters. Yet I do not think that the Minister mentioned the Army in his speech. I may be wrong, although I listened carefully to what he said. When he referred to the auxiliary forces that would be used, I do not think that he mentioned the Army. I therefore agree with the honourable member for Stafford, and others who expressed the same opinion, that more use should be made of the expertise and facilities of the Army.

The Minister mentioned a new provision for compensation to be paid to people injured when assisting during a disaster. I hope that it is wide enough to compensate people who may lose boats or motor vehicles whilst

assisting. I am told that at the moment if a person has a boat or vehicle commandeered—

Mr. Hodges: If it is used by the State Emergency Service, yes.

Mr. WRIGHT: That is very good. Apparently in the past people used their vehicles at their own risk.

Mr. Hodges: No, we did assist them. Where vehicles and boats were damaged during the January floods, we gave them compensation.

Mr. WRIGHT: What if a person has his vehicle commandeered by the police? Is he covered then?

Mr. Hodges: If a person's vehicle is commandeered and used for any purpose under this Act, he will be compensated.

Mr. WRIGHT: That is the point I was trying to make. That is very good. There is no need for me to pursue that matter any further.

I have one criticism of the structure as outlined by the Minister. He said the Co-ordinator-General is to be head of the central control group. The Co-ordinator-General is a very, very busy person. I admit that his position departmentally makes him the ideal choice when co-operation with and co-ordination of various departmental activities are called for. However I wonder whether he should be the one to take on this role. Perhaps we should rather select for the task someone else within his department who has a special interest in this field. I do not mean to reflect on the Co-ordinator-General. I respect him. I know the quality of the work he has done and I know he has been a pioneer in the introduction of certain type of legislation in this Chamber. But I just wonder whether we have to make him the person responsible simply because of his departmental position. Possibly this is something that should be looked at.

I suggest that the functions mentioned in the Bill might go a step further and include the aspect of advising or recommending on the construction of homes. The Minister will be well aware of the fact that in cyclone-prone areas, after previous disasters, changes were wrought and the Housing Commission looked at different types of structures.

It would seem to me that, as this investigation continues, it will build up a tremendous volume of information. It will have a computer bank in that sense—an ideas tank—of all aspects of disasters, methods of countering them and so on. So it seems to me that it should then come up with some pretty good ideas on how to prepare to combat some disasters in the first instance instead of having to cope with their full effects after they have occurred. At the moment it seems that this is simply left to local authorities. They decide what type of structure will be built. Perhaps there

needs to be not so much a "Big Brother" attitude here as a recommendatory one whereby a central group could investigate the types of homes that are worth-while having in these areas and then recommend accordingly.

Finally, I wish to comment on the aspect of personnel-training. No doubt many people will want to volunteer and be involved with the State Emergency Service that will be set up. There will be those who want to play a community role in an advisory capacity on the district groups. We have two separate parts here.

This is a golden opportunity for the State to play a part in filling the gap left in high schools by the imminent abolition of school cadet corps. We could probably argue all day politically about where we stand on this issue.

Mr. Lindsay: What do you think?

Mr. WRIGHT: I have some views. I am raising the issue. The honourable member did not bother to get to his feet and say anything about it. I have always accepted the idea of cadets—and this is a personal opinion—but I do not see the cadet corps as being of any great benefit in training youth for war, and I think this view has been backed by dozens of experts in the field.

The CHAIRMAN: Unless you can see them as being of some value to civil defence, you cannot talk about them.

Mr. WRIGHT: I am going to tie this in very well.

The CHAIRMAN: Very well, you may proceed.

Mr. WRIGHT: I was just answering the interjection because otherwise my words would have been taken down and quoted during an election campaign and it would have been said that I was one who opposed this or that. I noticed that when I expressed in a speech yesterday some views on grammar schools, a couple of honourable members opposite got up and said what they thought I should have said or what I really wanted to say; so let us have the point clear.

I think we can fill the gap that will be left by the removal of cadet corps. The cadet system at the moment offers a wide diversity of activities that can be undertaken, including first aid and pioneering. These could be expanded to include emergency techniques that could be used not to rush young people in to handle emergency or disaster situations but as more or less a grass-roots training programme for them to enter this service, if they wish to, when they become adults. I believe that the cadets are already community oriented—

Mr. McKechnie: Do you think the Federal Government's priorities were right in purchasing "Blue Poles"?

The CHAIRMAN: Order! We are not talking about "Blue Poles".

Mr. WRIGHT: We are not talking about that, but as the honourable member has interjected—I think the Federal Government acted on a recommendation from the Army itself. That might resolve the honourable member's whole problem. Perhaps he should read up on the subject.

An approach should be made to the Federal Government along the lines that we use the cadet system as a training programme. They would not be cadets in the same sense as before but those who have been young fellows keen on outdoor activity.

We could also make an approach to the Federal Government for all the equipment and material that the cadet corps has today. One thought that struck me when I heard that the cadet system was going to be abolished was, "What is going to happen to all the uniforms, equipment and trucks in their stores and so on?" I think we should look at this carefully and objectively to see whether we should re-orient the system, with all its equipment and uniforms, and direct it towards a programme that could well be in line with what the Minister is trying to do here today.

I see a number of advantages. First of all, we would be preparing and educating counter-disaster citizens of the future; citizens who would be very conscious of their responsibility and who, moreover, had skills that could be used if ever they met such a situation. We would be training future personnel for the State Emergency Service, and I think that would be well worth while. We would also be creating an awareness of counter-disaster techniques amongst school populations generally and amongst academic staffs in particular. It is a good old rule of thumb that there is no better way of learning something than to start teaching it. If any honourable member wishes to learn something, I suggest that he makes a speech on a particular subject to some organisation. He will certainly have to research the subject if he wishes to make a good speech. I believe that academic staff could learn a tremendous amount if they had to become involved in some type of emergency training in the schools.

