Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 30 MARCH 1976

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

ASSENT TO BILLS

Assent to the following Bills reported by Mr. Speaker:—

Aboriginal Relics Preservation Act Amendment Bill;

Associations (Natural Disaster Relief) Bill.

PAPERS

The following papers were laid on the table:—

Orders in Council under—

Harbours Act 1955–1973.

The Supreme Court Act of 1921.

Magistrates Courts Acts 1921–1975.

Public Curator Act 1915–1974.

Fisheries Act 1957–1974.

Regulations under—

Miners' Homestead Leases Act 1913–1975.

Building Societies Act 1886–1975.

Statute under the University of Queensland Act 1965–1973.

MINISTERIAL STATEMENT

ALLEGATIONS AGAINST STATE PSYCHIATRIC SERVICES BY DR. WILSON AND DR. GARDNER

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (11.5 a.m.): Mr. Speaker, honourable members will be aware of recent Press and media publicity given to a sensation-claiming report on the psychiatric services of this State by two university psychologists. I now seek leave to table this report prepared by psychologists Dr. James Gardner and Dr. Paul Wilson.

(Leave granted.)

Whereupon the honourable gentleman laid the report on the table.

In Press reports that followed the release of this report certain statements were made by the two men which are totally inaccurate. In the "Sunday Sun" of 28 March, Mr. Gardner claimed that he was a consultant to the Department of Health. Dr. Gardner has never been a consultant to the Department. He was told by me at a meeting in my office that if he had any contributions to make, I would be pleased as a responsible Minister to receive them for consideration. This is a request I make to all professional people who may help to improve our health services to the community. In no way is this considered as a personal commission.

In their report, Drs. Wilson and Gardner claimed that they never met prior to 12 September 1975, the day they visited me in my office, when they had separate deputations. The "Sunday Sun" of 28 March reported that the two men had worked together for the previous 18 months on preparing their report.

I draw to the attention of honourable members recent public statements made by the Australian and New Zealand College of Psychiatrists, the Australian Psychological Society and other responsible professional organisations which have severely criticised the contents of the Wilson-Gardner White Paper.

For the information of honourable members, I have had departmental officers impartially review the paper for their professional comments and following this, they have had discussions with me. I now seek leave of the House to table a review of the Wilson-Gardner report.

(Leave granted.)

Whereupon the honourable gentleman laid the report on the table.

I further seek leave to have the contents of my report included in "Hansard".

(Leave granted.)

Comments
on a
Paper entitled "Psychiatric Hospitals in Queensland"
by James Gardner and Paul Wilson

"The paper has been carefully and fully examined by my Department and as a result of discussions between senior officers and myself, I table these comments.

"Comments are made seriatim and the numerals refer to the page and paragraph of the paper under review, viz. (2.2) refers to page two, second paragraph.

"The face-sheet of the paper carries eight phrases, five followed by exclamation marks. The contents (1.4) are described as being 'concerned with a statistical analysis of conditions in Psychiatric Institutions'. The face-sheet is not consistent with a serious scientific document as none of the eight phrases can be accepted without qualification.

"The purpose of the report does not call for comment except that the authors state that (1.1) both psychiatric hospitals and training centres will be examined whereas only psychiatric hospitals are examined. It appears that a second paper expressed as a 'second part' (1.5) is yet to be published but is not the 'second report' referred to in (1.4).

"2.2 Under the heading of 'History' on the second page of the paper, comment is made on certain aspects of the Queensland Mental Health Act.

"In referring to 'abuses', the authors misquote the provisions for the compulsory detention of a patient. The Mental Health Act does not provide for a person to be detained in a psychiatric institution by virtue of the complaint of a neighbour without the benefit of a medical opinion or any other expert testimony. The Mental Health Act provides the issue of a warrant for the compulsory removal of a person for medical examination, if it appears to a Justice of the Peace, on information by any other person on oath, that there is reasonable cause to suspect that a person is mentally ill and that all the circumstances justify such action.

"Again, under the heading of 'abuse', the authors state that the Act creates a Mental Health Review Tribunal whose duties and procedures are ill-defined and whose composition (a medical person, a legal person and someone appointed by the Director), makes a successful appeal very difficult to obtain.

"Reference is also made to this matter on page 34 of the paper. It is of importance to point out that the Tribunal is a Mental Health Review Tribunal and was created under the Mental Health Act 1962 and has been operative since that date. The Tribunal was not set up by the 1974 Act but was continued by that Act. Composition of the Tribunal is set out clearly in the Act and differs greatly from that set out by the authors. The Tribunal comprises not more than five (5) and not less than three (3) members appointed by the Governor in Council—

(a) one at least of whom shall be a barrister-at-law, a solicitor, a stipendiary magistrate, or a person qualified for appointment as a stipendiary magistrate;

(b) one at least of whom shall be a medical practitioner; and

(c) the other or others of whom shall be a person or persons considered suitable by the Minister.

"The Mental Health Review Tribunal at the present time consists of five (5) persons, although three (3) may make a quorum at any individual hearing. The five persons are—

His Honour Judge E. G. Broad, D.F.C., B.A., LL.B., Judge of the District Courts.

Mr. G. Walters, LL.B. (Qld), Solicitor.

Dr. A. M. Unwin, M.B., B.S. (Qld.), D.P.M., M.A.N.Z.C.P., M.R.C. Psych., psychiatrist.

Dr. C. Roe, M.B., B.S. (Qld.), Medical Practitioner.

Mrs. M. Gordon, O.B.E.

"It will be noted that the Director has no part to play in the appointment of any member of the Mental Health Review Tribunal and the inference by the authors that the Tribunal is subject to departmental influence is incorrect.

"The authors suggest that appeals are difficult because of the composition of the Mental Health Review Tribunal. The implication is that members of the Mental Health Review Tribunal lack integrity.

"The notion of the right to treatment has been part of American society but has not been followed by other English speaking countries. The quality of treatment which patients receive is a function of the competence of the caring staff and cannot be guaranteed by legislation. In some instances indeed, such legislation has defeated the treatment aims of competent and well motivated clinicians in the United States.

"Comment is not made on pages 3, 4, or 5 as these matters are not relevant to the conduct of psychiatric services and are not matters subject to statistical or scientific analysis.

"6.4 As the authors acknowledge, the present administration is not responsible for the location of psychiatric hospitals in this State, since these were built many years ago in locations which, at the time, were considered suitable for their purpose. It is acknowledged that, in the light of current thinking, the present locations may not be ideal. However, the claims made concerning the geographical isolation of the hospitals are exaggerated.

"It is worth noting that both Wolston Park and Baillie Henderson Hospitals are adjacent to rapidly-growing suburban residential development. Mosman Hall is situated in the city of Charters Towers, which has a declining population. Despite this decline, residential areas remain within the vicinity of the hospital.

"It is impossible for a responsible administration to suddenly abandon the vast capital investment involved in these three sites, or to let the buildings deteriorate or become outmoded while they are still used for the accommodation of patients. Thus the rebuilding and remodelling programmes are regarded as essential to the care and well-being of the patients.

"It must also be noted that there has been a vigorous programme of construction of psychiatric units attached to general hospitals, as well as a decentralization of service locations within the Division of Psychiatric Services (for example, Psychiatric Supervisor at Townsville, Central Assessment Clinics being established at Rockhampton and Toowoomba, psychiatric services on the Gold Coast, provision of hostels in provincial cities as well as suburban areas of Brisbane and the location of Alcoholism Services on the Roma Street site).

"The quote from the Annual Report of the Health Department (1974-75, page 37) given in 7.3 is made in regard to the number of patients resident at June 30, rather than to the average number daily resident. The authors claim in 7.2 that they prefer to use the average number daily resident since this figure is less likely to be distorted by short-term effects. In fact, the average number daily resident declined steadily until 1974-75 when it rose slightly but not to the level of the 1972-73 level.

"The average number of patients daily resident dropped steadily from 4,613 in 1956-57 to 2,769 in 1973-74, then rose slightly in 1974-75 to 2,865, for the service as a whole.

"The authors have repeatedly referred to the increasing size of psychiatric hospitals. In the light of the above information there is no valid reason to consider this increase a trend but at the present time must be considered as an isolated phenomenon.

"7.4 As was shown in the Annual Report (1974-75, page 44), the number of intellectually handicapped people in Wolston Park Hospital had risen from 201 at 30 June 1973 to 235 at 30 June 1975, and the number with no psychiatric diagnosis has risen from 5 at 30 June 1973 to 22 at 30 June 1975.

"In respect to the figures quoted in regard to the intellectually handicapped ('mentally retarded'), the years quoted are incorrect and the rise in the number at Wolston Park Hospital is explicable by the provision made for a group of intellectually handicapped young adults who were undergoing a resocialization programme within Wolston Park Hospital. It was not possible at that time to accommodate them satisfactorily in a training centre.

"The total number of intellectually handicapped resident at 30 June of each year has declined over the last three years. The overall provision for the intellectually handicapped in training centres separate from psychiatric hospitals has not been one which could be implemented smoothly and the effective use of acceptable accommodation whether within psychiatric hospitals or training centres has had to be considered. The forward planning provides for an increasing differentiation between facilities for the psychiatric hospitals and training centres.

"With regard to the authors' questioning of the presence of people with no psychiatric diagnosis in a psychiatric hospital, the relevant code category from the 'Index and Glossary of Mental Disorders' (published by the National Health and Medical Research Council), which forms the basis of the coding of psychiatric diagnosis throughout Australia, should be examined. The category 'includes healthy responses to developmental or situational crisis' (page 43). The increased numbers could merely reflect the acceptance of the psychiatric hospital by persons seeking help for conditions of the above type. Alternately, this code category can be used for patients whose diagnosis has not yet been recorded for statistical purposes, such as those admitted close to the end of the year and whose diagnosis cannot be accurately made within the time constraints of the statistical system.

"Regarding 7.5, there is not inconsistency between the fact that the number of patients aged 70 and over admitted to psychiatric hospitals increased from 116 in 1973-74 to 186 in 1974-75 (Annual Report, 1974-75, page 43) and the fact that the proportion of people aged 60 years and over resident at 30 June had not significantly increased over the three years 1973, 1974 and 1975. The reason why there is no inconsistency is that the period of stay of elderly persons admitted to psychiatric hospitals is limited. A large proportion die, a smaller proportion are placed in other institutions and a very small proportion returned to their own home.

"The placement of the confused aged has been the subject of much research elsewhere and the administration of the psychiatric services is conscious of the effects of incorrect placement of the confused aged. The Department of Health at the present time is constructing a specific unit for the confused aged within the context of an annexe of the Princess Alexandra Hospital at Wynnum. The authors have raised this matter and inferred an inconsistency but they have not examined the matter closely enough.

"8.1 It is an acknowledged fact that all three psychiatric hospitals care for a range of people, including the intellectually handicapped, alcoholics and a relatively large number of aged (and psychiatrically ill) patients. This does not mean that they can be described as 'dumping grounds' (8.1). The proportion of aged persons who are improperly placed in psychiatric hospitals in Queensland is much less than what it is elsewhere and particularly within the United Kingdom.

"Although during 1974-75 there were 199 people admitted to Wolston Park Hospital with a diagnosis of alcoholism, during the same period, 1,285 people were admitted to either Pavilion 4 or Wacol Rehabilitation Clinic—both units specifically designed for the treatment of alcholism. The psychiatric hospital does play a definite role with regard to the care of brain-damaged alcoholics and it is at times necessary to admit persons manifesting certain symptoms in order to establish the alcoholic diagnosis from a differential diagnosis involving functional psychosis or organic brain damage. At the present time, the psychiatric hospitals of Queensland, in common with those of some other States and overseas countries, do play the role of extended care for patients suffering from alcoholism. It is accepted by the Health Department that specific separate provision is required for the long-stay care of some chronic alcoholics and such facilities are programmed to be constructed within a five-year development programme.

"Special provision through training centres for the intellectually handicapped has developed in Queensland over the last eight years. The fact that a significant number of intellectually handicapped still remain within psychiatric hospitals reflects that this process is not complete. Despite this, intellectually handicapped persons with gross behaviour disorders will continue to be cared for within psychiatric hospitals for many years to come. The continuing admission of the intellectually handicapped to psychiatric hospitals is an unfortunate fact, but one which must be accepted in the light of the current situation. It should be noted that the authors neglect to mention the fact that the rate of admission of the intellectually handicapped to psychiatric hospitals is declining. I refer members to the Health Department White Paper tabled in the House on 9 March 1976, setting out our plans for the development of the services for the intellectually handicapped throughout the whole State.

"In summary, it is more accurate to state that one of the present functions of psychiatric hospitals is to provide asylum where full provision for special groups has not yet been developed, rather than to speak of 'dumping grounds'.

"It should also be noted that the hospitals consist of separate wards, usually located in separate buildings. Generally, each of these wards has a specific purpose, being dedicated to the treatment of certain types of patients. The composition of wards is arranged for maximum therapeutic benefit.

"8.4 The authors' comments on staffing are prefaced by a repetition of the misleading statement that there were 'dramatic increases in the size of psychiatric hospitals' (8.4). This point has already been discussed.

"Drs. Gardner and Wilson compare the staff establishment figures of the Division of Psychiatric Services with those laid down in 1973 by a United States of American Federal court decision (9.1). Firstly, they do not indicate whether these standards are always met in the United States. Secondly, the functions of many of the positions listed on the United States standard are not directly comparable with those of the various categories of staff in Australian psychiatric hospitals. Thirdly, there is no indication of the type of patient population which the United States standard of staffing was intended to serve.

"The authors regard nursing establishment as relatively satisfactory.

"Physicians

"The use of the word Physician, which in general usage in this State is applied to medical practitioners specializing in medicine as distinct from surgery and other specialties, does not allow an accurate assessment of the statements being made by the authors. They state that the establishment at Wolston Park Hospital is 13 non-specialist physicians for 1,441 patients. The fact is that the medical practitioner establishment for the Wolston Park Hospital complex comprising Wolston Park Hospital, Basil

Stafford Training Centre and the Wacol Rehabilitation Clinic for alcoholics, is 27 full-time medical practitioners, plus the equivalent of a further 2½ full-time medical practitioners provided by part-time services services including the specialties of medicine, neurology, surgery, gynaecology, radiology, ophthalmology and anaesthesia. The authors figure of 13 applies only to general medical practitioners and psychiatrists in training and ignores qualified specialist psychiatrists and other registered specialists.

"In respect to Mosman Hall, the comparison made between medical staffing and death rate is invalid on two counts. It is invalid on the basis—

(1) That the authors have compared 1970, a year of randomly low deaths, to 1974, a year of an exceptionally high death rate. The actual number of deaths at Mosman Hall Hospital by year were—

1959-60	11
1960-61	10
1961-62	14
1962-63	16
1963-64	16
1964-65	8
1965-66	14
1966-67	12
1967-68	16
1968-69	19
1969-70	6
1970-71	17
1971-72	23
1972-73	20
1973-74	28
1974-75	17

The figure for the year 1973-74 is the only figure which differs statistically significantly from the mean at the 5 per cent level and over the series of 15 years such a variation can be expected. The average age of the 28 persons who died at Mosman Hall in 1973-74 was 69·6 years.

(2) In regard to the alleged association between level of medical staffing and death rate, it is pointed out that medical staffing at Mosman Hall has not altered over the last 5 years in question. Mosman Hall has continuous general medical services available to it from the staff of the Charters Towers General Hospital.

"10.4 *Nurses*

"It appears that the authors have misinterpreted the term 'paramedical personnel' to apply to nursing staff. In fact, job occupancy does not fall short of nursing staff establishments and even the authors apparently regard the establishment as satisfactory.

"11.1 The quotation at the top of page 11 does not apply to psychiatric hospitals and was the subject of a public statement by the Minister indicating that the hospital was the **Redcliffe Hospital.**

"11.2 There is in fact no shortage of nurses and no comment is necessary on the statement that a shortage of nurses is affecting the care of patients.

"It has already been stated that there is no basis for the statement that institutions continue to grow in size.

"11.2 *Psychologists*

"The present shortage of psychologists results not from lack of funds but from a shortage of suitable applicants for vacant positions. To increase the present establishment would be ridiculous as there would be no prospect of filling the additional positions. The shortage of applicants is due to a shortage of graduates in psychology, who are interested in and adequately prepared for a career in clinical psychology. The level of education and training of psychologists are not the responsibility of the Department of Health but of educational institutions. The Division has maintained high standards of practice in psychology which have been successfully met by graduates from the local University.

"It is a requirement of employment within the Division that persons proceeding to higher classifications produce evidence of original research, scientific publication or achievement in a particular professional area. Opportunity is given for professional staff to improve their level of qualification by post-graduate study.

"11.3–11.4 *Social Workers* and *Occupational Therapists*

"The comments made in regard to psychologists apply also to social workers and occupational therapists except that the shortages of graduates in these categories are more severe in relation to the required establishments.

"12.2–12.3 *Summary*

"The summary calls for little comment except to point out the conclusions drawn are not in accordance with the objective facts. Funds have been available year after year to fill all establishments. Manpower has not. The statements made about the Division of Psychiatric Services in this paper can only make the task of recruitment difficult.

"12.4 *Programming*

"The heading of 'Programming' is an inept description of the discussion of the readmission rate, the regulation of patients and the Mental Health Review Tribunal.

"13.1 et sec. *Readmission Rate*

"There are two factors in the discussion of the readmission rate which the authors have not made clear.

"The first is a statistical artifact. The authors have not paid regard to the increased number of units covered by the statistical system over the years. For example, if a patient had been admitted to

the Townsville General Hospital in 1970, discharged and later admitted to Mosman Hall, he would be shown as a first admission to Mosman Hall. However, since the date on which the Townsville Hospital was included under the statistical system, the patient admitted to Mosman Hall who had had a previous admission to Townsville General Hospital would be shown as a readmission to Mosman Hall.

"Secondly, and more importantly, it is not accepted that high readmission rates reflect adversely on the quality of treatment. Indeed, high readmission rates probably reflect a liberal optimistic discharge policy which enables some patients to spend time in the community who would otherwise have been continuously hospitalised. This can hardly be regarded as failure.

"14.2 The authors' contention that an increase in the number of patients seen at psychiatric clinics or within the Division of Community Medicine should result in a decreased admission rate is not necessarily valid. Increased services provided at community level have reached a wider range of persons, many of whom would otherwise not have received adequate treatment. It is of course hoped that the provision of services at community level may eventually reduce the number of persons requiring admission and readmission; however, experience elsewhere would dictate caution in such a prediction.

"The authors assume that those suffering from disease processes have always sought treatment services. They have ignored the fact that an increase in the effectiveness of the health care delivery system will reveal pathology hitherto untreated and make a greater call on treatment services.

"15.2 *Involuntary Patients*

"The authors, in commenting on regulated admissions have failed to perceive that Wolston Park Hospital, Baillie Henderson Hospital and Mosman Hall Hospital are only a part of the network of services providing psychiatric care. The statement by the Health Minister quoted in the newspaper referred to patients in the metropolitan area of Brisbane seeking treatment from the whole range of inpatient psychiatric services.

"15.3 Although the psychiatric hospitals show a high percentage of regulated admissions, this must be seen against the large number of admissions to psychiatric units in general hospitals. For example, in the metropolitan area, more than 8,000 admissions per year are treated at the Royal Brisbane Hospital and Prince Charles Hospital. The figure of 8 per cent of overall admissions as quoted by the Minister is a realistic estimate of the number of those committed compulsorily over the whole range of services.

"15.4 The assumption that regulated patients are always detained by curtailment of freedom of movement is simply not correct. Of those liable to be detained against their will only a small number are cared for in closed wards. The greater proportion of regulated patients have freedom of movement within the hospital, free access to public telephones, mail boxes and public transport.

"With regard to the statistics quoted in 15.3, the authors have confused the number of patients resident with the number of admissions for the relevant years. The figures they quoted are the numbers of patients resident who are regulated, not the number of regulated admissions. The facts are that in both of these cases the number of patients resident who are regulated and the number of regulated admissions, show a decline over the three years when the service as a whole is considered, that is, when the psychiatric hospitals are summed together. Thus, the number of regulated patients resident declined from 1,024 on 30 June 1973 to 1,003 on 30 June 1975. The number of regulated admissions shows a similar decline from 700 in 1972-73 to 608 in 1974-75. In the light of these figures the claims made in the authors' following paragraph are unjustified.

"16.4–16.5 The authors comments in regard to the composition, organisation and functioning of the Mental Health Review Tribunal express an opinion and do not state a fact. The authors have drawn conclusions on the basis of a comparison between 1972-73 and 1974-75 figures. Statistical analysis shows there has been no significant change in the proportion of successful appeals. Additionally, the comparison between the 1972-73 and 1974-75 figures (17.1–17.3) are irrelevant as the bases on which an application could be made to the Tribunal have not altered since its establishment 13 years ago. In any case, the comparison is inappropriate as the 1974 Mental Health Act came into force during the 1974-75 financial year. Therefore the figures do not represent a full year after the new Act.

"The small number of successful appeals to the Tribunal is in any case an inappropriate index by which to evaluate services.

"18.3 et sec. *Death Rates*

The authors make reference to the calculation of crude death rates for Queensland which are reported in the Annual Report of the Health Department. It may be valid to use these crude techniques to compare death rates in different States and overseas countries, since these should have comparable distributions of age, sex, congenital handicap and other variables which are known to influence death rates. However, use of the same technique to compare the death rate in a specific population (for example, a hospital population) with that of the community at large is invalid for a number of reasons.

"Firstly, the characteristics of the population of a hospital differ from those of the general population in a number of ways, many of which could properly be expected to affect the death rate. There is a body

of literature which suggests that psychiatric disorders in themselves are associated with higher mortality rates than those found in the general population. In addition, the hospital population, in this particular case, is older than the population at large, and is also more likely to suffer from physical conditions associated with psychiatric disorders. The only valid comparison which could be made would be between the hospital population and a community group which was matched with the hospital population on such variables as age, sex, the presence of physical or mental conditions which could predispose individuals to early mortality. This exercise would be extremely difficult if not impossible. The authors' rough attempt to suggest an expected death rate (page 20.3) using the fact that there are 1.7 times more aged persons in psychiatric hospitals than in the community at large is a naive and statistically invalid attempt at this exercise.

"The authors do mention the fact that certain patients in hospital may have physical conditions which would increase their chances of mortality. They quote the number of patients resident who suffer from senile and presenile dementia and those with other organic psychoses, and note that these constitute about 10 per cent of the hospital population. Two points should be made here. Firstly, they are operating only on a single diagnosis, i.e. diagnosis for which treated. In some cases, the underlying diagnosis, which is not published in the Annual Report or in the Statistical Bulletin, may indicate that other patients may have long-term organic conditions which are not recorded in this diagnosis. The authors should have been aware of the system of coding diagnosis, and should therefore have known that the percentage of patients for whom a certain diagnosis has been given as that-for-which-treated, does not often constitute the total number of patients suffering from that condition in the hospital.

"Secondly, there are other diagnostic categories which carry an increased risk than those quoted in 20.4 of their report. For instance, 4.8 per cent of patients resident at June 30, 1975, were suffering from 'non-psychotic mental disorders associated with physical conditions'. This diagnostic category includes such things as 'organic brain syndromes where the mental disorder does not amount to a psychosis, including post-encephalitic or post-traumatic personality change or abnormal behaviour due to cerebral vascular disease but not amounting to psychosis' (National Health and Medical Research Council Glossary, page 42). In addition, 8.9 per cent of patients resident at that date suffered from alcoholic psychosis, also associated with physical conditions. Similarly, 24.7 per cent suffered from intellectual handicap, and severe intellectual handicap is also frequently associated with physical conditions.

"It is difficult to understand why, given that the authors were aware of many of the factors which would cause the death rate in psychiatric hospitals to be higher than that in the community at large, they found this fact 'shocking and disgraceful'. Apart from the most cursory attempt to establish what the death rate in psychiatric hospitals might be in relation to that in the general population, they made no systematic attempt to analyze the effect of the physical and demographic characteristics of the patient population on the death rates. It can either be assumed that the authors are not competent to comment on this topic or that their aim in using this data was to develop a statistic which, although obviously invalid in the light of available data, was likely to be effective in attracting sensational press responses.

"It should be pointed out that the figures quoted in the tables on death rates were not taken directly from departmental publications, but were calculated by the authors using information from these publications together with information provided to Dr. Gardner on request by the Department. The death rates calculated were not, of course, calculated by the Department.

"The summary provided in page 22.3 of the report (for the non-statistically minded) indicates some confusion over the meaning of the comparisons which the authors have calculated. In fact, in 1974, 7.8 people did not die in psychiatric hospitals for each person who died in the general population. Since in 1974-75 18,128 people died in Queensland, this statement taken at face-value would indicate that approximately 141,398 persons died in psychiatric hospitals and the absurdity of this is therefore clear.

"The authors then proceed to calculate specific death 'rates' for a number of diseases. While this certainly provides some 'astounding' death rates, it is quite invalid given the absolute numbers which these rates are claimed to represent. One figure which has been quoted in this report (and frequently elsewhere) is that the death rate from hepatitis is 33.5 times higher in psychiatric hospitals than in the community. This figure is based on the fact that of a total of 4 deaths from hepatitis in Queensland in 1974, one occurred in a psychiatric hospital (see page 25 of the report). This is not, of course, statistically significant. In fact, the figures presented in the tables on pages 25 and 26 are highly misleading. The absurdity of the figures presented can be further demonstrated by the statement in 27.3 that 'for each person in the general population who dies of unknown causes, 1.4 people die in psychiatric hospitals'. Reference to the table on page 25, and the text on page 29, will indicate, in accordance with the Department's figures, that only one death which occurred in hospital was recorded as being of unknown cause. The statement regarding infectious hepatitis is similarly absurd in the light of the single death in hospital from this cause.

"The authors then detail 16 deaths which they designate as being 'suspicious'. Seven of these concern death from accidental causes. In two of these cases, it was from the belated effects of accidents. In the remaining five cases, the deaths were due to accidents which occurred during hospitalization. The authors must be aware of the policy of hospitals not to restrict the movements of patients more than is necessary. Certainly, the hospital populations are probably more accident-prone than the general population, but it would be quite unthinkable to restrict the activities of the thousands of patients who pass through hospitals during the year in order to prevent such things occurring. Regrettable as they may be, these incidents have been investigated by the coroner and have subsequently been accepted as accidents, not as the result of negligence as the report implies.

"The remaining 'suspicious' deaths are quoted as being for 'pseudomedical reasons' (page 29). All of these appear in the I.C.D. cause of death codes as legitimated causes of death. It must be remembered again that the figures are based only on the principal cause of death. Multiple coding of causes of death would perhaps make the position clearer. It must also be remembered that medically trained people vary in the way in which they would record certain deaths. The inconsistencies which occur in cause-of-death coding are well-known and well-documented, but the problem is by no means specific to psychiatric hospitals. In fact, it would probably be fair to say that because of the fact that all deaths in hospital are subject to scrutiny they are less likely to be 'suspicious' than are those in the outside community.

"The essence of the long and entirely misleading, if not inaccurate, presentation on deaths in hospitals appears to be that the figures suggest to the authors that at least some of the deaths reflect inadequacy of care. This is not in any case substantiated by the figures presented. Perhaps the better way of substantiating such claims would be to produce actual instances in which this can be proven, or in which information more relevant to the question can be produced.

"On pages 32-35 appears a summary. Comments on these statements must of necessity repeat some previous comments.

"The term 'rural retreat' (32.3) is inappropriate and not in accordance with the facts.

"No evidence has been adduced to prove conclusively that expenditure on psychiatric hospitals is counter-productive or wasteful (32.4).

"The number of persons who should 'be served in residential accommodation' (32.5) has not been discussed in the paper. No comparisons have been made of present psychiatric hospital populations in Queensland with those in other Australian States or the rates per thousand population proposed by United Kingdom authorities nor has reference been made to W.H.O. publications or even studies in the United States of America. The 'findings' of the authors are not the outcome of any statistical analysis contained in the paper. Claims of overcrowded conditions are not substantiated in the text of the paper nor in fact do such conditions exist.

"The Division of Psychiatric Services do not perceive people in need of care, treatment or control as being 'surpluses of humanity' (33.1). Psychiatric hospitals provide a range of services for a range of diagnostic groups and accept the need to provide care where specific residential accommodation is not otherwise available.

"The serious shortages of professional manpower (33.2) has never been denied. Provision of more adequate manpower resources is not a function of the Department of Health.

"The authors do not state clearly the reasons for an increased readmission rate (33.3) but make certain inferences that are not substantiated. The increased admission rate has already been commented upon and it is repeated that the periods spent out of hospital may reflect a measure of therapeutic success.

"The authors' statistical treatment of the declining number of regulated admissions and the decline in the number of patients resident who are regulated (33.4) has already been commented on.

"The conclusions drawn by the authors about the small number of appeals to the Mental Health Review Tribunal (34.2) are not made on the basis of any investigation. Their conclusions in regard to successful appeals are certainly not justifiable—a high success rate may have been interpreted as a criticism of staff. In fact, the function of a tribunal such as this cannot be examined simply by a study of such data.

"Death rates (34.3) have already been commented on extensively and this summary does not warrant further discussion.

"The authors treatment of inter-relationships (35.2) cannot justify serious comment. Overcrowding has not been demonstrated, shortage of professional staff has not been examined in relation to any particular period and the related patient movement statistics of that period. To state that these factors then are not related in a casual way to the other unsubstantiated results does not call for comment.

"The only comment possible on the discussion of administrative aspects (35.2), is any examination of the arguments presented would reveal no matter of substance that could be usefully pursued.

"Recommendations

"35.4 It is suggested by the authors that a multi-disciplinary group be established to

examine the data they have presented in the paper and to examine issues concerning patient care in psychiatric hospitals. It has been demonstrated that the authors' paper contains inaccuracies, inconsistencies and conclusions drawn are invalid. No purpose of value to the psychiatric hospitals could be served by further examination of this paper. The Department is aware that although a large number of highly qualified people are employed within it and many more are in consultation with it, there is benefit in widening the field of experts providing constructive advice. The authors' paper does nothing to assist in this matter.

"36.1 The recommendations that no new structures be built on the existing grounds of psychiatric hospitals cannot be substantiated on the basis of data presented in the paper. Indeed, the authors in presenting such a recommendation based on such a paper have demonstrated the fallacy of determining general policy on the examination of a sector of the service without reference to the service as a whole and related matters. The Department has reduced the population of Wolston Park Hospital and Baillie Henderson Hospital progressively but this has not been done at the expense of not providing improved physical facilities. The Department has progressively altered the role of psychiatric hospitals in the light of expanded and improved facilities for psychiatric care outside these hospitals. The authors are either unaware of or have suppressed their knowledge of the demolition of an old and unsatisfactory ward at Wolston Park Hospital and the vacating of an old unsatisfactory ward at Baillie Henderson Hospital, both within the last month. These developments have been made possible by the renovation of other buildings. The policy of allowing psychiatric hospitals to deteriorate has had disastrous results for staff, patients and the community in many other places including certain States of the United States of America and has been and will be deliberately avoided in Queensland. The Department is aware of the need to provide small, community oriented residential accommodation but does not accept that such accommodation must be restricted to sites outside the environs of psychiatric hospitals. Present policy is to provide such accommodation both in the community and in psychiatric hospitals.

"In summary, the facts are that many wards of these hospitals have been closed and some demolished. The concept of group homes in the community has been developed over the last twelve years and is being actively expanded at the present time.

"36.2 In the recommendation in regard to size, the authors give no justification for their choice of this number nor can the recommendation be related to any discussion throughout the paper. In fact, the United States standards which are quoted throughout the paper are based on a unit size of 250 patients, but no absolute size for hospitals is set. To make such a statement without reference to the reality situation or without discussion in the body of the paper is to preclude reasonable comment in regard to the arbitrary figure selected by the authors.

"The authors also suggest the 'immediate' screening-out of existing hospital residents who are considered inappropriate. Certainly, it is the aim of the Division to work towards a goal involving the differentiation of facilities for patients of different types, and to ensure that the hospitals are not used as receiving houses for inappropriate patients. However, this is not a goal which is amenable to immediate fulfilment. Alternative accommodation must first be found or established for those who are to be removed from the hospital. As has been previously mentioned in this report, the provision of residential facilities of any type takes time, not only because of the planning involved but also because of the comparatively large amounts of capital expenditure involved.

"36.3 The authors make recommendations in regard to staffing. It has been the aim of the Division of Psychiatric Services to maintain full staff levels, and every effort is made to do this. However, a number of factors mitigate against this. Firstly, there is an acute shortage of medical manpower, which is particularly marked in the public sector. Secondly, relatively few medical and paramedical people are attracted by the psychiatric field. Certainly, as the service develops and becomes more community-based, this situation may improve.

"Publicity of the type which the service has received over the past few days does little to enhance it in the eyes of potential employees, and does not contribute to the morale of existing staff in a positive way. Surely a more constructive approach to the problems of staff shortage would be to attempt to encourage University graduates to move into the field in an effort to overcome this major problem. It is to be noted that the authors, who should be aware of the facts of professional manpower resources, call upon two organisations associated with the nursing profession, the only manpower group in which full establishments are maintained and do not call upon the professional organisations of medicine, psychology, social work and occupational therapy—all professional groups dependent on graduation from university courses.

"36.4 In regard to readmission rates, the authors' postulates are not accepted by the Department. Readmission rates do not really provide an adequate indicator of the effectiveness of a service in the way in which they are used here. Repeating what was said earlier, readmissions should not be regarded as failures. It is quite possible that a high rate of readmission would indicate that people were using the hospital at times when these facilities are needed, rather than remaining in hospital for long periods without attempting to return to the community.

An effective way of lowering readmission rates is to be extremely cautious in discharging patients to ensure that they do not return. In this light a high readmission rate could be indicative of a more liberal discharge policy aimed at letting people return to the community on a trial basis, on the understanding that they may return to the hospital should they feel that it is necessary. Obviously, the aim here must be to achieve a balance between two extremes—an overcautious policy of discharge which may result in minimum readmissions and an overenthusiastic policy of discharge resulting in a high number of readmissions. The authors have not, however, demonstrated the effect that any of the above suggestions would have on readmissions.

"The authors also recommend (36.4) a revision of legislation to provide a 'right to treatment'. This again is a recommendation reflecting the authors' opinion and is not one which arises from facts discussed in the paper. The Department is aware of studies being conducted in other Australian states at the present time and will evaluate changes in legislation that may be made in those states.

"The authors' claim in regard to involuntarily detained patients (37.1) has already been discussed. The fact that there is a decline in the numbers of both regulated admissions and patients resident who are regulated over the last three years is repeated. Conclusions drawn by the authors are therefore not based on fact. The provisions of the Mental Health Act, while providing for compulsory detention, also provide for protection of the individual and his property. To discharge many patients from the provisions of the Act would be to abandon them. The authors of the paper do not discuss, whether they perceive it or not, the thoughtful and effective protection provided by the Act.

"The recommendations in regard to the Mental Health Review Tribunal (37.2) have already been discussed. Regulated patients have full and free access to all information necessary to the making of an application and no patient is denied the opportunity to appeal.

"The authors conclude their paper with a further reference to death rates (37.3). The Department does not concede in any way that the death rates within psychiatric hospitals are 'excessive'. It appears, on the basis of the available facts, that this topic has been used by the authors to draw attention to a number of other claims, some of which, as indicated above, are accepted by the Department and have been for some time. However, the suggestion that patients died in hospital from lack of adequate nursing care is not in any way supported by fact and is regarded by the Department as a totally unjustified accusation, which can only detract from the credibility of the authors of the paper.

"37.4 It seems incongruous for the call for a spirit of goodwill and open-mindedness to be made in a document which contains criticisms of the work of the Department of Health for which no justification is provided."

Honourable members will see that these comments are clear, concise, reasoned and in accordance with the facts and are quite unemotional. They condemn the Gardner-Wilson report, showing inconsistencies, inaccuracies and, above all, that their document is seriously misleading. Unfortunately it has brought a great deal of heartache and needless concern to many Queenslanders who have relatives or friends in care at psychiatric centres.

Their report has caused me great distress because of its unscientific nature and its obvious desire to influence the people of this State into believing a crisis situation exists in psychiatric hospitals. I hope, however, that it will not prevent other research groups and individuals continuing programmes and making sound positive recommendations to Governments. I repeat that I am prepared to meet all people and receive any submissions that will help us provide the best possible care for our patients and all people in Queensland.

I repeat—I am prepared to take, accept and act on criticism, if it will benefit the patients we are pledged to care for and help.

QUESTIONS UPON NOTICE

1. ABOLITION OF DEATH DUTIES

Mr. Lamont, pursuant to notice, asked the Deputy Premier and Treasurer—

(1) If State death duties are abolished forthwith, could other States and/or the Commonwealth Government, acting either independently or together, adopt any measures which would effectively offset a sudden unilateral abolition of death duties in Queensland?

(2) What effect would such a move in Queensland have on other States?

(3) What effect could such a move have upon the Commonwealth-States Financial Agreement currently being negotiated?

(4) Are there any other possible immediate repercussions of a sudden unilateral abolition of death duties which have not been drawn to the attention of this House?

Answers:—

(1) I am not aware of any action which could be taken by the Commonwealth Government or the Governments of other States to offset the effect of the abolition of death duties in Queensland. Of course, because the Commonwealth allows State death duties as a deduction from the value of the estate for Commonwealth

estate duty purposes, the amount of Commonwealth duty payments would increase. Similarly, as other States make an allowance for duty paid on property in Queensland in the estate of a person domiciled in the other State, duty payable to other States would increase if the Queensland property were exempted from Queensland duty.

(2) The obvious effect would be that duty under laws of the other States could be avoided by the testator's taking up domicile in Queensland and transferring his assets here. There are other avenues through which duty could possibly be avoided through the use of trusts in Queensland, without the testator having to actually take up domicile here, and the State Government would undoubtedly be under pressure from other States to pass legislation to close this loop-hole as the Commonwealth has done for the Australian Capital Territory.

(3) I would hope that such a move would not have any effect on the new tax-sharing agreement currently being negotiated although other States could argue for a reduction in Queensland's share of the income tax pool where at the moment we have a per-capita advantage over the larger States of New South Wales and Victoria on the basis of our apparent ability to afford such large cuts in our own taxes. Naturally, the State could not expect the Commonwealth Government to provide additional grants to Queensland to make up for its loss of succession duty. The State would be expected to either cut its level of services or increase other State taxes to make up for the loss of revenue resulting from the abolition of the tax.

(4) I am not aware of any other repercussions but would stress upon the honourable member that the question has not yet been studied in detail by my department. If it is decided to abolish death duties, the immediate pressing question would be as to where the substitute funds could be derived.

2. INDUSTRIAL ACCEPTANCE CORPORATION AND CAMBRIDGE CREDIT

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

(1) Is Industrial Acceptance Corporation taking over certain of the Queensland assets of Cambridge Credit and its subsidiaries as mortgagees or moneylenders?

(2) Is a company known as Riviera Pty. Ltd. wholly owned by Industrial Acceptance Corporation and is Andrew Bruce Small the Queensland agent of Riviera Pty. Ltd.?

(3) Is the transfer of these assets being carried out in Darwin to avoid State stamp duties and does he condone such tax avoidance?

(4) Will he investigate the circumstances and the involvement of a Gold Coast alderman, Andrew Bruce Small, in recent negotiations with the liquidators of Cambridge Credit involving large rezoning of rural land to residential purposes without any investigations as to the effect of flooding involving thousands of people and homes in Coombabah, Paradise Point, Runaway Bay, Biggera Waters and Labrador?

Answer:—

(1 to 4) I would request that the honourable member address his question to the Minister responsible for such matters.

3. LOAN-RAISING ACTIVITIES OF FEDERAL A.L.P. GOVERNMENT

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

(1) In view of the sitting of State Parliament on 9 December 1975, in which he made certain allegations under privilege concerning unnamed former Commonwealth A.L.P. Ministers and the subsequent total clearance by the now Liberal Attorney-General in Canberra of these same Ministers and rejection of his claims, on what date was the information which led to this inquiry at great expense to the Queensland taxpayers referred to the legal officers of the Justice Department?

(2) On what date did the same legal officers make a decision on whether such an inquiry was warranted or not and what was the text of such decision?

(3) On what later date or dates was alleged evidence obtained from Switzerland, Queensland or any other source referred to the legal officers of the Justice Department?

