Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 23 SEPTEMBER 1975

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

AUDITOR-GENERAL'S REPORT

TREASURER'S ANNUAL STATEMENT

Mr. SPEAKER announced the receipt from the Auditor-General of his report on the Treasurer's Annual Statement for the year 1974-75.

Ordered to be printed.

MINISTERIAL STATEMENT

DELEGATION OF AUTHORITY; MINISTER FOR TRANSPORT

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (11.2 a.m.): I desire to inform the House that in connection with the overseas visit of the Minister for Transport, His Excellency the Governor has, by virtue of the provisions of the Officials in Parliament Act 1896-1975, authorised and empowered the Honourable Sir Gordon William Wesley Chalk, K.B.E., LL.D., M.L.A., Deputy Premier and Treasurer, to perform and exercise all or any of the duties, powers and authorities imposed or conferred upon the Minister for Transport by any Act, rule, practice or ordinance, on and from 23 September 1975 and until the return to Queensland of the Honourable Keith William Hooper, M.L.A.

I lay upon the table of the House a copy of the Queensland Government Gazette of 20 September 1975 notifying this arrangement.

Whereupon the honourable gentleman laid the Queensland Government Gazette upon the table.

PAPERS

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

Reports—

Queensland Adult Probation and Parole Service, for the year 1974-75.

Registrar of Co-operative Housing Societies, for the year 1974-75.

The following papers were laid on the table:—

Orders in Council under—

The State Electricity Commission Acts, 1937 to 1965.

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

The Regional Electric Authorities Acts, 1945 to 1964.

Public Curator Act 1915–1974.

Harbours Act 1955–1972.

KIANGA COAL-MINE DISASTER

MOTION OF CONDOLENCE

Hon. J. BJELKE-PETERSEN (Barambah—Premier), by leave, without notice: I move—

"That this House desires to express its deepest sympathy with the relatives and friends of the men who lost their lives in the tragic mine disaster at Kianga on 20 September 1975."

Mr. MELLOY (Nudgee—Deputy Leader of the Opposition) (11.6 a.m.): On behalf of the Opposition, I second the motion and extend our sincere commiserations and sympathy to the relatives and friends of those men who lost their lives in the tragedy at Kianga.

With the exception of this and a similar tragedy that occurred three years ago, Queensland's mining industry has been relatively free of disasters of this type. Over the week-end the scene of this tragedy was visited by the honourable member for Port Curtis, and he has told me of the sadness that prevails there at the present time. We feel very deeply for the people in the area, who have suffered a terrible loss, and we hope that they will be comforted by the passage of time. We would also extend our gratitude to the rescue squads and ladies auxiliary, who have done magnificent work at this time. On behalf of the Opposition I solemnly and sincerely express our sympathy to the relatives and friends of the men who have lost their lives in this tragic disaster.

Motion (Mr. Bjelke-Petersen) agreed to, honourable members standing in silence.

MINISTERIAL STATEMENT

TEACHER SUPPLY FOR QUEENSLAND SCHOOLS

Hon. V. J. BIRD (Burdekin—Minister for Education and Cultural Activities) (11.8 a.m.): The honourable member for Rockhampton has recently seen fit to raise on more than one occasion the question of a possible over-supply of teachers. He appears to have been led to this view by warnings sounded by the Griffith University and Mt. Gravatt College of Advanced Education authorities on advice from my department about limited opportunities for the employment of secondary teachers in certain areas in the future. As a result of responsible statements that there will not be unlimited employment opportunities for school-leavers and tertiary students to enter secondary teaching in almost four years from now, he jumped to unwarranted conclusions about an over-supply of teachers next year. He attacked the use of overseas teachers, although admitting the benefits they have brought to the State. He also attacked senior officers of my department and of the Boards of Teacher Education and Advanced Education who have been responsible for planning teacher numbers.

The honourable member appears to have little understanding of the basis of the recent overseas teacher recruitment campaign and even less understanding of the complex process of planning resource allocation and usage. Basically the majority of overseas teachers, particularly those from the United States and Canada, are contracted for specific periods, generally from one to two years. The purpose of the recruitment programme, which I claim without fear of contradiction has been a high-order success, was to enable planning for improvements to be achieved ahead of schedule.

Far from Queensland being unprepared when Schools Commission funds became available at fairly short notice for 1974 and 1975, its forward planning enabled quick action to be undertaken to avail itself of funds and effect almost immediate improvements in teacher supply. Long-term planning since the mid-1960's has aimed at providing a supply of teachers which would enable some to be released for extended in-service training. Karmel funds and the overseas recruitment programme enabled this to be done ahead of schedule. The presence of overseas teachers also enabled more rapid increases in the numbers of released teachers to be trained for specal schools, for remedial and resource teachers, for teacher librarians and other specialist areas.

In general, the overseas teachers did not fill these specialist posts. They took up posts in normal classes in schools in all parts of the State and thus made it possible for Queensland teachers to receive additional training. They also provide relief in many particular areas of shortage such as art, music and physical education until the planned additional local numbers coming from the colleges take up the slack. In general areas in primary and secondary schools, as well as in releasing local teachers for in-service training, overseas teachers have contributed significantly to reducing pupil-teacher ratios in our schools.

As a high proportion of overseas teachers return to their homelands, the planned teacher output will enable these standards, which we have achieved sooner than would have been possible, to be maintained. What needs to be pointed out is that the overseas programme was initiated some two years ago and is now in its final stages. What needs to be understood about the whole planning process for teacher supply and teacher training is that a proper balance has to be struck between immediate needs, optimum use of resources, availability of students for training and long-term needs.

The honourable member for Rockhampton claims that the State Government (and especially the Department of Education) has not planned for nor has it been aware of the improved teacher-supply situation that is eventuating. I would be happy to show him planning bulletins produced in the late 1960's that showed numbers to enter teacher education in the latter half of the 1970's would be considerably reduced even though significant improvements in teacher-pupil ratios and ancillary staff provisions were planned. The flattening out of the growth rate in enrolments in the 1970's and early 1980's has been foreseen for some time. What we are approaching is a period when the pool for potential teachers (that is, those completing high school) will be large and the numbers of additional teachers required will be smaller than it has been. This is the reverse of the situation that applied in the 1950's when the teacher shortage was at its height.

No planner can hope to predict with complete accuracy the conditions that will apply in ten or more years. In terms of school population and teacher numbers beyond five years, one is in the dangerous game of predicting birth rates, and the experience of the last ten years has shown how difficult this is.

Many other variables influence these predictions—migration rates, including interstate migration about which little is known, population shifts, economic upturns and downturns and school retention rates, to name but a few. Despite this, the figures produced as a guide to teacher-recruitment policies of this Government have consistently predicted the trends.

To return to the honourable member's prediction of a crisis in 1976—no doubt he assumes that the output from colleges will provide the excess. He seems to have lost sight of what has been the consistent policy of this Government each year, namely, to increase the number of teachers employed in State schools so that not only are sufficient teachers provided for increased enrolments but also additional teachers are provided to effect improvements in pupil-teacher ratios and provide additional specialist services. In fact, in the last 15 years, while enrolments in schools have increased by 50 per cent, the number of teachers employed have increased by 115 per cent. By 1980 it is planned, finance permitting, that the number of teachers in primary, secondary and special schools will grow from 17,100 to 21,700, while total enrolments will grow from 325,000 to 353,000. This will yield an improvement in over-all pupil-teacher ratios from 19.0:1 to 16.2:1.

While obviously I cannot pre-empt the Budget to come down this week, I am confident that the number of teachers for whom provision will be made will allow for the employment of teachers graduating from colleges and universities in 1976. Of course, there will always be some teachers who wish to lay down their own conditions for employment, and I refuse to guarantee them immediate placement. As evidence of the provisions made for additional teachers in

each of the last four years, I table the appropriate figures at 1 August of each year—

Year	Number of Teachers
1972	13,401
1973	14,152
1974	15,143
1975	17,119

It can be assumed that for 1976 further improvement in provision will be made. It can also be assumed that to achieve this improvement, my department will be employing all suitably qualified graduating students now on departmental scholarships as well as significant numbers of graduating private students and previously employed and experienced teachers.

Of course, the employment of teachers is an expensive business and the State purse is not unlimited. The honourable member will know only too well that the Commonwealth Government has reneged on its promises of financial assistance for growth in education and by its rejection of the triennial proposals of the Schools Commission has made a mockery of planning. I must stress that my department has to live within a budget and it cannot, of course, employ more teachers than it has money for. The Government, however, has been most generous in recent years in finding funds for the employment of virtually all available teachers.

In summarising, let me assure the House that what is occurring with respect to the teacher supply for Queensland schools is the result of the careful planning monitoring which is regularly undertaken by officers of my department. I emphasise the fact that there will not be a situation of over-supply at the beginning of 1976. The forward planning of the department is such that steps are being taken to ensure that recruitment to courses of teacher education over the next few years will not produce an over-supply of teachers in years to come. It also seeks to ensure that students are not encouraged to undertake courses in tertiary institutions which will lead them into unemployment, no matter how well trained they may be. Planning for teacher supply is on target and achievements are consistent with the plans which have been made and, where necessary, revised over the past 10 years.

If, after this statement, the honourable member for Rockhampton is still concerned that officers of my department are, as he puts it, misleading me and covering up or whitewashing the present teacher-employment situation in this State, I would invite him to meet with me and the officers who advise me. This, hopefully, would allay his suspicions and provide him with detailed evidence of the type of rational planning which takes place in my department.

QUESTIONS UPON NOTICE

1. KEROSENE-TAINTED MULLET

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

(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:—

(1) 1970-71, 33,698 kg; 1971-72, 21,368 kg; 1972-73, 20,332 kg; and 1973-74 15,567 kg.

(2) The problem of so-called "kerosene" taint has been recognised since approximately 1955 and a number of studies have been undertaken without positive result. The identity and source of tainting material remains conjectural; consequently, isolation and prevention are currently not practicable. Efforts to find a solution will continue to be made.

(3) Had the fish been marketable, approximate values would have been—1970-71, $8,087; 1971-72, $5,555; 1972-73, $5,692; and 1973-74, $4,670.

2. CREST REALTY DEVELOPMENT PROJECT, TIN CAN BAY

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

(1) Is Teewah Creek within the proposed national park at Cooloola?

(2) Has Crest Realty made a proposal to develop a township at the southern end of Tin Can Bay?

(3) Does this proposal envisage drawing water from Teewah Creek?

(4) Is the Crest proposal causing the gazettal of the national park to be delayed?

Answers:—

(1) There is a Tewah Creek and a Teewah Creek in the Cooloola area. I assume the honourable the Leader of the

Opposition is referring to Tewah Creek. Yes, Tewah Creek is within the proposed Cooloola National Park.

(2) I understand the name of Crest Realty is associated with a small township development at the southern end of Tin Can Bay.

(3) I understand the local authority has made an application to draw water from Tewah Creek for domestic town water purposes.

(4) No. The gazettal of the national park will proceed as soon as the State forest is revoked.

3. SUBDIVISION OF LEASEHOLD LAND

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

(1) Has he recently announced a major policy change involving the private subdivision of leasehold land?

(2) Will he explain fully to the House the ramifications of this policy change?

(3) What types of lease are covered by the change?

(4) What will be the criteria used by the department to indicate whether the subdivision is in the public interest or not?

Answers:—

(1 to 3) Yes. The Government has endorsed guide-lines approved by me for some relaxation of policy on private subdivision of rural leasehold land. These guide-lines will permit leaseholders to benefit from public funds being made available for adjustment of properties and will allow them to participate in the general movement towards farm size adjustment so that economy of scale may be achieved in operations on the same footing as their freehold neighbours. The guide-lines involve leases readily capable of being freeholded, namely, agricultural farms, grazing homestead freeholding leases, perpetual lease selections and grazing homestead perpetual leases. Grazing selections and pastoral holdings (held in individual names) are also included in the guide-lines in respect of—(a) proposed dissolution of an existing partnership; (b) closure and disposal of substandard units or where the lessee quits the industry; (c) subdivision to assist adjustment of family interests; (d) consolidation of retention areas; and (e) where an extensive programme of development is proposed. Under the various headings, the guide-lines provide that if the subdivisions are not living areas they must either be amalgamated with other holdings of the purchaser or be worked as part of a living area unit; where the purpose of the subdivision is to give each holder a block in his own right the subdivisions must be an economic unit on commercial terms; a lessee will be allowed to subdivide and sell substandard units for amalgamation with adjacent holdings; proposed subdivisions are to be bona fide and not merely an attempt to circumvent imminent Crown subdivisions for additional-area purposes.

(4) Each subdivision will have its own circumstances, and each case will require to be separately considered and determined on its own merits. In cases where there is a Crown requirement for State forest, national park, environmental park and other public purposes, the public interest will be safeguarded.

4. SOUTHERN REGIONAL COUNCIL

Mr. Ahern for **Mr. Alison,** pursuant to notice, asked the Minister for Survey, Valuation, Urban and Regional Affairs—

(1) On what date will the Regional Council (Southern) next meet and how often will this council be meeting?

(2) Is the council meeting often enough to be effective?

Answers:—

(1) There are four regional co-ordination councils in the Southern Division of the State. The next meeting dates are—Moreton Regional Co-ordination Council—Next meeting 27 September 1975. Ordinary meetings of the council are held four times a year. Wide Bay-Burnett Regional Co-ordination Council—Next meeting 9 March 1976. Ordinary meetings of the council are usually held twice a year. Darling Downs Regional Co-ordination Council—Next meeting 25 November 1975. Ordinary meetings of the council are usually held twice a year. South West Regional Co-ordination Council—Next meeting early June 1976. Council resolved at last meeting to meet once a year. It has been meeting twice a year.

(2) Each regional co-ordination council itself determines the frequency of meetings having regard to the business of a regional planning nature to be dealt with. With respect to the Wide Bay-Burnett Region, three meetings have been held since the inaugural meeting of 12 February 1974. At the last meeting held in May this year, the council determined that the rate of development was the major problem confronting the region. Subsequently, the regional council is discussing proposals which include an inventory of the resources of the region. I would expect this will generate an increased level of activity for the regional council in the future.

5. COMMONWEALTH HEALTH TRANSPORT SCHEME

Mr. Bertoni, pursuant to notice, asked the Minister for Health—

(1) With reference to the report regarding the development of health transport services, will the recommendations concerning ambulance services be introduced this financial year?

(2) Is this another intrusion into the affairs of the Queensland Government?

(3) Will the Queensland Government have complete control and, if not, what are the terms and conditions for the Commonwealth share of financial assistance?

(4) What effect will the introduction of this report have on the election of the local committee and what autonomy will the committee have under the new scheme?

(5) What provision for the escalation of yearly grants will be incorporated in the new scheme?

Answer:—

(1 to 5) As I mentioned on Wednesday last in reply to a question of the honourable member for Fassifern, the Hospitals and Health Services Commission of the Commonwealth Government has circulated widely a discussion paper entitled "Health Transport Policies for the 1970s and 1980s" which had been prepared by the Health Transport Working Party of the commission, and comments have been sought from a wide spectrum of Government authorities, public and private organisations and individuals. This document, among other things, recommends the discontinuance of present charges by ambulance brigades for the transport of patients, and ambulance subscription schemes, and the payment by the Commonwealth of an equivalent amount to the various ambulance services in Australia. The honourable member will be aware that the discussion paper may not necessarily reflect the views of the Hospitals and Health Services Commission, which is not bound to accept the recommendations of the working party. No negotiations regarding the financing or operating of ambulance services in Queensland have taken place between the Commonwealth authorities and my department, and no proposals have been made by the Commonwealth to the State. It would be premature at this stage for me to comment further on this matter, but the document is being closely examined by officers of my department.

6. ELECTRICITY GENERATION IN NORTH QUEENSLAND

Mr. Casey, pursuant to notice, asked the Minister for Mines and Energy—

(1) In view of the continually increasing demand for power supply in North Queensland and as the Northern Electric Authority's main generating station at Collinsville has reached its planned capacity of 180·0 MW in the current development programme, what further proposals are there for increasing the capacity of the power station and when will they be implemented?

(2) What other sites in the Northern Electric Authority's area are being investigated for future thermal and hydroelectric generation and what are the proposals for the sites?

(3) Has the State Electricity Commission carried out any detailed investigations for the siting of a super power station on the northern sector of the Bowen basin coal-fields or on the coastal areas adjacent and, if so, at which sites and with what results?

(4) Will the proposed Urannah Dam on the Broken River, a tributary of the Upper Burdekin, include provision for hydroelectric generation and, if not, what is the reason?

Answers:—

(1) There are no proposals for increasing the capacity of the Collinsville power station beyond the present 180 MW. It would be physically possible to install one more 60 MW set but when this possibility was compared with interconnection with the Central Queensland system and import of energy from Gladstone Power Station, this latter alternative development showed economic advantages and was adopted by the Government.

(2) Sites for large thermal power stations of 2,000 MW capacity have been investigated to take advantage of the apparently very large reserves of steaming coal in the Galilee Basin and the Bowen Basin. Sites near Mackay and Bowen are believed to be feasible from engineering and economic points of view, for possible construction in the 1990's. Other sites on the coal-fields have been investigated in less detail. Hydroelectric power station developments with and without pumped storage are being investigated on the Burdekin and Herbert Rivers. Up to 1,000 MW of plant, in the form of reversible pump turbines, appear to be feasible from an engineering point of view for installation on these two rivers. The economic feasibility of pumped storage hydro in North Queensland depends on the load growing to many times the present level, and on the existence of low cost base load power generation on the system. It should be remembered that the energy that could be generated by the development of all feasible hydroelectric schemes in North Queensland would be small compared with the energy output of a 2,000 MW coal-fired thermal power station.

(3) Yes. See (2) above.

(4) The Urannah Dam as proposed by the Irrigation and Water Supply Commission does not include provision for hydroelectric generation. Because of the low average net head and irregular releases of water from this dam, the economic benefit of the hydroelectricity would most likely be less than its economic cost. A cost-benefit analysis on the hydro could be made after construction of this dam is approved by the Government. Such an analysis would not have any substantial effect on the economics of the dam as an irrigation project.

7. ELECTRICITY GENERATION PROJECT, MACKAY

Mr. Casey, pursuant to notice, asked the Minister for Mines and Energy—

(1) Have tenders been determined for the construction of a building and alternators and turbines for the proposed 34.0 MW gas-turbine generating plant to be installed at Mackay and, if so, who are the successful tenderers and what is the anticipated time for this work?

(2) As the proposed site is centred in a residential area and close to the Mackay Base Hospital, what special precautions have been taken to overcome (a) air pollution, (b) noise and (c) the fire danger?

(3) What is the total estimated cost of this project?

(4) How often will the unit be in use?

Answers:—

(1) Yes. The contract for the gas turbine plant and associated enclosures was awarded to Rolls Royce Ltd. of the United Kingdom and the contract for the associated foundations was awarded to Leighton Contractors Pty. Ltd. of Townsville. The plant is scheduled for commissioning in March 1977.

(2) A detailed environmental study was made. In regard to air pollution, particulate matter and other effluents will be negligible and under normal conditions the exhaust from the plant will be indiscernible. Special conditions were specified to ensure that the noise level from the plant would be within the Australian Standard for noise in residential installations. There is no foreseeable fire danger, the fuel oil installation being in accordance with the standard requirements for all such installations.

(3) The total estimated cost is $3,600,000.

(4) The gas turbine plant will be operated only for short periods during peak demands on the system and when breakdowns occur in the system supplying Mackay. The equipment specification laid down a figure of 100 hours per year, which should not be exceeded unless under emergency conditions it is necessary to operate for longer periods to maintain supply to Mackay.

8. HANG-GLIDING

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

(1) As it appears that there is no Commonwealth legislation controlling the use of kites for the sport known as hang-gliding and as the Queensland Parliament still has legislative control over transport in this State, including air transport under the Air Navigation Acts, are any controls or regulations in existence which cover (a) the airworthiness, (b) the towing on land, (c) the towing at sea and (d) the use at exhibitions or public displays of hang-gliders?

(2) If not, in view of the recent tragic death of a kite man at Mackay, will he have this matter investigated to consider the introduction of controls and regulations for the use of hang-gliders in the interests of public safety and the safety of the operators?

Answers:—

(1) I am advised that control over the use of gliders below 70 kilograms all-up-weight—known as hang-gliders or manned free kites—was introduced by the Federal Department of Transport in August 1975, and that some publicity was given to the new requirements. This control under Air Navigation Order Part 95 Section 95.8 issued under Regulation 329A of the Air Navigation Regulations of the Commonwealth deals primarily with hang-gliders in free flight. It also deals with hang-gliding as a sporting activity in the same manner as parachuting. For example, it exempts hang-gliders from compliance with the airworthiness requirements of the Air Navigation Regulations but restricts the use of hang-gliders at exhibitions or in public places except as approved in specified circumstances by the Queensland Regional Director, Federal Department of Transport. So far as the towing of hang-gliders by vehicles in public places is concerned, the Motor Vehicle Control Act recently passed by this House could apply to give local authorities control in this area.

(2) I am further advised that the recent tragic accident in Mackay is being investigated by the Air Safety Investigation Branch of the Federal Department of Transport in Queensland.

9. MAINTENANCE FOR UNMARRIED MOTHERS

Dr. Scott-Young, pursuant to notice, asked the Minister for Community and Welfare Services and Minister for Sport—

Has a single-mother been denied the right, under the new Commonwealth Family Law Act, to obtain maintenance for the support of her child? If so, what options are left open to the mother and what help is offered by his department?

Answer:—

Under the Family Law Act in relation to a marriage, children of the marriage are—1. Legitimate children born to the husband and wife; 2. Children adopted since the marriage by the husband and wife or by either of them with the consent of the other; 3. A child of the husband and wife born before the marriage; and 4. A child of either the husband or wife (including an ex-nuptial child of either of them and a child adopted by either of them) if at the relevant time the child was ordinarily a member of the household of the husband and wife. If a child is not in one of these categories in relation to a marriage, maintenance proceedings in relation to it would not be a matrimonial cause and would not be within the scope of the Family Law Act. However, the remedies open under the Queensland Maintenance Act 1965–1974 will continue to apply in respect of such children. The present services to them through the Department of Children's Services will continue without change.

10. ENVIRONMENTAL IMPACT STUDY OF GREENVALE NICKEL PROJECT

Dr. Scott-Young, pursuant to notice, asked the Premier—

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

Answer:—

The company has been obliged to meet statutory requirements of the Clean Air Act 1963-70 and the Clean Waters Act 1971, and its operations are subject to statutory control by the Air Pollution Council and the Water Quality Council. A condition of the licence to discharge, pursuant to the Clean Waters Act 1971, makes provision that the company conduct research into alternative methods of disposal of liquid effluent from the project, and the company is currently investigating alternative methods of disposal of liquid wastes. A research programme at the James Cook University has been funded by the State Government at the rate of $20,000 per annum for a period of three years to obtain further information concerning the effects of metals on marine organisms.

11. COMMONWEALTH CO-OPERATION FOR SHIPBUILDING PROJECT, BRISBANE RIVER

Mr. Yewdale, pursuant to notice, asked the Premier—

(1) Has he received a request from the Prime Minister for a copy of any feasibility study undertaken by his Government in relation to the development of a possible shipbuilding complex at the mouth of the Brisbane River?

(2) Did the Prime Minister also ask him to consider the possibility of a joint venture between the Commonwealth and Queensland Governments to establish a shipyard to be incorporated in any new development?

(3) Is he aware that a joint venture between the Commonwealth and New South Wales Governments has been undertaken to establish a joint-owned dockyard at Newcastle?

(4) Is he willing to accept the offer of assistance?

Answers:—

(1) Yes.

(2 to 4) Until such time as the Commonwealth Government varies its existing shipbuilding policy in respect of subsidy arrangements and adopts as a firm principle the placement of orders for Australian ships in Australian shipyards, it is difficult to see how a joint Government shipbuilding venture could be any more viable than one conducted by those in private enterprise who are highly skilled in the art of shipbuilding. Clearly this latest suggestion is no more than a weak attempt to direct public attention from existing Commonwealth shipbuilding policies which have had, and continue to have, a devastating effect not only on Queensland shipyards but also on similar operations in other parts of Australia.

12. BEACH SAFETY MEASURES

Mr. Yewdale, pursuant to notice, asked the Minister for Tourism and Marine Services—

(1) In view of the problems experienced by local councils in relation to the employment of beach inspectors, has any consideration been given to the employment

of such inspectors by the Department of Tourism as a service to the State's tourist industry?

(2) What steps has the Government taken to ensure that adequate safety measures are employed on our State's beaches?

Answers:—

(1) No.

(2) Subsidies are granted through the Department of Health to the Surf Life Saving Association to assist life saving measures on Queensland beaches, and a programme of shark-meshing is carried out along our coastline by my Department of Harbours and Marine, which is estimated to cost $200,000 during 1975-76.

13. BULK RETAILING OF MEAT

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

(1) Is he aware of the growing practice of selling sides and quarters of beef and other meat direct to consumers, pre-packed and boned at a nominal weight before cutting, and at a price per pound based on that nominal weight?

(2) Is he aware that the actual net weight of the meat delivered could be as low as 70 per cent of the nominal weight?

(3) Are Queensland butchers selling meat which is not prepared and weighed in front of the customer required to provide a written statement of its weight?

(4) Do the regulations make provision that, if any cut of meat is boned or trimmed and the bones and trimmings are not delivered with the meat, the statement of weight should include only the net weight of the meat delivered?

Answers:—

(1) I am aware of the practice of selling sides and quarters of beef and other meat direct to consumers at a price per pound based on the declared weight of the sides, quarters and pieces of beef and other meat. I am not aware of this meat being sold to the consumer prepacked and boned at a nominal weight before cutting and at a price based on that nominal weight.

(2) I am aware that in the purchase of quarters and sides of beef, etc., if the bones, fat and trims are not delivered with the other meat, the net weight delivered will be less than the actual weight of the original quarter or side etc. I am not fully aware of the percentage of wastage being the bones, fat, trim, etc., that occurs by purchasing meat this way. However, a pamphlet is available from the Department of Primary Industries which gives some guidance to householders in this matter and I table a copy of that pamphlet.

(3 and 4) The regulations provide that when butcher's meat is delivered and it has not been weighed in the presence of the purchaser, it shall be accompanied with the statement of the net weight of each cut of meat on which the purchase price is based. The regulations also provide that when, at the request of the purchaser, a cut of meat is boned, trimmed or subjected to any other process involving loss of weight before delivery and the bones, trims, etc., are not delivered with the meat, the statement of weight, in addition to the net weight on which the purchase price is based, shall also include a statement of the net weight of the meat delivered. Cartons of meat prepacked for sale must be marked with a statement of the net weight of each cut of meat in the carton on which the purchase price is based. The Weights and Measures Branch has found it necessary to caution some vendors for failing to provide a correctly made out delivery docket with meat delivered and papers are with the Solicitor-General at present for the instituting of legal proceedings against a butcher for a breach of the Weights and Measures Act in delivering a quantity less than that stated on the delivery docket. If the honourable member is aware of butchers using only a nominal weight and not an actual weight for the sale of a side, quarter or piece of meat, the Division of Occupational Safety and Weights and Measures will investigate any written complaint lodged and take the necessary remedial action. The bulk buying of meat, mutton and lamb by a housewife or a number of housewives collectively is a fairly recent practice, and undoubted economies are effected by housewives who follow this method of purchase which is now generally accepted. It would be a pity if the economies which housewives are able to effect by such methods of purchase ceased due to butchers being forced to discontinue the bulk sale of these commodities on account of the application of regulations which were in existence before this method of purchase was introduced. In view of this, I am having these regulations examined to see whether they are appropriate to bulk sales of this nature.

Whereupon the honourable gentleman laid on the table the pamphlet referred to.

14. DEFERMENT OF INCREASED REGISTRATION FEES FOR RURAL TRANSPORT OPERATORS

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

As rural transport operators are facing severe financial difficulties, will he consider allowing them to defer payment of the recently announced increased registration fees until the rural depression is over and they are again more regularly employed?

Answer:—

Whilst I am sympathetic with the rural community and the problems they face, it is not possible to administer a proposal that would clearly identify rural transport operators. Whilst an operator retains a vehicle, it will be necessary for the operator to meet the registration fees. I regret that I cannot agree to a deferment of payment of registration fees.

15. MATERNITY AND PATERNITY LEAVE FOR GOVERNMENT EMPLOYEES

Mr. Jones, pursuant to notice, asked the Premier—

Has consideration been given to the introduction of maternity and paternity leave provisions within the State Public Service and the Railway Department, on a par with the Commonwealth Public Service regulations effective since 1 January 1973 and, if so, when can it be expected that this type of leave will be applied?

Answer:—

Consideration has been given to the introduction of paid maternity and paternity leave. However, as recently as May 1975 Cabinet decided not to vary existing arrangements.

16. DRUG PENALTIES

Mr. Jones, pursuant to notice, asked the Minister for Health—

What penalties may be imposed on persons (a) possessing and (b) trafficking in drugs and when were the penalties laid down?

Answer:—

Section 130 (1) of the Health Act 1937–1974 imposes the following penalties:—(i) For possession—A fine of $2,000 or imprisonment for two years with hard labour or both. (ii) For trafficking—(a) Upon conviction on indictment, imprisonment with hard labour for ten years or a fine of $10,000 or both; (b) Upon conviction in summary proceedings, imprisonment with hard labour for two years or a fine of $2,000 or both. The above penalties were published in the Government Gazette No. 20 of 21 April 1971.

17. COLLEGE OF ADVANCED EDUCATION, CAIRNS

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

(1) Has he received from the Cairns Chamber of Commerce a submission dated 25 August concerning the College of Advanced Education at Cairns?

(2) What is the present position relative to its establishment?

Answers:—

(1) I received a letter dated 25 August from the secretary of the Cairns Chamber of Commerce to which I replied on 10 September.

(2) The present position is exactly as I indicated in that reply and my previous letter of 23 June concerning the possible establishment of advanced education facilities in Cairns. Plans for developments in all areas of tertiary education have suffered a severe setback as a result of the Commonwealth Government's decisions in the context of the 1975-76 Budget. The effect of the Budget is to defer indefinitely any initiatives.

18. S.G.I.O. THIRD-PARTY MOTOR VEHICLE INSURANCE

Dr. Crawford, pursuant to notice, asked the Deputy Premier and Treasurer—

(1) Has his attention been drawn to the fact that most car insurance in the compulsory third-party field is being vacated by the private insurance companies and accepted by the S.G.I.O.?

(2) As this process creates an extension of the monopoly in some areas of insurance exercised for years in this State by the S.G.I.O., will he delineate the exact reasons which have led to this departure from the traditional car insurance method in Queensland?

Answer:—

(1 and 2) I am aware that many insurers have chosen to withdraw from compulsory third-party motor vehicle insurance and that it is now being accepted by only a few private insurers and by the S.G.I.O. This situation applies in all States. It arises because many insurers fear that, in times of marked currency inflation, premiums collected now will be insufficient to meet the corresponding run-off of claims for damages assessed at the unknown currency levels of the future. The S.G.I.O. is as concerned about this situation as any private insurer. It has no desire to obtain either a monopoly or a disproportionately high percentage of the business, but it accepts that as a Government office it has a duty to the public to continue to provide the

insurance. Each motorist remains free to approach either the S.G.I.O. or any private insurer who is willing to accept his business.

19. and 20. GREAT AUSTRALIAN BUILDING SOCIETY MERGERS

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

(1) Is he aware that a Mr. R. D. Johnson, an officer in the building society section of the Corporate Affairs Office, visits the Great Australian Permanent Building Society following questions asked by me in this House concerning the society, the United Savings Permanent Building Society and the City Savings Permanent Building Society and discusses the questions with the chairman of the society, Mr. C. Coulsen?

(2) If so, will he take steps to have this practice stopped?

