

Queensland



Parliamentary Debates  
[Hansard]

**Legislative Assembly**

**THURSDAY, 18 SEPTEMBER 1975**

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## THURSDAY, 18 SEPTEMBER 1975

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

### PAPERS

The following papers were laid on the table, and ordered to be printed:—

#### Reports—

Commissioner for Transport, for the year 1974-75.

Anzac Day Trust, for the year 1974-75.  
Chairman of the Consumer Affairs Council, for the year 1974-75.

### QUESTIONS UPON NOTICE

#### 1. PROSECUTIONS FOR AIR AND WATER POLLUTION

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

(1) How many prosecutions have been launched against polluters under the provisions of the Clean Air Act and the Clean Waters Act?

(2) What are the names of the firms and what were the fines incurred in each case?

#### Answers:—

(1) One successful prosecution has been launched under the provisions of the Clean Air Act 1963-1970. No prosecutions have been launched under the provisions of the Clean Waters Act 1971.

(2) Mt. Isa Mines Limited; \$50 plus \$2.50 costs of court. The company was prosecuted for failure to apply for prior approval for works to be carried out on scheduled premises in accordance with section 27 of the Clean Air Act 1963-1970.

#### 2. SURVEY FOR WOOD-CHIP INDUSTRY IN SOUTH QUEENSLAND

**Mr. Burns**, pursuant to notice, asked the Minister for Lands, Forestry, National Parks and Wildlife Service—

Has the survey by the Forestry Department of the forests on Crown lands in South Queensland to determine whether there is sufficient volume available to support a wood-chip industry been completed and, if so, what were the results and when will the report be made public?

#### Answer:—

This survey is still in progress.

## 3. KEROSENE-TAINTED MULLET

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

(1) How many pounds of mullet were dumped as a result of kerosene taint in 1970-71, 1971-72, 1972-73 and 1973-74?

(2) What action has been taken by his department to investigate the cause of the taint and to isolate or prevent its continued occurrence?

(3) In each of the years mentioned, what was the total financial loss to fishermen as a result of the dumping of the tainted mullet?

*Answer:—*

I would ask the honourable member to redirect this question to my colleague the honourable Minister for Aboriginal and Islanders Advancement and Fisheries. Mr. Wharton became the Minister about six months ago.

## 4. MAINTENANCE OF BRUCE HIGHWAY NEAR MACKAY

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

(1) What was the expenditure by the Main Roads Department for each of the

last three financial years for (a) new construction, (b) maintenance and (c) special maintenance works on the sections of the Bruce Highway from Mackay to Marlborough, Mackay to Bowen, and in the Mackay city area?

(2) What proportion of the funds was in each case contributed by the Commonwealth Government?

*Answers:—*

(1) The data requested have been listed on the attached tabulation.

(2) It is not possible to dissect expenditure during 1972-73 and 1973-74 in Commonwealth/State proportions. For 1974-75, the Commonwealth met the full cost of construction and maintenance of this national highway except for the maintenance of the section between Marlborough and Sarina. On this section an amount of \$94,208 was spent on ordinary maintenance and \$11,252 on special maintenance from State funds. By special agreement, pending the construction of the coastal route, the Commonwealth meets maintenance costs of the inland route between Marlborough and Sarina.

Section of Bruce Highway	Permanent Works		
	1972-73	1973-74	1974-75
Marlborough-Mackay (Excluding Mackay City Area)	\$ 225,326	\$ 974,484	\$ 1,037,091
Mackay City Area .. .. .	8,432	172,476	190,404
Total .. .. .	233,758	1,146,960	1,227,495
Mackay-Bowen (Excluding Mackay City Area) ..	604,682	739,217	1,209,754
Mackay City Area .. .. .	69,043	11,100	58
Total .. .. .	673,725	750,317	1,209,812
Total Mackay City Area .. .. .	77,475	183,576	190,462

Section of Bruce Highway	Ordinary Maintenance		
	1972-73	1973-74	1974-75
Marlborough-Mackay (Excluding Mackay City Area)	\$ 69,492	\$ 116,458	\$ 151,337
Mackay City Area .. .. .	11,643	4,204	6,825
Total .. .. .	81,135	120,662	158,162
Mackay-Bowen (Excluding Mackay City Area) ..	97,481	255,414	244,182
Mackay City Area .. .. .	5,031	5,477	6,560
Total .. .. .	102,512	260,891	250,742
Total Mackay City Area .. .. .	16,674	9,681	13,385

Section of Bruce Highway	Special Maintenance		
	1972-73	1973-74	1974-75
Marlborough-Mackay (Excluding Mackay City Area)	\$ 53,147	\$ 86,799	\$ 77,243
Mackay City Area .. .. .	Cr. 1,070	..	..
Total .. .. .	52,077	86,799	77,243
Mackay-Bowen (Excluding Mackay City Area) ..	51,282	47,248	80,592
Mackay City Area .. .. .	Cr. 260	..	..
Total .. .. .	51,022	47,248	80,592
Total Mackay City Area .. .. .	Cr. 1,330	..	..

5. ENVIRONMENTAL IMPACT STUDY OF GREENVALE NICKEL PROJECT

Mr. Ahern for Dr. Scott-Young, pursuant to notice, asked the Minister for Mines and Energy—

Was an environmental impact study performed on the whole Greenvale nickel project and, if so, did this study include the treatment plant at Yabulu?

Answer:—

This question should be directed to the Honourable the Premier.

6. INSURANCE STATISTICS

Mr. Marginson for Mr. Hanson, pursuant to notice, asked the Deputy Premier and Treasurer—

(1) Is he in possession of and/or has the report of the Commonwealth Statistician been made available to him concerning the results in Queensland for all non-life insurance and the loss ratio of the same measured by claims as a proportion of premiums?

(2) If so, will he relate such results on a percentage basis to the results of the previous three years?

(3) In the compulsory third-party category, what is the loss percentage ratio and what was the relative rise in premium income for this comparable period?

Answer:—

I am not in a position to comment on the report of the Commonwealth Statistician. It is expected that the Queensland Insurance Commissioner's report will be available in the near future and will contain the information sought by the honourable member.

7. UPPER MT. GRAVATT SHOWGROUND LAND

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

(1) Does he have any information as to whether the present Lord Mayor of Brisbane agrees with his predecessor that the land known as the Upper Mt. Gravatt Showground should be sold to a big business, such as Myers?

(2) Does he have any knowledge that the Lord Mayor would prefer to dispossess the people of Mt. Gravatt and district of open space rather than lose the income gained from selling the people out?

(3) Does he have any knowledge as to whether the Lord Mayor's attitude is that, as far as he is concerned, the people of Mt. Gravatt and district have no right to the only large open space which remains available to them?

Answers:—

- (1) No.
- (2) No.
- (3) No.

8. CLOSURE OF QUEENSLAND COUNCIL OF SOCIAL SERVICE

Mr. Doumany, pursuant to notice, asked the Minister for Community and Welfare Services and Minister for Sport—

With reference to an article in "The Courier-Mail" of 16 September which stated that the closing down of the Queensland Council of Social Service and the resignation of its director may be forced by the Commonwealth Budget's failure to provide the essential "core" funding of \$10,000, and in view of the council's involvement with voluntary agencies, will he investigate the report and inform the House of the full facts and the implications for the State's welfare efforts?

*Answer:—*

I am very disturbed that the Queensland Council of Social Service and other organisations which come within the welfare sphere in Queensland have now been denied the financial assistance they have received from the Commonwealth Government for a number of years. This backward step by Canberra is deserving of the highest condemnation. It is a pity the Commonwealth Government did not give more consideration to the needs of these worthy organisations when it approved \$100,000 for Germaine Greer to produce a sex film overseas. I feel that some of this money could well have been allocated to the welfare field in Queensland. Although it is not possible for the State Government to make up for this loss of funds to these organisations, we will make every endeavour to assist them within the limits of finance available to my department in the forthcoming Budget.

9. MR. D. P. O'SHEA'S MEMBERSHIP OF  
INSTITUTE OF CHARTERED  
ACCOUNTANTS

**Mr. K. J. Hooper**, pursuant to notice, asked the Premier—

Did Desmond Paul O'Shea have his membership of the Institute of Chartered Accountants suspended for three years because of a breach of professional ethics?

*Answer:—*

The question of membership or otherwise of the Institute of Chartered Accountants is entirely a matter for that body.

10 and 11. REDUCTION IN BUILDING  
SOCIETY INTEREST RATES

**Mr. K. J. Hooper**, pursuant to notice, asked the Minister for Works and Housing—

In view of the recent announcement by building societies in Queensland that there will be a reduction in lending rates for certain housing loans, will he give an assurance that borrowers will have the choice of having their monthly repayment amount reduced over their current term, instead of having to pay their current repayment amount over a shorter term?

*Answer:—*

It is not my prerogative to give an assurance of this nature.

**Mr. K. J. Hooper**, pursuant to notice, asked the Deputy Premier and Treasurer—

(1) What right has the Government, under the Building Societies Act, to establish an effective differential, i.e., the maximum difference between borrowing and lending rates, for permanent building societies?

(2) Has the Government obtained a clearance from the Trade Practices Commissioner to the effect that its recent actions regarding the fixing of interest rates for societies does not contravene the Trade Practices Act?

(3) As interest rate movements are usually regarded as being within the national sphere of influence, and in the past the Reserve Bank of Australia has been the authority which has adjusted interest rates either through open-market operations or through decree, did the Government consult with the Reserve Bank of Australia before making its decision?

(4) As it has already been suggested in the Press that this movement in interest rates could be short-lived, is it the Government's intention to maintain rates at their present maximum level for a reasonable time or will the rates move upwards again in the near future?

(5) Has the Government thought of the ramifications of frequent changes in housing-loan interest rates and their effect on the confidence of potential borrowers, and do borrowers generally hold off when rates are fluctuating?

(6) Does this recent move run contrary to the Financial Corporations Act?

*Answers:—*

(1) I suggest that the honourable member study the Orders in Council which provided the new maximum rates and which were published in the Government Gazette. Such Orders in Council refer to the provisions of the Act in pursuance of which they were issued.

(2) No.

(3) I would agree with the honourable member that the Reserve Bank influences the level of interest rates in all spheres of the community through its operations. In exercising its responsibilities under the Building Societies Act, the State takes into account interest rates prevailing in other areas of finance. While I note the socialistic desire of the honourable member to have the State Government bow to the direction of Commonwealth authorities in matters of this nature, which are clearly within the State's constitutional authority, the answer to this part of his question is also "no".

(4) The Government will continue to watch the state of the various markets for finance and will review the maximum interest rates payable and chargeable by building societies as the need arises.

(5) The Government is not going to hold interest at high levels at the expense of people who are struggling to pay off their homes, merely to avoid interest fluctuations. Instead of asking obtuse questions, the honourable member would do more good for his constituents if he spent his

leisure time admonishing his colleagues in the Federal sphere, whom he clearly accepts as the controllers of interest rates, for the economic mismanagement which has taken interest rates to the high levels from which this Government is now endeavouring to promote relief.

(6) The honourable member has surely been long enough in this House to know that it is not the practice of the Government to provide opinions on legal interpretation in answers to questions.

12. PRAWNING IN MORETON BAY

**Mr. Frawley**, pursuant to notice, asked the Minister for Aboriginal and Islanders Advancement and Fisheries—

(1) Is he aware that New South Wales fishing boats are prawning in Moreton Bay without licences?

(2) Have any prosecutions been launched against boat-owners for fishing or prawning in Moreton Bay and, if so, how many have been successful?

*Answers:—*

(1) No. However, the Queensland Fisheries Service is currently examining the bona fides of vessels trawling in Moreton Bay. Any irregularities involving boats from New South Wales will, undoubtedly, come to notice and be dealt with accordingly.

(2) Details of prosecutions under the Fisheries Acts are compiled by the Department of Harbours and Marine. These cover the whole of the State of Queensland. It would be a considerable task to abstract those fishing and prawning offences which relate solely to Moreton Bay.

13. MOTOR VEHICLE REGISTRATION RENEWALS

**Mr. M. D. Hooper**, pursuant to notice, asked the Minister for Local Government and Main Roads—

As the Main Roads Department is several months late in the issuing of registration renewal notices, many motorists have unknowingly been driving vehicles which are not currently registered, and as the Minister has previously warned the public to voluntarily apply for registration renewal to protect their interests, is he aware that when vehicle owners apply for renewal they are charged the current fee, which is higher than the fee which applied before mid-August, even though the renewal is back-dated? If so, will he instruct the department to either refund the overcharge or advance the date for the renewal registration in 1976?

*Answer:—*

Registration renewal notices are issued four to five weeks in advance so that the fees can be paid by the due date. I have

been informed that registration fees are not being back-dated. If the honourable member can produce a specific example, I shall be pleased to have it investigated.

14. DRAINAGE DESIGNS

**Mr. M. D. Hooper**, pursuant to notice, asked the Minister for Lands, Forestry, National Parks and Wildlife Service—

(1) Although the Lands Department generally complies with local government requirements in relation to standards of subdividing land in urban areas, is he aware that the department does not seek approval of the local authority for a satisfactory drainage design of the particular area subdivided?

(2) As this situation imposes many problems on the local authority at a future date when adequate drainage has to be provided, which incurs large costs for survey and registration of easements and compensation for the owner, will he instruct his department that in future subdivisions of urban lands it should seek the prior drainage requirements of the local authority in relation to the preparation of easements and dedication to the local authority, so that costly and time-wasting practices will be eliminated?

*Answer:—*

(1 and 2) In developing urban land, my department complies with local government requirements, including that of stormwater drainage. In the first instance, a subdivisional design plan is forwarded to the council concerned for approval and any subdivisional requirements. Upon mutual agreement to proceed with the development, either the council or private consulting engineers prepare detailed plans, specifications and estimates for the development work involved. Where the council acts as constructing authority for the Crown, the council is requested to prepare designs, and where designs are prepared by qualified consulting engineers, such designs are referred to the council for approval. Thus the relevant local authority is given every opportunity to ensure adequate stormwater drainage is provided. Where a local authority requires a drainage easement in a development project, the practice is to include in the Gazette notification of the sale, a condition requiring the purchaser to enter into an easement agreement with the council. In such a case, survey of the easement is arranged by my department at the time of survey of the subdivisional allotments. By Government direction, the Land Administration Commission is to regard itself in the same position as a private subdivider; therefore, under the circumstances, I see no necessity to instruct my officers to vary a practice the very essence of which is co-operation with local authorities in the subdivision of Crown

land. However, if the honourable member has some specific case in mind and supplies details, I will have the matter investigated.

#### 15. AMWAY OF AUSTRALIA PTY. LTD.

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

(1) With reference to the advertisement in "The Courier-Mail" of 13 September announcing a Government inquiry into Amway of Australia Pty. Ltd. under the Commissions of Inquiry Act, why has an inquiry been initiated?

(2) Are Amway's marketing techniques of the pyramid type and, if so, what evidence is there to support such a belief?

(3) How many complaints have been received against Amway and what is the general nature of the complaints?

*Answers:—*

(1 and 2) An investigation has been recommended by the Pyramid Selling Schemes Elimination Committee for the purpose of determining whether or not the company is conducting a pyramid selling scheme. Legal opinion has also indicated the need for an investigation.

(3) Numerous inquiries relating to the company's methods of operation have been received.

#### 16. LEGAL RIGHTS OF ILLEGITIMATES

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

(1) Is he aware of the stated intention of the New South Wales Government to legislate early next year to abolish the concept of illegitimacy in that State?

(2) What legal disabilities confront the illegitimate in Queensland, especially in the sphere of property inheritance rights and succession law?

(3) Has he any intention of legislating to remove such legal disabilities?

*Answers:—*

(1) Yes.

(2) Basically, the only legal disabilities confronting an illegitimate person in Queensland are in relation to the law regulating succession to property. Generally speaking, where a reference is to the children of a person, such a reference would not extend to an illegitimate child of that person. An illegitimate child enjoys no less a right than a legitimate child has to have adequate provision made for him or her from a parent's estate, provided the relationship can be established.

(3) A draft Bill is under consideration.

#### 17. REVOCATION OF ENTERTAINMENT LICENCES

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

(1) Have a number of well-known Brisbane establishments, e.g., Pinocchios, the Talk of the Town and the George Hotel, had their entertainment licences taken from them in recent months and, if so, what were the reasons?

(2) Were the licences revoked because alcoholic beverages were being served or supplied without patrons being expected to dine and has similar action been taken against the Jet Club which, it is alleged, regularly has in attendance at the club twice the number of patrons allowed under its licence?

(3) Did the George Hotel lose its entertainment licence upon a minute's notice?

(4) What is the normal notice given to licensees when the commission intends to suspend or terminate an entertainment licence?

*Answers:—*

(1) No.

(2) The cabaret licence of Pinocchios was suspended for a period of seven days for selling liquor to persons other than diners or bona fide intending diners. Talk of the Town restaurant had its entertainment permit revoked for permitting dancing on the premises by persons being other than diners in the course of their partaking of an evening meal. The entertainment permit has since been reinstated. The terms and conditions prescribed for the entertainment permit issued to the George Hotel were varied so as to prohibit the use of amplification in conjunction with entertainment. No actions of this nature have been taken in relation to the cabaret licence held by the Jet Club.

(3) The terms and conditions of the entertainment permit held by the George Hotel were varied after a warning had been issued some time previously and when the licensee was informed that amplification would be banned without further notice in the event of further complaints being received. The entertainment permit itself was not revoked at any time. The ban on amplification was lifted last week, subject to certain and additional conditions and restrictions.

(4) No statutory period of notice is prescribed, but legislation provides for the commission at any time by notice given in writing, personally or by post, to revoke the permission or vary the terms and conditions of any entertainment permit.

18. QUARRYING AT THE GAP

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

(1) In relation to The Gap quarry dispute and the associated horrible existing scar on the Taylor Range, have quarrying activities illegally infringed on adjoining properties?

(2) Why has the Brisbane City Council not taken legal action against the offending quarry operators?

*Answers:—*

(1) In answer to a question by the honourable member for Ithaca, my predecessor in office, the Honourable H. A. McKechnie, stated on 8 August 1973 that correspondence with the Department of Local Government indicated that the company operating the quarry did in fact conduct its operations outside the limits of the extractive industry zone for a short time. Mr. McKechnie added that, upon the matter being brought to the attention of the Brisbane City Council, prompt action was taken to ensure that the operations of the company were conducted in compliance with the provisions of the City of Brisbane Town Plan and the City of Brisbane ordinances. I am not aware of any further quarrying operations carried out by the company outside the limits of land included in the extractive industry zone.

(2) See answer to (1).

19. STANDARDS IN TEACHING DEAF CHILDREN

**Mr. Marginson** for **Mr. Dean**, pursuant to notice, asked the Minister for Education and Cultural Activities—

(1) Is he aware of a recent report in "The Courier-Mail" that three teachers from the deaf school at Annerley returned from an overseas trip and expressed their concern that research facilities for teaching deaf children in Queensland were far below world standards?

(2) What new initiatives is the Government implementing in the teaching of deaf children?

*Answers:—*

(1) I am aware of the report referred to which appeared in "The Courier-Mail" on Monday, 8 September 1975 and was replied to in a letter to the editor of the said newspaper on Thursday, 11 September.

(2) With regard to new initiatives in the teaching of the deaf, the Department of Education has recently made major advances in this area. In 1973, the Director of Special Education Services set up a committee to report on the education of deaf children in Queensland and to

make recommendations on future provision in this section of special education. This committee sought local, interstate and overseas opinion and its recommendations were presented early this year. Moves have already been made to implement some of the recommendations while the remainder are under close examination.

20. TIC TAC TABLETS

**Mr. Marginson** for **Mr. Dean**, pursuant to notice, asked the Minister for Health—

(1) What is the composition of the tablets called "Tic Tacs", which are sold in shops and hotels?

(2) Do the tablets have any effect on asthma sufferers?

(3) Do the tablets have any effect on breathalyser tests?

*Answers:—*

(1 to 3) I am advised that the Government Chemical Laboratory has examined confectionery marketed under the trade name "Tic Tac". The samples analysed contained sucrose and oil of peppermint. Neither of these substances would affect asthma sufferers or the breathalyser tests.

QUESTIONS WITHOUT NOTICE

LICENSING OF FRUIT AND VEGETABLE SELLERS

**Mr. BURNS:** I ask the Minister for Primary Industries: Is he aware that the Brisbane Market Trust is planning what I believe to be a gigantic rip-off amounting to at least \$50,000 from fruit-hawkers and small or corner shopkeepers, by demanding that a \$100 licence fee be paid by the hawkers and small businessmen, who have sold to the people of this city for some time most of the reasonably priced fruit and vegetables? Will he take steps to reject the \$100 licence fee struck by the Brisbane Market Trust to be paid by the small businessman—the battler—who has used a barrow, a horse and cart, or a small truck to hawk fruit and vegetables, and who has done a fairly good job for the fruit and vegetable producers as well as his customers?