(4) On what date did the Justice Department receive on this inquiry a full final report similar to the one submitted to the present Liberal Attorney-General in Canberra?

(5) What was the Justice Department's consideration on this report, following Mr. Ellicott's complete rejection of his inaccurate allegations?

Answer:—

(1 to 5) I would refer the honourable member to the ministerial statement I made in this House on 23 March: I also draw his attention to my concluding remarks about kicking a dog.

4. MR. W. FANCHER, MOTEL ACCOMMODATION, BRISBANE

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

On what dates did Mr. Wylie Fancher stay at the Zebra Motel, Brisbane, at the cost of the Premier's Department and what was the total cost of this accommodation?

Answer:—

The honourable member is trying to shift interest in the scandalous "loans affair" from certain members of the Australian Labor Party to Mr. Fancher to divert attention. As to the costs associated with Mr. Fancher's activities, I would refer the honourable member to my ministerial statement in this House on 23 March.

5. REHABILITATION OF SAND-MINING AREAS

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

(1) What is the total area in Queensland that has been successfully rehabilitated after sand-mining operations?

(2) Is the planting of a cover crop such as sorghum classified as being satisfactory rehabilitation in terms of the mining leases?

Answers:—

(1) Because of the long history of the industry and the transfer of some records to archives, the actual area cannot be readily ascertained. However, it represents with few exceptions, apart from those areas where mining operations are current, the total area previously disturbed.

(2) No. The planting of cover crops, such as sorghum, is for the purpose of stabilising the surface of the land concerned and protecting seeds and seedlings of native trees and shrubs until such time as they become established. It represents the initial stages of rehabilitation, not the final outcome.

6. ELECTORAL REDISTRIBUTION

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

(1) In relation to the editorial in "The Courier-Mail" of 24 March entitled "National Party gerrymander" and his answers to my questions on 7 and 15 October 1975 regarding electoral redistribution, as at 31 December 1975 which electorates by zones were (a) above and (b) below the allowable 20 per cent variation under the Electoral Districts Act, and by how many voters was each of these electorates above or below the quota?

(2) In what ways do the answers confirm or deny the veracity of "The Courier-Mail" editorial?

Answers:—

(1) I table the information sought by the honourable member.

(2) The Government is not responsible for the accuracy or otherwise of newspaper editorials.

Whereupon the honourable gentleman laid the information on the table.

7. WORKERS' COMPENSATION PREMIUMS

Mr. Yewdale, pursuant to notice, asked the Deputy Premier and Treasurer—

(1) Did he receive a deputation from the Meat and Allied Trades' Federation approximately one month ago in relation to workers' compensation charges, which alleged that workers' compensation premiums have increased by 104 per cent and that claims have increased by only 28 per cent?

(2) Are the allegations true and, if so, what is the reason for the tremendous increase in premiums?

Answer:—

(1 and 2) I did receive a deputation from the Meat and Allied Trades Federation on 22 January this year. The percentage figures quoted by the honourable member do not equate with the S.G.I.O. experience. Be that as it may, the point being made by the delegation was that workers' compensation premiums for the employment type classifications of "Butchers Retail" and "Smallgoods Manufacture" had increased and were unreasonably high. However, it was shown to the association that premiums have been increased only in line with claims experience. The increase in the compensation rates from 1 August 1972 to full award wages and a subsequent increase in numbers of claims lodged has been mainly responsible for higher payouts. The high inflation rate and the consequent need to make adequate provision for payments which can extend for one or two or more years after an accident has also been a very big factor in escalating claims costs since 1972.

I also advised the association of comparable workers' compensation premium rates in other States which were—

——	New South Wales %	Victoria %	Queensland %
	$	$	$
Butchers Retail	8.24	14.50	5.11
Meat Canning	13.21	12.78	8.75
Smallgoods Manufacture	23.08	9.36	8.75

8. SALE OF NEW AND USED CARS

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

(1) Is he aware of the concern expressed by the Royal Automobile Club of Queensland over the activities of some unscrupulous used-car dealers and salesmen?

(2) Has any consideration been given to introducing legislation which would require having the speedometer reading, year of first registration or manufacture, cash price and the last owner's name displayed on a sticker on the wind-screen of all used vehicles being offered for sale?

(3) Has consideration also been given to the provision under State legislation of set periods for warranties in accordance with the value of the car purchased?

(4) Has any investigation been made to ascertain whether car manufacturers are paying distributors far less than the standard rate for warranty work, thus creating a situation where some new cars are delivered in a shoddy, dangerous condition?

(5) How many complaints concerning new and used-car dealers and motor vehicle purchases were received by the Consumer Affairs Bureau and the Small Claims Court in the last three years?

Answers:—

(1 to 3) Most of the honourable member's question appears to concern other departments. However, the Consumer Affairs Act provides that a person shall not sell goods to which a false trade description is appended, and the term "trade description", as it applies to a motor vehicle, includes the mileage shown on the odometer fitted in the vehicle as having been travelled by the vehicle. During the last three years several prosecutions have been taken against traders for breaches of the provisions mentioned.

(4) I believe there has been considerable publicity in recent weeks about payments by manufacturers to distributors for repairs made under warranty. This is a matter between the distributors and manufacturers and, if there is a question in law, the answer would appear to lie in the Federal sphere.

(5) Complaints received by the Consumer Affairs Bureau which have involved new and used motor vehicles have not all been indexed under one heading, since some have been concerned with faults requiring rectification, others with disputes involving warranties, others with deposits paid, hire-purchase matters, etc. Furthermore, there are numerous traders engaged in this field, marketing a variety of vehicles, and all complaints received are not necessarily fully justified. It is therefore not considered practicable to give a meaningful figure in answer to the honourable member's question. The Small Claims Tribunals Act is not administered by my department.

9. PARLIAMENTARY SUPERANNUATION FUND PAYMENTS

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

How many ladies and gentlemen who were members of this House are currently in receipt of payments from the Parliamentary Superannuation Fund and what is the range of fortnightly payments?

Answer:—

Twenty-three former members of this Legislative Assembly receive Parliamentary Contributory Superannuation Fund annuities ranging from $38·07 per fortnight to $245·92 per fortnight.

10. BRUCELLOSIS COMPENSATION SCHEME

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

(1) Because of the increased activity regarding the brucellosis eradication scheme, particularly in the combined area of the Glengallan, Rosenthal and Stanthorpe Shires and the Warwick City Council, which has been chosen as a pilot area for survey, what action has been taken to provide a compensation structure, possibly similar to the T.B. compensation scheme, which is shared by both the State and Commonwealth Governments as well as the industry?

(2) Does he realise that without some compensation scheme progress on an eradication scheme could be slowed down, which would be to the disadvantage of the beef industry by jeopardising its reputation on export markets?

(3) Will he do everything possible to try to organise a satisfactory brucellosis compensation scheme?

Answers:—

(1) A decision by the Commonwealth Government on the recommendation of the Industries Assistance Commission on brucellosis and tuberculosis compensation is expected within a week or two. If the decision is satisfactory, the regulations under the Stock Act 1915–1974 providing compensation for tuberculosis will be amended to provide compensation for brucellosis reactors detected in an approved eradication programme.

(2) Yes; compensation is essential to the success of the brucellosis eradication scheme.

(3) Yes. Plans are well in hand to this effect.

11. TUCK-SHOP FOR MOSSMAN STATE HIGH SCHOOL

Mr. Tenni, pursuant to notice, asked the Minister for Works and Housing—

(1) Is he aware that no tuck-shop facilities exist at the Mossman State High School?

(2) Is he aware that many requests for these facilities have been made to his department over the past 12 months and that these have been of no avail?

(3) When will finance be made available for this project?

Answers:—

(1) Yes.

(2) Yes.

(3) Funds are not available at present to permit this work to be approved. Further consideration will be given to the proposal early in the 1976-77 financial year in relation to the funds then available for the provision of tuck-shop facilities.

12. HOUSING AND POLICE STATION, MAREEBA

Mr. Tenni, pursuant to notice, asked the Minister for Works and Housing—

(1) Will the six houses purchased by his department at Mareeba and previously owned by the C.S.I.R.O. be made available for rent to police, as there is a great shortage of homes available for rent in Mareeba and the new police district centered at Mareeba is having problems owing to a shortage of housing?

(2) What extensions are to be made to the new section of the Mareeba Police Station and when, and can space be rented on a temporary basis until the extensions are completed?

Answers:—

(1) Action is proceeding for the acquisition from the Tobacco Industry Trust of six residences at Mareeba as housing for public servants. When the purchase has been finalised, the allocation of occupancy of the houses will be a matter for determination by the Department of the Public Service Board.

(2) Work is presently proceeding for the conversion of the Mareeba Police Station to a district headquarters. This work, which involves remodelling to provide office accomodation for the Criminal Investigation Branch, the Stock Squad and traffic records, is expected to be completed in about three weeks. No request has been received for the provision of temporary accommodation and, as the permanent work will now be completed at an early date, such action is not considered to be warranted.

13. BUREAU OF SUGAR EXPERIMENT STATIONS

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

Has the report of the sub-committee set up to look into the problems of the staff and associated problems of the Bureau of Sugar Experiment Stations been received and, if so, has the board considered the report, what were the findings of the sub-committee and what action is now considered?

Answer:—

A committee of the Sugar Experiment Stations Board has received a report from the sub-committee set up to inquire into administration of the Bureau of Sugar Experiment Stations, and has referred it back for further information. The amended report is expected to be available to the board at its next meeting.

14. PROPAGANDA IN SCHOOLS

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

(1) In view of previous statements in this House in which Government Ministers and members have castigated and questioned the distribution of party-political material in schools and as it has now been stated that the Liberal Party plans to distribute party material to Australian schools, will he clarify his department's policy on this matter?

(2) What are the rights of principals and teachers to forcibly remove political stickers from the ports and books of students and to rule that no politically oriented badges may be worn by students during school hours?

(3) What is his department's attitude to other stickers and badges which are of a commercial-enterprise or environmental-protection nature?

Answers:—

(1) I refer to my answer of 25 September 1975 to Mr. Akers as an illustration of the reasoned attitude of my department to the discussion of political and other controversial issues in secondary schools.

Provided that the proposed Liberal Party material serves as a resource for students studying politics, and is not merely party-propaganda material, principals will no doubt elect to allow it in their schools. It appears from the Press statement that it will be informational rather than of a party-propaganda nature.

(2) Principals and teachers would be justified in seeking to remove political stickers and like material from students' possessions if they are judged to be in poor taste, are offensive or carry messages of questionable morality.

(3) By regulation schools may not be used for commercial purposes, but it is not considered that stickers advertising various products and adhering to children's possessions constitute a breaking of this regulation. I have no objection to reasonable messages urging environmental protection.

15. ALFRED GRANT HOLDINGS LTD.

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

With regard to the announcement that Alfred Grant Holdings Ltd., a leading real estate and land development group, has been placed in receivership at the request of its directors, who are (a) the major shareholders and (b) the directors of (i) Alfred Grant Holdings Ltd. and (ii) the principal secured creditor, Partnership Pacific Ltd.?

Answer:—

(a) (i) According to the document on file in the Office of the Commissioner for Corporate Affairs in regard to the company Alfred Grant Holdings Limited the major shareholders of the Brisbane register are as follows:—

Burrabira Pty. Limited, care of Forestwood Australia Ltd., 31st Level, Tower Building Australian Square, Sydney, N.S.W.	5,000
Roger Adrian Fendley, 73 Carrara Street, Mt. Gravatt	5,000
Holch Pty. Ltd., G.P.O. Box 240, Brisbane	519,900
Wendel Hearl, Reed Road, Smithfield, Cairns	20,000
Malcolm Edward Just, P.O. Box 606, Toowoomba	5,500
Keith Morris Pty. Limited, 169-175 Montague Road, South Brisbane	18,000
Veronica Ilse Muller, 9 Blaxland Street, Milton	5,000
George Mumford, 120 Warren Street, Spring Hill	5,000
Partnership Pacific Limited, 60 Martin Place, Sydney, N.S.W.	1,000,000
State Government Insurance Office (Qld.), Brisbane	100,000
Stock Fluctuations Pty. Limited, P.O. Box 76, Southport	5,000
Wakefield Investments (Aust.) Ltd., 23 King William Street, Adelaide, South Australia	10,000
Y.G.G. Constructions Pty. Ltd., 157 Mary Street, Toowoomba	7,500
Sydney Register	
Alfred Grant Pastoral Properties Pty. Ltd., 6 Queen Street, Brisbane	7,499,999
Bank of N.S.W. Nominees Pty. Limited, G.P.O. Box 7026, Sydney, N.S.W.	27,600
Bligh Investments Limited, 34 Hunter Street, Sydney, N.S.W.	10,000
Canberra Insurance Company Pty. Ltd., G.P.O. Box 244, Sydney	20,000
The Mercantile Mutual Life Insurance Company Limited, G.P.O. Box 75, Sydney	61,500
Partnership Pacific Limited, 60 Martin Place, Sydney	24,000
Penrith Estate Pty. Limited, Suite 56, 104 Bathurst Street, Sydney	45,000
Perpetual Nominees Limited, 33-39 Hunter Street, Sydney	20,000
Philip Parker and Ann Parker, Box No. 4302, G.P.O., Darwin	6,000
Rainbow Nominees Pty. Limited, G.P.O. Box 4285, Sydney	14,700
Rydalmere Nominees Pty. Limited, Alan Street, Rydalmere, N.S.W.	10,000
S.J.P.M. Limited, G.P.O. Box 2419, Sydney	10,000
T.O.A. Provident Funds Pty. Limited care of Bank of New South Wales Nominees Pty. Ltd., 66 Pitt Street, Sydney	15,000
Superannuation Nominees Pty. Limited, 23-25 O'Connell Street, Sydney	48,400
Unilever Pension Trust Pty. Ltd., G.P.O. Box 1590, Sydney	10,000
Union Investments Company Limited, G.P.O. Box 75, Sydney	25,000
Melbourne Register	
Carstock Nominees Pty. Ltd., 352 Angus Street, Adelaide	7,000
Gas and Fuel Corporation Superannuation, 171 Flinders Street, Melbourne	25,000
Kirami Investments Pty. Limited, care of Day Neilson Jenkins and Johns, P.O. Box 1, Geelong	5,000
Monterey Investments Pty. Limited, 143 Queen Street, Melbourne	10,000
Portview Nominees Pty. Ltd., 303 Collins Street, Melbourne	48,000
T.O.A. Provident Funds Pty. Limited, 379 Collins Street, Melbourne	15,000
State Electricity Commission of Victoria, 15 William Street, Melbourne	50,000
Frank Williams, Flat 5, 54 Anderson Street, South Yarra	5,000
Canberra Register	
Nonning Pastoral Company Pty. Ltd., 97 King William Street, Adelaide	10,000

(b) (i) The directors of Alfred Grant Holdings Ltd. are—

Alfred Frank Grant, 134 Macquarie Street, St. Lucia.

Sir Thomas Alfred Hiley, K.B.E., "Illawong", 39 The Esplanade, Tewantin.

Roderick Consett Proctor, M.B.E., 75 Markwell Street, Hamilton.

Alistair De Vere Stewart-Richardson, 3 Chadwood Gardens, Double Bay, N.S.W.

(a) (ii) The major shareholders of Partnership Pacific Limited as advised by the Commissioner for Corporate Affairs for New South Wales are:—

Bamerical International Financial Corporation, Bank of America Centre, San Francisco.

Bank of Tokyo Ltd., 6-3 Nihombashi, Hongokucho, 1-Chome, Chuo-Ku, Tokyo.

Bank of New South Wales, 60 Martin Place, Sydney.

(Each of the above holds 400 shares)

(b) (ii) The directors of Partnership Pacific Limited as advised by the Commissioner for Corporate Affairs for New South Wales are—

Hara Sumio, 25-14 Sutsuji-Ga-Oka, Midori-Ku, Yokohama, Kanagawa-Ken, Japan.

Ceausen Aldan Winship, 510 Ravenscourt Road, Hillsborough, California.

Komatsubara Takashi, 28-32 Tautauji-Ga-Oka, Midori-Ku, Yokohama, Kanagawa-Ken, Japan.

Mulkean Louis Joseph, 30 Commonwealth, San Francisco, California.

Kitto Henry Bruce, 49 Northcote Avenue, Killara.

Kurihara Fujio, 16 Headland Road, Castle Cove.

Miki Fumitoshi, 31 Ryrie Avenue, Forestville.

Sims John Orrie, 8/12 Etham Avenue, Darling Point.

Colville David Cox, The Plaza Building, Australia Square, Sydney.

Arnold Dick McRae, 295 Mona Vale Road, St. Ives.

Monk Frederick Osborne, 22 Ponsonby Parade, Seaforth.

16. CONTROL OF FAUNA IN STATE FORESTS

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

(1) What programmes have been carried out during the last 10 years to control native and feral animals in hoop pine plantations in Queensland's State forests?

(2) Has action been taken during the last 10 years to control red deer and scrub turkey in State forests?

(3) If no controls of red deer and scrub turkey have been undertaken, has money been allocated for these purposes but not used?

(4) Has the use of "1080" in State forests caused losses of stock during the past 10 years?

Answers:—

(1) The major programme by the Department of Forestry to control native and feral animals in hoop pine plantations in Queensland during the last 10 years has been laying "1080" baits to poison native rats. There has been minor expenditure in laying baits, and in shooting, to control feral pigs. Wallabies, scrub turkey and red deer have caused some damage to hoop pine plantations, but this has been insufficient to warrant serious control measures being initiated.

(2) No action has been taken by the Department of Forestry in the last 10 years to control red deer in State forests. Very limited localised measures have been taken to control scrub turkey in specific instances where they have been causing damage to young trees.

(3) No special allocation has been made for control of red deer and scrub turkey on State forests during the last 10 years.

(4) There have been no losses of stock on State forests shown to be caused by departmental use of the poison "1080" during the last 10 years. The only suspected losses were the deaths of about nine head of stock at Mt. Stanley, near the head of the Brisbane River in 1969, on an area on which "1080" baits had been laid to control rats. However, pathological examination and other evidence did not establish that "1080" was the cause of these deaths.

17. TIED HOUSES AND BEER SALES

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

(1) Is he aware that many hotels in Townsville are getting around the law that obliges publicans to stock and sell various brands of beer by refusing to cool any beer not handled by the merchant or the brewery that controls the hotel, so that any customer who orders what is known as foreign beer must drink it or take it away red hot?

(2) If so, what does he propose to do to stop this shyster stunt, which permits smart-alec publicans to evade the law?

Answer:—

(1 and 2) There is no provision under the Liquor Act 1912-1975 whereby a hotel-keeper is required to sell chilled liquor for consumption off the premises.

18. APPEAL BY DRINK-DRIVER, TOWNSVILLE

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

(1) Is he aware that Judge Finn of the Northern District Court, sitting as a Court of Appeal against a fine and disqualification of licence imposed by a Townsville magistrate on a drunken driver, said that he was not interested in any evidence concerning the actions or the alcoholic state of the driver after the police officer stopped him and he was not interested in the result of the breathalyser test on the basis of which the driver was convicted and punished, and that, in his opinion, the driver should not have been pulled up and submitted to a breathalyser test and on that ground alone he upheld the appeal, quashed the fine, cancelled the suspension of the licence and awarded $140 costs against the Crown?

(2) If he is aware of the staggeringly monstrous implications of this judgment by Judge Finn, will he consider appropriate legislative action to end judicial farces of a similar nature in future?

Answers:—

(1) I am not in possession of a copy of the judgment and my information is limited to what appears in a Press cutting. On that information it would seem that the judge considered that the evidence did not support a reasonable suspicion which would justify proceedings leading ultimately to analysis of breath pursuant to the Act. Evidently he concluded that there was a fundamental deficiency and that the other evidence was therefore not relevant. I am unable to comment on the correctness or otherwise of the decision.

(2) The question of any amendment to the legislation is one for another Minister.

19. DISTRICT COURT TRIAL OF POLICE SERGEANT A. J. W. BARRETT; COMPLAINANTS

Mr. Ahern for **Mr. Aikens,** pursuant to notice, asked the Minister for Police—

(1) Has he been informed that a nolle prosequi was filed in the District Court at Townsville on 19 March last against Sergeant 2/C A. J. W. Barrett, who had been charged with assault causing bodily harm to an Aboriginal named Watson in the Strand Park, Townsville, on the evening of 26 June 1975?

(2) If so, was the charge laid following complaints from four grubby, no-hoper type New Zealanders, who were thumbing rides around the country and sleeping in parks and public places, and were these witnesses sooled on by a notorious Townsville clique of Black Power supporters to lay the charge?

(3) Did it emerge in evidence that these New Zealand no-hopers had been virtually thrown out of the office of "The Townsville Daily Bulletin" because their mangy dog had urinated on the carpet in the editor's office?

(4) In view of all the facts, will he inform the House how much public money was spent to ensure that these no-hoper New Zealanders were returned to Townsville to give evidence against Barrett in both the Magistrates and District Courts, and why, when criminals break into and rob premises of reputable Townsville businessmen and run off to another State, the Crown refuses to meet any of the costs necessary to bring the criminals back to Townsville to face trial?

Answers:—

(1) Yes.

(2) No. The complaint was lodged by four New Zealanders and one Australian, none of whom would come within the category of the persons described in this question.

(3) I have not perused the transcript of evidence but I have been informed that every assistance was given by a representative of the newspaper to enable the complaint to be lodged with the Police Superintendent at Townsville.

(4) (a) The amount of money expended in bringing witnesses to Townsville for this trial is unknown to me but should be available to the Department of Justice when all accounts have been received and paid. (b) Offenders are extradited at State expense when sufficient evidence is available to establish prima facie cases against them for offences of the kind to which the honourable member refers, and also having in mind the relative merits in each case.

20. BIGGERA WATERS SCHOOL LIBRARY

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

As there has not been any expansion of the Biggera Waters School library since the school was established and there is an urgent need for a new library, and further to his letter of 19 March stating that the library is included in the latest priority list, when will the library be constructed?

Answer:—

As I explained in my letter of 19 March 1976 to the honourable member, allowance has been made in forward planning for the provision of commodious library accommodation at Biggera Waters State School. It is not possible at this point of time to give a definite date by which the project will be constructed. The

honourable member may be assured, however, that the facility will be provided when funds are available, due regard being given to State-wide demands in primary capital work requirements. I further remind the honourable member of the financial difficulties associated with all capital works programmes for schools. I shall continue, however, to spread the very scarce amounts over all deserving needs.

21. NEW SCHOOLS, NORTHERN END OF GOLD COAST

Mr. Gibbs, pursuant to notice, asked the Minister for Works and Housing—

Because of the urgent need for a new high school to be constructed at the northern end of the Gold Coast, what are the latest developments in relation to the purchase of land for a high school and a primary school site in this area?

Answer:—

Officers of my Department of Works have established the suitability for school purposes of the land at Hollywell suggested for a future combined State high and primary school. The proposed acquisition of this site will now have to receive further consideration in conjunction with officers of the Department of Education and the priority allocated by that department in relation to available finance.

22. RECOMMENDATIONS OF MR. JUSTICE SWEENEY

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

In relation to frequent comments made by both the Leader of the Commonwealth Opposition and the Minister for Industrial Relations in which they have drawn attention to the comments of Mr. Justice Sweeney in the Moore and Doyle case, who suggested that in order to put his recommendations into effect it would be necessary for State legislation to be passed which would be complementary to Commonwealth legislation, and in view of the confusion being fostered by the continual propagating of this, will he make a statement as to where Queensland stands on this matter?

Answer:—

The Queensland Government's attitude to Mr. Justice Sweeney's recommendation that complementary legislation be enacted by both the Commonwealth and State Parliaments is clear and unequivocal. Acting on a Sweeney recommendation, the Federal Labor Government amended section 132 of the Commonwealth Conciliation and Arbitration Act to extend eligibility for membership of organisations of employees. The Transport Workers' Union used the altered section 132 to amend its federal rules to permit it to enrol "owner-drivers". The Transport Workers' Union is acting within the letter of the federal law. It clearly is quite prepared to exact a tribute from persons with the initiative to start their own business, knowing full well they are not employees under Commonwealth industrial law and therefore can never hope to be beneficiaries of an award of the Commonwealth Conciliation and Arbitration Commission. I can assure honourable members that I will not be introducing legislation to complement that of Federal Labor. Let me quote one more, and very valid, reason. The Federal Labor Government incorporated in its amending legislation an entitlement for a federal union to set up State branches, which through complementary legislation, would be recognised by and be entitled to audience before State industrial jurisdictions. The purpose of this obviously was to open a back door for federal union entry to State jurisdictions and bring about a consequent decline in authority and the virtual take-over of State commissions. The rights of State-registered unions are assured under State legislation and the unions are generally very happy with the arrangement. I have already made very clear to the Commonwealth Minister for Employment and Industrial Relations how the Commonwealth legislation is affecting the fabric of our industrial society. I hope most sincerely that the new Federal Government will have a serious re-think about the amendments recommended by Mr. Justice Sweeney and so eagerly accepted by socialist Labor.

23. QUEENSLAND MANUFACTURING INDUSTRIES' SHARE OF COMMONWEALTH CONTRACTS

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

(1) Has any investigation been carried out to ascertain if Queensland manufacturing industries are receiving their fair share of Commonwealth expenditure in the form of contracts, compared with those in the more politically influential southern States?

(2) If not, has consideration been given to the preparation of a case on this matter for submission to the Administrative Review Committee?

Answer:—

(1 and 2) This matter is kept under constant review with the object of ensuring as far as practicable that Queensland manufacturers receive an equitable share of Commonwealth Government contracts.

Representations have from time to time been made to the appropriate Federal Minister in regard to particular contracts

called by the Commonwealth Government and in respect of which Queensland manufacturers have submitted tenders.

In addition the State Government made a submission to the Committee of Inquiry into Government Procurement Policy established by the previous Labor administration. It was emphasised in this submission that Queensland enjoyed a highly sophisticated industrial structure and there would be little of the Commonwealth Government's requirements in the field of stores and basic equipment that could not be produced in this State. Furthermore, it was pointed out how desirable it was for every encouragement to be afforded decentralised manufacturers to participate in Commonwealth Government contracts.

Following the recent change in administration in Canberra, with greater emphasis now being placed on the role of private enterprise, my Government confidently expects that Queensland manufacturers will receive an equitable share of available Commonwealth contracts.

24. SITE OF OLD SURFERS PARADISE STATE SCHOOL

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

(1) With reference to the public statement that the Gold Coast City Council wants to acquire the 1½ acre site of the old Surfers Paradise State School to help solve the resort's acute parking problem, what is the present real estate value of the property?

(2) What consideration has been given to retaining the area for recreational and community purposes?

(3) Has any decision been made on the council's request and, if so, what is it?

Answer:—

(1 to 3) There have been no recent discussions regarding the old site of the Surfers Paradise State School between the Gold Coast City Council and my department. The site and buildings are still in use for educational purposes under the new name "The Surfers Paradise Educational Centre".

Officers of the Special Education Division are already working there, including a guidance officer, remedial teacher and speech therapist. Portion of the building will be adapted as a temporary pre-school centre pending the construction of a centre on another site. The remainder of the building will be used by the Technical and Further Education Division for a variety of purposes, including adult education classes.

I have no idea of the present real estate value of the site, although it must be high.

25. CONTROLS OVER GRAIN TRUCKS, BULIMBA

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

Will he, in co-operation with the other departments concerned, the Police and Main Roads Departments in particular, ensure that large trucks carrying grain to and from storage depots at Bulimba operate within the laws covering loading, spilling of the load, speed and noise, as I have had complaints from residents concerning these matters over a long period?

Answer:—

Yes.

26. U.G.A. CATTLE COMMITTEE'S FINDINGS

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

As the United Graziers' Association's cattle committee has strongly criticised the State Government-appointed beef industry inquiry committee for its failure to publicise its findings and recommendations for aid to the beef industry and as the U.G.A. has stated that the committee's appointment was a political decision not asked for by the U.G.A., will he table the findings of the committee in the Parliament so that beef producers of all political persuasions can study the recommendations?

Answer:—

The Beef Industry Committee has not completed its deliberations and, in fact, a further meeting is scheduled for 23 June. However, in view of the problems of the industry, the committee saw fit to produce an interim report relating to measures of short-term assistance. Cabinet has given consideration to these recommendations. Some have been implemented and others, which were beyond the financial resources of the State, have been referred to the Commonwealth Government.

In recent months the committee has been concerned with long-term measures affecting the beef industry. I have been involved in exploring possible schemes with other States and the Commonwealth and I think the committee is moving towards a feasible proposition in relation to longer-term measures. As a matter of fact, at its last meeting on 13 March, the committee arrived at some important recommendations on beef marketing and these have been submitted to Cabinet pending the preparation of the final report.

I would point out to the honourable member that the terms of reference of the committee require it "to report to Cabinet". In view of this I am not disposed to table the findings of the committee in the Parliament at this stage.

27. PRE-SCHOOL, INGHAM

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

What is the present position concerning the action of the Lands Department in acquiring land at Abbott Street, Ingham, on behalf of the Education Department and the Works Department for the purpose of constructing a pre-school complex for Ingham?

Answer:—

This acquisition on behalf of the Education Department for pre-school purposes comprises freehold allotment 7 of section 48 and leasehold allotment 8 of section 48, town of Ingham.

With a view to acquisition by agreement, the owner of freehold allotment 7 was requested on 14 January 1976 to advise whether he was prepared to sell and, if so, at what price; but no reply has been received to date. The owner is now being reminded of the State's desire to purchase the allotment by agreement.

There being no provision under the Land Act to acquire leasehold land by agreement, a proclamation taking allotment 8 was published in the Government Gazette of 11 October 1975 and the lessee requested to lodge a claim for compensation. No claim has yet been lodged in respect of allotment 8 but the legal representative of the lessee recently advised that he would soon be in a position to lodge such a claim.

28. PROSECUTIONS UNDER CLEAN AIR ACT

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

(1) How many prosecutions have been instituted for breaches of the Clean Air Act and regulations?

(2) What was the nature of the prosecutions and what was the penalty imposed in each case?

(3) What were the costs of instituting the prosecutions?

Answers:—

(1) One.

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

(3) Apart from staff time, costs amounting to $156.20 were incurred for air fare Brisbane-Mt. Isa and return.

Mr. Burns: The same answer was given in 1971.

Mr. HINZE: You'll get the same again next year, too.

29. MT. LARCOM APPLICATION BY QUEENSLAND CEMENT AND LIME CO.

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

Will he make public the decision of the mining warden in relation to the application by Queensland Cement and Lime Co., which covers most of the East End and Bracewell farming community of Mt. Larcom?

Answer:—

Under the Mining Act 1968–1974 the warden is not empowered to make a decision with regard to an application for a mining lease. He makes a recommendation to me as a result of the court hearing, and this is considered along with advice from advisory bodies, where an environmental impact study has been requested, and from other sources.

There is no requirement in the Act for the warden's recommendation to be made public and, as it forms only part of the advice to me, I feel there is no warrant for me to make it public. This is the situation with regard to mining lease applications in the Bracewell and East End areas that I still have under consideration.

30. MAINTENANCE GANGS, TOWNSVILLE-MT. ISA RAILWAY

Mr. Ahern for **Mr. Katter,** pursuant to notice, asked the Minister for Transport—

(1) Is he aware of the turnover of foremen and gangers in the railway maintenance crews on the Townsville–Mt. Isa line?

(2) Is the poor condition of this line, which has caused recent derailments, the result of the line being serviced constantly by men who are new to the job?

(3) Will he immediately undertake an improvement in the working conditions of these men, who live in wagons, where roof temperatures reach 170°F where refrigerators will not work in the heat, which normally do not have power points and which have only the most primitive and disgraceful toilet facilities?

Answers:—

(1) The turnover of maintenance staff in isolated western areas generally is much greater than is the case in the more populated areas.

(2) It is presumed that the honourable member is referring in this context to the Duchess-Mount Isa section of the Townsville-Mount Isa Railway. In addition to the work performed by regular fettling

gangs stationed at Mt. Isa, Duchess, Woonigan and Rifle Creek, maintenance attention is given to this section of line on a cyclic basis by a resleepering gang and a resurfacing gang. In accordance with the arranged programme, these gangs have commenced work between Rifle Creek and Woonigan and their rate of progress is normally three to four miles per week. The relaying of the section from Mount Isa to Duchess with 82 lb. rail in substitution of 60 lb. rail has been scheduled for this financial year and work is planned to commence early in April.

(3) I would refer the honourable member to my answer to the question he asked of me on 9 September 1975 in regard to the upgrading of accommodation for migratory gangs.

31. CATTLE-DIP FACILITIES, BOHLE SALEYARDS

Dr. Scott-Young, pursuant to notice, asked the Minister for Primary Industries—

As there are no dip facilities for clearance of export cattle at the Bohle saleyards, will he consider subsidising the erection of a dip in conjunction with the T.C.C., which has budgeted $6,000 in 1975-76 for the dip?

Answer:—

It is not the policy of the Government to subsidise the erection of cattle dips owned by local authorities and others. The Government owns cattle dips which are strategically placed for the control of ticks on cattle clearing to tick-free areas and it provides acaricides for strategic and clearing dips at various points along the tick line. This enables the costs of compulsory dipping to be minimised. Townsville is not strategically placed in this regard and the provision of a dipping facility at the Bohle saleyard should be the responsibility of the owners, who can recover costs by applying appropriate dipping fees.

32. FRIENDS OF THE EARTH MOVEMENT

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

What groups constitute the "Friends of the Earth" movement and does it have political affiliations?

Answer:—

The Australian Conservation Foundation "Conservation Directory 1974" describes the Friends of the Earth movement as an international conservation association based in Paris. There are independent branches throughout the world, including all Australian States. Its Australian headquarters are in Melbourne. I have no knowledge as to whether or not the movement has any political affiliations.

33. DEVELOPMENT OF TOWNSVILLE GENERAL HOSPITAL

Mr. Ahern for **Mr. M. D. Hooper,** pursuant to notice, asked the Minister for Health—

(1) Has the environmental impact study been completed in relation to the proposed development of the Townsville General Hospital into a medical school on the existing site? If so, is the report favourable and will its contents be made public?

(2) If the development is to proceed as planned, when will construction work commence?

Answers:—

(1) On 20 November 1975 in answer to a question from the honourable member, I informed him that the Townsville Hospitals Board had issued environmental study advices to appropriate bodies. The hospitals board on receipt of advice from such bodies, including the Townsville City Council, prepared guide-lines for an environmental impact study. These guide-lines have now been considered and the hospitals Board is being authorised to approach appropriate consultants in order that further consideration may be given to the undertaking of the study.

(2) Detailed planning is proceeding in respect of the first stage of the projected development. The time at which construction can commence will be dependent on the development of total plans, the availability of finance and considerations which arise as a result of an environmental impact study.

34 BUILDING SOCIETIES

Mr. Ahern for **Mr. M. D. Hooper,** pursuant to notice, asked the Deputy Premier and Treasurer—

(1) As the general public have shown reluctance to reinvest their savings in building societies, which will in turn cause a slump in the building industry and resultant unemployment, will he consider increasing the interest rate to depositors to 9½ per cent, which is in line with the current Commonwealth Government bond rate and with interest payable by building societies in southern States?

(2) If not, how does he propose to improve the liquidity of Queensland building societies in order to boost the home-building industry?

Answer:—

(1 and 2) The activities of the permanent building societies in Queensland are presently under examination with a view to strengthening societies as an investment medium. As previously announced, legislation will be introduced

this session to this end. In achieving this objective, the Government will be providing the best possible opportunity for the improvement in home-building activity and for the attainment of all the other benefits that flow from an expanding permanent building society industry. I ask the honourable member to await these further developments.

35. REINSTATEMENT OF DRIVER'S LICENCE IN EMERGENCY

Dr. Lockwood, pursuant to notice, asked the Minister for Transport—

Is there any legal machinery whereby a magistrate, a judge, the appropriate Minister of the Crown or the Governor in Council can reinstate a driver's licence in a time of national or natural disaster? If not, will he consider appropriate amendments to the law to enable such applications to be dealt with on their merit?

Answer:—

I find it difficult to specifically relate the reinstatement of a driver's licence to a national or natural disaster as there must be a presumption that the circumstances which gave rise to the loss of a driver's licence could equally apply during normal or abnormal situations. An extension of the philosophy implied in the honourable member's question to other areas where a penalty is imposed under the law could have far-reaching consequences.

Nevertheless, apart from the normal avenues of appeal open to every convicted person, I am advised that the Justices Act provides for remission of monetary penalties; while the Letters Patent constituting the Office of Governor also enables a pardon to be given where sufficient grounds arise for such course of action. Where a pardon is given in respect of the offence which was the cause of the order of disqualification, the effect of the pardon is to remove the disqualification.

The Criminal Code also provides that a person is not criminally responsible for an act or omission done or made under such circumstances of sudden or extraordinary emergency that an ordinary person possessing ordinary power of self-control could not reasonably be expected to act otherwise.

All in all, it would seem that the law is sufficiently flexible to meet extraordinary circumstances which may arise in a time of national or natural disaster.

36 and 37. TOOWOOMBA GARDEN OF REMEMBRANCE TRUST

Dr. Lockwood, pursuant to notice, asked the Minister for Justice and Attorney-General—

(1) Who have been proprietors and/or directors of Toowoomba and District Memorial Park Pty. Ltd. and who are the present proprietors and/or directors?

(2) Is the Toowoomba Garden of Remembrance Trust a registered company, a registered business name, a registered public fund or a wholly owned subsidiary of Toowoomba and District Memorial Park Pty. Ltd.?

(3) If the Toowoomba Garden of Remembrance Trust is none of these, in what way are the investments of the public in this private cemetery secured?

(4) What access do the investing public have to Garden of Remembrance Trust meetings?

(5) Are trustees elected at annual general meetings and are they required to report to investors at any set interval?

Answers:—

(1) The original directors were William Harold Goodall, Lawrence Herbert Willasden and David Edward Greenhow. Messrs. Greenhow and Goodall resigned on 19 January 1966, and their places were taken by John Douglas Bishopp and Joan Phyllis Bishopp. According to the records contained in the Office of the Commissioner for Corporate Affairs, the present directors are John Douglas Bishopp, Julian Barry and Cheryl Joy Bishopp.

(2) No.

(3 to 5) An inspector from the Office of the Commissioner for Corporate Affairs is conducting an inquiry into this matter. I will supply the honourable member with further information when it is available.

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

(1) Is he aware that salesmen from the Toowoomba Garden of Remembrance Trust and its associate, the South Queensland Crematorium Association, have been selling funeral benefit plan insurance, grave sites from $400-$1,200 and cremation ash inurnment sites for as much as $500, apparently on a door-to-door basis?

(2) Can the purchaser in these cases cancel the agreement within seven days by writing to the business concerned if he believes the high-pressure sales techniques used by these representatives unduly swayed his judgment?

(3) Is their employer and associate the same Douglas John Bishopp mentioned in my speech on the Capricorn swindle and unethical funeral practices in the Tweed District?

Answer:—

(1 to 3) I appreciate the concern of the honourable member and I assure him that, if he furnishes me with full details including, if possible, statutory declarations by a person or persons induced to participate in the type of funeral benefit plan insurance he has specified, I will take steps to have the information examined by the Solicitor-General. The honourable member will appreciate that until all aspects are examined by Crown Law officers it is impossible for me to say here whether there has been a breach of an Act administered by me or by another department or, in fact, whether there has been a breach at all. If the honourable member would assist me by furnishing as complete and authenticated details as possible, he may be assured the Government will make a detailed investigation.

38. WITHDRAWAL OF INSURANCE COMPANIES FROM CYCLONE AREAS

Mr. Bertoni, pursuant to notice, asked the Deputy Premier and Treasurer—

(1) Is he aware of Press statements that some insurance companies were considering withdrawing from the northern cyclonic areas of Queensland?

(2) If so, and if they are not prepared to provide a complete service to Queenslanders, will he consider taking action such as the deregistration of such companies, thus preventing them from competing in the lucrative fields of life and superannuation business?

Answers:—

(1) Yes.

(2) No. A decision by an insurance company not to underwrite any particular risk or a class of risk in a particular area is a legitimate business decision and not an offence punishable by law. I am not sure if this is the situation in all countries but it would be so in most democracies with a free-enterprise system.