Answer:—

Having asked numerous questions on matters concerning building societies in recent times, the honourable member for Archerfield is no doubt fully conversant with the provisions of the Building Societies Act 1886–1974 concerning the administration of this legislation and particulars required by that Act to be lodged and held in the office of the registrar. The honourable member will, therefore, be aware that much of the information sought by him through these questions would not be required to be filed in the registrar's office and, in order to satisfy the honourable member in this respect, it has been necessary for such information to be obtained through inquiries of particular building societies. I have in many instances personally directed that such inquiries be made in order to provide the honourable member with satisfactory answers to his questions. The Acting Registrar of Building Societies has also for similar reasons personally sought such information and where necessary properly directed his officers to seek such information. The officer of the registry named by the honourable member is acting in the position of Assistant Registrar and Inspector, Co-operative and Building Societies Branch, and has carried out his duties efficiently and effectively under specific direction. In doing so, this officer has dealt mainly with the managing director of Great Australian Permanent Building Society and only on occasions with the chairman of directors, Mr. Coulsen. I am not satisfied that there are reasonable grounds for any officer in the registry not to perform the duties required of the positions to which they are appointed or in which they are properly acting. I therefore do not intend to take any steps to have the officer in question prevented from undertaking these duties.

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

(1) Is it a fact that at 30 June the Great Australian Permanent Building Society merged with the United Savings Permanent Building Society, the City Savings Permanent Building Society and the Finance and Commerce Co-operative Society Ltd., a co-operative society registered under the Co-operative Societies Act and administered at the office of the Great Australian Permanent Building Society?

(2) Were substantial loans made to the three societies on valuations made by the same valuer, Mr. C. E. Coulsen?

Answers:—

(1) On 16 January 1975 United Savings Permanent Building Society transferred its engagements to the Great Australian Permanent Building Society. The first-mentioned society together with City Savings Permanent Building Society, however, are independent organisations registered under the Building Societies Act 1886–1974, as is the Finance and Commerce Co-operative Society Limited, which is registered under the Co-operative and Other Societies Act 1967–1974.

(2) Information concerning substantial loans to the independent societies mentioned in question (1) is not held in the records in the Registrar of Building Societies office.

21. BUILDING SOCIETY DIRECTORSHIPS OF MR. C. E. COULSEN

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

What are the names of the building societies and co-operative societies of which Mr. C. E. Coulsen is a director?

Answer:—

Mr. C. E. Coulsen is listed in the records held in the office of the Registrar of Building Societies as being a director of the following building societies:—Great Australian Permanent Building Society; City Savings Permanent Building Society; and United Savings Permanent Building Society and of the Finance and Commerce Co-operative Society Limited registered under the Co-operative and Other Societies Act 1967–1974.

22. QUEENSLAND'S RELATIONS WITH PAPUA NEW GUINEA

Mr. Lindsay, pursuant to notice, asked the Premier—

With regard to his proposed visit to the Torres Strait Islands at the end of

the month and taking into account the close proximity of the island of Saibai to Papua New Guinea—

(1) Has he officially advised the new Papua New Guinea Government of his intentions and proposed itinerary?

(2) Is he aware that any aircraft landing or taking off from the northern end of the Saibai airstrip will enter into Papua New Guinea air space?

(3) Is he aware that any large Papua New Guinea naval vessels travelling along the new nation's south coast must pass through Queensland territorial waters, as the very narrow channel between Saibai and Papua New Guinea is too shallow for any craft of reasonable size?

(4) Are any discussions proposed with Papua New Guinea regarding the rights of air and sea travel in this delicate area?

Answer:—

(1 to 4) I am pleased the honourable member has asked this question as it gives me the opportunity of placing on record the facts concerning my forthcoming visit to the Torres Strait Islands, about which there have been certain misconceptions conveniently adopted in an endeavour to provoke controversy. My visit to the Torres Strait area forms part of my long-standing policy of visiting outlying parts of Queensland at least once a year. The arrangements for this particular visit were made some months ago in consultation with the honourable member for Cook. It is my intention to meet with him the people of his electorate and discuss with them the problems they wish to put before me. It is not my intention, and I emphasise this point, to discuss any matters which are related to the border with Papua New Guinea. This and related questions are at present the subject of amicable discussions which are progressing between officials of the Queensland and Commonwealth Governments. For the information of the honourable member, I can also say that, as time does not permit me to visit all islands in the Torres Strait area, on this occasion the island of Saibai is not included in my planned itinerary.

23. STUDY OF ARMED ROBBERIES

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

(1) With reference to the Standing Committee of Attorneys-General and the decision to set up a working party to study armed robberies throughout Australia, has the study commenced in Queensland?

(2) To what extent is the need to obtain money for the purchase of drugs the motive for robberies?

(3) Is he aware of the finding of the New South Wales Bureau of Crime Statistics and Research that 52 per cent of people robbed in that State in 1972 were robbed in a public street?

(4) How do these findings compare with Queensland statistics?

Answer:—

(1 to 4) At the meeting of the Standing Committee of Attorneys-General on 1 July 1975 it was decided to establish a working party to study the problem of armed robbery. A report of the working group is to be considered by the standing committee at a future meeting. The next meeting is to be held on 17 October 1975 and it is hoped that the report will be received in time for consideration at the meeting. I feel it would be inappropriate for me to comment on matters of detail before the report has been considered by the standing committee.

24. UNIFORM DEFAMATION LAW

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

(1) In view of the present inadequacies, diversity and inconsistency of the law of defamation in Australia, has any consideration been given by the Queensland Law Reform Commission or the Standing Committee of Attorneys-General to remedying this situation by introducing uniform or national legislation in this field?

(2) Is he prepared to amend the present Criminal Code as it relates to defamation and what are known as "stopper" writs?

Answers:—

(1) It does not necessarily follow that, because there are variances in the law of defamation as between the States, the laws are inadequate. The Queensland Law Reform Commission has not been asked to report on the law of defamation. However the Federal Attorney-General advised the last meeting of the Standing Committee of Attorneys-General on 1 July 1975 that he proposed to refer the subject of defamation to the Australian Law Reform Commission.

(2) Whatever effect "stopper" writs have derives from the law relating to contempt of court and not from the Criminal Code.

25. CONSUMER CREDIT

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

(1) In view of the general concern about consumer credit in the community and as the Victorian Government is planning to introduce special legislation on this important issue, is similar action planned in Queensland?

(2) Will he give serious consideration to preparing a booklet on consumer credit similar to other leaflets which have been produced by the Consumer Affairs Bureau on consumer issues and hints for use in schools and for general public distribution?

Answer:—

(1 and 2) Legislation concerned with consumer credit is administered by the Minister for Justice and Attorney-General through the Commissioner for Corporate Affairs. For example, legislation already in existence in Queensland includes the Hire-purchase Act, the Money Lenders Act, the Companies Act and the Cash Orders Regulation Acts. Consequently, I have referred the questions of the honourable member to my colleague for his consideration and reply direct to him.

QUESTIONS WITHOUT NOTICE

RUGBY LEAGUE CLUB LICENCES

Mr. BURNS: I ask the Minister for Justice and Attorney-General: Now that the highly successful Rugby League season has concluded, will he give consideration to the problems experienced by those Brisbane Rugby League clubs that during the year lost valuable revenue through the suspension of licences by the Licensing Commission and recommend that the Act be amended to exclude many of the pinpricking regulations that cause great concern to hard-working committees that raise thousands of dollars for the sport?

Mr. KNOX: Obviously the Leader of the Opposition does not understand the procedure. It is not possible for me to answer questions relating to future legislation. The Licensing Commission acts within its own authority and I do not interfere with its decisions.

INQUIRY INTO KIANGA MINE DISASTER

Mr. HARTWIG: I ask the Minister for Mines and Energy: Is he aware of claims by Mr. Neil Kane of the Electrical Trades Union that the Mt. Morgan mining warden is not qualified to hold the inquiry into the Kianga mine disaster? Is he aware that Mr. Kane says that the inquiry should be conducted instead by a mines safety officer and that both the mining union and his union should be represented? Is he also aware that Mr. Kane claims that before the explosion the Kianga mine was known to be unsafe? Could he outline the procedure for the inquiry, particularly whether the miners will be represented on it?

Mr. CAMM: I might say that, after listening to the utterances of Mr. Kane for 10 years, I have ceased taking any notice whatever of what he says. His words simply cannot be trusted—whether through ignorance or malice I do not know, but either is reprehensible for a man in his position.

The stipendiary magistrate who will conduct the inquiry into this disaster will be the stipendiary magistrate at Rockhampton, Mr. Loane, who is also the mining warden for the Rockhampton and Mt. Morgan district. It has been said, as the Act provides, that the mining warden in charge of the Mt. Morgan district will conduct the inquiry.

Mr. Loane is a division I stipendiary magistrate and is equal to the top men in Queensland. With his qualifications he could be a stipendiary magistrate in Brisbane. He is a qualified solicitor and has been stipendiary magistrate in many towns, including Roma and Mackay and also, I think, Kingaroy and Rockhampton.

Under the Act he will be able to empanel at least four men—more if he so desires—who are experts in the mining industry. He will have the advice of experts who he decides would be desirable to sit on the inquiry. Those experts could be miners themselves, engineers from the university or anyone else he desires. He can call on these men to constitute a panel and they will advise him on the technical aspects associated with this mining disaster.

The Mining Act in Queensland lays down very clearly that everything possible will be done to make full inquiry into what caused the disaster and whether any other measure can be introduced into our legislation to prevent a similar disaster occurring.

ASSISTANCE FOR DEPENDANTS OF VICTIMS OF KIANGA MINE DISASTER

Mr. HARTWIG: I ask the Minister for Community and Welfare Services and Minister for Sport: Will he consider sending an officer of the assistance to families section of his department to Moura to investigate an offer of assistance to the widows and children of the miners killed in the Kianga mine disaster, the purpose being to ascertain the financial needs of the widows and children of the 13 miners killed, 12 of whom were married, and also to offer them some comfort.

Mr. HERBERT: I have already discussed this matter with the honourable member for that area (Honourable N. T. E. Hewitt). We are taking steps to make sure that adequate help is made available to the dependants of the miners killed in the tragedy.

DONATION OF BOTTLE OF RUM TO TREASURER

Mr. JENSEN: I ask the Deputy Premier and Treasurer: As he stated that he would accept a bottle of rum as a memento of the maiden flight of the new Government aircraft to Bundaberg, will he now accept delivery of this bottle of

Bundaberg Special O.P. with the compliments of the Bundaberg Distilling Co. Ltd. as a memento of that occasion, and use it to celebrate the presentation of a successful Budget for Queensland so that it will not be wasted on the christening of the aeroplane?

Sir GORDON CHALK: Thank you very much.

Mr. SPEAKER: I suggest that it should be handed over to Mr. Speaker!

NEWMARKET BIRD SANCTUARY AREA

Mr. K. J. HOOPER: I ask the Minister for Local Government and Main Roads: In view of the report in the "Sunday-Mail" of 21 September 1975, is it true that two Liberal members of this Parliament went over his head to get the Premier's assistance in forcing him to support their stand against the Brisbane City Council's decision to build a sports field on a disused market-garden site in the Newmarket bird sanctuary area? Is it his intention to change his stand on this matter because of the approaches made to the Premier?

Mr. HINZE: Even if I knew that two Liberal members had gone over my head, I would not tell the honourable member; I would tell him to mind his own business. I will attend to the Newmarket bird sanctuary in due course and in the correct way, as a responsible Minister. I say to the honourable member for Archerfield, "Don't ask stupid questions."

BREATHALYSER TESTS

Mr. JONES: I ask the Minister for Transport: Further to his answer to my question of 4 September concerning breathalyser tests—has his attention been drawn to statements by police experts, as reported on the A.B.C. television programme "This Day Tonight" on Monday, 15 September, indicating that a bump or knock could affect the accurate reading of a breathalyser machine? If so, is this aspect also under investigation at present?

Mr. K. W. HOOPER: The honourable member probably has read Press reports this morning indicating that appropriate legislation will be introduced into the House in due course. In spite of the opinions of the experts who appear on current affairs programmes, I am yet to be convinced that the breathalyser is not an accurate instrument; in fact, I am sure it is accurate.

GRAMMAR SCHOOLS BILL

THIRD READING

Bill, on motion of Mr. Bird, read a third time.

NEW FARM LIBRARY VALIDATION BILL

THIRD READING

Bill, on motion of Mr. Hinze, read a third time.

INDUSTRIAL DEVELOPMENT ACT AMENDMENT BILL

SECOND READING

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (12.12 p.m.): I move—

"That the Bill be now read a second time."

As I indicated in my introductory speech, this is a relatively simple piece of legislation dealing with two particular matters.

In the first instance, the Bill seeks to amend the Industrial Development Act 1963-1973 to enable a greater measure of financial assistance to be provided to pioneer decentralised industry and secondly it puts beyond doubt the powers of the Minister to guarantee part of a loan.

Subject to the amending Bill meeting with the approval of the House, the Minister will be given power, in the case of a pioneer decentralised industry, to provide financial assistance up to 90 per cent of the value of the land and buildings required for the intended project. The assistance so provided will be in the form of a Government guarantee. The Act presently provides that the Minister may approve assistance in the case of decentralised industry up to 75 per cent of the security that is available.

I would mention that for the purchase of plant and equipment applicants will still have the opportunity to apply for financial assistance amounting to 75 per cent of the asset security that is available.

The Industrial Development Act provides that the Minister may not approve an application for financial assistance without first referring the request to the Industries Assistance Board for consideration. It is appropriate, therefore, that I should at this time pay tribute to the help and guidance I have received from the board in my consideration of such applications. The Industries Assistance Board as presently constituted comprises—

Sir David Muir, C.M.G. (Chairman), Director of Industrial Development;

Mr. L. A. Hielscher (Deputy Chairman), Under Treasurer;

Mr. G. L. Baker, Deputy Director (Technical), Department of Commercial and Industrial Development;

Mr. S. S. Schubert, Deputy Co-ordinator-General; and

Mr. J. A. Barton, Mr. W. R. J. Riddel, O.B.E., Mr. N. M. Gow, Representing commercial enterprise.

Honourable members will appreciate from the composition of the board that a balanced viewpoint can be expected in respect of any applications that are referred to it for examination.

The proposed amendment is aimed at promoting the further decentralisation of industry by making it easier for manufacturers to obtain the necessary funds to establish factory premises in provincial centres. Queensland, in terms of population distribution, is already the most decentralised State in Australia and it is envisaged that this amendment to the Industrial Development Act will provide an added impetus to population growth in provincial areas of the State.

As honourable members are aware, the Department of Commercial and Industrial Development provides a wide range of incentives to encourage the establishment and/or expansion of secondary industry in Queensland. The incentives, which include the provision of fully serviced industrial sites, factory buildings for rental, financial assistance, export rail freight concessions, preference in governmental purchasing, technical advice and such like, are all designed to favour the decentralised project.

It is interesting to record that of the 29 industries currently receiving financial assistance in terms of the Act, no less than 23 relate to decentralised projects. Again, as I indicated in my introductory speech, of the 40 factory buildings for rental which are completed, under construction or approved for erection, no less than 35 are in provincial areas. The erection of State-owned factory buildings for rental on Crown industrial estates has undoubtedly proved to be a very popular incentive. Unfortunately, having regard to its other commitments in connection with land acquisition, estate development and such like, there is a limit to what the department can do in this respect. It is anticipated that by liberalising the financial assistance that may be made available to pioneer decentralised projects, manufacturers will be encouraged to provide their own premises and thus lessen the pressure on this particular incentive.

The other measure contained in the Bill removes any doubt as to the power of the Minister to guarantee part only of a loan. It has always been assumed the Minister had this power, but a recent legal opinion caused some uncertainty in this regard. The amendments incorporated in the Bill to cover this particular point are of a machinery nature and do not in any way affect the general principles of the legislation.

I again commend the Bill to honourable members.

Mr. YEWDALE (Rockhampton North) (12.18 p.m.): Naturally the Opposition supports this measure. As I said at the introductory stage, the concept of industrial development and assistance was implemented many years ago by a State Labor Government. This Government is following the steps taken initially by a Labor Government.

I shall reiterate briefly some of the comments I made at the introductory stage. Apparently the intention is that support will be given particularly to those industries that are decentralising but, as I pointed out, in many instances this intention is not being put into effect, in the sense that industries that may wish to decentralise are not being encouraged to do so. Instead, they appear to be grouping themselves close to the capital city as well as to other large centres of population. This is to be expected, I suppose, because it gives them greater opportunity to dispose of their products.

I also pointed out that the Government should encourage decentralisation of those industries closely allied to the building industry. Without repeating everything that I said at the earlier stage, I suggest that particular attention should be paid to those supporting industries of manufacturers of building materials and the like. Decentralisation would greatly assist the building industry as it would help to create employment opportunities.

I have not conducted a great deal of research into the current situation in relation to industrial estates. As I said before, although the industrial estate at Parkhurst is occupied to a great extent, there is still a good deal of vacant space available for the establishment of industry.

I take umbrage at a remark by the Minister in the introductory stage, following an interjection from me, in which he said I reflected on the integrity of the Promotion Bureau in Rockhampton. I can assure the Minister and the House that I have the greatest respect for the manager and the organisation. I have a good relationship with him and I refer people to him repeatedly when they make inquiries about our State and about any Government assistance that is available. I will continue to do that because I believe the estate at Parkhurst and those in other centres are worth-while projects. The Government should be attempting to encourage people to establish enterprises on the estates.

Briefly, I again reiterate that the Government should consider the aspect of decentralisation for particular products and go out of its way to encourage new ventures. All in all, the Opposition supports the measure.

Dr. CRAWFORD (Wavell) (12.21 p.m.): It is important for all members to realise some of the implications of the Bill and to applaud the Minister and his committee for the measures being introduced in it. At least 80 per cent of the industrial organisation in this country is under the auspices of small businessmen. Since the advent of maladministration in Canberra in 1972, that group of people has suffered most gravely. Unless we can establish conditions in which small businesses can flourish and employ labour in factories and other organisations, the inflationary problem besetting us will not be solved, nor will we be able to make any real attack on our country's unemployment. Therefore, I believe that a great deal has to be done at the State level by those departments concerned with industrial development. It is for that reason that I believe the Minister is heading in the right direction with this Bill.

It is important to clarify ministerial powers and duties. In future, ministerial activities will have to be more widespread than they presently are. In the past I have discussed with the present Minister an organisation set up by Sir Thomas Playford in South Australia when he was Premier and handling industrial development in that State. He selectively arranged for organisations and industries that were not represented in South Australia to be officially approached by the Government. The approach consisted of more than the mere statement, "We would like you to come to our State to establish a branch of your organisation." A specific approach was made and an order placed by the State authority with the industrial orgnisation that it was hoped to attract to South Australia. Conjointly with the placing of the order, the manager of the enterprise was asked to see the Premier 12 months later with plans and specifications prepared for the establishment of his industry in the area of Adelaide. When the manager arrived with his plans and specifications, the Premier produced his contribution to the new development—an industrial site already prepared, all the necessary red tape cut and phones and other essential services organised—so that he could then say, "We have carried out arrangements of the type that you need. All you have to do is implement your own plans to have a clear-cut running programme for the construction of your factory and the arrangement of all necessary details and, in 12 months' time, when the factory is established we will meet again to make quite sure that you are established under the very best possible conditions." That could be embodied in Queensland as part of our decentralisation programme.

I believe that we should do more than simply say to organisations and industries, "We welcome you to Queensland. We will provide good working conditions and the other things you want." By adopting the initiative of Sir Thomas Playford in South Australia, we could accomplish a very great deal indeed. I bring that thought back to the Minister's attention; as I have said, he and I have discussed the matter in the past. I believe we could attract a great deal more industry to Queensland so that we would have the primary industrial complexes and not merely branches of organisations based in other States.

With those few words I add my support to the Minister for initiating the moves he has taken in this Bill.

Mr. POWELL (Isis) (12.26 p.m.): As my electorate contains three industrial estates, I am personally well aware of the advantages of decentralisation, and I am pleased that the Minister has seen fit to introduce this measure. We must be very much concerned with the decentralisation of industry in Queensland. I do not think anybody wants a large proportion of Queensland's population to gravitate to one part of the State, which seems to be the trend at the moment. The Department of Industrial Development, in establishing industrial estates throughout the country areas of Queensland, is making a worth-while contribution to decentralisation of industry in this State. The very welcome improvements that are made under this legislation should be applauded by all of those people who subscribe to decentralisation.

As I said, my electorate contains three industrial estates. They are the Bunda Industrial Estate in Bundaberg, which has advanced almost too quickly for the authorities to keep up with it; the Moonaboola Industrial Estate at Maryborough, which at the moment has only one industry on it; and the Hervey Bay Industrial Estate, which I am hopeful will be opened in the near future. All of those industrial estates are designed to cater for small businesses and for those that can decentralise their operations in such a manner that they are able to work efficiently in country areas in competition with businesses that have the facilities of the city close at hand.

I applaud the Minister for the introduction of this legislation, especially its liberalisation of some of the requirements for establishing businesses on these estates. This will assist the small businessman, who, I suggest, is the backbone of the economy of this nation today. We should be pulling all stops out to assist him in our State and nation because it is quite obvious that there are other people in our country who are doing all they can to pull the small businessman down and wreck his business. The provision that the Department of Industrial Development will assist, in a greater measure, the establishment of businesses on these industrial estates is very worth while and should be applauded by the people of Queensland. With those few remarks I have much pleasure in supporting the Bill.

Mr. FRAWLEY (Murrumba) (12.28 p.m.): I compliment the Minister and his committee on the introduction of this Bill. This

Government has always recognised the advantages of decentralisation and has succeeded in the steps it has taken to make Queensland the most decentralised State in Australia. This Bill will certainly promote further decentralisation.

Crown industrial estates have been set up in many areas of the State and this has enabled the establishment of many new industries in those places. Those industries may never have been established without the assistance given to them by the Industrial Assistance Board. In my electorate there is one industrial estate of 1,000 acres at Narangba. Many industries are already established there.

I think that local authorities should co-operate more with industries that are attempting to establish themselves on industrial estates. Some councils require industries desirous of establishing on an industrial estate to advertise the proposed intention to establish that industry. I think that is absolutely ridiculous and that these councils are getting in for their chop because the fee could amount to $100. That does not encourage an industry to become established on an industrial estate. I have even heard rumours that some councils attempt to discourage people from setting up industries on industrial estates, with a view to having them purchase council land or land owned by somebody in favour with the council.

Mr. Jensen interjected.

Mr. FRAWLEY: I do not want to name the particular council but I will if it keeps this up. There are some councils that are doing this. I think it has to stop.

Mr. K. J. Hooper: By aldermen.

Mr. FRAWLEY: It could be by aldermen or councillors. That does happen at times. I certainly hope that the Department of Commercial and Industrial Development keeps a close watch on this situation. I have heard people associated with more than one industry who have wanted to become established on an industrial estate complain of attempts by the local authority to hamper them in every way.

Without any further ado, I again congratulate the Minister on the introduction of this legislation. I hope that it really does assist more industries to set up on industrial estates.

Mr. WRIGHT (Rockhampton) (12.31 p.m.): It is obvious from what has been said that the legislation is welcomed by all members in the House. The Opposition spokesman on industrial development matters (Mr. Yewdale) stressed the importance of giving additional financial assistance to those who wish to promote industry in country areas. As the honourable member for Isis said, it is vitally important that decentralisation be promoted. I recall seeing some statistics published by the New South Wales Department of Decentralisation which showed that the cost factors involved in the servicing of a population of 200,000 people were four times the similar cost factors involved in the servicing of a population unit of about 80,000 people. It seems to me that economic aspects make it essential to promote the increase of population in decentralised areas. One notes, too, that when population increases there is also development of the infrastructure of society, and a decrease in consumer costs. One can therefore very easily understand why decentralisation of Queensland is a policy that is very well supported.

I rise mainly because nothing has been said about any expansion in the type of assistance given to industry. I suppose it could be said that the Industrial Development Act is in effect a development of industry Act, although it does not refer specifically to heavy industry or the application of trades. We should be giving consideration to all types of industry, and I should like the Minister to clarify the type of assistance that is available to the tourist industry. If we are going to talk about the types of catalysts required to open and promote areas of development, we should look closely at tourism. No doubt the Minister responsible for tourism would say that tourism is the second greatest industry in Queensland. I suggest that as time passes and, by means of modern transport facilities, the world in effect becomes smaller, tourism could well become the major industry of this State. Queensland certainly has the natural resources and other assets required to promote it.

Those engaged in tourism who have spoken to me have made it clear that huge capital costs are involved in their industry. There is no way of reducing this expenditure, because costs of building and of employing staff are increasing all the time. The tourist industry is one that requires a considerable workforce. To my mind, that is an advantage. If an industry requires a high input of workers, we should be trying to strengthen it. It has been stressed to me that for every dollar invested in the tourist industry there is a turnover of $4. If an amount of $1,000,000 is spent on tourism in an area, the benefits that flow from it are worth approximately $4,000,000, if not more.

I should like the Minister to give thought to this matter. It may be possible to give special assistance to the tourist industry. I realise that this cannot be done on industrial estates—it would be ridiculous to say that such an industry could be established there—but I recall that a previous Minister in this portfolio (it may even have been the present Minister) gave some assistance to a group promoting tourism in the Rockhampton area. This was very welcome. However, I am not sure whether the assistance was given by the Minister in charge of tourism or the Minister in charge of industrial development. In any event, we should be placing greater emphasis on the tourist industry, because it is vital that it be promoted. I readily admit

that it is also necessary to approach the Australian Government to give some thought to the tax structure and the allowance of deductions for investment in tourism.

Mr. Moore: We will be going to the Federal Government in a few months' time instead of the Australian Government.

Mr. WRIGHT: It does not matter to me what it is called; I think all members understand what I am saying. I am referring, of course, to the third tier of government, which holds the taxing powers. There are countries in which, for investments of this type, periods are prescribed in which no tax is levied. This is, of course, beyond the ambit of the Minister's responsibilities, but when he meets with his counterparts in other States they could push for a non-tax period for this type of investment. In the alternative, they could seek an allowance of 50 per cent of capital expenditure as a taxation claim in the first year. That, too, applies in some other countries. Whatever the answers, I think there is a part to be played by the Queensland Government. As the honourable member for Rockhampton North has said, the Queensland Government has proved—it has followed the practice of previous Governments—that we can assist decentralisation by giving a fiscal boost to industry. It can also be done simply by providing access to property and so on.

I can see no reason for not emulating what is happening in New Zealand, where Governments, both Labor and non-Labor, have promoted the idea of the Government moving in and opening up areas and being the catalyst for such development. Governments often open up areas which the private sector did not feel capable of involving itself in. The New Zealand Government has certainly been keen to do this and I think the whole country has benefited. If anybody starts talking about tourism in the South Pacific, somebody usually asks first, "Have you been to New Zealand?" I think this is indicative of the favourable approach of the New Zealand Government and the advantages accruing from such an approach. So I would ask the Minister to give consideration to this idea of promoting the opening up of new areas and also going into additional types of financing of industry, specifically the tourist industry.

One point raised by the honourable member for Murrumba concerned the involvement of councils. We have a rather difficult situation in the Central Queensland region where we have the Parkhurst Estate, which is situated in the area of the Livingstone Shire Council. The developers of this estate are desirous of obtaining services from the Rockhampton City Council. I do not know whether there is any way of overcoming this problem. Perhaps as we develop other regions throughout the State this type of problem will be removed, but it worries me that we have this continuous problem of conflict between shires, with one, because of parochialism, not being willing to hand over control of an area to another. This is a problem that the Minister, too, may have some thoughts on.

Mr. GIBBS (Albert) (12.37 p.m.): I rise to support this Bill which will amend the Industrial Development Act 1963–1973 in certain particulars. Having been the chairman of the development committee of the Gold Coast City Council for many years and having been involved with the Commercial and Industrial Development Department, I know a great deal about the attitude of the department under the ministry of the honourable Fred Campbell. I know the great lengths the department goes to to assist private enterprise. One example of this was the recent small-business seminars arranged by the department to encourage people to go onto these industrial estates. This encouragement extends right across the board, not only to small businesses but also to other enterprises. This is what we as a Government are bound to do, as distinct from the members of the Opposition who are trying to discourage private enterprise right throughout Australia.

Mr. Hanson interjected.

Mr. GIBBS: I do not want to say much about that aspect except that the honourable member for Port Curtis would be the greatest capitalist in his little town of Gladstone.

Mr. Moore: He made his profit from watering the beer.

Mr. GIBBS: That's right, so the honourable member for Port Curtis cannot afford to be overcritical of the private enterprise system which put him where he is today—on a couple of acres of ground complete with swimming pool in the middle of town.

It is good to see that the attitude of the Commercial and Industrial Development Department is to continue to encourage expansion and that the loan amount guaranteed by the Minister is to be enlarged. I think one of the first firms to receive monetary help from the department was a sock factory established on the Molendinar Industrial Estate at the Gold Coast.

The department also erected or helped erect buildings on these estates and this was a further step in the encouragement of decentralisation of industry throughout Queensland. Thanks to the great efforts of the department, we have a proud record of decentralisation in this State. The opportunity to decentralise is there. It has been said that some of the estates are not full or are not being used as the department would like; but they have been established and people are encouraged to move onto an estate whenever they feel the time is right to start manufacturing in a particular area.

The Bill is precisely worded. It states that the industry has to be pioneer industry or that the manufacturer will be producing something for which there is an unsatisfied demand. The Bill provides also for some form of financial assistance.

The honourable member for Rockhampton mentioned the tourist industry. In my opinion, it does not come within the ambit of the Bill now before the House; in fact, it comes under a different department altogether. No one can tell me anything about the tourist industry. However, although it is a wonderful industry, it is not a pioneer industry in the true sense of the term—that is, one which encourages decentralisation and the "get up and go" of private enterprise. The present Federal Government has eroded the incentives for young Australians to begin a business almost on a shoe string. Australia's progress has been due in large measure to the ingenuity of people of that type, and I believe that the Bill will assist young Queenslanders to get business enterprises under way and also enable existing industries to expand.

In the mining industry, heavy tax burdens have been placed on companies exporting coal, and this may have very wide repercussions. Perhaps there will be a scaling down of mining activity, with no new mines being opened and, consequently, fewer employment opportunities. Decentralisation of industry has certainly been encouraged by the Department of Commercial and Industrial Development in Queensland, and an example of that encouragement is to be found in Gladstone. The Government may be faced with many problems if, as I said, there is a scaling down in the mining industry, and it is to be hoped that the action now proposed will enable new industries to get under way and reduce the unemployment that has been caused by the policies of the Federal Government.

I commend the Minister for introducing the Bill and acting wisely in an attempt to encourage decentralisation and foster private enterprise in this State.

Dr. SCOTT-YOUNG (Townsville) (12.42 p.m.): I support the amendments contained in the Bill. There is a very viable industrial estate at Bohle in Townsville, so I am well aware of the benefit that the State derives from the programme of decentralised development that has been undertaken by the Department of Commercial and Industrial Development.

At the Bohle Industrial Estate, most of the industries are working at top pressure and are rather fruitful. In fact, one employer there told me that he is working at such pressure that he could employ another 96 people if he could get housing for them. In view of that, I suggest to the department that it might consider the feasibility of advancing money to businesses established on industrial estates so that they may build homes for their employees or their future employees. I understand that in the mining industry the Government supplies one house for each two houses supplied by a mining company. It would be quite feasible for the Government to foster the establishment of more industries on industrial estates by adopting a similar practice in provincial areas.

A member of the Opposition mentioned that a former Labor Government set up industrial estates some years ago. The only aspect of the Labor Party's policy of industrialisation that I can recall is the socialistic programmes that it adopted in the 1920's, when it made such a mess of running butcher shops, jam factories, and so on. Its entry into the field of industrial development was disastrous. Similarly, the policies of the present A.L.P. Government in Canberra seem to be stirring up industrial strife that is putting a brake on industrial development.