**Mr. SULLIVAN:** I am aware of the position. I released a Press statement on the matter in which I set out why the Brisbane Market Trust wanted to impose this fee. That statement covered the matter in some detail and I will send a copy of it to the Leader of the Opposition.

REPORTED DISCONTENT AND TROUBLE AT THE BRISBANE PRISON

**Mr. ALISON:** I ask the Minister for Community and Welfare Services and Minister for Sport: With reference to the recently reported discontent and trouble at the Brisbane Prison, would he advise the



House if any complaints have been reported officially or unofficially by prisoners about alleged brutalities by prison officers? Were there requests on the list of concessions demanded by prisoners, as quoted in Monday's "Courier-Mail", other than a wage of \$25 a week, a gaol canteen, late-night TV, daily newspapers, a prisoners' union and the right to have long hair, beards and moustaches? Further, does he believe that there is any need whatsoever for an open inquiry into conditions in the Brisbane Prison, as suggested by the editor of the Maryborough "Chronicle"?

**Mr. HERBERT:** I was astounded to read that editorial. I do not know what got into the editor of a normally responsible journal to run a story like that. The plain facts are that in the pages and pages of submissions made by the prisoners there were no accusations about conduct of the staff at all; nor would I have expected them, because the present system of the attendance of welfare officers and visiting justices at the gaol makes it very nearly impossible. The staff out there have certainly behaved in a most responsible manner. I have had no complaint whatsoever from anyone. On the contrary, I have received quite a lot of complimentary remarks about the behaviour of the staff in the present situation.

If the list of claims by the prisoners were granted, a sentence in prison could be almost an enjoyable experience, at the end of which a long-term prisoner could retire with enough money not to have to work again. It is certainly not the intention of the penal service that prisoners should become a favoured class in the community, as would have happened had we been silly enough to grant the demands.

The prisoners have been told quite unequivocally that we do not bow to blackmail; that they are in there for punishment and rehabilitation. The staff will decide the way in which the prison will be operated, and the prisoners will do precisely as they are told for the period they are in there. People such as Dr. Wilson can take it as a message from me that the Prisons Department in Queensland has no intention whatsoever of converting our prisons into rest homes.

#### REPORTING OF GRIEVANCES BY PRISONERS

**Mr. ALISON:** I ask the Minister for Community and Welfare Services and Minister for Sport: Would he outline the official method by which prisoners may have any alleged grievances properly heard?

**Mr. HERBERT:** Welfare officers are appointed. They have access to all the prisoners. When a visiting justice arrives, all the prisoners are paraded and those who wish to speak to him on any matter are requested to step forward. They are then interviewed by the visiting justice in private.

Quite regularly he interviews a number of prisoners when he visits an institution. He deals with complaints without interference or control of any type by prison staff. The visiting justice submits direct to me a monthly report on every prison and institution in the State coming under my jurisdiction. Consequently, a problem in any institution would be reported to the Minister by the visiting justice without any possibility of anyone in the institution being able to block it on the way through.

#### IMPORTED MEAT

**Mr. MULLER:** I ask the Minister for Primary Industries: As during recent months the Press has published articles referring to quantities of meat being imported into Australia and as the arrival of these imports coincides with a time of surplus of locally produced beef, can he inform the House (1) the volume and type of meat being imported and (2) the countries of origin?

**Mr. SULLIVAN:** I am aware that official statistics do indicate imports of fresh, chilled or frozen meat. However, I presume the question relates to beef. As I pointed out in the House recently in answer to another question, the entry of fresh, chilled or frozen beef is permitted from New Zealand only. This would amount to some 200 tonnes a year.

However, the other day my attention was drawn to official import statistics which indicated that in 1973-74 30 tonnes of fresh, chilled or frozen meat had been imported from India, Jamaica and Japan. This caused me great concern and, in view of Australia's known very stringent quarantine restrictions, I had my officers check on how this came about. I now find that these imports were 30 tonnes of frog legs and turtle meat.

Some honourable members are concerned about sausages carrying the names of European countries, such as Hungarian salami, which one might assume had been imported. This is not the case. These sausages are produced locally. Imports of approved canned sausages and corned beef are allowed. However, the quantities are insignificant when compared with the volume of meat produced and consumed in Australia and also exported from Australia.

#### DOCUMENT FROM POLICE FILE TABLED BY MEMBER FOR BELMONT

**Mr. HOUSTON:** I ask the Minister for Police: Further to my question about the way the honourable member for Belmont obtained a copy of a letter from a police file which he tabled in this House and the Minister's undertaking to have an investigation made of the matter, can he tell the House the result of that investigation? If he cannot, can he say when we are likely to be given an explanation?

**Mr. HODGES:** I was advised by the Assistant Commissioner of Police this morning that it should be ready for me today.

**SPILLAGE OF GRAIN FROM TRUCKS IN BULIMBA ELECTORATE**

**Mr. HOUSTON:** I ask the Minister for Local Government and Main Roads: In view of the Minister's many statements concerning litter in the streets and his desire to have fines up to \$300 prescribed for dropping such things as cigarette packets in the streets or on the roads, what action will he initiate within the Government to stop grain constantly being allowed to fall off trucks in the streets of the Bulimba electorate, which creates a public nuisance and after a period of time causes a bad stench?

**Mr. HINZE:** I thank the honourable member for Bulimba for his question. I am quite sure that he understands that the Government is determined to do something about the litter problem in Queensland. The matter that he has brought to the attention of the House will certainly be considered when the Government is looking at the over-all problem of litter and the fines necessary to overcome it.

**Mr. HOUSTON:** I direct a supplementary question to the appropriate Minister—perhaps the Premier. Will he have the spillage that occurred last night investigated immediately? Will he see that those responsible for it are told to have it cleaned up and ensure that it does not happen again? It is causing a public nuisance and it is a great expense to the local authority concerned—in this case the Brisbane City Council.

**Mr. BJELKE-PETERSEN:** I suggest to the honourable member that this is a matter for the Brisbane City Council. It is a problem that I would be glad to refer to it.

**BEHAVIOUR OF FORMER POLICE INSPECTOR CORNER IN MT. ISA**

**Mr. FRAWLEY:** I ask the Minister for Police: Is he aware that ex-police Inspector Corner, who recently made serious allegations about other members of the Queensland Police Force, was known in Mt. Isa as "Freeloader Charlie" when he was stationed there? Can the Minister inform the House whether he has been contacted by any cafe or restaurant proprietors in Mt. Isa with information to the effect that ex-Inspector Corner refused to pay for any meals during the time he was at Mt. Isa?

**Mr. HODGES:** I cannot answer the question concerning Mr. Corner's activities in Mt. Isa. No doubt the investigation being carried out at the moment will ascertain some of the details that the honourable member seeks.

**LEGALISATION OF HOMOSEXUALITY**

**Mr. FRAWLEY:** I ask the Acting Minister for Justice: Is he aware that yesterday in South Australia homosexuality between consenting adult males was legalised by the Australian Labor Party Government? Can the Minister inform the House whether he has been approached by any of the homosexuals in the A.L.P. to legalise homosexual acts?

**Sir GORDON CHALK:** I have no knowledge of any persons who engage in homosexual acts, nor have I any knowledge that any person or persons have made representations for the implementation of an Act similar to the one in South Australia. I am sorry I cannot answer the question beyond saying that.

**WOMEN AND POLITICS CONFERENCE, CANBERRA**

**Mr. AIKENS:** In the hope of clearing this matter up, I would like to ask the Premier—

**Mr. SPEAKER:** The Premier has left the Chamber.

**Mr. AIKENS:** The Deputy Premier will do. I ask him: Has his attention been drawn to a statement in "The Courier-Mail" of Thursday, 18 September by the Premier of New South Wales that the recent Women and Politics Conference in Canberra cost \$250,000 and was a waste of the people's money, and if so, in view of the growing scandal associated with this gathering can he inform the House how and by whom the delegates were appointed to this lewd political propaganda stunt on behalf of the Whitlam Government?

**Sir GORDON CHALK:** I have read the statement attributed to the Premier of New South Wales. I have no knowledge whether it is correct, although I believe that the Premier of New South Wales would not make such a statement unless he had checked the facts. I have no knowledge of how the delegates to the conference were appointed. In my view the conference was what one might describe as a waste of time and certainly a considerable expense so far as the Commonwealth is concerned. That is all I can say in answer to the honourable gentleman's question.

**CHRISTENING OF NEW OFFICIAL AEROPLANE**

**Mr. JENSEN:** In the absence of the Premier I ask the Deputy Premier and Treasurer: As the Premier is to travel to Bundaberg tomorrow to carry out an important duty, does he know, or will he find out, whether that city of charm will have the honour of christening the new Government aeroplane on its maiden flight?

**Sir GORDON CHALK:** No doubt the question is one the Premier could answer if he were here. I understand that he is going to Bundaberg or somewhere north tomorrow. If the honourable member provides a bottle of rum, I do not think the Premier would use it to christen the aircraft but I would be quite prepared to accept it as a memento of the occasion.

#### MINISTERIAL STATEMENT

##### SALE OF PART OF HICKEY PARK, STAFFORD

**Hon. R. J. HINZE** (South Coast—Minister for Local Government and Main Roads) (11.46 a.m.): I wish to refer to the answer which I gave in the House yesterday to the honourable member for Stafford concerning the proposal by the Brisbane City Council to sell certain of the land contained in Hickey Park at Stafford.

I pointed out that I understood that the land has been offered to the Autistic Children's Association of Queensland for the purpose of establishing thereon an Autistic Children's Centre. This information was correct.

I went on to state, however, that it would be necessary for the land which was to be sold to the association to be subdivided from Hickey Park and that, as the land is included within an Existing Open Space Zone under the Brisbane Town Plan, it would be necessary for the proposal to subdivide the land to be advertised for objections and that there would be subsequent rights of appeal to the Local Government Court. I added that, in the event of the subdivision of the land being finally approved, it would be necessary under the Brisbane Town Plan for the prior consent of the council to be obtained in respect of the establishment of the Autistic Children's Centre and that application to use the land for this purpose would require to be advertised for objections and objectors would have a right of appeal to the Local Government Court should the council decide to grant the application in the face of objections. This information was extracted from records held in the Department of Local Government.

It has now been ascertained, however, that it is not proposed to proceed in the manner which I previously indicated. I am informed that the Brisbane City Council, pursuant to section 6 of the City of Brisbane Town Planning Act 1964-1975, has advertised a proposal to exclude from the Existing Open Space Zone and include in the Special Uses "A" Zone for use for an Autistic Children's Centre the land which it is intended to sell to the association. In terms of the Act, during the period in which this proposal is open to objection, interested persons will have the right to lodge objections thereto, and these objections will be required to be forwarded together with the council's application for rezoning for consideration by the Governor

in Council at the appropriate time. In the event of the rezoning proposal referred to being approved by the Governor in Council, the subject land would then be capable of being subdivided without further advertising under the Act.

I am not in a position at this stage to indicate what will be the outcome of the application of the Brisbane City Council to rezone the land in question as this is a matter for decision by the Governor in Council. I would state, however, that any objections duly lodged in respect of the proposal will receive full consideration before a decision is made.

#### SUPPLY

##### CONSTITUTION OF COMMITTEE

**Hon. Sir GORDON CHALK** (Lockyer—Deputy Premier and Treasurer): I move—

"That the House will, at its next sitting, resolve itself into a Committee of the Whole to consider the Supply to be granted to Her Majesty."

Motion agreed to.

#### WAYS AND MEANS

##### CONSTITUTION OF COMMITTEE

**Hon. Sir GORDON CHALK** (Lockyer—Deputy Premier and Treasurer): I move—

"That the House will, at its next sitting, resolve itself into a Committee of the Whole to consider of Ways and Means for raising the Supply to be granted to Her Majesty."

Motion agreed to.

#### FACTORIES AND SHOPS ACT AMENDMENT BILL

##### INITIATION IN COMMITTEE

(Mr. Miller, Ithaca, in the chair)

**Hon. F. A. CAMPBELL** (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (11.50 a.m.): I move—

"That a Bill be introduced to amend the Factories and Shops Act 1960-1973 in certain particulars."

The Bill does not amend any existing provision in the principal Act but its purpose is to insert a new Part IXA—Sale of Motor Fuel—to provide for restriction on the retail sale of motor fuel by a wholesaler from his industrial pump and from a bulk-fuel depot.

Numerous representations have been made to me by the Motor Trade Association of Queensland, the Queensland Automobile Chamber of Commerce and by other sources, including a number of members of Parliament from both sides of the House, to the effect that the existing system of retail petrol distribution is not equitable. Consequently, service station proprietors are disadvantaged and, in order to ensure that the average service

station occupier might be able to continue to provide the service expected of him by the public, retail sales to the general public from industrial pumps and bulk depots should be prohibited.

It has been stated that sales in small quantities are made at depots at a lower price than that at which petrol is purchased at regular service stations and the practice of motor spirit being sold to members of the public from industrial pumps has been the source of concern within the industry over a period of some years.

Oil companies maintain that supplies of petrol to industrial pumps for sale at wholesale price is on the understanding that it must be used for industrial purposes only. Service station proprietors complain that this is not so and that many industrial pump operators supply petrol at a reduced price to the public.

It is contended that industrial pumps should be permitted to sell petrol only for the purpose of the industrial use for which they are installed and that bulk depots be restricted to the sale of a minimum quantity at any one time.

I now deal with some salient features of the Bill. The term "Industrial Pump" is defined. This definition will cover the position in relation to industrial users, primary producers and taxi-cab companies. As a sale by retail will not include a sale in a quantity of 200 litres or more, purchasers of motor fuel by drums (commonly known as 44-gallon drums) will not be affected by the new legislation. It is common for industrial users and farmers to purchase motor fuel wholesale. Distillate and dieselene are excluded from the term defining motor spirit because most heavy motor vehicles used for transport of goods and passengers are powered by these types of petroleum products. Fishing vessels operated by professional fishermen are mostly in this category also.

Where special circumstances prevail in certain areas, exemption will be granted under the type of sale referred to in section 73A clause 2 (d)—"Of a prescribed class or kind".

The Bill will provide that approved associations such as taxi-cab companies which have an industrial pump for the supply of motor fuel to motor vehicles owned and operated by its members will not be permitted to sell motor fuel from that pump to the public. However, this will not prevent a taxi-cab company from owning and operating a service station purely for the sale of petrol to the public.

All persons desiring to sell motor fuel by retail will be required to obtain a permit to do so by making written application to the Chief Inspector of Factories and Shops.

The Bill allows appeals from decisions of the Chief Inspector of Factories and Shops to an industrial magistrate.

One reason for the introduction of these amendments has been the pressing demand by various organisations and honourable members of this Parliament for action to protect the interests of service station proprietors in this State, and particularly in country towns, where their livelihood is in jeopardy. Another and very cogent reason is that this Government has testified in numerous other Acts that it subscribes to the philosophy of orderly marketing. This measure is very much in keeping with that philosophy and I commend it to the Committee.

**Mr. YEWDALE** (Rockhampton North) (11.55 a.m.): On behalf of the Opposition I wish to make some brief remarks about the proposed additions to the Act. Over a period of time as members of political parties we in this Chamber and outside continue to use the argument that we represent certain people in the community. I think it would be fair to say that the Government parties suggest that they represent freedom of the individual, private enterprise and competition. It is often said that we on this side tend to suggest that Government enterprise should be established to compete with private enterprise in many fields.

In view of that, it is strange that repeatedly the Government has to introduce provisions restricting people, firms and companies in the best interests of the community. I am not criticising the Government for this, merely drawing an analogy. I accept that this move will be in the best interests of the community, particularly the service station proprietor, who in some cases employs a number of people. In comparison, the bulk depots probably have large quantities of fuel but a limited number of employees.

As one of my colleagues pointed out to me in a discussion this morning, private enterprise probably finished in the days of the bandits and the privateers who sailed the Main. Since then, it just has not been on. Governments have to introduce legislation of this sort to protect the people.

I am glad that the Minister clarified the matter of service stations being connected with taxi companies. It is common knowledge in the community—it was stated in the Press recently—that the Black and White Company, I think it is, is buying a number of service stations in the State as part of its investment policy. Whether it is intended to service cabs at special pumps or whether their own service stations will be used is perhaps a minor point that could be dealt with by the Minister.

Apparently the provisions relating to 44-gallon drums still applies. That brings to mind a matter I was involved in some time ago in my own area. The requirement in the Act that petrol cannot be stored under houses or in back yards unless certain provisions are complied with makes it very difficult for the average person who wants

to purchase in that manner—and many who own a boat as well as a motor vehicle do use more fuel than the average householder. There is not a great deal of assistance for the ordinary man in the street who wants to purchase 44-gallon drums of petrol. I know that in Rockhampton bulk depots are serving petrol into the tanks of private cars.

I do not know that the intended provision will solve the problem in the oil industry. To refresh my mind on the matter, I took the trouble this morning to look up some comments about what is happening in the oil industry in Queensland and in Australia and the price-cutting and competition taking place in retail petrol outlets. The bundle of newspaper clippings I hold are just some of the comments. I recall that years ago the Government, in consultation with oil companies, introduced legislation restricting the development and construction of service stations by oil companies to about 15 per cent of the planned development programme. Back in February 1960 that was put into force for some three years. Even then the community was having a lot of trouble with service stations. Companies were buying up choice corner sites to establish their outlets and, as a result, they were kicking up land values and increasing local authority charges to people living in the vicinity. That continued for a number of years. In most cases the oil companies that control the solo stations are fairly ruthless in their approach to the owner of the very small bowser that is associated with a corner shop or to the owner of a bowser in a country area which is there mainly as a facility for the people of the area.

In contrast, the major oil companies tend to build service stations fairly close to those of their opponents to try to capture the trade of the many motorists in the heavily populated areas. We may be narrowing a gap regarding bulk outlets but we are not really solving the problem in the oil industry. I think we will continue to have trouble.

The people who suffer are the motorist and lessee of a service station who has to pay so much for petrol and oil and labour and for the upkeep and maintenance of property. He is not reaping very great rewards. This again gets back to the oil companies.

On behalf of the Opposition I do not intend to go any further at this stage. I feel that the legislation is in the interests of the community. I reserve the right to comment further at the second-reading stage.

**Mr. POWELL** (Isis) (12.1 p.m.): I had mixed feelings as I listened to the Minister's introductory remarks. I wondered whether we were taking away from people something that they had gained. However, after hearing the Minister and considering the rationale behind his move, I must agree that the legislation is desirable.

Apparently the main intent of the Bill is to stop the fuel companies selling petrol retail at bulk depots. This is to be applauded. I am concerned, however, that the people who normally buy fuel in bulk and store it in large tanks or 44-gallon drums could be affected adversely. I refer particularly to those people living in a country area near a big city. They go into town normally once a week and, if they forget to fill the petrol tank in the morning, they go to the depot to have the tank filled and the cost at bulk rates is added to their accounts. It concerns me that this sort of practice will be stopped.

**Mr. Jensen:** That would happen only once in a blue moon.

**Mr. POWELL:** That is true, but it does happen. I cannot see why a person who normally buys his fuel at bulk rates should have to pay the retail price for an odd tank-full of petrol when he is willing to put up with the inconvenience normally associated with having to store and pump his own fuel at home.

I have every sympathy for the small businessman and the service station owner. They do provide a service. They have tremendous capital outlays and serve the public well.

The honourable member for Rockhampton North—like all Opposition members; he should not be singled out—certainly has a fuzzy idea about private enterprise. Opposition members seem to think that private enterprise is akin to Sir Francis Drake on the Spanish Main. They do not seem to understand that private enterprise is a system under which people in competition do their best for the public. This is exactly what the service station owners are attempting to do. I wonder whether, instead of our passing legislation to stop oil companies maintaining the practice that has been adopted over past years, the oil companies themselves should protect their own service station outlets.

I was pleased to hear the Minister say that distillate and diesel fuel will not be regarded as motor spirit. I do not think it would be desirable that the large number of heavy truck operators we have should be required to store in the city, distillate in 44-gallon drums or in overhead tanks. It is much more sensible that they be allowed to obtain fuel from the depot as they require it.

Mention was made of the activities of taxi-cab companies. I do not think that the position that seems to have arisen in Brisbane would be found in too many provincial cities. In the interests of bona fide service station owners, I cannot see any reason why a taxi company, which obtains its fuel at industrial rates, should be able to retail it to members of the public, who really have no right to receive it in that way.

The problems of service station proprietors in my area are real, but I do not think that it is the place of government to enter this field. The Opposition, of course, would like to regulate everything that people did from the moment they awoke till the time they went to bed. There are already too many regulations, and people are being regulated too much. I personally think that service station proprietors should be able to open and close when they please.

**Mr. Moore:** So should every other shop.

**Mr. POWELL:** I quite agree. Queensland is a tourist State, and nothing is more frustrating to a tourist than to arrive in a town only to find that the service stations have just closed, and then have to wait 12 hours for them to open again before he can obtain fuel. It may be said that he could put 20c pieces into a coin-operated pump and obtain fuel in that way, but, if he has a long journey to make, he would need a considerable number of 20c coins. I say that there is too much regulating in commercial activities today.