39. STUDENT TEACHERS' PRACTICE TEACHING

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

(1) How many hours of practice teaching do student teachers undertake during their three-year course?

(2) How many hours of practice teaching did student teachers undertake in (a) 1950, (b) 1957, (c) 1964 and (d) 1971?

Answers:—

(1) Honourable members will be aware that the balance between theory and practice in almost any course in one college or university may well differ from that in another. Courses in colleges, though generally comparable, differ in details.

Courses in teacher-education vary in structure and content and in the organisation of teaching practice in schools and in micro-teaching experiences which to some extent can be viewed as a substitute for practice teaching in schools.

In the three-year primary-teacher-education course, students would typically spend between 15 and 20 weeks in practice teaching activities in schools.

(2) It is most difficult to give a brief answer to the second part of the question. In each year there was a complicated range of courses offered. In 1950 alone there were four separate teacher-education schemes in operation. None was a three-year course. The first scheme was a one-year course for adults. The second was a scheme whereby student teachers who held a Junior certificate spent two years in a classroom observing and studying for the teachers college entrance examination, a third year teaching in the classroom and a fourth year at the teachers college. The third scheme, the course for students who had completed the Senior examination, operated as a two-year course in 1949 but was reduced in 1950 to 18 months and in 1951 to 12 months. The fourth scheme was for prospective secondary teachers to complete a degree at the university followed by the Diploma of Education. Similarly in the other years mentioned there were wide ranges of courses in operation.

If the honourable member wishes to pursue some particular aspect of the matter, I invite him to contact the office of the Board of Advanced Education, which will attempt to provide such information as might be readily available.

40. ANNUAL COST OF TRAINING A TEACHER

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

What does it cost per student per year to train a student as a teacher?

Answer:—

The costs of providing student places in courses of teacher education vary not only from institution to institution but also by type of course within an institution. A figure in the region of $2,500 to $2,800 at June 1975 price levels can be taken as the approximate cost of providing a student place in one year of a three-year primary-teacher-education course.

41. TEMPORARY TEACHERS

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

(1) How many temporary teachers are currently employed by the Education Department?

(2) If temporary teachers are still being employed by the department, will they receive precedence over young trainees in seeking employment as teachers?

Answers:—

(1) According to the most recent payroll information available on teachers employed by the Department of Education, there were slightly in excess of 2,500 teachers designated as temporary. By far the majority of these teachers are married women.

(2) All State teacher-scholarship holders who satisfactorily completed their studies in 1975 were offered appointments to schools at the beginning of the 1976 school year. In addition to these, every effort was made to appoint graduating private students to positions favourable to themselves. In most cases these new teachers accepted the appointment, but in a few instances the appointment was rejected or the teacher involved failed to take up duty.

At the present time, there is no reason to suggest that similar conditions of appointment will not apply to teachers graduating from courses of teacher education in the foreseeable future.

42. CROWN-OF-THORNS STARFISH AND DEADLY SEA STINGERS

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

(1) Is he aware that a report from the research committee set up to investigate the crown-of-thorns starfish was recently tabled in the Commonwealth Parliament?

(2) As the research project was a joint State-Commonwealth one, when will the report be tabled in this House and will he order that it be printed for the benefit of all members?

(3) As the Commonwealth Minister for Science revealed that the cost to date of this work was $427,000, how much of this cost was met by the Queensland Government?

(4) Will he now approach the Commonwealth Government to undertake a research project into the life-style, breeding habits and habitats of the deadly sea stingers, which infest our northern waters every summer and which constitute a death threat to people?

Answers:—

(1) Yes.

(2) There is no necessity for the report to be tabled but copies will be made available to all members of this House when they are received from Commonwealth sources.

(3) 50 per cent.

(4) I refer the honourable member to the answer given by the Minister concerned to a similar question from the honourable member for Mourilyan on 21 October 1975.

43. PAPUA NEW GUINEA MARKET POTENTIAL

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

(1) Is he aware that since Papua New Guinea has attained its independence it is no longer a protected market for supermarket-sold products manufactured in Australia?

(2) As most of the sugar previously supplied to Papua New Guinea came from Australian sugar refineries and while the Queensland Sugar Board is normally responsible only for the acquisition and sale of Australia's raw sugar to Australian and overseas refineries, can the Sugar Board negotiate international contracts for the sale of refined sugar and, if so, will he ask the board to undertake negotiations for a long-term contract with Papua New Guinea?

(3) If the board does not have the necessary powers, will he amend the relevant legislation to allow it to do so?

Answers:—

(1) Papua New Guinea has not been a protected market for Australian exports (including sugar) since Commonwealth Government controls on imports were lifted on 1 October 1959. Since that date Papua New Guinea has imported a wide variety of raw materials, manufactured goods and foodstuffs from other countries.

(2) Since 1961 Papua New Guinea has imported varying quantities of refined sugar from countries other than Australia. However, Australia has always been the major supplier and currently supplies virtually the entire market, even though this required selling to numerous buyers, some of whom purchase only very small quantities. The Sugar Board maintains a careful watch on developments in the market to ensure its continuance as an outlet for Australian sugar. Appropriate circumstances do not exist at present for the negotiation with Papua New Guinea of arrangements of a long-term nature.

(3) The Sugar Board has adequate powers to enable it to take whatever action is necessary in respect of this market for Australian sugar. No legislative action is therefore required.

QUESTIONS WITHOUT NOTICE

ASSISTANCE TO INVESTORS IN SUSPENDED BUILDING SOCIETIES

Mr. BURNS: In asking a question of the Deputy Premier and Treasurer, I refer to previous questions about building societies whose funds have been frozen by the State Government. When will the people who have money invested in these societies be able to receive any money at all? Will the Treasurer reconsider his answer of last Thursday, I think it was, in relation to depositors who have all their money invested in these societies and have planned to live on the interest but who, because of the freezing of the societies' funds, cannot receive any money at all to pay their bills or to meet living expenses? When can these people expect some assistance in order to provide a way out of the problem that has been created by the freezing of the societies' funds?

Sir GORDON CHALK: The reply to the honourable gentleman's question is this: We are still awaiting the reports of the special auditors who have been investigating the five societies concerned. It is true that interim reports have been received by my colleague the Minister for Works and Housing and me. It is also true that the societies concerned made approaches to the advisory committee in relation to their affairs, and in each case the advisory committee, after examining the submissions that were made, indicated that the information provided vindicated the action that has been taken.

It is also true that the five societies concerned have not made application to have the suspensions lifted. I believe that there is possibly a sound reason why they have not made such application, and that is that where a society was not involved in a suspension it was possible for the investors, or shareholders, as they must be correctly referred to, to withdraw certain funds from societies, and consequently the liquidity of those societies has been considerably reduced whereas the liquidity of the suspended societies remains what it was at the time they were suspended.

The question that the honourable member has asked me is: when is it anticipated that there will be an opportunity for shareholders to receive at least some return of their moneys? It is true that we have made a special regulation enabling the payment of wages to employees of those societies, and permission was also given for creditors of those societies to receive payment of accounts that were due for payment at the time of suspension. Until we have full details and a decision is made as to whether administrators will continue to operate, or whether there will be some form of amalgamation of the societies concerned, it is impossible to allow anyone to take his or her funds away from those societies. If that was allowed, it would be a case of first in, first served. Because there are certain deficiencies involved, it would be extremely unfair to allow one person to get his or her money at the expense of someone else.

I know that the Leader of the Opposition is concerned, but so is each member of this House and so is each shareholder in a building society. The purpose of the action that has been taken was to protect the funds of those people who are seriously concerned. In the long run I believe that the action taken will prove to be justified, and will give protection to everyone involved. I hope that within the next two or three days we will have full reports and that certain decisions will be able to be made, and that there will then be an opportunity for shareholders to receive the return of at least portion of their funds.

BAN ON RELEASE OF INFORMATION TO SENATOR BONNER BY DEPARTMENT OF ABORIGINAL AND ISLANDERS ADVANCEMENT

Mr. BURNS: In asking the Minister for Aboriginal and Islanders Advancement and Fisheries a question without notice, I refer him to a statement in this morning's "Courier-Mail" by Senator Bonner to the effect that he has been banned from obtaining information from the Minister's department. I ask: Is that statement correct? If so, who authorised the restrictions on information, and do such restrictions apply to other senators and Federal members of Parliament in Queensland or only to Senator Bonner?

Mr. WHARTON: In reply to the honourable member——

Mr. Burns: Did you put a black ban on him?

Opposition Members interjected.

Mr. SPEAKER: Order! I will put a black ban on some honourable members on my left is they do not behave themselves.

Mr. WHARTON: I have read the report in the "Courier-Mail" this morning. To put the matter in true perspective I point out that there is no ban on Senator Bonner or any other person. Senator Bonner has been long enough in politics to realise that certain courtesies are due at political level. That includes representations to Ministers.

Mr. Burns: Where did you get those notes?

Mr. SPEAKER: Order! It looks as if it is a Dorothy-Dixer.

Mr. WHARTON: It could also be said that Senator Bonner should remember his own motto that he is a senator for Queensland. If he recognises those principles, I am confident that he will continue to receive

the courtesies that he would normally get from any public servant. In any event, if there is any urgent matter that he wishes to discuss, he can telephone my office about it. I assure him that I will give him same-day service, as I give to any member of Parliament.

INVESTIGATION BY OMBUDSMAN OF ALLEGATIONS CONCERNING THE AURUKUN PROJECT

Mr. BURNS: I ask the Minister for Aboriginal and Islanders Advancement and Fisheries: How long did the Ombudsman spend at Aurukun during his visit last week to investigate the local attitude towards proposed bauxite-mining? What is the total Aboriginal population at Aurukun, and with how many of the Aborigines did the Ombudsman confer during his stay?

Mr. WHARTON: I refer the matter to you, Mr. Speaker.

TV PROGRAMME "LEARNING ABOUT SEX"

Mr. PORTER: I ask the Premier: Is he aware that tomorrow night a TV programme entitled "Learning about Sex" is to be screened locally, a programme which details to children——

Mr. Marginson: You have a preoccupation with sex.

Mr. PORTER: It's a pity that some members opposite don't have a little preoccupation about it, too, instead of trying to forward permissiveness.

It is a programme which details to children in a simulated classroom situation how to use various contraceptive devices, and appears to encourage 12 to 14-year-olds to engage in sexual intercourse with one another. And since, if this TV show was a movie, it would at least be subject to the authority of the Films Board of Review, is there anything at all the Premier can do to prevent the delivery of such material through TV into the privacy of people's homes?

Mr. BJELKE-PETERSEN: I greatly appreciate the honourable member's concern in this matter. Again and again he has demonstrated such concern in issues that are of vital importance to the moral well-being of our nation.

In reply to his question—I do not think there is a great deal that can be done to prevent the screening of this feature. Obviously it has been made for commercial profit and also for the purpose of gaining some notoriety for its producers. But they are doing no more than seeking to exploit our children under the guise of educating them. I am sure all honourable members deplore tactics such as this, which are designed to make financial gain at the expense of our young people. All I suggest that we do is complain to the TV channel concerned as well as to the broadcasting authorities. Anyone who finds the film offensive should certainly complain.

ELECTION OF SIR BRUCE SMALL AS MAYOR OF GOLD COAST

Mr. HALES: I direct a question to the Premier: By now it is common knowledge that a certain octogenarian sitting on my right has once again energetically fought a campaign and been elected to the high office of mayor of Gold Coast. I ask the Premier: In view of the fact that Sir Bruce Small has probably found the fountain of eternal youth, will he please inquire whether the new mayor of Gold Coast would kindly share this fountain with members of this Assembly?

Mr. BJELKE-PETERSEN: I am sure all honourable members would congratulate Sir Bruce on his achievements. His election is indeed a remarkable feat and I doubt whether any other honourable member will achieve a similar feat. I think we should take our hats off to Sir Bruce. Besides being a member of Parliament he has regained the mayoralty of the City of Gold Coast. I say to him, "Congratulations, Sir Bruce! I know you will do a tremendous job down there as you are doing in this Assembly." I don't know where he gets his energy from, but, like everybody else, I admire him and respect him for it.

NOISE NUISANCE AT BRISBANE AIRPORT

Mr. DEAN: I ask the Minister for Local Government and Main Roads: As he is responsible for the control of noise pollution, does he propose to protest to the Federal Liberal-National Country Party Government over its decision to defer the redevelopment plans for Brisbane airport? Is it a fact that this decision means that nearby residents will be forced to suffer a further indefinite period of noise problems from aircraft using the airport? Finally, was the State Government consulted by the Federal Government before the decision to defer redevelopment was made?

Mr. HINZE: This matter is one of great importance and public concern. A Bill concerning noise pollution will be introduced into this Chamber either this week or early next week, when the honourable member will have the opportunity of expressing his thoughts on this matter. As the airport is under Commonwealth control, the State Government will need to discuss this matter with the Commonwealth Government. However, as I say, the honourable member will have an opportunity to talk about the matter in the very near future.

LOCAL AUTHORITY ELECTION RESULTS

Mr. LANE: I direct a question to the Minister for Justice and Attorney-General in his capacity of Minister responsible for electoral matters. Is the reported jubilation of the Leader of the Opposition over Saturday's election results justified by the results?

Mr. KNOX: Statements have been made by the Leader of the Opposition about last Saturday's local government elections throughout the State claiming that they represent a victory. Those of us who were a little startled by that statement checked the figures. When we look at the State over all we see, for instance, that in Cairns the A.L.P. was thrown out of office; it lost every ward in Cairns. Representation in Cairns is now nine-nil against the A.L.P. —in one of its greatest strongholds.

Mr. Jones interjected.

Mr. KNOX: The honourable member is in trouble. The way things are going in his party, he may not even be endorsed. The Leader of the Opposition said that he wants better A.L.P. members in the House. No doubt of the 11 who are here very few will be re-endorsed.

In Townsville, through a split in the vote, the A.L.P. managed to scrape in. If there had been preferential voting, Mr. Tucker would have had great trouble in winning the mayoralty. Of course, he lost votes in the wards.

Proceeding further down the coast to Rockhampton, we see that Alderman Pilbeam, once a distinguished member of this House, set a record for the State as mayor. He improved his vote enormously and the A.L.P. went down the drain in that area. Even with the help of the honourable member for Rockhampton, they went backwards. In Ipswich and Maryborough the story was similar. The A.L.P. lost votes and wards in both cities. In Pine Rivers and Redcliffe the A.L.P. suffered reversals.

Mr. Speaker, when we look at the total picture of the State we find that the A.L.P.'s results slipped back from the position three years ago, and no juggling of figures will overcome that. In Brisbane—and they were very clever about this—they misinformed newspaper commentators. They took the figures posted on Saturday night and compared them with previous election final figures after absentee votes and all other votes were included. That makes a difference of something like 3 per cent. Their attempts to play with figures will not work, because people are watching them all the time.

It will be seen, then, that the A.L.P. is in a very desperate position in this State —the State which was the foundation stone of the Labor Party in this nation. A once-great party is now reduced to shreds.

Mr. SPEAKER: Order! The time allotted for questions has now expired.

GAS ACT AMENDMENT BILL

INITIATION

Hon. R. E. CAMM (Whitsunday—Minister for Mines and Energy): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to amend the Gas Act 1965–1974 in certain particulars."

Motion agreed to.

THE CRIMINAL CODE AMENDMENT BILL

INITIATION

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to amend The Criminal Code in certain particulars."

Motion agreed to.

ANZAC DAY ACT AMENDMENT BILL

INITIATION

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

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to amend the Anzac Day Act 1921–1973 in a certain particular."

Motion agreed to.

AUSTRALIAN CONSTITUTIONAL CONVENTION

Hon. J. BJELKE-PETERSEN (Barambah —Premier) (12.13 p.m.): I move—

"That the resolution of this House concerning the Australian Constitutional Convention adopted on 24 April 1975 and altered by resolution on 4 September 1975 be further altered by deleting from clause (1) (a) all those words added thereto by the said resolution of 4 September 1975."

Honourable members will recall that last September it was found necessary to alter the resolution of 24 April 1975, which had reaffirmed this Parliament's intention to participate in the Australian Constitutional Convention and which listed the names of the twelve delegates from this Parliament and their alternates. That alteration provided that no delegate, as such, would attend a convention meeting proposed for Melbourne in September 1975, nor any other meeting of the convention until otherwise determined by this Parliament. There is no need for me to traverse the reasons prompting that

amendment. They were fully covered in the subsequent debate prior to the passing of the relevant motion.

In the event, a poorly attended meeting of the convention was held in Melbourne and certain resolutions emanated from it. Once again I do not intend to recapitulate the events of that meeting; it is now an historical fact.

With the advent of the Fraser Government in December, the new Prime Minister and his Government gave consideration to the future of the Constitutional Convention, following which a meeting of the executive committee of the convention took place in Sydney on 8 March 1976 and was attended by the Deputy Leader of the Opposition and myself as Queensland representatives.

Following discussion on the Melbourne convention and its aftermath, certain resolutions were carried by the executive committee which met the varying views of all the delegates attending as to the validity of the Melbourne exercise. The executive committee's most important resolution will enable those matters emanating from the Melbourne convention by way of resolutions of that body to be submitted again to a plenary session proposed for Hobart in October of this year. However, at the Prime Minister's suggestion, certain items relating to Commonwealth-State financial relationships will probably be held over to a later convention.

It was decided by the executive committee that it would now seek confirmation from the Government and Parliament of Tasmania that the next plenary session of the convention would be held in Hobart on 27, 28 and 29 October 1976. The purpose of the motion I have put before the House is to permit members of the Queensland parliamentary delegation to attend this Hobart plenary session. After the unfortunate events of last year—and once again I do not propose to reopen debate on the sorry attempt by the then Prime Minister to manipulate the convention—the stage has now been set again for a continuation of the work of the convention on a productive basis.

It is intended that the Premiers at their next meeting in April will discuss a proposed agenda for Hobart in an endeavour to give priority in discussion to those subjects on which there would appear to be some degree of mutual acceptance. Should these then be carried at Hobart with a marked degree of unanimity, I am sure the Commonweaith Government would give very serious consideration to initiating the necessary course of action to have referendums on these items presented to the people.

Summed up, therefore, the situation is that it is intended there will be a plenary session in Hobart in October and it is felt Queensland delegates should attend, as there are good prospects for a degree of success being achieved in the area of matters of constitutional reform on which there is a basic degree of agreement at the moment between all Governments and Oppositions in the Australian Parliaments. I therefore am confident the House will support the motion.

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (12.17 p.m.): The Premier has outlined the basis of this motion. I do not think that there is any need for me to go into any further detail. He has explained the reason why this particular action is desirable. On that basis, I second the motion.

Mr. MELLOY (Nudgee) (12.18 p.m.): It is very interesting to note the Premier's attitude to this convention. I note, too, the attitude of the Treasurer in seconding the motion today. We are reminded of his attitude at the time of the passing of the resolution for the inclusion of the clause that we are now rescinding. That clause cut off Queensland from participating in the plenary session of the convention in September last year. At that time the Treasurer indicated that he was not at all happy with the intention of the Premier to disfranchise Queensland in regard to the convention. At that time he seconded the motion in a very perfunctory fashion. Judging by his attitude today, he is still not very happy with what the Premier does—whether for or against it—and apparently wants very little to do with the Premier's machinations concerning the convention.

The Premier, in preventing Queensland from being represented at the last plenary session of the convention, did a great disservice to this State, because very important resolutions were carried at the Melbourne convention. Unfortunately Queensland was not able to take any part in the discussions at that conference. Apparently the Premier wants to have two bob each way on the proceedings of this convention and his attitude at the executive meeting that he and I attended earlier this month as representatives of Queensland bears out that statement. At that meeting the Premier did all in his power to have the resolutions reached at the September convention ruled out of order and disregarded.

He sought to have all resolutions of the September convention recommitted to the convention to be held in Hobart later this year. But he was not very successful. He moved along the lines that I have mentioned and eventually the meeting resolved that any State could move for the recommittal of any item that had been carried at the previous convention. This, of course, did not cover certain resolutions concerning financial relations between the States and the Commonwealth. I think there was also one other matter of Commonwealth-State importance that was omitted from that provision.

I am sure that if the Premier had heard some of the comments made later by his parliamentary party colleagues from other States, he would not have been very happy with them. I am sure that he would not have been comforted by the remarks of his fellow party members from other States on his attitude at that executive meeting. As a matter of fact, he made a laughing stock of himself. Although he has power now to move on behalf of Queensland that any or all of the resolutions of the last convention be recommitted, he will not have the support of the other States. A lot of important work was done at the meeting in September last year.

I feel that no matters will be recommitted, because such action would set at nought all that was done previously by the convention and the various committees and subcommittees that were set up. All that good work would come to nought if matters were to be rehashed over and over again. If resolutions adopted at one convention could be recommitted at the following convention, recommittals could continue ad infinitum. I do not think that the other States will allow that to happen.

The Premier said in his statement last year that the then Prime Minister had made it fairly obvious that if he did not get his own way he would take his bat and ball home. I think that that is the very attitude that the Premier has displayed. He said in effect, "If we can't stop the Prime Minister and can't have things as we want them, we won't go to the convention." That is what happened on the last occasion. Because the Premier could not get his own way in the conduct of the convention, he took his bat and ball home.

I assure the House that the Premier made a mistake in denying the Queensland Parliament representation at the September meeting of the convention. We will be represented at the next meeting in Hobart in October. It is to be hoped that the Queensland representatives will approach the convention with common sense and reason and will not try to upset all the decisions of the previous meeting. If they did upset them, it would mean that the last convention was wasted. However, I am sure that the Premier will find that the other States are not of a mind to support him on the recommittal of resolutions carried at the previous convention.

I assure the Premier that had he heard the comments made after the previous meeting, he would not be very happy about them. They expressed not disgust but disapproval of the attitude that he had taken at the meeting of the executive committee. I realise that he might be quite sincere in his attitude, but I do not think it is in the interests of Queensland that we should go to the next meeting endeavouring to upset the resolutions carried at the previous one.

I will finish on that note, Mr. Speaker. As far as Opposition members are concerned, we realise we have to go along with this motion because we believe that Queensland should be represented at all meetings of the convention. We deplore the fact that we were disfranchised at the time of the last meeting and were not able to put the case of the Queensland Parliament.

Mr. PORTER (Toowong) (12.26 p.m.): The honourable gentleman said that he would finish on a certain note. Having regard to the type of speech he made on this motion, he was finished before he began. The plain fact is that the motion merely reflects the situation that now exists as contrasted with the situation that existed when the previous resolution was passed by this Parliament. Since the election in December we have a totally different ball game. Representatives can now go to the Constitutional Convention secure in the knowledge that a sincere and determined effort will be made to find changes to the Constitution—if they are deemed necessary—that are in the best interests of the whole of the country and not changes that are designed solely to perpetuate the amassing of power by a central Government in Canberra. In fact, our previous motion and every one of our refusals to participate in the Whitlam-style constitutional conventions —the conventions held at various times over a period—were another nail in the A.L.P. coffin——

Mr. Melloy: Oh, rubbish!

Mr. PORTER: The honourable gentleman says, "Rubbish!" It is the most extraordinary type of rubbish that produced the election situation that we saw last December. The Deputy Leader of the Opposition——

Mr. Melloy: Kerr put all the nails in the A.L.P. coffin.

Mr. PORTER: I did not catch the interjection.

Mr. Melloy: Kerr put all the nails in the A.L.P. coffin.

Mr. PORTER: I thought I heard the name "Kerr". I presume the honourable member is referring to the Governor-General. One would hope in a place like this that he would at least have the decency and the courtesy to use the gentleman's proper title.

A Government Member: Like Mr. Whitlam.

Mr. PORTER: Oh, yes, I will refer to Mr. Whitlam in a moment. I will certainly refer to him by name, but I will also give him a few titles. The Deputy Leader of the Opposition went to great pains to suggest that the Premier did a great disservice to Queensland by the action that was taken when he introduced the previous motion into this House. I want to say here, and it should

stand as a matter of record, that the attitude of this State was the solid rock on which the Whitlam socialist juggernaut crashed. Without the consistent attitude of this State, the political history of Australia would have been vastly different, and Australia has a great deal, in terms of gratitude, that it owes to this State. To suggest that the Premier and this Parliament are a laughing-stock in other parts of Australia because of what we have done——

Mr. Melloy: I did not say this State; I said the Premier.

Mr. PORTER: The Premier is the leader of the State, and was confirmed as such at an election not so long ago where the honourable member's side was reduced to 11 members out of 82, so just bear in mind what the electorate thinks of the situation.

In reply to the suggestion that the Premier or the Parliament is a laughing-stock, all I can say is that it is some laughing-stock! It reminds me of the time when the Nazi troops were about to invade and conquer England and Hitler suggested that it would be "like wringing a chicken's neck." As Churchill said, "Some neck! Some chicken!" Of this Parliament I say the same—"Some laughing-stock!"—because I repeat that it was this State, this Parliament and this Premier, because of a whole host of attitudes, circumstances and determinations taken over a period, that brought the Whitlam Government down. It provided the election opportunity to put in the present Liberal-National Country Party Government with Mr. Fraser as Prime Minister.

Mr. Houston: Look at the mess he is making of it!

Mr. PORTER: We shall see. Elections will also tell what the people think. Obviously what the people think is vastly different from what honourable members opposite think. Apparently they have totally lost the capacity, which was once the Labor Party's stock-in-trade, to know what the grass roots of the population think about things.

When we consider the motion before the House, which puts us back into the Constitutional Convention arena, we have to remember what last year's election was all about. It most certainly was not about the way in which the election happened. The Deputy Leader of the Opposition made some slighting remark about Kerr. Of course, the simple fact is that the election was not at all about what the Governor-General had done. If that were to be considered, quite obviously the election result showed that overwhelmingly people supported what was done. Indeed, about a week ago, a public opinion poll—I think it was an A.P.O.P. poll, which does not greatly favour our side of politics—showed that 70 per cent of the people support what the Governor-General did and 80-odd per cent believe that Mr. Whitlam's continuing assaults on the integrity of the Governor-General are wrong and harmful.

What we are considering is the situation as it exists today. And that is where we come into the picture, and properly so. None of us wanted to be involved in tinkering with the Constitution in order to permit the then socialist Federal Government to further restructure the Australian system—"restructure" was the word that was popular in those days—and, as it were, take us further and further into the far orbits of political and economic insanity, the legacy of which is now proving such an enormous burden for the present Government to carry. We have a dreadful legacy that we have inherited from the previous Government. It is going to take all the endeavour, all the effort and all the good will of all the people in Australia to get us out of it in a reasonable space of time.

I do not think that anybody believes that the Australian Constitution is sadly deficient. In fact, if we look at the results of the various referendums held since the Constitution was first adopted, it is obvious that the overwhelming mass of ordinary people believe that the Constitution is adequate. I personally believe that the Constitution is adequate for its purposes. What is lacking is not changes in words but attitudes in politicians. There is nothing really wrong with the Constitution. Talk about its being drawn up in the horse-and-buggy days, and being inadequate for the present times, is, of course, nonsense. The Constitution is a statement of principles, and those principles are as valid and effective now as they were in the days when the founding fathers drew them up. So there is no real need for tremendous changes to the Constitution. If the Deputy Leader of the Opposition finds it necessary to be always in agreement with other people before he is sure what his opinions are, or whether they are good ones, I certainly do not. I am always prepared to advance my own opinions.

Whatever other State leaders may think, irrespective of their political colour, I say flatly that my experience of politics over the long haul suggests that there is not any great need for constitutional change. If there is any area where change is required, it is the area of making quite certain that judges of the High Court, who are so often elected from the central Parliament and therefore reflect the ideals and aspirations of central Parliaments, cannot give interpretations of the Constitution which in fact flatly contradict what the words of the Constitution say, and what clearly those who wrote the Constitution wanted the words to mean, as indicated in all the various notes that are available to people who want to read them.

What we have had in this country has been a subversion of the federal system, not because the people of Australia wanted it but because the High Court has increasingly tended to give political judgments on legal matters. So that if there is any area where change is needed this is it.

One of the safeguards that might be introduced is a flat requirement that no

High Court judgment shall literally reverse what the words of any section of the Constitution mean. Another section should be amended to provide that there should be alternate appointments to the High Court—a judge appointed by the Federal Government and the next vacancy filled by the joint determination of State Governments. This would go a long way towards keeping the necessary balance between the partners in the federal system which the Constitution always clearly envisaged.

We are now embarked on a great endeavour to restore to this ailing Australian system an effective federal pattern of machinery. As I say, this has been subverted over many years by High Court determinations which began with the uniform tax decision in 1942. We now have a Government that was swept into office on the greatest tidal wave in Australia's electoral history, and its fundamental pledge was to once again make the federal system work. We have this endeavour being made, and we must all assist in making it. I for one believe that it is this intention to make the federal system work that will be infinitely more important in the long haul than tinkering with words by taking something out of the Constitution here, putting in something there, crossing a "t" somewhere else, and putting in a comma or a full stop. It is the will more than the words that will always matter. As we endeavour to make the federal system work, we have to remember that politics is much more than planning to fill empty bellies. Politics—and we express it through an effective federal system with a proper dispersal of power—must cope with the much more intricate task of filling empty hearts. This it has singularly failed to do over the last three years. From now on we have an infinitely better chance of its being done.

There is no question as to what people want. In July of last year—remember that at that time the Whitlam Government was still going full steam ahead—a Morgan Gallup poll ascertained that 74 per cent of people were against more government control and only 16 per cent of people believed that the continuing moves for government control should be allowed to operate. In other words, three of every four Australian people do not want big omnipotent government; they want to be able to make their own decisions. This the Fraser Government is singularly successful in presenting as a programme to the Australian people today.

The motion is an excellent one and obviously it will have the support of all members on both sides of the House—on this side for different reasons from those on the Opposition side. The only note of warning I sound is that we should not want to be too hasty in believing that changes to the Constitution are necessary. However, under the circumstances that apply today, which are quite different from those of last year, we should most certainly take part.

Mr. JONES (Cairns) (12.39 p.m.): On 4 September last year this Parliament found it necessary to alter the resolution of 24 April 1975 by resolving that no delegates should attend the plenary session of the Constitutional Convention held in Melbourne late last year and that no other delegate would attend such meeting until this Parliament otherwise decided. It was a matter for regret that we as parliamentarians—representatives of the people of Queensland—took such action in this Assembly. It is pleasing to note that we are now reversing it. I attended the meeting in Melbourne as an observer. As a member of this Assembly, as a Queenslander, I was rather ashamed of the action taken in this House to preclude participating in the deliberations in Melbourne.

With the advent of the Fraser Government we are now acting to reverse the decision of 4 September so that we will be able to have delegates in Hobart to speak on behalf of Queensland on 27, 28 and 29 October 1976. The purpose of the exercise is obviously to give us a voice in deliberations on any changes that may be foreshadowed, or brought about, in the Constitution of Australia. After the passage of this resolution, which, of course, the Opposition is supporting, once again we will be able to take our place in councils relative to the Constitution.

In introducing the resolution, the Premier said that there is a good prospect of a degree of success on the particular issues to be discussed and that, after agreement by all the States on resolutions at the Constitutional Convention we will be able to alter the Constitution. It is passing strange that, suddenly, the whole concept of altering the Constitution of Australia can be changed merely by the dismissal of a Government of our country. It will be the people of Australia who decide, by referendum, any changes. As members of Parliament and delegates to the Constitutional Convention, we will have the responsibility for debating the alterations and making recommendations to the people.

The decision made last September—which is being revoked today—stemmed from the action of a political Premier and deprived Queensland of participation in a very important convention. Once again the Premier's action showed up his pettiness and hypocrisy. The resolutions that were passed in Melbourne may be resubmitted. I very much doubt that that is necessary because, to a man, on my observation, delegates on that occasion were Australians first. So far as I was concerned, nothing obnoxious went through that convention. I very much doubt whether any decision taken at the Melbourne meeting will be recommitted.

All that the history books of Queensland and Australia will disclose is that the Premier, by his actions, is committed for trial

for inconsistency and insincerity. His dissociation from that Constitutional Convention is an indictment of his perverse, personal manner. He now accepts that he was in error; he has announced to the world that he was wrong and that the need for Queensland to be represented at the Constitutional Convention is paramount. I submit that there will be no recommittal of the items discussed in Melbourne and that the Premier will accept those decisions, as will the people of Queensland and Australia. It is his error and his irresponsibility that have, through numbers, led this Assembly by the nose into disfranchising its delegates at the convention.

On the floor of the House the member for Toowong admitted that the action taken in September was pure political bias. He said that the whole situation has changed with the passing of government from one political party to another. What hypocrisy! What stupidity! After all, we are Australians. We went down there as Australians. All the delegates—every man jack of them—spoke as an Australian and not as a member of a political party. Another factor highlighted in Melbourne—and a conclusive one—was that in all other States the Opposition had equal representation with the Government. That illustrates the political bias here. One would expect every fair-thinking Australian to believe that our Constitution, which has been in operation since 1901, would be above politics. The resolutions—and the debates of the plenary session from which those resolutions resulted—ought to be above the silly politics that have been played in this State.

The Australian Constitution is a statement of principle, the honourable member for Toowong said. That is about the only part of his speech with which I agree. Those who participated in the decision taken last September sold their principles for political expediency. I believe it was unnecessary, unwarranted and grossly dishonest, perpetrated by a dishonest Premier. It was an abuse of power. As an Australian, I detest that. As a Queenslander, I reject it as being unnecessary. It is a matter for regret that Queensland took that action—an action that, if taken in any other Parliament in the British Commonwealth of Nations, would meet with cries of, "Shame!"

Mr. LANE (Merthyr) (12.48 p.m.): I take this opportunity to make a few brief comments on the motion. It seems to me that the purpose of this proposal is to have a Queensland delegation to participate once again in the Constitutional Convention, following its withdrawal in September last year. Once again I support the Premier and the Government in the action taken last year to withdraw our delegation's participation. I do not think that anyone of rational thought—anyone without political bias, which means anyone outside the Australian Labor Party—could blame the Government for being concerned about the continual and gradual politicalisation of the Constitutional Convention by the Government delegates from Canberra at that time.

We all remember the first time the convention was drawn together. The keynote address given at that function by the then Prime Minister, Gough Whitlam, was a political statement. It did not demonstrate any good will towards the Federal system. It was a clear statement on Australian Labor Party political policy. It has been described to me by those who saw his demonstration on that day as a cold, calculated exercise with the ultimate aim of preparing the ground for wiping out the States.

I am told that on that occasion the then Prime Minister, who played a very little part in the general sessions of the convention, merely walked in to deliver a prepared speech, which had been issued to the media throughout Australia, in which he arrogantly set out what he proposed to put to the people of Australia to change the Constitution of this country to give more power to Canberra.

On cue, the referendums that followed that deliverance were in accord with the statement that the Prime Minister made at the initial convention session. He did not go to the convention with any intention of discussing or negotiating with the States what changes should be made to the Constitution to perhaps bring it up to date or to modernise it; he simply made a clear statement on the A.L.P. political intention at that time.

As he had set the tone for such a convention, I do not see any fault on the part of the Queensland Government for recognising it as such and withdrawing from appearing at the convention at a later time, particularly after everything that the Prime Minister said had come to pass; he had put into effect his stated intentions at that convention. I suppose that we should at least thank him for being good enough to tell us what he was going to do, for telegraphing his punches and giving us some warning of his intention in his campaign to centralise government in Canberra.

On the other hand, those of us on this side of politics who attended the convention went to the meeting with open minds and an appreciation that there was need for some modernisation of the Constitution. We were prepared to discuss the various aspects of it, put forward perhaps worthy suggestions and even to be persuaded to the point of view of persons who did not agree with them.

When the new delegation goes to Hobart, it will be strengthened as a result of the experiences that we have had over the past couple of years of Labor Government in Canberra. It would now be desirable that the position of the States be strengthened in the Constitution itself and that some of

the machinery for altering the Constitution be amended so that the States can have some say on the method by which referendum questions are drawn up and put to the people.

For example, I should like the State Governments to be consulted in the precise drafting of referendum questions. That should be written into the Constitution and should be provided for in our laws at Commonwealth level. We have all had experience of deceptive wording in the referendum questions put to the people on the two occasions that we have had referendums over the past couple of years. Quite deliberately deceptive questions were prepared by the Labor Government of the day in Canberra. They were drafted deliberately in such a fashion as to deceive the people into supporting a proposition which was not the case or which could have had wider ramifications after being passed.

I should like to see it provided that the States be consulted in the preparation of arguments for and against various questions that are put to the people. The State Governments—in fact the political organisations at State level—were not consulted about the wording of the printed arguments that are required to go to every elector prior to the holding of a referendum.

Those are, relatively speaking, two small matters to which attention could perhaps be given in a strengthening of the Constitution. We have learnt from the tricks of the Labor Party over the last couple of years and we now know how essential it is to write every protection into the law and the Constitution if we wish them to be effective. Nothing can be left to the good will of members of the Labor Party, because they do not have any. Their only will is to gather power unto themselves in some central place where it would be beyond the threat of democracy.

I should like to make brief comment on what is taking place at the moment in relation to the position of Governor-General. We are all aware of the great personal abuse suffered by Sir John Kerr at the time of the sacking of the Whitlam Government last year. What has happened since is of great consequence. There has been a concerted stratagem by Left-wing academics, journalists and writers who are seeking to write the history of those events in such a way as to discredit the position of Governor-General. At some future time—perhaps 10 or 20 years hence—when the question is raised of whether this country should continue with its present monarchial system, with a Governor-General holding the reserve powers that he now has, an attempt will be made to justify its abolition by reference to history written by biased, self-appointed historians. As recently as last night on television people of that type were still making their accusations.

If anyone questions this proposition, I should like him to think for a moment why Mr. Whitlam is still pursuing this argument and placing great emphasis on it in every speech he makes. Why does he continue to attack the office of Governor-General and attempt to place his interpretation—the Labor Party's interpretation, the socialists' interpretation and the republican interpretation—on the events of November last year? He does this because he wishes history to be written in terms to his liking so that he and his colleagues can make untrue claims in five, 10 or even 20 years' time. They wish to confuse and discredit the actions of the Governor-General, thus discrediting his office and making it easier for them to dispose of it and set up a republican system in this country at some later time.

The Australian Labor Party is well known for long-term planning and strategy. It knows where it is going. Its approach to politics is similar to that of Karl Marx. He did not see Communism as something to be accomplished within a few months; he saw it in terms of two or three generations or two or three centuries. Whitlam and his Left-wing academic friends and Left-wing journalists are now churning out books containing untruths on this matter because they have the same Marxist approach as was recognised last century.

Motion (Mr. Bjelke-Petersen) agreed to.

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

CORONERS ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Kaus, Mansfield, in the chair)

Hon. A. M. HODGES (Gympie—Leader of the House) (2.15 p.m.): I move—

"That a Bill be introduced to amend the Coroners Act 1958–1972 in certain particulars."

The Minister for Justice and Attorney-General has been delayed at a function and has asked me to make the introductory remarks.

The functions and duties of the coroner are to inquire into the deaths of persons dying in certain enumerated circumstances and, where required, to hold an inquest. Coroners also have jurisdiction to inquire into the cause and origin of fires and into the cause and circumstances of the disappearance of missing persons. Death inquests are held to establish the fact of death, the identity of the deceased, when, where and how the death occurred, and whether any person should be charged with certain criminal offences. The criminal aspect of the coroner's duties has gradually dwindled with the passage of time. Originally in England an inquest was the first formal hearing of a case of murder or manslaughter. The suspect was present and named by the jury at the conclusion of the

hearing and committal for trial then took place. However, this proved plainly unfair to persons under suspicion, having regard to the publicity which resulted and the absence of the necessity of strict rules of evidence in the Coroner's Court.

At present the Coroners Act provides that if the coroner is of the opinion that the evidence taken at an inquest is sufficient to put a person on his trial—

(A) Where a death has occurred, for murder, manslaughter or for the offence of aiding suicide; or

(B) Where a fire has occurred, for any offence punishable on indictment in connection with the fire; or

(C) For an offence punishable on indictment in connection with the disappearance of a missing person,

he may order that person to be committed for trial.

Many coroners inquests now involve deaths as a result of motor vehicle accidents and some of these accidents raise the question of dangerous driving. It is probable that there are occasions when the coroner finds that there is sufficient evidence before him to sustain a charge of dangerous driving causing death, but insufficient to support a charge of manslaughter. At present a coroner has no power to commit a person for trial on a charge of dangerous driving of a motor vehicle causing death and it is now proposed to extend the coroner's power to commit for trial on such a charge. It is interesting to note that this offence was not created until several years after the enactment of the Coroners Act in 1958.