Another advantage would be that there would be a reliable channel for passing on information to parents. We know, Mr. Hewitt, how difficult it is to reach parents; but, with thousands of young people being trained and educated in this field and having, one might say, their thoughts directed to counter-disaster, I think we could also reach the parents. The young people would go home and pass on the information to Mum and Dad. If they were involved in a disaster situation, the young people could advise them what they should do.

It is important, too, that we would be giving special emphasis to the community responsibility of young people. I accept that

most young people are becoming fairly well aware of their community responsibility, but this would make the point even more strongly.

I suggest to the Minister that he should consider these ideas of personnel training. It is a long-term project; it is certainly not something that can be done overnight. It probably is not something that requires amendments to legislation, but it certainly is part of the function and the decision-making process that will be the responsibility of the central group.

Finally, I ask the Minister to consider all the remarks I have made, and I leave further comment till the second-reading stage. At this stage I state that the legislation as outlined by the Minister has my personal support.

Mr. HALES (Ipswich West) (4.17 p.m.): I wish to speak only briefly to the motion before the Committee and to pay tribute to the dedicated group of people who have come together to form the State Emergency Service in Ipswich.

I am aware that the proposed Bill will deal more particularly with the State Emergency Service in cases of floods, cyclones and other disasters. But after the 1974 floods in South-east Queensland, and more particularly in Ipswich, the dedication of a few people enabled a group to flourish and blossom into an emergency service. At the moment the group meets weekly in a school in Milford Street, Ipswich. I have been there quite a number of times and have come away feeling quite humble after seeing their dedication to their work.

The State Emergency Service in Ipswich needs a permanent home. The people in it have not only devoted their time but also spent on equipment money that they would ordinarily have spent in their own family group. They have done that because they thought the equipment could be used in any disaster that occurred in the Ipswich area. They have bought old blitz buggies and restored them so that they can be used, and they have done a marvellous job. They have bought old wartime Army surplus stores, particularly field kitchen supplies, so that they know they will be able to feed quite a large number of people in an emergency. I know that they have gone as far afield as Dalby to buy equipment, mostly with their own money.

They have also spent quite a lot of time on research in an endeavour to ascertain the reasons why the floodwaters rose so quickly in some areas of Ipswich, particularly the Bundamba area. My own mother-in-law was taken out of her home by boat early in the morning because her high-set house was endangered by floodwaters. In fact the house went right under. Bundamba Creek and Woogaroo Creek had tremendous flash flooding.

A disaster occurred in the Woogaroo Caravan Park. Early in the morning many residents in the Bundamba area woke up to find that their houses were almost inundated with water. An old gentleman at Ripley, which is very close to the headwaters of Bundamba and Woogaroo Creeks, is now able to give accurate information to the local police inspector by radio about rainfall in the area. That will give the police inspector an opportunity to warn people in the flood-prone areas when there is a danger of flooding. I do realise that when a major flood occurs, no planning at all can forestall the devastation.

I pay tribute to members of the Air Force. At that time many people were on holidays. Although there were many helicopters at Amberley only one crew was on standby. That crew flew the helicopter to Eagle Farm to pick up a couple of other crews so that more helicopters could be used at the time of the disaster. I pay tribute to the Air Force personnel who later were used in the clean-up operations. They did a tremendous job. Apart from working hours, they spent many hours of their own time in the clean-up exercise.

Honourable Members interjected.

The CHAIRMAN: Order! We can do without that nonsense. We will listen to the honourable member for Ipswich West in silence.

Mr. HALES: The Australia Day floods brought home to the citizens of Ipswich the importance of communications. The transmitter station of 4IP was inundated during the flood. The Ipswich City Council had no two-way radios in its fleet of vehicles but the Moreton Shire Council did. It was fortunate that a couple of private enterprises in the Ipswich area, such as Chaplin Earth-movers and Action Realty, had two-way radios.

Before I conclude I should like to pay great tribute to Mr. Henry Christie, who has organised the State Emergency Service in Ipswich to its present high degree of efficiency. Mr. Christie is now a full-time officer of the State Emergency Service. Inspired by his dedication about 40 dedicated people in Ipswich are using their own money and time for the benefit of the people of Ipswich. I can only pay tribute to them.

Mr. ELLIOTT (Cunningham) (4.25 p.m.): At the outset I compliment the Minister on introducing this worth-while measure, which covers a most important area of activity. It will remove many of the anomalies that presently exist.

To deal with some of its more important aspects—firstly, in the resources field, it gives the State power to commandeer much more easily than before motor vehicles and material of all types. I hasten to add that the provisions of the Bill are limited to the extent that they are not intended to be applied to riots, to strike-breaking or to

lockouts. I should not like anyone to think that its provisions will be used in those circumstances.

Secondly, on the administrative side, provision is made for the establishment of two bodies—the State Counter-Disaster Organization and the State Emergency Service, the former having the over-all control and co-ordination of counter-disaster measures and services and the latter having the responsibility for the training, education and organisation of voluntary workers.

Of utmost importance is the involvement of local authorities. To a great extent they are already involved in rescue and relief work in times of emergency, but under these provisions they will play an even greater part.

The honourable member for Mackay put forward the worth-while suggestion that all members of Parliament, both State and Federal, should be allowed to play an important role in the proposed organisation.

Previous speakers have referred to the role of the news media. I compliment the radio stations, TV channels and newspapers on the Darling Downs on the wonderful work they did during the 1974 Australia Day week-end floods and also at the time of the Darwin cyclone.

Mr. Yewdale: Do they give you a good run in your campaign?