The honourable member for Rockhampton North spoke about price-cutting in the selling of fuel. To my mind, anything that satisfies the needs of the private motorist is good. I am all for price-cutting as long as it does not hurt the lessees of the service stations owned by companies that adopt such tactics. I presume that all members realise that for every gallon of petrol they buy they contribute 28c to the Federal Treasury. That money goes to Canberra, and we in Queensland see very little of it returned. I think that that is a disgusting state of affairs. If the Federal Government was wise, it would do something about price-cutting and decrease its tax on petrol. I cannot see why we should be entering the field of price-cutting, or the regulating of the price of petrol. In a free-enterprise system, it should be supplied simply on the basis of service for a fee. If one person is prepared to pay 10c for a certain service, fair enough. But if I am not prepared to pay for the service, I should be able to obtain the commodity without the service.

The Bill is designed to prevent the ordinary person bypassing service stations and going to bulk depots to obtain a few gallons of petrol. That same person, of course, always looks to a service station if he gets into trouble and, for instance, needs a tyre repaired. He does not consider the capital cost involved in operating a service station.

If the legislation protects the small service station owner, as I hope it does, I am all for it. I did have some reservations about the legislation. However, the Minister has now explained in an exceptionally lucid fashion that its purpose is to prevent the ordinary person from buying fuel at a cheap rate. That is all right provided those who normally buy fuel at bulk commercial rates are able to continue to obtain it at that price.

**Mr. AHERN (Landsborough) (12.10 p.m.):** It is with a degree of reluctance that I rise to support this measure, which will, as the Minister has delineated, establish a system for licensing retail petrol outlets in Queensland. A permit system will be introduced and under the auspices of the department licences will be issued. Inspectors will police the regulations. I say "with a degree of reluctance" merely to echo the remarks of the honourable member for Isis.

I think one of the great issues of tomorrow will be the regulations that are being thrust on the community by Governments and the general decline in civil liberties that we as parliamentarians are creating in that way in our society. Certainly with this piece of legislation we are helping to build a society where no-one counts for anything except the politician or the official and where enterprise gains no reward and thrift no privilege. There is no doubt about that. I am merely giving voice to the feelings of a lot of people in the community. A fellow said to me the other day, "You fellows in Parliament are bringing in 10,000 laws a year in an endeavour to have the community keep to the Ten Commandments. God blimey! We are not keeping them now." With this legislation we are trying to counter a problem primarily associated with the retail sale of petrol from oil depots. There is no doubt that this constitutes a serious problem for people in the industry who have made a considerable capital investment, are working long hours and find themselves in an extremely difficult operating position due to heavy competition.

There is no doubt that another great problem in the industry is that there are too many service stations improperly sited in relation to the consuming public. I think the Attorney-General has expressed thoughts to this effect—that the industry was having a look at reducing the number of service stations in the community in an endeavour to make the distribution of petrol more efficient and to keep down the retail price. This is what should be occurring. The fact that there are retail sales from what are primarily wholesale oil depots is wrong. There are too many petrol stations which are not geared to the needs of the community. If this situation is allowed to continue we are going to see another hike in the price of petrol, which is a key commodity. The community must take an interest in keeping the price down as much as possible, because a price rise affects the cost of almost every item in our community.

I feel that the oil companies could have placed their own house in order. If they cannot organise their own house, then who can? It is a matter of extreme regret that we as legislators are now having to set up a huge administrative organisation to do their job and we will not be able to do it as well as they could.

**Mr. Yewdale:** Are you saying we will not be able to police it?

**Mr. AHERN:** No. I am not saying it will not work, but it would be much better done by the industry than by Government inspectors. The community would accept voluntary restrictions much more readily than threats of punitive action for offences—loss of permits, fines and so on. It would be much better if action were taken within the industry, and philosophically we as a Government would have liked to see this done.

**Mr. Jones:** They weren't amenable.

**Mr. AHERN:** They were not, and this has been the trouble for some years. I am criticising the industry today and saying that it is regrettable that we have had to introduce this legislation only because the industry has not been able to organise itself as it should have been able to do.

I am a little concerned that by this legislation we are creating an incentive for people to store petrol supplies on their properties and near their dwellings. I know that to a certain extent this is already being done, and local authorities are not enforcing the relevant regulations as well as they should. I hope that by this legislation we will not add to that hazard. As the Minister is responsible for the State Fire Services Council, perhaps he might ensure that through that body the local authorities police the regulations more strictly than they have been.

It is regrettable that the situation has reached the point where the Government has had to legislate on it. We are decreasing freedoms, whereas Parliaments of today and tomorrow are going to have to look seriously at increasing the freedoms of the people they represent. The Bill is going to mean more Government officials, more licensing, and that type of thing. As a member of Parliament I hope to see the day when we endeavour to decrease generally the number of inspectors that are required, the number of licences everyone has to have, and the number of regulations everyone has to study and heed, to go about his ordinary way of life and earn a modest living. Unfortunately, the situation has been brought to the stage where the Government has had to act and, accordingly, I support the Bill.

**Mr. JENSEN (Bundaberg) (12.17 p.m.):** If the proposed Bill is necessary, it is very belated. The row between the oil companies and the service stations was on in Bundaberg even in 1972. On 13 December 1972 the "Queensland Petroleum Industry and Trade Journal" reported—

"Cut price cuts out oil depots

Bundaberg—A service station proprietor here said he would again cut the price of petrol if oil depots sold direct to the public.

"Mr. D. J. Flinn reduced the price of petrol at his service station by 6c a gallon on Monday."

**Mr. Moore:** What about Bob Hawke's petrol?

**Mr. JENSEN:** I will come to that in a minute. That happened in 1972 when oil companies were allowing people to buy petrol for their vehicles at depot pumps.

The article continued—

"He said he did this to stop depot selling which had taken away a 30,000 gallon a month trade from service stations.

"The Queensland Automobile Chamber of Commerce Bundaberg branch president (Mr. G. McKenzie) said a conference was called between the oil depot representatives and a delegation from his organisation.

"Discussions were held for three-quarters of an hour yesterday and oil depot men agreed to stop selling to the public."

They agreed to stop selling to the public, but that was only for the time being.

As the honourable member for Landsborough said it is a pity that the oil companies cannot look after their own business and we have to legislate. I do not know why the Minister could not cancel the licences of the depots that sell retail. The licence held is to sell in bulk or wholesale. Why couldn't something be done to the oil companies themselves instead of legislation being introduced to protect service stations?

Every service station at the eastern end of Bundaberg sells petrol at 6c a gallon cheaper than all the other service stations in the rest of Bundaberg and district, because all the oil companies are situated in East Bundaberg. I understand that each of the service stations in East Bundaberg is privately owned. Whether or not the proprietors can afford to sell petrol at a reduced price I do not know, but they are selling it at 6c a gallon cheaper than the other service stations in the city. The privately owned stations are not controlled by the oil companies.

**Mr. Frawley:** The oil companies are kicking back half of what they are discounting. Wake up to yourself.

**Mr. JENSEN:** Maybe they are, but if the oil companies are cutting the throats of their retail outlets they should not be allowed to control them. It is a damned disgrace that the companies should be allowed to set up and control service stations and then cut the proprietors' throats. The privately owned service stations in Bundaberg have taken on the oil companies. They provide a valuable service to the motorist, who can have his tyre pressures checked and his windscreen cleaned.

**Mr. Frawley:** You ought to clean your windscreen.

**Mr. JENSEN:** I know that the honourable member has not cleaned his.

**Mr. Moore:** You never clean your teeth.

**Mr. JENSEN:** The honourable member never brushed his hair; that is why it fell out. At least I still have my own teeth. Some Government members do not have theirs.

**Mr. Burns:** Everything they have is false.

**Mr. JENSEN:** It certainly is.

No-one would object to legal price-cutting. What I protest against, however, is the way in which a new oil company enters the market and cuts the price of petrol only in the large cities, such as Melbourne and Sydney. The big companies, like Shell, Caltex and Ampol, that have retail outlets in country areas do not cut prices in those areas. The new small companies, which do not have to meet high transport costs, are able to offer low prices in centres of large population. They can afford to engage in price-cutting.

If a new petrol company wishes to offer petrol at cut prices it should be compelled by legislation to extend its sales into country areas so that the country people, too, can benefit. Mr. Hawke should not be allowed to enter the market in Melbourne and Sydney and sell petrol at cut prices without being compelled to offer his petrol in places like Bundaberg, Longreach and Mt. Isa. The country areas should be the first to be given the advantage of cut-price petrol. New petrol companies should be made to sell their products in country areas first; then we will see how they go. They should be required to pay freight charges just like everybody else. If there is to be a price-cutting war, let it be carried on throughout the State so that Shell, Ampol, Caltex, Esso and the other oil companies can take one another on.

**Mr. Frawley:** Are you against Solo petrol?

**Mr. JENSEN:** I am against any petrol company that is not required to supply motorists everywhere in Australia. I am against giving support to only one section of the community. All motorists should be given a fair go. I am not here to represent one section of the community or one section of a trade union; I will say what I think is in the interests of all the people. I should like to see the Federal Government force out of business any oil company that restricts its operations to Sydney and Melbourne.

I am in favour of this legislation. It will stop the oil companies from cutting the throats of the service station proprietors by selling petrol in competition against them. If the volume of petrol sold at Bundaberg bulk outlets reached 30,000 gallons a month in 1972, I am sure that the figure would be much higher today. This legislation will protect the smaller people in the industry. I would like to see it go further, however, and

provide for the cancellation of the licences of those oil companies that sell petrol at their bulk depots to motorists.

As I said, this problem arose in Bundaberg in 1972. If this legislation is necessary, I can only say that it is belated. It should have been introduced two or three years ago—not in 1975—because this practice has been going on for the past four or five years.

**Dr. LOCKWOOD** (Toowoomba North) (12.26 p.m.): It would not be necessary to introduce this legislation if the oil companies instituted one bulk price for petrol at "A" class bulk depots that supply large quantities of petrol direct to service stations and "B" class depots. The Bill is required because "B" class depots are supplying petrol to the general public as well as to industrial consumers. All of us could go to a "B" class depot to buy petrol at a greatly discounted price, but, as other honourable members have said, to have our tyres pumped, batteries checked, radiators filled and windscreens cleaned we would have to go to the nearest service station.

In Toowoomba, we have no problems with the "A" class depots because petrol is available from them only in tankers. If "B" class depots are controlled so that sales may be made only in 44-gallon drums (which may not be stored in a shed or around a house in the city of Toowoomba), the "B" class depot petrol sales to city people would be reduced to a proper level. They would be restricted to industrial outlets.

All industrial users should be compelled to use bulk, underground tanks rather than 44-gallon drums above ground with hand pumps. In a city area they should not be allowed to have 200-gallon or other sized tanks above ground with gravity or pump feeds. Such installations are a fire hazard in the city, as the Minister is well aware.

If petrol were sold at one price to "B" class depots, they would be prevented overnight from selling direct to motorists. It has been said that this could greatly disadvantage country users, but they can get petrol in 44-gallon drums and pump it into the vehicles on their properties. Petrol could be stored in above-ground tanks with gravity feed. If that is too much trouble for them, they are not worth calling primary producers. Any primary producer can get petrol into the vehicles on his property quite easily.

In Toowoomba the "B" class depots are within three miles of the city boundaries. All people can make a three-mile trip for petrol without resorting to filling up their tanks from "B" class depots.

A great deal of this trading has taken place in Toowoomba. I have received deputations from small businessmen (members of the Queensland Automobile Chamber of Commerce) whose sales have been seriously affected in this way. Many of them resorted



to offering 2c or 3c a gallon off, but I understand that they were not subsidised in any way by the oil companies. Toowoomba, with 60 service stations in and around the city, has too many petrol outlets. In fact, the Federal Labor Government believes that Toowoomba could well be served by six or eight service stations.

The proposed legislation will protect the small businessman from price cutting of "B" class depots. If the Federal Government had its way, a tremendous price war would result. A trade union brand of petrol, if ever introduced, would be one means of cutting the price, but the small businessman would be forced out completely, leaving those monuments to the greed of the oil companies scattered along our highways and byways. Cities like Toowoomba would have only six or eight service stations. There is no doubt that they could operate much more profitably, 24 hours a day, and still sell petrol much more cheaply; but it would mean that people would have to drive two or three miles extra to get their petrol from what would be gigantic service stations, which of course would be owned by the oil companies or the trade union movement.

I think the proposed move has a great deal of merit. It is a pity that it was not introduced earlier. Nevertheless, it is still timely.

**Mr. WRIGHT** (Rockhampton) (12.31 p.m.): The member for Rockhampton North put the debate in its true perspective when he spoke of the anomalous way in which the Government is today trying to protect free enterprise, especially when we think of the concept that it is supposed to reflect—free private competition and every man for himself. He put it clearly: it is passing strange for the Government to be introducing protective legislation such as this.

Be that as it may, it seems from the Minister's remarks and from my experience in my own area that there is a need for this legislation. It is unfair for the service station owner, proprietor or manager to invest a considerable amount of money in a business only to find he is being treated unfairly by the oil company to whom he owes allegiance in that it is condoning the sale of petrol through a bulk-storage point.

I worry not so much because of the competition aspect, but because safety measures are not available at the bulk-storage depots. People come along, fill up their tanks and then drive off. There is not the same provision for safety as is to be found at service stations. I do not think the depots are inspected or the provisions of the Act enforced. That is certainly warranted.

I would hope, if we are to have a free-enterprise system in this State, that it be allowed to stand on its own two feet. I

do not think we should go too far in protecting free enterprise. I agree with the member for Landsborough that we are going too far by bringing down all sorts of restrictive legislation. I always thought that Government members stood by the idea of survival of the fittest, with those who do not survive being left to die; but that does not seem to be so. It seems that we are prepared to support certain types of private enterprise.

**Dr. Lockwood:** I agree with you, but would you not agree that there should be one price to all distributors who purchase at the same "A" class depot?

**Mr. WRIGHT:** Yes. I agree with a couple of points raised by the honourable member for Toowoomba North.

I think we should look closely at the price of petrol and the cost of services rendered by service stations, especially charges for tyres and so on. I believe there have been—I will use the term—"rip offs". It seems strange that one service station charges \$35 for tyres while down the road the same article is sold for \$19.50. Something is wrong. If it is free enterprise, whether they are buying in bulk or not, something is wrong when one can charge almost half the price of the other for tyres that are virtually the same. We need to consider the whole matter.

I would hope that the Minister will give some consideration to the aspect of fire protection in bulk-storage areas. That is important. Nobody seems to care about it. I know that people in all manner of callings come along and load up their drums. Perhaps we need stricter regulations to cover the situation.

I would hope, too, that the Minister would do something about the "watering" of petrol. In some of the Central Queensland regions there have been nothing but complaints about the pinking that people are experiencing in their cars because petrol has been watered down. I have made inquiries through the Minister, and it has been found that it has been caused by water leaking into underground petrol tanks. One service station made refunds to everybody who went back. However, I think it is time we tightened up on the whole scheme. To start with, there are too many service stations. We have them on every corner.

**Mr. Moore:** That is tripe about water being in the petrol. It would be at the bottom.

**Mr. WRIGHT:** The honourable member would not know. I suggest that he talk to some of his constituents.

**Dr. Lockwood:** The problem is that it is petrol for industrial use. It has no additives in it. They buy this and there is no duty paid on it. It is something that is tipped into the underground tanks.

**Mr. WRIGHT:** The honourable member should have made that comment during his contribution to the debate. However, I shall accept the interjection so that it will be recorded.

**Mr. Frawley:** What do you mean by "watered down petrol"?

**Mr. WRIGHT:** Well, in the sense that it is defective petrol.

**Government Members** interjected.

**Mr. WRIGHT:** Through you, Mr. Miller,—

**The TEMPORARY CHAIRMAN** (Mr. Miller): Order! The honourable member does not have to accept interjections.

**Mr. WRIGHT:** No, I will not. However, I am sure that the honourable member for Murrumbidgee is an expert in this field. Motorists have noticed a pinking effect and it has been discovered that service stations have water in their petrol tanks. The proprietors have explained that it is very difficult to keep the quality of petrol as high as it should be.

**Government Members** interjected.

**The TEMPORARY CHAIRMAN:** Order! There is far too much audible conversation in the Chamber and there are far too many interjections.

**Mr. WRIGHT:** Thank you, Mr. Miller. For some reason, Government members are being very aggressive.

I should like to make some suggestions on other aspects of the Factories and Shops Act. The introductory debate on a Bill gives honourable members a good opportunity to speak generally on the Act. The motion is—

"That a Bill be introduced to amend the Factories and Shops Act 1960-1973 in certain particulars."

I could move an amendment to add the words "and for other purposes", but I shall not do that.

**A Government Member:** Why don't you demonstrate your virtuosity?

**Mr. WRIGHT:** I am told that the honourable member also has certain skills that he has been demonstrating recently, especially late at night.

**Mr. Moore:** He doesn't talk about the laying on of hands.

**Mr. WRIGHT:** I belong to a certain religious order and the laying on of hands is very effective in faith healing.

I express some concern about how the Act creates problems for the general public as it pertains to hairdressers. In Part VIII

the Factories and Shops Act prescribes certain hours for businesses and shops and exempts certain shops. They include chemists' shops and druggists' shops, confectionery shops, cooked provision shops, fish shops, fruit shops, vegetable shops, restaurants, flower shops, tobacconists' shops, booksellers' shops and undertakers' establishments. There is a great list of them. I suppose that the common characteristics is some sort of service in the sense that they provide something that people need and are more or less the shops that should be open and available to people during their recreational periods.

I wonder if we are creating our own difficulties when it comes to barber shops, where trading is restricted to between 8.30 a.m. and 6 p.m. With the changing working hours today—and flexitime is gradually gaining momentum through Australia including parts of Queensland—I think those hours should be reviewed. Because of the restricted hours, I have had great trouble in the past couple of weeks in getting a haircut.

**Mr. Moore:** You look like it, too.

**Mr. WRIGHT:** I am sure that the honourable member never needs one.

Other members have expressed this concern to me. I am not sure where the Master Hairdressers Association stands in this matter. I think it is time the hours were reviewed. We should consider the aspect of service to the public. Men do not have the right to go and get a hair cut when they want to. However a woman can, especially at show time; she is allowed to go to a salon at 8.30 at night, whereas men are bound to certain hours. It is also difficult for the men's hairdressers. This condition has been so hard on them that many have gone out of business. I am told that their numbers have decreased by something like 70 per cent.

**The TEMPORARY CHAIRMAN:** Order! I should like the honourable member to come back to the motion under discussion. The honourable member seems to have got off the track a little. He is talking more about hairdressing than about petrol.

**Mr. WRIGHT:** In view of your ruling, Mr. Miller, I move the following amendment:—

"Add the words—  
'and for other purposes.'"

Motion (Mr. Wright) negatived.

**The TEMPORARY CHAIRMAN:** I ask the honourable member to come back to the original motion.

**Mr. WRIGHT:** It was a very good try, Mr. Miller. Had the Minister been sympathetic and truly interested in the problems confronting the barber today, he would have allowed the Committee to debate other

aspects of the Act. I shall not continue on that point. I shall just say that I hope the Minister will consider changing the exemption provisions as they relate to the hours of barbers.

To return to the Bill—I mentioned previously matters concerning safety.

**The TEMPORARY CHAIRMAN** (Mr. Miller): Order! I ask honourable members on my left to please refrain from talking so loudly.

**Mr. WRIGHT:** Earlier I mentioned safety aspects of various storage areas and service stations. As you will realise, Mr. Miller, this is a matter that does pertain to the Bill. I think the Minister could well give thought to implementing safety requirements in Government buildings as well as other places. As honourable members will see if they refer to the Act, the second schedule, on page 402, sets out certain requirements such as sanitary and washing conveniences, baths, drinking water, ventilation, lighting, first-aid, fire precautions, and temperature control, in shops that are covered by the legislation. But such provisions do not apply in Government establishments. The office of the Queensland Government Tourist Bureau in Rockhampton, for instance, is a fire trap. There are schools, too, that are fire traps. Service stations and bulk fuel depots must have fire-fighting equipment, but that does not have to be provided in Government institutions. One wonders why there are two sets of rules. Is it because public servants are less important than people employed in the private sector? Surely it is time that there was one rule for all. That is certainly not the case now.

There are also cases of exemptions (illegal exemptions, to my mind) given to hotel proprietors who conduct cabarets, as a result of which they place additional chairs and tables completely across exits to enable them to accommodate more people. If there was a fire in such a place, one can imagine how many people would be trapped. It is time for a review of the safety provisions of the Factories and Shops Act.

I made a few comments on the petrol-selling aspect of the Bill. It has my general support, but I shall be having a closer look at it on the second reading.