In practice the police usually charge a person with the appropriate charge where there is sufficient evidence to set up a prima facie case and it is only rarely that persons are committed for trial from coronial enquiries. However, the power is important to cover the situation where an unexpected turn in the evidence at an inquest reveals that some person may be responsible for a serious criminal offence. The power of committal is also important as a procedural long stop for cases which may have missed the network of police inquiry.

It is a fundamental principle that all inquests are held in public. In a majority of cases the persons present are confined to witnesses and relatives as generally the proceedings are of little interest to the public at large. Members of the Press, however, invariably attend, especially in the case of the death of a celebrated person or some other sensational aspect. Their presence ensures that any matter of general concern is reported and also ensures that justice is seen to be done.

As the Coroners Act presently stands, the coroner has no power to prohibit the use of cameras within the court precincts. It is clear that relatives of deceased persons who are attending coroner's inquests and witnesses attending under subpoena should not be subjected to harassment by photographers. The Bill seeks to create an offence for any person to take a photograph with a still or a movie camera within a coroner's court or within the precincts of the court while an inquest is being held or immediately before or after the holding of an inquest unless the permission of the coroner has first been obtained. It is also proposed to create an offence for any person to publish any photograph taken in those circumstances.

At present under the Act the meaning of the term "medical practitioner" is restricted to a person registered as such in Queensland and whose name remains upon the Register of Medical Practitioners, Queensland. The term does not extend to a person registered as a medical practitioner in another State or Territory. In respect of coronial matters this can result in some inconvenience and distress to relatives of a deceased in certain circumstances. Under the Act a coroner is required to inquire into the cause and circumstances of the death of a person who, inter alia, has died but no certificate of a Queensland medical practitioner has been given as to the cause of death or has died not having been attended by a Queensland medical practitioner at any period within three months immediately prior to his death. It sometimes happens, especially in areas close to the New South Wales border, that a medical practitioner registered in New South Wales is in a position to issue a medical certificate as to the cause of death. However, such a certificate cannot be accepted, and the police are required to make inquiries concerning the death and report to the coroner. In appropriate cases the coroner orders a post-mortem examination. This results in distress to relatives and delays in the making of funeral arrangements. Provisions contained in the Bill will extend the meaning of the term "medical practitioner" to include medical practitioners registered as such in another Australian State or Territory, and so avoid the necessity of police inquiries and post-mortem examinations in cases where the cause of death has been clearly established by such a medical practitioner.

A further provision of the Bill will permit summonses issued under the Act to be served by registered post or certified mail as an alternative to personal service.

Several tidying-up amendments to the Act are also contained in the Bill. I commend the Bill to the Committee.

Mr. WRIGHT (Rockhampton) (2.23 p.m.): As the Minister has just stated, the office of the coroner is of great antiquity. It dates back to the beginning of the 13th Century. There is some historical evidence of officers having powers similar to those of the coroner even before that date. The role of the coroner has always been of considerable interest and concern in the community,

because the community realises that an investigation by a coroner affords a ready means of public investigation in cases of suspicion of crime or in cases affecting the public at large.

The worth of the existing Act, which goes back to 1958, has been demonstrated by the fact that it has required little amendment or any major overhaul since that time. The functions and the powers of the coroner are stated in the Act. It gives the coroner jurisdiction to inquire into a death where there is reasonable cause to suspect that the person has died either a violent or unnatural death, or has died suddenly from an unknown cause, or has died by drowning or has died in suspicious circumstances. In addition, the coroner has jurisdiction to inquire into the death of a person who has died while under an anaesthetic, or while in prison or in a mental hospital, or when no certificate of a medical practitioner has been given. They are all included.

Other aspects of the Act give the coroner power to hold an inquest into the cause and origin of every fire in which any property of any kind has been endangered, destroyed or damaged, or where the life of man or beast has been lost or endangered. I include this in my contribution because I think it is important that people should realise the wide ramifications of the coroner.

We note that inquiries can also be held where a body has been destroyed or is deemed to be irrecoverable. We can add to what I have listed inquiries into the circumstances of the disappearance of a missing person. So one can see that the coroner plays a very important investigatory role in the community.

The Minister has listed a number of amendments probably the most important of which is the extension of the coroner's powers to commit a person for trial. He has added "for dangerous driving causing death". At present the Act is restricted to committal for trial where, in the opinion of the coroner holding the inquest, the evidence taken is sufficient to put a person on trial for such crimes as wilful murder, murder and manslaughter or of being involved in a suicide. Most members would agree with the Minister that there is good reason for extending the provisions of the Act. It is understandable that cases of dangerous driving causing death should be included—although I might add that reservations have been expressed to me by some of the legal fraternity who feel that we should stop there and should not be going too far in extending the committal powers of the coroner. There is always the risk of turning a coronial inquiry into a committal proceedings.

I have taken time to study the Act, and I note that the coroner is not bound by the normal rules of evidence. He may allow what is normally inadmissable and hearsay evidence. So there is good reason for concern. However, personally I believe that this extension will not create any troubles, so the Opposition will support that amendment.

The Opposition also supports the idea of prohibiting the use of cameras. I am pleased to see that action will be taken against any photographer or journalist who, without permission of the coroner, takes photographs of the inquiry or relatives involved. I support also the extension of the definition of "medical practitioner". I have been made aware of accidents or offences—the Minister cited some also—that have occurred on or near the border and have involved a medical practitioner from another State.

I see no reason for opposing the idea of having summonses served by post or registered mail. In fact a similar provision was encompassed in other legislation within the past 12 months.

I would, however, offer one criticism of the Act. It arises from cases in which relatives have been greatly concerned at the fact that their requests for coronial inquiries have not been acceded to. I realise that the determination is left to the coroner, who must look at all the factors surrounding the death and decide whether or not he believes that the deceased has died either a violent death or from unnatural causes or under unusual circumstances. That does not overcome the problem, however, confronting the distressed relatives. They have the right under section 10 of the Act to ask the Minister to intervene, but one would expect that in these circumstances the Minister would be advised by the coroner. If the Commissioner of Police or some other person has the right under the Act to ask for an inquest, that person, too, would be finally advised by the coroner. So it seems we come to the point where there is no further appeal. We need to look at this aspect very carefully.

I know of one case in which the parents still believe to this day that their son died a violent death. They are angry and no doubt want revenge. They believe their son's assailant got away scot-free.

We certainly should not be propagating a law that simply espouses revenge; nevertheless people have the right to see that justice is done. When a coronial inquiry is refused, the doubt is left in the people's minds that justice was not done. I should like to see something done in this Chamber to overcome this problem.

I accept that the coroner should be given the right to decide whether or not an inquiry should be held in the first instance, but it seems that there should be some avenue of appeal other than just to the Minister. Although the Leader of the House is standing in for the Minister for Justice, he, as Minister for Police, might have some views on this matter, and I should like to hear them. Perhaps the Minister for Justice could

comment on it at the second-reading stage. The point is that there should be an avenue for appeal to reopen coronial inquiries and inquests.

I stress that this is not merely a matter of revenge. Rather is it more a case of relatives being convinced totally that no stone has been left unturned to ensure that justice has been done. When a request for a coronial inquiry has been refused, the relatives are left with the never-ending belief that justice was not done and that someone got away. I do not believe that the cost of the inquiry should be of any consideration. If there is any reasonable ground for suspecting that a person died either a violent or an unnatural death, surely there is a community responsibility on the coroner to see that an inquest is conducted.

I am not quite sure what the answer is. I believe that we have expertise in the form of the Law Reform Commission in Queensland to consider this matter very carefully. I ask the Minister to put this problem to the Law Reform Commission so that it may try to come up with some answer to ensure that justice is done. After all, a coroner might be sincere in his recommendation, but he might also be sincerely mistaken. I believe that we should look very carefully at this.

Like other honourable members I shall be interested to see the Bill when it is printed. Mainly, I wish to compare the proposals the Minister has outlined with those put forward in 1970-71 by the Broderick Committee in England. The authors of this report looked very carefully and in great detail at the role of the coroner in the community. I realise that little is to be gained at this time by referring to those recommendations: I want to make a comparison between them and the provisions of the proposed legislation. I leave any further comment until the second-reading stage.

Dr. LOCKWOOD (Toowoomba North) (2.32 p.m.): In rising to speak to the amendments to the Coroners Act, I shall direct my comments to the long-standing problem—and it is something of a legal chestnut—of charging a person with manslaughter after a motor vehicle accident.

I can remember a celebrated case when I was a youth concerning a man driving a Jaguar. It dragged on and on through the courts. If anyone is charged under the existing law, his case eventually goes to a judge and jury; but as I understand the present situation, he will almost invariably be acquitted. The net effect is that he is fined, not convicted, and the fine amounts to the solicitor's and barrister's fees. There is no other punitive result and he is free to drive again.

On what has been explained to me, this happens because the prosecution has to show that the driver intended to do harm to the person who died or intended in some way to injure persons in the vehicle. That, of course, could almost never be shown. Very few drivers set out deliberately to create an accident or collide deliberately with someone. Most accidents are caused by speed, abuse of alcohol and inefficient brakes.

We have known for a long time that at times people speed on our streets and drive through intersections at 80 or more km/h when the law allows only 60 km/h. In many instances of fatalities occurring in such circumstances, virtually nothing can be done because it is held that the driver cannot be convicted of manslaughter.

In the city of Toowoomba—and no doubt in other cities in Queensland—motor-cyclists have died or caused death when travelling at speeds of 140 km/h on city streets. Even cars have been estimated to be travelling at speeds of the order of 180 km/h at the time of collisions resulting in death. All too often the driver is killed in these incidents and charges cannot be laid.

I have been associated with post mortems in cases where death has resulted from a motor-car accident and where the driver has had no more than 60 mg of alcohol per 100 ml in his blood. That is way below the alcohol level considered to be an offence, yet it is enough to make people lose their inhibitions and be less critical, ignore "give way" rules and even ignore orange and red traffic lights as they speed to catch up to their friends. They will do the most unusual and bizarre turns in traffic and they will weave in and out just to save themselves a few moments. They kill people—and to date they have been getting away with it.

Our responsibility to the public is to ensure that those people are made to consider the full impact of their actions on the rest of the public, the risk posed to everyone else and the deaths and injuries that they cause. We have to show society that we are interested and concerned. We have to be mindful that justice is seen to be done.

I feel there is a danger with so many accused people emerging from the courts as free men that we could be said to be harbouring them. I fear that a mentally deranged person who felt aggrieved at the situation could take the law into his own hands and seek his own vengeance. So I feel that the courts need to be fair and just not only to those who are charged with offending in some way, but also to the relatives—to the bereaved. They should know that the Queensland Parliament and the courts do care about what is happening and are prepared to do something about it so that, if death is caused as a result of a motor vehicle accident, someone is charged and brought to account.

I have been called to do post mortems on people who have been killed in accidents involving trucks that have been carrying more than twice their legal load. At any given speed such a vehicle has only one-quarter of its normal braking power. A driver of one of those trucks said that he did not see the other vehicle at all until he

heard the bump and he should never have been charged with manslaughter. He had run over a small vehicle, killing the occupant.

I turn now to deaths in mental hospitals. There has been something of a minor controversy raging on this matter in the last few days. When I was the Government Medical Officer in Toowoomba, the coroner very strictly observed the rule relating to all the deaths of inmates of the Baillie Henderson Special Hospital. The post mortems I conducted revealed that the deaths were due to medical causes, with the patients dying from heart, liver, kidney, bladder or brain diseases. Never once did I see a person who had died from privation, neglect, abuse or anything contrary to the law. Some people died from severe congenital or genetic disorders. They were younger patients. I might add that they had been extremely well cared for up till the time of their death. The conduct of the coroner and the medical and nursing staff at the Baillie Henderson Hospital has in all ways and at all times been extremely proper and beyond reproach. The deaths were always of such a nature that any medical practitioner in attendance could have issued a certificate were it not for the fact that the people were inmates of a mental hospital.

Coroners are charged also with inquiring into missing persons. I feel that at times both they and the police are subjected to a great deal more work than need be, because in a great number of cases the people deliberately go missing, in the main, to escape family commitments or ties. Young girls run away from home purely to escape from mother so that they can try alcohol, sex, or drugs or do whatever else they wish to. Girls as young as 14 have left home, totally unaware of the extreme danger they placed themselves in as they hitch-hiked from State to State. They seem to be unaware that a vast number of persons who are missing have offences committed against them. A great many of them are bashed and robbed. They are introduced to drugs. They have all sorts of sexual offences committed against them—even if it is nothing more than unlawful carnal knowledge because they are under the age of consent. But it is not the ones who come back that we should be worried about; it is the ones who are perpetually missing. This could be highlighted. Young girls should know more about the fate of their fellow young girls who have left home.

We need to know more accurately how many of the missing people are dead. On this point, there needs to be established a mail exchange. Persons who have voluntarily, of their own free will and accord, left home and vanished could write to a mail exchange house and have their letters passed on to their relatives so that at least they would know that they are alive. The mail exchange house, which could be established by a charitable body or even a Government department, could forward letters in a two-way exchange.

I have had to advise young women patients whose husbands are alcoholic bashers with perhaps a homicidal tendency. They are not protected by the law and live in fear of their husbands. Detectives have interviewed them. No charges can be laid, yet, as I said, these women live in fear of their lives. The best advice I can give is, "See a solicitor; leave him a forwarding address; clear out; do not come back, and write through the solicitor and have your letters forwarded to your mother so that at least she will know that you are alive and well." Perhaps this could be taken up by one of our charitable organisations. If this were done, many names in the missing persons files would be removed and we could spend a great deal more effort trying to find those who are genuinely missing and perhaps murdered.

Coroners need more powers and facilities to investigate fires, particularly where firebugs are in action. One, two or more seem to have been active in and around Toowoomba for the past two or three years. A few times we have heaved a sigh of relief because we have thought the fire-bug had been apprehended. But the fires continued. No person is safe from a fire-bug. Whoever it is—man or woman—has been content to commit arson of lonely country houses, but lately the modus operandi seems to have changed and fires are occurring in the inner city. Wider powers and more money need to be made available to investigate this sort of senseless crime against society, from which nobody profits.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (2.43 p.m.), in reply: I must apologise for my absence from the Chamber at the beginning of this debate. I thank the Leader of the House for taking over whilst I was at a function which required my attendance.

The honourable member for Rockhampton raised the question which has been raised with me on a number of occasions regarding requests for holding coronial inquiries. Representations have been made by insurance offices and so on for their submissions or pleadings in these matters to be heard. I assure the honourable member that this matter has been examined quite thoroughly on a number of occasions.

Mr. Wright: Never by the Law Reform Commission.

Mr. KNOX: Not to my knowledge. I do not know that that is a matter that should concern the Law Reform Commission; it is a matter of policy. This question of allowing anybody to request a coronial inquiry does not appeal to me at all.

Mr. Wright: Not anybody; the relatives who have been denied——

Mr. KNOX: Relatives are perfectly in order in making a request. In fact there must be a certain amount of discretion in granting inquests, and the Minister has this responsibility. I get a number of them. The circumstances surrounding all deaths are not such as to call automatically for coronial inquiries. Honourable members can well appreciate that if all deaths were investigated, there would be a perpetual series of inquiries. The situation would be the same if all deaths by accident were so investigated. For a long time all deaths as a result of motor-car accidents were investigated. This meant that a great deal of time was wasted because in most cases the information provided by police and other observers established quite clearly what had happened. Such inquiries simply put relatives and others closely associated with the deceased through a considerable amount of unnecessary worry and concern, for no material benefit either to them or to the public. There has to be an exercise of discretion in these matters or the system would become cluttered up with unnecessary inquiries.

Insurance companies do ask for inquiries but one comes to the belief that their interest is not as real as that of relatives and others closely associated with deceased people. Quite often people suspect that there are circumstances associated with a death that have not been revealed and they feel that a coronial inquiry might bring them to light. It is, however, not the business of a coronial inquiry to discover matters that are not relevant to the particular death. I have been asked on a number of occasions to review decisions of coroners not to proceed with inquests and I have found that their discretion has been properly exercised.

Although I can understand the concern of relatives and friends of deceased persons who may on occasions wish to prove or disprove something to their satisfaction, it is not for them that coronial inquiries are held. It is in the public interest that they are held to bring to light any circumstances that may not have been obvious to the investigating police and which may be of some importance in their future inquiries or if charges are to be laid. The Bill gives to coroners powers that they have not had to date to enable them to proceed with the charging of people for certain offences. It is hoped by this means to save time and to prevent the duplication of processes that takes place at present.

The honourable member for Toowoomba North raised some matters of interest. They do not necessarily concern the Coroners Act, but inquiries conducted by coroners intrude into other laws, procedures, rules of court and so on. His suggestions are worth while and they will be taken into consideration.

Motion (Mr. Hodges) agreed to.

Resolution reported.

FIRST READING

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

PICTURE THEATRES AND FILMS ACT AMENDMENT BILL

INITIATION IN COMMITTEE

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

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (2.50 p.m.): I move—

"That a Bill be introduced to amend the Picture Theatres and Films Act 1946–1974 in certain particulars."

As a result of the transfer of the administration of the Picture Theatres and Films Act from the Minister for Local Government to myself, it is necessary for several minor amendments to be made to the Act. This Bill will effect these amendments.

Further provisions contained in the Bill will do away with the concept of appointment by Commission in Her Majesty's name of members of the Picture Theatres and Films Commission. Appointments are proposed to be made by the Governor in Council for a term not exceeding three years.

Applications which are made under the Act are required to be advertised in the Gazette and once in a newspaper. The application fee is presently $30 and the cost of advertising is borne by the commission and not by the applicant. The Bill provides for the cost of the required advertisements to be borne by the applicant.

Several other minor amendments of a machinery nature are also included in the Bill. I commend the Bill to the Committee.

The CHAIRMAN: Order! For the assistance of the Committee, I would advise honourable members that this Bill deals only with the administration of picture theatres. It in no way controls the censorship or classification of films, and any reference to those matters will be ruled out of order.

Mr. WRIGHT (Rockhampton) (2.52 p.m.): It is a great pity that the Minister for Justice and Attorney-General has introduced this Bill as he has done on this occasion. It is important that members actually debate legislation, and in my opinion it is incumbent upon the Minister not only to tell us what is proposed in legislation but give us the reasons for the proposals. I do not think it is good enough for the Minister to simply stand up and say that the Bill transfers authority from one Minister to another, or that amendments are required because of the transfer and that it will now allow the appointment of members of the commission

by the Governor in Council rather than by the Minister. I think it is important that not only members of this Chamber but also people reading "Hansard" and those interested in legislation understand the policy behind the Government's measure.

In 1961 an Act was introduced to confirm and declare the powers of the Picture Theatres and Films Commission. These powers were very clearly outlined in the 1958 Act. I expected your earlier ruling, Mr. Hewitt, because there is some confusion among members of Parliament and more especially the community about the difference between the powers and functions of members of the Picture Theatres and Films Commission and members of the Censorship of Films Act. The functions are extremely different. The former deal with applications to set up a theatre, and the standards of amenities and services of a theatre, while the others determine the standard and type of films according to questions of violence and questions of morality.

Most members will know that in 1971 we completely revised the Censorship of Films Act. In that regard I want to raise one point, and I hope you will allow me to continue, Mr. Hewitt. In that debate I stressed the need for some power within that Act to control not only the frequency of exhibiting certain films, which comes within this Act, but the proportion of such types of films. In that debate the then Minister for Local Government said that he fully agreed that there was need for some control over the frequency of exhibiting certain types of films, but he clearly stated that that did not come within the ambit of the Censorship of Films Act. I have taken time to look very closely at the Picture Theatres and Films Act. Section 8 (12) (iii) provides—

> ". . . the applicant will exhibit or cause to be exhibited films in the picture theatre with such frequency of exhibition as the Commission may so specify."

It is that section of the Act that I wish to refer to. I do not know whether there are any amendments to that aspect of the functions and powers of the commission; the Minister did not tell us. But it is this question of frequency that is vitally important today. It encroaches somewhat on the censorship question, but it comes back to what people in the community believe should be the role of the commission administering the Picture Theatres and Films Act.

You may recall, Mr. Hewitt, that at the time I expressed some concern about the number of certain types of films that were being shown. Other members spoke of the predominance of "R" certificate films and the way they were being constantly forced on the public. Realising that this debate was coming on, I made it my business to go through the advertisements in the "Telegraph" for the last month showing the films screened by theatres in the Brisbane area. On 29 March 80 films were being shown. Of that number, 38 were "R" certificate, 18 were "M" classification, 20 were "NRC" and 14 were "G" or general exhibition. On 22 March, of the 95 films being screened, 46 were "R" certificate, 28 were "M" classification, 13 were "NRC" and six were "G". On 15 March, 31 "R" certificate films were being shown, 29 were "M", 17 were "NRC" and 16 "G". On 8 March, of a total of 99 films, 30 were "R" certificate, 47 were "M", 7 were "NRC" and 15 were "G". In other words, this week 14 out of 80 were general exhibition films; last week, six out of 95; the week before that, 16 out of 93; and the week before that again, 15 out of 99.

If under the Censorship of Films Act we cannot control the frequency of exhibiting films of any particular classification, surely we should come back to the Picture Theatres and Films Act and interpret the powers of the commission under section 8 (12) (iii) to include its having power to ensure that the ordinary people have some say and that they have the right to see family-type films. The functions of the commission should include power to determine that "R" certificate films are not shown on the same programme as general exhibition films. It is wrong for an "R" certificate trailer or short to be shown on a general exhibition programme.

It seems that the censorship group in this State has no power. Therefore let us come back to the Act being amended by the Bill under discussion and give the commission power to cover this question. The commission has a very important role in ensuring the standard of amenities that people can enjoy. But surely it is not just the physical amenity that is important. The type of film being screened is also important. It is totally wrong that the majority of films being shown —from 75 to 95 per cent—are either "R" certificate or "M" classification, when most of the people going to theatres are families and others who want to see general exhibition films. I ask that the Minister give consideration to having the Act amended to give power to the commission to determine that at least 25 per cent of all films shown should be in the general exhibition classification. In that way we would maintain the frequency that I believe the people desire.

Leaving that question, I come to another aspect that certainly comes within the ambit of the Bill, namely, the condition of many picture theatres. About six or seven months ago I visited a suburban theatre in Brisbane and was shocked by the conditions there. It had the old-type canvas chairs and an old projector. As well, the over-all quality of the film screened was poor. Surely some authority should be set up to ensure that the standard of films shown as well as that of the services available are what people would expect. It is important that this standard is maintained.

On the matter of the standard of services rendered, I advert to the type of food that is served and the prices charged not only

for that food but also for the films themselves. As to the frequency of films—I am annoyed greatly at the high price that is charged for admission to a theatre today—it is double what it was some years ago—when in many instances only one film is screened. The old idea of showing two films has gone by the way, especially in the city. A patron pays as much as $3 or $4 to see only one feature film.

The commission has a lot of work to do and has an important role to play in maintaining services. It should look at all these questions. I come back to my earlier point and again ask the Minister to have his advisers consider the interpretation of section 8 of the Act to see whether the commission can determine the frequency and type of films that are shown to people in Queensland theatres.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.3 p.m.), in reply: The honourable member raised some matters which were not related to the Bill and which I do not intend to discuss. The type of films shown in picture theatres comes under another Act. However, the provision of facilities is the business of this legislation.

In recent years the standard of picture theatres in our community has improved enormously. Originally the Act concerned itself solely with the siting of picture theatres to ensure that there was not an oversupply of facilities with the result that people would end up with nothing, which could easily happen in small communities. It must be remembered that this legislation came into existence prior to television and it had quite a different philosophy when first introduced into this Chamber. But the situation has changed, particularly with the advent of television. Picture theatres are now certainly fewer in number but they are also higher in quality in the provision of amenities as well as in their general arrangements. It is possible that the honourable member for Rockhampton went to a theatre that belonged to what might be termed the old system. In 1946, when this legislation was first introduced, the scene was quite different. Indeed there are many communities in Queensland that probably would not now have a picture theatre if it had not been for the special efforts of this commission.

The commission started off as a regulating authority to ensure that there was some rationalisation of the services and that standards were maintained. Now, however, it is the other way round. The commission is more or less concerned with maintaining standards, consistent with the rules and regulations laid down by local authorities. The commission has on it a member of the Local Government Department to advise it on these matters. As a result the community has benefited.

The honourable member took the opportunity to chide me for not telling him very much about the Bill.

Mr. Wright: Not chide. I just thought it was well to give us some information.

Mr. KNOX: Well, "reprimand". I felt I was chided. Maybe it was with some justification, because the Bill is a very short one, and we are simply seeking approval to get to the stage where it can be debated by members when they become aware of its contents. I hope that I have not left out anything that the honourable member should be aware of. He will be able to study the Bill, which contains half a dozen clauses. When he does that, I am sure he will find that I have left nothing out.

Motion (Mr. Knox) agreed to.

Resolution reported.

FIRST READING

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

DISTRICT COURTS' AND MAGISTRATES COURTS' JURISDICTION BILL

INITIATION IN COMMITTEE

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

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.7 p.m.): I move—

"That a Bill be introduced to vary the civil jurisdiction of District Courts and Magistrates Courts in certain respects."

The increasing work-load of civil cases in the Supreme and District Courts has necessitated a review of the civil jurisdiction of the courts.

The civil jurisdiction of the District Courts is—

(A) $10,000 in actions arising out of an accident involving any vehicle; and

(B) $6,000 in other actions,

and has remained unchanged since 1 March 1965. Because of the change in money values since 1965, it is proposed to increase the civil jurisdiction of the District Courts to $15,000 in all actions.

To be consistent with proposed increases in the civil jurisdiction of the District and Magistrates Courts, it is also proposed to make the following increases—

(A) $1,200 to $2,500—amount exceeding which trial by jury may be summoned;

(B) $1,200 to $2,500—amount exceeding which appeals may be made to the Full Court of the Supreme Court; and

(C) $3,000 to $5,000—amount exceeding which appeals shall be by way of rehearing.

The civil jurisdiction of the Magistrates Courts is $1,200 and has remained unchanged since 30 September, 1954. It is proposed to increase this jurisdiction to $2,500.

To be consistent it is also proposed to make the following increases—

(A) $150 to $300—for appeals other than where some important principle of law or justice is involved;

(B) $100 to $200—the amount of deposit in lieu of security on giving notice of appeal.

As a consequence of the proposal to increase the jurisdiction of the District and Magistrates Courts it will also be necessary to amend the Crown Remedies Acts and the Property Law Act.

The increases in the civil jurisdiction do not go beyond reflecting the decrease in the value of money.

I commend the Bill to the Committee.

Mr. WRIGHT (Rockhampton) (3.10 p.m.): Some time ago it was recorded in "Hansard" that members of the Opposition, including me, asked the Minister to consider this measure. He said at the time that he was looking at it and that in due course he would legislate for the extension of the civil jurisdiction of the District and Magistrates Courts.

Mr. Moore: Are you saying again that this amendment is one of yours? Are you going to pull that little trick on us again?

Mr. WRIGHT: Why don't you go and sharpen the end of your whip or something? You are never here anyway.

The CHAIRMAN: Order!

Mr. WRIGHT: The Opposition supports this measure. We are well aware of the work-load that has been thrust onto District Court and Supreme Court judges. We are well aware, too, of the inflationary trends that have pushed the normal costs right out of proportion. As the Minister said, it is something like 20 years since the jurisdiction of the Magistrates Courts was increased. It goes back to 1954.

One matter that is worth raising is the aspect of public prosecution. It has been made known to me that some time ago we had a very effective public prosecutor in the Crown Law Office, but over the years that has been eroded to the point where the Crown Law Office is understaffed. In fact we are giving away that very important and lucrative role to the private profession. I would like the Minister to consider this matter.

Mr. Moore: Socialisation.

Mr. WRIGHT: It is not socialisation. If the honourable member listens, he will learn that there are good reasons for it. It is not just ensuring that we have public servants who are skilled in this field. We need to establish a department of public prosecution, with a director, to give advice where required—specifically, to police prosecutors.

Only recently a local policeman spoke to me about some of the problems encountered by police. They go to court, find they have been defeated and then would like to talk to someone about it—have a post mortem, as it were, on the case. I am told that in Brisbane that service is available. A well-known barrister acts in that way. In fact, he lectures at the police academy and he is available to police officers who wish to refer matters to him.

It would seem, therefore, that there is merit in the establishment of a Director of Public Prosecutions to carry out that role on behalf of the Government and the public and also to act as an adviser to the police. It is wrong and unfair to the community generally when the police bring forward an incorrect charge and the case is lost. That happens. It might not occur if a public prosecutor were available for advice.

Mr. Jensen: It happens a lot.

Mr. WRIGHT: I am told it does happen a lot. No doubt the Minister is well versed in the matter and he would know, too.

While he is looking at the problems that confront the courts of our land and is looking at the work-load imposed on magistrates and those in other courts, he should look, too, at the procedures within those courts and ensure that justice is always done. Obviously the work-load would be reduced if the offence charged was the correct one and the case continued through to a conclusion rather than being defeated on some technicality.

As I said, we support the increases to the quantums that have been mentioned. I have one slight concern that maybe we have gone too far in our increase of jurisdiction in the Magistrates Court. The increase in the District Court is something like 50 per cent —from $10,000 to $15,000. For a magistrate the jurisdiction has been increased from $1,200 to $2,500. After all, it is the initial court of jurisdiction. Magistrates who preside in that court are not as well versed as judges in the higher courts. So we need to be very careful. However, as the Minister explained, some aspects will not be included.

At this point the Opposition supports the proposed legislation.

Mr. PORTER (Toowong) (3.14 p.m.): Clearly we will all support this, because it is an amending Bill that merely reflects the melancholy situation of our economy. The fact that we have to enlarge the jurisdiction in one instance by 100 per cent is indeed a very sad comment on the declining value of money these days. I imagine that the obvious reason why the amount for the Magistrates Court has increased by a greater percentage is the base at which each one starts. The base in the District Court was already a substantial sum of money. The increase of 50 per cent is indeed a very substantial one in terms of the quantum

involved. However, the base in the Magistrates Court was lower, and the 100 per cent increase is fully warranted to bring it into line with present-day values.

As for the problem that the honourable member for Rockhampton sees in terms of the Magistrates Courts bearing greater responsibilities, I do not think many of us will regard that as any real problem at all. Indeed, most of us endeavouring to watch the law at work and believing that summary justice—that is, justice quickly done—is the best justice, will be happy to see the Magistrates Courts bearing a greater share of responsibility.

Primarily, we are looking at a Bill which reflects once again the enormous decline in money values. For the greater part of my life, money values didn't change very greatly. For the first half of my life at least, money values remained constant. I could plan ahead from year to year without any great fear that the assets being accumulated at one stage or the preparations that were being made in terms of accepting financial obligations would not get away from me; but, of latter years, particularly the last 15 years and certainly the last three years, the problem of coping with the enormous deterioration in the value of money has been great not only for individuals but also for Governments in all of their arrangements.

With that reflection on the melancholy fiscal state to which we have been reduced by the actions of a Government in another place, I am content to let my comments on the Bill rest.

Mr. LOWES (Brisbane) (3.17 p.m.): I remember in 1954 the increase in the jurisdiction of the Magistrates Courts from £200 to £600. At that time concern was expressed at the great increase, particularly when regard was had to the jurisdiction of the Magistrates Courts and their equivalents in other States of the Commonwealth. However, I believe that the Magistrates Courts have operated quite efficiently with that increased jurisdiction since 1954.

One wonders how the system might have been able to continue had it not been for this Government's introduction of the District Courts in 1959. If one does not wonder how the Magistrates Courts might have continued, how could the Supreme Court possibly have continued? It could not have, of course. In 1959 we introduced the District Courts with a civil jurisdiction above $1,200, the civil jurisdiction of the Magistrates Courts. It provided for two different figures—$3,000 for all claims other than claims arising out of injuries suffered in motor collisions, and $5,000 for claims which resulted from injuries suffered in a motor collision.

In 1965 these amounts were increased to $6,000 and $10,000 respectively. I have never considered that this was a legitimate distinction. I have always believed that it was quite wrong for us to distinguish one claim from another. Perhaps there may be some argument in favour of distinguishing the jurisdiction of one court from that of another when one takes into consideration liquidated sums. In such a case there would be no argument as to the amount; it would be just a question of whether a debt was due or a claim was legitimate. But when it comes to an assessment of damages —whether damages to a vehicle or to some person's health—I cannot reconcile myself to the distinction that was made in 1959 which made claims for personal injury separate and apart from other claims. However that has existed since 1959—a period of some 17 years—and now we are reviewing it.

As I understand it from the Minister's speech the intention is to increase the jurisdiction of District Courts generally to $15,000. I believe that that intention would have the full support of the legal profession. On the other hand, I have had expressed to me some concern by various sections of the legal profession about any proposal that there might be about increasing the jurisdiction of the Magistrates Courts, particularly where personal injury is involved. The submissions that I have heard have been to the effect that magistrates, by and large, whilst having vast experience in matters of minor criminal law and small claims, have, with the possible exception of workers' compensation claims heard in their industrial jurisdiction, only limited experience in the assessment of claims for personal injury. It is undeniably true that their experience in this field is less than their experience in the other fields that I have mentioned, and this lends some weight to the arguments that I have heard put forward.

It is now proposed that the jurisdiction of the Magistrates Court be increased generally to include all claims, including assessment of damages for personal injury or property loss and claims for liquidated sums. In 1954, when the jurisdiction of the Magistrates Court was increased to £600, it was thought that that was a surprisingly large increase for the jurisdiction. In fact, when we note the jurisdiction of Magistrates Courts in the various States, we find that the proposed amount of $2,500 exceeds the jurisdiction in perhaps all but one of the other States.

I can only feel that, in bringing down this legislation, the Minister has resorted to the advice available to him and it is on that advice that the Bill has been introduced. It is a matter that I shall consider in the future with great interest. Whilst I have no doubt whatever about the advisability of the increase in the jurisdiction of the District Court, I have had expressed to me and heard on many occasions a certain amount of reservation about the increase proposed in the jurisdiction of the Magistrates Court.

Mr. JENSEN (Bundaberg) (3.22 p.m.): I rise to briefly support the comments of the honourable member for Rockhampton on

advice by skilled counsel to police prosecutors. I do so for very good reasons. In recent times in Bundaberg many cases brought by the police have been thrown out by the magistrate. Only recently a new police prosecutor was transferred from Rockhampton to Bundaberg. He is supposed to be a fairly skilled police prosecutor but he, too, has had a couple of cases thrown out already. It would be very good if he could have the advice of counsel before he went into court, or even after his cases were thrown out so that he would know where he went wrong.

The Minister might say that police prosecutors come to Brisbane to attend a course of training and learn something of prosecuting. But they are matched in court by skilled solicitors who have a vast knowledge of court procedures. Although police prosecutors may receive some training, they are not solicitors. They go into courts to protect the police who are trying to do their duty for the citizens of their city and the State. The police produce a case that they think is watertight, yet it is thrown out. The police are quite annoyed about what is going on.

I speak to many policemen on this matter and I know that they have become so sour that they think the S.M. is against them. It is quite wrong to hold that belief, and I do not think that they really believe the S.M. is against them, but the thought is always there when they see cases they regard as watertight being thrown out.

This is happening because the police prosecutors do not have available to them the advice of skilled counsel. It is most important that this matter be given consideration. If I had known that this Bill was to be introduced today, I could have brought with me details of a couple of cases heard in Bundaberg in the last few months. Only last week a person appeared in court on a charge concerning cannabis. He threw the pipe away in a paddock. It was proved that the police could not have seen whether this person threw the pipe from the back door, and so the case was thrown out. Because the police prosecutors do not have the skill and ability of a solicitor, many other cases have been thrown out on similar grounds.

The honourable member for Brisbane spoke about workers' compensation, and I want to say a few words about it. I thought that workers' compensation matters did not come before the Magistrates Court as often today as they did in the past. There might be cases where the State Government Insurance Office is not happy about something, but normally the matter goes only as far as the General Medical Board. I understood that it had the final say and that a person could not appeal to the court on the board's decision.

If there is a dispute about the decision of an S.G.I.O. doctor, the S.G.I.O. might go to court, but if it is only a matter of a little more compensation and the claimant produces a certificate from another doctor to say that the injury was caused by something else, the S.G.I.O. would probably not go ahead. I understand that the S.G.I.O. officers are quite fair and reasonable and will discuss a matter rather than go to court and fight what might be called a battle, which is costly to both sides, over what might be the addition of only $1,000 to somebody's compensation payment.

I understood that once a person went to the General Medical Board, the decision of that board was final and there was no right of appeal to any court in Queensland. The Minister might be able to tell me if I am wrong there, but I understood that there was no appeal from a decision of the board.

I really rose to say that I believe skilled counsel should be available to assist police prosecutors in provincial cities, especially today when we see the prosecution of so many drug charges. The police prosecutor is doing a service for the community. I have heard the Minister for Police say here time and time again that the police bring these people to court and the charges are tossed out. This is a very serious matter. One has only to look at the S.P. betting case on the South Coast only a month or so ago when the charges were tossed out. That was another instance where the police thought they had a watertight case, but it was tossed out. At least they did have the advice of skilled counsel in Brisbane, whereas the police in Bundaberg, Rockhampton or Mackay do not have such advice. The police prosecutor has to go into court and line up against a skilled solicitor and he is beaten time and again.

Mr. BYRNE (Belmont) (3.28 p.m.): In rising to support this Bill to vary the civil jurisdiction of District Courts and Magistrates Court, I wish to raise a specific point and, unlike the honourable member for Bundaberg, desire to stay in the area of civil matters rather than the area of criminal matters.

I point out that when a civil jurisdiction is set at a certain monetary level, and when penalties are set at a certain monetary level, they are set by this Legislature at that level because it is believed at the time that that is what the maximum level of the jurisdiction or the appropriate level of penalty should be. What happens as the weeks and years go by, however, is that without any legislative decision there is an effective decrease in penalty and an effective decrease in jurisdiction because of inflation.

It is true that in preceding decades the rate of inflation has not been such that we had to overly concern ourselves. However, in the last decade we have seen enormous changes in money values; an enormous decrease in the relative value of money from one year to the next. So it is important that if at one specific point in time it is believed

that a certain penalty is what should be imposed for a certain offence, and that a certain jurisdiction is what a particular court should have, we must be very awake to changes in money values and not allow the effluxion of time to make decisions contrary to those already made by the Legislature itself.

Perhaps it is time we tried to find a new system which would provide a means of avoiding the great deal of wasted time that occurs in Parliaments in increasing penalties and changing levels of jurisdictions because of inflationary factors. It may be possible to find a workable system under a single Act to increase penalties across the board on a percentage or proportional basis once a year or once every two years to take into account the required changes that the effluxion of time creates.

While supporting the Minister in the introduction of the Bill, I suggest that it is indeed time that we tried to find some workable system so that it would not be necessary for all Acts with a monetary content to be brought back to the Parliament for debate and amendment every year or so because of the effluxion of time and changes in the value of money. We need a workable system which will provide a swift means of meeting the change in the relative value of money which lessens the effective value of penalties and alters the effective levels of the jurisdiction of courts.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.32 p.m.), in reply: I am grateful to honourable members for their interest in the Bill. I think that most matters commented on were covered in my opening remarks.

The honourable members for Rockhampton and Bundaberg raised the matter of counsel assisting crown prosecutors. That does occur from time to time, but I am certainly not convinced that it should occur all the time. As crown prosecutors in the magistrates court, the police carry out an enormous amount of work very efficiently and competently. I should not like to suggest for one moment that they do not have all the expertise required to handle that work in nearly all cases.

Mr. Jensen: I am suggesting that a check might be made when they get defeated in cases that they think are watertight.

Mr. KNOX: There is room for appeal and all sorts of things. My experience has been that police prosecutors, in the main, are very experienced people. Occasionally they need assistance. If they need assistance, they ask for it and they get it. I am talking about any material that needs preparation. The police ought to be able to handle affairs in the court we are dealing with. They do it in other countries. I have seen the police handling prosecutions in New Guinea under a system which is fairly new to many of them. Some of them are quite new to the business of conducting themselves in court, but they do it very well. With adequate training there should not be any problem for an able-bodied, reasonably alert policeman to handle a case comfortably without embarrassment to himself and without failing in his duty to the court, bearing in mind not only that he is the police prosecutor but also that he has to observe rules in fairness and in justice to the accused.