Mr. ELLIOTT: They always do. As I say, they do wonderful work, and we should be grateful to them for their efforts in organising the distribution of much-needed food and clothing.

I come back to the point made in relation to parliamentarians. During the Australia Day floods and the Darwin cyclone we saw classic examples of the hindering of rescue work by red tape. At the time of the Darwin disaster, for example, we were unable at first to obtain from the Commonwealth Government sufficient aircraft to transport urgently needed material to Darwin. Thanks to the efforts of the Federal member for Darling Downs (Mr. Tom McVeigh), who cut through the red tape, an aircraft was loaded with material for the devastated area and its cargo was taken to where it was most needed.

The Bill contains an important provision giving protection from liability to those persons who are sufficiently public spirited to offer their services in times of need. Every effort should be made to ensure that no-one, such as a person of the lowest kind, is able to make a claim against relief or rescue workers.

As to the requisitioning in times of emergency of equipment, such as boats, tractors and cranes—you name it, we need it—the Bill will allow the State more easily to commandeer such essential items.

Mr. Hartwig: Can you get helicopters from the Air Force?

Mr. **ELLIOTT**: Evacuation is closely related to what the honourable member for Callide referred to. During floods people take refuge on rooftops and in trees. Specialised equipment—particularly helicopters—is needed to rescue them.

The right to enter premises is another important consideration. Some honourable members may recall that during the Brisbane floods the Army had to enter a certain house from which a smell had been emanating for days and days. When the Army got the right to enter the house, it was found that three dead Herefords had been in the ceiling for days. It is obvious that a right of entry is required in certain circumstances. The power to close off roads to the public and remove vehicles is also essential. I am glad to see that it is to be extended under the Bill.

The honourable member for Stafford referred to the obstruction of officers going about their business, whether they be officials or voluntary organisers. They must be protected from the gawking public, and the many people who, unfortunately, come to pilfer. We must make certain that people do not take advantage of the misfortunes of others. Loss and damage to personal property of those who are helping must be fully covered by this measure. Without further comment I commend the Bill to the Committee.

Hon. A. M. HODGES (Gympie—Minister for Police) (4.32 p.m.), in reply: I thank honourable members for receiving so enthusiastically the Bill as outlined. When it is printed, they will see that it contains 38 clauses, many of them far-reaching. Most of the points raised by honourable members this afternoon are covered by the Bill, and rather than answer them briefly this afternoon, I shall reply fully at the second-reading stage.

Motion (Mr. Hodges) agreed to.

Resolution reported.

FIRST READING

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

CHIROPODISTS ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Miller, Ithaca, in the chair)

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (4.35 p.m.): I move—

“That a Bill be introduced to amend the Chiropodists Act 1969 in certain particulars.”

The Chiropodists Act 1969, which came into operation on 1 January 1971, provided for the registration of persons on two grounds—firstly the possession of a degree, diploma or certificate of a recognised university, college or other body in the Commonwealth, the

Dominion of New Zealand, Great Britain, Northern Ireland and the Republic of Ireland or, secondly, that such person had been engaged in the practice of chiropody in Queensland for a minimum of two of the three years preceding the date of commencement of the Act.

With the effluxion of time, the only ground on which a person may now be registered is the possession of the recognised degree, diploma or certificate.

The profession of chiropody in Queensland is both a small and an ageing one. At the present time only 108 persons are registered and 72 of these are 50 years of age or older. The number registered has fallen from 117 in 1972.

No course of training in chiropody is available in Queensland at the present time but it is expected that such a course will commence at the Queensland Institute of Technology in the 1976 academic year and that it will cover a curriculum spread over three years. The first graduate could not then be expected before the end of 1978.

Queensland will of necessity have to rely upon persons coming from other States or territories to meet the increasing demand for chiropodists, and indeed to maintain the present level, until 1978 at least.

The Chiropodists Board of Queensland has received a number of applications from chiropodists registered in other States, who have been engaged in the practice of chiropody in those States for a number of years and who are competent in the practice of their profession but who do not possess the qualifications now required by the Act.

This Bill seeks to provide the means whereby such persons may be registered in Queensland, by permitting the board to register persons who are currently registered in other States of the Commonwealth, or in New Zealand, Great Britain, Northern Ireland or the Republic of Ireland, and who have undergone a course of training in chiropody recognised by the board, provided that such persons can satisfy the board that they are competent to practise chiropody.

Such a provision will in no way lower the standards of the profession and it is not expected that any large numbers of persons will seek to be registered. It is hoped, however, that it will enable a sufficient number of persons to be registered to meet Queensland's requirements.

Cabinet decided that Government nominees to boards, committees and statutory authorities should not be appointed in any case where they have attained the age of 70 years or should not be appointed beyond the date on which they attain that age. A provision has been included in the Bill to give effect to this decision and it has also been extended to other members of the board.

A further provision of the Bill is to give effect to Cabinet's decision that members of a board who are officers of the Public Service of Queensland should not receive any fees or allowances for attendance at any meeting held during those officers' normal working hours. A saving provision has been included that any out-of-pocket expenses necessarily incurred in carrying out any function of the board or attending any meeting may be paid to such an officer.

I commend the motion to the Committee.

Mr. MELLOY (Nudgee) (4.39 p.m.): I am not quite clear what the Minister intends to do in the registration of chiroprudists from other States and countries. It is amazing that no training is provided in this State for that paramedical section of the community.

It is also most unusual that other paramedics who are trained in Queensland and qualify in Queensland and are recognised in many other States are not granted registration in Queensland. I know that the Minister knows the group I am talking about. I am, of course, referring to dental technicians. I must take advantage of this opportunity to raise this issue, because if we are prepared to register persons who are not trained, and for whom no training is provided, we should give equal consideration to those who are trained and who are able to prove their qualifications in accordance with local conditions and requirements.