**Mr. CORY** (Warwick) (12.42 p.m.): I rise to express some reservations about the Bill. At the outset, I indicate my support of the remarks of the honourable members for Landsborough and Isis. I think we all agree that if there is a problem between oil depots and service stations in the retailing of fuel, something should be done about it; but in the first place the oil companies themselves should be dealing with this problem. Local authorities, too, have a considerable degree of control over what may and may not be done in oil depots. It is quite obvious

that, as oil depots do not provide service station facilities, they are in an advantageous position in retailing fuel. As service stations do provide a range of services, they deserve protection; but it is the oil companies that should be giving that protection. If people are buying most of their petrol at depots at wholesale rates and going to service stations for tyre service and windscreens cleaned, that is wrong and it should be stopped. I repeat, however, that it is the oil companies that should take this action.

From some of the remarks that have been made, it might seem that all depots are owned by oil companies. That is not so. Some small businessmen run fuel depots in their own right. They are supplied by oil companies; but the depots, and the vehicles and other facilities in them, form part of privately owned businesses. If there have been abuses in trading with depots, as obviously there have been in some areas, something should be done about it; but I repeat that the controlling should be done by the local authorities concerned and, more particularly, the oil companies.

It has been said that it is regrettable that such legislation is necessary. I agree with that. What concerns me is that this legislation might be too restrictive. If it is intended purely to prevent retailing from a depot, I do not think it will create many problems, but I suspect it will embrace more than mere retailing from depots and could adversely affect some of our legitimate industrial users.

I appreciate the Minister's clarification of who is and who is not eligible to obtain fuel from depots, but legitimate industrial users might find that legally they could be prevented from obtaining their bulk supplies from depots. I know the Minister said that industrial pumps should be used only for industrial purposes. I think we can agree with that, but the industrial pump at the depot itself is the one that is causing the problem; it is being used for retailing. I want to make sure that the industrial pump at the depot is available to serve industrial users. This is no small problem. If we are not very careful, we could hurt a lot more people than we help.

The people I am concerned about are those who, because of local authority by-laws or a provision in the Act, are not able to store fuel, or are too small and find it impracticable to provide these facilities. They should be allowed to obtain their industrial supplies from the industrial pump at the oil depot. The term "industrial users" includes industrial and commercial operators, primary producers and other people. We need to safeguard the availability of the depot's industrial pump for legitimate industrial users.

One reason behind the introduction of this legislation might have been that passing vehicles have been sold petrol as a normal transaction. Even if bulk supplies are held

in a company's depot or on the property of a primary producer, those people should still be allowed to obtain their legitimate industrial supplies from that industrial pump. If that remains an acceptable practice under the terms of this Bill, I do not think we will have much to complain about.

I think we all agree that the problem has come about through retailing from industrial pumps, which has led to the service station proprietor missing out on sales. Something should be done about that, but we do not want to cut across the rights of the legitimate industrial user. Even if the user keeps his own supplies, or if local authority by-laws prevent that, he should be allowed to obtain his industrial supplies from the industrial pump at the depot.

**Mr. DOUMANY** (Kurilpa) (12.49 p.m.): I rise to support this Bill. It is obvious that some confusion exists about the intention of this legislation. The question of discounting on retail petrol sales is a separate matter. We are concerned with wholesale sales. I point that out because obviously there is some misunderstanding about the role of oil companies. Under the provisions of the Trade Practices Act governing pricing and pricing structures, it would be improper and illegal for oil companies to dictate price structures.

Without doubt the oil companies are not in a position to dictate pricing structures, nor do we want them to be put in that position. When we look at the meanderings and the tirade of hackneyed digression of the honourable member for Rockhampton, we realise that he never hesitates to point out the supposed anomalies in the thinking of the Government parties on private enterprise. If the honourable member read "Hansard" back over the years he would learn of the ready admission from all rational people on this side of the political fence that there is certainly a place for Government in matters such as this, and that there is certainly a place for Government in greasing the rails and keeping the wheels lubricated so that private enterprise can function. If that were not so, we would not have a Minister such as the Minister who is introducing the Bill today occupying such a portfolio. There would be no need for him. We are not that laissez-faire!

Let me come back to the nub of the issue. The nub of the issue is that the consumer certainly wants service at the retail level. Although fuel is an important component in the total cost of running a motor vehicle, it probably represents only about one-quarter of the annual cost of running a vehicle for, say, 12,000 miles. Roughly half the cost of operating a private motor vehicle lies in the area of service and maintenance—repairs, replacements, spare parts, etc.

**The TEMPORARY CHAIRMAN:** Order! I ask honourable members on my left to refrain from such audible conversations.

**Mr. DOUMANY:** I am not going to debate the standard of service at petrol stations. Obviously they all vary. If retail outlets, which offer a full range of services, suffer a serious diminution in the volume of sales and also have their profit margins cut to the bone, those that are able to survive will be forced to make up their losses by increasing their service charges and possibly at the same time lowering the quality of the service given. This certainly will not please the Queensland motorist, whatever his political beliefs. This matter is beyond politics. What I have said makes sound common sense. We must protect the interests of the retail outlets if we are to ensure that the vehicles driven by our motorists are maintained in a roadworthy condition.

I share the concern expressed by the honourable member for Warwick for the genuine industrial user who may not have adequate storage capacity on his premises or who may find it inconvenient to buy petrol in drums. From the Minister's introductory remarks I presume that distillate is exempted from the provisions of the Bill, and I hope that motor spirit, as defined, will be made available at bulk depots to bona fide industrial users who do not purchase in bulk as we understand the ordinary meaning of the term. Perhaps it will be necessary for agreements to be negotiated between the supplier and the user to allow this to be done; nevertheless I see no objection to it.

I point out that inherent in all this is a quid pro quo. Some months ago the metropolitan service stations, and I think some outside Brisbane, were considering shorter trading hours. If the price structure and profit margin of retail outlets are protected by the Bill, I believe the retail outlets must be prepared to give a quid pro quo by remaining open between certain hours to meet the needs of the public. I would oppose any such reduction in trading hours because I do not believe that the service stations should have their cake and eat it, too. That's just not on.

I commend the Minister on his introduction of this necessary and timely measure, which will go some way towards helping the average service station proprietor in Queensland, who, as we know, is under constant pressure, to stay in business and to offer his customers the high quality of service that they are entitled to receive.

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

**Mr. FRAWLEY** (Murrumba) (2.15 p.m.): I join the debate to support the Bill as outlined by the Minister. It is designed to prevent the sale of motor spirit to the public by wholesale depots. About 25 per cent of the petrol that should be sold by retail outlets is being sold by petrol depots. I know of one depot that has its petrol tanks near the fence so that motorists may be served through the fence without the general public being aware of it.

This measure will not prevent in any way service stations from selling petrol at a cut price. There are cut-price stores and if people want cut-price service stations they should have them. Oil companies are the worst offenders in selling petrol direct to the public from depots. One day, when I went with a man to the Shell Company's Bowen Hills depot I found that petrol could be bought for 5c a gallon off.

**Mr. Jensen** interjected.

**Mr. FRAWLEY:** If the honourable member waits a little he will hear a sensible contribution completely different from some of the rubbish he spoke.

The Shell depot at Bowen Hills sells petrol at 5c a gallon off. An old compressor is kept running at the depot so that motorists can pump up their tyres, but it is impossible to determine whether the reading on the pressure gauge is 10 lb. or 100 lb. Motorists check their own batteries, radiators and oil. As honourable members know, most service stations put tap water into batteries, so there is not much to be gained by that service.

**Mr. K. J. Hooper:** Are the children in the gallery from a school in your area? If so, I will help you out.

**Mr. FRAWLEY:** That will be the day when I need any help from the honourable member for Archerfield.

Oil companies in Queensland, especially in Redcliffe, have the choicest real estate sites. I ran a service station from July 1967 until March last year. From 1967 to 1969 I leased a station from B.P. and I then built a freehold station. Honourable members may laugh when I tell them I built it on the side of the road opposite the cemetery. I did that knowing that no oil company could buy the cemetery from the Redcliffe City Council to set up a station in opposition.

**Mr. K. J. Hooper** interjected.

**Mr. FRAWLEY:** I do not intend to accept any of the stupid, irrelevant interjections made by the honourable member for Archerfield. He is well known as the Trades Hall parrot. Day after day he reads briefs that are presented to him by the Trades Hall. He cannot even read a decent speech, let alone make one. He cannot spell some of the words he uses, and puts the commas and stops in the wrong places. If he has made a decent speech in this Chamber, I have not been present to hear it.

Without doubt service station proprietors have had the rough end of the deal for many years. I must be fair to the oil companies and say that anyone with a freehold service station is able to make a good living. When I went into a service station, the margin was 7.9c a gallon. The margin

has now increased to 13c a gallon on super and 12 point something a gallon on regular. In 1969, with a margin of 7.9c, conditions were very difficult for a service station proprietor leasing a service station and selling about 14,000 gallons of petrol a month. To be profitable on a margin of 7.9c, a service station owner had to sell between 10,000 and 15,000 gallons a month. When I was leasing my petrol station, I was paying \$250 a month in rent and \$490 a year by way of rates to the Redcliffe City Council. A garage proprietor who leases a station is responsible for everything about the place.

**Mr. Jensen** interjected.

**Mr. FRAWLEY:** That is right; as sales increased, so did the rent. My rent increased from \$250 in the first year to \$280 in the second year, and when the oil company tried to increase it to \$300 in the following year I told it what to do with its station and got out. I then built the first freehold station to be constructed in Redcliffe for 20 years. Everyone said I was a fool to do that, but it turned out to be a good business. I disposed of it last year only because I found that I could not run it successfully. I am not blaming my eldest son, who was running it, but a service station is the type of business that calls for the owner to be on the property most of the time.

**Mr. Moore:** You cannot be a full-time member of Parliament and run a business as well.

**Mr. FRAWLEY:** It is impossible. Being a full-time member of Parliament, I felt that I had to dispose of my business. I do not regret doing that, although I do not begrudge any member of Parliament having his own business. If a member of Parliament can successfully run his own business as well, good luck to him. I just couldn't do it.

**Mr. Jensen** interjected.

**The TEMPORARY CHAIRMAN (Mr. Row):** Order! The honourable member for Bundaberg will come to order.

**Mr. FRAWLEY:** I now wish to talk about the position at Redcliffe, which has 32 service stations. For a city of 39,000 people that is ridiculous. There are too many service stations in Redcliffe and other country towns in Queensland.

The excise duty on petrol is 28c a gallon. At the present time the service station lessee makes 13c, which is a total of 41c. The oil companies are getting 30c a gallon. As I said before in all fairness to them, a service station owner can make his own arrangements with the oil company. He can say to the company, "If you want me to sell your petrol and sign up for so many years, I want

more than 13c a gallon." I know some proprietors who receive 18c. Different rates are arrived at. In fairness to the oil company whose petrol I sold—Mobil—I could not divulge the terms of my agreement with them. Those are confidential matters. I can see nothing wrong with keeping them private.

Instead of building new service stations, lately the oil companies have begun pulling them down. Within five years I expect that 30 per cent of Australia's service stations will have been closed. At the present time Australia has approximately 20,000 service stations. There is not enough business to go round. I repeat that the average service station must sell between 12,000 and 15,000 gallons a month to be a paying proposition; yet most have the capacity to sell as much as 100,000 gallons a month. There are busy times and slack times. If it were possible to keep business running freely, at least 100,000 gallons a month could be sold.

I believe that within a few years the small service station as we know it will disappear and be replaced by self-service service stations. Recently when I was overseas I saw some of these stations, where the motorist serves himself with petrol, which he obtains at 5 or 6c a gallon below the full retail price, but he has to do all of his own checking. Most service station proprietors will dip the oil, and check tyres, battery, radiator, and radiator hoses. By checking under the bonnet, a service station operator gets quite a deal of business. The average motorist does not know—and I do not say this in a derogatory manner—whether his top or bottom radiator hoses are faulty. I will give honourable members a clue on this. If the hoses are very soft to the touch, they are faulty and should be thrown away, because when the engine is running the walls are sucked together and the cooling is affected. The average motorist would not know if his fan belt was about to collapse or not.

**Mr. Moore:** Did you put water in your petrol in the way the honourable member for Rockhampton spoke about?

**Mr. FRAWLEY:** What a lot of rubbish that was! I am amazed that a member of this Parliament would not have enough sense to know that if water were put in petrol the motorist would realise it before he had driven far down the road.

**Mr. Moore:** That was the point I was wanting to make.

**Mr. FRAWLEY:** The honourable member made a good point. I made a note of that. When other members were speaking I made a few notes.

I want to tell honourable members something about the watering-down of petrol. It is not "watered" petrol at all. That is a lot of rot. It is effected by mixing standard petrol with super.

**Mr. Moore:** Lowering the octane rating.

**Mr. FRAWLEY:** That is right.

A lot of people selling cut-price petrol—cheap petrol—are not selling super. I warn every motorist to take note that when buying cheap petrol they may not be buying 100 per cent super. They should never fall for that. At night standard petrol is put into the storage tank. There is a difference of 3c a gallon. If kerosene is put in the petrol, it is not hard to smell the difference.

**Mr. Burns:** Were you ever checked by the inspectors when you were selling petrol?

**Mr. FRAWLEY:** Yes, I was. Inspectors from the weights and measures section came down and took samples. As the service station operator, I had to pay their fee.

**Mr. Burns:** Did they come down very often?

**Mr. FRAWLEY:** I know the Leader of the Opposition is trying to find something out. I will help him. They did not come down very often.

**Mr. K. J. Hooper** interjected.

**Mr. FRAWLEY:** Most service stations have their underground tanks and bowser arranged in such a way that it is impossible to put petrol from the standard bowser into the storage tank for super petrol. In most service stations it cannot be done. The hose would not be long enough. Of course, a garage owner could use a long length of polythene pipe to transfer it either late at night or in the early hours of the morning.

I make my next statement because the honourable member for Archerfield will get up and tell a lot of lies about me in the future. At the service station I operated, the petrol storage tanks were locked. Under my deal with Mobil, I paid for the petrol I sold. I sent Mobil two cheques a week. All of the petrol beneath ground level at my service station belonged to the oil company and it kept the tanks locked. It had the key. I could not open the tanks. I did not want to. I read my petrol pump meters every week.

**Mr. Jensen:** How did you rig the meters?

**Mr. FRAWLEY:** It is not possible to rig the meters. The honourable member should not be so stupid.

I read the meters every week and I calculated how much I owed the oil company and sent a cheque. Then every two months an oil company representative would come to my station and make a check. Sometimes I had underpaid the company and once I had paid it \$30 too much. It was a gentleman's agreement and we each stuck to it.

Anyone who gave the company a dud cheque would be taken off what is called the meter plan and would have to pay cash when the tanker arrived. A service station owner who forgot to leave a crossed cheque in the secret hiding place would not get any petrol, and a 5,000-gallon tanker might be involved. If the driver could not find the cheque and knew where the owner lived, he would wake up the owner, who would have to write out a cheque at night-time. That applies to a person with a leasehold service station. It is much better to have a freehold service station.

**The TEMPORARY CHAIRMAN** (Mr. Row): Order! I remind the honourable member for Murrumba that we are dealing with the wholesaling of petrol from depots.

**Mr. FRAWLEY:** Yes, Mr. Row, and I am just about to tell you about some of the rackets at depots.

**The TEMPORARY CHAIRMAN:** Order! The honourable member is getting away from the subject before the Committee.

**Mr. FRAWLEY:** I was side-tracked maliciously by members of the A.L.P. They knew I would make a brilliant contribution to this debate and they do not want to hear it.

**Mr. K. J. Hooper:** How about the two prosecutions that the Miscellaneous Workers' Union took against you for underpaying your garagemen?

**Mr. FRAWLEY:** That is a shocking statement. I have to answer that one. First of all, at no time did I have a member of the Miscellaneous Workers' Union employed at my garage.

**The TEMPORARY CHAIRMAN:** Order! I think that both the interjection and the reply are irrelevant and I ask the honourable member to get back to the Bill under discussion.

**Mr. FRAWLEY:** There are too many interjections.

The honourable member for Rockhampton spoke of watering down petrol and the honourable member for Windsor made a pretty good observation by way of interjection to correct him. The lower octane rating of the petrol resulting from mixing super and standard grades makes a car pink. Anybody who goes to a cut-price station or anywhere else that sells cheap petrol and finds that his car pinks can be pretty certain that he did not get super grade petrol.

The only difference with industrial petrol is that it has no dye in it. It is the same petrol without the colour in it; in other respects it is the same as any other petrol.

Anybody who is supplying cheap petrol adds something onto the cost of labour in his garage. I warn motorists to be very careful. They should not fall for cut-price petrol. Most of the cut-price petrol is subsidised by the oil companies. If a garage owner is selling petrol at 6c a gallon below the normal price, the oil companies are kicking back 3c a gallon to him. This goes on all the time.

This is a very opportune time for the Minister to introduce this Bill. I am not giving any secrets away when I say that the Dalby Town Council has been very concerned about petrol depots acting as retail outlets because this practice has sent many garage proprietors broke and they cannot pay their rates to the council.

Queensland has 2,272 motor mechanic apprentices, 960 of them in the Brisbane area. Between 45 and 50 per cent of those apprentices are employed in service stations. So anything that disturbs the service station industry could lead to a big job loss to Queensland.

**The TEMPORARY CHAIRMAN:** Order! There is far too much audible conversation in the Chamber. I ask that the honourable member for Murrumba be heard. I refer particularly to honourable members on my left. If they want to hold a caucus meeting, I suggest that they do so outside the Chamber.

**Mr. FRAWLEY:** I join issue with the honourable member for Windsor, who said that service stations should be open for business 24 hours a day. I cannot agree with that suggestion.

**Mr. Houston:** Another fight among Government members.

**Mr. FRAWLEY:** No, there is no fight at all. The honourable member for Windsor and I enjoy a pretty good relationship. We were in the same class at college.

**The TEMPORARY CHAIRMAN:** Order! Would the honourable member please return to the Bill.

**Mr. FRAWLEY:** Extending the trading hours of service is a lot of rot. The hours worked by service station operators in Melbourne were virtually killing them. There is no great demand for petrol after hours in Queensland except in country areas. Anyone can buy petrol even on the Nullarbor Plain after hours if he is prepared to pay for it.

**Mr. Houston:** There are plenty of 20c machines around the place.

**Mr. FRAWLEY:** I would not have one of those; they are too easy to rob.

**Mr. Houston:** But there are plenty of them around.

**Mr. FRAWLEY:** Of course there are. I am glad the honourable member made that interjection. There is no need for service station operators to work extended hours. In Brisbane, the trading hours are 7 a.m. till 6 p.m., and, as from next Saturday, service stations will be allowed to open from 7 a.m. till 12 noon on Saturdays. Previously they operated till about 11 a.m. There are also service stations open on roster on Saturdays from 12 noon till 6 p.m., and on Sundays from 7 a.m. till 6 p.m. I think that the motorists in Brisbane, and indeed throughout the rest of Queensland, are given a pretty good run by service stations.

About 25 per cent of petrol that should be sold retail is being sold from depots. I am not against the sale of cut-price petrol, nor am I against the sale of petrol from depots if it is done in the right manner. If a customer of a depot has an industrial pump and uses 250 gallons a month (I could be corrected on that figure), I can see nothing wrong with selling petrol to him. Petrol sold from depots in 44-gallon drums is 5c a gallon cheaper. However, many local authorities, including the Redcliffe City Council, have by-laws prohibiting the storage of more than about four to eight gallons of petrol under a house. I therefore cannot see how any household would buy petrol in 44-gallon drums.

A reduction in the number of service stations would certainly increase the level of profitability for both service station proprietors and oil companies. In fact, there would be no need for further increases in the price of petrol if oil companies reduced the number of service stations.

Whilst I am on my feet, I should like to say a little about some of the slavery that is associated with the running of service stations. Recently a service station proprietor at Oxley, whose name I shall not mention, was featured in the Press as saying that he would like to change places with a member of Parliament as he was making only about \$50 a week profit. It is well known on the industrial estate at Wacol that many firms are selling petrol on the side from industrial bowlers. That is how they are cutting the throats of some service station operators in that area. If this fellow who talked about giving politicians the wages of service station operators is making a profit of only \$50 a week, he should get out of the business.

**The TEMPORARY CHAIRMAN** (Mr. Row): Order! There is too much audible conversation in the Chamber.

**Mr. FRAWLEY:** I have heard oil company spokesmen say that they would sack a depot agent who retailed petrol to the general public at less than the retail price. That is a pack of lies; they would not do that at all. They say that with tongue in cheek. I have never known an oil company to stop any depot from selling petrol at any time. All

that oil companies are interested in is the gallonage sold. They do not give a hoot whether it is sold through retail or wholesale outlets.

In August 1973, the proprietor of an Ascot service station put up a sign advertising cut-price petrol. He was trying to give the motorist a fair go; he knocked 7c a gallon off the price. Within hours, the supplying company ordered him to remove the sign or it would stop supplying him. That was a shocking thing for the company to do. If a person wants to sell cut-price petrol at a private service station, let him do so. In Redcliffe, Yellow Cabs have just bought an Ampol service station and they are selling petrol at 5c a gallon off. In fact, this is rather amusing. Most members know that Yellow Cabs are a subsidiary of Ampol, so the reduction amounts to nothing more than a book entry.

There is no doubt that service station operators do get the rough end of the deal, and the provisions of the Bill will assist them.