Mr. Jensen: I am not saying that he is not——

Mr. KNOX: I realise that, but the honourable member has made the suggestion that this could be done. I am qualifying what he suggests by simply saying that it would be necessary only on rare occasions. When the police do need this help, although it is not quite in the form the honourable member for Bundaberg is suggesting, it is available to them. If they want any advice, they send the papers over to the Crown Law Office for assistance.

Mr. Jensen: A police prosecutor might spend a fortnight getting a case ready and then get knocked cold, and then the magistrate is blamed.

Mr. KNOX: It could well be that the person is found to be innocent because he is innocent, not because of any problem about the magistrate or inadequacies in the preparation of cases.

Mr. Jensen: The law says that they are innocent.

Mr. KNOX: It is not to be assumed that every person on a police charge is guilty. The police might believe a person to be guilty but they are faced with the task of proving it. And this is as it should be. We do not want our courts of summary jurisdiction to become overloaded with people who have not good cause to be there. All I can say is that the police handle this very well.

As to the depreciation in money values—as the honourable member for Toowong pointed out, it is amazing how over the years there have been very few changes in money values and it is only over the past 10 years or so that sky-rocketing inflation has brought about a high rate of depreciation. This has led to the skewing of money values in lots of legislation, in relation not only to jurisdiction but also to the relative penalties that people pay and so on. The honourable member for Bundaberg raised this problem of frequent adjustments. I do not believe they could be made without reference to the Act. In other words, the Act must come before Parliament and be debated here when we change the legislation.

Mr. Wright: That point is well made, and I agree with you; but the new regulations under the Traffic Act have not brought the matter back to the Parliament.

Mr. KNOX: No, but I am going to make the point that jurisdiction is a matter for the Parliament, whereas there is room for penalties to be dealt with by regulation, having in mind that they are still subject to the veto of the Parliament. When we deal with jurisdiction we are dealing with the principle of the legislation. This matter arose when we altered the jurisdiction of the Small Claims Tribunal. Some honourable members suggested that perhaps it should be dealt with elsewhere. This matter of the principle of the legislation should be subject to debate in the House.

Mr. Jensen: I think it should go up with inflation, the same as our salaries do every year.

Mr. KNOX: No, I don't believe it should be done automatically or indexed. We are dealing here not with a purely monetary figure but with the consequences of measuring things by money. This is one of the measurements by money that we have to look at. I am sure that when members think about it they would want to have the Parliament always concern itself with this adjustment rather than have the matter dealt with elsewhere.

The honourable member for Brisbane raised the important matter of transferring personal injuries into a lower court by changing the jurisdiction. This has concerned me and I have sought a great deal of advice on the subject. It is interesting to note that last year—I stand to be corrected, but I think my figures are right—approximately 50 cases of this type were heard in the District Court. The change in the jurisdiction will probably make very little difference to the number of cases that go before the District Court. A similar number were heard by the Magistrates Court, and there could be a difference—not a significant difference—in the Magistrates Court. The number of cases that are heard by the Magistrates Court or the District Court is not an important factor. When there are claims for personal injury we should look not at the number in total but at individual cases. As honourable members can well imagine, people who are involved in claims of this nature and perhaps their next of kin are concerned about their welfare, compensation, rehabilitation and retraining and the welfare of dependants. A whole host of social problems arise in personal injury claims. It has been a matter of concern to me that in altering the jurisdiction we would be transferring matters that otherwise would be heard in the District Court to the Magistrates Court.

Mr. Wright: It is not a total exclusion?

Mr. KNOX: No. The option is still there for cases to be heard in the higher court. Last year two people chose to have their cases heard in the District Court although they had the opportunity to have them heard in the Magistrates Court.

The option is there but, at the same time, it raises new problems that we should not gloss over lightly. As the honourable member for Brisbane pointed out correctly, individual cases may well be better dealt with in a superior court rather than a Magistrates Court, not because the people are not seeking a referee but because the consequences of that decision may flow to other circumstances such as other similar cases or consequential cases. It might be a test case of one of a number, the rest of which will be settled out of court.

Matters of law are involved in personal injury claims, which are very important to the people concerned on both sides or they would not be contested; they would not be in court. As most of these things are settled outside court, it is obvious when they get to court that they are very serious matters to the parties concerned.

That matter was raised quite rightly by the honourable member for Brisbane. After considering all aspects of it I favoured the present system, that is, when we alter the jurisdiction we also raise the amount for personal injuries rather than leave the amount at $1,200 as it is at the moment in the Magistrates Court.

The honourable member for Brisbane pointed out that he would be watching what happens very carefully. I assure him that as Minister in charge I shall be doing likewise. If it leads to complications that we are not aware of, the matter will have to be reviewed.

The honourable member for Belmont raised some matters that I shall follow up later. I thank honourable members for their interest in the Bill.

Motion (Mr. Knox) agreed to.

Resolution reported.

FIRST READING

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

ELECTIONS ACT AMENDMENT BILL

SECOND READING

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.44 p.m.): I move—

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

The matters raised by speakers at the introductory stage of the Bill were many and varied and opinion seemed fairly evenly divided in most cases. However the same matters were raised by a number of honourable members and I feel I should not let the opportunity pass to expand on my remarks in reply especially in relation to matters upon which the Bill touches.

Section 35A deals with matters with which we are all familiar. It enables an elector in certain circumstances to be allowed to vote and have his vote counted even though his name does not appear on any roll. The Bill extends section 35A to permit the Principal Electoral Officer to correct official mistakes or errors committed by Government officials or other persons who were not previously referred to in the section. Thus no elector who has done all he is required to do within the specified time will be disfranchised by any official mistake or error committed by any person concerned in any way with the compilation of the electoral rolls.

Mr. Wright: Does that include the canvassers?

Mr. KNOX: That is right. Already there are ways of correcting errors made by canvassers, but there is no way of successfully correcting those errors after the writs have been issued. That is where problems have arisen in the past. We are hoping to correct that in future. There are plenty of ways in which errors can be corrected by canvassers before the writs are issued. I think from time to time every member has struck that.

Mention was made of the small proportion of votes counted out of the number of section 35A votes cast. I previously stated that some 10,000 to 14,000 of such votes were cast at the last State election and can now give full details. All told 14,792 section 35A votes were cast, of which 1,427 were allowed—10 per cent. Honourable members will be surprised to learn that, of the remainder, 2,435 were enrolled for other districts, the cards of 688 were received too late to be placed on the roll; 2,482 had been erased by objection or as non-voters and the remaining 7,760 (more than half) had no record at all at the Electoral Office or could not be identified. These figures go to show that a considerable amount of the blame directed at the Electoral Office is not justified at all. In addition, the Electoral Office is required subsequently to secure the enrolment of all of these people. I might say that it is quite a major task to get onto the roll some of the people who are not on it.

Mr. Houston: Of those 7,700, how was the response to the attempt to get them on the roll?

Mr. KNOX: We might be able to give the honourable member some figures on that, but it is quite a major task.

The Bill amends section 7 to provide that a returning officer shall transmit to the Principal Electoral Officer the solemn declaration made by him in respect of his appointment within seven days of his being advised of his appointment. Nowadays the position of returning officer for a district is filled constantly except for short breaks between appointments. One of the duties of a returning officer is to keep an eye on the population movements in his district so that, come election-time, his recommendations for appointment of polling places and the staffing thereof are not off-the-cuff guesses but calculated, considered assessments. Of course, not all the best sites for polling places are available on polling day but this House and the public can be assured that the best available sites are chosen. I would like here to record my appreciation of the dedication shown by returning officers throughout the State and let the public know that any recommendations for improvements in polling facilities should be directed to the respective returning officers.

Honourable members, now having had an opportunity to read the Bill, will be aware that the amendments proposed are merely designed for the better and smoother administration of the Act and to simplify the lot of the elector in performing his duty at election-time.

In the area of administration of the Elections Act the Bill alters procedures in relation to enrolment, permits the Principal Electoral Officer to assist electoral registrars with objections, transfers the conduct of elections from the Under Secretary, Department of Justice, to the Principal Electoral Officer, requires the Public Curator to notify the Principal Electoral Officer of mentally ill persons unable to manage their own affairs of whom he is advised or becomes aware and changes in a minor way procedures relating to election petitions.

To permit all eligible votes to be counted, the Bill provides for amendment of sections 56, 62 and 72 so that procedures where voters are challenged as to their entitlement to vote are made uniform. Pre-election voting facilities are extended to those who are unable to attend polling booths on polling day on account of work, and provision is made for pre-election voters who vote before registrars to deliver their votes to their returning officers.

The remaining provisions include in the Act the overseas voting provisions and those relating to misnomer of candidates in ballot-papers which are now in the regulations, permit the Minister to notify in the Gazette the date to which rolls are to be prepared, increase deposits by candidates from $40 to $100, increase maximum penalties under the Act and regulations, remove minimum penalties and effect minor amendments of a machinery nature.

Other matters raised in the debate which can be adjusted in the regulations or effected administratively are being, have been or will be, dealt with as soon as possible.

Mr. Jensen: Have you wiped out how-to-vote cards?

Mr. KNOX: No.

Mr. WRIGHT (Rockhampton) (3.50 p.m.): Members of the Opposition have taken considerable time in looking at this legislation because it is of great importance not only to members of Parliament individually but also to the community generally, and, having looked at it, I welcome some highlights.

The pre-election voting aspect would be supported by all honourable members because it will overcome many of the existing problems. The reasons for changing the definition of a person who is "mentally ill" to a person of "unsound mind" and clarifying it to mean, "A person mentally ill and incapable of managing his estate" was explained by the honourable member for Ashgrove in the previous debate and is now accepted by all members of the Opposition. Other amendments vary the responsibility of the Under Secretary of the Department of Justice and extend these to the area of the Principal Electoral Officer. These are in line with the stated aims of placing electoral matters with the office of the Principal Electoral Officer rather than with the Justice Department generally.

There is one proposal that is of some concern. It pertains to annual rolls. In 1973, section 14 of the Act was amended to replace annual rolls with general rolls and subsection (2A) provides that these general rolls are to be prepared and published in accordance with the Act at least once in each calendar year. It is intended to change the legislation so that these so-called general rolls are to be prepared and published up to a date determined from time to time by the Minister. It seems, therefore, that we are doing away with the yearly publications and it is important that we look at this matter very seriously because it concerns all members of this Assembly and the community generally.

We realise how much we, as members, depend on having access to up-to-date annual rolls. Local authorities depend on our State rolls for election purposes. The rolls are used by firms and ordinary citizens. They should be printed every year. Certainly they are necessary in election years and no doubt the Minister would determine that this would happen. But I can see great difficulties if these rolls are not printed annually.

It will be extremely difficult to carry out checks on whether or not people are enrolled. Many a time a constituent comes to me and says, "Can you find out whether I am still on the roll?" I say, "Well, you should be." The person says, "Well, I did move from my address but they did not send the card back. I'm not sure whether they sent it to my old address but I certainly do not have it." I then check the latest roll to make sure that he is on it.

As members of Parliament we have access to what might be called the master roll in the electoral office. We are also sent regularly a list of all persons enrolled. That is a privilege that is ours only. Not so long ago I wrote to the Principal Electoral Officer asking that the same privilege be extended to the chairman of the Belyando Shire Council (Mr. Turner), who was interested in obtaining the names of persons going into the Belyando electorate. I was subsequently informed that he would have access to those names in the Belyando Shire but not those within the total electorate. So it seems to be important that we have access to annual rolls, but I take it that this will not be so.

At the introductory stage, the Minister said that when it comes to voting or electoral matters, costs should never be a deterrent. He emphasised this when it came to the electoral visitor. I think, therefore, that doing away with the specific requirement in the Act to have annual rolls calls for an explanation. And why we are now saying that this will be left to the determination of the Minister? I hope that, in the reply, an explanation is given.

Other amendments are welcomed by the Opposition. They concern the over-all centralisation of the enrolment of electors. We are well aware that we now use a computer for this service. This—technically, at least—should remove all error, although we all know that errors do occur in the use of computers. The electoral officer now has the task of forwarding the names of claimants for a vote to the Principal Electoral Officer. I hope that a check is made to see that the names of all who apply for enrolment are in fact sent to the Principal Electoral Officer because, following the local authority elections on Saturday, I have already had seven people tell me emphatically that they had applied to be enrolled but were not allowed to vote when they went to the polls.

There could be reasons for this situation; no doubt when I contact the Principal Electoral Officer I will ascertain what happened. I am sure that other members are aware of other similar cases. It is important that when a person goes to the trouble of enrolling in order to vote, which is compulsory, his name is entered on the appropriate roll. Last night I received a telephone call from a woman who told me that her husband was struck off the roll but she was not. How this occurs, I just do not know. It could be a computer problem. But if that was the situation, that person should have been allowed to vote. He was not allowed to.

Dr. Crawford: He could have claimed a vote under the section of the Act that allows it.

Mr. WRIGHT: Certainly a claim can be made under section 35A, but this legislation has not yet been passed. As the Minister has already clearly pointed out, only 10 per cent of the votes of those who claim votes under section 35A have in the past been counted. Statistics were given that revealed

the situation very clearly. Perhaps there will be a change in time with the passing of this legislation; I certainly hope so.

Mr. Lane: It won't make any difference in Gladstone or Clayfield; we'll win them both, anyway.

Mr. WRIGHT: I am not usually a betting man, Mr. Speaker, but if the honourable member wants to put money on the ballot in Port Curtis, I shall accommodate him.

The legislation gives to the Public Curator the new task of notifying the Principal Electoral Officer of the names and addresses of persons 18 years of age and over who are notified under the Mental Health Act of 1974 as being mentally ill and incapable of managing their estates. There should be no opposition to such a provision.

I wait to see how well the amendments to section 35A overcome the present problems. The Minister has given statistics, as I mentioned previously, that show that very few people who vote under this section ever have their votes counted. The Minister also explained that there is no difficulty in overcoming the problems caused by canvassers up till the time the writs are issued. It is after that date that there are problems. It will therefore be a matter of waiting to see what problems are overcome.

Further amendments expand the section to cover the Public Curator. It will be noted that it includes the Comptroller-General of Prisons or "any other person associated with or engaged in the compilation or printing of any general or supplemental roll of electors." One would hope that this will cover all the mistakes made in removing the names of persons from rolls. I am not sure that it will; only practice will show whether it does.

Another amendment that the Minister did not bother to mention at the introductory stage, and one that he has again skated over, is that under which the fee for nomination as a candidate is to be increased from $40 to $100—a matter of 150 per cent. I realise that in times of inflation $100 is not a lot of money but it concerns me that the increase will keep out many people who desire to stand for election. There are those, be they independents or members of pressure groups who wish to put forward some policy or opinion, who wish to contest an election. When the nomination fee was $40, that amount could easily be raised. The increase to $100 is, I feel, putting politics further into the playground of the wealthy. As a party-endorsed candidate I can see value for myself personally in the proposal, but I do not think that that is the way to look at it. Our job is not to be looking at matters from a party-political point of view; rather should we be considering the over-all interests of the community. I therefore wonder whether the increase from $40 to $100 is warranted.

One notes, too, that there is to be an increase from $4 to $10 in the penalty for failure to vote. I would hope that the Principal Electoral Officer will still be very liberal, if I may use that term in such a way, when hearing reasons given by people for not voting. There are many very good reasons. A person telephoned me the other day and said, "I didn't bother to get a postal vote for my husband because I thought he would be voting, but he has just gone to hospital." How on earth can that be explained to the Principal Electoral Officer? There would be no roving booth at the hospital in question. I said, "Leave it to me. I will see if we can put it to the Principal Electoral Officer. He is a very understanding person and no doubt you will be let off." But one cannot always be sure of this. The Act must be administered. So it is going to be hard on some people who have not voted and who have reasons for not voting.

There are many other provisions of the Act which have been changed which have the support of the Opposition. The most contentious one is the question of the annual roll, and I believe some explanation should be forthcoming from the Minister as to why it is deemed necessary to change this section of the Act to allow the Minister to determine when these rolls will in fact be printed, and whether in fact they will be printed.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (4.1 p.m.), in reply: I think the questions raised by the honourable member for Rockhampton are of general interest. Let me deal with the question of rolls. It has, of course, been the practice to close the roll at the end of each year, and to produce the roll consequent upon that closure. The honourable member might have overlooked the point—but I bring it to his attention—that in 1974 the roll was produced early because an election was held in December, this being the roll for that election. I think he would readily concede that, having had an election early in December, the roll for which closed some time at the end of September or in early October, it would be redundant to produce another roll at the end of December, three weeks after the election.

It became apparent then that a blind provision for annual rolls could lead now and then to this redundancy. Perhaps with some degree of foresight, but not necessarily with any certainty, we anticipated the possibility of an election at that time and it was possible to not be over-involved with the production of rolls.

I do not think it matters very much when the closure of a roll takes place as long as everybody knows when the date is, and this is ensured by publication in the Gazette. The roll is not terribly important to members of Parliament outside an election period, but it is most important to those whose job it is to keep the roll in order. In fact, even

though a roll does not exist in a book form, there is at all times a roll maintained by the Electoral Office, and that roll is always there to be consulted. It is in fact the final word on the subject of who is and who is not on the roll. The mere printing of the roll does not necessarily—if errors occur in it—exclude people who are not on the roll but are in fact on the roll maintained in the Electoral Office.

So I think we should distinguish clearly in our minds the fact that the green book received by honourable members and called the electoral roll is not quite the same as the book which the Electoral Office keeps, which is called the electoral roll. The book honourable members receive is a copy of the one kept by the Electoral Office, or endeavours to be a copy of it. Errors do occur. We sometimes see printer's errors such as the same person's name appearing three times on the roll or half a page being wiped out, but that does not mean a person is not on the roll, even though his name does not appear. So when we are talking about the annual roll, that roll can feasibly be produced at any time which fits in with the general arrangements of the Electoral Office.

It always appeared somewhat unusual to me that we closed it off at the end of a calendar year. That time of the year is not a comfortable or easy time to attend to such matters in any clerical office. With the advent of computers and the computer print-out, we virtually have, at any time, a continuous, updated roll. It is not deliberately made up at a particular time, but is available at any time. If it were decreed that we had to have a roll produced tomorrow for any of the electorates, we could produce it almost immediately. It would be as up to date as possible without having a house-to-house canvass. With the computer and computer print-out, we virtually have at any time the most up-to-date roll it is possible to get.

That being so, let us bear in mind what the situation is in the community. We have just had local authority elections using the State rolls as the basis for those elections. If I might put it this way, we have virtually had half a canvass, because all the people who voted on Saturday at least identified themselves as being in existence. To all intents and purposes they have proved they exist by casting their votes. It may be that some of them are in transit or that some of them are still enrolled at an old address, but at least they exercised their right in the community. In the year of local government elections when rolls are produced for that purpose, the up-to-dateness which the computer allows us to maintain means that those rolls are valid one, two or three days after the local authority elections or at any time in the year. Indeed, at any time designated we can produce a roll.

Mr. Marginson: How often will you produce one?

Mr. KNOX: I presume we will produce them annually. It would be a reasonable assumption that they will be produced annually. Obviously the honourable member has not been following me. In 1974 we could have produced two rolls, but having rolls two months apart would have looked a bit ridiculous. At any time we can produce a roll, and at any time that roll is produced for public consumption—the green volume—the honourable member can be assured that it is up to date with all the information supplied to the Electoral Office.

The actual physical task of compiling a roll at the closure on 31 December does not exist any more. The actual start on the compilation of a roll does not exist because it is a continuing process on the computer.

I agree with the honourable member that errors do occur frequently, as a result not only of human error but also of technical errors. We are not going to stop errors occurring. We see plenty of them when dealing with 1,200,000 people. It is not only the number of enrolments but the fact that names are coming onto and going off the various rolls. There are transfers; there are alterations to occupation; and there are removals because of death. A multitude of entries are required in the system. Let us accept right from the start that a great number of errors are going to occur. As I pointed out when reading out the figures for section 35A votes, there are obviously errors. Sometimes they are errors of the Electoral Office and sometimes they are errors of citizens. In any case they are still errors.

What we are trying to do by the Bill is provide more safety valves in the system to correct errors when they are discovered. One of the greatest problems I have found—perhaps other members have, too—is that once the writs are issued it is extremely difficult for any member of Parliament to use persuasion or in any way influence the situation to have an error corrected. That is fair enough for members of Parliament who might be candidates in elections, but if the Principal Electoral Officer is convinced that an error has occurred, whether it is brought to him by a member of Parliament, by a candidate or by a private citizen—in most cases it is brought to me by a private citizen—he should have authority to take the necessary action to have the matter corrected. My experience as Minister is that some people have been disfranchised by error. They are very angry indeed because they hold all the evidence showing that they are entitled to vote. They find themselves not on the roll and not in a position to have the matter corrected after the writ is issued. In fact one person in particular has run a war with me since 1972.

Mr. Houston: In a lot of cases presiding officers are telling them that they can't get a vote.

Mr. KNOX: I don't know of presiding officers who say that. If the honourable member knows of them, I hope that he will report the situation to the returning officer. He is in the position to have the matter corrected, not the Minister or anybody else. At election-time if a situation of that nature arises and a presiding officer tells a person, because his name is not on the roll, that he is not allowed to vote, the matter should be reported to the returning officer so that procedures can be set in train to allow the person to vote. That does not mean, of course, that his vote will be counted.

Mr. Yewdale: I think it is just laziness on the part of the presiding officers. It is too much trouble.

Mr. KNOX: I don't agree with that. They do have some discretion in the matter, and if they feel that they are being imposed upon, they are entitled to argue their position. The returning officer has the jurisdiction and the responsibility of the election. If a member or a candidate hears of any dispute at a polling booth involving an official, he should immediately report it to the returning officer. If satisfaction is not obtained and the vote is a close one, the matter could be the subject of an appeal to the tribunal. I am sure all honourable members are aware of the procedures there. This matter is of greater concern to the citizens, their constituents, particularly those people who believe they have been on the electoral roll for years and, having exercised their right to vote on every occasion, then discover at a particular election that for some reason their name has been taken off the roll.

Mr. Jensen: My secretary's name was taken off for no reason at all.

Mr. KNOX: It would be interesting to discover the ultimate answer the honourable member received when he raised this matter with the authorities.

Mr. Jensen: She wrote to Mr. Redmond and asked him, and was told it was a mistake in the computer.

Mr. KNOX: Did the honourable member's secretary get a vote?

Mr. Jensen: She got a vote.

Mr. KNOX: Was her vote counted?

Mr. Jensen: Yes, because when she went up to sign the person's form to nominate for the council the Town Clerk said, "This person is not on the roll." She said, "I just voted in the State election. I have been on for 10 years." Mr. Redmond said it would be corrected immediately.

Mr. KNOX: I see. When the honourable member submitted his nomination, she was not on the roll? At any rate, did she vote for the honourable member—that is the next question.

Mr. Jensen: I wouldn't know; that's her business. I don't instruct her how to vote.

Mr. KNOX: That's fine.

I think I have answered most of the questions that have been raised. It will be necessary for me at a later stage to seek leave to move an amendment to add something that is not in the Bill.

Motion (Mr. Knox) agreed to.

CONTINGENT MOTION

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (4.16 p.m.), by leave, without notice: I move—

"That it be an instruction to the Committee that they have power to consider an amendment to insert in the Bill in clause 25, page 8, after line 28, the following—

'(b) inserting after subsection (1) the following subsection:—

"(1A) Where an elector, pursuant to subsection (1), attends before the returning officer for the district for which he is enrolled at a place other than the place where the returning officer usually performs his duties as returning officer, the returning officer, as a condition precedent to taking the vote of the elector, shall—

(a) first have given reasonable notice of his intention to take the vote of the elector and of the place where and time when he intends to do so to each candidate for the district for which he is returning officer; and

(b) provide at such place where he intends to take the vote of the elector a polling-booth with a compartment to enable the elector to record his vote, and have with him a ballot-box into which he shall place the envelope immediately containing, pursuant to subsection (3), the vote permitted by him under this section.";'."

When we come to the Committee stage I shall explain the reason for it.

Motion (Mr. Knox) 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.

Clause 6—Amendment of s.11; Disqualifications—

Mr. WRIGHT (Rockhampton) (4.18 p.m.): I raise a point here which, no doubt, is correct in law. I draw the attention of honourable members to clause 6, which states—

> "Section 11 of the Principal Act is amended by omitting the words 'of unsound mind' and substituting the words 'mentally ill and incapable of managing his estate'."

As a Parliament, we said that 1975 was a special year for women and we have tried to do something about recognising women. In all legislation, where applicable, I should like to see a reference to women.

Although it may be that, because of some other Act, the phrase "his estate" also means "his or her estate", as we are now giving equality to women in the community, it seems that in all legislation we should refer to them specifically in this way. I ask the Minister to consider using the phrase "his or her" wherever possible, and not simply when we are speaking about mentally ill people.

Certain women in the community do not like being grouped with the "his's" of society. It seems to me that it would be a very small task in all legislation to simply refer to both sexes, as we could in this legislation at line 32 by saying "incapable of managing his or her estate". We would thus be paying due cognisance to the role of women. I believe this is necessary in the light of points made quite validly in 1975. I should like to hear the Minister's comment on this matter.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (4.19 p.m.): I think the honourable member is probably aware of the Acts Interpretation Act, which takes care of this problem. Generally speaking, if the honourable member could find a generic term to cover "his" and "hers", I am sure a lot of legislators and Legislatures would be happy to know of it. In the United Kingdom the authorities have come up with the term "person", which seems rather cold and sexless, if I may describe it in that way. Now they are calling people "chairpersons" and all sorts of other persons. Perhaps that is the word we should be using in the legislation. Until a satisfactory word is found, what "his" means is understood.

Clause 6, as read, agreed to.

Clause 7—Amendment of s.14; Printing of rolls and supplemental rolls—

Mr. WRIGHT (Rockhampton) (4.20 p.m.): The Minister went to some length to explain his reasons for changing the legislation as it now stands, but what he said is not fully acceptable. Whilst we realise that the idea of having annual rolls causes some complications, especially at election-time—and that occurred following the election of 7 December 1974—it is my own opinion, and I believe other members would hold this opinion, that there is a lot of merit in having yearly rolls.

The Minister went on to talk about annual rolls. In 1973 in this Chamber we amended the Act by inserting "general rolls" for "annual rolls". By doing that we said, "We will not need to have an annual roll completed by 31 December each year. We will have general rolls that will be available and printed at least once a year." That still seems to be a valid argument, regardless of what the Minister now says. If he feels, however, that additional cost is involved, why not have annual supplementary rolls? We still need access to rolls to see whether a person is enrolled. Whilst we know that there is a master roll in the Electoral Office in Brisbane and one is able to write away and find out whether a person is enrolled, it would be far easier if members were able to turn to the annual roll, the general roll, the supplementary roll—call it what you may—to ensure that that person is enrolled. I have at least 30 or 40 inquiries each year from people wanting to know if they are enrolled. At present I need simply to look up the roll. However, if I have to write to the Principal Electoral Officer, I am faced with the cost of stamps, to start with, and the inconvenience of writing. As I have over 100 letters a week at the moment, I do not look forward to increasing my work in that way, though I am certainly pleased to help the constituent in this task. I see this as an extra burden imposed on us simply because the Minister intends not to have a general roll.

The Minister has overlooked the fact, too, that it is not just members of Parliament or local authorities who use these rolls. They are used also by firms for purposes that they might determine. I have had many inquiries from firms wanting to borrow a roll because they want to find out whether a person still lives in a certain electorate, whether he has moved or what his latest address is. It may be because of some debt, but surely it is their right to be able to pursue all avenues to discover where a person lives.

I see real problems if we do not have some type of general roll printed annually. The Minister needs to consider this very carefully. I would ask that, when he does so, he considers printing a supplementary roll. He has said that, now that we have a computer, there is no problem. It keeps the information right up to date. It is simply a matter at any stage of producing the computerised form listing those who are enrolled. I would like further consideration of the matter.

Mr. HOUSTON (Bulimba) (4.24 p.m.): I support the views expressed on this matter by the honourable member for Rockhampton. It is quite strange that, when we talk about computerisation in the general sense, we feel that it is supposed to help us in our everyday

life and in the administration of the various facets of life; yet in this field we have introduced computers only to find that one of the fundamentals that have been handed down over the years is to be dispensed with.

I think we take our electoral system and our elections far too lightly. To me the whole basis of democracy is contained in our electoral system. After all, if it goes wrong, the whole basis of the election of Parliament and councils goes wrong. For the love of me, I cannot see any reason for it. Certainly in my mind the Minister's comments today have not justified the principle of printing a roll only when it suits the Government of the day. That is what he means. He will bring a roll in when his Cabinet believes it is necessary. In this State we have the peculiar situation of people not being able to get onto the roll until they have lived in a place for three months. This is different from the Federal system. It causes tremendous confusion.

One advantage of having annual rolls is that canvassers from all political parties do their roll checks for their own sake. There is nothing wrong with this. To my knowledge, there has never been a complaint with regard to the activities of people who are doing roll checks on behalf of people associated with political parties in particular electorates.

But what we do find is that some people believe they have enrolled. After residing in a place for one month they go to the post office and fill in the electoral form. They are complying with the law. They mean to go to the police station two months later, but they do not. Then, when a Federal election comes along, they are allowed a vote and so far as they are concerned they are on the roll. When they are refused a vote at a State election they say, "I was allowed to vote at the last election." Over latter years it has been a case of Federal elections practically interspersed with local authority and State elections, so that being allowed a vote at one election is no guarantee that a person is on the roll for the next election; but the average person does not understand this.

I believe that what we should be doing is making it easier for people to be on the roll. Later we will be discussing fining people for not voting, yet very little is done to encourage people to be on the roll. In fact, if a person does not want to be on a roll, apparently he need not be. No great check seems to be made. We have canvassers going around and I do not care how efficient or dedicated they are, the time factor does not allow them to do the job properly.

If we are to have a roll check some time prior to an election, Governments will start saying, "We had better not do a roll check until the last minute or we will let our opponents know that an election is coming on shortly." We have seen what the Premier will do in cutting short a three-year period to suit his political ends.

Mr. Hinze: What about your leaders in the past?

Mr. HOUSTON: For a start, I believe in living in the future not in the past. Secondly the Minister cannot cite one occasion when a Labor Government brought on an election before the expiration of the normal term. The last election in this State was brought on suddenly because the Premier, and I believe the Minister, too, believed there was some political advantage in doing so. Under this legislation, the Government of the day will leave the roll checks until the last minute or as short a time before an election as possible to avoid indicating when the election is to be held and the whole thing will be rushed; people will be taken off the roll willy-nilly and will not get on the roll when they should.

Also, having the three-month period and the one-month period is ridiculous. We should not have any difference in qualifying periods. What we should be doing, of course, is having the same period so that people fill in one form and, now that we have computers, let the computer list go to the Federal people, the State and the local authorities. After all, although the local authority is on the same card, it is still a distinct and separate roll to that used for State elections.

I feel that the Government is making this move for its own political purposes. It is not a move in the interests of the citizens to make sure that they are on the roll. While we have the annual rolls, a person can check to see whether his name is on the roll and if it is not, somebody can tell him. Under the proposed set-up, by the time a person finds out that he is not on the roll, he will be at the ballot-box and it will be too late to do anything about it.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (4.29 p.m.): I think the members of the Opposition who have spoken to this clause are under a misunderstanding. Annual rolls do not exist any more.

Mr. Wright: General rolls.

Mr. KNOX: We are talking about annual rolls, which is what the honourable member's point was.

Mr. Houston: Are we going to see a roll once a year? It does not matter whether it is an annual roll or a general roll.

Mr. Wright: The Act still requires it.

Mr. KNOX: No it doesn't.

Mr. Houston: Yes, it did.

Mr. KNOX: Well, we will have a look at it. The annual roll was abolished in 1973. The word "general" was substituted for "annual".

Mr. Houston: It said, "Printed once a year".

Mr. KNOX: No. I shall read the section. It provides—

> "For the purposes of subsection (2) the term 'prescribed date' in relation to a general roll for a district means the thirty-first day of December in the year immediately prior to the year in which the roll is being prepared for publication or where some other date is prescribed by regulation for the purposes of this subsection in substitution for that said date, the date so prescribed."

In 1975 there was no general roll produced on 31 December. The date prescribed for that roll was, I think, the end of September. But it was not an annual roll; it was the general roll. There need not be any roll produced next year or in any specific year.

Mr. Houston: That is according to the Bill but not the Act.

Mr. KNOX: No. I am referring to the Act as it now stands. The annual roll does not exist any more. Each year, if there is no prescription of the date, the date prescribed shall be 31 December. There has been a local authority election this year and the roll was prepared for it. If it were decided that there should be no roll produced this side of December, a date would be announced when the next roll would be produced. It might be March or April of next year. That has been the law in this State since 1973. The honourable member is trying to suggest that there will be a roll produced every year. There has not been a roll every year prescribed under legislation since 1973.

Mr. Houston: In 1973 you said there would be a roll every year but not necessarily at the start of the year.

Mr. KNOX: That is purely an administrative matter.

Mr. Houston: Why change the law now?

Mr. KNOX: The law is being changed as it concerns the general roll for each district. The provision reads—

> "General rolls for each district shall be prepared and published in accordance with this Act up to a date determined by the Minister from time to time . . ."

Mr. Wright: Which is a change from the present Act.

Mr. KNOX: Quite so. It merely tidies up the present arrangement because the prescribed date is already fixed by proclamation by the Minister from time to time. If the honourable member cares to look at the proposed section 14(2A) he will see that it provides for a roll in each calendar year.

The question of when the roll is produced is therefore of no great consequence to anybody other than those who are interested in elections and those who are interested in maintaining the rolls. In fact, the rolls are maintained continuously in the Electoral Office. The green books that we are given are merely copies that are issued as a matter of convenience for the community generally. Those copies do not alter the roll which is kept in the Electoral Office.

Let us now see what that roll is. It is a document that records at a particular time the situation as it appears in the official records. By the time it is published, it is at least four months out of date. In many cases it is up to 16 months out of date. I am still referring to the green books with which we are all familiar. In my electorate approximately 13 to 15 per cent of the names on the roll are inaccurate at any time subsequent to the publication of the green book. After another year the green book is out of date to the extent of 27 months.

Mr. Houston: It's taken years for you to find it out.

Mr. KNOX: That is not so. As one who has had reason to check the roll regularly, I have always known it. The green books are 27 months out of date but there is an up-to-date roll in the Electoral Office at any time. What we are concerned about is the unnecessary putting out of paper into the community when in fact an up-to-date roll is available in the Electoral Office.

It may be produced at any time when it is required, whether for a general election, a by-election or for the general roll. In fact, in every three-year period two rolls must be produced for local government and State elections. I am not planning to eliminate annual rolls, but we have in fact eliminated them by Act of Parliament. The only reason that we maintain a roll every 12 months is the one the honourable member for Bulimba has stated, that is, the convenience of people—honourable members, ministers of religion and all sorts of people who might wish to consult that roll in a public place. They can ask for that information. If they wish to have it, they can get the up-to-date information from the Electoral Office, and many thousands of people do. They communicate with the Electoral Office to obtain information. Honourable members opposite are trying to read into this something that is just not there.

Mr. Marginson: They will be printed at your discretion.

Mr. KNOX: That is the situation now. I can arrange for a roll to be printed for the whole of the State by prescribing the date. This is done through the Governor in Council, and when the date is prescribed it becomes the date up to which the roll is prepared. But that does not mean stopping the recording of names in the Electoral Office and keeping the roll up to date, even though the green book is closed off at that particular time.

Mr. HOUSTON (Bulimba) (4.37 p.m.): I do not know what the Minister is trying to pull in this debate. On 13 March 1973 in the introductory debate on the Elections Act and the Criminal Code Amendment Bill he said—

> "The Bill makes provision for the annual roll to be designated 'General Roll' and for it to contain a list of names to 31 December, or any prescribed date. This will permit of rolls being printed to any date prescribed. With the modern equipment now possessed by the Government Printer and the use of the computer, the rolls can now be printed much more quickly, thus leading to a reduction in the size of the supplemental rolls."

That is what the Minister told us when he asked us to support the idea of an annual roll to be called the general roll. I repeat his words—no doubt it was a prepared speech—spoken in the course of his introductory remarks—

> "The Bill makes provision for the annual roll to be designated 'General Roll'..."

It is plain for anyone to see what he meant. Later on in the debate, if my memory serves me correctly, he went on to deal with queries by other members. I have not had time to go through the debate. I am sure we challenged the Government on this point and said, "You are going to do away with the annual roll." In his reply the Minister said, "No, we're not. There will still be a roll every year but we will not necessarily do it in the early part of the year because of the computer. It will save money, and because of the computer and everything else, we can do it at any time." I am sure my colleague from Rockhampton will have the exact wording of the Bill, but that is what the Minister said on that occasion.

Mr. WRIGHT (Rockhampton) (4.39 p.m.): It is not very often that the Minister is wrong, as we have found over the years he has been handling this portfolio, but I think in this instance he is completely wrong. In 1973 a Bill was introduced to amend the Elections Act, and clause 11 of the Bill that was presented amended section 14 of the Principal Act. I shall quote it entirely so we know exactly where we stand. It referred to the printing of rolls and supplemental rolls and stated—

> "Section 14 of the Principal Act is amended—
>
> (a) by omitting the word 'annual' (wherever occurring) and inserting in its stead the word 'general';
>
> (b) by omitting subsection (2) and inserting in its stead the following subsection:—
>
> '(2) The general roll shall contain the names registered up to the prescribed date. The electoral registrar of each district or division shall on or before the fifth day after the prescribed date transmit a list containing names registered up to the prescribed date to the Principal Electoral Officer who, after having received the lists for the whole of each district concerned, shall, with as little delay as possible, cause to be printed a sufficient number of copies of a general alphabetical roll of electors of the whole district numbered in regular arithmetical order. Such rolls shall be known as the 'general' rolls.
>
> '(2A) General rolls for each district shall be prepared and published in accordance with this Act once at least in each calendar year'."

The Act says that there are to be yearly rolls. Let the Minister call them what he wants—annual rolls, general rolls or anything else—but the Act says that they shall be printed once at least in each calendar year.

Mr. Ahern: Does it say "printed"?

Mr. WRIGHT: ". . . shall be prepared and published". How else is the honourable member going to interpret the word "published" other than that they are to be printed?

I think the point has been well made by the Opposition. The amendment does in fact change the existing law. There will be no such things as yearly rolls, or it will not be necessary to print electoral rolls on a yearly basis. That is what the Opposition is opposed to. I think a further explanation is required. Unfortunately, the Minister is wrong.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (4.42 p.m.): Saying I am wrong is one thing but being wrong is another. The honourable member has shifted his ground somewhat. The complaint was made that we were abolishing annual rolls.

Mr. Wright: No.

Mr. KNOX: That was what the complaint was. I pointed out that the annual rolls were abolished in 1973.

Mr. Houston: Only the terminology was abolished.

Mr. KNOX: The terms have been changed. They were changed in 1973 by the use of the words "general rolls".

Mr. Houston: You said it was still an annual roll.

Mr. KNOX: Yes, I did. It still will be. There will still be a roll each year.

Mr. Wright: Published?

Mr. KNOX: Published each year.

Mr. Wright: Why change the Act?

Mr. KNOX: Let's see what we are talking about. Circumstances can arise where redundancy of rolls can be avoided. In

fact, we did avoid that situation in 1974. We did not have an annual roll in the sense it used to exist prior to 1973. In 1974 we had a roll produced by virtue of the election. So I am not in error; I am not incorrect in what I am saying. I do think the Opposition is misunderstanding the words and is seeing circumstances which are not intended and do not exist. I see absolutely no problem. In amending (2A) in the form we are now suggesting everybody will know when the rolls are going to be available. At the same time we eliminate completely the question of 31 December, which is only another date. It has no special significance other than that most people think in terms of ends of calendar years.

Mr. Marginson: You can't blame us for not trusting you.

Mr. KNOX: I don't blame them for not trusting me. I don't want to misinform them but I have been accused of that.

An Opposition Member: You already did.

Mr. KNOX: No, I didn't.