The Bill also clarifies the financing of pioneer industries on industrial estates. Many such industries have to raise a considerable amount of capital, and the way in which that capital is guaranteed was subject to considerable doubt. I am pleased to see that the Minister and his departmental officers have overcome the problems and cleared the air. Of course, pioneer industries have not only financial problems but also big teething problems. They will now know exactly where they stand in the financial field and will be able to put their backs to the wheel and work hard. It is certainly difficult for them when they face teething problems and their financial position is somewhat hazardous.

I do not think that any honourable member could find fault with any of the proposed amendments to the Act, and I commend them to the House.

Mr. ELLIOTT (Cunningham) (12.45 p.m.): I commend the Minister for introducing this Bill to amend the Industrial Development Act 1963–1973 in certain particulars.

Mr. Hanson: Where have you got industrial development in your area?

Mr. ELLIOTT: We have quite a bit of industrial development in my area and we would like to see more of it. That is why I am speaking to the Bill at this stage.

With the advent of further coal development on the Darling Downs, in particular at Millmerran, we are hopeful of seeing additional industrial development in that area, which obviously has great potential for development.

The State Government has achieved much in the past, but that should not be a cue for it to rest on its laurels. I should like to raise a few matters that probably have been tried in part either in Queensland or throughout Australia. In any event, I take the opportunity to refer to them again. I make the following suggestions:—

The encouragement of further processing of primary products (both agricultural and mineral) before export.

A capital subsidy scheme in which a proportion of all company tax is deposited, in the companies' names, in a

development fund. The moneys may be reclaimed by companies for decentralisation purposes, but forfeited if not so used.

Housing assistance, both for key personnel and the general work-force.

Relocation and removal assistance.

Subsidising of transport costs.

Equalisation of telephone charges.

Encouragement of civic, sporting and voluntary organisations.

Refusal of unemployment benefits to young single people when jobs are available in new towns.

Direct financial assistance and grants to States for their respective decentralisation programmes.

Tariff concessions and import duty exemptions.

Zone allowance for income tax.

Introduction of pay-roll tax rebates.

Placement of Public Service facilities in decentralised areas.

Taxation exemption for specified times for new industries.

Investment allowances similar to the most successful scheme operated by the previous Federal Government.

Previous speakers have covered most of the provisions of the Bill. I merely wished to take the opportunity to outline those few things which I feel could be of great benefit to the Darling Downs in particular and to Queensland over all if they were implemented. I commend the Bill to the House.

Mr. M. D. HOOPER (Townsville West) (12.48 p.m.): I am very happy to support this Bill to amend the Industrial Development Act 1963-1973. Since the early 1960's there has been such tremendous growth in Townsville that today it has a population of approximately 85,000. Certainly much of the growth has flowed from the establishment of a new Army base and a university in Townsville and, in recent years, the Greenvale nickel treatment plant at Yabulu near Townsville but the Government's decentralisation policies have largely contributed to the increase in population. These have brought new industries to provincial cities and at the same time have created employment. Major developments have created a demand for all sorts of new business enterprises not only to service those major developments but also to provide services for the existing population, which previously had not been large enough to warrant some of the small businesses we now have in North Queensland, particularly in my own area.

Until recent years zoned industrial land under freehold title in Townsville cost approximately $20,000 an acre. In itself that was a tremendous restraint on the small businessman who wanted to establish himself in a new urban area, particularly if he had come from another city. Probably he would have sold his home in that other city and he would have to pay out some of that money on a deposit on a new home. Having to pay up to $20,000 an acre for land was a big burden to him.

In provincial cities such as Townsville, the Department of Commercial and Industrial Development came to the rescue by acquiring large tracts of land. As the honourable member for Townsville said, at Bohle Vale, seven miles from the city, it acquired an area of several hundred acres. At the time of its acquisition by the department some six of seven years ago, this then-remote area, which lies just within the boundary of the city, lacked adequate water supply and sewerage facilities. It was then one of the last places in the city that private enterprise would have looked to for the purpose of establishing industry. Today, however, after development by the department as an industrial estate containing ample water supply and sewerage facilities as well as good roads, it is hard to find a vacant block on it.

The department is looking at the possibility of acquiring further areas in Townsville for the purpose of establishing other successful industrial estates.

One aspect of the department's activities that seems to have been forgotten by some previous speakers is the support given to the setting up of development bureaus in the provincial cities. These bureaus provide very worth-while assistance to small industries to become established in new areas. They conduct confidential investigations to ascertain market possibilities and so on, and by sponsoring the growth of decentralisation they save the department a tremendous amount of work.

Since inflation started in 1973, costs have escalated out of all proportion to the revenue obtained.

Mr. Yewdale: Inflation started before then.

Mr. M. D. HOOPER: In 1973 inflation was running at about 4 per cent; now it is at a level of 24 per cent. Costs have got completely out of hand with the result that small developers and businessmen who, in 1973, could afford to lease land and erect buildings on it are unable to expand and construct new workshops with a 75 per cent guarantee. This legislation has great merit in that it will enable people who previously could not afford to build on a 75 per cent guarantee to do so with a guarantee of 90 per cent. I know of one man who was keen to establish a hot-dip galvanising plant in Townsville, and this Bill will allow him to receive the necessary assistance to set up his business, as it will help many others like him.

I commend the Minister on his awareness of the situation existing in Queensland, and I give the Bill my wholehearted support.

Mr. DOUMANY (Kurilpa) (12.53 p.m.): I rise to support the Bill and to make one or two points on its principles. I mention

first the lack of capital, which imposes a limiting factor on business, particularly small business. Anyone who has followed the changing trends over the past decade knows that insufficient capital has proved to be the greatest stumbling block to those small businesses that set out to keep pace with technological advances by updating or purchasing plant and equipment. In decentralised areas the obstacle is even more difficult to overcome.

The Bill will make it easier for financial assistance to be given to small businesses, and in many instances it may well mean the difference between proceeding with a venture and abandoning it. In some cases the normal sources of funds have dried up; in others the interest rates and conditions of loans are beyond the means of small businesses that venture out into the commercial world and find it necessary to purchase more plant and equipment than can be obtained on their own financial resources.

The latest report available for the Department of Industrial Development is for the year 1974. Doubtless the amount has increased since then, but that report shows that the figure outstanding to all industries then in receipt of financial assistance, after allowing for repayments, was about $8,800,000. That is very substantial selective assistance to Queensland industry.

I endorse the effort made in the Bill and its intent to widen the scope of this source of help to business people and to make it more readily available in the future. I commend the Bill to the House and commend the Minister for introducing it. Anything that will stimulate the private sector today is in the best interests of Queensland and Australia.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (12.56 p.m.), in reply: I again thank honourable members for their contributions to the debate and their support of this important measure, which provides greater incentive to Queensland's manufacturing industry. I thank the honourable member for Rockhampton North—and, through him, the members of the Opposition—for supporting the proposals and acknowledging the problems that confront the decentralisation of industrial establishments.

The honourable member referred to my comments at the introductory stage when I intimated that he had reflected on the integrity of the Rockhampton Regional Promotion Bureau. He said that I misinterpreted his comments, and I am quite happy to accept that statement. He referred to the practice of industries grouping close to capital cities and other large cities and towns and indicated that perhaps we should be spreading our efforts more in the direction of inducing those industries to areas of greater decentralisation. I simply say that we do not direct industry; we encourage it to go to decentralised areas by offering incentives. However, Governments cannot overcome the inherent business principle of being located near the market with the greatest volume. I am sure that most honourable members, including the member for Rockhampton North, appreciate that problem.

The honourable member for Wavell pointed out that 80 per cent of Australian industry is in the hands of small business. I will later be making some comment about that. He then referred to something that he had commented on previously—Sir Thomas Playford's programme years ago of attracting industry to Adelaide. I point out that South Australia is not comparable with Queensland, for it does not possess the natural resources with which this State has been blessed. As a consequence of the wide diversity of our resources, we have to provide incentives different from those required to suit the single-mindedness of South Australia's Sir Thomas Playford.

Of necessity, South Australia had to provide extreme incentives to attract industry to Adelaide. Indeed, it assumed a heavy financial burden, particularly in its deliberate policy of declining to levy road tax, as most other Governments did. Other incentives provided by the South Australian Government proved very costly indeed. I am not denying that Sir Thomas Playford's policy was extremely successful; but with the passing of time many shortcomings of that "hothouse development", which occurred a decade or two ago, have become apparent.

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

Mr. CAMPBELL: As I was saying before lunch, there were shortcomings in the South Australian policy. A number of industries, both large and small, that were enticed by incentives to locate in Adelaide are now experiencing considerable difficulties owing to distance from markets in the eastern States.

The honourable member for Isis expressed the hope that the Hervey Bay Industrial Estate would be developed before long. I am happy to advise him, if he has not already been advised, that plans for development have already been received from our consultants, who will be going to tender in the normal fashion. I must say that we are quite pleased with the interest that has been shown in this estate by would-be manufacturers.

The honourable member for Rockhampton said that we should look at all types of industry and not, presumably, concentrate on incentives for manufacturing industry. The Government provides incentives to attract manufacturing industry to Queensland and particularly to the decentralised areas of Queensland because of the obvious advantage to the community in doing so.

He also made the point that the tourist industry is such that it should warrant financial support. In reply I would say that the tourist industry, which still has great potential, has of its own volition progressed as a viable industry without having to lean on the Government for financial assistance. There is a limit to the support which the Government can give industry generally. However, we do give such financial support—and my department gives financial support by way of guarantee—to industries either in remote areas of the State or on the islands off the coast on the basis that such projects lack the security for lenders that a mainland enterprise, particularly in a built-up area, can provide. But even those projects to which we give financial support in the areas to which I have referred must show that they have every prospect of being viable.

The honourable member for Rockhampton also referred to the problems of dual council jurisdiction at the Parkhurst Industrial Estate. We have received full co-operation from both the Rockhampton City Council and the Livingstone Shire Council.

The honourable member for Albert applauded the incentives offered and made particular reference to the small business seminars conducted by my department. This is one of the most rewarding projects in which we have become involved over the past two years. The organising and conducting of these seminars involve much effort from the director and the staff. We are fortunate that four leading businessmen from Brisbane are prepared, in the interests of small business, to give their time gratis and willingly. In the present series, there have been seminars at Cairns, Townsville, Rockhampton, Bundaberg, Maryborough, and, only last week, at the Gold Coast. The department will continue to provide this service, over a period, in all parts of the State in which there are sufficient small businesses to warrant it.

The seminar held at Broadbeach produced much food for thought, particularly in the analysis of problems facing small businesses, including the erosion of working capital as a result of inflation, costs, form-filling for Governments, taxation, unsympathetic depreciation allowances, the imposition of quarterly taxation, and many others. Last Friday's effort at Broadbeach was most rewarding because those who attended learnt from those who spoke, and I and my departmental officers were given a further indication of the problems confronting small businesses today, many of which emanate from Federal Government policies. However, I do not wish to dwell on that subject.

Mr. Jensen: What about pay-roll tax?

Mr. CAMPBELL: I think the honourable member for Bundaberg is quite aware that pay-roll tax was virtually forced upon the State Governments.

The honourable member for Townsville said, amongst other things, that the expansion of industrial development in provincial areas was inhibited by the shortage of housing. This is recognised by my department. I have had private discussions with the Treasurer on this matter, and he is not unappreciative of the problem. It presents a challenge to the Government, particularly in growth areas. There are areas that have tremendous potential for manufacturing enterprises. I have in mind particularly the Bundaberg area, where the prospect of a very great increase in the output of cane harvesters to supply world markets will correspondingly require a great increase in the skilled workforce. This will necessitate additional housing. I feel sure that the Government will meet this challenge, and see that industrial expansion in growth areas is not prejudiced by inability to grapple with the housing problem.

The honourable member for Townsville West pointed out that at $20,000 an acre zoned industrial land in his area was quite a burden for industrialists wishing to establish in that region. I think that this points to the wisdom of the department's policy of acquiring land early in the development of an area to provide fully serviced industrial land. Even when services were being expanded in other areas, the department was still able to acquire land for industrial use ahead of need. It is well known that there are at present throughout the State over two dozen fully serviced industrial estates awaiting instant usage. Many other sites in cities and towns have been acquired against future need.

I commend the Bill to the House.

Motion (Mr. Campbell) agreed to.

COMMITTEE

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

Clauses 1 to 5, both inclusive, as read, agreed to.

Bill reported, without amendment.

FACTORIES AND SHOPS ACT AMENDMENT BILL

SECOND READING

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (2.27 p.m.): I move—

"That the Bill be now read a second time."

During the introduction of this measure I gave a general indication of its purpose. I mentioned that representations had been received from retail service station proprietors in country areas and from honourable members from both sides of the House that some restriction be placed on the sale of petrol by retail in small quantities at a reduced price from industrial pumps in industrial establishments and from bulk fuel depots. I pointed out and I stress again that I

realised, after calling representatives of oil companies together to discuss this problem that legislation was the only method available to successfully overcome the problem.

The fact of the matter is that the existing situation could have been easily resolved without recourse to legislation except for the socialistic doctrine of the Commonwealth Government per medium of its Trade Practices Act, which prevents the voluntary co-operation of the oil companies in this matter.

In winding up the debate on the introductory stage, I answered most questions. However, the honourable member for Warwick said, "I want to make sure that the industrial pump at the depot is available to serve industrial users". I can assure him that this facility will still be available to industrial users. This aspect will be attended to in the regulations to be promulgated under the heading "prescribed class or kind" of sale. It is intended that industrial users as stated will still be able to purchase motor fuel at a bulk commercial price, provided the purchase is for a motor vehicle owned and operated for a bona fide business purpose only.

Further, to clarify the position of taxi-cab companies I wish to stress that those approved associations which have industrial pumps will still be permitted to serve their members only and should these companies desire to sell motor fuel to the general public they will be required to establish separate service stations at which they will not be able to serve motor fuel at reduced prices to licensed taxis owned and operated by their members. It has been pleasing to me to learn of the views of the Queensland Automobile Chamber of Commerce that it and its members are in full support of this measure.

Mr. AHERN (Landsborough) (2.29 p.m.): During the Minister's reply at the completion of the debate at the introductory stage, he took the opportunity to answer some of the points I had raised in my speech, and I thank him for his comments. It does appear that the legislation is necessary primarily because of our experience of the operation of the Commonwealth restrictive trade practices legislation and this goes to show what can happen when all-embracing legislation of this type, which has been talked about for years, is in fact brought down.

It is regrettable that companies can no longer discuss their problems and seek solutions that are mutually acceptable and that it should be necessary for Governments to legislate and regulate in this field. In accepting the Minister's assurances, I express the hope that this legislation will not always be necessary. If the Minister finds in the future that some means other than inspecting and regulating is feasible, I hope he will adopt that solution.

I bring to his attention one matter that he raised in reply to my submission at the introductory stage. He said that it was my express view that the Government should regulate the position of service stations throughout the State. I was astonished to hear his interpretation of what I had said. When I studied the "Hansard" record, I found that that was not the way in which my statement was recorded, and I did not intend that it should be interpreted in that way. I make it clear that I do not suggest that the Government should be doing that; on the contrary, I believe it is primarily a matter for the industry itself.

The legislation makes provision in the penalty clause for minimum fines for second and third offences. I express some apprehension about the need for that in what may be described as pioneering legislation. It has not become obvious, for instance, that magistrates are not imposing the fines when cases come before the courts, so that argument cannot be used to show a need for minimum penalties. In my opinion, the matter is not of such great magnitude that the imposition of minimum penalties must be considered at this stage. I am aware that minimum penalties are provided for the second and third offences only, not for first offences. Possibly the draftsman has followed precedent in this instance. If there are precedents, I should like to hear about them when the Minister replies to the second-reading debate. However, I do not think that minimum penalties are necessary, and I believe that initially the provision should be allowed to operate so that we can see how it works. If it works with the co-operation of the industry, the imposition of minimum penalties for the second and third offences should not be necessary. If it does not work, the penalties can be considered later.

Honourable members would not want me to discuss again all the problems associated with the imposition of minimum penalties, even for second and third offences, and how they can arise. I trust the magistracy to interpret the evidence before them and to interpret the Legislature's wishes as to the size of fines in the light of the maximum penalty that is proposed. Therefore, I again ask the Minister to deal with the subject of penalties in his reply to the second-reading debate.

Finally, I reiterate that I regret that it has been deemed necessary to introduce the legislation. However, in the light of the restrictive trade practices legislation now operating in the Federal sphere, the problem is of sufficient importance for the Parliament to be interested in it and for the Government to act on it.

Mr. YEWDALE (Rockhampton North) (2.34 p.m.): The Opposition expressed its views about this legislation at the introductory stage, and it was not unexpected that

both the Minister and the honourable member for Landsborough would use the catch-cry that the actions of the Federal Government had made its introduction necessary. The industry faced these problems long before the Labor Government took over the Treasury benches in Canberra, but it is common practice for the Minister introducing this legislation and his Cabinet colleagues to argue along those lines.

At the introductory stage, two Government members were in disagreement about the practicality of the legislation. One said that it would be grossly unjust for country people who forgot to fill their petrol tank at home before travelling to town to have to buy petrol in the shopping centre of the town that they were visiting. The other said that that would not be a reasonable excuse, and that it was up to the person to make sure he had sufficient petrol either in his tank or in his vehicle before he left his property.

Probably the most important aspect of the Bill I can raise is the practicality of implementing it. The honourable member for Landsborough pointed out that there was some doubt about the practicality of imposing fines, irrespective of whether they were for second, third or subsequent offences.

Mr. Ahern: Minimum fines.

Mr. YEWDALE: Yes.

Because of the low numerical strength of the inspectorial staff, it is difficult to get the Factories and Shops Act adequately policed throughout the State. Now that further restrictions are to be imposed on bulk outlets, it will be the responsibility of inspectors to enforce this amending legislation. Many people use the facilities of bulk depots to make group purchases. I have in mind fishing clubs, skiing clubs and other groups of people who go on journeys at the week-end for sport and enjoyment. Many such groups buy petrol in bulk and distribute it. That applies particularly to skiing and boating enthusiasts, who use a lot of petrol while engaging in their sporting activities. They will lose this avenue of bulk purchase. I do not disagree with that, and I am not opposing the legislation for that reason. I am merely using that as a case in point.

The storage of fuel is restricted to certain areas and to certain people, and the relevant regulations have to be complied with. It would seem to me that people in the category I referred to will be still buying in bulk, even if it is bought illegally, and storing it. I doubt that they will be complying with normal storage requirements, and this is something else the inspectors will have to police. Petrol is such a flammable material that illegal storage of it by those requiring it for recreational purposes seems to me to be a more serious breach of the law than illegally using fishing nets or other illegal acts committed by them. Petrol is a very volatile liquid and therefore it is very dangerous to store it in sheds, under houses or in other places not covered by the Act.

I think it could be said that the legislation would be in the best interests of the community generally. Service station proprietors who employ labour on a permanent or casual basis, to man pumps, to work in the lubritorium and generally provide service for clients—and I suggest that not too many of them are employed at the award rate—provide a better service for the public than any bulk dealers do. The latter provide no service, but merely put petrol in the tank. Car owners do get battery and tyre checks and windscreen service at a service station. It is rather strange that the service station proprietor who builds up his business and increases the volume of petrol sales finds himself in the invidious position of having to pay more for the lease or rental of the service station. The build-up of his business is a sort of self-destroying process.

At the introductory stage the Minister said—

> "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."

In itself that is fairly clear, but there could be some problems. In a State like Queensland with its vast distances and the great number of people who travel off the main highways (in coastal areas, country areas, and remote areas), often there would be those in need of petrol owing to lack of preparation for their journey. Does the Bill mean that an industrial user who lives in a remote area and quite legally has on his premises bulk supplies of fuel will not be able to sell it to a motorist who requires it in an emergency? The Minister may claim that this is only a technicality—it may be—but the situation could arise. A person in possession of bulk fuel supplies could say to a motorist in distress, "I am sorry, but I intend to abide by the law, which says that I am not able to sell you any petrol." I cannot imagine that such a person would be generous enough to give petrol away, so a motorist who runs out of fuel in a remote area could find himself in a very serious plight indeed. I ask the Minister to examine this aspect of the Bill. With that slight reservation, I regard it as being a measure that will benefit the community, and as such it has our support.

Mr. CORY (Warwick) (2.41 p.m.): I appreciate the Minister's reply to the remarks that I made at the introductory stage. He indicated then, as he did again today, that the interests of the genuine industrial user would be protected by the regulations. If they are, any doubts that I have about this legislation will be removed.

I have no objection to distinguishing between wholesale and retail sales of motor fuel. I do, however, oppose the restrictions on the sale of petrol to an industrial user. Although the Minister has indicated that the regulations will allow an industrial user to obtain his supplies from bulk depots, I consider that a restriction is imposed in that the Bill provides that a retail sale shall not include a sale of a quantity in excess of 200 litres, or 44 gallons. I should like the Minister to explain the necessity for the inclusion of that restriction. Why is that figure of 200 litres included in the Bill? If the Minister cannot give an acceptable explanation, I must oppose the Bill.

I support the comments made by the honourable member for Landsborough on the imposition of minimum penalties for second and third offences. On earlier occasions honourable members have agreed that the setting of minimum penalties is not sound in principle. Magistrates are trained to examine a case on its merits, and I do not think it is our prerogative to take discretionary powers from them. It is no good saying that everything is white or black. There are shades of grey. There could be extenuating circumstances warranting the imposition of a penalty less than that prescribed by the Bill. If we take away a magistrate's discretion, we will deprive some persons of their right to British justice.

Mr. Jensen: If he's guilty that's all there is to it.

Mr. CORY: That is not correct. I am sure the honourable member for Bundaberg has at some time been in a grey area and I am sure he would like to know that a magistrate is allowed to use his discretion. I suggest that the imposition of penalties be left to magistrates, who are more competent than we are to determine the severity of a penalty that meets a given case.

I thank the Minister for the explanations he has given, but I would like further clarification on the limit of 200 litres, or 44 gallons, which has been used as a yardstick. To me it is impractical and will cause many problems. However, if my objections can be overcome by regulations. I will be happy to withdraw them.

Mr. FRAWLEY (Murrumba) (2.45 p.m.): In 1973 an approach was made to the Minister for Justice by the Service Station Association of Queensland to license retail petrol sellers. For years the retail petrol seller has certainly been copping the rough end of the stick, especially from some of the oil company depots.

The member for Rockhampton North said that the Federal Government had been blamed by every speaker for everything that has happened in the petroleum industry.

Mr. Yewdale: So it has.

Mr. FRAWLEY: Of course it is to blame. It has caused more strife in the petroleum industry than any other force. It was the rotten imposition of the 5c increase in excise duty that caused a lot of these problems. Anybody who says the Federal Government had nothing to do with some of the tragedy of the petrol trade is not speaking the truth.

Mr. K. J. Hooper: Did you really kick that dog?

Mr. FRAWLEY: I do not intend to be side-tracked by inane interjections from members of the Opposition. They are always fearful when I am on my feet because they know that I usually shoot them down in flames. They have had a fair taste of that in the past three years, and they will get a hell of a lot more in this House before I am finished.

An owner of an industrial pump should be allowed to sell petrol to his employees but he certainly should not be allowed to sell petrol to any member of the public. Groups of people, such as taxi-drivers and milk vendors, ought to be able to buy petrol from industrial pumps at their depots. I notice that that will be allowed under the Bill and I commend the Minister for it. Over the past few years when an approach has been made to an oil company for the installation of industrial pumps, the companies have been only too willing to put them in. In most cases the companies were not concerned about the amount of petrol being used.

At the introductory stage I spoke of the plight of some service station owners, mainly caused by the oil companies selling petrol through depots at wholesale rates to any member of the public who happened to come along. I have no argument about a person who runs a fairly substantial account with an oil company buying industrial petrol from a depot. If he comes to a city or town and runs short of petrol, he can always get some from a local service station and book it up to his industrial account. When I had a service station, I did that for people who had an account with a depot. If they ran short of fuel, they would come to my garage and book it up on their account. So if anybody runs short of fuel, there is no need for him to go to an oil depot for it; he can get it from a service station. After all, the State has far too many service stations, and the oil companies should be attempting to help service station proprietors instead of hindering them by selling petrol from their depots.

I commend the Minister and his committee for introducing the Bill. I hope it will go a long way towards solving the problems of this State's service station industry.

Mr. JENSEN (Bundaberg) (2.49 p.m.): I said most of what I wish to say at the introductory stage. However, now that I have seen the Bill, I wish to speak about the penalties contained in it. I supported the

Bill completely at the introductory stage and outlined what has happened in Bundaberg during the last few years.

Mr. Frawley: I checked up on that. It wasn't correct. You misled members at the introduction.

Mr. JENSEN: You wouldn't be able to check up. You are too damn stupid.

Mr. SPEAKER: Order! The honourable member will address the Chair.

Mr. JENSEN: He would be too stupid to check up. We will not listen to him.

The penalty for a first offence is a maximum of $200; for the second offence, not less than $200 nor more than $400; and for the third offence, not less than $400 nor more than $1,000. Where is the penalty of licence cancellation? The offences could go on and on. I told the Minister that in Bundaberg bulk depots are selling 30,000 gallons, thus robbing the service stations of the sale of 30,000 gallons, which at 10c a gallon is $3,000.

Mr. Lowes: What do you suggest—hanging?

Mr. JENSEN: I could do that to the honourable member.

The penalty is not sufficient. If a person is caught a second time, there should be no third time. His licence should be automatically cancelled after the second offence. Why carry on the idea of one penalty after another? There is no need for it. I believe that there should be a minimum penalty and that the maximum penalty should be cancellation of the licence for the third offence.

Considering how many gallons some of these dealers can sell and the quantum of the penalty, they will be pleased to go ahead and sell a few thousand gallons. The penalty will not affect them. They could go on for a year or two before getting caught. In that time they could have made a fortune out of it. The penalties are not adequate at all.

As I said at the introductory stage, I do not think there is any need for such a Bill to protect the retailer. I consider that the wholesaler's licence should be suspended if he sells retail. The Bill does not do that. It prescribes penalties but no suspension. In my opinion the penalties are not adequate.

Mr. GLASSON (Gregory) (2.52 p.m.): I rise to support the Bill. I am one of the members who approached the Minister for protection of the service station owners in remote areas, who were suffering great hardship through oil companies trading as retailers. I am very pleased that the Minister has introduced this Bill so promptly. In doing so he has checked every avenue to discover who would and who would not be hurt. He has done very thorough research before presenting the Bill.

It is quite obvious that this practice cannot continue in most areas and certainly not in Gregory. In many instances the oil companies build service stations and lease them. The companies provide fuel to them at the wholesale rate and, at the same time, sell to the public and thus undercut their lessees.

On making inquiries of the oil companies I found out that selling from the depot is only a nuisance and that they would prefer the practice to be abolished. This is what the Bill will inevitably do. They say that if they do not follow the practice of the other oil companies, their bulk sales will suffer and they will lose customers to the other oil companies. They prefer what the Bill will produce. It will be gratefully accepted by both the wholesaler and retailer. I cannot help congratulating the Minister and I give the Bill my full support.

Mr. ELLIOTT (Cunningham) (2.54 p.m.): I wish to add a few very brief comments to what I said at the introductory stage. Firstly, I support an important point raised by the honourable member for Rockhampton North. In travelling through Western Queensland, many of us no doubt have been mistaken about where we could obtain petrol and have had to rely for fuel on the generosity of property owners in the area. In the past such people have bought petrol from station owners. Many have miscalculated the distance to be travelled and did not know where they could buy petrol. This applies particularly in remote areas. I should like the Minister to have a look at this matter to see whether it comes under the regulations that he envisages will be promulgated.

I should also like to speak briefly on minimum penalties. I think we have a problem here. I have always been one of those people who believe that judges should have a discretion. I believe that it should be so in this case. It is not much use appointing judges and in matters of penalty denying them a discretion. Under the British system of justice judges may exercise some degree of discretion, and I believe it works well.

With those few words, I commend the Bill to the House.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (2.56 p.m.), in reply: I thank all members for their co-operative approach to the legislation.

At the outset, I accept the statement of the honourable member for Landsborough that I misinterpreted his comments at the introductory stage. I assure him that it was not deliberate.

The honourable member, with others, expressed concern over the penalties attaching to breaches of these regulations. The provisions in this Bill dealing with the dispensing of petrol are on all fours with those providing penalties for breaches of petrol

trading hours, which have operated for a decade in the petrol-retailing industry and have been accepted without question by that industry. I see much that is consistent between the activities covered by this legislation and the other aspects of petrol trading.

The honourable member for Rockhampton North and the honourable member for Landsborough referred to my comments concerning the Trade Practices Act but from completely different points of view. The honourable member for Rockhampton North said that the industry had these problems long before the present Federal Government assumed office. That is readily acknowledged. However, the problem was on the way to being resolved through negotiation, and perhaps it might not have been necessary to bring down this Bill if those negotiations proceeded satisfactorily. It is a fact that the Trade Practices Act prevented further negotiations with the oil companies and left the Government with no other recourse in its attempt to solve the problem.

The honourable member, with others, raised at the introductory stage the problem of obtaining petrol in an emergency. My officers are not overbearing, and any such situations will be dealt with by them with understanding.

The honourable member for Warwick accepted my assurance that industrialists would still be able to obtain their petrol as before. I repeat that the regulations will be couched in terms that will enable bona fide industrialists to continue to obtain their fuel in the same way as previously. I will examine the regulations closely when they are drawn up to see that they meet this situation.

The honourable member raised the possibility of an anomaly between the obtaining of petrol by an industrialist for a specific vehicle and the prescription of the 200 litres minimum. Many aspects of petrol distribution will need to be covered by the regulations and I feel sure that the matter raised by the honourable member will come within that category. Unlike honourable members on this side of the House who felt that the penalties were too severe, the honourable member for Bundaberg felt that not only were they justified but that the law should provide for the cancellation of a permit after repeated breaches. It is not the Government's intention to follow that line of argument.

Mr. Jensen: He keeps breaking the law and yet you worry about other people breaking the law.

Mr. CAMPBELL: We are a flexible Government; we are not hidebound; and if we feel it is in the public interest that an existing law should be amended we have no hesitation in doing so and I can assure the honourable member that I will continue to follow that practice.

The honourable member for Gregory expressed his appreciation of the Bill. I would like to say that it was his persuasive powers which stirred me, against a few doubting Thomases, into proceeding with this legislation. He and other members, particularly those representing distant country areas, made it quite plain to me that, unless something was done about it, the days of genuine driveway service from a petrol retailer would be numbered.

Motion (Mr. Campbell) agreed to.

COMMITTEE

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

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

Clause 5—Sale of motor fuel—

Mr. AHERN (Landsborough) (3.3 p.m.): As I read the Bill, clause 5 relates to the sale of motor fuel and prescribes penalties for offences under the Act. I think this is a matter which requires a little further debate. I thank the Minister for his advice that the scale of penalties has been made consistent with those relating to retail trading hours under another section of the Act, but my feeling is that sooner or later we as a Parliament have to draw a line and remove provisions for minimum penalties or at least examine them closely. In some areas I support the concept of a minimum penalty. For instance, with traffic offences there are situations where provisions for minimum penalties are certainly appropriate because experience has shown them to be necessary, but to insert these minimum penalties initially in legislation is a step that causes me some considerable concern. The statement, "Look, we are doing this everywhere", is not a valid argument. I think we have to start somewhere in taking them out, and only the Parliament can do this. It is like the regulation-making power of Acts, a matter which interests both the Minister and myself. A number of statutes contain wide regulation-making powers; but the argument, "Look, we are doing this in 100 other Acts", is no longer valid. I contend that this must stop somewhere and must be contained.