**Mr. Burns:** Don't you think petrol could be cheaper?

**Mr. FRAWLEY:** Of course it could be—and by quite a lot. If your rotten mob in the Federal Government, dominated by Left-wingers and all the damn Communists around the place had not increased the excise on petrol, they would not have caused so much trouble in country areas. Do not tell me that 28c a gallon excise on petrol is giving people a fair go. That is ridiculous, especially when it is applied to country areas where families must have two cars. The husband goes to work and how else can the wife get her children to pre-school and other schools when there is no school bus service?

**An Honourable Member:** On a bike.

**Mr. FRAWLEY:** On a bike, yes. It would probably be healthier for her to do so, but there are laws against doubling on a bike so she cannot do it.

(Time expired.)

**Mr. McKECHNIE** (Carnarvon) (2.36 p.m.): I rise to support the Bill. Like the honourable member for Warrego and the honourable member for Landsborough, I have reservations about it but I will not bore the Committee by going over everything they said. I agree with them and I compliment them on the able manner in which they presented their arguments.

This Bill is concerned mainly with the protection of service station proprietors, which is good. One point I would make rather briefly is that the public outside the large cities should be given some protection also. I think the provisions of the Bill should be widened.



I also compliment the honourable member for Bundaberg. He is the only A.L.P. member I have heard in any Parliament who has come to grips with the problem of small companies such as XL Petroleum which choose—

**Mr. Moore:** They're going to take away his endorsement, you know.

**Mr. McKECHNIE:** They might be. But never mind; he is a good chap and if they do that he will probably join the Government.

XL Petroleum chooses to distribute petrol in areas where distribution costs are very low. Some people might say, "Well, why worry?" I worry about it very much because the larger companies have to compete with companies such as XL. All big companies like to make a profit and they are not really worried about whether they make it from city or country sales as long as they make an over-all profit. Since the inception of the Federal Government's Prices Justification Tribunal, if they can prove that they are not making a fair profit by reason of losses in one area, they use that as an excuse to get permission to charge the rest of the consumers of Australia much more than they would be allowed to if these small companies which operate only in favourable areas did not exist.

Mention of the increase in petrol excise to 28c a gallon has already been made by my colleague the honourable member for Isis. We must protect service station owners who are facing unfair competition from wholesalers, but I cannot resume my seat without pointing out the plight of people in areas outside the large centres of population and the way they are being affected by higher petrol prices. Because of competition from the smaller companies, the large companies are making smaller profits in Sydney and Melbourne and are being forced to increase their profits from country sales.

I support the Bill but I hope that the Minister will be able to find a way to give similar protection to people outside Brisbane.

**Mr. BYRNE (Belmont) (2.40 p.m.):** It is an accepted responsibility of Governments to endeavour to maintain equity across the whole spectrum of the community. Australia is a vast nation with huge distances and a small population so its two main problems are communications and transport. Governments should look at both of those problems.

Unfortunately Governments in the past, rather than subsidise those inequities and try to bring about a greater degree of equality across the nation, imposed taxes. I include the present Federal Government in that. It continues to increase excises, levies, taxes and postage. Today 22½c of the price paid by the consumer for a gallon of petrol goes to the Federal Government in excise. A further 7c goes to cover the extra levy

imposed by the recent Federal Budget. Petrol now costs about 72c a gallon in the cities, but country people have an even heavier burden to bear. Since the abolition of the petroleum products subsidy, they have to pay up to \$1 a gallon for petrol. The fact is that people cannot be blamed if they try to find an outlet where they can buy cheaper petrol. That is probably one of the major reasons for this legislation, which will protect not only garage proprietors in city and country areas but also those members of the consuming public who desire to avail themselves of the services that garages offer—petrol, the cleaning of wind-screens, the checking of tyres, oil and water and the general service of under-the-bonnet items.

My electorate has several service stations. When I realised that this legislation was coming forward, I had general discussions with them. They agreed that it was important that they be able to maintain their services, and that therefore legislation of this type should be introduced. They pointed out that with the proposed introduction of cut-price, self-service bowsters, which petrol companies already had made plans for and determined at which garages the self-service bowsters would be operated, the long-term effects of such legislation on proprietors in the city may not be so great. But it will be greater on country proprietors. In the future, service station proprietors will become more dependent on the maintenance of vehicles and will have to provide other services to encourage the public to buy petrol from them.

The principle behind the Bill which cannot be ignored is that there will be a restriction on the retail sale of motor fuel by the wholesaler from his industrial pump or a bulk fuel depot. This does not mean that bulk suppliers will be prevented from applying for the installation of retail bowsters. If they wish to maintain what is seen as a balance of orderly marketing, they will be at liberty to do so.

The petrol industry is faced with three basic problems. The first concerns storage facilities and the effect that strike action will have on the public when petrol stocks are running low; the second is the heavy dependence on petrol by private motorists and transport operators; the third is availability of the outlets; the fact that, although there appear to be a great many service stations, when a motorist suddenly finds his petrol tank empty he does not seem to be able to find one in the near vicinity.

The honourable member for Landsborough made the valid point that the industry itself should be able to solve these problems. I have no doubt that the Trade Practices Act would create some difficulties for the industry, but perhaps this legislation will help remove some of them.

Today the motorist is called upon to meet the high cost of excise duties and levies imposed on petroleum products by the Federal Government. In fact from one-third to one-half of the cost of a gallon of petrol is made up of excise duty. This, of course, encourages the motorist to seek cheaper petrol.

Although this legislation will assist garage proprietors in the cities and towns, it will not overcome the problem that arises in country areas when motorists fill their petrol tanks from their own bulk supplies and then when in town drive to the service station simply to have their tyres, radiators and batteries checked free, and, perhaps, to buy one dollar's worth of petrol merely to keep faith with the proprietor.

This Bill, it is hoped, will afford protection both to the service station proprietor and to the consumer. It will also prevent unbalanced and disorderly marketing, and it has my wholehearted support.

**Mr. ELLIOTT** (Cunningham) (2.49 p.m.): I wish to speak briefly to this measure. It has been suggested that the Bill will discriminate against country people, such as beef producers in necessitous circumstances, who, after a long drive to the nearest town, find their petrol tanks empty and are not able to buy cheap petrol to enable them to return home. I would refute such a suggestion. Such a person would be quite able to buy petrol in bulk, store it on his premises and carry an emergency supply with him in 4-gallon drums. There is nothing to prevent him from doing that. I would urge that the use of plastic containers be strictly avoided. I am against those motorists who use service stations purely as a convenience and as a place where they can have their vehicles serviced without buying petrol. I believe this legislation will stamp that out. All other relevant points have been covered adequately by earlier speakers, and I commend the Bill to the Committee.

**Hon. F. A. CAMPBELL** (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (2.51 p.m.), in reply: I think I am right in saying that the Committee accepts the proposals in the Bill. Furthermore, every speaker—both from the Opposition and the Government—has shown a keen appreciation of the intention of the Bill. I thank honourable members for their support.

Before dealing with comments on the Bill itself, I shall deal with a matter raised by the honourable member for Rockhampton North. He said he felt that private enterprise had finished centuries ago. The spirit of free enterprise remains undiminished despite the efforts of the socialists in Canberra to eliminate this philosophy. Small businessmen—and there are countless thousands of them in this country—are the mainstay of

the free-enterprise ethos. This legislation is aimed at protecting the interests of small businessmen.

I thank the honourable member for Rockhampton North for the responsible way in which he addressed himself to the principles embodied in the legislation. I am sure that his fears about the disadvantages flowing from it will prove to be unfounded.

The honourable member for Isis cited the case of a wholesale purchaser who obtains fuel in bulk and who would be prevented under this legislation from continuing to have his tank filled at a depot pump. The complaint of retailers is that this type of person obtains his requirements from a depot which is not in a position to render driveway service, and then goes to a service station to top up his tank and take advantage of the services which the petrol retailer offers. Most honourable members have pointed this out as one of the problems in the retail petrol industry, and this is really the kernel of the legislation.

The honourable member for Landsborough said that we are helping to build a society opposed to free enterprise. He then said that rather than pursue the aims of this legislation we should regulate the retail outlets. In effect, he was saying the Government should determine that a service station should go on one site but not on another. I find many inconsistencies in his submission. He then said that the oil companies should put their own house in order and that they, rather than the Government, should act.

I think most members know that some three years ago my colleague the Minister for Justice had discussions with the oil companies about these problems and, as a result of the points of view expressed, he hoped that the matter might be regulated through a co-operative effort. Of course, the Trade Practices Act came into force subsequent to those conferences, and I understand from the oil companies that the Act prevents any co-operative action such as had been contemplated, because any collective conference of their representatives is considered under the Trade Practices Act to be evidence of collusion.

Some months ago I took the opportunity of calling representatives of the oil companies to my office. It was a most interesting experience. After they had all arrived and were seated, I intimated the purpose of the gathering. No-one spoke for a while, and then one of them was brave enough to say that his legal advice was that he should not be at the conference because he was putting his company in conflict with the Trade Practices Act. Consequently, after exchanging a few pleasantries, the oil company representatives trooped out. It was then that I realised that the only way to overcome the problem, which all honourable members have acknowledged is one that

requires correction, was to introduce legislation such as this. Perhaps it might have a slight effect on the principle of private enterprise; but, as I said earlier, on the whole we are concerned about the small businessman and we are acting in his interests and in the interests of the public generally.

The honourable member for Bundaberg said that the legislation was belated. To him I say that it is better for the legislation to be introduced late than not at all. He said we should stop the oil companies from cutting the throats of retail outlets. Let me say it is not my intention at this stage to involve myself in general petrol marketing. We are simply delineating between a wholesale distributor at local level and the retailer of the product.

**Mr. Jensen:** I said they were cutting the throats of their own outlets.

**Mr. CAMPBELL:** My remarks apply to that, too.

The honourable member for Rockhampton got into the act about free enterprise. In regard to my earlier remarks about the socialists in Canberra wanting to eliminate free enterprise, I make the comment that that perhaps was their outlook in their starry-eyed first months after they attained office. However, they soon discovered, as the record shows, the importance of free enterprise. Now they are turning somersaults trying to make good fellows of themselves with those who operate in free enterprise.

The honourable member for Rockhampton raised an important aspect when he referred to the necessity of taking precautions at depots against fire. The honourable member for Landsborough also made that point.

**Honourable Members** interjected.

**The TEMPORARY CHAIRMAN** (Mr. Row): Order! The Chair will take action if there is any more cross-fire in the Chamber.

**Mr. CAMPBELL:** I believe I would be right in saying that an improvement in fire protection will be one of the by-products of this legislation. The risk of fire will be diminished greatly with the cessation of retail purchases from depots and the consequent reduction in traffic.

The honourable member for Warwick expressed some reservations and said that the oil companies or, if not them, the local authorities should control the problem. It is because of lack of action at either level that the Government is legislating. He pointed out that all oil depots are not owned by the oil companies.

He expressed the thought that some genuine industrialists might be penalised because of the import of this legislation. I say to him and to all other honourable members that this is not the intention. When the

regulations are being drawn up, a close watch will be kept to see that the interests of the genuine industrialists are protected.

The honourable member for Kurilpa referred to the restraints placed on oil companies by the Trade Practices Act, to which I have already referred.

He said also that the consumer at retail level wants service and that price structure and margins must be maintained to enable a retail distributor to offer the best of service. Like the honourable member for Murrumbidgee, he highlighted the importance of service in maintaining a vehicle and indicated that the public would suffer if the present concept of garages and service stations was not preserved.

Other honourable members made valuable contributions but traversed many of the points advanced by others.

Motion (Mr. Campbell) agreed to.

Resolution reported.

#### FIRST READING

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

#### GRAMMAR SCHOOLS BILL

#### SECOND READING

**Hon. V. J. BIRD** (Burdekin—Minister for Education and Cultural Activities) (3.4 p.m.): I move—

“That the Bill be now read a second time.”

Honourable members, having studied the Bill, will agree that it is comprehensive and provides a clear pattern for the future operation of our grammar schools. Certainly, in some respects, more will be required of the administrators of grammar schools. I do not think this is an unreasonable approach on the part of the Government. Grammar schools operate, for the most part, on funds from the Government, parents and public subscribers. It is fair, then, that they be given certain statutory obligations as well as statutory rights. The administrative structure provided in the Grammar Schools Bill provides protection as well as responsibilities for everyone associated with the schools. What is more important, however, is that the grammar schools have not lost any rights or privileges, nor any of the comparative independence that they have hitherto enjoyed. I say “comparative” because obviously no grammar school can enjoy total independence.

Honourable members will have noted that the Bill provides for the establishment of new grammar schools. I feel I should point out that the Government has no motive in making such provision other than to ensure that such provision does exist in case a community wishes to establish a grammar school. I myself think this is highly unlikely in the

light of the extremely high capital and recurrent costs of building and running an efficient educational institution these days.

There has been no alteration to the constitution of a board of trustees, although one existing board did submit that the current ratio of four Government appointees and three subscribers' representatives be reversed because this State's financial contribution to the school was now less than funds from other sources. The Government has not accepted this viewpoint. As I stated earlier, most of a grammar school's funds derive from the public sector, if not directly from the State Government. By virtue of this legislation and Government policy, grammar schools enjoy rights and privileges not afforded to other non-State schools. The Government considers it not unreasonable that the majority of trustees should therefore be nominated by the Minister.

The amount of donation or subscription has been increased from \$10 to \$100. This is not considered to be an exorbitant increase, since the amount of \$10 was fixed in 1860. The Bill also provides for a donation in kind, for example, land, rather than cash to be recognised.

Trustees are appointed for four years instead of three as under the present Acts. This is a trend in modern legislation, and we felt there was no reason to make an exception of grammar school trustees in this regard. The Bill provides for the removal or disqualification of trustees in certain circumstances, for the filling of casual and other vacancies among trustees, and for the appointment of a substitute member in the event of the prolonged absence of a trustee. These are standard provisions in legislation of this kind which are lacking in the current legislation.

The current legislation was last amended in 1962, and that amendment made provision for the general financial procedures of a board, including the borrowing and investing of money. Part III of the Bill makes similar provisions, with some amendments to cover obvious omissions and to meet modern needs. There are, for example, provisions for a board to establish a superannuation scheme; to appoint staff, including a secretary; and to establish investment common funds. There are certain budgeting requirements to provide for the orderly running of a board's financial affairs.

We do not consider these requirements to be overdemanding, or likely to impose an unreasonable burden on a board's administrative staff. They are fundamental to good financial housekeeping and certainly fulfil the basic purpose of legislation such as this, which is to set out clearly for the guidance of all concerned the statutory requirements for the financial operation of a grammar school. Division IV of the Bill further details the statutory requirements as far as the actual proceedings of a board are concerned. No such provisions exist in the

present legislation, and I am sure that the trustees of grammar schools will welcome these clear guide-lines.

It could be said that Division IV—Proceedings, and Part IV—General Provisions, are "tidying up" provisions of the Bill. They not only continue certain established provisions, such as the payment of endowment and appointment of inspectors of grammar schools, but also provide for eventualities such as the discontinuance of a school. Boards are given a power of delegation which they have not hitherto enjoyed under legislation.

The Bill also sets out clear rules for the election of subscribers' representatives to each board of trustees. These rules prompted a great deal of thought when they were first proposed. The Government acknowledges that they constitute a new administrative role and perhaps some expense for grammar schools; but, it would be fair to say that the current method of election of subscribers' representatives to boards is, in some cases at least, haphazard and open to questioning. As far as I am aware, few, if any, subscribers not living near their grammar school have an opportunity to participate in the election of a subscribers' representative to a board. Others living near the school could argue that they were not adequately notified of an impending election. The Second Schedule to the Bill is intended to overcome these deficiencies and to remove beyond question any doubts as to the procedures and methods to be used in conducting elections. These are not unreasonable provisions when one considers that such subscribers' representatives constitute three-sevenths of a board of trustees and that such ballots will be held only once in every four years.

These and other provisions of the legislation will mean that boards of trustees and their administrators are in the next few years going to be busier. It is possible that boards will feel a need to draft new sets of rules to comply with the requirements of this Bill and there could be changes in current practices in the administration of grammar schools. However, I think the trustees will welcome the establishment of clear guide-lines which take into consideration modern trends and needs.

Immediately after the introduction of this legislation, I forwarded copies to all the boards of trustees of grammar schools and invited their comments. Their examination of the Bill has necessarily been a fairly quick one, but I have received a number of comments, which I have considered very closely. In general, the trustees have welcomed the Bill and expressed agreement with its provisions. That is not to say that they have supported all the provisions. Different groups of trustees had differing views—in some cases opposing views. If there was one common opinion, at least among the majority of schools, it was that we should not implement the provision covering the election of subscribers' representatives to boards of

trustees. They felt that such elections would be costly and would entail a considerable amount of work.

As I have said earlier, the Government does not feel this is an unreasonable provision. If the system of subscribers is to be continued and if such subscribers are to be empowered to elect three of the seven trustees of a school, I do not see that there can be any argument against having clear rules for an election.

As to cost, I do not accept that a heavy financial burden will be cast on the schools. The rules require the use of three postage stamps (or business reply envelopes) and the necessary ballot papers and envelopes. In a school with 500 subscribers this could amount to about \$350. This is not an exorbitant sum, particularly when one considers that elections shall be held only once in every four years and then only if the number of nominees exceeds three. It is not the Government's intention to alter this provision.

At this stage, I indicate that we have a few minor amendments to the Bill as a result of points raised by the trustees. I would like to place on record my appreciation of the comments of the various boards of trustees and I repeat my assurance that every comment was studied.

I commend the Bill to the House.

**Mr. WRIGHT** (Rockhampton) (3.14 p.m.): One has only to look at the first page of the Bill and consider the various subjects in the analysis of contents to see how broad the measure is. It covers points such as: the constitution of a board; disqualification from office of board members; tenure of office—as the Minister indicated a moment ago, an increase from three to four years; the various functions of boards; aspects relating to borrowing; aspects relating to elections; application of funds; brokerage of moneys borrowed; accounting and auditing; and the number constituting a quorum at a board meeting. So we gather from a quick look at the first couple of pages that the Minister has given very serious consideration to updating and modernising the Grammar Schools Act.

**Mr. Aikens:** It is a complete reshuffling of the old Act.

**Mr. WRIGHT:** It is more than that. It is a brand new Act and we have to look at it in that light. Like the Minister, I sent copies of the Bill to some of the grammar schools in Queensland. I took the opportunity to speak to teachers and parents in Rockhampton because there are two grammar schools in that area. The main point made to me was that the ratio of subscribers to Government appointees on a board should be four to three, not three to four. That is the very point made by the Minister. I pointed out to those people that in my opinion, as the Government has the financial responsibility, it should have the over-all

say. That has to be there for a majority appointment. That view was not accepted, and I do not think it ever will be accepted. There will always be those who will say that the subscribers should have the majority. If we regard grammar schools as being places where the community has a special type of involvement, then maybe we should take another look at the ratio of 3:4.

The involvement of subscribers was raised. In the appointment of a board the ordinary parents and subscribers do not have very much to say. They virtually give their powers to the board. The board of management, which it virtually is, has great powers. It can redelegate certain powers to other persons, but it is a very forceful group. That is obviously necessary because of the functions it has to perform. It was suggested that maybe in time to come we should look at ways of increasing even more the involvement of parents, subscribers and others in the community. After all, we are talking about a community-based school. We have always said that about the grammar school. We have highlighted it and praised it as being a system in which the community can become involved. They initiated it; they put forward the money. They said, "We want to improve the education system."

We could praise the system in other ways. It allows for experimentation; it allows for variation in curricula; it allows for different types of activities within the schools. However, its main characteristic is community involvement, and that is why I hold to the grammar school system. I put that forward at a recent meeting at the Clayfield College for girls. I said that to my mind it was the ideal compromise—if one is needed—between the State system and independent schools, where we have community and Government working together for the benefit of education.

Generally speaking, I think the Bill has been accepted by parents and teachers alike. I intend to raise in the Committee stage a few points that need clarification. On behalf of the Opposition, I support the measure. As with most legislation, time will tell whether amendments are required. No-one is perfect. We do not expect to enact legislation that will never need amending.

When the Minister introduced the Bill, he said he would make it available to interested people to see what they would come up with. I am pleased to see that he took some action on the \$10/\$100 business. That was a point raised with me. Previously it was \$10, so why make it \$100? Is it going to be only for those people who can afford to be involved? Surely that should not be the criterion for involvement in the education system, whether it be in a grammar school or any other type of school.

**Mr. Aikens:** You believe in the lesson of the widow's mite.

**Mr. WRIGHT:** Yes, I do. That is a very realistic lesson. A person gives in proportion to what he has. It is judged on that, not on the quantum given.

**Mr. Ahern** interjected.

**Mr. WRIGHT:** I should imagine that this will be brought down on a regular basis, and that it can be changed by Cabinet minute. From a very brief look at the proposed amendment, I gather that that was the intention. I am sure the Minister will deal with it in greater detail.