In fact there will be rolls at regular intervals. They will certainly not be 12 months apart. In any year there will be a roll. I want the convenience of a roll; my constituents do and citizens generally do. It is for the convenience of people that we have produced the rolls, anyway, not for elections. It is only at election-time that we take a special interest in the rolls.

Question—That clause 7, as read, stand part of the Bill—put; and the Committee divided—

AYES, 54

Akers	Kaus
Alison	Kippin
Bertoni	Knox
Bird	Lamont
Bjelke-Petersen	Lane
Byrne	Lee
Camm	Lester
Campbell	Lickiss
Chalk	Lindsay
Chinchen	Lockwood
Cory	Lowes
Deeral	McKechnie
Doumany	Miller
Edwards	Muller
Elliott	Neal
Frawley	Porter
Gibbs	Powell
Glasson	Row
Goleby	Scott-Young
Gunn	Small
Gygar	Tenni
Hales	Turner
Hewitt, N. T. E.	Warner
Hinze	Wharton
Hodges	
Hooper, K. W.	*Tellers:*
Hooper, M. D.	Ahern
Katter	Moore

NOES, 11

Burns	Melloy
Casey	Wright
Dean	
Hooper, K. J.	
Houston	*Tellers:*
Jensen	Marginson
Jones	Yewdale

Resolved in the affirmative.

Clauses 8 to 23, both inclusive, as read, agreed to.

Clause 24—Amendment of s. 69; Absent voters at outside polling-places—

Mr. WRIGHT (Rockhampton) (4.54 p.m.): No doubt honourable members are aware of the section to which this clause relates. I wonder whether it can be extended to cover a candidate who, because of some serious illness or accident, desires to withdraw from an election. The Act and this amendment only cover a person who dies, and thereafter a new election can be called. It seems to me that certain circumstances could arise in the last few weeks before an election. A candidate may be so seriously ill that he is in a coma or may be involved in a car accident which makes him totally incapable of contesting the election and, moreover, continuing as the representative should he be lucky enough to be elected.

In circumstances such as that, some type of power should be vested in either the Minister or the Principal Electoral Officer—and I believe it should be the Minister—to allow the withdrawal of that person as a candidate. I understand that it could create complications. At the moment, whilst a person is a candidate and whilst it is known that he could not possibly represent the area if elected, he will still no doubt gather round him many supporters—people who have not taken an interest in the election. Those votes are virtually lost.

It may be said that that is all part of the political game and that, if a person is unlucky enough to be involved in an accident or to become seriously ill, that is the way it goes. However, in the interests of democracy and in the interests of ensuring that people are able to have their votes counted correctly—and that they are not voting for people who are not able to represent them—some provision ought to be made to enable the Minister or somebody else to determine that such a person should no longer be a candidate.

I know that it is not a problem that arises every day of the week, but we bring down legislation to cover matters that are not everyday occurrences. So I would like the Minister to consider this, not at this time perhaps, but in due course when he is further amending the legislation.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (4.56 p.m.): I am at a loss to understand the relevance——

Mr. Wright: It is the only clause under which I could discuss the matter.

Mr. KNOX: I see. It was a device to bring it in?

Mr. Wright: Yes.

Mr. KNOX: Clause 24 relates to allowing people to vote in an area where there is no election because of the death of a candidate.

Mr. Wright: That was the only part of the Bill under which I could raise the point.

Mr. KNOX: I will note the honourable member's submission.

Clause 24, as read, agreed to.

Clause 25—Amendment of s. 70; Voting before polling-day by electors who will be absent on polling day—

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (4.58 p.m.): I sought and obtained leave to move the following amendment, of which I trust honourable members have copies—

"On page 8, after line 28, insert the following—

'(b) inserting after subsection (1) the following subsection:—

"(1A) Where an elector, pursuant to subsection (1), attends before the returning officer for the district for which he is enrolled at a place other than the place where the returning officer usually performs his duties as returning officer, the returning officer, as a condition precedent to taking the vote of the elector, shall—

(a) first have given reasonable notice of his intention to take the vote of the elector and of the place where and time when he intends to do so to each candidate for the district for which he is returning officer; and

(b) provide at such place where he intends to take the vote of the elector a polling-booth with a compartment to enable the elector to record his vote, and have with him a ballot-box into which he shall place the envelope immediately containing, pursuant to subsection (3), the vote permitted by him under this section.";'."

I will speak briefly to it. Since the introduction of the Bill, another matter concerning the conduct of elections has been drawn to my attention. It appears that an assistant returning officer at the last city council elections proposed to attend at the premises of a sporting club to take pre-election votes. While not suggesting that there were any improper motives at all attached to his decision, it did seem to me that such an action could well be misinterpreted in some quarters.

Section 70 of the Elections Act provides, amongst other things, that an elector who proposed to be out of the State on election day may attend before the returning officer for the district for which he is enrolled, and vote. Usually a returning officer performs his functions as such from his place of residence or in some cases from his office and sometimes from both. The section does not specify a particular place. I have moved this amendment so that the taking of this type of vote by a returning officer at a place other than the place where he usually performs his duties as such will not be open to any misunderstanding or misinterpretation.

The amendment provides that where a returning officer does take a pre-election vote at a place other than the place where he usually performs his duties as returning officer, he must have first notified the candidates of the time and place he intends to do so, he must provide a polling booth and he must have with him a ballot-box into which he is to place the envelopes containing the votes in accordance with the section.

Mr. WRIGHT (Rockhampton) (5 p.m.): After studying the amendment proposed by the Minister, I see no reason for opposition because this seems to be warranted. Mr. Hewitt, do you intend at this point to allow general debate on clause 25 or do you wish to deal with the amendment first?

The CHAIRMAN: Order! I shall deal with the debate on the amendment first and then come back to the original question.

Mr. WRIGHT: We have no opposition to the amendment.

Amendment (Mr. Knox) agreed to.

Mr. WRIGHT (Rockhampton) (5.1 p.m.): As I said at the second-reading stage, this is a very important part of the legislation before us. I think it is the highlight. We are going to extend these provisions to allow people to be involved in pre-election voting because we know the difficulties that do arise for many persons.

With pioneering legislation, we do not always go far enough. Members who have taken it upon themselves to look at this clause will have noticed that paragraph (2A) reads—

"(2A) A declaration to which paragraph (c) of subsection (2) refers, based on an elector's reason to believe that he will throughout the hours of polling on polling-day be engaged in work or duty in respect of his occupation or calling under conditions which will preclude him from voting at any polling booth in the State, shall be accompanied by a certificate in the prescribed form from his employer, foreman or other person having superintendence over his work or duty."

I have no argument with that but I do question whether or not it is going far enough because, owing to the type of work that many persons are doing, they would not be able to get a certificate from an employer, foreman or other person who has some type of supervision over their work. I cite very quickly the travelling salesman or sales representative. Many of these persons do not have a superior in the local district. Some of them do not even have a Queensland superior and would in fact have to write to Sydney or Melbourne because, today, with a centralised approach to industry, people act in the Central Queensland

region and in the North Queensland region and their head office is in Sydney or Melbourne. Under this clause they would be disadvantaged as against an ordinary person because they would have to write to Sydney or Melbourne to have such a certificate given to them. That is just one circumstance that I think has been overlooked here.

The second circumstance concerns the self-employed person. It is quite obvious that some self-employed persons would find it impossible to vote for the reason outlined in the clause, yet the clause requires that they provide such a certificate. Do I take it that they simply sign their own certificates and therefore vouch for their own inability to vote? Further clarification of this provision is needed. Possibly an amendment is required. At this point I am not moving such an amendment; I ask for an explanation in the first instance.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (5.3 p.m.): As with all new ideas, there are some shortcomings. We have indeed thought of the circumstances mentioned by the honourable member for Rockhampton. I point out that people are now disadvantaged generally because, by virtue of their employment, they find themselves isolated and unable to get to a polling booth. I think everybody has seen examples of this. They have the problem, of course, of explaining their absence to the Electoral Office when they receive the please-explain notice. I must say that the Electoral Office generally accepts the explanation. But it does, of course, mean that these people, by virtue of their employment, have been disfranchised.

The points made by the honourable member are quite worthy of consideration. I assure him that they have been considered. We have not yet devised a simple system to handle the problem. Possibly the person may have to get a statutory declaration from a justice of the peace or make some other formal declaration. Possibly that is the way it can be overcome. Let us give it some consideration. Perhaps at some future time we might be able to propose a practical amendment. At the moment we are treading on new ground. I think this will alleviate most of the circumstances that arise.

Usually an employer or self-employed person has some discretion about his arrangements and is able to give himself some leave to go to the polling booth, if it is within reasonable distance. But the very nature of his vocation might be such that he has to be a long way away for the whole week-end. He might be out on a boat fishing, not for pleasure, but commercially. If he knows that he will be away at that time, he should be able to obtain a vote by virtue of his being more than the prescribed number of kilometres from a polling booth on polling day.

Mr. Wright: There are many employees who work mainly on a commission basis and who are virtually self-employed. They would not be able to get a certificate from an employer.

Mr. KNOX: I note the honourable member's observation. However, in most cases they would know that they would be in that position on that day and would therefore be entitled to a vote prior to election day, for the reasons that I have mentioned. In the category that has been mentioned the only circumstances that would arise would be those in which a person was called out at midnight, or after 6 o'clock on Friday evening, on a task that prevented him from returning to his area until after 6 o'clock on the Saturday, and during the whole of the time he was engaged on that task he was not within a reasonable distance of a polling booth. Such circumstances could occur on rare occasions.

I think we will leave the provision as it is for the present and give it consideration at some future time.

Mr. ROW (Hinchinbrook) (5.7 p.m.): I should like to address myself to this clause and in doing so to explain to the Minister that, because of other commitments in this place, I have not so far had the opportunity to enter the debate on this Bill. A question has been brought to my notice that I feel may be covered by the clause under discussion. In many remote country areas there are people living on properties who are self-employed and are not covered by the provision as outlined by the Minister who find difficulty in having their postal votes stamped by an official post office in sufficient time for them to be received within the prescribed period. In many cases country mailmen, who are not authorised to stamp mail officially, carry postal votes in their mailbags for a considerable time, particularly if there are delays caused by the weather. The delay in the placing of an official stamp on the envelope means that those votes are not accepted. Perhaps the Minister will accept my comment at this stage and offer some comment himself.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (5.8 p.m.): This is one of the problems that have arisen in recent times as a result of the changes in the service of the postal authorities. It has been given consideration, as the honourable member will see from clause 25 (d) to (g). We cannot, of course, overcome the problem that arises when a person completes a postal vote and carries it around himself until the eleventh hour before doing anything about it. All I can say is that it has presented a difficulty even in the city of Brisbane, where the non-clearance of letter boxes between Friday evening and Sunday evening has meant that some votes have not been counted. Although votes have been deposited

in letter boxes before the time prescribed, they have not been cleared until after the election.

There is nothing that we can do about that; it arises because of the changed circumstances in the mail service. We would like to solve the problem, but I am afraid that the present arrangement is the best that can be made. All that we can say to the elector whose vote is subsequently received by the returning officer bearing the wrong date stamp is that at least he will not receive a please-explain note. He has attempted to cast his vote even though it will not be counted.

Clause 25, as amended, agreed to.

Clauses 26 to 37, both inclusive, and schedule, as read, agreed to.

Bill reported, with an amendment.

CLEAN AIR ACT AMENDMENT BILL

SECOND READING

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (5.12 p.m.): I move—

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

I would like, at this second-reading stage, to reaffirm the essence of this Bill, which is very simple and uncomplicated. As I said during the introductory debate its aim is to increase the penalties and to increase the maximum fees payable under the Clean Air Act and regulations. The scale of penalties prescribed in the original Act are now inadequate, and the proposed scale will put more teeth into this particular piece of environmental control legislation. Authorising prosecutions comes within my jurisdiction under the Clean Air Act, and I think I have made it abundantly clear that I will not hesitate to take steps against offenders where action is warranted.

A number of other matters raised during the introductory debate do not—strictly speaking—come within the framework of this Bill. Nevertheless, they reflect the seriousness with which many members on both sides of the House regard matters of environmental pollution control. I thank honourable members for the contributions they have made to the debate to this stage, and I believe that my comments in reply in the introductory stage reflect the Government's growing concern and activity in this area and its intention to see the air pollution situation improved.

For some time now the technical provisions of the Clean Air Act and regulations have been under review by the director and officers of the Division of Air Pollution Control and consideration will be given to the points raised by several honourable members when the proposed modifications and amendments are put forward. I hope to place these before the House later this year. However, it is very evident to me from the earlier debate that members on both sides of the House are in close agreement on the basic philosophy underlying the control of air pollution and other forms of environmental pollution. There was agreement, for example, that we need to prevent many of the chronic planning situations of the past from recurring.

Short of spending enormous sums of money and imposing much hardship on people and on industry, we cannot completely eliminate the air pollution problems caused to citizens by the siting of houses and noxious industries close together (as in the Murarrie, Hemmant and Tingalpa area and in the Oxley-Darra area). We will do our utmost to improve the situation, certainly, but we cannot remove these problems, which we all know should never have been allowed to occur.

It is perhaps through greater emphasis on planning and control of new industrial developments that we will have the most significant impact. However, it is also necessary to consider the prevention of residental development close to industrial development once established, on land that is set aside for industrial purposes.

Town-planning, which has adopted vital meaning in local government circles under this Government over the past few years, provides one of the best avenues for ensuring that the developmental problems of today—caused mainly by inadequate planning in the past—are not repeated in the future. More and more local authorities are coming to realise this, and are applying town-planning provisions to plot a more sensible course for industrial and residental development. Quite obviously, as I have said many times, many of the problems we have been discussing in this debate could have been avoided if this sort of approach had been adopted more widely, and more often, in past years.

I believe I have touched at sufficient length on the elements of this Bill, and on general questions of air pollution control, during the introductory stages of the debate and now. The Air Pollution Council currently is examining deficiencies and shortcomings in legislation and air pollution control measures in Queensland. Honourable members might be interested to know that I expect to receive a report and recommendations from the council in the near future.

Mr. MARGINSON (Wolston) (5.15 p.m.): The Opposition has had a look at the Bill. It contains nine clauses, eight of which deal with increases in penalties. Naturally the penalties shown are maximum penalties that can be imposed.

I must refer to a question that the Minister answered this morning. Although the Act was proclaimed in 1963 and came into effect in 1972, only one prosecution has been launched under it. Mount Isa Mines Limited was fined $50. It is ironic that the cost to

the Government for that prosecution was over $150, apart from the time of the staff involved.

As recently as this morning I received further complaints from the Darra-Oxley area, and I propose to write to the Minister again about air pollution in that locality.

The Opposition sees nothing wrong with the Bill. As I said at the introductory stage, we hope that the Act will be better policed so that it will be a deterrent to those who are polluting the air throughout the State.

Mr. DEAN (Sandgate) (5.17 p.m.): I support the remarks of the honourable member for Wolston on this important measure.

The Bill deals mainly with penalties, and maximum penalties are set out. The time is fast approaching when minimum penalties should be provided in legislation. In my opinion too much legislation contains maximum penalties. Only by fixing minimum penalties will we reduce the scourge of air pollution in the community.

As I pointed out at the introductory stage, it is no use bringing in laws if they are not enforced. Is the Government going to police the legislation? Is it going to employ sufficient inspectors? Is the Minister going to make sure that local authorities carry out their jobs? If he gives the job to local authorities he should empower them to employ more staff. The Clean Air Act is violated at night-time and over week-ends. I referred briefly at the introductory stage to back-yard fires, which are lit every night of the week and over the week-end when inspectors are not on duty. It is no use passing legislation if it is not enforced.

Emissions from motor vehicles pollute the air, but there is no mention of any penalties for polluting the air with emissions from faulty motor vehicles. I am not going to pursue that matter because I know it is not covered by the Bill, but motor vehicle emissions should have been covered. It seems to me that we are dealing mostly with pollution by commercial firms. I am disappointed not with the penalties that have been provided but because the principles of the Bill do not go far enough to ensure that the Act is policed 24 hours a day, seven days a week.

Motion (Mr. Hinze) agreed to.

COMMITTEE

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

Clauses 1 to 6, both inclusive, as read, agreed to.

Clause 7—Amendment of s.46; Offences—

Mr. JENSEN (Bundaberg) (5.21 p.m.): I am interested in the special penalties that are provided in certain cases. I realise that this clause would refer to sugar mills and to their boilers and gas chimneys. I understand that sugar mills have been given a certain period to renew their chimney stacks and to ensure the emission of clean gases. But this is only one aspect. The greatest problem is the fall-out of fly ash from cane-burning operations. The sugar districts are covered with this "black snow". The Bill is putting sugar mills to a great deal of expense.

The CHAIRMAN: Order! Clause 7 provides for special penalties in certain cases. The honourable gentleman is moving outside that limitation.

Mr. JENSEN: I am sorry if I am, Mr. Hewitt, but I thought that the special cases would refer to sugar mills. If they do not repair or renew their boilers and chimney stacks within a couple of years, they will be subjected to these penalties.

We must be careful that we do not price the sugar industry out of existence. Admittedly these days it can afford to meet some of these high costs, but in 1965 or 1966, when the price of sugar was $26 a ton, it could not have afforded to meet these requirements.

No-one can stop cane-burning operations. In Hawaii the restrictions were so severe on such operations that the industry was nearly forced out of business. Burning could be avoided by the use of harvesters that are capable of cutting green cane; but look at the cost involved. It would not be economically possible for the industry to embark on such a project in the short term.

The sugar industry is one of our biggest industries, and the towns along our coastal belt have developed alongside the sugar industry. In fact, many of them owe their existence to the industry. The imposition of severe penalties would force the industry out of existence and these towns would suffer as a result.

Years ago tall, thin chimneys were dispensed with in favour of squat chimneys. Originally chimneys were about 150 ft high, but later they were reduced to about 80 ft in height. Now the use of chimneys of from 200 to 250 ft is quite common. All they do is throw out the burnt bagasse fibre onto houses adjacent to the mill buildings. I have lived in mill houses for many years of my life, and I have found 6 ins of burnt bagasse fibre in the ceilings. Even in the slack season the winds blow burnt fibre through the houses. Although we have lived with this problem all our lives, I do not see why we should be expected to continue living with it. The raising of the height of the chimneys alone will not overcome the problem; wet or dry arresters need to be installed as well. Furthermore, mills would have to spend hundreds of thousands of dollars on renovating old boilers to bring them up to the required standard. This problem has been examined over the years by those engaged in sugar research. Perhaps we could force the mills to install arresters.

As I say, the next squeal will be about burnt cane. Until the industry gets a harvester that can cut green cane——

The CHAIRMAN: Order! For the last time, I ask the honourable member to come back to the clause.

Mr. JENSEN: I know what the fines are to be and I know that the industry cannot afford them. I know what happened in Hawaii. Honourable members should know what happened there. We have to keep these things in mind. When we are smashing industry, conservation has to stop somewhere. Conservation could close down everything and we could be living like the Aborigines again. If the present trend continues, we will have to get out into their type of environment instead of bringing them into our cities and looking after them.

Mr. BYRNE (Belmont) (5.26 p.m.): Following the random dissertation of the honourable member for Bundaberg, I wish to ask a question about this clause, which states that the penalty for a first offence shall be $10,000, with a further penalty of $1,000 for each day the offence continues. The clause does not state specifically whether those are minimum or maximum penalties. As we are looking for such a provision, I believe it should be clearly stated whether that is the minimum or maximum penalty. If it is the maximum penalty, I think that will probably avoid a lot of the disputation raised by the honourable member for Bundaberg. I ask for clarification from the Minister on whether they are the maximum penalties although that is not stipulated in the legislation.

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (5.27 p.m.): I get the impression that honourable members opposite do not speak to one another. The honourable members for Wolston and Sandgate reminded me that I am not severe enough, that I am not taking sufficient legal action against the offenders. I tried to impress on them that it is the Government's policy to co-operate with industry, to get industry to come along with us and keep Queensland free of pollution. Today the honourable member for Bundaberg complained about the fine of $10,000.

I make it clear that the maximum fines are $10,000, and $1,000 a day. That explanation should satisfy the honourable member for Belmont.

When speaking to clause 7 of the Bill, the honourable member for Bundaberg referred to sugar mills. He may be assured that the Air Pollution Council will take all factors into account before any legal proceedings are instituted for a breach of the Act. As I said at the introductory stage, it is the Government's intention to get co-operation from industries, not to penalise them unduly. If there can be any complaint whatever about our actions in the past few years, it can only be that we have been too tolerant.

The penalties referred to in the Act are maximum penalties. Minimum penalties are not favoured and penalties should be left to the courts, which hear all of the evidence.

Clause 7, as read, agreed to.

Clauses 8 and 9, as read, agreed to.

Bill reported, without amendment.

MINING ACT AMENDMENT BILL

SECOND READING

Hon. R. E. CAMM (Whitsunday—Minister for Mines and Energy) (5.28 p.m.): I move—

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

I now present this Bill to the House for the second reading, but before outlining the Bill in detail, I would like to turn to the matter of the implementation of the recommendations of the boards of inquiry which reported on the disasters at the Box Flat colliery and the Kianga underground mine, in July 1972 and September 1975, respectively, which has been raised by the honourable member for Wolston.

While considerable progress has been made in the implementation of recommendations arising from the Box Flat inquiry, where these had been considered feasible, more work remained to be carried out at the time of the Kianga disaster. The findings of the Kianga inquiry pose wider issues, particularly in the area of education for the coal-mining industry.

Officers of my department have held discussions with members of the board of inquiry, representatives of colliery proprietors, union officials, the educational authorities and laboratory services to assist them with the implementation of the various recommendations.

The report of the Kianga inquiry is being prepared for printing by the members of the board of inquiry. It is to be published by my department in the near future and given wide distribution as a public document.

The problems of safety in coal mines are substantial, and the implementation of the various measures in the recommendations will be a continuing business. As indicated in my earlier remarks to the Chamber on Thursday, 25 March, I now propose to report on what has been done to date. While this will be outlined under the general headings of research, education, legislation, analytical facilities and coal dust, it must be appreciated that these aspects are closely interrelated, and this interaction has to be considered in planning developments in the respective areas.

The department accepts that it is necessary for it to extend its research into mine safety. It proposes to set up a separate mine safety research section, and to seek a suitably qualified and experienced person to be

responsible for its activities. This section would work independently of the inspectorate but obviously in close liaison with it. It would collate the results of research going on in coal-mining safety in Australia and other countries, as well as initiating its own projects. Support would continue to be given to research at the university in flameproof testing and spontaneous combustion.

To make the work of the proposed safety section more effective and to promote the dissemination of information gained from research in usable form, it is proposed to formally seek co-ordination of activities through the setting up of a coal mine safety advisory body, representative of the department, colliery proprietors, the unions and educational authorities.

The need for continuing education for all sections of the coal-mining industry cannot be overstressed. After the Box Flat explosion, my department collaborated with the Australasian Institute of Mining and Metallurgy and the Mines Department of New South Wales in organising in November 1973 a seminar on mine fires led by Dr. H. L. Willett, the then Deputy Director-General of the National Coal Board of the United Kingdom. The proceedings of this seminar were published and my department has purchased additional copies for distribution in Queensland.

Following the recommendation from the Kianga inquiry, my department has arranged with the Queensland Coal Owners' Association for the preparation of two handbooks, one for management and one for men, on spontaneous combustion and mine fires. The drafts now prepared are soon to be submitted to the unions for comment, before being published and distributed by my department.

However, it must be recognised that, no matter how relevant the contents, the mere distribution of papers is not enough. Education is a continuing process. To this end it is proposed to seek the co-operation of all concerned to call meetings at major coal-mining centres where the information contained in these booklets can be discussed. The wider matter of training for the coal-mining industry, both management and men, will require longer-term solutions. Discussions on this problem have been held with representatives of the university and the Department of Education, and these are to be continued.

Much tends to be made of the need for standardisation between Queensland and New South Wales coal-mining legislation. This has been given close consideration in recent years. In reviewing Queensland legislation, regard is had for the New South Wales regulations. There are, however, instances where adoption of New South Wales legislation would not be desirable. This was highlighted when, following consideration of the recommendations arising from the Box Flat inquiry relating to coal-dust legislation, scientific investigation by the Government Chemical Laboratory revealed that adoption of the New South Wales requirements would have, in fact, resulted in a lowering of the standards existing in Queensland.

Advice has recently been received that the New South Wales regulations are being subjected to a complete rewriting. In view of this and my belief that in principle it is desirable that any new Queensland and New South Wales legislation should be as close as possible, I intend to propose that a committee of officers from both States be set up to collaborate in the preparation of the legislation.

In the meantime, legislation in Queensland relating to stone dust and water barriers and for the installation of barographs is in draft form. The preparation of legislation in respect of the construction of preparatory seals is under consideration, as is that for the monitoring of return air during pillar extraction, as recommended in the Kianga report.

The matter of the setting up of laboratory facilities for the analysing of mine gases has been discussed with the Queensland Coal Owners' Association and the Australian Coal Industry Research Laboratories. Proposals submitted by the latter for the establishment of facilities at Rockhampton for both routine analyses and equipment which could be readily transported to the site of any emergency have received endorsement by my department. The data produced as a result of these analyses will provide an important input into research into mine ventilation, as well as serving to monitor the levels of potentially dangerous gases.

With regard to the specific recommendations of the Kianga report on stone-dusting, discussion with relevant parties confirms the view that the provisions of the existing Queensland legislation are satisfactory, but there is a need to ensure compliance. The department is following with interest the development of equipment for on-the-spot determination of incombustible content of roadway dust. One such instrument is currently undergoing trials in New South Wales.

I am cognisant that the concern of the honourable member for Wolston in this matter is very real and one that I share. I have therefore felt it desirable to deal at some length with the manner in which the various recommendations are being handled by my department. However, in matters as complex as this, it is easier to be critical of apparent lack of progress than to make a positive contribution. My department has invited written submissions on any aspect of legislation that would have helped to avert the Kianga disaster. As none have been forthcoming, I repeat here that I will have my officers give serious consideration to any constructive comment on any apparent

defects in our legislation or the practices of the department regarding mine safety, before action on this report is finalised.

I now move to the main points of the Bill and emphasise that it is a good Bill containing sound amendments which do not bring about radical change but which are designed to remove anomalies in the present Act and to tighten the law in relation to illegal mining.

When introducing the Bill, I covered each major point of the proposed amendments, but, in order to answer any queries which may have arisen in the minds of honourable members, I shall reiterate certain points in greater detail.

Prior to 1974, if a person wished to mine for coal, he made application under the Coal Mining Act. If the application was for any other mineral, it had to be made under the Mining Act. This was considered unwieldy and the administrative provisions of the Coal Mining Act were repealed and such procedures brought under the Mining Act. However, there are in existence many coal-mining leases which were granted before 1974 and the current Mining Act makes no provision for the holder of such a lease to have it converted to a mining lease. It is felt that holders of previously granted leases should have this opportunity if they so desire and the proposed amendment provides for this action to be taken. If a holder of a coal-mining lease so converts his lease to a lease under the Mining Act, he gains certain advantages, such as being permitted to amalgamate for the purpose of labour conditions any leases held, or, if he desires to conditionally surrender his lease in favour of a new application, his conditionally surrendered lease revives if the new application fails.

Doubt has been expressed as to the validity of a title held by virtue of a miner's right when that right expires and is replaced by a new one. Provision has been made to ensure that such a title does not terminate when the particular miner's right expires, provided that a new right is obtained before, or immediately upon, expiration of the current one.

At present, if a person desires to transfer, sublet or otherwise similarly deal with a mining lease, he is required to seek from the Minister preliminary approval to such dealings and then, at a later date, when all arrangements are complete, to seek actual approval of the transaction. It was never intended that all dealings be subject to this procedure, which could lead to unnecessary delay and costs. The amendment permits this preliminary approval to be sought in cases where it is desired by the contracting parties. In other cases the documents are submitted for immediate approval.

I mentioned earlier that in 1974 the administrative provisions of the Coal Mining Act were brought under the Mining Act, but the particular provisions relating to the payment of royalty by the miner to the person entitled to such on coal which is not the property of the Crown, but owned privately, were omitted. The Bill corrects this situation and covers any gap in time. The amendment also gives authority for the making of necessary regulations and does not disturb any private royalty agreements that have been made between the miner and the owner of the coal.

Investigations have revealed that illegal mining has been, and is at present being, carried out on the gem-fields, particularly in the Rubyvale-Sapphire area. With large-scale earth-moving equipment being used, an illegal operator can move, in a few hours, earth which could carry many thousands of dollars worth of gems. Members will agree that this is plain theft from the Crown if the land is vacant Crown land, or, if held under title, from the title-holder. The question of evasion of royalty payments also arises.

Urgent action is necessary to stamp out this practice and it appears that the most effective deterrent would be the threat of impounding machinery being used illegally. The Bill provides that the warden, or his authorised agent, may, on reasonable grounds, seize any machinery, vehicles, etc., believed to be operating illegally and impound them. The warden is empowered to hold this property for a maximum period of three months, or until the case is heard, whichever is the sooner. He may, however, on good grounds, release the machinery at any time.

At the end of the three months period, or on determination of any proceedings, whichever first occurs, if the property has not been released, the warden is required to contact the owner by post or, if necessary, by advertisement, requesting him to collect it. If the owner cannot be found, the property is sold by auction after proper advertisement. The warden is required to make reasonable inquiry as to the whereabouts of the owner and, if he cannot be traced, the proceeds of the sale are paid over to the Public Curator as unclaimed moneys.

The Bill requires the owner of the property to pay all expenses incurred by the warden in the seizure, removal, holding, etc., of the property, but the warden is empowered to waive payment of the whole or part of these expenses if special circumstances exist. A person who interferes in any way with the seized property is made liable and the amendment provides also that it is the duty of every member of the Police Force to assist the warden or other authorised person when called upon so to do.

A warden who has seized or authorised the seizure of any property is disqualified from hearing any complaint in connection with the matter. The Crown, warden, police officers or other authorised persons are protected from civil or criminal liability for acts

done in good faith in connection with the seizure of the property, but are not protected from the provisions of the Public Service Act if there has been a breach of that Act.

In order to give added strength to the aforementioned provisions, the maximum money penalty for a breach of the Act has been increased from $2,000 to $5,000.

Finally, the Bill corrects a simple error and removes reference to coal-mining licences, which no longer exist.

I feel I have covered in detail the major points of the proposed amendments and I commend the Bill to the House.

Mr. MARGINSON (Wolston) (5.43 p.m.): I thank the Minister for the detailed information that he has given with respect to the recommendations made not only by the Box Flat inquiry but also the Kianga inquiry. As a member of Parliament, I felt that it was my responsibility to bring before this Assembly what had been brought to my notice about the recommendations following the Kianga inquiry and to tell honourable members that most of them were recommendations made in 1972 following the inquiry into the Box Flat disaster. I make no apology for doing that. At the same time, I thank the Minister for telling the House this afternoon how far those programmes have gone, and outlining the developments that have taken place in education, legislation and other activities in bringing safety measures nearer completion in the interests of miners.

I have nothing further to add to what I said about the Bill at the introductory stage. I might say, however, that it has been drawn to my attention that on the last occasion when royalties were increased we were apparently so anxious to increase them that we forgot to make laws with respect to private property owners. I see that the Bill rectifies that situation.

The only matter to which I want to draw attention is the use of machinery on the gem-fields. As I said in the introductory debate, some of the small prospectors feel that they are not getting the maximum benefit in that they are not able to provide the machinery they would like, and consequently their claims are not as big as those who have machinery. Some honourable members including, I think, the honourable member for Belyando, have suggested that in time something could be done to encourage tourists to go to these fields. Something should be done to make them better known not only to Queenslanders but also to people from interstate.

On the whole the Bill seems quite good to us and we will not oppose it. We think it is an improvement on the existing legislation.

Mr. HALES (Ipswich West) (5.46 p.m.): I did not speak during the introductory debate last week, but I have made some investigations into the number of coal-mining leases in Ipswich. Because of my association with Ipswich, I, with the honourable member for Wolston, am quite interested in this Bill. I have known for some years of the proliferation of coal-mining leases in Ipswich, and late last week I decided to make inquiries so that I could be certain about the number of leases in Ipswich at the moment. I think I counted something of the order of 110 at the Mines Department office at Bundamba and the Ipswich Court House, where I had a look at the mining warden's map. I want to commend both establishments. The mining warden has a series of four-chain maps pasted to a board and it is quite easy to identify the coal-mining leases in the Ipswich area. The 110 leases range in area from two or three hectares up to about 100-odd hectares. At the Mines Department office at Bundamba one can obtain information on just where mining has occurred in Ipswich since 1910, but it is almost impossible to guess where and how mining was carried on in Ipswich prior to 1910.

I commend the Bill because all the coal-mining leases will now be converted to mining leases. This will probably enable mining companies to concentrate resources, not only financial but labour, into one lease. This would perhaps enable them to mine more economically and thus eventually pass on these economies to the consumer. I should hope that this will happen, anyway. The 110 coal-mining leases in Ipswich are basically held by seven companies, so on an average each company holds 15 or 16 leases. I did not check who held what. I believe seven companies conduct open-cut mining, but only five of those are working underground as well. Open-cut mining has been of great benefit to Ipswich itself because for years to come the Ipswich City Council will be able to use the small open-cut mines as dumps for garbage.

Coal mined by the open-cut method represented a substantial proportion of the 2,500,000 tonnes of coal produced in the area in 1974-75. The mining companies, too, have enjoyed benefits in that they have been able to economically open-cut shale and clays which would otherwise have been wasted overburden. I have heard of brick-making companies which have done all the preparatory work and revealed the coal seams for the mining companies. There have been occasions when brick-making companies mining for clay and shale have found that their mining leases have been superimposed on underground coal-mining leases, and both companies have been able to work in harmony. In some instances the coal-mining companies have a responsibility to maintain a basic floor for the brick-making companies' open-cut mining.

The payment of royalties and way-leave has been a long established practice in the Ipswich area. There are many places in

that area where property or land is strata-titled or, in common terms, the freehold owner of a household property has a title to a depth of 50 ft. at the shallowest and up to 200 ft. Although the surface holder has mining operations carried out under his property, he is not paid royalties or way-leave, and the benefit goes only to the company owning the land beneath the surface.

There are isolated cases of land subdivided around the turn of the century where the minerals under the surface were reserved to the original owner or his heirs by means of a transfer and charge registered on subsequent subdivided titles. But where coal-mining is undertaken below built-up surburban areas the owners of unrestricted depth freehold have been paid royalties by the companies involved. Only a few years ago, my relations, my friends and I received royalties from coal-mining companies. I am often concerned about the correct amount of royalty being paid. I do believe that the Mines Department keeps a good check on this. Royalties of 5c a ton and 1c a ton for way-leave have been paid in the past. I know that such agreements go back 30 years. Although these days, in most cases, the mining warden does impose reasonable conditions on companies wishing to mine certain areas, and restricts underground mining to a depth which does not affect the surface by way of subsidence, it is common in many areas of Ipswich where old workings are still on fire for subsidence to occur beneath built-up areas, causing great concern to home owners. Indeed, I have seen paddocks surrounded by housing developments which will never be able to be commercially developed or even used as parks, as the subsidence problem is so great. It is possible to follow underground tunnelling by observing subsidence runs on the surface. Although I realise that shallow coal seams were the easiest-winnable coal for early miners, it seems to me that a good deal of land in the Ipswich area will possibly be wasted for all time because of the lack of forethought on the part of those early mining entrepreneurs.

I make these observations to illustrate my concern about subsidence caused from old mine workings. But not only old mine workings cause subsidence. In recent years slips have occurred close to built-up areas. A few years ago the Bundamba Racecourse was affected by subsidence. That prompts me to pose a final question to the Minister. Although new coal-mining leases, or mining leases in the future, have restrictive clauses covering the initiation of new mining, who will pay compensation to householders if in the future some massive slip from old or new workings seriously affected properties in the Ipswich area?

Hon. R. E. CAMM (Whitsunday—Minister for Mines and Energy) (5.54 p.m.), in reply: Replying to the last speaker, let me say that we know that subsidence is occurring in the old mine workings that were established in the Ipswich area before the Mines Department had power to exercise control over the existing mining procedures. The honourable member can rest assured that with any mining lease that is granted now and policed by the Mines Department, because of the adequate provision that has been made there will be no risk of subsidence whatever. I have indicated to people in the local authority area of Ipswich that they want to be careful that they do not subdivide and build on all the coal-bearing area in that district. If they just want to be an urban area or a mining area it is up to them.

The amendment contained in the Bill has nothing to do with the amount of royalty paid. I point out to the honourable member for Wolston that it merely gives the Mines Department power to collect royalty from mine operators operating on private land and to pay that amount to the owner of the freehold. It has nothing to do with the legislation wherein we increase royalties. The royalty to be paid to the owner of the land is still a matter of agreement between the operator and the owner of that land. The owner fixes the royalty payment he desires.

Motion (Mr. Camm) agreed to.

COMMITTEE

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

Clauses 1 to 8, both inclusive, as read, agreed to.

Bill reported, without amendment.

[*Sitting suspended from 5.56 to 7.15 p.m.*]

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL

SECOND READING

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (7.15 p.m.): I move—

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

When I initiated this Bill in Committee I suggested that honourable members would concur that there should be ordered procedures for legal initiatives under any Act. This obviously is of the utmost importance in the industrial sector.

We had many constructive arguments in the introductory debate. We also had advanced to us submissions reflecting personal and political affiliations rather than detached, analytical opinions. The only question, in my mind, is whether the proposed amendments to the Act are good in

law, are honest in intent and are necessary. There will continue to be divergence of opinion. This is as it should be. But at least we, in Parliament, are responsible to the people if we are wrong.

But to return to the Bill at hand, I should like to offer comment on observations made by some honourable members. The honourable member for Archerfield, for example, belaboured the time-honoured, and oft-times dishonoured, cliche that "so far as I am concerned, anybody who carries out the work of a unionist . . . has a moral obligation to take out a union ticket and become a member". Those who did not, he said, were bludging on other trade union members. They were allowing trade unions to obtain better wages and conditions but were not prepared to pay their way. Those people were industrial bludgers, he declared. I do not necessarily agree with the rather coarse opinion expressed by the honourable member. I believe that those who receive benefits from union activities should make their contribution.

Mr. K. J. Hooper: That is what I said. We use different phraseology. I was more earthy than you.

Mr. CAMPBELL: Perhaps I do not use the same coarse language as that customarily used by the honourable member.

Having said that I believe that those who receive benefits from union activity should make their due contribution. I point out that the honourable member had nothing to say about the Transport Workers' Union which is enrolling owner-drivers even though they are not recognised as employees under a Federal award and are not entitled to receive benefits from any union action.

Any person who commences a business of his own, be it a general carrying service or any other form of business, cannot expect to receive any benefits from his subscription to union funds except immunity from interference in his lawful business.

If these are the honourable member's sentiments, why should he object to a group of persons who resign from an industrial union being refused authority to frustrate the functions of that union? Is he, in effect, saying that the Bill does not go far enough and that it should place a total prohibition on the right of the individual in all industrial matters?

It is desirable that individuals do have redress on issues where they are personally involved but, if this right is abused in respect of the rights of other workers further consideration may have to be given to the particular areas concerned. But surely it cannot be desirable—even in a militant union's view—to mulct a person of union dues knowing full well he can never get any service for his money.

The honourable member for Rockhampton North, in his contribution, appeared to suggest that in some way the Bill reflects on the character of U.F.U. members. I assure the honourable gentleman that no reflection is made or implied on the character or efficiency of any employees; nor is any restriction imposed on the individual as to any organisation which he may care to join.

Members may be aware that in Queensland in 1881 trade unions were registered and thereby given status in the community. In 1917, when the first Arbitration Act was made, trade unions were allowed to register as industrial unions and provision was made at that time to give them corporate status. They were given privileges as well as responsibilities. They were permitted to acquire property and to set up funds for the welfare of members. A union has the right to conciliate with employers and to appear before industrial tribunals in all or any matters in which employees in the callings covered by that union are likely to be affected.

It should be obvious that the principal role of industrial unions is to advance the welfare of their members and their purpose is to act as spokesman for all employees in a calling and thereby avoid a disjointed approach by individuals. Nevertheless, an individual has for many, many years had the right to seek to rectify by an approach to the Industrial Court or Commission any personal grievance. Over the last 50 years this right has not been abused, and it is sincerely hoped that it will not be in the future. The purpose of the amendment is to prevent splinter groups from usurping the functions of registered unions and using the Industrial Commission as a forum to outdo established and responsible unions in a bid to alienate the membership.