I ask the Minister to consider the question in the light of what is now proposed. Let us take, Mr. Hewitt, the sale of petrol from a depot located somewhere or other. I ask the Minister to consider the position of a magistrate sitting on a case in which the defendant has already been fined for a similar offence (I suppose some people will be fined). Twelve months after the original offence, the Minister for Industrial Development, say, might run out of petrol in front of that depot and go in and say, "Old chap, I am stranded and I need some petrol. I much reach Brisbane quickly so that I can attend a sitting of Parliament. If I don't, I will be in trouble with the Whip. Will you give me a couple of gallons to

get me down the road?" At that time, an inspector arrives and, in the circumstances, finds that another breach of the Act has occurred. When the case comes before a magistrate, I have no doubt that the magistrate will administer the law in the way in which Parliament has asked him to administer it. He will say, "In the circumstances, a technical breach has occurred, but a penalty of a fine of $200 is certainly not appropriate."

I have put up a case that probably is ridiculous in the extreme, but there are circumstances in which cases of that type may occur. In some instances the person concerned—in quite a number of cases it is a woman—goes to gaol for non-payment of a fine because he believes that he is not really guilty of an offence, even though a technical breach has occurred, and in my opinion Parliament is taking a discretion from the magistrate. I again ask the Minister to consider the position. If a similar provision is in the Act to which he referred, it has escaped my notice. I should have liked it not to be there, either, so that the magistrate could assess the situation.

By passing this Bill, Parliament is laying down that the penalty for a first offence is $200, that for a second offence not less than $200 nor more than $400, and that for a third offence not less than $400 nor more than $1,000. As an increased maximum is provided in each case, it ought to be obvious to the bench that Parliament believes that second and third offences should attract increased penalties, has indicated the general order in which penalties should be imposed, and has indicated that they ought to be tempered by the circumstances which the magistrate is asked to interpret, as only he can. There are thousands upon thousands of situations and circumstances, and they vary from town to town, from place to place and from person to person.

I again ask the Minister to consider the question that I have raised.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (3.9 p.m.): The honourable member for Landsborough weakened his original case by citing a hypothetical case to which I had already replied when commenting on the submission made by another honourable member. As I said earlier, my officers are not overbearing, and in a case in which a person runs out of petrol outside a depot—the honourable member for Landsborough even referred to a member of Parliament—and the person running the depot comes to his aid so that he may resume his journey, thus committing a technical breach and becoming liable to a $200 fine by being a good Samaritan, while I am Minister—and I have to authorise all prosecutions—I certainly would not authorise a prosecution in those circumstances.

Speaking generally, I appreciate the desire of the honourable member to see purity in the legislation in this State. However, I should hope that, instead of pursuing this matter when there is already ample precedent, he would pursue it in new legislation in which there is no precedent to follow. I appreciate his desire for Parliament not to produce what he considers to be iniquitious legislation. I take my stand on the fact that the trade itself has studied the Bill. I quote from a news release by the Queensland Automobile Chamber of Commerce, the industry's organisation—a statement by the secretary, Mr. Harris. I will not quote it all because much of it is a reference to my comments at the introductory stage. In part it reads—

> "For this reason the retail trade had been obliged to seek Government assistance, and it was most grateful for the measure now introduced by the Minister, Mr. Harris said, since this would restore fair competition to a much abused market."

If the petrol trading industry believed that the penalties were too harsh, too overbearing or unwarranted, I am sure that Mr. Harris, on behalf of the thousands of petrol retailers, and even depot sellers, would be the first to complain about the Bill. I take my stand on the fact that the Queensland Automobile Chamber of Commerce has applauded the measure. It has studied the Bill but finds nothing unjust about the penalties contained therein, recognising that these have been in force for a decade for illegal after-hours trading. The industry for which we are legislating understands the penalties. I hope that the honourable member for Landsborough and others who want to see more elastic legislation will use their argument when other legislation which is devoid of precedent is being introduced.

Mr. ROW (Hinchinbrook) (3.13 p.m.): I, too, have a certain degree of apprehension about the mandatory monetary penalties included in the Bill. I do not criticise the introduction of the Bill for any reason other than that I am concerned about a principle that I think this Parliament has been endeavouring to uphold in recent times. I dare say I would have been one of the first back-benchers to bring the matter of illicit trading in petrol by wholesale and commercial depots to the notice of the Minister. Years ago service station proprietors in my area asked me to make representations to the Minister about the inroads being made into their legitimate trade as a result of people being allowed to drive their motor vehicles to wholesale depots and fill their tanks. One service station proprietor said he had left the trade for that reason. That was serious enough for me to make representations to the Minister about the practice. I suppose it could be said, and should be said, that this is an oil company matter, and that it is a pity the oil companies cannot

sort out their own distribution and competition at the various levels without our having to bring down legislation. Apparently the oil companies were not prepared to do that, and so the Government has found it necessary to introduce the Bill. I agree with that action entirely. I apologise for getting away from the clause.

We have to recall our present experience with legislation passed last year providing for mandatory penalties for drink-driving offences. What a fiasco that turned out to be! It certainly was an embarrassment to me and probably many others that the Government had to make some alterations to that legislation. On that occasion we demonstrated clearly that the power to impose penalties should remain a discretionary one for the Magistrates Courts. Any move to take from magistrates their discretionary power would be a retrograde step.

I suggest that this provision should be altered to read "to a penalty of up to $200" or "of not more than $200". I am sure that a provision such as that would satisfy nearly everyone. It would place the responsibility for imposing penalties in the proper area, that is, in the courts. I hope that the Minister will consider redrafting this clause so that it will not be necessary for a member to move an amendment to it. I am most disturbed at the inclusion in any legislation of a substantial mandatory penalty that does not give a discretion to the proper judicial authority.

Mr. PORTER (Toowong) (3.18 p.m.): In considering this legislation we seem to have run into something of an ethical roadblock. This is unfortunate, because in general terms the Bill clearly has overwhelming support.

There is something of a problem here. We on this side of the Chamber have been endeavouring progressively, as legislation comes up for amendment, to avoid the overt use of undue power. For example, we have tried to delete capacities for officials to enter homes without proper warrants. In this instance there is obviously a desire on the part of many members—and certainly I share it—to ensure that we do not put in floors as well as ceilings when providing for penalties. Putting in a ceiling is proper. Putting in a floor, too—thereby ensuring that the court shall not be able to do more than operate between this figure and that figure—could make things very difficult indeed. It would not enable the courts to act in the fashion that we would hope they would act in particular circumstances.

Not so long ago when considering legislation on drug abuses, we on this side of the Chamber removed the floor from the imposition of penalties, and I should imagine that, as it was felt proper in such a vital area as the purveying of dangerous drugs not to provide floors as well as ceilings, it should also be proper in this area.

I can understand that the Automobile Chamber of Commerce would want certain things done, as would the Chamber of Commerce and other private bodies; but our task is to legislate for the community in general. I honestly believe that this legislation would be improved by taking out the suggestion of the floor—the "not less than"—and merely leaving the ceiling. This would protect offenders by precluding the courts from imposing ridiculous fines—not that I expect courts to do that in any circumstances—and it would give the courts a great deal of flexibility to take into account any extenuating circumstances; and there could well be cases with extenuating circumstances that could not have been foreseen by anyone. My suggestion is that if we keep the ceiling, we should take out the floor. This would give us a structure better able to give justice to all and, as well, the utmost protection to the industry.

Mr. LOWES (Brisbane) (3.20 p.m.): I share the apprehension of the members who have spoken before me, particularly the honourable members for Hinchinbrook and Toowong. In fact, I have had some apprehension about the whole Bill because I feel it tends towards not merely orderly marketing (which is something that we as a Government believe in) but also the disciplining of the market (which is a field that is beyond our preserve as legislators).

I devote my remarks particularly to clause 5. I well understand the concern of the honourable member for Gregory, who spoke of an intersection in his town on which three or four service stations are situated. We have all seen what happened in Brisbane, and indeed throughout the whole of Australia—even as far back as 15 or 20 years ago—when oil companies saturated the country with service stations, taking up all possible sites, particularly intersections. It was as clear then as the nose on one's face that a day of reckoning would come. That day of reckoning has come. Now the people who occupy these sites are pleading to us as legislators for protection. We as a Government believe in allowing the market to find its own level. We believe in reasonable protection of industry but that does not extend to the defence of monopolistic causes.

I feel that when the Minister said that there is no precedent to act on, possibly he was relying too heavily on the recommendation made by the Automobile Chamber of Commerce. Frankly, I am not convinced that that body is fully representative of the whole of the automotive industry, just as I believe that some union officials are not truly representative of their members.

The honourable member for Bundaberg made quite a valid point, although probably we are not at one. He raised the possibility of the cancellation of licences. He advocated a penalty greater than that provided for in the proposed section 73D in clause 5 of the Bill. It is possible that the cancellation of a

licence would not be a bad penalty to inflict upon a person who flouted the Act and continued to flout it. He might be selling sufficient petrol to be able to afford the penalty of $1,000, although I doubt it. Cancellation of licence is a penalty that the Minister might wish to consider. If he suggested amending the Bill in that way, I think we as a Government would be prepared to consider it.

However, before cancellation a member of the judiciary would say that such a penalty was not unreasonable. We could not complain about a penalty such as that. We could not complain about the cancellation of a person's licence, just as we do not complain about a person driving a motor vehicle having his licence cancelled under certain circumstances. A driving licence is not a birthright. A licence to run a petrol station is not a birthright. These are matters that are always subject to review. The holder of a licence need not fear as long as he treats it with proper respect.

The Bill contains mandatory minimum penalties. As a Government, we do not believe in them. It is as simple as that. We have said so before. We will keep saying so. It is for that reason that I rise to oppose that part of the Bill.

I therefore propose to move three amendments to clause 5. The first is to insert the words "not more than" after the word "of" on page 3, line 44. The second is to delete the words "less than $200 nor" in lines 45 and 46. The third is to delete the words "less than $400 nor" in line 48. That would make the penalty clause read—

"(a) for a first offence, to a penalty of not more than $200;

"(b) for a second offence, to a penalty of not more than $400;

"(c) For a third or subsequent offence, to a penalty of not more than $1,000."

I feel that those penalties are adequate. If it is subsequently considered that they are not adequate, let there be further amendments. It is not for this Committee to impose minimum penalties.

I therefore move the following amendment—

"On page 3, line 44, after the word 'of' add the words—

'not more than'."

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (3.27 p.m.): Most people who know me would appreciate that I am flexible in mind. I interpret the wish, desire or intention of certain Government members. Upon the advice of the Parliamentary Counsel I do not accept the amendment. However, I do foreshadow an amendment in different language which, I am advised, will meet the wishes of those who support the proposed amendment.

Mr. MOORE (Windsor) (3.28 p.m.): In rising to support the amendment, I cannot do other than state that rejection of mandatory penalties has been one of the tenets of the party over the past six or eight years. If a magistrate, in his wisdom, after considering the case and studying all of its ramifications, decides that the penalty should be $200 for the first offence, he has the right to impose it. However, even if the breach is minimal and the magistrate feels that the penalty should be $2, he has to say, "Well, I am very sorry. I have no option but to impose the minimum penalty." That sort of situation should not apply. On some occasions it has applied in the past, but if I have any say, it will not apply in the future.

The same applies to the minimum penalty of $400. If the magistrate decides that the penalty for a breach should be $400, he can impose it, but it should not be mandatory. In this situation one would not know why a wholesaler would break the law and sell petrol to a person other than a normal bulk sale. Perhaps it could be a good Samaritan act to someone who has run out of petrol. The motorist would turn up and the wholesaler would sell him some petrol and then find that he was up for a minimum fine of $400. My remarks apply also to the penalty of $1,000.

I hope that the Minister accepts the amendment. That is what I ask him to do. If he will not agree today, I suggest that he report progress so that the matter can be discussed further. There is no great urgency about the legislation. The Minister would be doing himself, the Government and Parliament a favour if he decided to report progress and ask leave to sit again.

Mr. AHERN (Landsborough) (3.31 p.m.): I wish to say a few further words, Mr. Hewitt, and, primarily, to seek your advice. There is an amendment before the Committee, and the Minister has foreshadowed that he has an acceptable solution to the problem. I ask that you give the Minister permission to tell the Committee what he has in mind; if he is not able to do so, we will not be able to judge the merit of the amendment that is presently before us.

I know that the Minister has tried to meet us on this question and, upon reflection, I think that he will be happy that we have taken this approach. I appreciate the problem that he has in maintaining consistency in his administration. Parliament has been insisting on this and I think it right that it should be done, and if at a later stage amendments are needed to bring uniformity into the penalties prescribed in the petrol-selling industry, I think the Minister will take an early opportunity to introduce them. I think that is reasonable. I, for one, would like to know what the Minister is foreshadowing before we consider the amendment moved by the honourable member for Brisbane.

Mr. MURRAY (Clayfield) (3.32 p.m.): Mr. Hewitt——

The CHAIRMAN: Order! I should like a moment to explain the procedure. I ask the indulgence of the honourable member for Clayfield whilst I give some guidance to the Committee. At the moment there is before the Committee an amendment which was moved by the honourable member for Brisbane. The Minister has foreshadowed an amendment. We cannot handle his amendment until we have disposed of the first amendment, and it is possible that the nature of the Minister's amendment will satisfy the Committee. With the indulgence of the Committee, I therefore invite the Minister to outline his proposals without formally moving his amendment. If what he proposes is acceptable to the mover of the amendment, that honourable member may seek leave of the Committee to withdraw his amendment. If leave is forthcoming, we would then consider the amendment proposed by the Minister. I now recognise the honourable member for Clayfield.

Mr. MURRAY (Clayfield) (3.33 p.m.): I assumed, Mr. Hewitt, that the Minister was about to rise. I am not sure about that. I want to support the honourable member for Landsborough. It is obvious that he realises that we have been placed in a very difficult situation. Many of us support the amendment, but we would welcome an indication from the Minister of the broad outlines of his intention so that we may be relieved of this tense situation that is now developing in the Chamber. Obviously we must alter this clause, but we await the Minister's advice.

Mr. BURNS: I rise to a point of order. The Standing Orders provide—

> "When a Member has made a Motion to which an Amendment is moved, he shall not substitute another Motion unless the Amendment to the original Motion has been withdrawn."

I do not believe that the Minister can foreshadow or move another motion until this amendment has been withdrawn.

The CHAIRMAN: Order! I am giving the Minister the right to indicate to the Committee what he has in mind. He is not moving a motion.

Mr. Hanson interjected.

The CHAIRMAN: Order! The honourable member for Port Curtis should not try to be technical. At the moment the Minister is speaking to the amendment that has been formally moved by the honourable member for Brisbane. I invite the Minister to do that.

Mr. Burns: This is the Minister's second speech to the amendment.

The CHAIRMAN: Order! The Minister is allowed to speak as many times as he wishes on any clause.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (3.34 p.m.): In the interests of strict parliamentary procedure, may I suggest that, if the honourable member for Brisbane receives the call, this dilemma might be resolved.

Mr. LOWES (Brisbane) (3.35 p.m.): Following on the discussion, I am only too pleased to withdraw the amendment proposed by me.

The CHAIRMAN: Order! The honourable gentleman cannot withdraw his amendment; he can seek leave to withdraw it.

Mr. LOWES: I apologise. I seek leave of the Committee to withdraw the amendment as proposed.

(Leave granted.)

Mr. MURRAY (Clayfield) (3.36 p.m.): With great respect to the honourable member for Brisbane, we are still in a very difficult situation. We are back to square one. Unless we are given some indication of what is coming up, we are very much in the dark. Surely there is some way around this. Surely, Mr. Hewitt, your suggestion that the Minister give us a rough outline of what is in store for us must be the safest way. The matter is being shrouded in secrecy and we are more or less being told, "Take that away and put it in your pocket and I will guarantee to give you something better." But we should know what is in the other pocket and I think the Minister should tell us the motion he intends to move.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (3.37 p.m.): I move the following amendment—

> "On page 3, lines 45 to 48, omit the expressions—
>
> '(b) for a second offence, to a penalty of not less than $200 nor more than $400;
>
> '(c) for a third or subsequent offence, to a penalty of not less than $400 nor more than $1,000.'
>
> and insert in lieu thereof the expression—
>
> '(b) for a second or subsequent offence, to a penalty of $1,000.' "

After consultation with the Parliamentary Counsel I am advised that the import of clause 73D (a), which states, "for a first offence, to a penalty of $200", is that it is not a mandatory penalty of $200. It is within the discretion of the magistrate to impose a penalty anywhere between $2 and $200. The amendment eliminates the second stage of penalty and gives the magistrate discretion on a second or subsequent offence

to inflict a fine of between $200 and $1,000. I appreciate the tolerance of the honourable member for Brisbane. I believe that the Committee can depend on the advice of its Parliamentary Counsel on the meaning of the wording of this amendment. I believe that its wording meets the issues raised by the honourable member for Brisbane and other members who wish to eliminate from the statutes what they consider to be mandatory penalties, and I hope it meets the wishes of the Committee.

Mr. JENSEN (Bundaberg) (3.39 p.m.): I appreciate the Minister's amending this Bill to suit some members of his parliamentary committee who have come into the Chamber after discussing this Bill, probably in their caucus, and are now practically forcing the Minister to alter these clauses; but he has not gone far enough. If he wished to amend it again, he could have added as (c) that after three breaches the licence will automatically be suspended.

My friend the honourable member for Port Curtis could tell the Committee that in the liquor trade a person who breaches the law has his licence suspended. If a driver of a motor vehicle with six points against him commits a serious traffic offence, his licence is automatically suspended. Why should not the licence of industrialists of this type be automatically suspended? There seems to be an attempt here to protect industrialists who go outside the law and breach the Act. All that the Committee is doing now is imposing a penalty on them.

I am not very happy about failing to provide a minimum fine. I would prefer to see a minimum fine included in the Bill. Every day I read in the newspaper of cases in which people have been convicted of driving without a licence.

Mr. Moore: So what?

Mr. JENSEN: If I am caught driving without a licence, I should face a penalty of $20. It should not be a case of my being fined $20 and a woman being fined $5, or the honourable member for Windsor $10. There should be a specific minimum penalty for any person who is found guilty of driving a motor vehicle without a licence. In my opinion, that is a more serious offence than some other driving offences.

Mr. Moore: What has this to do with the Bill?

Mr. JENSEN: Under the Bill, no minimum fine is provided for people who break the law. I agree with the Bill in its original form, and I suggest that it would have been improved by amending the clause to provide for suspension of licences. Why is such a provision included in the Liquor Act and other Acts? Why does the Bill not provide for suspension of licences of oil companies that are, as some Government members said, cutting the throats of their own service stations?

Mr. Frawley interjected.

Mr. JENSEN: Those were the words of the honourable member for Murrumba. He said that the oil companies were cutting the throats of their own service stations. The Act is being amended in this instance to suit the industrialists. It appears that the honourable member for Toowong is a specialist in law, because he was the draftsman of the Industrial Conciliation and Arbitration Act Amendment Bill. He has come into the Chamber today and asked the Minister to amend this clause and said that he would vote with the Opposition against the Minister if it were not amended.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (3.43 p.m.): In keeping with my desire for consistency, I think I should reject the proposal put forward by the honourable member for Bundaberg. It does not apply to other aspects of petrol trading, and I do not want to import it in this case.

I should like to correct an impression that I gave earlier when dealing with the second offence. I said that the penalty for a second offence could be any amount between $200 and $1,000. I was slightly in error, because my officers tell me that the magistrate will have jurisdiction, even for a second offence, to impose a fine of any amount between $1 and $1,000. I am sure that will please the honourable member for Bundaberg.

Mr. PORTER (Toowong) (3.44 p.m.): I think that the Committee will express its thanks to the Minister for exhibiting flexibility. It is rather a shame that the Opposition should merely put on a display of nit-picking, believing that there is some trouble between the Minister and other members, and then attempt to, as it were, rub on a sore. That is certainly not the case, and one would have hoped that a responsible Opposition would show a little more sense of probity and purpose and accept the amendment for what it is—an attempt to establish a principle and adhere to a principle. I am quite pleased to see it. It does indeed take out the floors, or the minimum penalties, which were the nub of our objection previously.

Mr. Murray: Surely to maintain the principle——

Mr. PORTER: This maintains the principle very well, as the honourable member for Clayfield says. It makes sure that the Parliament returns to the courts power to determine what shall be the penalty for an offence in the light of the circumstances attaching to that particular offence. It is a great shame to find an Opposition attempting to make some minor political capital

out of this establishment and recognition of a very proper principle. The Committee owes its thanks to the Minister.

Dr. SCOTT-YOUNG (Townsville) (3.46 p.m.): I have listened to a lot of debate on the clause and I am rather confused. Perhaps some other honourable members are confused too. I understand there is no minimum mandatory penalty at all—that the penalties can range from $1, if the magistrate so determines, to $1,000. I should like the Minister to clarify that.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (3.47 p.m.): Yes, that would be for more than one offence.

Honourable Members interjected.

The CHAIRMAN: Order! When we are processing amendments we are entitled to more co-operation than we are getting from some honourable members.

Mr. CAMPBELL: For the first offence the penalty will be between $1 and $200; for any subsequent offence it will be between $1 and $1,000. I hope that answers the honourable member's question.

Amendment (Mr. Campbell) agreed to.

Clause 5, as amended, agreed to.

Bill reported, with an amendment.

BRANDS ACT AMENDMENT BILL

SECOND READING

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (3.49 p.m.): I move—

"That the Bill be now read a second time."

I was pleased to note during the introduction of this Bill that members on both sides of the Chamber were generally in accord with its objects.

The honourable member for Port Curtis, while in general agreement, raised a point concerning the problems that may beset country police officers charged with the responsibility of administering legislation relating to the livestock industries. His suggestion that all provisions relating to livestock be consolidated into one piece of legislation would be very difficult to implement in view of the wide ramifications of the livestock industries. However, I can assure the honourable member that my officers are always available to advise the police in any matter that involves legislation within my portfolio.

The honourable member for Warwick sought clarification of certain matters, including the use of distinctive brands for indicating the age of animals. I would like to stress at this stage that the proposed amendment does not alter the existing use of brands in any way. It merely provides an alternative place for the use of distinctive brands.

There seems to be some confusion concerning the use of numbers to indicate the age of animals. The position is that the person imprinting the first horse and cattle brand may use a number or numbers below that brand to indicate age, stud or herd book reference. In other words, if my registered brand is "D diamond A" and I am branding a No. 7 beast, I put "7" immediately below my registered brand. These numbers do not have to be registered.

A person imprinting a subsequent brand is in a very different position. He is not permitted to use a number or numbers below that brand for such purposes, but may register a range of numbers to indicate age, as a distinctive brand for use on the cheeks of purchased stock that do not carry an age number.

Stud owners who are imprinting the first brand on cattle and who have used a series of numbers below their brand for stud or herd book references may also use a registered distinctive brand on the cheek to indicate age.

The proposed amendment will enable an owner to use a distinctive brand on the twist, but only in conjunction with his registered three-piece or symbol brand applied on one of the registered positions according to the order of branding. The twist will therefore not be a registered position for the use of an owner's registered horse and cattle brand, and the question of cross-branding does not arise.

The use of departmental distinctive brands for the purpose of identifying reactors to brucellosis or tuberculin testing will normally be the responsibility of the person carrying out the testing, who will be supplied with the necessary branding instruments. However, it is expected that stock owners will follow their usual pattern of extending every assistance in carrying out such branding. This will be to their own advantage, particularly in regard to the identification, isolation and disposal of brucellosis reactors.

The honourable member for Callide is quite right in his assumption that a distinctive brand may be used in conjunction with a registered horse and cattle brand, which includes a symbol brand, for denoting ownership by individual members of a family. This may be done in two ways. One way is by registering a horse and cattle brand in the name of a family partnership, and individual distinctive brands for use by each family member.

The other way is by registering distinctive brands for extra identification purposes for use with a horse and cattle brand held by any member of the family. In the latter case the manner in which ownership of stock is determined is a private matter for the family concerned. I would stress that distinctive brands have no function outside the property or properties where the registered horse and cattle brand is used.

The honourable member for Callide was also concerned that a brand on the twist would not be visible when cattle are jammed together in transport or crushes. I doubt whether any brand is readily legible under these conditions. In any case, the brand which establishes ownership would probably be of more importance in these circumstances.

The suggestion that the position of branding be placed on the waybill has merit but presents a number of practical difficulties, particularly for dealers or persons who purchase stock but do not cross-brand. As an administrative measure it could be commended to owners that they indicate the position of branding when completing waybills, but it would be very difficult to implement as a legislative requirement.

I should point out also that it is not intended to use departmental distinctive brands on the twist to indicate brucellosis or tuberculosis reactors. Such brands will be placed on a portion such as the back or loin, where they will be readily discernible on the animal on the hoof or the carcass on the hook. This action is being taken because of the necessity to ensure that diseased animals can be readily identified while on the property, and particularly at slaughter.

I would like to thank the honourable member for Cunningham for his support, particularly in regard to the value of the proposed provisions for the identification of brucellosis and tuberculosis reactors and the necessity for pursuing both eradication schemes in the interests of protecting our overseas meat markets. These are considerations which are uppermost in our thoughts, particularly in the present crisis through which our cattle industry is passing.

This Bill is calculated to assist in the future welfare of the livestock industries, and I commend it to the further attention of the House.

Mr. HANSON (Port Curtis) (3.56 p.m.): As the Minister intimated in his introduction, the Brands Act as it presently stands makes provision for the issue of distinctive brands for use in conjunction with an owner's registered brand for horses and cattle. Distinctive brands are used very extensively for identification of stock owned by a member of a family to allow a ready denotation of class and description of animals.

As the Minister intimated, the Bill has been introduced principally because of the difficulty that is experienced in reading or noting a brand on the cheek, and in the belief that ease of identification will be facilitated by allowing branding on the twist. I fully realise that that is purely experimental. Future amendments of the Brands Act will no doubt embody other ideas. We in the Opposition believe that this experimentation is an advance, it being the Minister's desire to make possible the clearer identification of stock by branding.

Many years ago it was, I think, facetiously suggested in a southern Parliament that there were people whose mark was a branding iron on a moonless night. Naturally, all owners of stock are concerned with their cattle numbers. It is a problem that has existed in the industry for a long period. Any system within the pastoral industry that can readily establish ownership of stock and makes its guardianship more effective is to be applauded.

We are in the computer age. Doubtless records of stock brands will be computerised to a large extent, and it is imperative for our legislation to be in accord with our new technology. I have no doubt that the Minister's department is fully alive to the situation and willing to provide a greater service to stock owners and pastoralists throughout the State by fully utilising the technology presently available.

Many speakers at the introductory stage gave their ideas about the problems of tuberculin and brucellosis tests. These matters have exercised the minds of cattle owners for a considerable period.

The Bill proposes that, in these particular circumstances, a brand will be placed on a portion of the beast, such as the back or the loin, so that it will be readily discernible if the animal is on the hoof or the carcass is on the hook. It is a very desirable state of affairs and I hope that it leads to a very speedy eradication of the problems that have been confronting the industry for a long period.

The Minister referred to my submission at the introductory stage concerning the fact that some Acts pertaining to stock come under his jurisdiction while others come under the jurisdiction of other Ministers. I fully realise, as the Minister said, the great difficulties in obtaining consolidation of the legislation. Many of these Acts have been on the Statute Book for a considerable time. No doubt they have sometimes presented great difficulty in interpretation. This is regarded as a great field for lawyers who have to advise and counsel clients on various aspects of those Acts that deal with branding and stock. As I said initially, this problem is constantly with us.

I hope that as time rolls on the Minister will take cognizance of my submission and streamline some of the various provisions. Because of the ramification of the livestock industry, I realise that it will be very difficult to obtain some form of consolidation. Nevertheless I feel that he could go a long way towards assisting the industry generally by bringing down legislation that would lead to better and clearer interpretation.

In his introductory speech the Minister referred to the keeping of registers. He placed great importance upon the departmental records and said that because of many difficulties, including costs and postage, there had been certain relaxation in this regard in this modern day and age. I believe this

to be rather experimental also. I hope that the industry fully studies this problem to see whether, in the years ahead, it is in accord with the legislation. Whilst I am hopeful that it is for the betterment of the industry, if it is not it is up to the industry to advise Parliament or the department accordingly. Then the matter can be processed by the officers and a full investigation can be made into just how beneficial it is for the owner of stock—sheep or cattle —and whether a better stock directory can be devised for the betterment of the industry.

The Opposition does not desire to oppose any of the clauses. Naturally, I hope that when the Brands Act is amended in the future it will be with the aim of assisting the pastoral industry generally.

Mr. ELLIOTT (Cunningham) (4.4 p.m.): I rise again to support the Bill. As I indicated at the introductory stage, I believe that it is a fairly important measure. The honourable member for Port Curtis asked if the industry was behind this measure. I believe that the industry itself sought this legislation.

Mention has been made of a couple of factors that show the need for it. One is the incidence of disease, to which most members have referred. I do not think that there is any need to go further into brucellosis and tuberculosis testing. When marks are placed on the twist, they are more easily seen on cattle that are walking away from the observer. I refute the statement made by one member that markings on the twist would not be easier to see than marks placed where they are now. I think that marking on the twist will definitely help in the identification of beasts. As the Minister said, when cattle are in trucks they mill about and it is very difficult to see brand markings, anyway.

Representations for this legislation were made from the stud industry, too. For a long time those conducting studs have wanted to place marks of their own on their cattle so that they would be easy to identify for stud-book record purposes. I believe that this is another reason for the introduction of the Bill. I commend it to the House.

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (4.7 p.m.), in reply: I thank the honourable member for Port Curtis for his acceptance of the measure on behalf of the Opposition. Whilst the honourable member is not an experienced, practical cattleman, it is obvious that he has wisely accepted the advice of his predecessor, Mr. Jim Burrows, who was a grazier in his own right. He was a valued member of the Opposition, and I am glad to see that the honourable member for Port Curtis has accepted his advice.

The honourable member was rather kind in his references to the way the Bill was presented. It is very timely, which is an indication of the way my department functions. Departmental officers are always sensitive to requests from the cattle industry. They consider them objectively and when they prepare measures to be placed before the House, their submissions are always fair, well documented and what the industry wants.

The honourable member made a facetious reference to the ability of some people to brand in the moonlight. It has been said that the only good thing to come out of the decline in the beef market has been a decrease in the number of moonlight branders, as cattle have not been worth branding in the moonlight.

It appears that the Department of Primary Industries has prepared legislation that is acceptable to the House. I thank the honourable member for Cunningham for his comments, which were along lines similar to those taken by other speakers. Although the Bill is not a large measure, it updates the Brands Act. I assure honourable members that if this Act, or any other Act administered by my department, needs bringing up to date, the necessary amendments will be brought down.

Motion (Mr. Sullivan) agreed to.

COMMITTEE

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

Clauses 1 to 7, both inclusive, as read, agreed to.

Bill reported, without amendment.

POLICE SUPERANNUATION ACTS AMENDMENT BILL

SECOND READING

Hon. A. M. HODGES (Gympie—Minister for Police) (4.10 p.m.): I move—

"That the Bill be now read a second time."

I thank honourable members for their initial general acceptance of the Bill which, as I explained in my introduction of it, amends the legislation to extend some recent improvements in the State Service Superannuation Scheme, where applicable, to the Police Superannuation Scheme. It also corrects some anomalies which have become apparent.

The honourable member for Isis raised the matter of including the period spent in training as part of service for superannuation purposes. In so far as the police scheme is concerned, "service" is defined as the period during which a person contributes to the fund. Persons undergoing training are not contributors to the fund. The purpose of training is to ascertain whether applicants can meet the qualifications necessary for them to be admitted to the Police Force as members. Further, they are then required to undergo and successfully pass a medical examination before they can

be sworn in. If they meet these requirements, and become members of the force, contributions to the fund are then deducted from their salaries.