I support the Bill. I hope that we ensure that the community stays involved and that we do afford parents, citizens and subscribers opportunities to exercise an over-all supervisory role or power within the school. With a community school I do not like the idea of simply delegating powers to a certain group of people, of whom only a minority are elected by the subscribers and parents. I make that final point now, but I will have further comments to make at the Committee stage.

**Mr. BYRNE (Belmont) (3.20 p.m.):** I rise to support the Bill. I feel that there are a couple of points that should be clarified. At the introductory stage I raised opposition to the continuation of the principle relating to the establishment of new grammar schools. Clause 6 of the Bill enables a local group or organisation that raises a certain amount of money, or makes available property of a certain value, to become entitled to receive a benefit of up to two-thirds of the total sum required. At the earlier stage I said that that principle was one that should not be supported by the Government, and in the Committee stage I shall put forward the reasons for my opposition to it.

The Bill succeeds in updating the original Act, and it underlines the fact that in Queensland there are three types of schools—State schools, independent schools and grammar schools. To some extent the Bill is discriminatory in that in clause 6 provision is made to allow grammar schools, from their foundation, to borrow from the Treasury at negotiated interest rates for the construction of buildings and the provision of facilities, and to receive endowments. I do not contend that existing grammar schools should be prevented from doing that; what I suggest is that we should ask ourselves whether the principle that was clearly established in the 1860's should be continued in the 1970's and onwards. We should ask whether the principle is a discriminatory one in that since the 1860's Queensland has seen the development of the State-school system and the independent-school structure. Would an independent school that presently exists be able to come to the Minister and to the Governor in Council saying, "We have this school and land, worth over \$100,000, and we desire to be constituted as a grammar school.?"

**Mr. Lindsay:** Moreton Bay College, for example.

**Mr. BYRNE:** That is a good example.

**Mr. Wright:** Clause 6 clearly talks about erecting buildings, not what is already there. I don't think it includes one thing for something that is already there.

**Mr. BYRNE:** It was not my intention to refer specifically to that clause.

**Mr. Wright:** Raise it at the Committee stage.

**Mr. BYRNE:** I think I will be able to answer the query raised by the honourable member for Rockhampton in the Committee stage.

Whilst clause 6 provides that the Governor in Council "may" approve, we are in fact approving in principle that structure and possible development, and I question whether we should approve in principle the construction and development of future grammar schools.

**Mr. WARNER (Toowoomba South) (3.25 p.m.):** In supporting this measure I wish to question the Minister about several aspects of it. I believe that this is not the time to go through the clauses, but if the Minister would care—

**Mr. SPEAKER:** Order! I suggest that if the honourable member wishes to debate the clauses he should leave them until the Committee stage.

**Mr. WARNER:** The matter of the chairman being appointed for the full term of four years should be given serious consideration. In my opinion, this may not prove to be an advantage over the present system of appointing a chairman and deputy chairman each year. A person may be sick or unable to carry on, but it seems that he will have to carry on for four years although in the eyes of those in charge he has not the capacity to do so.

It appears that the Bill takes away the right of the trustees to fill casual vacancies by providing that a vacancy shall be filled by the appointment of a person recommended by the Minister from a panel submitted by the board composed of those persons who have donated or subscribed to the school in the prescribed amount. In effect, this gives the Minister the sole right of appointment. I am not against that in principal, but some of the grammar schools are. I suggest that casual vacancies in respect of elected trustees be filled by the board.

The provision in the Bill dealing with illegal borrowing appears to be somewhat drastic. I suggest that it should be amended to provide that, in the case of a mere technical mistake or an honest mistake, the action is not invalid.

In certain instances the rules relating to the method of election of members of a board seem to be unnecessary. If notices have to be posted to all people on the subscribers'

roll, probably very few would take notice. It would be beneficial if the provision relating to notices being sent out to all persons entitled to vote were to be altered so that the number of notices could be reduced considerably. The present system should be retained. Furthermore, in the case of the Toowoomba Grammar School, the proposed method could cost between \$2,500 and \$3,000 each time an election was held.

I shall deal further with these matters at the Committee stage, but I thought it wise to bring them to the Minister's attention now.

**Mr. LINDSAY** (Everton) (3.28 p.m.): I rise to support the point made by the honourable member for Belmont. I feel that honourable members on both sides of the House will agree that grammar schools have played an enormous part in the development, good order and conduct of this State. The present Leader of the Opposition is a former grammarian as are a number of Cabinet Ministers. I am not one myself, but I have relatives who are grammarians or former grammarians. We note from the pilots who took part in the Battle of Britain that a number of former grammar school boys played a big part.

In recent years we have come to accept the concept of State aid for independent schools. This has tended to bring all non-State schools under the one heading. That has tremendous merit and deserves our support.

In the present inflationary situation it is a little questionable whether we, as a Government, should say, as we do in this Bill, that if somebody comes forward with \$100,000 in money or property we will double the amount and support the establishment of a new grammar school. Perhaps the Minister will correct my interpretation of that.

Education is one of the biggest problems in modern society. As we know, the independent schools have played a tremendous part in our education system. Many Catholic schools are at crisis point. The numbers I shall cite may be slightly out, but All Hallows Convent, which used to be a girls' boarding school is now only a day pupils' school because of a shortage of nuns. The other day I was told by an All Hallows old girl that when she was at school 10 years ago there were two lay teachers—one, I think, for music and the other for swimming. Today there are something like 51 lay teachers. That is a true reflection of the situation throughout the organisation of Catholic schools. I understand that next year some of the head teachers of Catholic convents will be lay teachers and that some of these will be male. My point is that there is no guarantee that our existing non-State schools will be able to continue. If they cannot, an even greater burden will be placed on the State's education system.

I represent the seat of Everton. Since I entered Parliament I have endeavoured to improve the situation in my electorate. Everton Park State School is excellent, but it

has a tremendous problem—only a small piece of ground for its 1,200 or 1,300 pupils. In Oxford Park, where at least one-third of the children go—

**Mr. Wright:** What has that got to do with the Bill?

**Mr. SPEAKER:** Order! I draw the honourable member's attention to the fact that this is the second reading of the Grammar Schools Bill. It does not deal with schools generally.

**Mr. LINDSAY:** With respect, Mr. Speaker, I think my point is relevant. Whilst I totally support continuation of existing grammar schools, I question the concept of this Parliament in 1975 supporting the idea that, if somebody provides \$100,000—or land worth that amount—through this Bill the Government would be up for \$200,000. We do not have \$200,000 to put into a new establishment like that. We have enough problems at the moment, and they are likely to be increased by the effect that inflation is having on non-State schools.

I repeat that I support the member for Belmont. I have very real doubts about the aspect of the Bill he discussed. As I indicated by interjection, the very famous Moreton Bay College, which over the years has made a tremendous contribution to Queensland, is regrettably to close at the end of the year. Will this Bill oblige the Government to prop up such schools? As has been indicated in the media, many of them are in a parlous financial state and many may have to close. When listening to the Minister I noted specifically that he did not expect a great rush of applications for a \$200,000 loan. I have mentioned Moreton Bay College. Are other schools about to close? Under this Bill, will we have to prop them up if they are facing financial difficulties? That should be given serious consideration. I will be interested to hear the Minister's comments on it.

**Mr. LAMONT** (South Brisbane) (3.34 p.m.): First, I commend the Minister for the manner in which he has allowed the community to have full access to the Bill between its introduction and the second reading. I think it is a particularly commendable form of democratic practice. I know that trustees of grammar schools have been able to hold several board meetings, reach various conclusions and write at great length to the Minister and his assistants and aides. Some have even exchanged views over the phone and personally with the Minister. The result is that two amendments have been foreshadowed by the Minister. This is a particularly commendable practice and I hope that it is something that will continue regardless of the fact that it may not meet the approval of members of the A.L.P.

I now come to the point raised by the honourable member for Rockhampton. I am glad he did raise it once again. Indeed, it

is a point that several honourable members raised at the introductory stage. It concerns the ratio of Government nominees to subscribers' representatives. Although I support the Bill, there is this one principle on which I join issue with those people to whom the honourable member for Rockhampton spoke in his electorate and I express my opinion—and I remain convinced—that the subscribers' representatives should be in the majority because of the aspect of community involvement in grammar schools and because I do not really believe in this day and age that the amount of money contributed by the Government compared with the amount contributed by parents and subscribers in fact really warrants Government control. I do not make an issue of this matter; I am merely stating for the record that on this one particular point I remain unchanged in the view I expressed last week.

It is entirely proper, as this Bill insists, that there ought to be a roll of subscribers. I would hate to think that grammar schools would ever reach the stage where they became so lax that they did not keep a roll of subscribers. The Bill sets out the manner in which that roll shall be kept—in alphabetical order and numbered consecutively, with amendments being made as people drop off the list.

For a few days after reading the Bill closely I was concerned about the cost to a grammar school of posting to subscribers a notice that an election would be taking place and the cost to the school of printing the ballot papers and of posting them, together with a self-addressed, stamped envelope, so that subscribers can vote. I did a little mental arithmetic and worked out that some schools would be up for amounts in the vicinity of \$400 or \$500 in meeting printing and postage costs. This is probably unwarranted because many of these documents will find their way into waste-paper baskets. In any case, most of the subscribers could better afford the 18c stamp, if they want to vote, than the school could afford some thousands of stamps.

I then considered however that many schools probably do not attract subscribers' interest in electing subscribers' representatives. If in fact it does cost several hundred dollars to adopt the procedure outlined in the Bill, on the credit side there is the fact that subscribers will be drawn in if they want to be. This is probably a good thing. It is possible—I do not say it is a fact at the moment—for the boards of trustees of grammar schools to become a little "clubby"—all good fellows who spent the same years at school and now slap each other on the back. I hope it does not happen, but in so far as that tendency is possible the procedure set by the Minister and his aides is probably in the best interests of the schools.

I question the principle of the Bill dealing with the filling of casual vacancies. This was raised by my National Party colleague the honourable member for Toowoomba South.

I agree with him. A few matters in the procedure set out in the Bill for the filling of casual vacancies should be looked at. What worries me most about it is that the Bill suggests that a panel of names be put forward from which a selection can be made to fill a casual vacancy. This sounds very fair and I do not want to get involved in an argument on whether a panel of names should be submitted rather than individual names. That has been established as a principle, if not a "convention", in this House. Almost 100 per cent of the time when casual vacancies on the boards of trustees of grammar schools are filled, the remaining members of the board say, "Who can we get to fill it?"

**Mr. Houston** interjected.

**Mr. LAMONT:** Unfortunately people are not available. Like the honourable member for Bulimba they are involved in so many community activities, ranging from dogs to dominoes, and do not in fact come forward. Very often one has to ring around the town and the State and say, "Will you put your name forward? Would you be prepared to serve on this board of trustees?"

After drumming up the names of three people who, out of the goodness of their hearts and their interest in education, have been prepared to submit themselves for appointment, two of them will, because of this procedure, have to be affronted because only one will be selected. I think that perhaps a little more flexibility could be introduced in this procedure. I think it would be a great shame if, when a casual vacancy occurs, three names are solicited merely to satisfy the provisions of the Act when two of the nominees, after being virtually begged to submit their names, are to be told, "Thanks very much for the offer. We considered you, but I am afraid we will have to knock you back because only one person is required." That may not be in the best interests of public relations for either the school or the Government.

I commend the Minister for his favourable consideration of the recommendation that the subscribers' contribution be not fixed at \$100 but be capable of variation by Order in Council. I do not think that grammar schools should be cut off from sources of finance merely because a tight figure has been set. I also think that the amendment concerning the publication of only those loans that are in arrears is a worthwhile move. I cannot see any reason why there should be any publication of loans that have been honoured.

In the matter of the expenses of the election of subscribers' representatives, I agree that if an honorary secretary to a board of trustees puts himself out to the extent of conducting an election and acting as returning officer, he should be reimbursed for his efforts. But in some grammar schools the secretary of the board of trustees is in full-time employment as bursar of the school, and



the board might reasonably regard the conduct of such an election as part of his job as bursar. It may well be that greater flexibility needs to be incorporated in this section of the Bill so that the school itself would be able to determine adequate recompense to the bursar for acting in this capacity.

The Bill deals also with the submission of budgets. I note that the Bill provides that 28 January is the day in each year on which a board shall approve and adopt a budget in respect of its general fund. My only comment here is that I think 28 January is fairly late in the academic year for the adoption of a budget. I gather that the Minister is attempting to give grammar school boards as much leeway as possible. I hope that no grammar school would extend its submission of its budget to that date. The principle of minimising the number of mid-term fee increases should be uppermost. I think that a school should attempt as early as October to make a fairly close reckoning of its expenses for the next year—always remembering, of course, “cowboy” outfits in Canberra that fiddle around with inflation and make estimates of expenditure and capital costs almost impossible. By October, I think schools should have come to an agreement on what their expenses will be so that they can give to the parents of their pupils a fair idea of fees.

There is, too, the question of illegal borrowing. One of the problems that has arisen is that neither the board nor the person approving a loan can be held responsible for illegal borrowing, but apparently individual trustees can be held responsible. I would hope that this is only a technicality, and that such an event never arises.

With those few comments, on only one of which I feel strongly enough to dissent but not sufficiently to prevent me from voting for the legislation as a whole, I commend the Bill. In particular, I commend the Minister on the manner in which he has dealt with the Bill from its introduction to the present stage.

**Hon. V. J. BIRD** (Burdekin—Minister for Education and Cultural Activities) (3.44 p.m.), in reply: It is fairly obvious that the great majority of members are certainly in favour of the Bill.

I was pleased to hear that the honourable member for Rockhampton agrees with me on the constitution of boards. Considerable discussion took place and, after due consideration, it was felt that there should be no change from three members representing those who contribute and four appointed by the Government. I certainly agreed with him when he said he would like to see a greater participation and involvement by parents and the rest of the community. I would like to see this right through the education system—not only in grammar schools but also in our State schools.

The honourable member for Belmont raised a matter he has raised before, and

that is whether we should continue to fund grammar schools. Here again I think there is a general agreement that we should continue to fund not only grammar schools but also other non-State schools. I would hate to see the day when there was one system only—

**Mr. BYRNE:** I rise to a point of order. I have at no time stated that I considered that the funding of grammar schools should cease. I have simply said that provision for the formation of new grammar schools should be questioned.

**Mr. BIRD:** I will accept the honourable member's explanation. That may be correct; I just formed that opinion. I do not think that it is any reason to remove that provision from the Bill. Circumstances change from time to time. Although in past years there has not been any flood of applications from communities to establish grammar schools, circumstances could change and we could find that communities want to establish new grammar schools just as they were established in the past.

**Mr. Wright:** There is no automatic right of establishment; it is up to the Governor in Council.

**Mr. BIRD:** The Governor in Council may approve. Although a group makes application, it does not follow that it will be automatically approved. The honourable member for Toowoomba South raised several matters and these will no doubt be discussed as we go through the clauses of the Bill. I would say that they were matters put to him by the Toowoomba Grammar School, and consideration has already been given to them. I think if the honourable member checked the figure he mentioned of \$2,000 or \$3,000 for the conducting of a ballot, he would find it is a long way from being correct. There would have to be a tremendous number of contributors before it could ever reach that figure. If the honourable member did a little homework, he would find the figure would be nearer to \$300 or \$400.

**Mr. Warner:** It was checked.

**Mr. BIRD:** How many subscribers have they?

**Mr. Warner:** I don't know about subscribers, but that was the figure I was given.

**Mr. BIRD:** There would have to be a lot of contributors for it to cost that much. If the honourable member works it out at three stamps at 18c each, plus the cost of printing the ballot-papers and so on, he would not arrive at anywhere near that amount.

The honourable member for Everton also raised the matter of the future establishment of grammar schools. As I said, I do not think there is any great likelihood of new grammar schools being established in the near future.

The honourable member for South Brisbane also raised the matter of the cost of conducting ballots, and I would say his figure was much closer to the mark than the one given by the honourable member for Toowoomba South. The honourable member also said, "Why not accept just one person's nomination rather than have a panel of three?" This was one of the matters raised by the boards of trustees and consideration was given to it. However, with only one name put forward, if the person was completely unacceptable and the nomination rejected, the person nominated could take that as a complete rebuff.

**Mr. Lamont:** I meant to concede that.

**Mr. BIRD:** Therefore I think it is only reasonable that we should ask for a panel rather than a single nomination.

The honourable member for South Brisbane also raised the matter of payment to secretaries for conducting a ballot. I think it is a matter for the secretaries themselves to decide whether they want to be recompensed for the little bit of work involved in the conduct of the ballot.

I thank honourable members for their contributions.

Motion (Mr. Bird) agreed to.

#### COMMITTEE

(Mr. Gunn, Somerset, in the chair)

Clauses 1 to 4, both inclusive, as read, agreed to.

Clause 5—Interpretation—

**Mr. WRIGHT** (Rockhampton) (3.51 p.m.): I think there is a general feeling in the Chamber whenever we bring down new legislation that we should be very careful to ensure that it is clear. Clause 5 sets out this definition of "donor"—

"donor" includes a person who donates to a school property other than money".

We note from clause 44 that there is to be a register of donors and subscribers. It is quite obvious that there are two distinct categories. Are all donors subscribers but all subscribers not necessarily donors? There is a certain role for donors and a certain role for subscribers but still no clear definition of the difference. I should have expected the Bill to define exactly what is a subscriber. Is he simply the person who pays the \$100 (which will be changed to \$10 or whatever the Order in Council may prescribe), and is the donor the person who gives just property? Do we really need the distinction? After all, we equate the value of the property in terms of money. It seems to me that we have a rather useless exercise here, and I am not quite sure why it is done. I raise the matter now for clarification. Later we may see a need to define a subscriber. I believe there is a role for both, and I believe there are differences, but they are not set out in the Bill.

**Mr. BYRNE** (Belmont) (3.53 p.m.): By way of interjection during the second-reading debate, the honourable member for Rockhampton raised the matter I intend to raise on clause 6 about property. I point out that the Bill contains no definition of "property". There appears to be confusion between my interpretation of "property" and the interpretation the honourable member for Rockhampton presumably puts on it. That is another discrepancy that could perhaps be clarified.

**Hon. V. J. BIRD** (Burdekin—Minister for Education and Cultural Activities) (3.54 p.m.): When comparing the words "donor" and "subscriber" we have to remember that there are people who wish to donate without wanting to be involved in any way—in the election of board members or anything else. They simply want to donate.

**Mr. Houston:** Once in a lifetime.

**Mr. BIRD:** Yes, although some of them may want to give more frequently. They want to donate but do not want to be involved in any other way. Red Cross workers and representatives of other organisations go around soliciting donations. They receive donations from people who are prepared to donate but do not necessarily want to become involved any further in the organisation to which they give. As the Bill points out, apart from money, property can be donated. Of course, property could include land, a piece of equipment or anything that anybody might want to give apart from money.

**Mr. Wright:** Why not clearly state what a subscriber is? The donor will have the right to vote, won't he? If he is put on the special roll, and he has given more than \$10, he would certainly have the same rights as a subscriber.

**Mr. BIRD:** I do not know whether it is absolutely essential to set out what a subscriber is. If a person is giving money as a subscriber, he is going to say, "I am a subscriber, and as a subscriber I want the right to vote at elections and everything else." The subscriptions would be asked for at a particular time, and that is when the person would be a subscriber. I would distinguish between him and the person who donates money at any time at all.

Clause 5, as read, agreed to.

Clause 6—Establishment of new public grammar schools—

**Mr. BYRNE** (Belmont) (3.55 p.m.): At the introductory stage I stated that I was in no way opposed to the granting of certain benefits to existing grammar schools. However, in this clause—the principle of which I am opposed to—provision is made as follows—

"At any time when and as often as has been raised or acquired by donation or subscription in any locality for the purpose of establishing a public grammar school

in that locality a sum of not less than \$100,000 or property to the value of not less than the amount . . .”

Does that mean that an organisation already existing as a school, by possessing property to the value of not less than \$100,000, can make application to become a grammar school? I do not say that that is objectionable; I merely ask whether a school already in existence could ask to become a grammar school and thereby be entitled to receive certain benefits.

The honourable member for Rockhampton, in his second-reading speech, said that the property referred to was buildings and land. I point out to him that in lines 10 and 11 of this clause, mention is made of “the erection of suitable buildings for the schools so approved and for such other purposes in connexion with the permanent establishment thereof”. It is not as the honourable member for Rockhampton stated by way of interjection during my second-reading speech. Again I ask: would it be possible for an independent school to make application under this clause for approval to be constituted as a grammar school and thereby ask for, though not necessarily receive, a corresponding sum not exceeding twice the amount that has thereby been raised?

**Hon. V. J. BIRD** (Burdekin—Minister for Education and Cultural Activities) (3.57 p.m.): These factors could be taken into account and the Governor in Council would then decide whether a school already in existence could be constituted as a grammar school.

**Mr. BYRNE** (Belmont) (3.58 p.m.): Following from that—no doubt there would be organisations and groups within the community that would ask what might be the norm or the basis for the determination of the Governor in Council as to whether or not their request might be acceded to. Would there at present be any comprehension of the possible norms, or would they be determined at a later date?