The honourable member for Archerfield also referred to the right of individual employees to make application to the Commission. He saw this right as only serving to undermine the legislative role of the trade union movement and as taking responsibility from the hands of that movement. I take it that, if he carried this argument further, he would agree that it is also right to prevent splinter groups from usurping the functions of registered unions.

Where is the honourable member for Archerfield? I thought he might be interested in a little history.

Mr. Houston: He has gone to take a telephone call.

Mr. CAMPBELL: The honourable member would recall an application by a dentist, Mr. L. E. Collings, in 1966. Mr. Collings was a member of the Federated Miscellaneous Workers' Union and applied to the Industrial Commission to vary the award governing his employment by giving equal preference in employment to another industrial union. In that case the commission refused the application and stated that an industrial union was not a mere agent of its members. It went on to say that it

acted in an independent capacity and it represented a group which is constantly changing; that an individual or a group of members has no such capacity. The commission ruled that no weight could be given to the application and that to do so would be to undermine the foundations of the industrial structure.

I feel sure that any individual seeking to vary an award in such a manner that it will affect all other employees could not hope to succeed. However, as I stated before, this Bill does not alter the rights of the individual which exist at the present time.

The honourable member for Murrumba had some harsh words to say about the A.W.U. generally and about the enrolment of probationers in particular. I would remind the honourable member that the relevant award provides that preference in employment be given to financial members of the A.W.U. or persons who give an undertaking in writing to become a member of the A.W.U. Therefore, when new employees commence work as probationary firemen, there is an obligation on the fire brigade board to observe the award provisions. The visit of the A.W.U. to Kemp Place was for the purpose of interviewing new employees.

The honourable member also asked why, in view of its large membership, the U.F.U. cannot be registered. I might point out that total membership has no relationship to union registration. Many unions were trade unions in 1917 and were then registered as industrial unions. All States which have registration requirements (Commonwealth, New South Wales, South Australia, Western Australia and Queensland) avoid registration of new unions when the field is already covered.

I should also like to comment on two other sections of the honourable member's contribution. He said that, while he thought I was genuine—for which observation I thank him—he believed I have listened to everyone and been misled. I assure the honourable member that, while I am always prepared to listen to argument, I am quite capable of making up my own mind and of assessing whether or not I am being misled. I reject the implication that this legislation has been introduced as a result of my being "snowed" by person or persons unknown and unnamed.

I also take the strongest possible objection to the honourable member's allegation that some of my officers are in alliance with Mr. Edgar Williams, the State Secretary of the A.W.U., on this Bill. My officers are of the highest personal integrity and advise me with complete impartiality. I would expect from the honourable member an apology for an unwarranted, unproven and unprincipled attack on dedicated, professional public servants unable to defend themselves.

Mr. YEWDALE (Rockhampton North) (7.27 p.m.): The Minister, in his introductory remarks, used the phrase "honest in intent". When I say that I do not agree with that, I mean that, while I believe he felt that the introduction of this legislation is honest in intent, there are a lot of undercurrents and a lot of background reasons behind the introduction of the legislation.

He also said that it is quite obvious that we differ greatly in a number of areas. I accept that as fair comment because quite obviously we do. It is not unreasonable that we should express our differences as to the phraseology used, and the way the difference of opinion is presented is left to the particular individual concerned, his own conscience and his own ideas.

I now need to deal with a matter as the basis of my argument. During the sitting last year amendments were made to the Act under discussion. It is fair to say that heated arguments took place on a number of clauses. Subsequently, a large proportion of those amendments were carried, naturally by weight of numbers. We accept that situation politically so I will not labour that point.

Nevertheless, an amendment to section 29 of the Act was proposed at that time. That section is again included among the three amendments in the Bill. The amendment proposed last year was deferred. Although I cannot repeat the words of the Minister accurately, he did say that the proposed amendment to section 29 was being deferred because of the arguments presented against it. He said without qualification that it would be reconsidered by his department. I suggest that the reason why it was deferred was that there must have been some merit in the arguments put forward or the opposition to the amendment.

It appears to me that the three amendments contained in the Bill can be separated for the purpose of debate. It is suggested that they can be dealt with quite separately. The amendment to section 29 is a complete addition to the Act. The amendment to section 32 is a substitution of what is presently contained in the Act. The new section 60A relates to a new subject entirely.

My interpretation of the amendment of section 29 is that it seems to be virtually a reiteration of what transpires before the Industrial Commission as registered unions pursue the desires of their memberships to improve their lot in a number of ways that include working conditions and wages. I shall try to keep to the argument that the Minister put forward earlier that we sectionalise and categorise particular groups of people. I may be forced to return to that point later. I think it is fair to say that there are groups of people engaged in an industry who have over a period of years carried out their duties and performed their

services to the community competently, reliably and sincerely. I believe that they have performed well on the industrial scene, probably because of the type of calling in which they are engaged.

Mr. Miller: Which section are you referring to?

Mr. YEWDALE: I do not know whether the honourable member's ears are clogged. I said a moment ago that I was trying to put my argument into perspective by talking about a section of industry. I want to avoid if I can, or counter, the argument the Minister put forward about speaking of a specific group.

Mr. Miller: Make it general. Do not say "a particular section".

Mr. YEWDALE: I am making it general but I am using one example. I think that that is a fair argument.

I feel that the people in this group to which I am referring——

Mr. Moore: Are they fire fighters, by any chance?

Mr. YEWDALE: The honourable member for Windsor is an authority on most subjects. I listen to him intently not only in the House but in other places. He is a Jack of all trades. He is pretty handy at doing a number of things and he knows about all subjects. But I think the old saying, "Jack of all trades but master of none" applies to our friend from Windsor.

Mr. Moore: Who are you talking about?

Mr. YEWDALE: I am talking about the honourable member.

Mr. Moore: I'm not a fire fighter.

Mr. SPEAKER: Order!

Mr. YEWDALE: It is quite obvious that the point I am trying to make, if honourable members opposite will allow me to, is that the people to whom I refer are an unregistered group.

Mr. Miller: Which people are you referring to?

Mr. YEWDALE: They are unregistered because over a period of many years their association has been unable to obtain registration in the State Industrial Commission. Nevertheless they have continued to carry out their duties over a long term. When a situation is reached in an industry in which a majority of eight to one have voluntarily joined an organisation, it is obvious that they see that organisation as the better one to provide them with a service in their industry. The commission, the Minister and his department are apparently not prepared to accept this situation as a fact of life. They are not prepared to accept that this organisation has catered quite competently for the majority of people in this calling and that this is the organisation to which they wish to belong. As I interpret the amendment, the Minister is saying to these people, "Whilst you have been represented individually over many years before the commission in matters concerning your working conditions generally you cannot now have access to the commission because you are not registered. We are closing the door after all these years not because you have done your job poorly or because you have failed in making representations before the commission. We are closing the door not because you have not been able to gain flow-ons or like-with-like provisions in the award covering your industry, but because the Government has decided now that unregistered unions cannot appear before the commission and present arguments." I can only interpret that as meaning that each and every individual—some 800 people—is going to have to present an argument before the commission to further his own award and job conditions. I would suggest that is what the Minister is setting out to do, and if that is the case (whether he confirms or denies it I can only assume that is what he is doing), it seems to me that the Government is moving into a ludicrous situation.

Having said that, Mr. Speaker, I must say that I do not know that it is going to change anything. I do not think it is going to change anything in the sense that the legislation does not in any way imply that certain people are going to be dealt with or that certain people are going to be shifted out of the industry. It seems to me that the Government is providing what it thinks is a machinery provision to cover a group of people, and if it is going to operate as I suggest it is, and I am open to argument, as far as I am concerned it is childish and ridiculous because at the moment whether we like it or not we have a status quo position. We have had it for years and it seems to me we are going to have it within this industry for years to come. I do not want to develop the pros and cons of that argument, but what we are saying now is that rather than the responsible and accepted person who has been representing that group of people coming forward again in a similar manner and putting forward arguments as he has done before, achieving whatever results he might——

Mr. Gygar: Are you saying the A.W.U. has been irresponsible in the way it has represented them?

Mr. YEWDALE: I am simply putting forward what I think is a very valid argument in these circumstances. If the situation which I have predicted does arise, I cannot for the life of me see how that is good government or good administration by a responsible Minister.

Moving quickly away from that aspect, and moving on to another point about the registration of unions in this State—I know

it has been said by other members—we have organisations with memberships of from 20 or 30 up to several hundred people which have been registered as unions. They have been registered in a calling probably because in past years they had the numbers to achieve registration and they have been able to retain that registration although in many cases their numbers have been severely depleted. The group to which I have been referring have some 800 members in an industry who have voluntarily joined an organisation. We hear all sorts of cries from Government members and Ministers about democracy, about impositions and about forcing people to do things—I will return to that later—but these people who voluntarily did something because they felt it was in their best interests are now being told, "You are being debarred." I would say the greatest villain—I stress the word "villain"—is the commission in the sense that it would not accept the registration of this organisation which could validly cater for people in the industry.

Mr. Miller: You just said the Government is the villain.

Mr. YEWDALE: The Government has to accept some responsibility in this ridiculous situation.

Mr. Miller: You are criticising two things.

Mr. YEWDALE: I am criticising both the Government and the commission, and I am not pulling any punches about it. I believe the members of the commission are hiding their heads in this case and that the Government is building a structure that will amount to nothing. These amendments will not do anything constructive; they will just cause inconvenience and bring about a ridiculous situation in the representation of these 800 people. I suggest that this measure will not bring about harmony in the industry. It is an industry which has a relatively good industrial record, possibly because of its nature, but I do not believe the Minister will achieve anything. Last session when amendments to industrial legislation were introduced I said that they would be pigeon-holed and not proceeded with. The Minister indicated earlier that he is aware of very strong differences of opinion in this area. I will make it quite clear now for the information of the honourable member for Ithaca that I firmly believe that the action of the Minister in again trying to hold back this organisation in the fire-fighting industry, the U.F.U.——

A **Government Member** interjected.

Mr. YEWDALE: That's right, the U.F.U. I wanted to put forward my argument without referring to that organisation. Now I am referring to it because the honourable member for Ithaca wanted me to. I am obliging the honourable member.

Mr. Miller: You used it.

Mr. YEWDALE: The honourable member is interrupting and not listening. I said, "The organisation in the fire-fighting services in Queensland—the United Firefighters' Union." I make it quite clear that to my mind it is the organisation to cater for that industry. It is no good anyone in this House telling me in parrot fashion that that is a militant, radical organisation, an organisation that is going to take over everybody and an organisation that has very Left-wing tendencies. They are attitudes that certain people in the Chamber always say the trade unions have. Indeed, this is a well-organised body in the sense of its own internal functions, it is well-organised in the presentation of its job, it is well-performed in all its phases—and nobody argues that—but it is being withheld from a specialist industry at the whim of the commission or the court and by the action of the Minister and his department in this amending Bill.

Mr. Miller: How about self-employed people?

Mr. YEWDALE: I am coming to that. I might surprise the honourable member. Let him sit and listen.

The clause amending section 29 is merely a substitution. To my mind it primarily provides a similar situation. It is a reiteration of section 29, so I do not want to labour that point. I turn to the clause dealing with the membership of unions and the reference to a person who is not an employee. In my opinion the subject is wide open for debate. I am speaking quite personally here. I have some knowledge of what happens in industry in regard to the membership of certain employers who perhaps have been imposed on in certain circumstances.

Mr. Miller interjected.

Mr. YEWDALE: I ask the honourable member to let me finish. He is interrupting all the time. He can have a go later.

Mr. Miller: Be more specific.

Mr. YEWDALE: I will be specific when the honourable member gives me a chance. He is like a parrot. I will give him some corn in a minute and shut him up. Over a period of years in certain industries—the transport industry is one, but there are others in Queensland and elsewhere in the Commonwealth—unions for obvious reasons have expressed concern about certain people working in those industries. I ask the honourable member for Ithaca to let me continue. I can see that he is going to interrupt me. Certain people in industry have worked under the guise of being self-employed or of being employers rather than employees. When I say "guise" I know of specific cases where for devious reasons people have suggested that they were going to join together as a group and create a company and be self-employed.

I know of cases where bogus organisations have advertised. I have facts on this, and it is public knowledge. Companies have advertised for owner-drivers at a fee of $2,500 to be part of the organisation, guaranteeing so much work at $250 a week. That is all in print and, if necessary, I can present the contract. People are taken into such organisations and they describe themselves as self-employed owner-drivers when in fact they are not.

Mr. Moore: Does the boss take their tax out?

Mr. YEWDALE: I would suggest that he does, although I am not quite positive.

Mr. Miller interjected.

Mr. YEWDALE: I am trying to get to a point here. There are many circumstances in which I feel that the unions are justified in calling on people to join them. I would support that argument.

Mr. Miller: Would you support the argument that a person who does not pay tax to an employer should be forced to join the Transport Workers' Union?

Mr. YEWDALE: The honourable member is not letting me continue. He will not have any need to ask me questions if he will let me continue. He is like a married magpie. I wish he would shut up.

I have already suggested that I argue that there are circumstances in favour of the enforcement of people into union membership. In some instances the action of the unions is quite justified and has my support. On the other hand, however, if the unions cannot prove that a person is an employee, I cannot see any justification in their forcing him—an employer, a self-employed person working in an industry—to pay union dues to a union that cannot give him a service and cannot better his way of life in his job as a self-employed person. I will argue with anybody on that aspect. I am not saying that this relates to one industry.

Mr. Miller: Arch Bevis.

Mr. YEWDALE: I am not saying that it relates to the Transport Workers' Union. It probably relates to several industries, and I am not going to waste time by elaborating. On behalf of the Opposition I am saying that where it cannot be proved that a man is an employee we cannot condone the actions of the union in forcing membership upon him when it cannot give him a service. That cannot be justified. Whether we like it or not, we live in a private-enterprise system, which has room for self-employed persons. But I want specific cases put before me, not broad blanket coverage. If I have the evidence I will argue a case in support of the unions.

I conclude by repeating what I said earlier, that the Industrial Court in Queensland has closed its eyes to a group of people in relation to registration. This is not good for industry. The Government is virtually endorsing the action of the court and stating that it is correct in all respects. The Government is saying to the Minister and his department that the Act will be amended to make it harder for these people to better their way of life in their industry. I cannot condone this, nor can other members of the Opposition condone it. For that reason we are vehemently opposed to this amendment.

Mr. MILLER (Ithaca) (7.48 p.m.): Whilst in many respects these amendments have my support, in one respect they cause me grave concern. First of all, I say to the honourable member for Rockhampton North, "Full marks for the speech you have just made." He has informed the House that the Opposition will support any person who is being forced to join a union provided he can support his claim that he is self-employed in his own right. I have a list of names of self-employed truck drivers who contract with companies to deliver their goods. I hope that if I put forward these names the A.L.P. will support these men and ensure that they are not subjected to blackmail tactics either at the railway yards or at the premises of any company such as Woolworths where, quite often, members of certain unions refuse to unload their trucks.

I endorse the comment of the honourable member for Rockhampton North that he cannot in any way condone the actions of any union—I shall be more specific and name the Transport Workers' Union—that forces a self-employed person who contracts to people and companies to deliver their goods to join a union. Such a person does not have income tax deducted from his contract earnings; rather does he pay his tax direct to the Commonwealth Government.

I am quite prepared to supply this list of names to the honourable member for Rockhampton North, provided he will give me a guarantee beforehand that the Australian Labor Party will ensure that no industrial union will take action against these persons. I have the names; all I want is a guarantee that no industrial action will be taken by any union, including the Transport Workers' Union, which is the worst offender. Mr. Arch Bevis and his union are the worst offenders, and I think the honourable member for Rockhampton North is well aware of that fact.

I am amazed at the attitude adopted by the Opposition to the amendments before the House. What the Government is saying, in as many words, is that it does not recognise breakaway unions. I should have thought that the A.L.P., with all its Left-wing control, would have been opposed to any breakaway union. Not for one moment can I see the building trades agreeing to a breakaway union being registered by the

Industrial Court. I cannot see any trade union movement agreeing to a breakaway section being registered by the Industrial Court. But tonight the honourable member for Rockhampton North—and this is not the first time he has done it; last year and last week he spoke along similar lines—is supporting the claim by the U.F.U.

I have no brief whatsoever for the U.F.U. or the A.W.U. I am looking at the principle of the amendments before the House tonight. The principle embodied in the amendments is that the Government will not recognise, or allow the Industrial Court to recognise, any breakaway union. Surely that has been the practice right through the history of the Industrial Court in Queensland. As a matter of fact, I have here somewhere the number of times that the U.F.U. has appeared before the Industrial Court. It started doing so in about 1950, in the days of an A.L.P. Government. On that occasion the Industrial Court said no. Since 1950 a number of applications have been made. If I remember correctly two were made before we became the Government in 1957, and on a number of occasions since we became the Government the U.F.U. has sought registration in the Industrial Court. All along the line, both the A.L.P. Government and the National-Liberal Government have refused to interfere with the decision made by the Industrial Court. We believe the Industrial Court has the right to make a decision on the merits of the case put before it.

Is the honourable member for Rockhampton North suggesting tonight that we should dictate to the Industrial Court that it should accept the submissions of the U.F.U.? I have no doubt that if the U.F.U. or any breakaway group could prove to the Industrial Court that all the people associated with an industry belong to it, the Industrial Court would recognise it as the new union. The suggestion that the Industrial Court should recognise both the A.W.U. (which still has a number of fire fighters under its control) and the U.F.U. (which has a number of fire fighters under its control) is ludicrous. If we accept that principle, it must be followed right through. We must accept that all unions can have breakaways.

Mr. Moore: Why not?

An Opposition Member: Why not?

Mr. MILLER: That amazes me. I can understand members of the Liberal Party asking, "Why not?", but now the honourable member for Sandgate has asked, "Why not?". I cannot understand any A.L.P. member who supports or supposedly believes in compulsory unionism declaring tonight that we should have breakaway groups that splinter unions into small inept bodies, because the moment a small group appears it is no longer powerful.

Let me make my point clear: I seem to be the man who is opposed to the A.L.P. today. I believe in unionism. I believe that unions can do a good job, but I have actually heard the A.L.P. saying that we should splinter the whole union movement. It has to accept that once we create a precedent, it must continue for all time. If I were appearing in the Industrial Court fighting on behalf of the painters or carpenters, and it accepted that the fire fighters were able to break away, I would want to know why carpenters, painters or plumbers also could not break away.

Mr. Moore: From what?

Mr. MILLER: From the recognised unions of today.

Mr. Casey: Are you also aware that a number of graziers have broken away from the United Graziers' Association? That is the same thing.

Mr. MILLER: I am not interested in what employers do. The employers are able to stand on their own two feet. If they do not have the ability to work out what is best for them, that is their own look-out. What I am saying is that I always thought the A.L.P. believed that unions stood for the rights of the workers and that only in a group could the workers achieve anything for their own rights. But tonight A.L.P. members are saying that breakaways should be allowed within the union movement. I am totally opposed to that. It will not only harm the worker but also bring down the whole of the Industrial Conciliation and Arbitration Act as we know it in Queensland today. Perhaps that is what is behind the objection voiced to this Bill. Does the Opposition want the Act to operate or does it want it to clog up with a number of people going before the commission and making it impossible for it to operate? That is what might be behind the stand taken by the Opposition. I am amazed that the member for Sandgate would suggest that we should have breakaway unions.

Mr. Turner: You look amazed, too.

Mr. MILLER: I am. I have always believed that the A.L.P. favoured a strong union fight.

Mr. Houston: Why don't you make a speech on your own Bill?

Mr. MILLER: I am making a speech on the Bill before the House tonight—industrial legislation that is opposed by the A.L.P. every time it comes before the Chamber.

I believe in unionism. I believe in strong unions. I believe that if we allow breakaway unions we will be clogging our courts. They could not possibly operate. Consequently, we will find faction fights and small groups paralysing industries by going out on strike. Look at the airline industry at the moment. That is an example of a small group of people bringing a whole industry to a halt. I believe we should have one industrial union to cover all sections of an industry.

But that belief is not shared by the A.L.P. Members opposite do not believe in industry unions. They believe in breakaway groups. They do not care if one, two, three or even four unions represent one section of an industry. I am absolutely amazed.

Last year, when amendments to this Act were brought before the House, the honourable member for Rockhampton North quoted part of the I.L.O. Constitution, which reads—

> "The right to form and join trade unions or employers' organisations is guaranteed to everybody in all occupations."

He later stated—

> "Under the Freedom of Association and Protection of the Right to Organise Convention of 1948, (No. 87) it is provided that—
>
> 'Workers and employers without distinction whatsoever, shall have the right to establish and join organisations of their own choosing without previous authorisation.' "

I emphasise "right to establish".

I ask the Opposition tonight whether or not they believe in what their leader in this debate has quoted from the I.L.O. Do they believe that groups of people have the right to establish and join organisations of their own choosing without previous authorisation? To me, that is the important issue that A.L.P. members must answer in this debate. Frankly, I cannot see them saying anything other than that they have to agree, because both the member for Rockhampton North and the member for Sandgate have made it clear already that they do believe in this. Therefore, they agree that, if any section of the building industry wants to start another union, it has every right to do so and the I.L.O. will support members of that group and make sure that no other trade union will go out on strike to ensure that they cannot operate successfully. Under that convention those people have the right to work and form their own union. I do not think that the A.L.P. really believes this at all. What it wants is recognition of the U.F.U. without the expansion of the principle into other areas. I issued the warning that if this House endeavours in any way to interfere with the Industrial Commission and sets an example with the U.F.U., it will create a precedent for all time for any section of industry to apply to the Industrial Commission for recognition.

I turn now to what concerns me—the self-employed people whom we are endeavouring to protect by this amendment. I wonder what we are endeavouring to do, because I do not think that we will achieve anything in this Chamber by the amendment we have before us tonight. In fact, I do not believe for one moment that Mr. Arch Bevis believes that we will achieve anything by it. I wonder if this is just shop window-dressing to say to those self-employed people, "We are endeavouring to do something for you, but if you are under Federal jurisdiction, we are sorry; we are only the State." That is not good enough.

Let me go back to "The Courier-Mail" of 27 March this year. What did Mr. Arch Bevis have to say about the amendment before the House?

Mr. Chinchen: He thumbed his nose.

Mr. MILLER: As the honourable member for Mt. Gravatt says, he put his thumb to his nose and ignored and laughed at the Parliament of Queensland. I should like to read what he had to say about the amendment we are considering tonight and I want to know if what is going on in this Chamber tonight is a farce. He said—

> "Amendments to the State Conciliation and Arbitration Act would not stop the Transport Workers' Union from enrolling owner-drivers."

What does the honourable member for Rockhampton North say about that? Earlier tonight he said that if I can prove that this man is an owner-driver and is contracting to other companies to transport their goods, he would not tolerate the Transport Workers' Union or any other union compelling him to join the Transport Workers' Union. This man and a number of other men I have knowledge of do not have tax deducted from their salaries; because they are not paid salaries; they operate on a contract basis for the cartage of goods over a period of 12 months. But Mr. Arch Bevis has informed us that he will ignore this Parliament and continue to enrol these owner-drivers. I am not prepared to let this go on. I want this Parliament to go a lot further than it is going. The legislation just is not good enough.

The article continues—

> "The union's Federal president (Mr. Arch Bevis) said this yesterday.
>
> "Introducing the legislation in State Parliament on Wednesday, the Labor Relations Minister (Mr. Campbell) said the Bill would prevent unions from inducing a self-employed person or a partner in a business to become a member of an industrial union.
>
> "Mr. Bevis said the legislation could apply only to purely State unions, and there were very few of these.
>
> "He said the T.W.U. was a Federal union and would continue to enrol owner-drivers."

I repeat to members of the A.L.P. that I want their support and I want their guarantee that they will ensure that there is no blackmail tactic used against any owner-driver who can prove that he is not an employee, because this is what they have told Parliament tonight.

Apart from members of the A.L.P., I want the Minister to take this a lot further. It is quite obvious that what the Federal president of the Transport Workers' Union is

referring to is the fact that the union is under Federal jurisdiction. I want the Federal Government to bring in complementary legislation to support the legislation before this House tonight. If it does not, we are wasting our time and I do not think that we have enough time in Parliament to waste on anything as ludicrous as this type of legislation if we cannot enforce it. I have been told that the definition of "employee" in our legislation cannot be altered. The definition of "employee" in the Industrial Conciliation and Arbitration Act of Queensland differs greatly from the definition of "worker" in the corresponding Act of Western Australia.

I thank the Minister for writing to me, because I was concerned about the outcome of the fight by the Transport Workers' Union of Western Australia against a taxi company and certain petrol stations that were supplying petrol to taxi owners. In Western Australia a lessee driver—an employee—cannot be accepted as a worker under the Western Australian Act yet, in Queensland, the definition of "employee" can include a self-employed driver. To me, that is ludicrous. I want to know why the Queensland definition of "employee" includes an owner-driver whereas in Western Australia a person who is an employee cannot be recognised by the industrial tribunal in that State. Surely somewhere between those two definitions we can come up with one for "employee" that does not include an owner-driver. It is by this means that the union is able to use State legislation to enforce its rights on owner-drivers.

Tonight I make a plea to the Minister for a new definition of "employee". If people who are employed as employees in Western Australia cannot be recognised by their court, surely we can bring down legislation to ensure that owner-drivers are not recognised as employees. I cannot understand why in 1976 we cannot introduce a definition of "employee" that will ensure that only those who receive wages are recognised as employees.

I have been informed that Tickles forced shop owners to join the Transport Workers' Union before they could have their vehicles loaded at the premises of Tickles. Whether that was the issue behind the recent dismissal at Tickles, I do not know. Prior to that, however, certain shopkeepers were forced to join the Transport Workers' Union before they could have goods loaded at Tickles. To me, that is industrial blackmail that the Government cannot tolerate. The only way to overcome it is to bring the Transport Workers' Union under State industrial legislation or have the Commonwealth Government bring in complementary legislation.

Mr. Chinchen: I wonder what chance there is of that? Do you think they will be for it?

Mr. MILLER: I certainly hope so. I want all unions to come back under State industrial legislation. The way they have been able to get away from State legislation and enter the Federal sphere is ludicrous. Why should the Transport Workers' Union be a Federal union? Why should it be outside the jurisdiction of this Parliament? Why should people working in Queensland and employed by Queensland employers be forced to join a Federal union? Surely employees are entitled to the protection of this Government and not the Commonwealth Government. I do not think that is asking too much of this Parliament. I leave it to the Minister to come forward with the answer.

Mr. K. J. HOOPER (Archerfield) (8.10 p.m.): It is quite obvious that the Minister has not got his heart in this Bill.

Government Members interjected.

Mr. K. J. HOOPER: There is no risk about that; he hasn't. In fact, I pay the Minister a left-handed tribute. He is certainly not the worst Minister for Industrial Development and Labour Relations that this Tory Government has produced. It is quite obvious today that he has been stood over by the Right-wing lunatic fringe of the Liberal Party such as the honourable member for Ithaca. We have heard the honourable member for Ithaca launch a tirade of abuse at the defenceless Transport Workers' Union.

Government Members interjected.

Mr. K. J. HOOPER: That's what he has done—launched a tirade of abuse. The honourable member has even tried to stand over the Minister and tell him what legislation to introduce. I think it is shocking to be stood over by a little-known back-bencher. He has been a member of Parliament for some 10 years and it is quite obvious that his leader, the Treasurer, thinks so little of him that he allows him to languish with the other members of the lunatic fringe of the Liberal Party on the back-benches of this Parliament.

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

Mr. K. J. HOOPER: I will, Mr. Speaker. The Minister said in his opening remarks that this amendment is good in law. That is rubbish. This amendment is bad in law. As a matter of fact, it stinks! He also said that the Bill had to be good in intent. There is certainly an intent there all right—an evil intent. This Bill has been introduced, as I said in my speech during the introductory debate, at the behest at some of the wealthy Liberal Party backers who contribute to the slush fund of the Liberal Party.

Mr. Moore: What a lot of rot!

Mr. K. J. HOOPER: It is not rot. It is true, and the honourable member knows it.

Mr. Moore: That's not true.

Mr. K. J. HOOPER: It is true, and the honourable member knows it. This is where the big business interests that support the Liberal Party get their rewards—in soft legislation introduced into this Parliament. The Minister also castigated me for suggesting——

Mr. Frawley: What's that? Castrated?

Mr. K. J. HOOPER: Not that. The honourable member is the one with the squeaky voice, not me.

The Minister also castigated me for suggesting that people who do not accept their moral obligations and join a trade union are bludgers. I repeat that people who enjoy the benefits obtained for them by an industrial union and refuse to take out a ticket are industrial bludgers and are scabbing on their workmates. There is no risk about this. The Minister also said—and he was backed up in vehement manner by the honourable member for Ithaca—that Transport Workers' Union officials are enrolling people who are not entitled to be in the union. Let me make my stand quite clear. I think it is morally wrong for any union to enrol members it does not legally cover. I make that quite clear. There are no two ways about this. As I said, while it is immoral to enrol such people in a union, I think some owner-drivers are looking for protection from some of the unscrupulous people who employ them.

Government Members interjected.

Mr. K. J. HOOPER: It's true. As proof of this I have a letter here——

Government Members interjected.

Mr. K. J. HOOPER: Here it is. I will table it. I am prepared to table this letter, but I would first like to read some of it. I do not want a repetition of an incident a fortnight ago.

Government Members interjected.

Mr. SPEAKER: Order!

Mr. K. J. HOOPER: This is a statement by a Mr. Gordon Bishop of 47 Parakeet Street, Inala, that was given to the Fraud Squad, and I will read it if I may. He said—

> "On or about 7th January 1976 I saw an advertisement in the 'Courier-Mail' for owner drivers, collection and delivery Brisbane area. At the time I had no work for my 4 ton truck. I answered the advertisement, and was interviewed by a Mr. John Sziley."

I have since been told that Mr. Sziley has been charged by the Fraud Squad. The statement continues—

> "He told me that the man who had been managing the Brisbane depot had not run it properly, and that Mr. Sziley had to start up again. He implied that his partner, a Mr. Paul Josephson, had absconded with money.
>
> I was engaged at $250 a week, to be paid fortnightly, and started work on Monday 11/1/76. The name of the firm was 'DFE overnight services.'"

The name of the firm is Detroit Carrying Company Overnight Service. The statement continues—

> "My first pay cheque, dtd 23/1/76, was on the Annerley Branch of the Commonwealth Bank, and was cleared through my account."

The next cheque dated the 19th was cleared through a bank at Footscray. Mind you, the company is registered in Queensland. The statement continues—

> "The fourth payment was on 5/3/76, four cheques each of $250 (for two trucks) drawn on Footscray Branch of the Savings Bank of Victoria. The fate of these cheques is not yet known, but my Bank is doubtful whether they will be honoured.
>
> "On Monday morning 8/3/76 after consultation with the T.W.U. . . ."

This proves that owner-drivers do want to join the Transport Workers' Union.

Mr. Chinchen: He is an employee.

Mr. K. J. HOOPER: He is not an employee; he is an owner-driver.

Mr. Chinchen: He is on wages of $250 a fortnight.

Mr. K. J. HOOPER: He is not an employee. The honourable member should learn his industrial law. The statement continues—

> ". . . the organiser called a meeting with management and demanded payment of back wages in cash."

I am told that there were 25 owner-drivers employed by this company who joined the union, and they have all been "dudded". It continues—

> "The total amount owed in back wages alone amounted to some $6,000."

Let it be borne in mind that they are owner-drivers.

> "The principal behind the operation, Mr. John Sziley, arranged to attend a meeting with the union at the Trades Hall on Thursday 11/3/76, but at the last minute the union received an official message from Mr. Sziley that he did not intend to pay anything, that he was closing down his business and going bankrupt."

He did go bankrupt.

> "A few hours later this Sziley rang the branch manager and told him to keep going by 'any means possible'. We have since found out that some 30 owner-drivers have been swindled—some have been swindled out of $2,500 bonds that they had put in. Their names, and a file on this gentleman's operations in Brisbane, Sydney and Melbourne, are with Mr. Lippiatt, Solicitor, 231 George Street."

That Mr. Sziley has been charged by the Fraud Squad, and is now awaiting arraignment in the magistrates court. That is proof that owner-drivers do want to join the union. What protection does an owner-driver have?

Government Members interjected.

Mr. K. J. HOOPER: They do want to join the union. I have just quoted an instance. There are 30 of those people who are members of the Transport Workers' Union. I put it quite bluntly: membership of the Transport Workers' Union is the only protection owner-drivers have. The Transport Workers' Union is legally entitled to enrol owner-drivers in accordance with its rules as registered in the Federal Industrial Commission. Let the honourable member for Ithaca deny that.

The trouble with owner-drivers has been used by the Minister as a stalking-horse. The purpose is to kill the United Firefighters' Union. That is the real reason for the introduction of the Bill. There are no two ways about it. The Minister should face up to the industrial facts of life. The overwhelming majority of firemen, who are members of the United Firefighters' Union, will not join the Australian Workers' Union.

Mr. Campbell: How do you know?

Mr. K. J. HOOPER: The Minister knows it as well as I do. I have spoken to the secretary of the United Firefighters' Union. Let the Minister tell me how many firemen are members of the Australian Workers' Union. He has the figures. The secretary has given me the figures. He has said, "I have 1,000-odd members."

Mr. Campbell: I've got the figures?

Mr. K. J. HOOPER: Of course the Minister has the figures. Mr. Rogers has informed me that the United Firefighters' Union has 1,000 firemen.

Mr. Campbell: You take his word for it?

Mr. K. J. HOOPER: Of course I do. He is honest, which is more than the Minister is.

Mr. Campbell: Have they registered with the court?

Mr. K. J. HOOPER: They are not registered with the court. The Minister won't register them. He is doing a sweetheart deal with the employer. There are no two ways about that.

It is also a cold, hard fact of life that those firemen will not join the Australian Workers' Union. The Minister would be doing the people of Queensland, particularly those employed in the fire-fighting industry, a favour if, instead of listening to the lunatic fringe of the Liberal Party and some of the extreme League of Rights members in the National Party, he would use his good offices to allow the United Firefighters' Union to be registered with the Industrial Commission.

Mr. FRAWLEY (Murrumba) (8.19 p.m.): I have often been referred to as a Right-winger of the National Party, and I am damn proud to be a Right-winger.

This Industrial Conciliation and Arbitration Act Amendment Bill should be known as the United Firefighters' Union Persecution Bill, because that is exactly what it is. I never thought I would live to see the day that I would agree with the honourable member for Archerfield. The only sensible statement he has ever made since he entered Parliament was the one when he said that the Bill was designed to get at the U.F.U. I have a letter here about him which I may read if he keeps that up, but I will not read it at the moment.

The United Firefighters' Union caters for many people. It has at least 846 members. I would be one who knows how many it has got because I attend their football matches at Kalinga Park on a Sunday afternoon. I meet plenty of firemen, and it would do other members a bit of good to talk to them. The U.F.U. has at least 846 members. I do not know about the 1,000 referred to. I have a list of the names and addresses of the U.F.U. men, and I can produce it. So do other members have the list, because I gave it to them. I made photostat copies of the complete list.

A Government Member: He reckons you are half dead.

Mr. FRAWLEY: I am half dead. After the hectic week-end we had when my brother put the skids under the ex-mayor of Redcliffe I certainly am half dead.

Mr. Moore: You have brought a smile to Mr. Speaker's face.

Mr. FRAWLEY: I like to think I had a fair bit to do with it.

I respect the Minister's opinion, and I am not going to take umbrage at his comments.

Mr. Jensen: Why don't you say you agree with him?

Mr. FRAWLEY: I don't agree with him at all. I don't have to stand up here and be a yes-man agreeing with anybody. That is the beauty of being in the Liberal Party or the National Party; we are allowed to disagree with our Ministers. That is what I am doing now, and I will do it, too, when the Minister for Primary Industries brings on his pig-swill Bill.

Mr. Sullivan: I might gag you.

Mr. FRAWLEY: I am going to send the Minister up shortly, so I hope he sticks around. I know he had to get a blood transfusion to get here tonight.

The Minister said that this Bill does not restrict the rights of anybody to appear before the Industrial Commission seeking a variation of his award. I agree it doesn't. But how many firemen or tradesmen would know how to approach the Industrial Commission? In asking that I am not denigrating the mental capacity of firemen. It is no less than anyone else's; in fact firemen are pretty smart persons. I certainly would not know how to approach the Industrial Commission. One man could perhaps approach the commission, but how many will do so? I hope the firemen prove to be good learners and do it.

I was a member of the Electrical Trades Union for 20 years, so I can speak with authority as a unionist.

Mr. K. J. Hooper interjected.

Mr. SPEAKER: Order! The honourable member for Archerfield will not interject unless he is in his own seat.

Mr. FRAWLEY: I do not think he should interject very much, Mr. Speaker. If he does I will tell the story about how he dumped a load of rubbish. This picture I am holding up shows him in baggy trousers. He wore those here in 1972, when he would not take the oath of allegiance on the Bible. As I was saying, I was a member of the E.T.U.

Mr. K. J. Hooper: You were unfinancial in 1972.

Mr. FRAWLEY: I paid my union dues at the beginning of each year. I believed in unionism, and I still do.

Mr. Moore: Was the member for Archerfield a member of the garbagemen's union when he dumped that load of rubbish?

Mr. FRAWLEY: He was scabbing on the job. I know for a fact that if Bryan Walsh had won the council election he was going to give the member for Archerfield the job of looking after the dumps on week-ends.

For the third time—I was a member of the E.T.U. in the days when it was a moderate union and was not controlled by the Left-wingers and Communists who are in it now.

Mr. Moore: Arch Dawson.

Mr. FRAWLEY: Archie Dawson wasn't a bad bloke. He is a damn sight better than the present secretary Neil Kane, who is a straight-out Left-winger, and his rotten little cohort Hendricks. They caused a lot of trouble in the last election, when they stood over some of my constituents in Samford.

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

Mr. FRAWLEY: Even though I have strayed from the Bill I have done a damn better job than the members of the A.L.P. have done.

The actions of the A.W.U. in trying to increase its membership from 53,600 by a mere 800 have jeopardised the lives of many people in Brisbane.

Mr. K. J. Hooper interjected.

Mr. SPEAKER: Order! The honourable member for Archerfield has had his say.

Mr. FRAWLEY: I don't mind his inane interjections. The A.W.U. has been fiddling around with the U.F.U. It is trying to persecute U.F.U. members by going down to their headquarters at Kemp Place day after day and trying to put it over them. The A.W.U. is trying to make these men go out on strike and cause trouble.

I told honourable members at the introductory stage about the way the fire chief at Pine Rivers stands over the probationers telling them they have to join the A.W.U. At Redcliffe there are A.W.U. men and U.F.U. men in the fire brigade. In some places there are only A.W.U. men. Let the men join the union of their choice. They are a specialised group of men and should not be restricted in their desire to join whatever union they wish. I know that the U.F.U. has made seven applications to the Industrial Court for registration.

Mr. Moore: And the court is wrong.

Mr. FRAWLEY: I know it is wrong. I have said that before. The U.F.U. should have been registered right back in 1950. It is a disgrace to A.W.U. members that they can stand up here and say that it was done as far back as 1950. The Opposition members' predecessors should have done something in those days other than sell furniture from Parliament House. The honourable member for Rockhampton started me on this. If he had not spoken as he did about Wally Rae I would not have told the story about the items that were sold. I would have kept it to myself.

In Brisbane there are about 475 firemen, most of whom are members of the U.F.U. Every time Edgar Williams is asked how many firemen are members of the A.W.U. he says, "We have a considerable number." He knows damn well that the considerable number is less than 100; he would be lucky if there were a hundred; 100 would be the maximum.

Mr. K. J. Hooper: He is telling an untruth.

Mr. FRAWLEY: I am sure he is.

This Bill has been pushed. I do not intend to argue that now or to introduce any names, but I am sure that I could name the man who pushed this Bill in the Minister's department. Because I cannot prove it, I will not do so.

Opposition Members interjected.

Mr. FRAWLEY: I would like to, but I won't.