Chiroprudists do an essential job in the community. There are few things more constantly painful than trouble with the feet, and many aged people in particular depend largely on the treatment afforded by chiroprudists. Anything, therefore, that is done to tighten up the registration of these people is desirable. We all know that they fought for years to secure registration in this State and were fortunate enough to obtain it in 1969, to come into force in 1971.

I will not comment at length on the Bill now. I want to study it to see what it contains, and at this stage I reserve further comment until the second reading.

Mr. AIKENS (Townsville South) (4.42 p.m.): I remember when the original legislation went through this Assembly, and I then raised a question that should agitate the minds of all members. How many more so-called professions, trades or callings are we to bring under legislative control, and for this purpose how many more boards are we going to appoint? When all is said and done, what does a chiroprudist do? He trims toenails, cuts corns, and does things that were done by the old lady of the family when I was a young boy, and done particularly well. I thought I heard the Minister say (I am not sure, because I was in conversation with the honourable member for Rockhampton) that chiroprudists will now have to qualify at the university. Is that so?

Dr. Edwards: At a similar institute.

Mr. AIKENS: Good God! I hope not, because if chiroprudists have to qualify at the university, it will simply mean that a person, in order to cut corns and trim bunions, will have to take all the subjects taught by all the spongers, loafers and parasites at the university. All the non-essentials that the students are quite rightly complaining about will be included in the course. I have no doubt that students will have to take a course in middle English and all sorts of things in order to provide jobs for parasites who have been lobbied into sinecures at the university because they happen to know a member of the professorial board.

We have the saving grace with regard to the medical profession (which, as practised by some of its members, is a noble profession) that it is not necessary to have a university degree to practise as a doctor as long as one does not advertise that he is practising as a doctor. Quite frankly, some of the half-baked doctors do a particularly good job.

I have been in this Parliament for 30 years, and in that time I have seen all sorts of peculiar people registered under laws passed by Parliament, subject to the control of a board. Has the Minister retained power of veto over the proposed chiroprudists board? Is it, like the ambulance board, going to be able to thumb its nose at the Minister and tell him to jump in the lake and put his requests where the work-house foremen was told to put the Christmas pudding? Will that sort of thing go on? Some people may think that I am introducing a little caustic humour to the debate. But I am not trying to be humorous; I am trying to be as sensible as I possibly can in warning members what they are doing, and urging them to keep their eyes open. If the Bill does what I think it will do, it will not be long before the Minister for Local Government will be introducing a similar Bill. And I feel sure his introductory speech will be a magnificent oration.

Quite recently there was an honest old battling garbage collector in Brisbane who thought he should be mentioned in the New Year's Honours List. Quite possibly he would make a better incumbent in a New Year's Honours List than some who have been honoured. It will not be long before we pass a Bill to provide for the registration of garbage collectors and within the next couple of years we will introduce amending legislation such as that now before us, providing that they must take a university course in garbage collection and have to study ancient Greek as part of the course. Of course, they will have to translate Homer's "Iliad" from the original Greek into English, according to the Earl of Derby's translation. All that sort of nonsense and malarkey just to find big, cushy, fat-paid jobs for loafers, spongers and parasites at the university!

Then, of course, we set up the board. Members of the Public Service are to be on the board. They are not to be paid any fees if the board meets during working hours.

The Minister appears to be a very fine little fellow. I have no doubt in his way he is more or less a competent doctor but he knows very little about the workings of the Civil Service. I will bet that all the meetings of the board are held after business hours, because board members do not get any fees if they sit between 9 and 5. So they will not hold any board meetings between 9 and 5; they will hold them in the evenings and receive overtime rates. So we build up this monstrous thing, this monstrous fabric of bureaucracy and hand over the control of everything that influences and affects the people's lives to some board.

Mr. Greenwood: Monopolies.

Mr. AIKENS: It is a monolith. A "monolithic monstrosity" is better than a "monopoly" but, just the same, I thank the honourable member for Ashgrove for his interjection. I am going to have a look at this Bill. We have a chiroprapist in Townsville and she is very good. She was not registered and has no intention of being registered. She came to me and said, "Mr. Aikens, I have a lot of patients and I do a lot of good for them, but I do not think I should be registered." She would not be registered, anyway. As a matter of fact, I think she got through primary school and she can read and write good English which is more than some of these university students can do even though they have degrees. I said to her, "Take down your sign 'Chiroprapist'. Call yourself a foot specialist." So she is a foot specialist and away she goes.

This Bill will not deal with her, and neither it should, any more than it should deal with chaps who want to practise medicine and even some who want to practise surgery. If people, knowing that they are not qualified and knowing that they have not the registration that the law suggests they should have, still want to go to them and receive treatment from them, then they have a right to practise and the people have a right to go to them. Once we start to prevent people from going where they want to, and receiving the treatment they want to receive, we create problems. As long as there is no fraud about it, as long as there is no hoax about it, as long as they are not deluded, as long as they are not told the person who treats them is a doctor or chiroprapist or something else registered under the laws of the State, then they have every right to go there.

But I do want to warn honourable members that in the years I have been here I have seen these little things creep in. First it was just a simple matter, just an organisational matter, we are told—in the sort of off-handed, nonchalant way the Minister introduces it—and the next thing we have one of these monolithic monstrosities on our hands with goodness knows who on the board receiving thousands and thousands of dollars

in fees. Of course, they must have a secretary and 17 stenographers and 14 fellows running round in motor cars.