**Hon. V. J. BIRD** (Burdekin—Minister for Education and Cultural Activities) (3.59 p.m.): That is a hypothetical question, and it cannot be answered in general terms. All factors such as the condition of the buildings, for example, would have to be considered. I would not think the Governor in Council would give blanket approval to any request, especially one from a school whose buildings were completely run down and in need of replacement or major repairs. I could not give an answer as to whether or not every application would be favourably considered.

Clause 6, as read, agreed to.

Clause 7—Constitution—

**Hon. V. J. BIRD** (Burdekin—Minister for Education and Cultural Activities) (4 p.m.): Among the comments on the Bill received from the various grammar schools was a suggestion that the new prescribed amount of subscription—\$100—was too high. Not all

schools were of this opinion, although I think all thought there should be some increase in the \$10 subscription which was prescribed in 1891.

It must be conceded that at least some subscribers would be engaged in rural industries and that, for many of them, \$100 would be out of the question as a subscription to their school. In better times, perhaps, it would not be regarded as a high figure. Accordingly, it has been decided not to fix a figure for new subscribers by means of legislation but to allow some flexibility in arriving at a figure by having it determined by Order in Council. This also would allow one amount to be prescribed for all boards or differing amounts for different boards should such a policy be decided on by the Government.

I therefore move the following amendment—

“On page 3, line 48, omit the expression—

‘\$100’

and insert in lieu thereof the words—

‘the amount fixed by Order in Council.’”

**Mr. AHERN** (Landsborough) (4.2 p.m.): I wish to comment on the principle involved in cases in which a Bill comes before Parliament and it prescribes a figure that some people believe to be excessively high and others believe to be not high enough. In such circumstances there is a tendency for the Minister simply to prescribe a figure by Order in Council.

In the near future a committee on regulations will be investigating matters of the type to which I now refer. I am sure it will say that when an amount is prescribed by Order in Council a ceiling and a floor should be included—that the amount fixed shall not exceed, say, \$200 nor be less than \$10. If that is not done, an Order in Council may be made under which \$200, \$300 or \$400 is payable. That would be totally contrary to the spirit of the sentiments expressed here. It is a matter for Parliament to determine what it considers the amount should be.

I shall do no more now than say that I hope that provisions of this type are attacked in an orderly way in the future, that ceilings and floors are provided, and that the Governor in Council is not given a completely unfettered right.

**Mr. WRIGHT** (Rockhampton) (4.3 p.m.): I agree with the honourable member for Landsborough. As the amount is to be fixed by Order in Council and as honourable members have certain rights under Standing Orders to move for the disallowance of such Orders in Council, if the contention of the honourable member for Landsborough prevailed we could throw it out. There is no way that we, as a Parliament, would accept it. However, I see a danger if we begin setting a floor and a ceiling. Where do we stop? I am happy to agree with the amendment. I think we

have certain powers and that we can toss out something done by the Governor in Council. Irrespective of our numbers we have the right to stir something up.

**Mr. Ahern:** Do you study them all in minute detail?

**Mr. WRIGHT:** We try to. We go through everything that is laid on the table.

I agree with the principle espoused by the honourable member. It is very difficult to put boundaries on it.

I wish to comment on another aspect of clause 7 and ask honourable members to turn to page 4 of the Bill where they will note subclause 6, dealing with the vacancy of a chairman.

**A Government Member** interjected.

**Mr. WRIGHT:** I am just waiting.

**A Government Member:** You are pretty touchy.

**Mr. WRIGHT:** I am not touchy, but some of these things are important. It is very easy for Government members to think it is frivolous and to just sit here putting in time before they catch their planes. We are here for a certain reason.

**Mr. Frawley:** Have a look at your own mob out catching their aircraft.

**The TEMPORARY CHAIRMAN (Mr. Gunn):** Order!

**Mr. WRIGHT:** The honourable member for Murrumba would know that our members are downstairs at this moment studying—

**The TEMPORARY CHAIRMAN (Mr. Gunn):** Order! The honourable member will return to the clause.

**Mr. WRIGHT:** Thank you, Mr. Gunn. It is about time someone pulled the Chamber into order.

**Mr. Frawley** interjected.

**The TEMPORARY CHAIRMAN:** Order!

**Mr. FRAWLEY:** I rise to a point of order. I have been provoked by the Leader of the Opposition, Mr. Gunn.

**The TEMPORARY CHAIRMAN:** Order! The honourable member will remain seated.

**Mr. WRIGHT:** May I make the comment, Mr. Gunn, that he is very easily provoked.

Returning to the clause, subclause (6) on page 4 reads—

“When a vacancy occurs in the office of chairman or deputy chairman the board shall elect as prescribed another member to the vacant office.”

It is O.K. to there. Let us read the next bit. We are talking about clarity, with the idea of keeping legislation so that everyone understands it. I will read it slowly for the benefit of a few of the members on the other side who are not quite able to keep up with us.

**Mr. Moore:** You can't read it to your own side, because they're not in the Chamber.

**Mr. WRIGHT:** We have three here and some eight others sitting outside.

The subclause continues—

“A person appointed to fill a vacancy in the office of a member who was chairman or deputy chairman shall not by reason only of his appointment be chairman or, as the case may be, deputy chairman.”

That is double Dutch.

**Mr. Bird:** No.

**Mr. WRIGHT:** I would like an explanation. I have gone through it time and time again.

**Mr. Frawley:** It's simple.

**Mr. WRIGHT:** I challenge the member for Murrumba to rise as soon as I sit down and tell us what it means.

**Mr. Frawley** interjected.

**Mr. WRIGHT:** The honourable member for Murrumba started it. I challenge him to tell us exactly what it means. I will put money on it. I am not a betting man, but I will wager that he would not know.

**The TEMPORARY CHAIRMAN:** Order! I ask the honourable member to speak to the amendment.

**Mr. WRIGHT:** I suggest, Mr. Gunn, that we are on the clause. For your information, it is page 4, lines 13 and 14. This is clause 7.

**Hon. V. J. BIRD (Burdekin—Minister for Education and Cultural Activities) (4.7 p.m.):** In brief answer to the honourable member, that provision means that, if a vacancy has occurred and a person is appointed (presumably by me), because that person has been appointed to fill a vacancy that has occurred by death or resignation of a chairman or a deputy chairman, the appointee does not automatically take over as chairman or deputy chairman. He merely becomes a member. The full board then elects its new chairman or deputy chairman.

**Mr. WRIGHT (Rockhampton) (4.8 p.m.):** I am very pleased to have that explanation. I think the Minister has enlightened everybody. He is certainly getting used to his portfolio.

The point I wish to make is that I believe the Minister has no right to appoint the chairman. Regardless of the vacancy that occurs, it is up to the board to make the appointment.

**The TEMPORARY CHAIRMAN:** Order! I remind the honourable member that he is speaking to the expressions “\$100” and “the amount fixed by Order in Council.”

**Mr. WRIGHT:** I disagree with you strenuously, Mr. Gunn.

**The TEMPORARY CHAIRMAN:** Order! That is the amendment and I ask the honourable member to speak to it or be seated.

**Mr. WRIGHT:** Mr. Gunn—

**The TEMPORARY CHAIRMAN:** Order! After this is disposed of, the honourable member will have an opportunity of speaking to the clause. Later on the honourable member will have an opportunity to make the comments that he is presently making.

**Mr. WRIGHT:** The amendment only?

**The TEMPORARY CHAIRMAN:** The amendment only.

**Mr. WRIGHT:** I accepted the amendment moved by the Minister. I pointed out that the Opposition is quite happy with it. We have not voted on it. The Committee is discussing clause 7.

**The TEMPORARY CHAIRMAN:** Order! The amendment must be disposed of first.

**Hon. V. J. BIRD** (Burdekin—Minister for Education and Cultural Activities) (4.9 p.m.): In quick answer to those honourable members who spoke about the matter of the amendment and our leaving this to the Governor in Council, I assure them that we have no ulterior motive in taking out the \$100. Some said it should stay at \$10 and others said it should be \$50. Varying amounts were suggested. We are now giving to the grammar schools the opportunity of deciding for themselves what the amount should be. After we have received an application from them to determine the amount, it will receive the approval of the Governor in Council. We are not going to fix an amount and say, "You will pay that or else."

**Mr. WRIGHT:** (Rockhampton) (4.10 p.m.): I would ask for a ruling on this, Mr. Gunn, for the clarification of all members. If a clause is under debate, regardless of whether there is an amendment to the clause, has not a member the right to speak to that clause?

**Mr. Moore:** Of course he has.

**Mr. WRIGHT:** I think he has and if we have to discuss it amendment by amendment I see great dangers. I make this point: if the Minister moved an amendment on line 15, page 4, and it was dealt with first, because of the Standing Rules and Orders I would not be able to come back and discuss anything before line 15. I think you are totally wrong in this instance, Mr. Gunn, and that we should be allowed general debate.

**The TEMPORARY CHAIRMAN:** (Mr. Gunn): After this amendment is disposed of, the honourable member will have an opportunity to come back; but he could not amend it.

**Mr. WRIGHT:** I take your point, Mr. Gunn, but if the Minister's amendment dealt with something on line 15, page 4, I could not discuss anything in the clause before that amendment.

**The TEMPORARY CHAIRMAN:** The honourable member could; but he could not amend it.

**Mr. WRIGHT:** I will accept that; but what if I wanted to amend it?

Amendment (Mr. Bird) agreed to.

Clause 7, as amended, agreed to.

Clause 8, as read, agreed to.

Clause 9—Disqualification from office—

**Mr. WRIGHT** (Rockhampton) (4.12 p.m.): I speak to this clause, again to seek clarity. Clause 9 (a) reads—

"is an undischarged bankrupt or takes advantage of the laws in force for the time being relating to bankrupt or insolvent debtors;".

We all know about insolvent debtors because we know that the honourable member for Murrumba owes money all over his electorate. I am told—

**Mr. FRAWLEY:** I rise to a point of order. It is offensive to me to say that I owe money all over my electorate; I do not.

**The TEMPORARY CHAIRMAN:** Order! I ask the honourable member for Rockhampton to withdraw that statement.

**Mr. WRIGHT:** I accept his denial.

The point I raise is that the clause says, "takes advantage of". A person in the capacity of a creditor can take advantage of the laws of bankruptcy. Is not this so? If the honourable member for Murrumba owes me \$600, because the debt is more than \$500 I can take advantage of the laws of bankruptcy and take out a bankruptcy order against him. Am I disqualified from holding office for having taken advantage of the law? This is again this aspect of clarity. Surely any legislation we introduce should be clear. That paragraph is worded very badly. I think it provides for the voluntary bankrupt who says, "I can't meet my debts. I will take advantage of the law. I am prepared to go into bankruptcy and pay off my debts at \$1 a week." But the words are, "takes advantage of", and I suggest that they could in fact incorporate the creditor.

**Hon. V. J. BIRD** (Burdekin—Minister for Education and Cultural Activities) (4.14 p.m.): I must admit that I was not able to answer the honourable member's question straight off. The clause provides for a person who is headed for bankruptcy and whose creditors decide that they will allow him to pay off his debts in 12 months or something like that. Virtually he would be bankrupt, and

this is the legal way of putting it. Such a provision is contained in all legislation of this type.

**Mr. WRIGHT** (Rockhampton) (4.15 p.m.): I accept that, but we know what lawyers have done to the legislation of this State and what judges can do by way of interpretation. We always have to be very, very careful.

The other matter I raise concerns paragraph (b), which deals with an indictable offence. I think that this should be clarified, following the principle outlined by the honourable member for Landsborough that we start to determine areas. The paragraph provides that any person who—

“has been convicted in Queensland of an indictable offence or elsewhere than in Queensland in respect of an act or omission that if done or made by him in Queensland would have constituted an indictable offence . . .”

Why not include its attracting a term of imprisonment of more than two years? It seems to me that we are being very broad and that the provision is far too flexible. As the honourable member for Landsborough said, we could fix the quantum of subscription, and I think there is probably a reason for fixing a penalty.

Clause 9, as read, agreed to.

Clauses 10 to 17, both inclusive, as read, agreed to.

Clause 18—Appointment of employees—

**Mr. WRIGHT** (Rockhampton) (4.16 p.m.): At the introductory stage I referred to the right of grammar schools to employ people outside awards. This matter was raised previously by the honourable member for Archerfield, and I tried to re-emphasise the point. I would emphasise it again. The Bill provides that the board may appoint or employ such administrative officers, teachers, clerks and other employees as it considers necessary. Clause 18 (2) provides—

“A board may enter into, perform and discharge any agreement with respect to the payment of salary, wages, expenses or other moneys . . .”

This raises the point that all employing agencies should be bound by awards. I cannot see that teachers would be willing to work in grammar schools for rates less than those paid to teachers in the State school system. They insist on such rates, and I think their independent organisation has an arrangement under which their salaries and allowances run parallel with those in the State service. This clause will, however, allow the present situation to be perpetuated. It means that women on the laundry staff can be employed at \$60 a week when the award rate is \$112.

There are two ways of correcting this situation. Either we remove grammar schools from the special exemption that they had

under the judgment, or we try to tidy it up here. I had hoped that the Bill would contain some reference to industrial awards. Instead, all that it mentions is the right to enter into personal employer-employee agreements. That may be necessary in certain circumstances, but I am still concerned about the employment of people at far less than award rates. It is all very well for Government members to say that people do not have to take these jobs. The state of the economy at present does not allow much choice. I shall not go into politics on that situation. It is bad that we bring down legislation in which there are such wide powers that could lead to exploitation and discrimination.

If the Minister cannot do anything in this clause, I hope that he will use his position as Minister for Education to do something about the other aspect of the matter. I think the judgment that was brought down many years ago is unfair and unwarranted. It is totally unnecessary when one considers the financial position of grammar schools today. Their operation involves the use of many hundreds of thousands of dollars, yet they are paying female employees far less than they are worth. I hope the Minister will give some attention to this matter.

**Hon. V. J. BIRD** (Burdekin—Minister for Education and Cultural Activities) (4.18 p.m.): The honourable member must be aware that the judgment to which he refers was a judgment of the Industrial Court, and no doubt grammar schools pay in accordance with the award. If the honourable member would like to see an alteration of awards or that judgment, he should try to see that it is taken back to the Industrial Court.

**Mr. Wright:** They tried to.

Clause 18, as read, agreed to.

Clauses 19 to 22, both inclusive, as read, agreed to.

Clause 23—Repayment of Treasury loans—

**Hon. V. J. BIRD** (Burdekin—Minister for Education and Cultural Activities) (4.19 p.m.): The intention of clause 23 (2) of the Bill is to require the Treasurer to publish details of a loan or loans the repayment of which is in arrears. This provision is common in legislation of this type, and in fact exists in the grammar schools legislation which will be repealed by this Bill.

Some who have examined the Bill have interpreted clause 23 (2) to mean that the balance of the principal of all loans remaining unpaid must be published by the Treasurer. Concern was expressed that a board which consistently met its repayments on time should have details of its commitments published, together with those of defaulters. This is not the intention of the section and it should not be interpreted as such. However, since there has been a tendency to misunderstand the section, we have

decided to amend it slightly so it is clear that details of loans to be published by the Treasurer refer only to loans where instalments are overdue. I therefore move the following amendment:—

“On page 9, omit all words comprising lines 6 to 10, both inclusive, and insert in lieu thereof the words—

‘to be published in the Gazette in relation to any loan advanced by the Treasurer to a board under this Act, in respect of which payment of any instalment is overdue and in arrear, a statement specifying both the amount of money comprising instalments overdue and in arrear and the principal sum remaining unpaid.’”

**Mr. BYRNE** (Belmont) (4.22 p.m.): Clause 23 on page 9 states—

“The Treasurer may at any time make any adjustment that he considers necessary to be made with respect to the period of any loan or the calculation of interest.”

Does that mean that the Treasurer can alter the operative rate of interest? As I understand it, the amendment relates to an alteration in the proposals set out in the Order in Council. The Order in Council establishes the currency of the loan, the amount of money to be borrowed, the purpose of the loan and the amount of interest payable. If the repayments do not fall into arrears, then there is no need for it to be regazetted because there is no alteration. As I understand the amendment, there will only be publication if there has been some alteration to the proposals set out in the original Order in Council. I ask: If there is an alteration to the interest rate, should that not also appear in the Gazette?

**Hon. V. J. BIRD** (Burdekin—Minister for Education and Cultural Activities) (4.24 p.m.): Where the board of a grammar school allows itself to get into arrears with its repayments, this will be published in the Gazette from time to time. This is only when they get into arrears. Any alteration to the interest rate by the Treasurer has nothing to do with the debt itself. As we know, interest rates vary from time to time and the Treasurer will have the right to alter interest rates from time to time.

**Mr. Byrne:** Is that alteration not published then?

**Mr. BIRD:** Yes. I think an alteration to the interest rate would come through in an Order in Council but I do not think that would need to be published in the Gazette.

Amendment (Mr. Bird) agreed to.

Clause 23, as amended, agreed to.

Clauses 24 to 54, both inclusive, and schedules, as read, agreed to.

Bill reported, with amendments.

## DISEASES IN TIMBER BILL

### INITIATION IN COMMITTEE

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

**Hon. K. B. TOMKINS** (Roma—Minister for Lands, Forestry, National Parks and Wildlife Service) (4.26 p.m.): I move—

“That a Bill be introduced to provide for the taking of measures for the extermination or the prevention or control of the dissemination of any disease in timber and for related purposes.”

With the growing ease and speed of international transport, the risk of spreading pests and diseases from one country to another can limit the effectiveness of even the most stringent quarantine precautions at the port of entry. There are, of course, many organisms which could cause serious damage in this country if they gained entry and which, in the absence of prompt and effective control measures, could become widespread. Furthermore, some dormant pest or disease could, under certain circumstances, develop or spread to an extent that, in the best interests of the community, control action would be desirable.

Honourable members will be aware that legislation enabling this type of action to be implemented already exists in several fields. The Diseases in Plants Act administered by my colleague the Minister for Primary Industries is a case in point. However, it has become apparent that adequate and proper authority is not presently available under existing legislation to control pests and diseases in timber in its various forms.

Because of inadequate supplies of indigenous timber, the level of imports continues to rise. There are also substantial volumes of timber entering the country as packaging materials and manufactured items of various kinds. This timber is drawn from many countries, some of which harbour insect and fungal pests which could cause widespread damage if they became established here. In some cases the presence of these pests is not readily apparent in the early stages of attack and consequently may not always be detected by quarantine inspection. An example of this is the European house borer which escaped detection under quarantine procedures during the post-war era when it gained entry into Queensland by way of imported building materials. Fortunately, this timber pest was arrested in the early stages and was successfully eradicated before becoming widespread.

In more recent times drywood termites have been introduced and become established in certain parts of Queensland. Of particular concern is the species identified as the West Indian drywood termite which has caused very serious damage to buildings in South Africa where it was allowed to spread before control measures were attempted. Infestations of this timber pest have been discovered in our own State in homes and

premises situated in the Maryborough and, more recently, in the Bundaberg regions. Early action by officers of the Department of Forestry is essential to bring it under control by fumigation of the infested buildings. The mechanical barriers normally used to protect buildings against termites are ineffective against this insect and it therefore poses a serious threat not only to the timber and building industries but also to the owners of many existing buildings.

There are numerous other cases throughout the world where timber pests introduced to a country have caused very serious damage and involved expenditure of large sums of money in preventive and remedial action, which may have been avoided had prompt eradication measures been taken when the pest was first found.

This Bill is intended to provide authority to enable treatment to be undertaken where the need arises and for this purpose the term "Disease" is defined so as to include the presence of an insect, fungus or other organism which may be present in timber.

Provision is made to enable the Governor in Council to declare a disease for the purposes of this legislation, to declare an infested area, and to require notification of the particular disease. It further provides that the Governor in Council may prohibit the removal of timber from a declared infested area, and authorise the taking of measures for extermination, prevention or control of the disease in that area.

It is proposed that the legislation be administered by the Conservator of Forests and powers would be conveyed to enable the inspection and detention of any article or timber reasonably suspected of being infested with a disease.

Subsequent to the declaration of an area under the provisions laid down, the Bill provides that 14 days' notice be given to the occupier or owner of any place within that area of any intention to undertake measures for extermination, prevention or control of the disease and of any requirement to vacate the place in question to enable this treatment to be carried out. In a case where a building is required to be vacated to enable treatment to be undertaken, this will be done so as to cause a minimum of inconvenience and cost to persons involved.

During the period necessary to effect treatment of a dwelling, the Conservator of Forests will be responsible for providing suitable alternative accommodation; he will, if required, arrange for the removal and storage of the householder's furniture and effects; furthermore, any cost and expense incurred shall be paid for by the Conservator of Forests out of moneys made available by Parliament for that purpose. A claim for compensation for any loss or damage occasioned by the measures taken may be made to the Minister responsible for administering the Act.

The Bill provides for a maximum penalty of \$500 for contravention of or failure to comply with the legislation, and normal administrative and evidentiary provisions have been included.

I commend the motion to the Committee.