The only persons ever eligible to contribute to the scheme are sworn-in members of the Police Force. Applicants undergoing training may or may not finally meet the statutory requirements for admission. They may well decide that they are unsuitable for a career in the Police Force. During training, there is only the usual employer-employee relationship, and the powers and responsibilities conferred by the Police Act and rules are not applicable. They apply only to sworn-in members of the force. I do not consider that there are grounds for extension of the scheme to those undergoing training. That was the only point raised by the honourable member for Isis during the introductory debate. I commend the Bill to the House.

Mr. MELLOY (Nudgee) (4.12 p.m.): The Bill has been examined by the Opposition and I do not think there is anything in it which should not be there. The Police Union apparently finds it acceptable as we have had no objections from them. I think the provisions which bring the Police Superannuation Scheme into line with the State Service Superannuation Scheme are very desirable. It is apparent from the Bill that the provision relating to the Police Commissioner is being brought into line with those applicable to persons in similar circumstances, and I think this is desirable. We have no objection to the Bill.

Motion (Mr. Hodges) agreed to.

COMMITTEE

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

Clauses 1 to 9, both inclusive, as read, agreed to.

Clause 10—Right of contributor to convert his pension into a lump sum—

Mr. BURNS (Lytton—Leader of the Opposition) (4.14 p.m.): I wish to ask the Minister only one question. The side heading to clause 10 reads, "Right of contributor to convert his pension into a lump sum." We raised this point with the Minister during the introductory debate. There are many policewomen in the force today. Clause 4 of the Bill refers to "a member", but then clause 10 refers to "his contribution" and "his pension". Are policewomen covered under this clause? If they are, would it not be reasonable for us to delete the word "his" and simply insert the words "the member", or does the provision mean that a policewoman cannot convert her pension to a lump sum?

Hon. A. M. HODGES (Gympie—Minister for Police) (4.15 p.m.): A policewoman can commute in the same way as any other member of the scheme.

Clause 10, as read, agreed to.

Clauses 11 to 27, both inclusive, as read, agreed to.

Bill reported, without amendment.

QUEENSLAND MARINE ACT AMENDMENT BILL

SECOND READING

Hon. T. G. NEWBERY (Mirani—Minister for Tourism and Marine Services) (4.16 p.m.): I move—

"That the Bill be now read a second time."

When introducing the Bill, I gave detailed reasons for the various provisions, and I would like to say immediately that I appreciated the constructive comments made by honourable members on both sides of the House. I thank them for their co-operative and responsible attitude on a Bill which everyone appreciates is aimed at improving the safety of shipping in Queensland waters.

The first provision in the Bill makes Queensland Government ships bound by the Act in the same manner as any commercially operated ship. Accordingly, Queensland Government ships will be subject to the various safety and other requirements of the Act.

The provision will also enable the Marine Board to inquire into a shipping casualty involving a Queensland Government ship. You will recall, Mr. Speaker, I mentioned that it was necessary in relation to the incident between the Queensland Government vessels "Sir Thomas Hiley" and "Boyne" to appoint a commission of inquiry under the Commissions of Inquiry Act as the Marine Board was not empowered to hold an inquiry into vessels which were not subject to the Act. Because the Marine Act is a navigational safety Act, members on both sides of the House welcomed the principle of the Crown being bound by the Act.

The member for Ithaca inquired as to the difference between a commission of inquiry and a Marine Board inquiry. A commission of inquiry is set up for matters of general public interest. It takes time to set it up and, naturally, longer to reach its findings than would the Marine Board, which is an authority which meets regularly. The point is that it should not be necessary to bypass the Marine Board to investigate any shipping casualty, whether it be a Government or a commercial vessel. It should not be necessary to set up special bodies to handle these matters. The Marine Board is the most competent body.

Furthermore, the Marine Board is empowered to suspend the certificate of a master or crew member or pilot should an inquiry

find negligence. A commission of inquiry cannot do this. It can only recommend, and I doubt whether a recommendation by a commission of inquiry that a master's licence be suspended could be dealt with by the Marine Board as the law stands at present.

The next three provisions in the Bill are in relation to certain definitions contained in the present Act. The meaning of the term "coaster" is to be extended to ensure that coasters which are chartered or let out for hire or reward are subject to the Act as it is doubtful as the law now stands whether coasters let out under a chartering arrangement are subject to the Act.

The honourable member for Wynnum raised the question of whether a coaster under charter would include such vessels as those participating in the Brisbane to Gladstone yacht race. The answer is "No", unless, of course, any such vessel was generally being hired out or chartered for yachting under a business contract arrangement. Generally speaking, ocean racing yachts are classified as pleasure boats and are not subject to survey under the Marine Act.

The honourable member for Isis stated that chartered fishing boats should carry two-way radios. I wish to inform the House that it is a requirement of regulations made under the Queensland Marine Act that seagoing coasters (including passenger coasters, fishing vessels and game-fishing boats) be fitted with two-way radio.

The honourable member for Redlands asked me to comment on the position of water taxis in relation to the proposed amendments. Water taxis are vessels which ply for hire and consequently are subject to the survey and manning requirements of the Marine Act. These vessels are usually not seagoing vessels but are classified as harbour and river ships and their survey and manning requirements would relate to that class of vessel.

A new definition of the term "fishing vessel" is to be inserted in the Act, and the definition will contain no reference to the holding of a licence under the Fisheries Act. Honourable members will recall that I mentioned that if the owner of a fishing vessel did not, at the time the vessel was due for survey, actually hold a current licence for the vessel under the Fisheries Act, he could legally refuse to submit his vessel for survey. The new definition will ensure that surveys and other requirements of the Marine Act will operate independently of the Fisheries Act.

The term "passenger coaster" is to be amended from "a vessel carrying four or more passengers" to "a vessel carrying more than six passengers". This provision is in accordance with the recommendations of the Australian Port and Marine Authorities Association, and this will allow vessels, such as game-fishing vessels which carry up to six passengers, to be exempt from the stringent requirements for the conventional-type passenger ship.

The Bill also contains three provisions dealing with the survey of ships.

Firstly the amendments provide for ships to be surveyed as prescribed by regulation rather than the annual requirement contained in the present Act. Secondly, the amendments provide for the right of appeal to the Marine Board against the requirements of a surveyor, or his refusal to issue a declaration of survey. Thirdly, the amendments empower the Marine Board to exempt ships from a survey requirement or requirements in certain circumstances.

At the introduction of the Bill no opposition was expressed to these new survey provisions from either side of the Chamber. The honourable member for Port Curtis advocated that clear and concise survey requirements for ships be laid down for owners and surveyors alike. I agree wholeheartedly, and I would like to assure the honourable member that this is the aim of all survey authorities in Australia, and the goal is steadily but surely being reached. The Association of Australian Port and Marine Authorities has appointed a committee to recommend uniform requirements for the survey and manning of commercial vessels in Australia. The committee consists of representatives of the Commonwealth Department of Transport and all State marine authorities. The committee held its first meeting in August 1971, and working groups were appointed to prepare draft requirements for commercial vessels. Because of the diversity of subject matters, it was necessary to appoint five working groups to draft the requirements.

The matters being dealt with include requirements for navigation, construction, machinery installations, safety equipment, stability and subdivision, survey requirements, manning requirements and examination of personnel. Some of these subjects have to be further divided into sections, and the task is onerous and time-consuming even to draft one section of a subject matter.

Honourable members will appreciate the magnitude of the task, but the groups are meeting regularly and frequently and good progress is being made.

I should mention that the documents prepared by the groups are forwarded to industry in all States for comment. On receipt of the comments from industry, the committee submits its recommendations to the Council of the Association of Australian Port and Marine Authorities, and when adopted by that council the draft requirements are then forwarded to the meeting of Commonwealth and State Ministers responsible for marine matters for consideration.

In total, 20 separate codes of requirements are being prepared, and at this stage the association has adopted five codes and the Ministers have adopted three codes. The

task of producing uniform shipping requirements has been a monumental one, but the obvious benefits to be derived will make the task well worth while.

Regarding the matter of pilotage exemptions raised by the honourable member for Chatsworth, I should point out that this has been a world-wide practice since the advent of powered vessels and has certainly been in practice in Queensland ports since our marine laws came into force. The Marine Act provides that the Marine Board may issue such certificates to qualified masters following examination by a competent person appointed by the board, provided that the applicant during the previous two years must have been in command of his ship for three voyages or in command for one voyage and mate for five voyages. Each of these voyages must have included entry and departure from the port for which pilotage exemption is sought. The board, at its discretion, may renew pilotage exemption certificates from time to time.

I appreciate fully the fact that members of this House should be concerned to see that everything possible is done to ensure the safety of shipping in Queensland waters. My officers and I share this concern. I think honourable members will appreciate, however, that the record is good. Of the 4001 ships using Queensland ports during 1973-74, only 18 were involved in incidents calling for Marine Board inquiry, and all of these incidents could be called minor. However, there are no grounds for complacency, and I am awaiting a report from the Marine Board on the whole question of pilotage exemptions in Queensland.

The Australian Association of Port and Marine Authorities is considering the general question of pilotage control in Australian ports, and I am advised that the board is awaiting the findings of that association before completing its report to me.

Another provision contained in the Bill requires that the Queensland coastal and Torres Strait pilots submit themselves for an annual medical examination if required by the Marine Board at the age of 60 years instead of the age of 65 years as at present.

The remaining provisions of the Bill are machinery only, and I shall not dwell on them except to reply to the query which was raised whether service of notices by registered post included service by certified mail. The Acts Interpretation Act provides that service by registered post may be effected by certified mail.

I would now like to deal with other matters raised by honourable members at the introductory stage. The honourable member for Bulimba made reference to the fact that the Australian National Line does not trade intrastate. I should point out that the constitution of that shipping line, as it stands at present, does not permit it to engage in intrastate trading. However the use of the line for intrastate trading in Queensland is a matter coming under the purview of my colleague the Minister for Transport and I am aware that he is giving it very serious consideration at the moment.

The honourable member also discussed the greater use of the Brisbane River for public transport. Except for matters relating to the navigational safety of ferries, which would include their survey and their manning, the Marine Act gives no power to control where ferry services should go or when they should operate. This more properly comes under the over-all concept of public transport. Honourable members will be aware that late last year the Metropolitan Transit Project Board was formed, also under the purview of the Minister for Transport, and that recently it was announced in the Press that the board has commissioned the University of Queensland to research fully whether the Brisbane River can be used more fully for the purposes of public transport. I have no doubt that this study is intended to provide answers to the points raised by the honourable member in this respect.

I think I have clearly indicated to the House the purpose of the legislation, and there is nothing further I can add at this stage. If honourable members raise any matters during the debate, I will answer them during my reply.

Mr. HANSON (Port Curtis) (4.30 p.m.): The Queensland Marine Act is a very important piece of legislation, which has been on the Statute Book of this State for some considerable time. The Marine Board has operated in this State over a very lengthy period. It has very important functions. Not without importance is the preservation of lives and vessels. In my time in Parliament there have been a few amendments to the Marine Act. I recall our present Treasurer introducing amending legislation many years ago. One of the very pertinent points he raised on that occasion related to certificates of competency that were granted to foreign masters who operated on our coast. We were asked to consider that amendment because it had been put forward by a person who had considerable funds to invest in this State's tourist industry. Unfortunately—and I do not know the whys and the wherefores—the gentleman, to use a colloquialism, did not front up. The tourist industry has not heard of him from that day to this.

Mr. Frawley: That's rubbish.

Mr. HANSON: Subsequent to that time I asked the Minister in charge of tourist services to note the earlier remarks of the responsible Minister. I asked further whether there had been any investment by the gentleman, whose name I requested. The Minister subsequently informed me in an answer that the investment was nil. Anybody going to a particular service station at Redcliffe seeking a full tank of petrol will get just that—absolutely nothing. The honourable member is "nil" in the head now.

When an amendment to the Marine Act involves a request by someone who wishes to engage in some type of vessel charter, I believe it should be carefully considered. The Minister should be very careful about acceding to requests by people whose obvious intention is to have the legislation amended to enable them to enjoy some form of advantage at a time when, unfortunately, the economic climate does not allow them to engage in that type of business. When the Minister speaks of the desirability of amendments relating to the chartering of yachts, I am not suggesting that he has received a submission from a go-getter; but on a previous occasion it appears that that was very much the case.

As I remarked initially, the Marine Board has very serious functions indeed. Its principal function could be broadly described as being the preservation of life and property at sea and the management and control of small-craft operations in Queensland waters. In recent times it has carried out its function to the best of its ability and in the interests of Queenslanders. It is the issuing authority for certificates of survey and/or registration for all classes of commercial and private intrastate vessels. It is most desirable that the public who are using the craft should see that they have some form of protection and that there is a board to which they can have recourse.

The issuing of certificates of competency for licences is another of its functions. Licences are issued to people to man and operate the vessels nominated. The shipping inspector and those under him make preliminary inquiries into shipping casualties on the board's behalf.

The shipping inspectors division advises the Marine Board on navigational matters. It conducts the examination for certificates of competency that are applied for by people hopeful of becoming masters of craft. It also conducts the examinations for deck officers and certain crew members of intrastate vessels.

The marine survey section carries the grave responsibility of surveying all commercial vessels operating in the State to ensure that they are up to approved standards, that they are constructed properly and that they are adequately fitted out with the correct navigational and safety equipment. This is most desirable. These are the main functions of the marine board under the Marine Act.

On the surface, the Bill seems reasonable enough. However, I have a certain apprehension after reading the measure. I hope that my fears can be somewhat allayed over a period. A detailed examination of the Bill reveals that the aspects of inspection and safety could be abused to a certain extent and, through regulations, could jeopardise the high standard of safety in the marine sector of this State.

I refer particularly to the possible increase in the time lapse between surveys. I agree that with the use of modern materials it is likely that fewer vessels will be affected by sea-water micro-organisms and other creatures that affected the old materials such as wood, steel and copper. On the other hand, unlike the old materials many of the new materials have not been very long in use and have not been subjected to the test of time.

Mr. Moore interjected.

Mr. HANSON: If the honourable member for Windsor could remain silent for a moment, he might learn something. During the floods in Brisbane last year he fell out of a canoe while trying to assist somebody with his groceries or trying to get his own groceries cheap at the supermarket.

Boats constructed of both old and new materials have been lost without trace. No-one wants to subject persons to pin-pricking conditions, but I believe that regular checks on vessels and equipment that travel in the open sea in all types of weather are very necessary.

Take the aircraft industry for example. Very rigid conditions are placed on aircraft. They are subjected to tests after so many hours or so many miles. The Fokker Friendships in which I and other honourable members fly regularly have to be sent to the South for inspection every so many thousand hours.

Motor vehicles used for the transportation of people, livestock and goods are subjected to annual inspection. Legislation was introduced in this Parliament only a few years ago concerning the inspection of second-hand vehicles. If we applied similar tests to honourable members, I have no doubt that the honourable member for Windsor would be subjected to daily if not hourly sanity tests.

These are matters of very serious concern. If a motor-car plays up or if driving conditions become unsafe, the driver can stop the vehicle and get out. But at sea, during a wild south-easter, in unprotected conditions, it is very difficult for a person to get out and walk home. That is quite impossible.

Anyone who is wet behind the ears, like the honourable member for Windsor, would not worry about it at all. However, I have a concern for people, and anyone with a knowledge of the sea has a profound respect for it. I do not have a great knowledge of the sea, but I know at least something about it. Although the weather might be fine when people are leaving on a fishing trip from Moreton Bay or the salubrious climes of Queensland's garden city by the shores of Port Curtis, it is necessary for them at all times to be prepared and to worry about what might lie ahead. All who go to sea must at all times have a profound

respect for it. If a vessel is caught in high seas or bad weather, is involved in a collision, or is damaged by a floating or submerged object, those aboard might have to wait hours before help reaches them, and in that time the vessel could disappear without trace. I believe that we should be ever vigilant and always conscious of safety considerations when dealing with marine craft.

When dealing with safety at sea, the first consideration is the basic construction of the vessel. Those who go to sea in vessels are entitled to feel that the craft are safe in both construction and maintenance. No attempt should be made at any stage to water down the power of the Marine Board to insist that the whole construction of a vessel be sufficiently strong. Vessels must be so designed that if there is an intake of water or damage by fire, the affected area can be quickly isolated.

I agree that the board should have power to take account of special circumstances which will arise from time to time, particularly in the case of vessels from overseas, but the basic requirements of strength and safety must be maintained. After the construction has been approved, it is the responsibility of the board, on behalf of the Government, to see that the laws keep the whole vessel safe and seaworthy. No doubt there must be some differences in maintenance requirements for vessels of basically wood construction, let alone those constructed of other materials such as steel, aluminium, concrete, plastic and fibreglass. Maintenance requirements would also vary according to the use of the vessel and its frequency of use. Furthermore, periods of mooring and where moored would have to be taken into account in determining maintenance requirements. I am certainly not convinced that it is desirable, with these variables, to have years between surveys.

Operational gear, such as engines, lighting, power, steering, radio and other navigation equipment, is extremely important. Any person who is engaged, say, in the charter business and takes parties to the reef, or who uses his vessel at week-ends only, is very foolish if he does not maintain a constant check on all of these items. Purely safety provisions, such as fire extinguishers and other fire gear and lifeboats and life gear such as life-jackets, are other important factors associated with sea travel. As I said before, it is too late for a person to complain about the seaworthiness or safety of any part of a vessel or its equipment when he is on board in the middle of a dark night with a high sea running and the skipper says that he is sorry that the vessel has sprung a leak, and the bilge pumps are too small and not operating effectively. It is a pity the honourable member for Windsor is not in the Chamber. Of course, he would not be able to smell the bilge if he were out at sea. Because of the possibility of fire it is imperative that the electrical system be maintained at all times in a safe condition. Naturally it is no joy to be on a sinking ship and told that the radio is out of commission. Some of these faults pass unnoticed if nothing happens but, by jove, one is in real trouble if one's rubber raft will not float.

Mr. Frawley interjected.

Mr. HANSON: The honourable member for Murrumba, after winning bronze medals throwing javelins and sticks around Canada, maintains he would be able to swim breaststroke to the shore. Quite frankly, I would like to try him out in a pool some time to see how good he is.

My point is that if we are going to err in any way, let us err on the side of over-inspection rather than under-inspection. I believe inspections are very necessary. As I said, I have a very profound respect for the sea and for the people who man our vessels—for the many seamen who ply up and down our coast, for the many people engaged in our fishing industry and on prawn trawlers who bring to our ports the necessary marine and fish products which sustain us. These people are very courageous. For years I have seen many of them engaged in the fishing industry and it is to their credit that they have stayed in it and tried to carry out their functions and responsibilities to the best of their ability. Practically every one of them who has been at sea for a considerable period is very conscious of safety, and whilst at times they bitch and squeal about the surveys undertaken by the Marine Board—and sometimes they are justified to a certain extent in doing so—in a wild night off Wistari Reef or one of the other prominent fishing grounds, they are very grateful indeed that the craft underneath them is sound and seaworthy.

I think one of the main problems in the past has been the lack of definition of what is a reasonable requirement in a new vessel, registration of an older vessel or re-registration of a vessel.

In my speech at the introductory stage I made a number of points. I believe it is imperative that effective guide-lines be laid down for marine surveys. It is no good having a difference of opinion among marine surveyors. The guide-lines should be set down in black and white. It no doubt is or should be the responsibility of the Minister and his department to give a copy of these guide-lines to the owners of vessels so that they, too, can see just what is required and what parts of a vessel the survey will cover.

If the right of appeal to the Marine Board makes all those concerned with marine survey in a vessel come realistically together and eliminates pinpricking requirements and refusals and requests for exemptions, then this Bill will do a worth-while job. On the other hand, if there is going to be a flood of appeals and if everyone is going to stand on his "dig", then the whole system will break down and more frustration will be

created than will be relieved. After all, the Marine Board, because of the background of its members, will at best be an interpretative body, relying largely on advice given by departmental officers and weighing this advice against the requests of the vessel owners and their advisers.

I believe the clause which allows a longer period between surveys should not be implemented except in very special cases. I would prefer annual surveys, with the various components and features of the vessel and all that goes with it surveyed or tested, in some cases every year and in other cases every two years; but I believe that the vessel itself must be presented for inspection each year. I think that is a very important point. The operating conditions and circumstances of the vessel could influence a decision on which parts are surveyed annually and which are surveyed at longer intervals. The Marine Board should have compiled a set of guidelines to be available to boat-builders. As I said earlier, these are very necessary at the construction stage, and both amateur and professional boat builders should be made aware of the guide-lines of construction and the various basic materials that it is advisable to use.

Other amendments to the legislation covering the definitions of "coaster" and "passenger coaster" are apparently designed to bring the legislation in Queensland into conformity with that in other parts of Australia. That is desirable, and the amendment has been prompted, as the Minister said in his remarks, by the various associations. I believe that the term "coaster" will now cover all vessels carrying fewer than seven passengers, other than vessels that are privately owned and used. These, of course, are covered by other forms of registration and licensing. Passenger coasters vary so much in use and in load carried that a reasonable approach has to be applied to this category at all times.

It is encouraging to see written into the legislation a provision that Government vessels must comply with the Marine Act. That is a step in the right direction. I mentioned at the introductory stage a night on which a pilot vessel broke down off Barney Point in Gladstone Harbour. A fairly recent tragedy involved the "Boyne", which formerly was used in Gladstone. It came into a collision with another vessel in Moreton Bay. If it is good enough for the Act to apply to one person, it is good enough for it to apply to another, and the Government should give a lead. It is a matter for sincere regret that such a provision was not included in the Marine Act some time ago.

The Act is very comprehensive and, naturally, will come before Parliament again for amendment. Safety should be paramount, particularly in the minds of boat owners, and the inclusion of stringent safety measures should be considered carefully. The Bill deserves the very close attention of all honourable members.

Mr. FRAWLEY (Murrumba) (4.53 p.m.): The House has just heard a very interesting talk on the Marine Act by the honourable member for Port Curtis. I know for a fact that the only knowledge the honourable member has of the sea or marine matters has been gained from riding on his rubber duckie in his home swimming pool.

The Bill contains some very important amendments, one of the most important being that Queensland coastal and Torres Strait pilots submit themselves for annual examination, if required by the Marine Board, at the age of 60 instead of 65. Incidentally, Mr. Speaker, if the Prime Minister has his way, Queensland will not have control over any of the Torres Strait pilots, because he wants to give the Torres Strait islands to New Guinea. The Government will have to watch that. I think it is a very good idea to have a medical examination at 60 years of age. In fact, I would not object if the examination had to be carried out even earlier than that. I think that members of Parliament should have a medical examination at 60 years of age to see whether or not they are competent to represent their electorates. Some honourable members—the honourable member for Archerfield, for example—could have an examination at 40 years of age and be found to be incompetent.

Mr. Hartwig: He makes some peculiar statements in the House at times.

Mr. FRAWLEY: The honourable member makes statements on anything. If the sun rises, he makes a statement; if it does not, he still makes one. If the honourable member for Archerfield and the honourable member for Port Curtis were involved in a shipwreck, one could hoist a sail on the other and float home on him—and so could half the passengers.

Mr. K. J. Hooper: At least I don't kick old ladies' dogs.

Mr. FRAWLEY: I do not want to be distracted, Mr. Speaker, but I point out that "The Courier-Mail" received a letter from that lady saying that I was not the one who kicked the dog.

Mr. SPEAKER: Order! I ask the honourable member to come back to the Marine Bill.

Mr. FRAWLEY: Yes, Mr. Speaker. I am being maliciously distracted again by members of the A.L.P., who know that I am about to make my usual brilliant contribution to the debate. I am determined not to be side-tracked.

Getting back to the annual medical examination, I point out that it is quite possible for a person to deteriorate in five years, or even in five minutes for that matter. I can see nothing wrong with that provision. Public servants retire at 65 years of age, police officers retire at 60 years of age and ex-servicemen retire at 60 years of age. People

in various categories retire at different ages. It is quite reasonable to have this provision for an annual medical examination. These people are not going to be kicked out. This is just the way of ensuring that they are physically fit and able to carry out their duties. After all, the pilot of a vessel has to be competent in his job. He is like the pilot of an airliner; he cannot afford to make mistakes. We certainly do not want any maritime tragedies here as a result of not providing for medical examination of pilots over the age of 60 years.

The Act states that the board may issue a certificate to a qualified master following examination by a competent person provided that during the previous two years he has been in command of his ship for three voyages or in command for one voyage and a mate for five. Each of these voyages must have included entry and departure from the port for which pilotage exemption is sought. Many masters do not want to avail themselves of the services of a pilot. It saves expense for their shipping company. If they want to dispense with the services of a pilot, they should be competent and be prepared to demonstrate that by examination. I can see nothing wrong with the requirement that the master be in command for three voyages within the previous two years. After all, apprentices serve five years in their trade, although I know it has been reduced to three and four years in some cases. It is a very good provision.

The honourable member for Port Curtis said that he wanted yearly inspections of vessels. I agree that yearly inspections might be warranted for some vessels, and for some others even six-monthly inspections. It should be mandatory that all dinghys and small boats that are hired out with outboard motors, such as those used at Hayes Inlet for fishing, be inspected six-monthly. Certainly the electrical system of boats should be inspected regularly. Of course, the electrical system on a boat is not prone to break down as fast as other systems. Most boats have a fairly good electrical system. Usually the wires are well insulated with a non-corrosive covering. I do not believe that the electrical system on a boat deteriorates in under five or seven years, and therefore I do not think that any new boat should be required to have a yearly inspection.

The inspector is quite competent to decide during an inspection whether the boat would require a further inspection within the ensuing 12 months. It would depend on the amount of work the boat does, what type of seas it goes into and various other factors which have to be taken into consideration. I cannot see any sense in making boat owners put their boats in for inspection every 12 months when there is really no need for it. It might be different with an old boat. Of course, I know many old things that are still in good repair. Take the honourable member for Port Curtis—he is in fairly good condition; he does not require inspection every year. Many old boats could possibly go year after year without inspection, as long as they are looked after.

Dr. Scott-Young: He is an old hulk.

Mr. FRAWLEY: As a medical man, the honourable member for Townsville would certainly know. I value his opinion.

Mr. Hanson: He is my doctor, too.

Mr. FRAWLEY: Members of Parliament should be concerned that everything possible is done to ensure the safety of shipping and all other forms of transport. It is not a trifling matter at all, and certainly it is not one to be laughed at. We are debating very serious amendments, and I deplore the attitude of the honourable member for Port Curtis as indicated by the levity he has displayed during the debate. He should take a strong interest in the Bill.

The Bill provides for a right of appeal if the owner of a vessel believes that the requirements of a surveyor are too strict. We would not want too many inspectors like some of those in the Department of Primary Industries who have persecuted butchers, milkmen and the operators of country abattoirs. We have certainly had a gutful of them. Now they are trying to get in on the banning of pig-swill.

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

Mr. FRAWLEY: I was thinking of pig-boats, Mr. Speaker, and was temporarily distracted.

As I have said, the Bill provides for an appeal against the requirements of a surveyor. It is quite possible that some surveyors will be a little too stringent in their interpretation of the legislation, so it is only right to allow a boat owner to have the right of appeal if he considers the surveyor to be imposing harsh restrictions.

I agree that an appeal to the board should be made in writing. I take it from the Minister's comments that provided a notice of appeal is in writing it can be handed in by the owner of the vessel to the Marine Board. Apparently there is no obligation on the appellant to post his appeal by registered mail. I trust that the Minister will comment on that later.

Mr. K. J. Hooper: He won't be able to send his boat by registered post.

Mr. FRAWLEY: Empty vessels make the most sound, and the honourable member has not done too badly.

I hope the Minister will assure us that a boat owner may deliver his written appeal by hand and not be required to post it. Of course, an appellant must set forth clearly the grounds of his appeal.

It is reasonable to require the surveyor against whose requirements an appeal is lodged to submit a report to the Marine Board. I think it would be a good idea if both the owner of the vessel and the surveyor were called upon to appear before the board simultaneously for a round-table discussion. Quite often a person who is interviewed on his own makes a claim that is later denied by the other party involved, so I think it is wise to have both the appellant and the surveyor present at the the same time.

Since the Minister assumed his present portfolio he has taken a keen interest in it. I can remember that when the additional four Ministers were appointed the Opposition protested loudly at their appointment. If the Minister had not been promoted to Cabinet it would not have had the advantage of his knowledge and experience. A man of his calibre is a great asset to the Government.

Mr. K. J. Hooper: He would have been a loss to the State of Queensland.

Mr. FRAWLEY: A great loss.

As to the calculation of tonnages of ships—we know that various and confusing methods are used in the measurement of tonnages of ships registered overseas. I believe some of these methods are designed to deprive port authorities of the payment of dues to which they are justly entitled. It is quite right that a person should be appointed to measure a ship's tonnage when it is in question. There is no doubt that some overseas methods of measurement are not up to scratch.

Finally, I again commend the Minister and his committee on the Bill, and look forward to commenting on it further at the Committee stage.

Mr. PORTER (Toowong) (5.4 p.m.): In answer to an interjection, the honourable member for Murrumba suggested that the member for Port Curtis was an old hulk. I am sure he did not mean that; in any case, I am quite certain all of us hope that the honourable member for Port Curtis does not have to go into dry dock regularly to be scraped of barnacles.

On a more serious note—the Bill is an extremely important one, providing, as it does, a link with Queensland's coastal past. In this day and age we all too often forget the tremendous debt that we owe to those people who used the coastal seaways in order to pioneer this country. Before the era of railways and connecting roads, the only real means of transport between the far-flung parts of the State was by sea. A tremendous number of catastrophies occurred because so many ships plied up and down our coast, which is an area that presents great nautical risks.

For those of us who have ever thought about this, the Bill presented by the Minister, which provides for the safety of shipping, brings to mind only too clearly the stark tragedies of early days when there were not these stringent provisions and when so many risks were taken by people in order to ply trade—carry freight and passengers—between the various ports. Cutters, barques, steamships and schooners—many of them caught up in cyclonic storms—perished in many cases with few survivors. I think of the "Charles Eaton" which perished on the Barrier Reef near the Sir Charles Hardy Islands. Twenty-seven survived the original wreck, but within three days 25 of those 27 had been eaten by natives. So times were somewhat different from those that present risks and problems to us today.

There was the "Cambus Wallace", one of the many ships wrecked on or near Stradbroke in the days when Southport was a very important pilot station. Many boats of varying sizes and capacities that attempted to get through the passage found it beyond their capacity, and numerous seafaring passengers died within very sight of their destination. I think five were lost in the wreck of the "Cambus Wallace" in 1894, and it is not much more than a year ago that skin-divers brought up bottles of Irish whisky that were carried on that trip by the "Cambus Wallace".

What we have to remember—and I mentioned this historical preface for that purpose—is that the Queensland coast is an exceedingly treacherous one. It always has been. It always will be. No matter how much care and attention is given to preparation, organisation and safety provisions—no matter how all this is done—the sea along Queensland's coastline will always be difficult, will always be uncertain and will always be treacherous.

To most of the sea-going world the Queensland coast below the Townsville-Mackay area is known as "Cyclone Alley", because during the season we are susceptible to cyclones roaring out of the Coral Sea, veering towards our coast and then apparently finding a suitable channel and running parallel with the coast from Townsville or Mackay down. The destructive force exerted by cyclones is quite enormous. I remember after the great Bowen cyclone being shown a piece of straw that had been driven three inches deep into a telephone post by the force of the wind. One can imagine what that sort of storm pressure means to ships that may unfortunately be in the area at the time the cyclone hits.

Of course, it is not just that the cyclone generates winds with a velocity of 100 miles an hour or more. Tremendous surges are induced into the sea by the cyclonic depression and pose the threat of damage to shipping. So, although we may think we live in a technological age and are far superior in so many areas to those who mastered

and captained ships and moved in them back in the last century, I believe that the seas and the storms still exert very much the same kind of risks as existed in those days, and that is why this Bill is an extremely necessary one.