I remember the time when old "Weet-Bix" Fletcher advertised for a Director of Cultural Activities. Oh, it was nothing, nothing at all! How much does Arthur Creedy and his tribe cost us today and what good does he do? Absolutely no good at all, and yet we are stuck with him. Nothing can be done with him; he has been appointed under the Public Service Regulations.

No doubt all these Chiroprody Board members will be appointed under the Public Service Regulations and, even if the Minister of the day wanted to do something about them, he could not. So for goodness' sake let us have a little bit of balance about these matters. It was never necessary, in my opinion, to register chiropracists at all. Now it seems that we are going to entrench them more firmly than ever, with the right to dig their arms—right up to the shoulder—into the pockets of the unfortunate people who go along to see them.

Dr. LOCKWOOD (Toowoomba North) (4.50 p.m.): There is indeed a shortage of chiropracists in this State. The reason is that chiroprody has fallen from the list of favoured courses, as the honourable member for Townsville South said. The chiropracists who are left are aged and ill, they can no longer bend, their eyesight is failing and many of them, as old age sets in, have an unsteady hand. They must use sharp instruments, and they are inclined to regret having to use them at a time of life when they should be retiring.

That leads, unfortunately, to general practitioners having to do the work of chiropracists. Because the accounts for that menial task go to Medibank and medical benefits funds the Federal Treasurer (Mr. Hayden), the Federal Minister for Health (Dr. Everingham) and the Federal Minister for Social Security (Senator Wheeldon) become upset.

Time is necessary, but there is no need for the person doing the work to be highly trained. The essential requirements are two good eyes, a supple back and a steady hand. The tools are simple, and after a few willing patients a person is ready to ply what has been referred to as a profession. Because the requirements for the tertiary education course are ridiculous applicants are not coming forward. It is my belief that a nursing aide could be trained to be a first-class chiroprapist in five days. It is perhaps time that chiroprody was knocked down from a professional level to a very, very minor part of a nursing aide's task.

Mr. HANSON (Port Curtis) (4.52 p.m.): The proposed legislation will allow for a variation in the registration of chiropracists. Under National-Liberal Governments, honourable members have seen committee after

committee being set up. If one goes back in history, one finds that many years ago very severe criticism was levelled at Labor Governments in this State by members of the parties that are now in Government for taking action along similar lines. However, while former Labor Governments tried to contain the number of committees, honourable members have seen Minister after Minister in National-Liberal Governments in this Chamber introducing, with monotonous regularity, simple pieces of legislation providing for the registration of this and the registration of that and creating some form of hierarchy within the State. Naturally, in every instance there must be a committee to exercise its jurisdiction for the good of the people.

Mr. Hartwig: We got 47 from Whitlam.

Mr. HANSON: The honourable member for Callide will agree, I think, that it is necessary for not only cattle but also human beings to have good feet. People should not have to suffer pain. Those who have difficulty in walking because of the condition of their feet should be able to get attention.

Mr. Aikens interjected.

Mr. HANSON: I suggest that they could adequately look after the toe-nails of the honourable member for Townsville South—but that is by the way.

A matter has been exercising my mind for quite a long time, and I believe that the introductory debate on this Bill provides me with an opportunity to bring it to the attention of honourable members. In my opinion, a disservice has been done to the people of this State—indeed, to the people of this nation—by boot and shoe manufacturers. If they were worth a pinch of salt and carried out their duties in the interest of the community, there would not be any need for chiroprodists. A great number of the pains, corns and goodness knows what else that afflict people's feet are the result of the inadequate footwear manufactured in this State and sold through chain stores and other retail outlets. It is a despicable racket, and it is about time it ceased.

Mr. Frawley interjected.

Mr. HANSON: It's all right for the honourable member for Murrumba to talk! He doesn't have to worry about his feet, but since his return from Canada he has had a head on him the size of an exhibition pumpkin because he won a couple of bronze medals. Being a little bit web-footed, I do do not suppose he would have any need for a chiroprodist. What I am saying applies to women's feet as well. No-one can tell me that the lady member in the Chamber has not suffered from some form of foot complaint because of the inadequate footwear sold to women. They are sold clogs with soles inches thick. If anyone can

honestly tell me that women can walk properly in the sort of footwear that is sold to them in Australia, I will walk to Bourke. It is to the utter disgrace of shoe manufacturers that people have to put up with what they turn out.

I am built in proportion. I have big feet, I have a big heart, and plenty up in the cranium. Besides other things I am t.a.d.—true and dinkum. That is by the way. Like thousands of others, I find that I am unable to get satisfactory footwear in retail establishments. I do not blame them entirely. That would apply to other honourable members. It would apply to the honourable member for Callide. He and I have to involve ourselves in tremendous expenditure to try to get satisfactory footwear. Much of the expensive footwear that is on the market is not worth the cost of the leather in it.

I do not want to give a commercial but a firm known as Dixons has been supplying the retail trade in Queensland for a long time. It is the only manufacturer that has consistently given me personal satisfaction. At least that firm has some sense of responsibility. If other manufacturers lived up to their responsibilities, we would not have any need for this legislation or for chiroprodists.

I hope that the board will make sure that chiroprodists are adequately qualified before it grants them registration, and that the Minister will heed my advice in the interests of the public.

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (4.59 p.m.), in reply: I thank honourable members for their contributions. I did not realise that this small amending Bill would create such interest. I should like to make it quite clear that the profession of chiropody is no mean, minor task. Unfortunately, it would seem that most honourable members think that the art of chiropody is just a matter of clipping toe-nails. It is much more than that. A poor chiropodist, a nurse or any person who can just clip toe-nails can do a tremendous amount of damage. People who suffer from arteriosclerosis or diabetes who have circulatory difficulties could be caused tremendous problems as a result of incorrectly cut toe-nails. In some cases this could even lead to amputation of toes or feet.