**Mr. BURNS** (Lytton—Leader of the Opposition) (4.33 p.m.): Obviously the Opposition supports any Bill that will make up for any deficiencies in the authority to control pests and diseases in timber.

I am concerned at the lack of control over material entering the country. Anyone who visits New Guinea, for example, and returns with souvenirs, such as spears and clubs, will have them taken from him by the quarantine officials so that they can be sprayed as a means of controlling vermin. However, almost every day large quantities of timber are thrown over the side of overseas ships entering the port. This is dunnage that is used as packing between cargo items. Anyone who goes fishing in Moreton Bay will see numerous large pieces of timber floating on the water. Some of them are as long as 12 or 14 ft. They could have travelled in various vessels all round the world. Dunnage timber, after being lifted out of the ship's hold, is sometimes allowed to remain on the wharf until it is used again as packing in export cargoes. It could have come from anywhere—West Germany, Singapore, South Africa or the West Indies.

**Mr. Moore:** Why do you think they have rat-guards?

**Mr. BURNS:** I'm not talking about rat-guards. I am referring to packing timber that is lifted out of the ships and left on the wharf or thrown over the side and later washed up on the river bank or on the Moreton Bay islands. The pieces of timber are quite large and could quite possibly contain timber diseases or pests.

I take the Minister's point that certain protective measures are provided for in other legislation. I remember that on our return from a visit to China our party were required to unpack our bags so that the shoes we had worn to various communes in that country could be taken away and sprayed. Many people seem to get the mistaken idea that it is more convenient not to comply with the regulations. In order to avoid the short delay or inconvenience, they say that they have not visited certain places or that they are not bringing in toys or novelties made from timber.

**A Government Member:** That is a selfish attitude.

**Mr. BURNS:** It is.

Nevertheless it seems to me that the procedure could be made more convenient. People are not asked until they get to Sydney if they have any timber products and they then have to unpack their bags. It would be much better if people were told



when leaving a foreign country, or even before they left our country, what the situation could be on their return to Australia with wooden goods.

I suggest that we should strengthen the rules to prevent diseases from entering the country. Something must be done in this regard at our ports. It is obvious to anyone who knocks around the Bay that timber diseases have easy access through material thrown from ships.

We have no objection to the provisions dealing with control of timber disease. The Minister referred to the West Indian drywood termite that has infested the Maryborough and Bundaberg areas. It is obvious that people will have to be shifted from their homes for a time so that extermination measures may be taken. In order to cause the people the least possible inconvenience, we should ensure that the job is done speedily after they are shifted out. We do not want to tell people, "We will shift you out next Monday and you will be back in a few days," and have the tradesmen failing to turn up on the right day to do the job. Whilst we have covered the cost and possible compensation of home owners, delays are not something for which they would be compensated, but they certainly annoy people.

By this legislation notification is required of a particular disease. How will we be able to recognise it? What sort of assistance will the people in Maryborough and Bundaberg receive in order to aid them in recognising it? How could I, living at Cannon Hill, recognise the disease? The Bill states that provision is made for the Governor in Council to declare a disease for the purposes of this legislation, and to require notification of the particular disease. If householders are to be held responsible for notification, I hope they will be given some assistance so that they can readily recognise it.

Other than asking for these explanations, we have no opposition to the other provisions in the Bill.

**Mr. AHERN** (Landsborough) (4.38 p.m.): I support the measure. It is regrettable that we should have to introduce such legislation, but it is essential that we be prepared to meet problems when they arise from time to time. The primary problem relates to the infestation of *Cryptotermes brevis* or the West Indian drywood termite in the Maryborough and Bundaberg regions. If we had been able to act more promptly, it may have been arrested much earlier. Such outbreaks—hopefully—will be arrested by virtue of the powers vested in this legislation. The Minister said that we will inevitably cause people inconvenience and that some people will not like having their homes treated compulsorily. After giving 14 days' notice, we can only be as efficient as circumstances allow, and it is not much good doing all

but one house in a street. If one person objects, his house will have to be treated compulsorily.

The Minister has provided adequate safeguards. Inspectors will not be entering dwelling-places at inconvenient times. A period of 14 days' notice is required. If anybody objects, a warrant will have to be obtained for the work to be carried out. Regrettably, in the public interest, it is essential that this be done; if it is not done, our timber industry will be held to ransom. We will be beset continually by exotic diseases that enter Australia in one way or another. That being so, it is timely that the Minister consider the position at the ports through which packaged materials are entering Queensland. When something like the West Indian drywood termite enters the State, it causes considerable expense. If this can happen, perhaps we need some tightening up of the regulations at the points of ingress in an attempt to prevent the problem before it occurs; if it is not prevented, we will have to use this type of legislation, which nobody likes. Such action is essential in the public interest if our timber industry, our dwellings and the community generally are to be protected.

**Mr. MOORE** (Windsor) (4.41 p.m.): In supporting the measure introduced by the Minister to provide for the control of diseases and termites in timber, I mention to the Committee the situation in the pine forests in Victoria and Tasmania affected by the siren wasp. I have seen only the forests in Tasmania that have been affected, but one would think that a fire had been through them. The wasp has certainly caused devastation. It is thought in Victoria that the siren wasp problem has been overcome, but it has not been overcome in Tasmania.

The West Indian drywood termite is a wood borer—it is not a disease in timber—and it differs from the white ant, which the ordinary Queenslander knows, in that it does not have to go down to the ground for water. Although Queensland termites cause problems, there will not be any infestation as long as a house has sufficient ant-capping and the owner does not allow a piece of timber to lie against the house. However, if white ants do get in, the problem is removed when daylight is allowed into the affected part and access from the ground to the house is broken and they can be easily poisoned. The termite with which the proposed Bill deals does not come into that category. It would be a shame if the whole of Queensland became infested.

Fumigation with methyl bromide, which is a very dangerous gas, will be necessary to overcome the problem. It is necessary to clear people away from the house being fumigated and also from those in close proximity to it. For the purpose of fumigating with methyl bromide, it is necessary for a tent of visqueen or a similar material to be placed over the home. No doubt

gardens around the house will be affected by the methyl bromide and the plants will be killed. The Minister spoke about compensation. I do not know whether he would consider paying compensation for something like that. I think it is possible to go overboard with compensation, although I do not think in every instance it should be ruled out. Generally speaking, I do not think there should be compensation for plants, but provision should be made for it in certain circumstances.

I have a few misgivings about the Bill. One matter of concern is the provision of 14 days' notice. When one considers that industrial awards now provide for three or four weeks' holiday, 14 days' notice is not much good if a person is on holiday. He will come back and find that his furniture is stored somewhere and he will not know what has happened. I am not very keen on the period of 14 days. If, as I believe, the termite is in the Bundaberg and Maryborough areas, and it has been there for some time, I do not think 28 days would be excessive. I would like to see 28 days or a longer period of notice. Fourteen days' notice for people who are at home means something; but there is something wrong with a situation in which somebody is on holiday and in fact receives no notice.

On reading it, one would have thought that the present legislation was sufficient, but apparently it is not. I have discussed this matter with the Minister and he has made provision—for good reason—to cover the situation where a person objects to an inspector entering his home. I believe that a departmental officer will not be able to push past a householder who objects and simply walk in. A warrant will have to be obtained before entry, and if the inspector is wise, he will be accompanied by a policeman.

**Mr. ELLIOTT** (Cunningham) (4.46 p.m.): Because there is now less indigenous timber and larger quantities of timber are imported, the risk of pests and diseases in wood is much greater. There have been infestations by insects such as the European house borer, which fortunately was detected in time and eradicated. But that has not been the case with other pests. The West Indian drywood termite has caused tremendous damage in the Maryborough area.

Early attention is essential if problems are to be detected and solved before they get out of hand. We must fumigate stacks of timber, houses or other places in which these pests appear. Therefore the Bill is necessary. It will enable the Governor in Council to declare a pest for the purposes of this legislation. It will also provide an opportunity to go into the areas affected by pests such as the West Indian drywood termite and

fumigate in an effort to solve the problem before it reaches the disastrous proportions it has reached in other countries.

**Honourable Members** interjected.

**Mr. ELLIOTT:** It is all very well for some people to look at this matter frivolously. The Bill should not be considered in that way at all. It is very important and we should all realise the serious consequences that the introduction to Australia of some of these pests could have.

The Leader of the Opposition made a rather good point concerning timber on wharves. Such matters must be watched very closely.

I compliment the Minister for including in the Bill provision to assist the people affected. They are given only 14 days' notice to vacate their homes. Obviously, alternative housing must be provided for them. Their furniture should be removed for them. They should not be disadvantaged in any way because this problem occurs in their homes. Obviously compensation will have to be paid.

The Bill also provides for a \$500 penalty if people do not comply with the legislation. This will be necessary in some cases.

Without any further ado, I commend the Bill to the Committee.

**Mr. LESTER** (Belyando) (4.49 p.m.): Termite diseases in timber can cause a terrific lot of damage to property in Queensland. These diseases are not controlled and if the Government does not get more control and a really bad outbreak occurs, the repair bill could run into hundreds of thousands of dollars affecting not only the Government but also many people, who will be seriously inconvenienced and hurt in such a way that our economy will not be able to carry on in the normal way that it should. We could have all sorts of inflationary problems. Efforts are needed to educate the people to recognise these diseases when they occur.

**Mr. Frawley:** Are you on the Minister's committee?

**Mr. LESTER:** That will be enough from the honourable member. He is trying to be provocative and not his normal self.

The campaign should aim at making people more aware that such diseases can occur, thus placing them in a better position to deal with the problem. A considerable amount of money is spent on preventative measures against heart diseases and many other ailments, and I consider that there should be a similar campaign against other diseases that have been entering Australia over the years although not in serious proportions. This is therefore the time for the introduction of this type of legislation. It is essential that authority be given to declare infested areas.

Those are a few comments that I wanted to make. The Bill is absolutely essential as a means of obtaining more control over imported diseases. We certainly do not want to see Queensland infested with diseases introduced by means of imported timber.

**Mr. SIMPSON** (Cooroora) (4.52 p.m.): This is an important piece of legislation designed to protect forests, which are one of the State's natural resources, and timber products that form the basis of the building industry. In the event of the introduction of a disease, it is very necessary to have machinery set up to control it and to allow the public to feel that their interests are being safeguarded.

There is provision in the Bill for notice to be given to a householder before fumigation of his house is carried out, the cost of which will be borne by the State. It is also vital that we endeavour to protect the very important timber industry. The possibility of the introduction of diseases will increase as trade with overseas countries increases, and I think we would be begging the question if we did not also investigate possible sources of infestations in other countries that could be brought to Queensland. We should keep an eye on areas throughout the world from which danger could arise through imports to this country. The provisions of the Bill will make it easier to deal with dangers of this sort that could well confront this State. The machinery to be set up will allow these problems to be tackled at first hand.

I commend the Minister on the introduction of the Bill.

**Hon. K. B. TOMKINS** (Roma—Minister for Lands, Forestry, National Parks and Wildlife Service) (4.53 p.m.), in reply: I thank all honourable members for their generous support of the Bill. I think that the speeches made covered more or less the important points, although perhaps in different ways.

The Leader of the Opposition asked how people in other parts of Queensland could ascertain whether they had a problem with termites, or with any other type of infestation, in their homes. This is one reason for the existence of the Forestry Department. If anyone feels that he has West Indian termites, lyctus or any other infestation in the timber of his home, he can contact the department and an officer will be sent out to make an inspection. If people feel that they have any such problems, I appeal to them to get in touch with the department.

All speakers referred to the possibility of termites and diseases entering Australia by means of packing cases and various other timber articles. Those comments can be applied, of course, not only to timber but to meat, which could introduce viruses and such diseases as foot-and-mouth disease. It is important to appreciate that Queensland

is a very large net importer of timber. As was said by the honourable member for Cooroora and, I think, the honourable member for Landsborough, as the amount of imported timber increases, so does the problem increase. Consequently it is necessary to be more and more careful to ensure that diseases, too, are not imported.

I was approached only recently by a well-known person in the timber industry who complained that in Australia today stringent conditions are laid down for the treatment of timber. In Queensland, for example, some timber has to be treated for lyctus whereas timber can come in from overseas untreated. I think we must have a close look at this problem because it is quite obvious to me that it is tied in very much with customs examinations. We are allowing timber and other imports to come in without having been properly cleaned up. I think the points made by honourable members on that were good.

There is no doubt that when a homeowner finds West Indian termites in his house, as has happened in Maryborough and Bundaberg, he will suffer a certain amount of privation. This point was well covered by honourable members. In such a case Forestry Department officers are empowered to remove furniture from a house and look after it and to find accommodation for people who are forced to leave their homes. Obviously they will suffer some discomfort but I am quite sure that it will be as little as possible.

The honourable member for Windsor referred to compensation. Certain compensation rights are laid down in the Bill, which honourable members will be able to examine in due course.

Both the honourable member for Windsor and the honourable member for Landsborough felt that 14 days' notice to vacate might not be enough, particularly for people who are away on holidays. Here again I am quite sure that the officers of the department will take such factors into account and I do not think there will be any problem with it.

**Mr. Lowes:** Good sense will prevail.

**Mr. TOMKINS:** That is right. If a person is away on holidays, they will not up-end his house. It might be a different story if he is away for a long time. Common sense must be brought to bear on the matter, but it is a problem which can easily be dealt with. I thank honourable members for their contributions.

Motion (Mr. Tomkins) agreed to.

Resolution reported.

FIRST READING

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

NEW FARM LIBRARY VALIDATION  
BILL

## SECOND READING

**Hon. R. J. HINZE** (South Coast—Minister for Local Government and Main Roads) (4.59 p.m.): I move—

“That the Bill be now read a second time.”

I think it would be correct to state that the object desired to be achieved by this Bill—that is, to provide in a suitable location a library for use by residents of the New Farm area—was generally accepted by honourable members on both sides of the House.

However, reservations were expressed by certain members concerning the principle of validating what they termed illegal acts of the Brisbane City Council and reference was made to the Nundah Library, the erection and use of which was validated by legislation passed last year. I stated in closing the introductory debate on the Bill, and I repeat that it is not the intention to permit the circumstances which gave rise to the necessity for this Bill to occur in the future. I can assure honourable members that, in the future, the Brisbane City Council will be required to conform strictly to the requirements of the town plan in force at the relevant time with relation to the erection of buildings on lands zoned for open space purposes.

Whilst on that aspect I would state that I appreciate the views expressed by honourable members who stated that, in their opinion, once land had been designated for use for open space purposes it should be reserved exclusively for those purposes and no buildings whatsoever should be permitted to be erected thereon. I agree that there is room for the reservation of lands specifically for use for open space purposes, and provision already exists for the setting aside of areas by way of environmental parks, etc. I consider, however, that it would not be entirely practicable to prohibit the erection of all types of buildings on lands which have not been so specifically set aside but which are included in open space zones under a town-planning scheme. For example, there is often a need for the erection of buildings such as public toilets, kiosks and band rotundas on parklands.

The Brisbane City Council, in preparing the proposed new town plan for the city of Brisbane, has recognised the need to designate certain areas to be used exclusively for open space purposes, as opposed to lands used for sport and recreation purposes and, whereas under the existing town plan for the city all such uses are catered for within open space zones, the proposed new town plan provides for two separate and distinct zones. Firstly, there is what is termed an existing or proposed open space zone in which the only uses permitted as of right are caretakers' flats, educational establishments, forestry and parks. Any other use

which is not prohibited by the town plan would, in terms of the existing law, require to be advertised with consequent rights of objections, and appeal to the Local Government Court. This would apply whether the land is to be developed by the council itself or by some other body or organisation.

The use of land for sport and recreation purposes under the proposed new town plan is to be catered for within a new zone which has been created, entitled sport and recreation zone. Within this zone, the uses permitted as of right, are similar to the uses permitted as of right within the open space zone with the addition of sporting and recreational activities. The same position with regard to other uses will apply to the sport and recreation zone as applies to the open space zone; that is, if they are not prohibited by the town plan, they will require to be advertised for objection regardless of who the developer may be.

My department is fully conscious of the need to prevent the indiscriminate alienation of parklands, and takes this matter into consideration when examining local authority town-planning schemes submitted to it.

As I have already stated, I feel that most honourable members appreciate the circumstances leading to the introduction of the Bill.

**Mr. MARGINSON** (Wolston) (5.4 p.m.): As I said at the introductory stage, we do not oppose the Bill; in fact we welcome it. We are happy to see the second reading taking place so quickly. The speedy passage of the Bill will make way, I hope, for the library to be used.

Under our policy we do not believe in the alienation of parkland by local authorities, but sometimes the principle of non-alienation of land is taken too far. Near my own home there is a substantial area of parkland. For many years that area was not used by anybody. In fact, its condition was such that it could not be used. Today it contains sporting fields and children's playgrounds. When the council opened it up for those purposes, there were some protests about it. Now that area is used more in one week-end than it was ever used previously in any period of 12 months.

We believe that, under the circumstances—I add that qualification—this is good legislation as it will overcome a most difficult position in which the Brisbane City Council and the Government find themselves. We commend it, and I thank the Minister for his further remarks. He can rest assured that the Bill has our whole-hearted support.

**Mr. KAUS** (Mansfield) (5.5 p.m.): I endorse the remarks of the honourable members for Ithaca, Landsborough and Brisbane, who spoke at the introductory stage.

Knowing the result of the court case concerning this building, I suggest the finding of the court was not against the siting of

the library in a particular location but against the principle of the erection and use by the council of a building for library purposes on the site. The court found that that was not permissible as of right.

I agree that the library is necessary for the people of New Farm. I do not, however, consider the site to be the ideal one, nor do I think that the original site chosen was appropriate. It is quite obvious that the council sold the original site to make money, and followed that by erecting the building on parkland that it owned.

Some years ago in my own electorate a group of persons had a fight with the Brisbane City Council and formed a committee to make recommendations to the then Lord Mayor, Alderman Jones.

Another point I make is that this Parliament frequently validates unlawful acts of the Brisbane City Council. The Minister has said that he will keep an eye on the council in future.

**Mr. Hinze:** The Nundah Library and this building were there before I became Minister.

**Mr. KAUS:** I can remember that, when I first entered Parliament, we gave the council a block of land down on the river, and the Lord Mayor sold it to a garage the next day for \$50,000.

**Mr. Houston:** Where was that?

**Mr. KAUS:** I could obtain that information for the honourable member.

The honourable member for Wolston said that the opening of the library had been delayed for far too long. For that he blamed the honourable member for Merthyr. I say that the delay was due to the inefficiency of the administration of the Brisbane City Council and its illegal attempts to get around the law or break it. I am sure the Minister will keep an eye on the council in future.

I agree with the honourable members for Ithaca and Landsborough, who claimed that the Government is making it too easy for all local authorities, including the Brisbane City Council, to change the status of parkland.

I have with me an article published by the Mt. Gravatt committee about the siting of the local library. Members of that committee included Mr. Job, the architect who designed the Upper Mt. Gravatt shopping centre, and Mr. Smith, who is the city architect.

**Mr. SPEAKER:** Order! The honourable member will come back to the Bill.

**Mr. KAUS:** I will come back to the Bill, Mr. Speaker, and to a document which was sent to the Lord Mayor in 1968. It refers to the general principle of the siting of libraries in these terms—

“The Library Board of Western Australia specified a location—right in the

centre of natural and frequent congregation, such as a shopping centre. Wide experience shows that to place a library elsewhere substantially reduces its use. Even if a site has to be purchased close to the centre, this in the long run is more economical than using land already owned by the local authority which is outside the centre.”

**Mr. SPEAKER:** Order! I draw the honourable member's attention to the fact that we are dealing with the New Farm Library only.

**Mr. KAUS:** I shall return to it. This is very relevant, because it states—

“Location should be on a main thoroughfare and not on a back street or away from a road, as for example in a park.”

That is my argument. The New Farm Library is in the park.

**Mr. Houston:** Are you opposing it?

**Mr. KAUS:** I am not opposing the Bill in any way. I am giving my opinion, which I am entitled to do.

**Opposition Members interjected.**

**Mr. KAUS:** As long as Opposition members want to interject, I shall keep talking.

I would like all honourable members to read this article on the siting of libraries. I am opposed to both sites. The council sold the original site only to get the money for its own purposes. For the benefit of the constituents, the new library should be in the centre of the New Farm shopping centre. With those comments, I support the Bill and commend it to the House.

**Hon. R. J. HINZE** (South Coast—Minister for Local Government and Main Roads) (5.12 p.m.), in reply: I thank honourable members who contributed to the debate. I always like listening to the honourable members for Wolston and Mansfield, who have been in this Chamber for some years. They think carefully before they speak, and their contributions contain a lot of meat.

**Mr. Houston:** But he can't read very well.

**Mr. HINZE:** While the honourable member for Mansfield was speaking, I was thinking it would be hard to get a much better place for a library than a park. I commend the Bill to the House.

Motion (Mr. Hinze) agreed to.

#### COMMITTEE

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

Clauses 1 to 3, both inclusive, and schedule, as read, agreed to.

Bill reported, without amendment.

The House adjourned at 5.15 p.m.