The main thrust of the Bill is to provide more safety for ships. I do not think that any of us would argue with that at all. There may be some slight discussion or variance of opinion as to the best way to achieve the end, but it is a desirable end and we all accept it. I should imagine that all of us believe that a properly constituted marine board is the body to conduct marine inquiries. It seems sensible to do this. It seems pointless to have to create other boards of inquiry to try to do the tasks that marine boards are competent to do by their very nature and by the expertise that they develop from dealing with a great many cases over a great many years.

The suggestion that a marine board should be set up to deal with all cases involving ships under Government charter or Government ownership as well as private ships seems to me to be a singularly sensible proposition.

The proposal to list further boat categories as those which must be susceptible to proper survey is something we would find it difficult to disagree with. We must accept that as time goes on more and more shipping will be using our coastal waters—some of it types that were perhaps not envisaged 20, 30 or 50 years ago; some of it undoubtedly types that we ourselves do not envisage at the moment. There will be many progressions in forms of marine transport. So the move in this Bill to take care of situations that currently exist is a very wise one. In this regard the Bill takes up the slack, as it were, that existed up till the present time.

Surely no-one would dispute the necessity to ensure that the survey of ships is done on a proper, logical and continuing basis. I think that the prescriptions by regulation are very much needed. To provide for a right of appeal is obviously a proper thing. Here again is an area to which I am certain none of us will take a great deal of exception.

As the Minister said, the task of codifying shipping requirements is a very considerable one. But this has been attempted, much progress has been made and all of us will accept that although the task of providing a uniform shipping code is certainly a monumental one, this has to be achieved to a very large degree. It is an elementary requirement of any law that, as it were, you should be able to read and understand it as you walk. It is very necessary that we provide for shipping using our coast—an area so prone to problems and disasters, even up to quite recent times—a uniform set of safety requirements that can be clearly understood and recognised by all.

I think that this is one of those Acts—I was going to say "benevolent" Acts—which would generate no hostility in any part of this Chamber and I am sure that we all commend the Minister for it.

Mr. HARTWIG (Callide) (5.13 p.m.): First of all I should like to comment upon the introduction of this Bill. It is quite a breath of fresh air to have a Minister who is comparatively new in the affairs of Cabinet giving me, for the first time since I entered Parliament, information relating to the proposals. This move ensures that backbenchers who are not on the Minister's committee have a greater knowledge of legislation that is being brought before the House. This is very important and I hope and trust that other Ministers take a leaf out of this Minister's book.

We all know that the Marine Board to be set up will be the authority empowered to suspend the certificate of a master, crew member or pilot should an inquiry find him guilty of negligence. In the past we have seen instances of courts going to great lengths and spending a long time deciding whether the captain of a vessel was guilty of negligence.

I do not believe that sufficient use is made of waterways in this State. When I was in Thailand, I saw river trains operating in very much the same way as coal trains haul coal. One powerful boat would haul about 15 boats or barges loaded with rice and other produce from northern and central Thailand down to Bangkok.

Mr. Frawley: If you tried that in the Brisbane River, the boats would have to go through all the raw sewage pumped there by the Brisbane City Council.

Mr. HARTWIG: I don't think that would interfere with shipping.

I feel that we should make greater use not only of rivers but of our wonderful coastline. Queensland is blessed with many natural harbours, and over the last decade or so the State Government has gone to great lengths to provide boat harbours such as the new one now at Rosslyn Bay. Off the beautiful, sunny Capricorn coast, pleasure cruisers operate between Great Keppel Island and the mainland. Charter vessels take out fishing parties, and also smaller boats operate, mostly at week-ends, from the Vin Jones memorial ramp.

Mr. Moore: Your predecessor.

Mr. HARTWIG: Yes. That ramp is being put to great use.

I was chairman of the Capricornia Regional Electricity Board when the then Minister for Harbours and Marine suggested that a boat harbour be constructed at Rosslyn Bay. I was instrumental in having electricity reticulated there. All these services are necessary for the safety of shipping.

We have indeed come a long way. I remember many years ago taking a trip in a boat from Hervey Bay to Fraser Island. That was in the days before mining on the island started.

Mr. Moore: That was your sea voyage.

Mr. HARTWIG: That was my maiden voyage—in 1927. There were no life-jackets on the boat, and, if anything had happened to it on that trip, the 40 or 50 people aboard would have been in trouble. As the honourable member for Port Curtis said, they could not get out and walk.

Mr. Frawley interjected.

Mr. HARTWIG: I have been to the residence of the honourable member for Port Curtis. He has a nice swimming pool, and I assure members that he can swim quite well.

Mr. SPEAKER: Order! The honourable member will return to the principles of the Bill, or he will be walking the plank.

Mr. HARTWIG: Racing yachts have been omitted from the legislation. I am not sure that that is the right thing to do. Next week there will be the Yeppoon to Mackay yacht race. When one sees yachts setting out into the open sea, one realises the value of two-way radio equipment in case of trouble.

Mr. Moore: Are they surveyed?

Mr. HARTWIG: I do not know; that is what worries me a little. I remember that last year the yachts set out into a strong northerly wind. It was not very long before some had sustained damage, and others had overturned.

Statistics disclose that 4,001 ships used Queensland ports last year and there were only 18 minor incidents. This was due in no small part to our navigational aids, our various radio beacons and the fact that these ships are surveyed by members of the department from time to time to ensure their seaworthiness, as well as the regulations requiring life-jackets and two-way radio. In my opinion we as a Government have a responsibility to make sure that as little risk as possible is attached to putting out to sea, whether it be on a pleasure cruiser or an overseas liner. When we talk about overseas liners coming into places like Hay Point or Gladstone, I sometimes wonder whether they should be covered by our regulations.

Most pleasure cruisers today are limited in the number of passengers they may take on board. Many boat owners remodel their vessels. Many people invest a great deal of money in pleasure launches, such as the "Oceanus" and the "Fiesta" which operate in my area, and these are very much safer than a lot of older vessels engaged in this trade.

I commend the Bill and once again congratulate the Minister. The few Bills he has brought before the Chamber have been very thoroughly put together. He has done his homework and every member knows all that is contained in each Bill which the Minister puts before the Chamber.

Mr. DEAN (Sandgate) (5.22 p.m.): This Bill is to amend what is and has been a good Act but, like many other pieces of legislation we have on the Statute Book, most of its problems are caused by lack of enforcement of its provisions. Before I discuss the principles of the Bill, I would like to point out for the information of the honourable member for Murrumba that he was rather unfair—and it ill behoves him—in the derogatory remarks he made about the honourable member for Port Curtis. That gentleman was a member of the Gladstone Harbour Board for 18 years, including 10 years as chairman. I can recall many occasions over the years when he was called to act as a representative to the Queensland Marine Association so I do not think there would be many, if any, members of this House who would be more qualified to speak to an amendment of the Marine Act than the honourable member for Port Curtis, who took the lead in the debate on behalf of the Opposition.

You and I, Mr. Speaker, have great experience of marine matters because we both represent bayside areas. You have had great experience of Moreton Bay over the years. You know the hazards and the risks faced by many people who foolishly take to the water when the weather pattern dictates that they should not. Some of them with only a little experience should never take to the sea. That is what I meant when I referred earlier to the lack of enforcement of the provisions of the Marine Act. How many times do we see people purchase a launch—many of them are a fair size these days—which they can put on a trailer, and this gives them considerable mobility? How many of them have a thorough knowledge of the beacons in Moreton Bay? The bay can be very treacherous and vicious at times. The honourable member for Port Curtis said that one of the worst winds in Moreton Bay is a south-easter, and you and I are well aware of that, Mr. Speaker.

I have complained frequently about the shortage of inspectors, and I say to the Minister again that more inspectors are needed to ensure that sea craft are safe. Many of the inspectors are very highly qualified. As a matter of fact, I think it would be appropriate at this stage to pay a compliment to the Department of Harbours and Marine. I do not think that the officers of any department of the Public Service in Queensland are better qualified or more zealous than those of the Department of Harbours and Marine. Members of Parliament are very jealous of the reputation of public servants generally in this State, but officers of the Department of Harbours and Marine certainly do a magnificient job in policing the provisions

of the Act. Although the Minister has not held his portfolio very long, I am sure that he realises already that he has many competent and well-qualified officers under his control. However, they can do only so much; there is a limit to their endurance. That is why I contend that more inspectors should be appointed to ensure that provisions such as those now before the House are rigidly enforced.

Some day fatalities in Moreton Bay could become common. In my opinion, Mr. Speaker, we have been very fortunate so far. People with fast boats do not realise how much fuel they consume. They look at Moreton Island, Stradbroke Island or Bribie Island and simply set out without checking that they have adequate supplies of fuel. In many instances people who have done that have had to be rescued by their fellow boating enthusiasts and brought in to my area or to the Redcliffe Peninsula. That shows a lack of experience. They should know before they leave how far they intend to go and how much fuel they have. A number of people have complained to me that they have had their day's enjoyment spoilt because a person who has not taken the precaution of checking his fuel supplies has found himself in difficulty and been unable to return to base. I stress the need for the appointment of more inspectors.

Mention has been made of the condition of some of the boats that put to sea. Not only the small dinghies that are hired for fishing expeditions at the week-end but also many privately owned boats could be better maintained. When people first buy a boat, they are very keen and very particular about servicing it correctly. Later, a week goes by, or perhaps even a month, without the necessary maintenance being carried out. I remind honourable members that maintenance is even more necessary on a boat than it is on a motor vehicle. Corrosion occurs very quickly when boats are exposed to salt water and salt air, and people soon find themselves in difficulty in the bay if adequate maintenance is not carried out.

A number of honourable members have stressed the need for various safety measures. These cannot be stressed enough, and I believe that stricter controls will have to be imposed in the future. Some of us, Mr. Speaker, are becoming rather tired of controls, but it is absolutely necessary that a person who purchases a boat is qualified to handle it and ensure the safety of other people who travel in it. In my area, I have seen boats very much overloaded. One sometimes sees a boat built for three or four people carrying eight or 10 people on a fishing expediton. The weather may be good when they leave; but how many people in charge of boats can read weather signs? These are very important. One has only to go down the bay with an experienced fisherman or prawn-trawlerman to see how quickly he can read the weather signs. The novice with a new boat has not the slightest idea of how to read them. The sun is shining and everything is calm, and he does not realise that the whole pattern of weather in the bay can change in an hour.

Like other honourable members, I hope that the departmental officers will be helped by more staff so that the legislation can be properly enforced. On previous occasions I have said that the non-enforcement has made the Act impotent. Legislation is of no use unless it can be enforced. An Act and the regulations made under it must be enforced to achieve the purpose intended.

I felt impelled to support the honourable member for Port Curtis. He made an excellent contribution. He covered the Bill widely and well. I do not like engaging in repetition but I felt that it was only right and proper that the record be put straight on the qualifications of that honourable member.

Mr. GIBBS (Albert) (5.31 p.m.): I support the Bill. The Queensland Marine Act is very important legislation. It is almost as important as that dealing with air safety. Australia's record in air safety is very good. The Marine Board has a heavy responsibility in ensuring that people are protected—sometimes even against themselves. Over many years I have heard complaints about regulations that have been brought in. Initially they may appear to be severe, but when people get used to them and analyse them, they recognise that the regulations are right and proper in the interests of safety.

It is very interesting to note some of the objects of the Bill which, over all, is related to safety. Provision is made for varying periods of survey depending on the age and condition of a vessel. A very realistic attitude has been adopted. The Bill recognises the fact that there are different categories of vessels and different uses for those vessels. Marine safety must be looked at right across the board. We have to remember the tragedies that have occurred throughout the world, even with some of the large tourist ships.

Mr. Moore: Ferries.

Mr. GIBBS: Ferries have sunk, too. The lives of many people have been endangered at sea. We well remember the recent tragedy in the Derwent River, and the one before that off the Tasmanian coast. In the latter case there may have been a lack of safety precautions, but I do not say that about the more recent tragedy in Tasmania. Probably that was just one of those things that happen occasionally, but we do not want to see something like it again. Maybe the Bill will help to prevent such a happening in Queensland waters.

The Bill makes provision for the Act to apply to Her Majesty's ships. The reference there is not so much to naval ships as to shipping within Queensland waters.

In many areas of responsibility of the Department of Harbours and Marine there is no right of appeal. However, the Bill provides a right of appeal to the Marine Board for the owner of a ship who feels aggrieved by the declaration of survey. That is a great step forward by the Department of Harbours and Marine, which has the responsibility of bringing such matters before Parliament. I am very pleased to see this provision, and I hope the principle will flow right through our legislation. I commend the Minister on his approach to this measure.

The Bill contains a provision to allow the Marine Board to exempt any ship from a specified requirement where the board is satisfied that the requirement has been substantially complied with. This flexibility is desirable. For example, the owners of a vessel might wish to shift it for some reason and the manoeuvre involved might not throw a great responsibility on the shoulders of any person. It is good to see that on such an occasion the vessel involved may be exempted from certain requirements prescribed by the Act. But this exemption is not to be granted lightly, and I venture to suggest that it would be the exception rather than the rule.

The underlying factor is safety, and the Bill goes to great lengths to provide for safety. The Minister and his officers are to be commended on the work they have done in preparing this legislation. Although the Minister has not occupied his portfolio for very long he has shown that he is capable of introducting worth-while legislation. The increase in the Ministry was criticised by certain members, but the appointment of the additional Ministers has allowed all the members of the Cabinet to concentrate to the full on the administration of their portfolios to the benefit of the people of Queensland. I am sure that this great free-enterprise Government will continue to bring forward such worth-while legislation as this.

Dr. SCOTT-YOUNG (Townsville) (5.37 p.m.): Having listened to the concluding remarks of the previous speaker, I almost regret having opposed the appointment of additional Ministers. Be that as it may, I must admit that the Bill is a worth-while measure. The hazards of the sea are so great and numerous that clear thinking is called for when decisions are made on any marine matters.

Mr. Moore: Mr. Speaker is an old sailor.

Dr. SCOTT-YOUNG: I'm not quite sure that he is, but if he is I am sure he will appreciate these comments.

The Bill adopts a rather interesting approach to maritime matters. No great deviation has been made from previous deep thinking given to marine affairs, and I congratulate the Minister and his officers on the approach that they have adopted.

The aspect that strikes me most is the inclusion by the Government of its own vessels in the survey requirements. I can recall that some years ago a calamity involving two Government vessels occurred and the Marine Board had no power to take disciplinary action against any of the persons involved.

The Government's approach to the survey requirements can be distinguished from the attitude adopted by some Government departments, which consider themselves to be immune from all restrictions. I have in mind particularly certain Commonwealth Government departments, which seem to think that they should not be subject to our State laws. They tend to regard their State counterparts as not being essential to the good conduct of the nation.

The Department of Harbours and Marine has accepted its responsibility as an integral part of the administration of the State, and has demonstrated this by conforming to the State's rules and regulations governing vessels.

Although the Bill embodies certain stringent measures in relation to definitions and rules it also contains certain lenient provisions, and this is to be commended. As well the definition of "coaster" is now clear and well defined.

The Government's decisions have been influenced by recent events and by improved methods of construction and communication as well as by its experience with radar and other navigational aids. One result is that the statutory period between surveys has, in certain circumstances, been increased. It will not now be a statutory period of 12 months.

I gather from the Minister's speech that the board maintains the right and the authority, on the facts derived from the original survey, to have the ship resurveyed as required. I think that is very good. I must admit that this is the only time I have ever agreed with rule by regulation. As long as the survey by regulation is based on the original knowledge of the ship, its original construction or any defects or faults that might become apparent in that type of construction, it will be worth while. For instance, we see ferro-cement boats languish in back yards for 12 months before they are plastered. The metal rusts, the construction is faulty and often they are not sealed completely. I gather that under this Bill such things are subject to a more rigid survey than they were previously. I congratulate the Minister on that provision.

The aspect of passenger rating is rather interesting. Previously we had very little control over many of our game-fishing boats and tourist boats. I notice that under the definitions of "Coaster" and "Passenger coaster" the number of passengers they may carry is strictly governed. That ties in very closely with the stringent rules on safety precautions. In the Townsville area some boats proceed 40 miles out from port for game-fishing. I believe that the new definition on the statutory number that may be carried for survey purposes is most important.

I wish to make some comments about surveys. Previously timber was the principal material used in the construction of the average boat. However, in recent years the materials used have included ferro-cement, plastic and even steel. Our survey authorities should lay down strict rules in relation to these methods of construction, and I gather that the Minister has specified various standards associations for that purpose. They are clearly defined in the Act. Originally the Act mentioned the Standards Association of Australia, the British Standards Institution and the Association of Australian Port and Marine Authorities. I gather that under these amendments those authorities will still be called in to undertake various surveys of the newer types of boats that may be used for tourist passenger work.

I can find no fault whatsoever with the Bill. It is based on sound principles, especially as our Queensland coast is subject to sudden squalls and consists of treacherous waterways with reefs and groups of small islands. I congratulate the Minister and the officers of his department on this very sound legislation.

Mr. M. D. HOOPER (Townsville West) (5.44 p.m.): I consider that one of the most significant amendments proposed in the Bill is that which says that the legislation will apply to Her Majesty's ships. That is a most refreshing approach for a State Government department. Anyone who has been associated with local government, regional boards or electricity boards would be sick and tired of hearing about legislation, regulations and by-laws with the proviso at the bottom to the effect that the regulations or by-laws do not bind the Crown. It is a most refreshing change that these regulations will bind the Crown, and I hope that other Government departments will follow suit in future amendments to their legislation.

The Crown owns many different types of boats. For instance, the water police in Brisbane have several boats. Unfortunately that facility does not exist in other parts of the State, but we hope that eventually it will. Patrol boats are used by officers of the Harbours and Marine Department, and other boats are owned by the State Health Department. All in all the State controls many vessels but the unknown factors are the human beings who steer them. The risk of human error will always be with us. Whether captains are expected to be faultless or whether they can be proved to have been negligent in the handling of a vessel does not matter as long as they have to comply with the regulations that the private owner has to comply with and all things are equal.

When the cyclone hit Townsville in December 1971, hundreds of small vessels were damaged. Many of them were safely moored, but some were damaged almost beyond repair by Government vessels and launches that had come adrift from their moorings and the private owners had all sorts of trouble trying to obtain compensation. The insurance companies did not want to talk to them. They were referred to Government departments and agencies. After many months of threatened litigation and at some considerable expense the owners got some satisfaction in compensation. Had this legislation been in force then, it would have been much easier for the private owners to obtain compensation.

All shipping companies and people who travel as coastal passengers will be pleased to learn that the legislation makes it compulsory for Torres Strait pilots to have an annual medical check. Apart from walking up and down the road to the ship and home again, a Torres Strait pilot has a rather sedentary occupation. I believe that most people with sedentary occupations should have annual checks—certainly those who bear responsibility. If a pilot is not prepared to undertake one voluntarily, he should be detailed to have one to make sure that he is fit and in a reasonable condition to handle shipping, which can be very dangerous along a good deal of our coastline.

Some honourable members have mentioned the shipping lanes outside Townsville, Mackay and Gladstone. The reef comes nowhere near the Queensland coast until it gets north of Cairns. Anybody who takes the trouble to travel from the Torres Strait to Cooktown and Cairns will see the reef within five miles of the coast in many places. It is a very narrow channel through which the Torres Strait pilots have to navigate. Whereas the captain and the first officer can go below for a rest, a Torres Strait pilot, once he goes aboard a ship, is on the bridge until the ship reaches Cairns. Before that he cannot relax; he must wait till the ship is safe. Once the ship leaves Cairns and sails south, it is a much different proposition. Until a ship gets through the Torres Strait and south to Cairns it is a hazardous trip. It is probably one of the most picturesque trips in the world but it is a trying experience for any man over the age of 40 to pilot a ship in that area, depending on his physical condition, and much more so for a man of 60 or 70 years. I heartily support this legislation which makes it mandatory for such skippers to have an annual physical check.

The Bill also refers to jurisdiction and safety regulations covering pleasure craft which operate out of provincial harbours and ports. It is quite necessary to have safety regulations covering vessels plying the coastal passenger or tourist trade. But there seems to be some discrepancy in who has the actual authority over vessels that are moored or anchored in a harbour board area and are boarded from time to time by citizens who either intend to travel out to sea in them or simply use their tourist facilities.

Quite recently a vessel arrived in Townsville from Melbourne and it is being used as a floating restaurant. It is the first of its kind in Queensland. It is 100 ft. long and is seagoing but it is anchored permanently in the Townsville Harbour Board limits. Some people have doubts as to who has control over a vessel moored there and operating as a floating restaurant. The Townsville City Council believes it has the right to impose parking regulations and should be able to say to the owner, "You are attracting a certain number of people to this vessel so you should be able to provide 20 off-street car-parking places." The council also believes that it should be able to say to the owner, "You should have to comply with council regulations on sewerage discharge. You should not be able to discharge any effluent or any vegetable matter from the kitchen into the water." The State Health Department says that it should have some say in how the kitchen should be operated and the Licensing Commission says that it should have some say whether the vessel may serve liquor. The harbour board, which is the authority most concerned in Townsville, says, "In whose area is it moored? It is in a harbour board area, so surely we should be the ones to have the say. After all, it is complying with harbour board regulations, and doing only what other pleasure craft do. Hundreds of people live on boats, and thousands of passengers travel on tourist launches between Townsville and Magnetic Island. We should have the right to say which regulations pertain to this vessel moored in Ross Creek." Other State Government instrumentalities and the Townsville City Council then want a finger in the pie and claim jurisdiction. I think that the harbour board, by virtue of its charter from the Department of Harbours and Marine, should be the sole controlling authority to judge what is right and what is wrong for a vessel moored for pleasure, or for any business activity, in the harbour board area.

The provision covering the measuring of tonnage is very desirable. It has been proved in recent years that, with the new-type container vessels that are now being used, harbour boards are losing a considerable amount of revenue. I do not know the answer to the problem. It might be possible to charge on cargo volumes to obtain a fair amount of revenue. Harbour boards, like councils, rely on revenue from those whom they charge for the use of their facilities, and, if they do not get sufficient revenue from some vessels that enter the port and use the facilities, they are forced to charge others higher rates. This penalises the fellow who plays the game.

Mr. Gunn: Are they losing money now?

Mr. M. D. HOOPER: Harbour boards are quite definitely losing money from containerisation. The legislation will, under the Merchant Shipping Act, allow all boards to demand more equitable rates if shipping companies are not prepared to play the game by divulging correct tonnage measurements on invoices when their ships enter port.

The allowing of appeals on surveys is long overdue. In knocking around the waterfront for many years, I have heard boat owners complain at various times about unfair inspections made by registered surveyors. I do not think for a moment that any inspector that I have known in Townsville has been unfair in any survey but, after all, he has to have guide-lines on which to operate. Marine surveying is not an exact science; it is like land-valuing, where the valuer expresses an opinion. Timbers used in boat construction in Brisbane would differ from those used in Townsville and Thursday Island, and different timbers have different strengths. An owner who feels that he has been unjustly treated by a surveyor who has declared his boat to be unfit to operate in specific waters should have the right of appeal to a competent tribunal. There he could submit his boat to a further inspection and say why it was constructed of certain timbers and why it was built to its design. I welcome this feature of the Bill.

I cannot stress too strongly how much I support the legislation as it relates to safety equipment. Pleasure craft have to comply with all standard safety regulations, and they have to carry two-way radios. I repeat what I said at the introductory stage—that all small ships, whether they be 16 ft. or 60 ft., should be required to carry two-way radios if they ply in waters beyond 10 miles from the coast. Over the years there have been dozens of cases of lives lost, or nearly lost, because boats have had no means of communication with coast-guard facilities or O.T.C. radio on the mainland. I hope that before long the Minister will bring down legislation requiring private boat owners to carry two-way radios.

On all other aspects I support the Bill wholeheartedly, and I commend it to the House.

Mr. BURNS (Lytton—Leader of the Opposition) (5.54 p.m.): When one looks at the Queensland Marine Act, one must also look at the Navigation (Survey and Equipment) Regulations, the Merchant Shipping (Passenger Ship Construction) Rules, the fishing vessel regulations and motor vessel

regulations, all of which are regulations under the Marine Act. In November 1973, I directed to the then Minister for Conservation a number of questions about exemptions under the navigation, survey and equipment regulations. I asked—

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

The Minister answered, "Two." I asked further—

> "What principles are applied by the Marine Board to determine whether an application for exemption should be granted?"

The Minister answered—

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

Then I went on to ask whether the information was available to boat builders. I am talking about wooden boats, the "woodies", the under 60-footers which in many cases run around our coast today. I asked if information had been published in relation to this material to assist boat builders. The Minister answered—

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

First of all, I do not think that that was a satisfactory answer because we all know how many small vessels are now being built in back yards. One only has to move down the coast or drive around any seaside resort to see the number of ships under construction. To me the circulation of the amendment to the Boat Builders Association of Queensland was not sufficient.

I want to develop this point because I have discussed this Bill with some surveyors and boat builders who are involved in the marine trade and, whilst I am not an expert on boat-building, and I do not profess to be, I have knocked around at sea for many years and I share the concern of many others at the operation of some of the rules relating to the small wooden ships that operate in Queensland. I asked the Minister a further question—

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

The Minister replied that there had been discussions and that a committee of the Australian Association of Port and Marine Authorities had drawn up a code of uniform requirements relating to fire. Tonight I obtained a long list of amendments to the regulations. I have not checked them all but I notice that there have been a number of amendments since 1973. I am hoping these amendments will spell out stronger laws in relation to fire in wooden ships under Queensland jurisdiction. I want to refer to regulation 8 of the Marine Act, which relates to exemptions and appeals. At the time I asked that question of the Minister, regulation 8 stated—

> "(1) Except where otherwise provided in this regulation or elsewhere in these regulations, the regulations issued by the Department of Trade and Industry (previously the Board of Trade) shall be complied with before a certificate of survey may be granted in respect of a coaster or a passenger coaster.
>
> "(2) (a) The Board may exempt the owner or builder from compliance with any of the requirements of sub-regulation (1) of this regulation upon receiving written application for such exemption.
>
> "(b) Every application for an exemption made in respect of this sub-regulation shall be fully substantiated . . ."

That was amended in November 1974 and regulation 8 then made provision for the Merchant Shipping (Passenger Ship Construction) Rules to be complied with under the regulation. I want to talk about the question of exemptions and the question of appeals. Let us take it that we are going to build a boat or a ship. Regulation 6 (3) of The Navigation (Survey and Equipment) Regulations lays down a complete set of details we have to supply to the Department of Harbours and Marine or to the Marine Board with our application. We supply all the information and it is approved, or, more likely, we do not get it approved because it is a wooden boat and in a lot of ways it does not conform to what is required under D.T.I. rules and regulations. So we go away disappointed and we go to see our architect and say to him, "We submitted this set of plans and all the other items you suggested we submit. But we have been rejected!" He says, "That's crazy, I just built one of these for Joe Blow down the road and we got it through." How did he get it through? He got it through by applying for exemptions from the rules and regulations laid down for the safety and construction of these ships.

But there is another fellow down the road who has not gone to anybody to get any plans. He did not go to an architect. He did not go to anybody at all. He is just building a boat as a hobby and some day he is going to tell the Department of Harbours and Marine about it. He is going to retire and become a prawner or a deep-sea charter fisherman. He does not get any plans from the architect. He does not know

anything about marine regulations. He might just go ahead without a plan and start to build a boat, or he might buy the plan from someone in Southport or in New South Wales. He prepares the back yard, sets up a jig and commences to build a boat, which could take three or four years.

[*Sitting suspended from 6 to 7.15 p.m.*]

Mr. BURNS: Before the recess for dinner, I was speaking about the Navigation Service and Equipment Regulations and the regulations that are associated with the Marine Act. I was speaking of a situation in which a person applied to build a boat and submitted all the specifications that are required under the Navigation Service and Equipment Regulations and had had his application rejected.

He then went away to his architect and said, "Well, I submitted all the specifications that were asked for, but my application has been rejected." The architect then says, "I can't understand that, because I am building the same type of boat for another person and it has been approved." It had been approved because the owner had been able to get some exemptions on that particular boat.

Down the road another person may be building a boat. He may be one of those people—one sees them every day of the week—who build their own 40-footer, 50-footer or 60-footer in the back yard. He has not worried about the regulations or an architect. He has bought a set of plans from Halvorsen in Sydney, or from——

A Government Member: Noah!

Mr. BURNS: Well, I do not know. Noah might come from the honourable member's electorate. The original Noah built a boat in the same way, and he did not have the Marine Act to worry about.

When he completes the boat, he decides that later on in life he is going to become a fisherman or a prawner, or that he is going to use the boat off the coast. He goes along to the Marine Board and asks for a survey or for the vessel to be approved. The board will bend over backwards—it will squirm a little, but it will get there in the end, because that fellow might have a little bit of political pull, or he might have someone who can do something for him and put a little bit of pressure on the board to give him the opportunity.

What the board probably will do is provide a certificate of survey for him to operate only in still water or to operate only in a limited way. But once he has the certificate, who is to know where he operates or how he operates, until something goes wrong? The surveyor will go along and say to him, "I am not going to give you a certificate of survey because your bilge pump is not big enough, you have not provided decent subdivisions, and you have not done this and you have not done that."—in other words, he has built the boat at considerably less cost than Joe Blow who is trying to conform to the regulations of the Department of Trade and Industry.

He then wins an appeal to the board against the boat's rejection by the surveyor. The board will say, "All right, we will keep the peace and we will let this bloke go to sea but we will put a small rider on him, restricting the operation of the boat."

I say that there should be very few reasons for the granting of exemptions or, for that matter, for the granting of appeals. But I would like to deal with appeals separately. The rules should be correctly and clearly written, and they should be applicable. Admittedly, the D.T.I. rules may not be applicable. But why hasn't something applicable been drawn up, something that contains all the requirements for the people who are ship builders and who have experienced these problems? I suggest that the rules should be written to suit our own requirements. There should be a set of rules that we are sure and certain is the set of rules that will apply to ships of that type. There ought then to be someone who is prepared to say, "This is what you have to do. You have to measure up to these rules, these standards."

If a person goes to the Department of Harbours and Marine today and says, "I am going to build a passenger ship to carry 70 passengers, and I am going to trade between A and B. Can you give me the rules and regulations so that I can build?" He will find that it is very difficult to obtain them. Someone will say to him, "You have to build that vessel to D.T.I. rules and regulations for, say, a class 3 vessel." But has he? When one gets down to it, there are certain exemptions. He may spend thousands of dollars trying to make a boat conform with the D.T.I. rules and regulations, but the next person who builds a similar boat may be exempted from many of those rules and regulations. That is not a fair go!

The officers of the department would be far better off if they sat down and wrote some new Queensland rules, even if they varied a bit from the D.T.I. rules. There would then at least be some rules so that a person could go to the department and say, "Give me the rules relating to building a vessel to go 3 miles out to sea or 50 miles out," or something like that. He would not then have to adopt the backhanded method of seeking and having appeals granted. In reality, when does a person appeal? Does he appeal when the particular design of a vessel is approved, or does he appeal when his design is knocked back? If a person accepts a decision handed down in his favour, how does he know that he is not really involving himself in the expenditure of extra money? If he applies for exemption, he could save large sums of money.

I think the board is getting away from the problem. Surveyors are required to do a certain job, but the board does not want to conform to the surveyors' decisions. If

a surveyor says that a vessel is not safe to go to sea, the board should not be in a position to say to the owner of the vessel, "We will still allow you to go to sea against the surveyor's recommendation." The board might say that he can take his vessel to sea only during good weather, but how does the person who comes along to hire the boat or work for the owner know that?