The honourable member for Townsville South referred to the fact that we would be instituting another university course. I am aware of his concern for tertiary education, but I remind him that this course of training has been proposed for some time. As a matter of fact, in all the other States, as well as in Great Britain, university or college degrees are a prerequisite to registration. I repeat that chiropodists learn much more than merely how to clip toe-nails. They learn a great deal about pathology associated with the feet. I think it would pay me if I were to bring to the notice of some honourable members the work that is done by chiropodists.

I thank honourable members for their remarks. Perhaps I could comment further on them at the second-reading stage.

Motion (Dr. Edwards) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Dr. Edwards, read a first time.

PROFESSIONAL ENGINEERS ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(The Chairman of Committees, Mr. W. D. Hewitt, Chatsworth, in the chair)

Hon. N. E. LEE (Yeronga—Minister for Works and Housing) (5.3 p.m.): I move—

“That a Bill be introduced to amend the Professional Engineers Act 1929-1973 in certain particulars.”

Members will recall that the amendments to the Professional Engineers Act of 1929, incorporated in the Professional Engineers Act Amendment Act of 1973, made provision for a variation of the composition of the Board of Professional Engineers in that, whereas previously one member was required to be the Professor of Engineering at the Queensland University, provision is now made for a Professor of Engineering at a university established in Queensland to be a member of the board. The section of the Act which provides for the registration of engineers makes specific reference to engineers holding a degree in engineering granted by the University of Queensland. It is appropriate that this be varied in line with the board composition so that other tertiary education colleges or institutes of technology now training engineers in Queensland may be granted recognition. This will provide for the registration of a person who holds a degree in engineering granted by a university established in Queensland or an institute of technology or other institution established in Queensland.

The Act as it now stands requires that a person shall be entitled to be registered as a professional engineer if, among other things, he holds a corporate membership of the Institute of Civil Engineers, London. It has recently come to the notice of the Board of Professional Engineers that conditions of membership of that institution have been changed considerably, having been influenced by the Council of Engineering Institutions, on which the Institution of Civil Engineers has only fractional representation.

Members of the Institution of Civil Engineers, London, whose sole academic qualification was a higher national certificate have recently applied to the board for registration. In pre-war years this qualification merely admitted the holder to the second year of a four-year university course in engineering. The matter was taken up with the Institution

of Engineers, Australia, which shares the board's concern that the registration of persons having that qualification only would result in the lowering of the standard of engineering in Australia. The Institution of Engineers proposed that, as a safeguard, registration would be limited to those persons whose qualifications are recognised by the Institution of Engineers, Australia. It is felt, however, that this would be too restrictive. The amendment now proposed would acknowledge, as a condition of registration, corporate membership of those institutions or societies approved by the Board of Professional Engineers and at the same time give the board the option to require the person to satisfy the board by examination or otherwise that he possessed the requisite knowledge and skill for practising as a professional engineer, if considered necessary.

The second section of this legislation is designed to bring the Professional Engineers Act in line with amendments recently made to the Local Government Act.

The third section of the proposed amendments is intended to make the necessary provision for the imposition of a penalty on a corporate body making false entries or declarations with a view to obtaining approval of such a body as an approved professional engineering company. Such provision already exists with respect to persons making false entries or declarations.

Mr. K. J. HOOPER (Archerfield) (5.7 p.m.): The amendment to the Professional Engineers Act outlined by the Minister provides for the registration of a person who holds a degree in engineering granted by a university, an institute of technology or other institution established in Queensland. At this stage the Opposition is in agreement with it.

We in the State of Queensland pride ourselves upon the high standards of engineering skill that are required of graduates. When the Queensland University was created in 1911, the engineering faculty was one of the first to be formed. The standard set was high, and it has always remained so. If we desire to retain this standard we must see that degreed engineers from other States and countries have, by training and examination, satisfactorily undertaken study comparable with the high demands of the State.

We note also that the Institution of Engineers and the Australian Association of Professional Engineers demand a very strict code of professional conduct, involving personal and community standards, whether the professional engineer be an employer or an employee. Any person desiring to practise in this State should adhere to this strict code and follow the commendable guidelines laid down in this all-important profession.

In our world today, with the remarkable changes in technology and engineering skills, the habit of creativity should always be

evident and encouraged. Engineering is the art of applying the resources of nature, scientific principles and the accumulated experience of its practitioners for the use and convenience of mankind. Unfortunately, too many people today lack sufficient understanding of real-life problems. Our State, in the years ahead, will require bold approaches and initiatives to be taken, which, of course, will be possible only under a Labor Government. I only hope that the professional engineers from other lands prove equal to the task.

The measure is a small, simple one. Our committee will consider it and comment further at a later stage.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing) (5.9 p.m.), in reply: I thank the honourable member for Archerfield for agreeing with this important Bill which, as he said, is relatively small. However, as other business is to be conducted this afternoon and because the hour is late, I shall reply in detail at the second-reading stage to the honourable member for Archerfield; not that there is much that calls for reply, because the whole of his speech was in line with the sentiments of the Bill.

Motion (Mr. Lee) agreed to.

Resolution reported.

FIRST READING

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

VALUATION OF LAND ACT AMENDMENT BILL

RESUMPTION OF COMMITTEE

(The Chairman of Committees, Mr. W. D. Hewitt, Chatsworth, in the chair)

Debate resumed from 26 August (see p. 185) on clause 4—Amendment of s.21: Appeal against decision upon objection of the Valuer-General—

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Survey, Valuation, Urban and Regional Affairs) (5.12 p.m.): Prior to the reporting of progress during the Committee stage when consideration was being directed to clause 4, most if not all honourable members had praised the principles contained in the Bill generally. Some members, including the honourable member for Ashgrove, had acknowledged the very liberal provisions to assist appellants lodging appeals in the Land Court against the Valuer-General's valuation.

However, notwithstanding the liberal provisions proposed it was felt by some honourable members that the sanction provided in clause 4 (being an amendment to section 21) by amongst other things inserting paragraph (3D) was a little too severe and action was taken to remove that part of the clause. To me, this action would not appear to have helped the situation in any way to give effect to the desires of the honourable members. I

repeat that I see the role of the Valuer-General's Department as that of a service department establishing accurate valuations under the statutes under which it is required to operate. To this end, I also see the process of objection and appeal as a very important aspect in establishing the accuracy of valuation.

There can be no suggestion that I, as Minister, would want to see any encumbrance placed in the way of an objector or an appellant. I believe it is the right of a person to object and/or appeal and the attitude of the Government should reflect a desire to ensure that that person can object and/or appeal with a minimum of formality.

I propose to carry out this view by moving the following amendment to clause 4—

“On page 4, insert after line 28, the following:—

‘
Provided, however, that the Court may proceed to hear and determine the appeal where the appellant shows to the satisfaction of the Court that—

(a) his failure to serve the copy of the notice of appeal on the Valuer-General not later than 7 days after the notice is filed in the Land Court registry was due to extraordinary or unusual circumstances as a result of which he should not be precluded from having his appeal heard and determined; and

(b) having regard to such circumstances, he served the copy as soon as it was practicable to do so.’”

For the record, subsection (3D) will then read—

“If the appellant, pursuant to subsection (3), does not serve a copy of the notice of appeal on the Valuer-General not later than 7 days after the notice is filed in the Land Court registry, the Land Court shall strike out the appeal: Provided, however, that the Court may proceed to hear and determine the appeal where the appellant shows to the satisfaction of the Court that—

(a) his failure to serve the copy of the notice of appeal on the Valuer-General not later than 7 days after the notice is filed in the Land Court registry was due to extraordinary or unusual circumstances as a result of which he should not be precluded from having his appeal heard and determined; and

(b) having regard to such circumstances, he served the copy as soon as it was practicable to do so.”

In moving the amendment, I repeat that its purpose is to give effect to what I believe to be the role of the Valuer-General, namely, to establish, as far as is possible, accurate valuations, to provide a system of objection and appeal to satisfy the Valuer-General and appellants that valuations are accurate and to provide machinery by means of which this can be done.

As I have said at all stages of the Bill, it is necessary for the Valuer-General to have a precise knowledge of the objections and appeals outstanding. He must know whether or not there is 15 per cent of the total amount of a local authority area valuation the subject of undetermined objections or appeals, as that information either precludes or allows the coming into force and effect of a new valuation at the appropriate time.

Mr. MELLOY (Nudgee) (5.18 p.m.): The threat is still there. The onus is still on the appellant to satisfy the court that he could not lodge his appeal in time.

Mr. Moore: That is reasonable. Courts are reasonable institutions.

Mr. MELLOY: Of course it is reasonable, according to the honourable member. But why is the threat retained? I would like the Minister to delete (3D).

Mr. Miller: Be sensible.

Mr. MELLOY: I am being sensible. I will acknowledge that the Minister has been influenced by the arguments presented to him last week. The point is that in valuation appeals every opportunity must be given to appellants. That is most important.

Mr. Moore: The Minister has done that.

Mr. MELLOY: I will grant that the Minister has gone a long way, without deleting (3D), towards making it much easier to appeal. Although I would like to see that paragraph deleted, I nevertheless accept that what he has done largely clears up the situation for Opposition members and, incidentally, some Government members.

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Survey, Valuation, Urban and Regional Affairs) (5.20 p.m.): The honourable member for Nudgee said that he prefers the deletion of the proposed new subsection (3D). I would draw his attention to page 2 of the Bill where clause 4 says in part—

“The appellant shall serve a copy of the notice of appeal on the Valuer-General not later than 7 days after the notice is filed in the Land Court registry.”

The reason for inserting the sanctions in section (3D) is to determine the applicability of that section in relation to that part I have just read because that is virtually the same wording as is contained in the present provision and the court held that that is mandatory. There was no let-out in terms of what then existed but there is now in that the court can consider it. A number of such decisions have been handed down. One I will mention for the honourable member is *Schirmer v. The Valuer-General*. It was quite clear that the court held that if the appellant did not comply with the requirement of lodging at the same time a copy

of the notice of appeal with the Valuer-General, it had no discretion; it was mandatory that the appeal be struck out. So again the honourable member is arguing in circles—virtually arguing against himself.

Mr. GREENWOOD (Ashgrove) (5.22 p.m.): I would like to pay tribute to the Minister once again. Last week many speakers pointed out the very generous spirit that pervades this Bill and the many ways it seeks to amend the existing law so that every facility can be given to people who wish to appeal against their valuations.

The Government parties have as one of the fundamentals of their political philosophy the proposition that Governments exist for the sake of the people—not the other way around. In drafting this Bill the Minister has given that political philosophy yet another embodiment in the statute law of this State. I do not think that the provision which is now before us could be bettered. The Minister has devised a clause that could well be used as a model in every statute to achieve the result which he is endeavouring to achieve, and once again I pay a tribute to him for that. There were certain technical difficulties because clause (3D) had already been considered by the Committee; but as a result of his long experience in this Chamber as Chairman of Committees he has devised a method which overcomes those technical difficulties and overcomes the substantive difficulties of the law at the same time.

Mr. LOWES (Brisbane) (5.24 p.m.): I wish to join my learned colleague and friend, the honourable member for Ashgrove, in congratulating the Minister on the presentation of proposed new subsection (3D). We know that the laws made by this Parliament apply to citizens throughout the State, but perhaps those relating to the valuation of land are of most interest to them.