The surveyor is the person employed by the State Department of Harbours and Marine to determine if a ship is suitable, in a particular class, to go to sea. Regulation 17 clearly sets out the duties of surveyors, and the persons employed in that capacity are surely the persons who report to the board on the ships inspected or surveyed. The Department of Harbours and Marine employs very well qualified persons in the form of a chief surveyor, naval architect engineer surveyors and shipwright surveyors. Surely they should be able to accurately determine the condition of a ship and the condition of various items of safety equipment on board for the safety of its passengers and crew.

How many members of the Marine Board hold suitable qualifications to give judgments on matters which may be raised in an appeal? If it is only an appeal against a surveyor's decision, shipowners will appeal to the board on the grounds of his being harsh. I think the original comment came from the honourable member for Somerset, who referred to the harshness of the surveyor's application of the rules. The only appeal in that direction should be taken before people having the same qualifications as the original surveyors, or better qualifications. I shall not mention the names of the members of the Marine Board, but some of them are Sunday afternoon sailors on the bay. Their experience in the survey of vessels would be fairly limited. They have been appointed to their job and I believe that they would carry it out to best of their ability. It is fair comment, however, that they are not surveyors, they are not naval architects, and they do not have the necessary technical experience.

A surveyor may say that a boat of a particular type is not suitable to go to sea. He might put a limitation on it. He might say that it can go no more than three miles from the coast. As the vessel deteriorates, he might restrict it to Moreton Bay. That applies to all vessels, right down to gravel lighters. It might surprise some honourable members to learn that some gravel lighters operating in the Brisbane River hold a survey ticket that allows them to come down the river only as far as the Story Bridge. Which ones hold such a certificate? How do we know that when we see them operating in the river? As their condition deteriorates, they are kept further upriver. To me it is just not good enough. We ought to know what conditions are laid down and whether a boat conforms to the regulations or not.

As to the type of vessels known as "passenger coasters"—we strike all types of vessels that are referred to as "passenger coasters". The legislation is probably designed to deal with some small wooden craft that have been causing a lot of trouble to officers of the Department of Harbours and Marine. The operators of those vessels have considered that the regulations were becoming repressive and restrictive. I believe that some of the provisions of the Bill are designed to take the brunt of the complaints of those people away from the department by the department being able to say, "You had better comply with the Act." All sorts of little ships operate up and down the coast. Some of them carry 150 persons to sea. Some carry two or three. Three or four years ago the department sent a person overseas to study charter vessels. The only provision of the Bill relating to chartering is that covered in a few paragraphs of the section referring to passenger coaster.

I thought that by now we may have had some new specific regulations and laws covering the charter business. I believe they are necessary because a number of people who have built their own craft have decided that the easiest way to make a quid is to tie their vessel up somewhere along the river, up the North Coast or in Far North Queensland and say, "I am going into the charter game. I will take three or five people out to sea fishing." They take the fishing parties out across the river bars and, in South Queensland, into waters in which they have had very little experience. They are, as I say, the Sunday afternoon sailors.

The question of small wooden ships has always been a curly one, and I hope that the Minister will face up to it. Many of the complaints that I have received, and those that I raised in 1973, concerned these small craft under 100 ft. in length that operated along the coast.

In the publication that I have, amended to 11 May 1972, a coaster is defined as a sea-going ship employed "in trading in the jurisdiction of", and now this is to be amended by adding "or employed for charter or letting out for hire or reward". It seems that this definition will apply to any vessel carrying fewer than seven passengers. The old regulations defined a passenger coaster as any coaster carrying on board a greater number of persons in the proportion of two persons to every 50 tons of registered tonnage of the ship or at any time carrying four or more passengers. The average vessel of up to 60 ft. in length would not be more than 50 tons, so I believe that in reality the number allowed under the old regulation was only two. What we are now doing is increasing the number from two to seven, so a boat will be allowed to carry another five passengers before it is defined as a coaster.

It will be interesting to know how those vessels carrying fewer than seven passengers

will be defined. Will they be required to conform to subregulation (3) of regulation 6, clause 8 of the Navigation (Survey and Equipment) Regulations?

I refer now to the stability of vessels and their subdivision into compartments. I think the honourable member for Port Curtis referred to this very basic and simple requirement that a vessel be subdivided into compartments with sufficient closing arrangements on the compartments so that in the event of a collision or other accident, if one compartment becomes flooded, the vessel will remain afloat. The second requirement is that the vessel be fitted with a bilge-pump system, because in a collision the bulkheads between compartments can spring and leak. In a wooden ship a half-inch bilge pump might not be able to cope with the inflow of water into a compartment. Provision must be made to allow the other compartments to be kept dry.

Another important aspect for consideration is the possibility of fire. A wooden vessel is much more susceptible than a steel vessel to damage by fire. I am talking specifically of wooden vessels. I am told that when constructed they should be fitted with a division complying with an A60 classification, that is, "A" denoting steel construction and "60" denoting a fire retardancy of 60 minutes. The whole of the bulkhead and deckhead must comply with this classification, which makes it very difficult for a fire to spread from one compartment to another. Furthermore, a CO_2 system is to be installed so that any fire that does break out can be contained. I want to know whether these small craft will be required to have these safety measures fitted.

A friend of mine is presently building a 60-ft. vessel, and I do not think he is making any provision for the installation of the equipment that I have just referred to. How will he get on when his vessel is surveyed later?

Earlier in the debate we were joking about south-easterlies and the westerlies that blow at Cowan, on Moreton Island. Mr. Speaker had told me that he was over there one day in an old boat fitted with a car engine, and he added that the waves were so high that he had to change gear to get over them. Although that remark was made facetiously, it does give an indication of the height of the waves that can be encountered at Cowan and other areas in the eastern part of Moreton Bay when a westerly blows. I can remember visiting the area in a large vessel and trying to transfer into a pram dingy to get ashore, only to find that the waves were too rough to allow us to do so. I can also remember our pram dingy being turned over by waves on the way from the shore to the larger boat. This has occurred in an area noted for sharks, so none of us were happy about the idea of trying to transfer to the larger boat.

I make this point because a problem arises from the misconception that because a vessel is fitted with safety equipment everybody on board will be safe in the event of an accident. Anyone who has been in a 60-ft. vessel encountering very rough weather will know that it is damned near impossible to transfer to a rubber dingy. I can recall that in the tragic loss of the "Noongah", which foundered off the coast of New South Wales, only two members of the crew of 40 survived. The chief engineer, I think it was, was inside a life raft for about four days before he was rescued.

The safety provisions relating to watertight compartments, precautions against fire and so on are vitally necessary for seagoing wooden vessels. I do not believe that one can trust to luck with the sea. The sea is so powerful, so strong and so terrible that when a small craft is involved one does not have the opportunity of using the lifesaving squipment that is mandatory under some of our rules. The only time a craft should be in that sort of trouble is through poor navigation or a freak accident. A boat should be constructed in such a way that people are assured of safety in its operation and a guarantee that it will be able to get its passengers home. I am concerned about many of the plywood craft made in back yards today.

Finally, I refer to the change in regulations in relation to survey, omitting the words "at least once in every period of 12 months" and substituting the words "at such times as are prescribed by regulations". When we talk of regulations, I think we must understand them from the point of view of the average person who buys a boat and knocks around in it. The regulations I know of are the Navigation (Survey and Equipment) Regulations, the Navigation (Naming of Fishing Vessels) Regulations and the Motor Boat and Motor Vessel Regulations. I wonder how many are aware of those. A lot of fishermen are pushing fairly hard for survey to be done away with altogether. I do not agree with that. I do not support it any way. I believe that through this amendment the situation could be reached where vessels will be surveyed only once every three or four years. I do not agree with that either. Perhaps the requirement for a partial survey is called for.

We have to protect the deck-hands or professional crews of small vessels. Young men especially sign on to a lot of the trawlers and similar vessels that go to sea. It is their first experience of the sea. They like the idea of being associated with the sea. We should be prepared to protect them. It is easy to say that a skipper will maintain his craft, but in many cases he does not have the money. If he strikes a poor season, he just cannot afford to do it. The situation is reached where it is unwise merely to trust the skipper. The young fellow who signs on does not know that the craft has

probably been tied up in one of our creeks where teredo worms and other worms have eaten the bottom out of it. It looks all right. It paints up fairly well. It performs all right till one day it runs into trouble. Then he is in trouble. His life could be in danger as could the lives of others.

As I understand it, anybody who owns a truck and uses it for his business is required to take it to the motor registration section once a year to receive a certificate that it is in roadworthy condition. Why shouldn't such a provision be applied to seagoing vessels?

I am concerned—and I have been for some time; it is not a new concern that I am expressing at the second-reading stage—about the exemptions from regulations operating under the Act. I am concerned that the Act plays fish and fowl; that the person who tries to comply with the regulations can spend thousands of dollars building a craft and that under the regulations and appeal provisions someone else, who has decided not to comply and has never even submitted plans and specifications before building his craft, has his craft placed in survey.

The Minister might shake his head, but it has happened. The reason why I asked that question in 1973 was that complaints were received from ship builders themselves who said that there seemed to be one set of rules for them and another set of rules for others. I put those propositions to the Minister. I hope that his officers will be able to make certain that these things do not occur in the future.

I would like to congratulate the officers of the Minister's department. They do a good job. There is always time to criticise departmental officers, but most of them are well respected around the bay. A lot of work is done by the department on buoys, lights and navigational aids. They are very valuable to the fisherman and the average person who uses the bay.

Mr. SIMPSON (Cooroora) (7.35 p.m.): I commend the Minister for introducing this Bill. The proposals will result in more safety in our waterways and the sea.

With new technology, the method of constructing boats has changed. Of course, the dug-out canoe must have had its problems in the early days, although it would not have been used much for charter work. Over the years we have progressed to other forms of construction using steel, concrete, timber and fibreglass, to mention but a few. The lifetime of hulls constructed of those materials is not really known. They need continual inspection and this Bill will enable more flexibility in the inspection of the various types of craft.

Recently I read of archaeologists digging up a boat that was thousands of years old. This was made of timber, of course. There is on record the running aground of a concrete-hull boat just north of the Noosa River; it broke up within 24 hours. "Solo", a steel boat that went aground on Fraser Island was, some days later, hauled off again in good condition despite the pounding of the seas. These are very interesting comparisons which show the variation in the life and strength of different hulls and the need for inspection of craft that are of different construction.

As we have a set of safety rules, there is also a need to provide for an appeal against decisions. If somebody comes up with a radical form of construction, he may have to establish its safety before the surveyors will consider it to be worthy of registration. In this matter we are not considering small numbers of people in craft such as most of the pleasure craft that take people on jaunts and so forth; we are considering situations involving larger numbers, possibly hundreds of people. This is where we must be strict in our standards to ensure that not only the public but also the crew and the owner are protected, because they could be sued for negligence.

Despite all of the regulations and controls, the sea will no doubt still remain undetermined in that we cannot predict what can happen. All I say is thank goodness for the coast guard and similar organisations which will assist in times of trouble and help cover the unknown factor. They will play a very important role in what we are not able to foresee.

I feel that the reduction to 60 years as the age from which Torres Strait pilots are required to go for medicals is an improvement. I fail to see why they cannot be required to have a medical every 12 months irrespective of age. The small cost entailed in having a medical check-up and the comparatively short time it would take are small considerations when dealing with people and valuable property. Such a check-up is required of a bus driver and I do not see why it should not be required of everyone holding a pilot's licence. However, it is a move in the right direction to bring it back to 60 years of age and maintain the retiring age at 70 years. As pilots have to use more complex equipment these days, they have to be more astute and more knowledgeable. They need to be fit and well.

I am sure that departmental officers will carry out their duties sensibly in order to encourage free enterprise in this area of boating so that the people can enjoy ever-increasing opportunities to use the waterways, and tourists may have the added advantage of being conveyed in vessels without restriction. I feel that this is a matter that we should look at sensibly so that, while those who build boats are encouraged to seek new designs, safety regulations are maintained for the good of the public.

I commend the Minister on bringing down the Bill, and I am sure that if it is implemented in the usual manner in which departmental officers carry out their duties, it will be very good for the future of boating.

Dr. LOCKWOOD (Toowoomba North) (7.41 p.m.): The Bill has some very good points about it. In the first place, I address myself to some of the comments made on the need for medical examinations. It is very fitting that men with the responsibilities of pilots should be required to undergo regular examinations. The very awareness of the need for regular examinations tends to make a man keep himself fit and to have any minor complaints promptly investigated, diagnosed and treated.

Mr. K. J. Hooper: Does that apply to pilots in Drayton harbour?

Dr. LOCKWOOD: I am afraid that Drayton harbour can be negotiated at high or low tide, with or without a boat.

The need for regular medical examinations has long been recognised among airline pilots, and the air safety record has been kept as good as it is only because such examinations have been carried out. Unlike life assurance companies that may debar an applicant from taking out a large policy because he is found to have a certain physical condition, the Department of Civil Aviation allows pilots to fly from year to year, or from medical examination to medical examination.

A great many conditions gradually overtake men as they go through life and before they reach the age of retirement—pre-senile conditions, conditions of the cardio-vascular system, psychoses and neuroses, the effects of old injuries, the effects of hypertension, coronary artery disease, and diseases of the nervous system, particularly those affecting balance and muscular co-ordination. The Bill allows a pilot to continue working beyond the age of 60 years provided he undergoes annual medical examinations. That allows him to decide when he will retire from his calling, as he can continue from year to year as long as he satisfies the medical examiner of his fitness. Pilots are very responsible men, and I am sure that they will appreciate the granting of this concession towards the end of their careers.

The amendments concerning surveys of vessels are very welcome, particularly to those of us who have had experience in small timber ships. On the market today there are, I am afraid, some classes of boats that will not stand a drop. Every boat that goes to sea has to be able to withstand a drop. Boats have been driven off the tops of waves, and even just outside Moreton Bay many boats have fallen 15 ft after going through big waves. A boat has to be able to stand such a strain. If it is a fibreglass boat, it has to be thick enough to stand a drop of 15 feet into water, and perhaps an even greater drop if it is taken into the serious business of blue-water travelling. A great many sailing yachts have been blown off the tops of waves. It has been recorded that boats as long as 30 and 40 ft have been blown off the top of waves. These boats have to withstand a fall of perhaps 15 ft to the water without any structural damage in order to be regarded as being safe and seaworthy.

We now have ferro-concrete vessels, such as "Helsal". It was boasted that for the hull to have been as strong as that marvel the hen's egg it would have had to be 6 ins. thick, yet the shell of that boat is not even an inch thick. It relies for its strength on all manner of tensioning with steel and mesh reinforcing to keep it together and afloat, but I think we should always remember that the hen's egg was designed to do a good job for 21 days and then fall apart. I am afraid these terribly thin-skinned boats will not stand a fall off a wave, again of the order of 15 feet in height. A great many timber boats have stood up to that. These thin-skinned boats will not stand grounding and pounding on a bar, let alone hitting a rock. In the old days all the timber ships had very, very thick decks, not to withstand a load but to withstand the beating of a wave, so they could go through a wave, take a tremendous pounding and come back. They were all self-righting, which a great many vessels today are not. All the old ships had a very low centre of gravity, which contributed to their self-righting capacity.

Ships have been lost on their maiden voyage from Brisbane largely because they have had too much superstructure. They were like sailing vessels, largely subject to the vagaries of the wind. Probably in some cases they carried deck cargo which they were not designed to do and this, coupled with a strong wind, has made them turn turtle. We had an incident like this in Moreton Bay and it might well be that boats designed as prawners should be strictly limited to prawning unless the owners are prepared to put the cargo in their freezing holds.

There is also a very disturbing trend towards building boats as floating houses, the interiors of which bear little resemblance to a ship. A ship is designed for safety at sea and a lot of these modern vessels, particularly those we see coming from the United States—there is a trend towards this type of vessel in Australia—are becoming floating drawing-rooms. Some owners spend more on carpets than they do on engines and other machinery. That is a very critical thing to say about a ship.

I should mention another type of vessel which has been widely hailed as being one of the answers to the problem of transport in the Torres Strait, and that is the hovercraft. A hovercraft is usually powered by a converted aero engine. I genuinely doubt that a hovercraft could be seriously regarded as a seagoing vessel, particularly if it has only one engine. It should be regarded as a fair-weather trip-about vehicle which should never be confused with a boat. It is broad and flat with a minimum draught and it cannot cope with a large sea, particularly one that is breaking in a very strong wind. Once again having a single engine renders

it very liable to break down, in which case it would be left at the mercy of the elements, and in the Torres Strait there is no room to drift; one has to keep power up all the time to keep in the channels.

It is very good to see that the Bill provides that any appeal against a decision by the survey board must be heard within 30 days and that fresh evidence may be called. It is very refreshing to see that the appeal is not to be fought on evidence that was previously admitted.

In discussing the matter of charter yachts there is a necessity to consider in great detail the type and make of yachts and whether they are in fact suited for hire.

It is one thing for a vessel to be seaworthy; but honourable members have seen what can happen where a man has great skill, is technically proficient, has a captain's ticket, but lacks familiarity with the waters he is in. Take for example the Derwent Bridge disaster. We read that in that instance the skipper was not familiar with the particular reach of the river, its tides and its effect on his very slow-moving boat.

Before going into the business of yacht charter for southern tourists in Barrier Reef waters, and particularly in the Whitsunday area, a man would need to be well versed in 8-metre-plus tides. They do not occur in Sydney, Brisbane, or any of the major Australian ports, and they have to be seen to be believed. The great reefs of coral that would be encountered must be borne in mind. It is all very well to have a boat in which a man can confidently sail a course where he has no expectation of hitting any shallow water; but the coral-reefed coast of this State calls for very accurate and careful navigation. The strength of the currents demands a great deal of local knowledge, and the uncertainties of the weather in the North also mean that a man has to be very good not only at interpreting the report that comes through but also at forecasting what will happen to the weather in the following day or two. In other words, he has to be a very good weather prophet. He has to know where he can run for cover, if necessary, and it may not be possible to do that in a sailing vessel; he may not be able to tack his way to cover in the time available. The whole question of the proliferation of charter yachts should be considered very carefully.

I have no objection to owner-skippers with local knowledge taking charter yachts on cruises among, for example, the Whitsunday Islands. These men would have the necessary local knowledge and skill to look after their boats and their paying customers with the degree of attention required. Certainly the motor launches that ply in that area, carrying 20 or 24 paying passengers, do care for them very well.

Time and time again recently, Mr. Speaker, we have seen amateurs—not only those with small power boats but some with large sailing vessels—put to sea and run into trouble. The skippers have been ill-prepared for the voyage they planned to undertake, and it is perhaps time that it was made mandatory for a skipper to lodge something similar to a pilot's flight plan. He should be required to prove that he is a seagoing skipper, that the vessel is in very good repair, that his destination is capable of being reached in a fair time, and that he has alternatives available to him in the event of breakdowns or bad weather.

The system of relying entirely on instruments for the navigation of ships in coastal waters leaves much to be desired. A great many skippers have in fact set courses, put the ship on automatic pilot and just sailed ahead. I am sure that in some cases in Queensland in which ships have vanished, that is exactly what has been done. In some instances they travel at night without lights, and it is very simple for them to be run down while doing that. Although others might stick to their course, they have no automatic means of recording the distance they have travelled and they overshoot their first landfall.

I have been on a boat that arrived at its destination perhaps an hour and a half ahead of the skipper's estimate and passed between two "bombies", 100 yards apart, doing 13 knots, with the coral 200 yards ahead. I did not have a clue how to stop that boat, and it was fortunate that the skipper was handy and could get it out of that tricky situation. Had I been able to sleep, I would have been dead, and so would most of the others on the boat. It had a timber hull, and there were 12 men sleeping in a forward berth. If the boat had hit the coral which rose vertically, those who were not drowned would have been speared through. That brings me to the point that in vessels that ply in reef waters there should be no berths forward of a watertight bulkhead. The forward section of the boat should be strong enough not to be splintered. We need to seriously consider what those ships are in fact built of. Timber is certainly very good, but it would need to have some special kind of reinforcing or lay-up so that it would not splinter, as railway carriages did of old in railway accidents.

Mr. Jensen: It was the good ship "Lollypop".

Dr. LOCKWOOD: It was not the good ship "Lollypop", and it did not come from Bundaberg.

To get to some of our beach resorts one needs to use a proliferation of motor vehicle ferries. I do not doubt that these come very closely under the Minister's scrutiny.

The Bill has many desirable features, not the least of which is that the State itself is obliged to keep within the tenets of the Act.

Mr. GUNN (Somerset) (7.56 p.m.): Unfortunately I was not present at the introductory stage of the Bill. However, as a member of the Minister's committee, I had an opportunity to go through the proposed amendments clause by clause. Much to the satisfaction of all members of that committee, the Minister gave us that opportunity. The proposed amendments will be a great asset to the Act. The original legislation was enacted in 1958. Several small amendments have been made to the original Act, the last being in 1972. I found some of them intriguing. I do not represent a seaboard area but—

Mr. Elliott: What about Somerset Dam?

Mr. GUNN: The safety of boats on Somerset Dam is just as important as the safety of boats in other areas. The Department of Harbours and Marine does a good job at Somerset Dam and similar places. The honourable member for Bundaberg might not know that it controls the use of craft on Somerset Dam and various waterways. One evening a chap was sitting at the back of his boat on Atkinson's Dam. He fell out and the propellor struck him. I have never seen a man in such a mess. I do not know whether he lived or not, but he was taken to Brisbane in a terrible mess. It is essential that departmental officers be on duty at such places. I would not blame departmental officers for not being on Atkinson's Dam at that time as the accident happened at dusk. It is essential that in such areas there should be a specified number of departmental boats working so that safety regulations can be properly policed.

Mr. Casey: Was he full or sober?

Mr. GUNN: I am not prepared to say whether he was full or sober. It was a tragic thing to happen. The propellor of a boat makes a mess of a person. It would be like going through a circular saw, as the honourable member for Mackay would know.

Mr. Casey: I have never been through one.

Mr. GUNN: If the honourable member did, there would be quite a lot of dripping around.

As I said, I was intrigued by some of the 1972 amendments. No doubt the Minister will get his experts to explain them. By one amending clause "fifteen register tons" was changed to "the length prescribed in relation thereto by regulations made pursuant to section 264 of this Act". I notice that that was mainly for air-cushion vehicles. Probably at that particular time it was thought that we would have a lot of air-cushion vehicles on the water. I do not think we have. It was also for the purpose of defining the terms "coaster", "vessel", "seaplane", and so on.

The 1958 Act has proved to be very successful. Contrary to claims made by some persons, very few accidents have occurred. In fact, the Minister pointed out that last year approximately 4,000 ships passed through Queensland ports, and of that number only 18 were involved in accidents and they were minor. This is a remarkably good record. The Queensland coast is a treacherous one and throughout our history it has been the site of numerous disasters. The 1958 Act was last amended in 1972, and the amendments that have been made to it have only been minor in nature.

I am intrigued at the fact that ships can be registered with more than one gross or net tonnage. I should like to know how this comes about. Which tonnage is accepted under the Act? These are matters of interest to a layman like me.

The Bill raises the Marine Board to the standard of local authorities in the prescription of certain powers. This is to be applauded. To enforce safety regulations any authority needs certain by-laws. Under the Act the Marine Board has very little power to make by-laws and to regulate and control the use of harbour works that are privately owned. It is essential that privately owned harbour works be treated in the same way as those works under the control of harbour boards and the Government.

I also applaud the provision that binds the Crown. It is a pity that similar provisions are not written into other Acts. Far too often the Crown is excluded from the provisions of legislation. It is a case of "Don't do as I do; do as I say." I have always been against that principle. Although I have no doubt that the Crown has always complied with safety regulations and has employed qualified staff, I am pleased to see the inclusion of this provision.

I am in favour of the right of appeal. The Leader of the Opposition asked why the surveyors board should be overruled by the Marine Board. The point is that it is essential to maintain some flexibility and, although the right of appeal might never be used, it is provided by the Bill. That is how democracy works.

Mr. Frawley: The Leader of the Opposition said they would be appealing to someone who didn't know what he was doing.

Mr. GUNN: That is ridiculous. The members of the Marine Board are experts in this field. Perhaps there will not be any great need for persons to take advantage of the right of appeal; nevertheless the right must be there. After all, I suppose that any inspector in any department can sometimes be a little over-zealous, so it is important to retain some flexibility.

There is very little else that I wish to add. The Bill is a step in the right direction in that it places the Marine Board in a position similar to that of local government. It gives the Marine Board some degree of autonomy and the power to make its own

by-laws. Those by-laws will be subject to the same scrutiny as those affecting local government. That in itself is worth while.

Once again I applaud the Minister for bringing this legislation forward. I think it is a step in the right direction. I feel certain that it will receive the full support of the House.

Hon. T. G. NEWBERY (Mirani—Minister for Tourism and Marine Services) (8.5 p.m.), in reply: The honourable member for Port Curtis referred to the proposal to give more flexibility to the period between surveys. It is just not practical to have those standards set down and amended by the House from time to time. The scene is constantly changing. I believe that the honourable member was right when he said that the Marine Board is charged with the responsibility for safety of life and property at sea. I believe that the Marine Board can be relied upon to advise the Government properly on the matter and to propose changes which can be authorised promptly to meet changing circumstances. He also mentioned that the board's officers should be able to give guide-lines to people constructing vessels covering their survey. I can only repeat the comments I made earlier—that the Australian Association of Port and Marine Authorities is closely engaged through its subcommittees in drawing up codes that will provide standards such as these. The object, of course, is to get standards acceptable to all States.

The honourable member for Murrumba asked whether an appeal against a surveyor's certificate may be delivered by hand to the Marine Board. I can assure the honourable member that there are no restrictions on the manner of delivery. All that is required is that the appeal be made in writing.

The honourable member for Sandgate referred to the boating and fishery patrols and felt that the number of patrol officers should be increased. The patrol was formed in 1967 and at the present time has officers stationed at all boating centres along our coastline and one stationed inland. I understand the patrol has approximately 55 officers, who are well equipped with modern, fast vessels. The need for expansion of the patrol's activities is kept constantly under review, and any worth-while proposal for more staff has always been adopted.

The Leader of the Opposition referred to back-yard builders. I point out very strongly that the basic standards that apply to back-yard builders are the same as those applying to other boat-builders. The majority of vessels built in back yards would be for private use, and those vessels are not subject to survey. However, any vessel built for commercial use, whether in the back yard or elsewhere, is subject to the same survey requirements.

The Leader of the Opposition also mentioned the problems associated with the application of the British Board of Trade rules to vessels in Queensland. I agree that difficulties have arisen because of the different conditions in Britain and Queensland, and it has been necessary for the Marine Board to make some variations. Again I must point out that the code being prepared by the Australian Association of Port and Marine Authorities is intended to meet the problem completely. I am satisfied that is the correct approach to the problem, and it is in good hands.

The honourable member also referred to the competence of the Marine Board to hear an appeal against a survey. All I have to say about that is that the board is charged with the safety of life and property at sea. It is considered competent to sit in judgment on masters, pilots, engineers and other crew members of vessels and, if necessary, cancel their licences. It is considered competent to examine persons to determine their suitability to take responsibility on vessels. It has in its membership two master mariners, one marine engineer, one leading businessman and one small-boat representative. Surely such a body is competent to deal with an appeal against a surveyor's decision. I also listened with interest to the other matters raised by the honourable member and I shall discuss them with my officers at the earliest opportunity.

The honourable member for Cooroora suggested that Torres Strait pilots should be required to have annual medical examinations no matter what their age. This might take the matter a little too far. The Marine Board has power to call for such a medical check at any time should it deem it necessary when considering the renewal of a pilot's licence. The Bill calls for an annual check after the pilot reaches the age of 60 years.

The honourable member for Somerset questioned the 1972 amendment, which stipulated what in fact gross registered tonnage was. At that time ships were credited on their registry certificates with having two gross registered tonnages, and charges were to be levied on the smaller tonnage. The amendment made it clear that the larger tonnage would apply as the basis for calculating these charges.

I thank the honourable member for Toowong for his contribution. After listening to him, honourable members will realise that he is aware of the need for safety.

The same applies to the honourable member for Callide. I thank him for his interest. He is a man of experience and he comes from an area where boats are used extensively. He mentioned the Cabinet increase to 18 members and obviously realised what the extra Cabinet membership means to this Government.

The honourable member for Sandgate suggested the appointment of more inspectors and greater enforcement of the Act. I thank him for his contribution.

The honourable member for Albert said that the Marine Board had great responsibility. He appreciated the objects of the legislation, especially in the matter of safety. He felt that the proposals will lead to further safety. He was in favour of appeals and said that this provision was a great step forward.

Like many other honourable members, the honourable member for Townsville expressed approval of the control of Government ships. He felt that the definition of a "coaster" needed clearer definition. He also agreed with the period between surveys being extended or shortened by regulation without amending the Act. He said that usually he did not care for regulations but that he did in this case. He believed that the survey authorities should place stringent requirements on coastal ships.

The honourable member for Townsville West approved of Government boats being brought under control. He spoke of the Torres Strait pilots' examination. These pilots are taken on at the wish of the operators; there is no compulsion that they be taken on. In regard to conservancy dues he felt that the tonnage of ships needed some tightening up to arrest the evasion of payments by irresponsible boat owners. He approved also of the right of appeal. He submitted that two-way radio should be compulsory. It is compulsory in commercial vessels that go to sea but not in private vessels or in those in harbours.

I thank the honourable member for Toowoomba North for his contribution. He spoke in support of the retirement age and the requirement for medical examination. He is a man who would understand the real necessity for those examinations. I thank him for his contribution on boat structures and the scientific approach to the building of craft. He spoke of operators' lack of knowledge of trimming ships and balanced loading inviting disaster for the unwary on board.

I have attempted to cover as many of the points that were raised as possible, and I thank members who made contributions to the second-reading debate.

Motion (Mr. Newbery) agreed to.

COMMITTEE

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

Clauses 1 to 15, both inclusive, as read, agreed to.

Bill reported, without amendment.

DISEASES IN TIMBER BILL

SECOND READING

Hon. K. B. TOMKINS (Roma—Minister for Lands, Forestry, National Parks and Wildlife Service) (8.17 p.m.): I move—

"That the Bill be now read a second time."

It was very pleasing to note that the introduction of this Bill was generally well received and its purposes appreciated by honourable members from both sides of the House. I wish to thank the Leader of the Opposition and the honourable members for Landsborough, Windsor, Cunningham, Belyando and Cooroora for their contributions during the introductory debate.

As I spoke at some length during the Bill's introduction, it should not be necessary for me to go over the same ground again in great detail. However, I do intend to summarise its main purposes and make a few pertinent comments before listening to any points which honourable members may wish to raise now that they have had the opportunity to study the Bill in detail.

The main purposes of the Bill are to provide the Conservator of Forests with statutory authority to take such measures as he considers necessary for the extermination, prevention, or control of the spread of any disease in timber affected by an insect, fungus or other organism in any place in any area which has first been declared an infected area.

Other purposes of the Bill include provision enabling the Governor in Council to declare a disease, to declare an infected area and to require notification of the particular disease.

The Bill furthermore provides that 14 days' notice be given to the occupier or the owner of any place within a declared infected area of any intention to take remedial action and of any requirement to vacate that place to allow treatment to be undertaken. Where vacating of a dwelling house is considered necessary, provision of suitable alternative accommodation and arrangements for the removal and storage of the householder's furniture and effects with a minimum of inconvenience and cost to persons involved have been included. As previously pointed out, compensation claims for any loss or damage occasioned by the measures taken may be lodged for determination with the Minister responsible for administering the Act.