The Bill has made provision for service by post, which is somewhat of a departure from the usual law relating to service. It is a benefit granted to the landowner who wishes to lodge his own notice of appeal, enabling him to do so without the necessity of obtaining expensive legal assistance. He can post his notice of appeal to the Land Court registry. But, under the Act as it now stands, in doing so, he is also required to serve notice on the Valuer-General.

In reply to the suggestion by the honourable member for Nudgee that the provision for service on the Valuer-General be abolished completely, I point out that the Valuer-General is a party and would wish to know the grounds of appeal. No doubt he would go to the court, and he might well wish to resist the appeal. As a party to the appeal, surely he is entitled to be given full notice of the grounds. Therefore, I think it is quite illogical for the honourable member to suggest that the Valuer-General be excluded from service.

Provision is made in the Supreme Court Rules, as it is in other Acts, to enable magistrates or judges, or whoever may be sitting in the jurisdiction, to abridge or enlarge time. In some instances that is an over-all provision, but there is no such provision in this Act. To remedy any omission that may be in the Act, the Minister has seen fit to amend section 21 by inserting a new subsection (3D).

I commend the amendment to the Committee.

Mr. AIKENS (Townsville South) (5.27 p.m.): One of the cardinal failings of members of Parliament is that after they have been in this Chamber for some time they forget completely their origins and their beginnings and forget completely that the great mass of the people in this State are ordinary people who are not conversant with the law. They also forget completely that some members of the legal profession—and I am not going to launch a philippic against them—are lazy and that some of them are ignorant of the law.

Not very long ago a case was brought to me in which a very reputable solicitor should have lodged within 60 days an appeal to the Land Court against the valuation of an area of land for purposes of resumption. He forgot all about it and he then came to me. I made a very impassioned appeal to the Land Court, which in its charity, allowed the appeal. But, of course, not all the people of this State have members like me to represent them.

That is what we must look at, Mr. Hewitt, when we are passing any Bill through this Chamber. We must look at it from the viewpoint of the ordinary citizen. I have never forgotten that I am an ordinary citizen and that I represent ordinary citizens. I have seen members of the A.L.P. and others come into this Chamber, one might say, in a pair of moleskin trousers and a flannel shirt, and then in three or six years they have a pair of striped trousers, a cut-away coat, a homburg hat and a walking-stick, and they go onto the golf course at the week-end in a yellow pull-over, plus-fours and tartan socks.

The CHAIRMAN: Order!

Mr. AIKENS: I am just mentioning that, Mr. Hewitt, to drive home my point. That is the only matter that concerns me at the moment.

I congratulate the Minister because he has done all that he can do, which, because of the legal processes in this State, is not very much, in the opinion of the ordinary citizen. He has already been congratulated for writing into the Bill—and he deserves a measure of congratulation—in the amendment which he has moved the proviso that the court may hear the appeal when it is shown that the failure to serve the copy of the notice of appeal on the Valuer-General not

later than seven days after the notice was filed in the Land Court was due to extraordinary or unusual circumstances.

The point I wish to make is that the person who will decide whether those circumstances are unusual or extraordinary is the man on the bench. When there are men on the bench with different views and different attitudes, when there are men on the bench in different stages of sobriety, when there are men on the bench who are afflicted with various whims, moods, idiosyncracies, and, I might say, at times prejudices against the appellant, it is a question of whether the man on the bench will accept the statement that the delay was caused by unusual and extraordinary circumstances. However, Mr. Hewitt, there is nothing we can do about that until we alter the whole structure of justice in this State, until we get down, as some countries now are, to courts that are interested in justice instead of legal technicalities, subterfuges and special pleadings.

As the clause stands, I do not see very much room for the objection of the Deputy Leader of the Opposition. At least the Minister has done all he can do under our stultifying legal system. He is like a man who has been thrown into a deep pond, bound hand and foot, and is trying to struggle out. At least he is doing his best to struggle out. But all this is going to impinge on the man on the bench, and we know just what tricks the man on the bench can get up to. As far as the Minister has gone, I think he should be congratulated on the provision.

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Survey, Valuation, Urban and Regional Affairs) (5.31 p.m.): I believe that rather than excuse the situation, as the honourable member for Townsville South did, we should take heed of just what has been done.

Let me compare the provisions of the Land Act in relation to the Land Court and the Land Appeal Court with the provisions of the Valuation of Land Act. Under the Land Act a person has 42 days in which to institute an appeal in the Land Appeal Court Registry. The notice is served personally and on all parties, and there is no further time. That is the end of it. Under the Valuation of Land Act a person has 60 days to file a notice of appeal in the Land Court Registry and an extra 7 days, if it is warranted, to serve a copy of the notice of appeal on the Valuer-General. It has always been necessary to serve a copy of the appeal on the Valuer-General. I think it will be agreed that that is necessary. If there is a deficiency in the appeal, the registrar will write to the person or otherwise contact him to let him know that he has 21 days in which to correct that deficiency. That is not provided for in the Land Act.

Mr. Aikens: In the final analysis the man on the bench will decide whether the circumstances are unusual.

Mr. LICKISS: I do not suppose we can go on for ever.

I appreciate the sentiments expressed by honourable members. It is my intention to continue to investigate the provisions of the Act and where necessary, and if possible, improve them.

Amendment (Mr. Lickiss) agreed to.

Clause 4, as amended, agreed to.

Clause 5, as read, agreed to.

Bill reported, with an amendment.

THIRD READING

Bill, on motion of Mr. Lickiss, by leave, read a third time.

The House adjourned at 5.34 p.m.