While the introduction of this Bill was prompted by difficulties attending the campaign for the eradication of the West Indian drywood termite (otherwise known as Cryptotermes brevis) in the Maryborough and Bundaberg districts, its provisions are also designed to facilitate the future treatment of any outbreak of a disease in timber such as the European house borer and the sirex wasp mentioned by the honourable members for Windsor and Cunningham. Queensland to date has been fortunate in escaping the ravages of a number of imported exotic pests, owing largely to effective quarantine measures presently in force. This situation may not continue indefinitely unless the public as a whole co-operates willingly in preventing their introduction.

The Bill will facilitate control of diseases in growing forests as well as in dry timber.

The concern expressed by the honourable member for Cooroora is appreciated by the Government and by my Conservator of Forests, whose officers will make every effort to control any timber diseases brought to their notice.

Educational and publicity campaigns are proposed whenever it is felt necessary to educate and advise members of the public and to assist them in recognising occurrences of diseases in timber. As well, advisory services are freely available from the Department of Forestry. The use of common sense in applying the provisions of the Bill has already been the subject of comment. Common sense has prevailed to date and every effort will be made by forest officers to co-operate with people concerned in fumigation or other treatments designed to control diseases. No person is going to return from his annual holidays to find his house under a plastic tent and his furniture stacked on the footpath out in the weather. It will also of course be essential to use common sense in any information campaigns so that members of the public are not unnecessarily alarmed but are given down to earth, factual information, advice and help.

My Conservator of Forests and his officers are prepared to make inspections and to offer advice to anyone who feels that he has West Indian drywood termites, lyctus or any other infestation in the timber of his home and I am certain that the fears of the Leader of the Opposition that he or any other member of the public would be left high and dry without the possibility of advice concerning possible attacks by a notifiable disease are groundless.

I can assure honourable members that my Government and its officers do not intend to be niggardly or pinchpenny in accommodating or compensating people whose lives are temporarily disrupted by the necessity for fumigation of an infested house. While there may be fumigant damage to some plants, the plastic tent required to contain the fumigant is kept as close to house walls and foundations as is physically possible. This cuts down to an absolute minimum damage to plants and lawns and reduces the amount of methyl bromide or other fumigant which has to be used. I consider the introduction of this Bill both desirable and timely and commend it to honourable members for favourable consideration.

Mr. JENSEN (Bundaberg) (8.22 p.m.): The Leader of the Opposition indicated that we were in favour of this Bill. We consider that the Minister has done a very good job in outlining the main purposes of the Bill and we appreciate his concern for people. That is the important point.

The Minister said—

> "The main purposes of the Bill are to provide the Conservator of Forests with statutory authority to take such measures as he considers necessary for the extermination, prevention, or control of the spread of any disease in timber affected by an insect, fungus or other organism."

The Minister has made it well known that his officers are ready to step in at any time a disease looks likely to affect any area in the State. We appreciate what the Minister said about the vacating of premises; that people will not just be pushed out but will be notified in advance, and that his officers will not walk in while people are on holidays and start fumigating their house.

Provision is also being made for the removal and storage of furniture. The Minister said that the Government will not be niggardly or mingy in looking after people who are inconvenienced by being put out of their homes for some time.

I refer the Minister to his statement that the West Indian drywood termite is found in the Maryborough and Bundaberg districts. We have heard that it has been found in the Maryborough district for a fair number of years now. The department announced a year or two ago that it would eradicate the termite in Maryborough, but it appears that nothing was done or could be done unless this legislation was brought down because people would not move out of their homes. I have not heard much about this termite in the Bundaberg district. Perhaps later on the Minister can tell me in just which areas it occurs in the Bundaberg district.

Mr. Gunn: Your piano.

Mr. JENSEN: I was just going to say that it is in my home and that it has been there for many years. It was there when I walked in. I have had pest exterminators to my home and they have fumigated in the normal way. They did not consider it very important and for that reason I did not worry about it. I have replaced certain boards, and I think it is important. I thought the damage had been caused by a borer, but the pest exterminator said, "No, it is not a borer; it is a white ant." I said, "It is not a white ant. There are no white-ant nests about." He said, "It is a drywood white ant."

Mr. Frawley interjected.

Mr. JENSEN: I ask the honourable member not to interrupt. I did not know anything about them, but I knew that they were not normal white ants. The pest exterminators told me that this white ant did not have to come down to water; it was a drywood white ant.

The Minister has given the name of the termite in the Bill. It would probably suit some honourable members on the Government side.

Mr. K. J. Hooper: Wouldn't "grub" suit them better?

Mr. JENSEN: "Grub" is a more common term for them, but I prefer to use the technical name of the termite. It suits them better because they consider that they are above the ordinary people. They should be given a name in keeping with that standing.

The pest exterminators told me that there was nothing to worry about. I ask the Minister whether pest exterminators are required to report to any department the presence of termites or pests in timber. Is it mandatory for pest exterminators to report the presence of termites in a house in any area of Queensland and any control measures that have been used? I should say that they do not make such a report. They go and spray a house and give a guarantee that it is all right for 12 months or some other specified period. Then, at the end of that period, they come back and spray it again. As I said, the pest exterminators did not think it was important in my case. I thought it was fairly important because I could see the damage that was being done.

Mr. Lester: Who sprayed your house?

Mr. JENSEN: The pest exterminators. The people who advertise with songs such as the one about borers in the door and white ants in the floor. Two different pest exterminators have reported on my house but they have not considered the damage very important.

Can the Minister tell me where the termites are in Bundaberg? I shall let officers of his department come to my home in Bundaberg and inspect it, and they can also see whether any other homes in the street are in a similar condition. The termites have not come in recently; they have been there for ages. This is not something new in Queensland, although the Minister tries to make out that it is something new in the Maryborough area. Mention was made of the Maryborough area, not the Bundaberg area, and I thought that some timber might have been imported specially after the war for the building of homes in the Maryborough area. The Minister is very welcome to come and check the position in the Bundaberg area. He did not specify the sections of Bundaberg to which he was referring, how long the infestation has been occurring there, or how long ago it was introduced.

Mr. Frawley interjected.

Mr. JENSEN: There is a magger there that I just cannot hear. I will take interjections, but I——

Mr. SPEAKER: Order! The honourable member will address the Chair.

Mr. JENSEN: Let him mag. I want to put the Minister right. It may not be important to some mugs on the Government side but it is very important to Bundaberg and Maryborough, where people have brought pest exterminators into their homes to check on the infestation. As I said, I should like the Minister to tell me where it has occurred in Bundaberg and what his officers have done about it. I know they have done quite a lot in Maryborough. They tried to push people out of their homes there, but they would not go.

This is the culmination of what has been going on for two years. The Minister said that people will be compensated for any damage or loss. He said that it is intended to accommodate the person concerned in a house, look after his furniture, and pay for any damage that might occur. I think that is quite in order. The Minister said that he does not intend to be niggardly or pinchpenny in that respect and I hope that he carries out that intention.

Mr. Tomkins: We will give you a good deal if you have to go.

Mr. JENSEN: That is all right. I might shift into one of the Minister's seaside homes while I am away. I really want a fortnight's holiday.

We are very satisfied with the Bill as outlined. We are happy to see that the Minister has done the right thing by people. I do not think it is a matter of pushing people about; it is matter of doing the right thing. It will be beneficial to people who own their own home because if they have to sell it in the future they will know that it has been proofed and is sound.

I should like the Minister to give me some more information about pest exterminators. I do not know whether they have to be licensed. Many of them refer to themselves as being pest exterminators with so many years' experience, but they are trained for only a couple of months by a firm that sells insecticides or pesticides. They are told how to use the product safely. Those who visited my home did not wear a gas mask. In my opinion any person using an insecticide or pesticide spray should wear a gas mask and gloves. Pest exterminators are supposed to know all about the chemicals that are used to exterminate white ants, termites, borers, etc. They are all supposed to be trained, but in my case they did not know whether the termites were serious or not. They told me that they were not serious, and that I need not worry. I accepted that and have not worried, but now the Minister has got me concerned as he has many people in Maryborough and Bundaberg, especially if his officers are going to move in and look for termites in our streets. That is up to the Minister. I congratulate the Minister for doing something of value to the community.

Mr. ALISON (Maryborough) (8.32 p.m.): I was disappointed that it was not possible for me to take part in the introductory debate, but I am very pleased to be able to take part in the debate at this stage.

The honourable member for Bundaberg was right—one of the rare occasions—when he said that he believed that events in

Maryborough last year brought about the introduction of the Bill. We certainly did have a scare in Maryborough in that it appeared that the Forestry Department wanted to fumigate 180 houses to eradicate the West Indian termite. It would be an understatement to say that it caused hell and high water. The upshot of it was that a public meeting was called. I attended, along with Mr. Jim Smart from the Forestry Department and some gentlemen from the Department of Primary Industries. At that time it appeared that the Forestry Department was trying to play it safe. I cannot remember just how many houses were confirmed as being infested, but certainly there were nothing like 180. The department was endeavouring to cover the whole field. Apparently the termite flies once a year in any direction for a fixed distance. The department was concerned that it had flown since the previous year, and it wanted to cover the field and eradicate it. I got the strong impression that the Forestry Department officers were not too sure of their ground.

Two or three of my constituents whose houses had not been confirmed as being infested by the West Indian termite defied the Forestry Department to show that their houses were infested, and they also defied the Forestry Department to come into their houses to fumigate them unless it could be shown that the houses were infested. I do not think that that was an unreasonable approach. I certainly would not like to have to move out unnecessarily, although I would move out if it were shown to be necessary. As I understand it there is only one effective treatment that will kill West Indian termites, namely, the methyl bromide treatment. It takes about three or four days for the house to be emptied of articles that would otherwise be damaged, for the tent to be put over the house, for the house to be fumigated, and for the reverse operation to be completed.

I can well understand the concern of my constituents who defied the Forestry Department to enter their homes, and, as I say, I think this is where it all started. The department thought it had the power under the Diseases in Plants Act, but it would seem that it had no such authority. I suggest that is why we are debating this Bill.

The honourable member for Bundaberg referred to pest exterminators. I well remember that the public meeting was attended by some pest exterminators, who argued with the officers from the Forestry Department and the Department of Primary Industries. They were of the opinion that there was no need to treat the houses with methyl bromide, although I gained the impression that when they were pushed into a corner they were not too sure of their facts. The Forestry Department officer knew what he was talking about and maintained that methyl bromide was the only means that could be relied on to eradicate the pest. The pest exterminators suggested that a much simpler method should be adopted. I have not heard anything since, but I am sure they were not able to guarantee a thorough job.

I understand that at the present time only one shop and two houses have been found to be infested. This is a great relief to me and to the people of Maryborough, because it was feared that approximately 180 houses would require fumigation if a fair-dinkum effort was to be made to eradicate this termite. It seems that the fears of the departmental officers that the termites would take off once again in September and fly another hundred feet (or whatever the distance is) have not been realised. They are to be congratulated on the action they have taken in Maryborough to fumigate approximately 30 houses over the past three, four or five years. The fact that the number of buildings found to be infested is only three indicates that they have done a pretty good job.

Mention has been made of notification of disease. It is obligatory on people to notify the department if they are aware of infestation in their houses or in other property. As I understand it, the term "other property" includes, for example, picture frames, pianos and so on. I would like the Minister to consider publicising the signs of infestation. As I understand it, it is very difficult to tell whether or not a house is infested. I recall Mr. Smart saying that a home owner should look for the droppings of the termite, and that he had to know where to look for them. I guess he would need to know what the droppings looked like in the first place. Perhaps in areas of suspected infestation the Minister might arrange for a publicity campaign to be directed to local residents so that they can ascertain whether or not their homes are infested. It would be of great assistance to departmental officers to be told promptly where the termite is active. As I say, the people must be made aware of what to look for, and I suggest it falls upon the Minister and the Forestry Department to educate them.

The Bill provides that claims may be made by persons who suffer loss or damage by reason of any measure taken by departmental officers in carrying out an eradication programme. The Bill seems to be very broad in its application, and I should hope that this is a deliberate action on the part of the Government. Very little is defined as to the nature of the claims that would be considered. I hope that the Minister is deliberately leaving the door wide open, because a person who is forced to move out of his home can be met with a great deal of expense.

Reference has been made to the fact that the use of methyl bromide will kill plants. I understand that if a plant is just on the outside of the tent over the house there is a good chance that the gas will kill it. If the plant so killed is the residents' favourite pomegranate tree, they are entitled to be compensated. It is not just for their benefit.

It is for the benefit of the community, and I think it is only right and proper that they should be compensated.

Mr. Jensen: He says he will cover plants that are killed in the plastic tents.

Mr. ALISON: What about plants killed outside the tents? The same attitude would be taken, I hope.

One thing not mentioned came to my mind when I learned of a shop that is infested. While it might take only three or four days for a residence to be fumigated and the people returned to the house, a shop would certainly be a different proposition. The stock would have to be shifted. That would be a much greater job than shifting furniture. I can imagine it might take something like a week. There is also the health aspect to be considered. Would the Health Department permit the storekeeper to move straight back after the tent is removed from the building? A greater period might be required. I do not know. Perhaps the Minister could enlighten me on that.

The point I am leading to is this: will the department pay for loss of profits to anyone who is running a commercial enterprise in a building that is proven to be infested or needs to be fumigated? I think it is only fair that the businessman should be able to claim for loss of profits.

Mr. Jensen: They can't claim compensation from the Main Roads Department if their business is affected.

Mr. ALISON: Be that as it may, I still think they should be able to claim under this Bill. I make the point again that it is a community project, not just for the benefit of the storekeeper. It is for the benefit of the community. If that person is allowed to stay in his building without having it treated, as I understand it the termites will spread. It is pointless having the houses around the shop fumigated if the shop is not. Although the methyl bromide treatment results in a 100 per cent kill if the job is carried out effectively, it does not prevent the termite spreading from a nearby infested area and re-establishing itself in the building once the gases are cleared from the building.

Of course, it is necessary for officers of the Forestry Department to be given powers to enter any building to inspect it or anything in it. That is fair enough. That is probably what the Bill is all about, anyhow: to give the officers power to enter a place and to inspect it for termite infestation. Then, if it is found to be infested, they must ask the people to remove themselves while the treatment is under way. Doubtless, discretion will be used. The Minister has made it quite clear that there will be no "big-stick" treatment. I hope that the position will be explained to the people. If it is, I am quite sure that sanity will prevail. No reasonable persons would object, even though they would not like the humbug and problems associated with shifting out of a house, particularly where a family is involved. If the situation is handled in the proper manner, I have no doubt that the people affected will be only too pleased to move out, knowing that their house will be cleared of the termites.

The Bill provides for 14 days' notice to be given in writing to the occupier of any place that is infested. The notice must be given by the Conservator of Forests of his intention to undertake measures for extermination. On reflection, it certainly would not want to be less than 14 days, particularly where children or elderly people are involved. It is a pretty traumatic experience to have to move from one's house. It is not just the people, either. Some materials are damaged by the methyl bromide treatment. They have to be moved out as well. As I say, it certainly would not want to be a period of less than 14 days for the people to take the appropriate action to have their prized possessions moved out before the treatment commenced. I have made the point about loss of profits and asked the Minister to indicate what his policy will be on that.

I have noted that the Conservator of Forests has to provide suitable alternative accommodation. This is spelt out pretty broadly and I am hopeful that this has been done deliberately. Surely it is not necessary to define the type of accommodation and it is to be hoped that good sense will prevail and that, with a little explanation and understanding all round, the people concerned who have to move out will be found suitable accommodation for the short period that they will be out of their residences.

It is my pleasure to support the Bill. I commend the Minister for bringing it down. I have mentioned that this has been a serious problem in my city, particularly last year. I repeat that I was very pleased to learn recently from Forestry Department officers that apparently only three places are proven to be infested in Maryborough at the present time. I was quite worried when I learned last year that the Forestry Department was not proceeding with the fumigation. As I had been told that the department had to fumigate 180 places last year, I wondered where the problem would end with the department discontinuing the eradication programme and the termites having another bout of flying. There were 180 last year and for all I know it could be double that figure this year, which would mean a task of gigantic proportions.

I congratulate the Minister and certainly support the Bill.

Mr. POWELL (Isis) (8.47 p.m.): I congratulate the Minister for bringing down this very worth-while piece of legislation. The Isis electorate covers part of Bundaberg and, as it were, links Bundaberg and Maryborough. It includes a considerable area of forestry land. In fact the Maryborough timber industry is somewhat based on forests in the Isis electorate.

The Bill covers the extermination of pests that can get into houses and other places. I do not think we should be dwelling on one type of bug that can get into houses. There could be many other types that unfortunately we might come across in the future. Therefore the Bill is very wise in its concept as it gives the Forestry Department the right in the future to ensure that we do not have a colony of insects that could affect adversely the very viable timber industry in my electorate.

We have large acreages of exotic pine trees which grow very well in Australia because their natural predators are not here. We also have large acreages of hardwoods and indigenous pine trees on Fraser Island. They are very important to the timber industry in Maryborough. Should these bugs be permitted to multiply and get out of the houses by whatever means they got into them, the timber industry could be affected seriously in this area of the State.

The honourable member for Bundaberg raised the matter of some pests that he might have in his house. Under clause 10 he would be required to notify the department of any disease that he believes is in his house. This is a very worth-while measure.

Mr. Tomkins: I will have him inspected.

Mr. POWELL: I thank the Minister.

The Forestry Department could hardly be expected to knock on every door and check every house in a city or in the country for that matter. Surely the onus should also be somewhat upon the owner of the house to make sure that he is protecting not only himself but also the timber industry which is so important in this area of Queensland.

Clause 9 deals with the provision of alternative accommodation. It covers the matter fairly well in regard to dwelling-houses and families, but perhaps it does not cover the difficulties that might arise concerning shops and business houses. I wonder if we should be looking more carefully at this aspect because I can envisage that the State will be up for a considerable amount of money in paying compensation and in providing alternative accommodation for business houses.

I feel that the Bill is very worth while and sensible, and I commend the Minister on the excellent manner in which it has been introduced.

Mr. FRAWLEY (Murrumba) (8.51 p.m.): I support the Bill. I did not speak at the introductory stage because I knew I would have the opportunity to do so on the second reading.

In July of this year I had a problem brought to me by two people in my electorate. I shall give their names because I believe that those who sold them the houses deserve a pretty good serve. One is a Mr. E. C. Burkin, of 567 Anzac Avenue, Rothwell. For those who do not know much about Redcliffe—Rothwell is in the western part of the area.

Mr. Jensen: Which party does he belong to?

Mr. FRAWLEY: I do not know which party he belongs to, nor do I care. Even if he were a member of the Communist Party, I would still help him in this matter. This Mr. Burkin and one of his neighbours were sold houses by Myer Realty, and after the sale they found out that the timber used in the ceiling joists and floor joists was susceptible to lyctus borer. The timber also contained a starch that was uncurable. This, of course, contravened section 8 of the Timber Users' Protection Act.

Mr. K. J. Hooper: Have you had your garage treated?

Mr. FRAWLEY: I certainly have. I shall tell the House about that a little later.

These people bought their homes from this firm, and when they explained about the lyctus borer in the timbers of the houses the firm said, "You have to see the builder about that. We are not responsible for it." I took the matter to the Consumer Affairs Bureau and the Minister for Works and Housing. All that they did was arrange for Mac's Pest Control to go out and spray the place against borers. All that the firm did was spray the ceiling and floor joists.

There should be greater control over timber before it is used in house construction. Imported timber especially should be more closely inspected than it is now, and many of these problems would not arise. The ordinary person buying a home would not know whether there were borers in the timber. He might go under the house and tap a joist, and if a bit of dust falls out, he might suspect that there were borers in the timber; but by that time they might have a pretty firm hold.

Mr. Lester interjected.

Mr. FRAWLEY: The honourable member for Belyando makes a very sensible interjection. He is one of the brightest of the new members in this House.

I think that pest exterminators should be checked very carefully before they are allowed to spray a house. I have had complaints that some exterminators do not even use the correct material. They come out and spray a mixture of kerosene and water, charge for it, then shoot through. After I had had my garage sprayed by pest exterminators, the spiders multiplied and grew bigger. All I got after spraying were bigger and better spiders. Never again did I waste money having the garage sprayed; I simply went round knocking off all the spiders I could find.

There is no doubt that this is a good Bill. It gives forest officers power to enter

any place. I agree with that. I think that such officers need virtually unlimited power to enter any place to make an investigation.

Mr. SPEAKER: Order! There is far too much noise in the House.

Mr. FRAWLEY: They can read my speech tomorrow, Mr. Speaker, and get some information from it. If they listened now, they would learn something. I am not going to make a botch of this speech like the honourable member for Bundaberg, who wouldn't know the difference between a white ant and a groundsel beetle. I do not think that forestry officers would misuse the power of entry. I think it very important that they be given the opportunity to make any reasonable inspections. They certainly will not want to make inspections between midnight and 1 a.m. at a timber yard—they would not do anything as stupid as that—but I think they should be allowed to make inspections at reasonable times. As a matter of fact, I think that the Forestry Department will find householders only too willing to have officers enter their homes and make inspections, because it was in this way that borers were discovered in the timbers of the homes in my electorate. I still say that the builder who used that timber must have known that it was infested. The purchasers had been in the house only about a month, and I do not believe that the borers would have got in within that time. They were in the timber before it was used. I agree with the provision of alternative accommodation; that is very necessary. I am very pleased that that is going to be arranged. I hope the Minister can assure me that the householder will not have to arrange the accommodation himself, but that it will be arranged by the Forestry Department.

Mr. Tomkins: Yes; it has to be suitable.

Mr. FRAWLEY: Yes, within reason. They cannot expect to be moved into Lennons Hotel or somewhere down here in Brisbane. But they should have alternative accommodation when something goes wrong.

Any person who suffers loss or damage should be entitled to compensation. That compensation should not have to be paid by the Government either. If any infestation of borers is found in a person's home by forestry officers and he is disadvantaged by this, he should receive compensation. But the Government should not have to pay it; it should be paid by the builder. I agree that if the Minister's department wants people to move out to suit it then the Government should have to pay, but if the shift is the result of the use of faulty timber susceptible to borers, the builder should be the one to pay.

Mr. Jensen: What will you do about the builder who built my home in 1936? Is there anything you can do about that?

Mr. FRAWLEY: No, that is absolutely ridiculous. I do not mean many years later. What a stupid, ridiculous interjection!

Mr. Jensen: You are saying it is the builder.

Mr. FRAWLEY: Of course; but I meant at the time it was built. I did not mean if you found borers in your house 20 years later. These people found these borers in their home immediately they moved in. People who find borers in their homes after some years cannot blame the builder after a certain length of time. I am referring to new houses.

Mr. Jensen interjected.

Mr. FRAWLEY: If the honourable member for Bundaberg listened carefully instead of going to sleep he would have heard the very important point I made in the first place that these were relatively new houses. The white ants certainly got among the Labor Party.

Mr. Jensen: It has been in Queensland for the last 40 years.

Mr. SPEAKER: Order! The honourable member for Bundaberg!

Mr. Jensen: I am trying to teach him something.

Mr. SPEAKER: I will teach the honourable member something if he does not behave himself.

Mr. FRAWLEY: In conclusion, I congratulate the Minister and his committee on this very important Bill. It is about time we had something like this and I hope that in the future less timber that is susceptible to borers will be used to build houses in Queensland.

Hon. K. B. TOMKINS (Roma—Minister for Lands, Forestry, National Parks and Wildlife Service) (8.58 p.m.), in reply: I thank all honourable members for their ready acceptance of this Bill, particularly the honourable members for Bundaberg, Maryborough, Isis and Murrumba. It is quite obvious that it has been well received and I think that its acceptance indicates the wisdom of the Government in bringing it forward.

The honourable member for Maryborough covered the position perfectly. He saw the problem develop in his own area and raised quite a few interesting points that I will discuss in a moment. I am a little worried that the honourable member for Bundaberg lives in a house and is not quite sure what is wrong with it—whether it has termites or white ants.

Mr. JENSEN: I rise to a point of order. I do not want any stupidity from honourable members or the Minister. I told the Minister that the pest exterminators said it was not important. I did not know and they did not know. The Minister is now trying to tell us that I should know when the pest exterminators did not know.

Mr. SPEAKER: Order! There is no valid point of order.

Mr. TOMKINS: I was just going to tell the honourable member that the forest officers are available to have a look at his place. As he wants somebody to have a look at it, I will arrange for them to do so.

The other point raised by the honourable member related to pest exterminators. They are not registered under the Forestry Act. They could be registered by the Department of Primary Industries for poisons use. They do not report to us, and they have not done so.

Mr. Jensen: You wouldn't know anything about it. They're the people who are supposed to check termites in this country and you know nothing about them.

Mr. TOMKINS: The honourable member for Bundaberg may say what he likes. He asked me about these private pest exterminators and I said that they have nothing to do with the Bill. They do not report to us. They are controlled by the Department of Primary Industries and the honourable member can seek information from that department if he wishes. In any case, this Bill deals with the West Indian drywood termite and any other type of termite that might trouble him.

As I have indicated, the honourable member for Maryborough covered the position very well. He explained how the problem developed in Maryborough and how, with some treatment that has been carried out, it has gradually been brought under control. It is a fact that infestation by the West Indian drywood termite is difficult to detect for possibly three to five years after eggs have first been laid. Once the colony is established, damage then proceeds rapidly. Winged breeding insects fly when weather conditions are right—for example, on a hot sticky night, often before a storm, and usually with a following wind and towards a light. Consequently, the method of their spreading is not easy to detect, nor can one say with any precision where they are likely to go. I reiterate that it takes quite a long time to discover them. However, departmental officers have made a careful study of the insects, and I think it is fair to say—I am sure that the honourable member for Maryborough will agree with this—that they have made considerable progress in Maryborough.

The honourable member for Maryborough also mentioned a shop. I think it is owned by Mr. and Mrs. Miller—is that so?

Mr. Alison: I do not know.

Mr. TOMKINS: That shop has been very closely inspected and no active infestation has been found. As the shop is of brick and hardwood construction, there is no need for full fumigation, and only small-scale preventive treatment is proposed for the pine shelving and bins, using pentachlorphenol in oil, painted on. This will obviate any need to close the shop.

I point out to the honourable member for Maryborough that in a situation in which a shop is closed, the Bill sets out quite simply that compensation can cover a fairly wide field. The question comes back to the discretion of the Minister concerned, and I believe that in the final assessment loss of profits would be one of the factors to be considered.

It is a fact that only two houses in Maryborough are now being treated, and it is quite likely that these will be cleaned up. For the benefit of the honourable member for Bundaberg, I again mention that a house at Elliott Heads is affected. That is in the honourable member's territory?

Mr. Jensen: Yes. It is not in Bundaberg.

Mr. TOMKINS: The Commonwealth authorities are treating the Bundaberg Post Office for termites. That will indicate to honourable members that the termites are not very fussy where they spread.

The honourable member for Isis supported the Bill—I was pleased to hear him do so—as did the honourable member for Murrumba, who made a very sound speech. He covered all aspects of control and obviously has a very good grip of the subject. His reference to lyctus trouble in timber and houses was pertinent. It is a fact that in Queensland timbers are treated under the Forestry Act for lyctus borer. I inform the honourable member that it is very unlikely that the timber so treated would be of Queensland origin; it is more likely that it comes from New South Wales or from overseas. Perhaps the Government should consider whether it ought to require people overseas to do what it requires of people in the timber industry in Queensland and, indeed, have some control over the interstate movement of timber so that it can effectively overcome the problem.

I think that covers all the points that have been raised, and I again commend the Bill to the House.

Motion (Mr. Tomkins) agreed to.

COMMITTEE

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

Clauses 1 to 9, both inclusive, as read, agreed to.

Clause 10—Notice of notifiable disease—

Mr. JENSEN (Bundaberg) (9.5 p.m.): Clause 10 states—

> "A person who discovers in timber or any article in any place evidence of the presence of a disease declared by Order in Council to be a notifiable disease shall, within 24 hours of that discovery, notify the forest officer nearest to that place thereof."

The person who would usually discover the presence of such a disease would be the pest exterminator who was invited into the home because the owner had a problem. Does "a person" mean the pest exterminator, or does the owner of the house have to report what the pest exterminator told him he is supposed to have in his house? It appears that pest exterminators are not registered. They can go into a person's home and fumigate it (as they did to the home of the honourable member for Murrumba) with, say, sugar and water and make the spiders grow. They can fumigate a home without really realising the significance of some of the termites or their destructive potential. The termites in my home, which the pest exterminators referred to as drywood white ants, had been there for over 17 years—since I first went there. The house was built in 1936. I should say that probably every pine-floored home that was built about that time would be in the same condition. As far as I know, all homes built by the Works Department in the 1930's had pine floors. Many homes would be similarly infested, but whether the termites came in in the pine or in some furniture I would not know. I was informed by the pest exterminator that it was not a very serious problem. When I saw that only a shell remained of some of the timber, and that it fell apart when I touched it, I decided to get somebody else to take a look. The same thing happened again.

The Bill says nothing about pest exterminators having to report to the Minister or the Forestry Department. The Minister should include in the Bill or the regulations the requirement for every pest exterminator to report to the Forestry Department any pest at all that he has found in a house and what he has used to control it. Those facts should be reported immediately. Then the department would know the pesticide or insecticide that had been used and whether it was likely to contain any irritant substance that would be likely to affect a person's skin.

Are all the pest exterminators in this State going to be informed about the Bill? If they are not registered, how will the Minister inform them? The Minister has brought the Bill down without any check being made on what pest exterminators are doing in Queensland. The Minister does not know what good they are doing or whether they know their job. Is the Minister going to send them a copy of the Bill and point out that it is their responsibility to report to the Forestry Department? The Bill says nothing about that. Is it intended to do that by way of regulation? If the Minister does not do it by way of regulation, we will oppose the clause. I want my question answered. What is the Minister going to do about it? Is he going to inform them or is he going to forget them?

Hon. K. B. TOMKINS (Roma—Minister for Lands, Forestry, National Parks and Wildlife Service) (9.10 p.m.): The clause is quite a simple one, and provides as follows—

> "A person who discovers in timber or any article in any place evidence of the presence of a disease declared by Order in Council to be a notifiable disease shall, within 24 hours of that discovery, notify the forest officer nearest to that place thereof."

That means any person, including the pest exterminator. If he notifies the forest officer, he in turn is obliged to undertake an immediate investigation and to report his findings to the Conservator of Forests.

Mr. Jensen: How is he going to comply with this provision?

Mr. TOMKINS: Any person, whether a pest exterminator or someone else, who believes that a notifiable disease exists, shall simply notify the department and the Conservator of Forests.

Mr. JENSEN (Bundaberg) (9.11 p.m.): I am not satisfied with the Minister's explanation. He has provided that any person must notify the forest officer. "Any person" may not be aware of the existence of this measure. Apparently the Government does not intend to compile a list of pest exterminators and acquaint them with the provisions of this Bill. Aren't pest exterminators registered in some way? Can anyone set himself up as a pest exterminator merely by purchasing a 44-gallon drum of insecticide or pesticide? Surely the Government should inquire into the qualifications of people who claim to be pest exterminators. Surely it will ensure that they use the correct chemicals.

The CHAIRMAN: Order! We are not concerned with the regulation of pest exterminators. This clause refers to the notification of a notifiable disease, and the honourable member will confine his remarks to that.

Mr. JENSEN: A person cannot notify the forest officer of the disease if he does not know anything about it. I want the Minister to compile a list of pest exterminators and to inform them of the provisions of the Bill. Such people must be controlled by the Government, because anyone claiming to be a pest exterminator could enter a person's home and spray the walls and floors with a poison that could be quite dangerous to anyone who gets it on his hands and rubs it in his eyes.

The CHAIRMAN: Order! The honourable gentleman's comments are out of order.

Mr. JENSEN: All right, Mr. Hewitt. I want the Minister to supply a copy of the Bill to everyone who claims to be a pest exterminator.

Clause 10, as read, agreed to.

Clauses 11 to 18, both inclusive, as read, agreed to.

Bill reported, without amendment.

The House adjourned at 9.15 p.m.