The A.W.U. is trying to recruit firemen to its ranks at the expense of the public in Brisbane.

Mr. Melloy: Are you saying that somebody got at the Minister?

Mr. FRAWLEY: Nobody got at the Minister. I did not say that; at no stage did I say that.

As I have said, this Bill should be known as the United Firefighters Union Persecution Bill. I have said as much as I can about this provision. I have done the best I can for the U.F.U. If the A.L.P. had done a better job I would not have had to push the firefighters' barrow. It is shocking that a member of the Government has to do this. I am doing it because I am interested in the cause of justice.

I whole-heartedly support the amendment that relates to owner-drivers. A couple of years ago many owner-drivers in my electorate were loading fertiliser from A.C.F. and Shirleys for the farmers in Murrumba who needed it desperately. (They could have got plenty from the honourable member for Archerfield without going to A.C.F. and Shirleys.) They were forced to join the Transport Workers' Union. When their trucks were half loaded, union members refused to complete loading unless they joined the union. That was blackmail.

Mr. Alison: Extortion.

Mr. FRAWLEY: It was extortion.

Arch Bevis should have been charged under section 546 of the Criminal Code for trying to coerce these people into joining the union.

Mr. Lowes: It is section 534.

Mr. FRAWLEY: It could be section 534. I bow to my friend the legal eagle who says that it is section 534. I am not being disrespectful when I use that endearing term. He can defend me any day if I am accused of hitting anybody who interferes with my daughter.

As I said, I support this provision in the Bill but I certainly do not support that part which gets at the U.F.U.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (8.28 p.m.), in reply: This has been an interesting debate. I thank all honourable members who participated. I shall comment on some of their contributions but, because of the time factor, I will pass over others. I appreciate the various points of view that were expressed.

I thank the honourable member for Rockhampton North for his responsible approach to this very difficult matter. Those who are associated with this issue know the problems involved. As I said in my opening remarks at this stage, this Government will be judged by its actions, particularly on this issue. I must cross swords with the allegation by the honourable member for Rockhampton North that these two provisions were deferred last year because of arguments against them. It was not necessarily because of arguments against the provisions, but because of the time factor. The honourable member for Bulimba may laugh. As I was saying, it was not deferred on the merits of the argument; it was deferred because, on this side of the House, we usually try to accommodate most honourable members who have a point of view. As I announced, it was the time factor that prompted me not to proceed at that time.

The honourable member for Rockhampton North said that there are sections engaged in the industry which have carried out their duties in a sincere way, and that group constitute an unregistered union because they have not been granted registration by the court. That point of view was put to me by many members on this side of the House. I believe I would be right in saying that that would include the honourable member for Murrumba. The point of view put to me is that, if the U.F.U. is carrying out, and has carried out, its duties in a competent and reliable way, why did it threaten all honourable members that, if their homes caught fire, U.F.U. members would refuse to attend to the fire?

Mr. Yewdale: That was withdrawn and apologies were tendered. Would you qualify that?

Mr. CAMPBELL: I do not know how one can accept an apology for a threat such as that.

There has been much comment tonight about the alleged membership of the United Firefighters' Union. I question the validity of the various figures that have been submitted. I would be interested to know how any honourable member could speak reliably about the membership of that organisation.

Mr. Melloy: Do you mean that you don't know?

Mr. CAMPBELL: I haven't the foggiest idea. I have no way of knowing. That is because this unregistered union has no obligation, as do all registered unions, to furnish annually to the commission a list of members, a balance sheet and statement of accounts and such other facts as are required of registered unions.

In the past I have heard members, particularly from this side of the House, rail against trade unions that do not publish balance sheets; yet we find members tonight supporting that organisation, which legally has no obligation to supply those figures. To my knowledge, they have not been supplied.

The honourable member said that the Government was acting in collusion with the court and that I am trying to hold back the organisation. I would say, in the light of some of his earlier remarks, that that is a load of nonsense. What we are trying to achieve through this legislation is the orderly functioning of the Industrial Commission. He said the Government is trying to say that it agrees with the commission in all respects. Because this Government concedes to the commission full and unfettered jurisdiction, it has no capacity to agree or disagree with the action of the commission.

I was delighted and heartened to hear the honourable member with refreshing candour say that he conceded that, if a union could not prove that a person was entitled to be a member, he should not be enrolled by that union. That, of course, is the import of the new section 60A.

I said at the introductory stage and previously that, like the honourable member for Ithaca, I fully support the rights of trade unions and their members. When employers complain to me that union officials are somewhat overbearing in their approaches to union members employed by them, I have had numerous discussions with the State secretaries of the unions, who have agreed that the union representatives should not operate in such an overbearing manner. That is one of the greatest problems that cause resistance to unions endeavouring to fulfil their role of enrolling members in a particular calling. I have support for this principle.

I and this Government will not support unions approaching persons who, because of their status, are not required to be enrolled as union members but, because of duress or intimidation are forced, in order to follow their livelihood, to join a union. That is what this legislation is all about and I shall deal with this alleged weakness later.

I must say I was glad to hear the honourable member for Ithaca also express surprise that the A.L.P. could give support to a breakaway union and observe that the former Labor Government could not find support for this proposition.

The honourable member asked if we were going to achieve anything with this amendment to insert new section 60A. He suggested we were enacting a farce, as it did not completely close the gate against the practices that I have referred to. Surely he and other honourable members know the limit of the jurisdiction of State legislation; it is restricted to State-registered unions.

In this matter, particularly in relation to Federally registered unions in this State, I have already made overtures to my Federal colleague (Mr. Tony Street) to perhaps take complementary action to that which we are taking, which has been acknowledged by the Opposition in certain particular circumstances as a valid amendment. I also made overtures to his predecessors but naturally I did not get past first base. I will continue to press Mr. Street to pass complementary legislation in the hope that we might be able to close the gate which the honourable member for Ithaca says we are not able to.

Mr. Miller: Would you send a copy of the speeches of the honourable members for Rockhampton North and Archerfield to Mr. Street, because those gentlemen supported my contention?

Mr. CAMPBELL: I think that is a good idea. I do not want to engage in a quarrel with the Opposition in this matter because we are positive in this and are trying to correct one or two weaknesses in our legislation.

The honourable member referred to a case that I shall refer to as the Swan taxi case in Western Australia. The Transport Workers' Union was proceeded against for breach of contract and substantial damages were granted by the Western Australian court. We were all interested when that case was brought on as we thought that we might be able to obtain a lead from the experience in Western Australia. I merely mention that the sum awarded by the Western Australian court has not yet been paid and my information is that there seems to be little hope that the damages will be paid.

This has been the general experience with sanctions over the last decade. I know of no legislation that has been introduced in that period by means of which it has been possible to enforce sanctions. That is a problem facing Governments of the day when there are a few irresponsible elements in the trade union movement—I am weighing my words carefully—who take action that brings discredit on the trade union movement generally. I repeat that the Government has full regard for the responsibility and authority of the trade union movement in bona fide industrial matters and I think it is a great shame that a few union officials, by their belligerent attitude, incur the hostility of the community and bring discredit to the unions concerned.

The honourable member for Ithaca questioned the definition of "employee" in the Queensland Act. The definition of "employee" in the Commonwealth Act is much more restrictive than the definition in the Queensland Act. The anomaly is that the Commonwealth Act allows the Transport Workers' Union to enrol owner-drivers in a Federal union. Restricting the definition of "employee" in the Queensland Act would not, in my view, necessarily achieve anything.

The honourable member for Archerfield rambled, as usual, all round the mulberry bush and I do not propose to waste the time of the House in replying to his remarks.

I heard the honourable member for Murrumba say something about the election of his brother as mayor of Redcliffe. I congratulate the new mayor on his election. No doubt the honourable member for Murrumba played quite a part in that achievement. I could not quite follow the various points that he made in connection with the Bill even though I listened quite intently.

Motion (Mr. Campbell) agreed to.

COMMITTEE

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

Clause 1, as read, agreed to.

Clause 2—Amendment of s.29; Form, effect and tenure of award—

Mr. HOUSTON (Bulimba) (8.44 p.m.): I have a few words to say on this clause because I am rather concerned at some of the statements made by the Minister, particularly his indication that he had no idea of the number of members of the United Firefighters' Union. We know full well that this body of men who consider themselves an industrial union has applied to the Industrial Commission for registration on many occasions. Surely that organisation would have submitted to the commission information on the number of members who supported its application.

Mr. Frawley: I've got a copy of the list it sent to the court.

Mr. HOUSTON: I have no doubt the honourable member has, and I have no doubt again that he obtained it quite honourably, and if he obtained it honourably I would say the Minister was obligated to obtain the same list because, after all, it is he who introduced this legislation and it is he who is asking Parliament to endorse what he is doing. I say that he is letting down his portfolio by coming into this place and admitting that he does not know how many members this organisation says it represents. Many of the statements made here tonight are complete nonsense. I am referring now to industrial matters and the formation of unions.

It is true that in recent years there has not been a swag of new unions formed, but that is basically because the trade union movement itself has been moving towards amalgamation. Because of the amalgamation of various employer groups, we now find that it is in the interests of the trade union movement as a whole for several unions to combine.

Dr. Scott-Young: Isn't it the other way round?

Mr. HOUSTON: The unions have been amalgamating over the years, as I said. That has been the pattern——

Mr. Miller: Do you agree with amalgamation?

Mr. HOUSTON: I have no quarrel with amalgamation at the correct time and in the correct circumstances. As progress has been made in industrial techniques, we find that the various callings are becoming more closely linked and members of different callings are having to work on a job in complete harmony, so it is quite natural for them to seek amalgamation. I have no fight with that at all, and that is in the hands of the members concerned. Before two unions can amalgamate, the membership of both have to agree that they want to amalgamate. That is correct and as it should be.

On the other hand, years ago unions were working the other way. I can remember in the early days of my association with unions that the Amalgamated Engineering Union was the dominant union among tradesmen in the metal industry. Over a period we found that electricians and motor mechanics were starting to play a larger part in the industry. If my memory serves me right, the motor mechanics broke away and formed a separate section of the A.E.U., and I believe that today they still remain a separate section.

There are certain other fringe unions associated with the metal industry and they are operating correctly. The electricians broke away from the A.E.U. and formed the Electrical Trades Union. The reason was that the men in that calling believed that the A.E.U. could no longer cater for them because of the technical knowledge required in the industry. The courts of the day allowed the Electricial Trades Union to be registered and it has retained its registration over the years. As radio began to grow in popularity members of the Electrical Trades Union were forced to specialise. I can remember years ago at the Technical College when radio mechanics was only a part of the electrical-trade course. As we know now radio and television are separate trades. The Electrical Trades Union caters for these men and they are happy to be associated with the union. There is still an affinity between the two callings.

However, we find that the A.W.U.—I have no fights with the A.W.U. or its management at all—with the various callings it covers has done a good job for its members. On the other hand, I believe we have to realise that when a body of men believe that their calling has become so specialised that the union to which they belong can no longer cover them as well as they would like, particularly when it comes to the techniques of their calling, they are entitled to say whether or not they should be divorced from that union. After all, when one attends a union meeting one hears a lot of problems argued about and discussed. I can understand men deciding that they would rather be on their own so that their problems alone can be discussed and not mixed up with other problems associated with other callings in the union to which they belong. I

have every sympathy with any body of men who believe they are not being fully represented by the union to which they belong. That situation would come about only in very isolated instances.

When the Minister says, "You are creating a precedent", he is pushing the barrow too far down the hill. The creation of a precedent involves the principle of like with like. What other industry can the Minister point to that has developed special techniques over a period of time? Years ago a man joined the fire brigade and was left virtually to his own resources and skill to become an effective fireman. Today firemen are thoroughly trained and are specialists in their own calling. I see no reason at all why the United Firefighters' Union should not be allowed to make application to the court. It is a united body representing over 800 men, according to one honourable member, and more according to others. Surely these are not men who indiscriminately and without responsibility are wanting to go on their own.

Within the fire-fighting boards apparently there has been some objection to the formation of that union. I feel that the boards themselves have not played a proper part in the smooth handling of the whole thing. A few years ago the Minister should have ensured through his department that the stage was not reached where there would be as much hostility as is apparent in the present situation.

The honourable member for Ithaca spoke about wanting strong unions. That would be quite a joke. After all, for a union to be a strong union it has to be a union that wants to get things done for its members.

Mr. Miller: Are you talking about political movements?

Mr. HOUSTON: I am not talking about political movements at all. I am talking about the union that goes out to get better conditions for its members. That is a strong union. A strong union is one that is prepared to call its membership together and explain the position. I take it that that is what the honourable member wants.

The CHAIRMAN: Order! I would be grateful if the honourable member would confine his remarks to clause 2.

Mr. HOUSTON: On the one hand the honourable member says, "I want a strong union; I believe in unionism", but, on the other hand, as soon as a union shows some industrial strength, he says, "It is Left-wing-controlled", and starts to use the House to abuse officers of that union. He can't have it both ways. That is what the Minister is frightened of. He knows that the United Firefighters' Union represents a body of men with one similar working ideal. No other matters come before their meetings. They are concerned only with the working conditions of their own industry. Because they have leadership that is showing some strength the Government does not want that type of strong union. That is the crux of the whole matter.

Instead of making it harder for this body of men to become registered, the Minister should be assisting them. The United Firefighters' Union has shown conclusively by constantly applying to the court for registration that it wants to abide by all the State's laws. If it represented a body of men who were not prepared to seek registration, and who were not prepared to abide by the rules which are not applicable to them because the court will not let them apply to them, the position would be different. It is most unfair for the Minister or any other member to criticise the officers of that organisation when those officers have endeavoured to adhere to the State's industrial laws. They have supplied the court with balance sheets and names of members; they have done all the other things that an industrial union is required to do. It is not their fault that the United Firefighters' Union has been denied registration. That is a matter for another body controlled by this Government.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (8.55 p.m.): The honourable member for Bulimba took me to task because I made the statement that I was not aware, nor did I have any means of being made aware, of the alleged membership of the U.F.U. He said, if I might paraphrase his words, "Surely the Minister knows that the U.F.U. has made many applications for registration and would have submitted its membership lists to the Industrial Commission." Of course it did. However, when it submitted its alleged membership roll, the A.W.U. queried the validity of many names on it. I challenge any honourable member to say with complete surety that a certain number of persons are members of the U.F.U.

I am not quarrelling with the U.F.U. My aim and that of the Government is to uphold the tradition that our laws require any organisations that appear before the Industrial Commission and the Industrial Court to be registered with the court.

Honourable members have spoken as though it were unusual for bodies of persons who wish to form a new union to be refused registration by the Industrial Commission. I am sorry the honourable member for Archerfield is not here, because I am sure he would recall that the ambulance officers wanted to break away from the Miscellaneous Workers' Union and that their application was refused. I have not heard that action of the Industrial Commission questioned in this Chamber. Similarly—the honourable member for Bulimba might be acquainted with this instance, but he does not seem to be interested—the technical teachers approached the Industrial Commission.

Mr. Houston: I fought for years to get them registered as a separate union, so don't worry about that.

Mr. CAMPBELL: Fair enough, but did the honourable member succeed?

Mr. Houston: No, I didn't.

Mr. CAMPBELL: The honourable member and his colleagues seem to suggest it is unusual for a body of persons who wish to form a union to be continually refused registration by the Industrial Commission. I simply say that the technical teachers tried to break away from the Professional Officers' Association but were refused separate registration.

Mr. YEWDALE (Rockhampton North) (8.58 p.m.): A lot has been said about the rights of individuals, apart from unregistered unions, to appear before the Industrial Commission. I should like the Minister to acquaint the Committee with his interpretation of the new subsection (5) (d) (i) and (ii). Will he confirm my interpretation that this subsection implies that no unregistered group of persons, no matter who they may be, are allowed to have an individual representing them before the commission in any arguments regarding their calling and that members of any group have to apply individually to the commission to put forward such arguments? Despite the comment regarding numbers of persons in groups, registered or unregistered, I don't think anyone could argue with certainty on this specific matter, in which, in round figures, we referred to 800 or 1,000 persons in this State.

Mr. MILLER (Ithaca) (9 p.m.): The honourable member for Bulimba made one point to which I shall refer. I believe in strong unions. I believe in industry unions rather than a group of separate unions. I am concerned at the number of strikes brought about by small groups of people which cause hardship to an industry as a whole. I honestly believe that industry unions benefit all people in Australia, but the problems occur when strong unions use their power for political purposes. If they use their power to improve the conditions of workers, neither I nor anyone else on this side would object, but we do object when strong unions use their power to try to force Governments elected by the people to implement certain conditions that they wish to have introduced. I am opposed totally to that.

Tonight we are considering the amendment of section 29. I think that we should look closely at this because it spells out in no uncertain terms protection for all unions registered in the Industrial Court. That is what it is all about. Members of the Opposition keep referring to the U.F.U. There is nothing in this legislation about the U.F.U. or the A.W.U. It spells out clearly that the jurisdiction conferred on the Industrial Commission by subsection 3 or 4 shall not be exercised save on the commission's own motion or on the application of—

"(a) the Minister;

"(b) an industrial union;

"(c) an employer; or

"(d) a person who satisfies the Commission—

(i) that he is not an officer of a trade union that is not registered under this Act; and

(ii) that in making the application he is not acting on behalf of a trade union that is not registered under this Act."

Surely it could not be any clearer than is stated in the amendment. We are protecting the rights of all unions registered under the Industrial Conciliation and Arbitration Act.

For the benefit of Opposition members, I repeat that if they tolerate any breakaway groups, they will create a precedent which will lead to a huge body of swell against the Industrial Court which they will not be able to control. For one reason or another many people do not wish to belong to a union. If they are given any inkling that they can break away and form their own group, which has to be recognised by the Industrial Court because of a precedent set by the U.F.U., then I visualise many breakaway groups.

I remember that last year when we considered amendments to the Industrial Conciliation and Arbitration Act, an electrician at Springsure, south of Emerald, refused to join the E.T.U. One man threatened the whole of the work-force at Blackwater! If we tell the Industrial Court to recognise the U.F.U. or any other breakaway group, we will give any such man that right; if he and a few other people form themselves into a group, he has the right to apply to the Industrial Court for registration as another electrical union. What will happen then? The official Electrical Trades Union throughout Queensland will go on strike because of the breakaway union. In those circumstances will the A.L.P. say that this small minority group has such a right? No, it will not. It will say in this Chamber that a terrible thing is being done to the people of Queensland. But tonight, because the U.F.U. is involved, it is suggested that this Parliament should tell the Industrial Court that the U.F.U. should be recognised.

I fully support the amendment before the Committee under which we shall recognise only those unions registered by the Industrial Court.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (9.5 p.m.): Replying to the honourable member for Rockhampton North, I think the intention is quite clear. The significant aspect of clause 2 is that it is a matter of satisfying

the commission, as is set out in (d), which refers to an individual who seeks variation to an award as not being "an officer of a trade union that is not registered" and "not acting on behalf of a trade union that is not registered". I think that is clear-cut.

Mr. YEWDALE (Rockhampton North) (9.6 p.m.): I can only assume that the very simple answer from the Minister is that, where clause 3 relates to a similar provision under (d) (ii), the amendment takes away the right of the commission to vary unless it is approached by the relevant people—the Minister or the party proceeding with the application. I take it that again the same situation applies in that substituted clause.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (9.7 p.m.): Yes, it is complementary to that clause.

Clause 2, as read, agreed to.

Clause 3, as read, agreed to.

Clause 4—New s.60A; Membership of union of person not an employee—

Mr. MILLER (Ithaca) (9.8 p.m.): I am concerned about one word in this clause—"employee". Let us look at what we are saying—

> "The Principal Act is amended by inserting after section 60 the following section:—
>
> **'60A. Membership of union of person not an employee.** (1) A person shall not induce or attempt to induce another person to become a member of or to continue his membership in an industrial union of employees unless that other person is an employee.'"

The definition of "employee" still concerns me greatly. I do not think we will achieve anything by this clause. Let us look at the definition of "employee" in our Industrial Conciliation and Arbitration Act. Unless self-employed people are taken out of the definition of "employee", then, as I said earlier, this clause is a farce. The definition of "employee" is—

> "Any employee, whether on wages or piecework rates, or a member of a butty-gang: The term includes any person whose usual occupation is that of employee in a calling; the fact that a person is working under a contract for labour only or substantially for labour only, or as lessee of any tools or other implements of production or any vehicle used in the delivery of goods, or as the owner, whether wholly or partly, of any vehicle used in the transport of goods or passengers, shall not in itself prevent such person being held to be an employee."

Mr. Houston: The Minister knows that.

Mr. MILLER: And I am aware of it. I think the honourable member for Bulimba is well aware of it, but he is prepared to sit over there and let this Parliament go through a farce and have us believe that we are going to protect owner-drivers. Under the definition that I have just read, owner-drivers are not protected.

A Government Member: He doesn't want to protect them.

Mr. MILLER: Of course he doesn't.

Let us look at the definition of "worker" in Western Australia:—

> ". . . any person of not less than fourteen years of age of either sex employed or usually employed by any employer to do any skilled or unskilled work for hire or reward, and includes an apprentice; but shall not include any person engaged in domestic service, in a private home, provided that no home in which more than six boarders and/or lodgers are received for pay or reward shall be deemed to be a private home."

That is rather a different interpretation of "employee". Although in Western Australia the word used is "worker", the whole definition has been left very wide indeed. It is so wide in fact that the drivers of taxis owned by others could not be registered as employees.

I say again that I can see no benefit to be derived from clause 4. I should like some assurance from the Minister that the unions working under a Federal award will take cognisance of the amendment being put before this Parliament tonight. I should like to know whether they have given him any assurance that they will allow these owner-drivers to conduct their own businesses and to go about their lawful business without any intimidation whatsoever.

Mr. BYRNE (Belmont) (9.11 p.m.): I must agree with the honourable member for Ithaca on the difficulty that arises in the definition of "employee", but I also appreciate the difficulty in trying to define that word. The case history which has preceded this legislation tonight must indeed have established fairly firmly the basis and the interpretation of the definition of "employee". However, I do exhort the Minister, in agreement with the honourable member for Ithaca, to look most carefully at that definition of "employee". The structural definition, amongst other things, includes—

> ". . . or as the owner, whether wholly or partly, or passengers, shall not in itself prevent such person being held to be an employee."

If it is found that, because of that part of the definition, the clause is going to be frivolous and ineffectual, then, although the Minister may assure us that it is impossible to alter the definition, the fact remains that the definition must be altered if clause 4 is to achieve the desired effect.

Whilst I am prepared to see this clause go through as it stands, I hope that its effectiveness will be closely studied and if

it is not going to be effective, let it not be left there as a public relations stunt. Rather, let us ensure that every endeavour is made to define "employee" properly so that the provision can be made more workable for the future.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (9.13 p.m.): The two honourable members on this side of the Chamber who have spoken and I have discussed this matter before. Because it has been raised, I say simply that the words, "shall not itself justify" in the definition of "employee" mean that the facts regarding an owner-driver must be ascertained in each case. If the owner-driver is an independent contractor—that is, he does not work subject to control and direction of an employer —then he is not an employee. However, if he works as an owner-driver subject to direction and control of an employer for a fixed number of hours each day or week and carts material from A to B solely and exclusively for an employer, then he is an employee within the meaning of the Act.

Clause 4, as read, agreed to.

Bill reported, without amendment.

STOCK ACT AMENDMENT BILL

INITIATION IN COMMITTEE—RESUMPTION OF DEBATE

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

Debate resumed from 25 March (see p. 3100) on Mr. Sullivan's motion—

"That a bill be introduced to amend the Stock Act 1915-1974 in certain particulars."

Mr. FRAWLEY (Murrumba) (9.16 p.m.): I am very grateful for the opportunity to speak on the introduction of this Bill because last Thursday evening when the Minister closed the debate I thought mistakenly that he was gagging it.

Mr. Sullivan: I would never do that to you.

Mr. FRAWLEY: You certainly won't. I can tell you that.

Mr. Sullivan: You do ill to me unnecessarily.

Mr. FRAWLEY: When the Minister stopped the debate at 8.30 p.m. he claimed that he wanted to answer some of the statements made by members. But all he did was attempt to tip a bucket of pig-swill over the honourable member for Callide. The honourable member had his say and he did a pretty good job.

Mr. Moore: He went well on TV.

Mr. FRAWLEY: Really well. I was absolutely amazed when the Minister stopped the debate at 8.30 p.m. The night was young and there was plenty of time for further discussion. The Minister for Transport was as fresh as a daisy when he introduced the next Bill.

Mr. Sullivan: Why don't you get on with it now?

Mr. FRAWLEY: I am going to. I can only assume that because there were so many speakers—three out of four—opposed to the Bill, the Minister needed a bit of a spell and wanted to give his departmental officers a chance to answer some of the questions that members had posed.

There is no doubt that if there is one department that can prove that 2 and 2 make 5, it is the Department of Primary Industries. Some of the answers it will come up with will be lulus. I advise all members to be here when the Minister makes his reply because it will be better than Gough Whitlam's reply on the Iraqi loans affair.

Mr. Houston: That's a reflection on the Public Service.

Mr. FRAWLEY: While I have been the member for Murrumba I have had more trouble in my electorate from decisions made by the D.P.I. than from those made by all the other Government departments put together. I am going to relate some of those decisions tonight.

The CHAIRMAN: Order! The honourable member will confine his comments to the contents of the Bill.

Mr. FRAWLEY: Yes, Mr. Hewitt. I view anything put up by the D.P.I. with suspicion, which is why I am suspicious of the Bill. I honestly believe that the Minister is acting in good faith, but I think he has been hoodwinked by his department. I really believe that. So many regulations have been brought in by the D.P.I. that I expect almost anything. What about all the regulations it brought in to make milkmen in Redcliffe insulate their vehicles?

An Honourable Member: That has nothing to do with it.

Mr. FRAWLEY: It has. I am relating one of the ridiculous regulations brought in by the department to what it is trying to do now. There is a relationship between the two.

Mr. Lindsay: It's a first-reading speech.

Mr. FRAWLEY: Of course it is. I have had nothing but problems from the D.P.I.

The CHAIRMAN: Order! I hope honourable members do not think that the introductory stage gives them such a broad charter in their speeches. They must be related to the contents of the Bill. I do not want to

intrude to give the honourable member a lecture on that point, but let there be an understanding of the introductory stage of a Bill—even by the honourable member for Everton.

Mr. FRAWLEY: I am speaking about the Bill.

Mr. Casey interjected.

Mr. FRAWLEY: There were never any problems with milk in the area, yet all of a sudden vendors who operate at night between 1 a.m. and 6 a.m. are required to have their trucks insulated. The C.S.I.R.O. ran a test and found——

Mr. Jensen interjected.

The CHAIRMAN: Order!

Mr. FRAWLEY: Any interjections made by the honourable member for Bundaberg will certainly be irrelevant. I am not complaining about any measures brought in to try to prevent foot and mouth disease entering this country, because it is an awful thing.

Mr. K. J. Hooper interjected.

Mr. FRAWLEY: The honourable member who just interjected has contributed a great deal towards the danger by his dumping of rubbish at Blunder Road, Inala. Regarding the banning of the feeding of swill to pigs, the correct thing to do would be to ban the importation of all these exotic tinned meats. That is the first thing to do.

Mr. Moore: All imported meats.

Mr. FRAWLEY: That is right. The Federal Government should ban all imported meats, instead of pussyfooting around like this Government did when there was a lot of hormone-spraying in my electorate. The Agricultural Chemicals Distribution Control Board could not make a decision and the farmers up there lost a fortune.

Mr. Hartwig interjected.

Mr. FRAWLEY: Of course there is not, and as soon as this Bill becomes law a lot of piggeries will go broke. What about the local councils? I will cite two which will certainly be penalised by the provisions of this Bill. The Caboolture Shire Council will have to dump the swill from different areas under its control. There are feral pigs in Caboolture, and unless this swill is covered every day——

Mr. Jensen interjected.

Mr. FRAWLEY: Of course they've got sewerage; wake up to yourself. They will have to cover this swill daily or the wild pigs will get amongst it and they will spread it. The honourable member for Windsor made one of the most brilliant observations he has made since he entered this place when he said that if we are going to control foot and mouth disease we should control it in the domestic pig pen. That is the proper place to control it. We would be far better off if we did.

An Honourable Member: They should be licensed.

Mr. FRAWLEY: I am not against piggeries being licensed and inspectors going round to see that they do the right thing and cook the swill. What is wrong with that? I can see nothing wrong with it at all.

Dr. Crawford: Cooking does not kill the virus.

Mr. FRAWLEY: I know cooking does not kill the virus. I know pigs are most susceptible to it and they are the animals that will spread the virus. I am quite aware of that, but Australia has a fairly large wild-pig population and, if it does get in amongst the wild pigs, it will spread rapidly. If this Bill becomes law I think there is more chance of foot and mouth disease spreading amongst wild pigs than there is at the present time, because they will get amongst the swill. They will get amongst the rubbish that would normally be fed to domestic pigs and thus kept in the pig pen, but wild pigs will spread it and we will never stop it.

Dr. Crawford: If it gets into the country it will not matter whether it is the wild pigs or the domestic pigs.

Mr. FRAWLEY: If the domestic pigs do get it, at least we will be able to partly control it.

Dr. Crawford: It will get into the cattle.

Mr. FRAWLEY: But if it gets amongst the wild pigs we will never control it. They will give it to the cattle.

Mr. Jensen: What about kangaroos?

Mr. FRAWLEY: I don't know about that. I know that Australia is one of the most disease-free countries in the world.

The CHAIRMAN: Order! There is too much audible conversation in the Chamber.

Mr. FRAWLEY: We want this country to stay that way. However, I do not believe that the Bill will prevent the spread of foot and mouth disease if it does enter Australia. I have said it before and I will say it again: if the feral pigs do become infected we are going to have a huge problem.

Mr. Jensen interjected.

Mr. FRAWLEY: Oh, rubbish! The honourable members for Bundaberg and Archerfield do not have a clue what they are talking about.

Mr. Jensen: You go overseas and have a look at the pig farms.

Mr. FRAWLEY: If ever the honourable member goes to a pig farm, I advise him to keep his hat on so that they will know him. I was endeavouring to relate some of the things that have occurred in my electorate.

Mr. Sullivan: Speak up a bit, I can't hear you. I am interested in what you are saying, but I can't hear you.

Mr. FRAWLEY: The Minister is not interested in what I am saying, or he would have let me have my say last Thursday night instead of stopping me from speaking. Let him be honest. He knew I was the next speaker on the list.

Mr. Sullivan: Don't get piggy about it.

Mr. FRAWLEY: I was going to give the Minister one of my cattle dogs, but I can assure him he has no chance of getting anything for nothing now. He will be up for 100 bucks for it.

Mr. Wright: What sort of cattle dog?

Mr. FRAWLEY: I am not going to be distracted any more by members of the Opposition.

Mr. K. J. Hooper: You've said nothing.

Mr. FRAWLEY: I have said a hell of a lot more than the honourable member. At least what I have said has been my own contribution. As you well know, Mr. Hewitt, my speeches are not written by anyone from the Trades Hall. At least I do not stand up here like a big Trades Hall parrot and spout it word for word.

Mr. Casey: You have to wait for interjections so you can make a speech.

Mr. FRAWLEY: I haven't got to wait for interjections. I just give some members of the Opposition an opportunity so that their bosses at the Trades Hall can see that they are trying to do a good job. I am responsible for keeping the honourable member for Archerfield here. I am damned sorry I ever helped him.

I know that a lot of pressure has been put on back-benchers on the Government side to support the Bill. There are many reluctant supporters here. I am amazed that the Bill got through the joint party room. I can't understand how it did. I was away when the final decision was made, but the honourable member for Callide used my proxy wisely. He voted the right way. When he put up both of his hands, the Minister challenged him to produce the proxy. He had mine, so in effect I did vote against the Bill in the joint party room.

I do not believe that the Bill is going to prevent the spread of foot and mouth disease if it comes into this country. It will only be an imposition on people who feed swill to their pigs. There is only one really big piggery in my electorate—the one at Toorbul run by the Greek Orthodox Church. I am not a member of that congregation, so I am in no danger of excommunication if the Bill goes through. Those people do a service in Redcliffe by picking up all the swill from various places, including the Redcliffe Hospital, boarding houses and hotels. If the Bill goes through, the swill will have to be picked up by the council. I have some figures here from a council in Victoria. For an 18 gallon rubbish bin full of pig-swill, its daily charge is $3.40.

Mr. Moore: We are talking about table scraps.

Mr. FRAWLEY: Table scraps, yes. The ratepayers are eventually going to have to pay for it. The boarding houses, hotels, etc., will pass on the charge. In the first place, the council will not do it for nothing. It will impose an extra charge on boarding houses, hotels, etc.

Mr. Houston: I thought your brother would fix all these things up.

Mr. FRAWLEY: He is not going to fix up the pig-swill, but certainly he is going to stop a few of the crooked land deals such as have been going on in Redcliffe over the past years. A couple of former aldermen will find that their land will not be rezoned from rural to light industrial, which they have been trying to have approved. There will be a bit of honesty in that direction.

The CHAIRMAN: Order!

Mr. FRAWLEY: The people of Redcliffe will have to meet the charges imposed by the Redcliffe City Council. The same will apply in the Caboolture Shire. I do not think the Pine Rivers Shire has any piggeries, but the honourable member for Pine Rivers will no doubt deal with that. The charges levied on boarding houses, hotels, etc., will be passed onto the ratepayers of Redcliffe and Caboolture. There has been talk of dry renderers. Maybe that would not be a bad idea, but an allocation should be made in the Minister's budget to assist councils to put in dry renderers. The councils should be compensated for the extra money they will have to spend on getting rid of scraps. Why should the poultice be put on local councils and local ratepayers in areas where piggeries are absorbing swill?

Mr. Gygar: Let the D.P.I. pay for it.

Mr. FRAWLEY: I have just said that it should be a charge against the Minister's department. I have no doubt that I will be bringing one or two deputations from councils to the Minister. I have had them here before. They have been satisfied on some occasions and dissatisfied on others.

An Honourable Member: Are you going to vote against the Bill?

Mr. FRAWLEY: No.

An Honourable Member: Two bob each way.

Mr. FRAWLEY: I am not having two bob each way. I believe that if a member is defeated in the party room he should stick with the decision that is made, but he still has freedom of speech and the right to stand up in this Chamber and say whether he thinks the Bill is a good one or not.

Mr. Houston interjected.

Mr. FRAWLEY: I will tell anyone what I do. I am not afraid to indicate what I do. That is why I got such a good vote at the last election. I will do even better next time.

There are 11 other speakers who are trying to get on tonight, but I know they won't.

In conclusion I say that no matter how sincere the Minister is, and I do not doubt that he believes in the Bill and believes that he is doing the right thing, I do not think the Bill is going to do what the Minister thinks it is going to do.

An Opposition Member interjected.

Mr. FRAWLEY: I have never moved to get rid of the Minister. Whatever I have to say I will say to his face; I won't go behind his back. I don't want to get rid of him.

Surely, instead of placing this imposition on people who own piggeries as well as on places from which swill is collected, we could find some other way of doing this. Finally, this imposition should not be placed on local councils.

Dr. SCOTT-YOUNG (Townsville) (9.30 p.m.): I rise to speak on a relatively scientific topic which has been subjected to considerable emotional comment and also a considerable amount of mishandling and bungling by departmental officers.

Mr. Houston: Another attack!

Dr. SCOTT-YOUNG: This is not an attack; it is simply a scientific discussion on a problem, and the Minister's officers should be equal to the task of meeting it.

In his introductory speech the Minister referred to the 1967 outbreak of foot and mouth disease in Britain and stated that it was caused by pig-swill. I should like to correct that statement. This outbreak was the subject of a scientific investigation conducted by the highly skilled and well-known virology laboratory at Pirbright in England. That investigation revealed that birds were responsible for 16 per cent of the outbreak; meat products fed to pigs accounted for 40 per cent; contact with meat other than that fed to pigs—in other words, meat, bones and offal—was responsible for 9 per cent; no known reason could be given for 28 per cent of the outbreak; and similarly no known cause could be found for the remaining 7 per cent. Of the 100 per cent responsibility for the outbreak, 40 per cent was traced to pig-swill. It is important to consider that in addition to pig-swill many other vehicles carry the virus that brings about foot and mouth disease.

The Minister has said that piggeries would be registered and controlled either generally throughout the State or in prescribed districts. This leaves me with the impression that the prescribed districts will be the grain-growing areas, and I wonder who in the Department of Primary Industries has interests in grain-growing, because pigs and grain are apparently going to be grown in the one district. Anyone else can go hang. The department forgets about the small man who for years has been getting rid of swill by scientifically feeding it to his pigs, thereby keeping the pig industry on a sound footing and keeping pork and ham prices at a reasonable level.

Mr. Moore: Good protein.

Dr. SCOTT-YOUNG: It's first-class protein.

It is also interesting to note that Australia has had four major outbreaks of foot and mouth disease. The first occurred in 1800-01 in New South Wales and was well documented by the early settlers, who had seen a good deal of this disease and knew it. It is interesting that the virus survived in the sailing ships of the 1800s on their voyages from England to Australia. We must postulate a theory, however, that most probably these ships stopped off in the Spice Islands —Bali and other places in Indonesia—where the disease is endemic or enzootic.

The next outbreak occurred in 1803-04, again in New South Wales. The next outbreak, again in New South Wales, occurred in 1871, and this was followed in 1872 by the last outbreak, in Victoria. This is a well-documented outbreak. The disease was isolated and definitely proved to be responsible for foot and mouth disease.

What causes foot and mouth disease? We know that there are several strains of this enterovirus. There are three major strains called A, O and C, and there are various substrains. Altogether there are seven strains of virus causing this condition. Recently three extra strains have been found in Africa, where they are known as SATl, SATll and SATlll. Another one that has just been isolated and one that may play a part in our Far East countries is ASIA-l.

What is the problem associated with this virus? The virus lives inside the cell. It is ultramicroscopic. In other words, it cannot be seen through an ordinary miscroscope. Special means of detection are needed. It lives in the cell. I shall briefly run through the major features of this enterovirus that causes foot and mouth disease so that honourable members may understand the basis of eradication and treatment. Until we understand something about the virus, we cannot understand the problems associated with it.

The virus may survive for 12 months in infected premises. In other words it can last 12 months in a farm-house in an enzootic area. It can last 10 to 12 weeks on clothing and food. It can last one month on the hair of an animal or a hide irrespective of whether it is salted. It can last for a considerable time on grass in pastures, especially in low temperature areas such as are found in England and Europe. This is relevant to eradication of the disease, which I shall be referring to later. It is essential to quarantine areas and to take cattle off the pastures. There has been much talk about boiling not destroying it. Honourable members can take it from me that there is scientific proof that boiling does destroy it. Autoclaving under pressure is probably the safest way of destroying anything completely. Another interesting factor is that it can last in semen for up to one month when the semen is frozen at minus 79 deg. centigrade. It is destroyed rapidly in sodium hydroxide of 1 to 2 per cent—in a few minutes.

This is a disease that lives in a country of its origin. In other words it is enzootic. When a virus is referred to, it is described as enzootic. When referring to a bacteria, it can be described as endemic. Its enzootic factor is attributable to susceptible animals such as hedgehogs, rodents and wild ruminants, which could be a source of infection of cattle.

Luckily our Australian fauna seem to have an inborn natural resistance. When the red kangaroo was inoculated with massive doses, only one out of six became involved. That indicates that Australian fauna are particularly resistant to this virus. The grey kangaroo, the wombat, the bandicoot and echidna were similarly injected. These animals had to be injected with massive doses—much more than they would get in their natural state when wandering round in the scrub. These tests indicate that Australian wild animals such as the kangaroo, wombat, possum and bandicoot are not vectors of this disease in any way.

Mr. Houston: Do they carry it?

Dr. SCOTT-YOUNG: No, they cannot carry it.

It is interesting that animals which get the disease where it is enzootic become very resistant to natural infection. When they recover, they are much more resistant than those that are immunised later on. Their degree of immunity can last up to four years.

The transmission of the disease is very important. The commonest form of transmission is in foodstuffs. Any foodstuff can carry it so long as it carries a virus—hay, straw, meat and so on.

Aerogenous spread—that is, spread by air —has been experimented with. It was found that it can be spread up to 10 metres. Another interesting fact that was found is that the spread by mouth, breathing and coughing of animals can be reduced by a muzzle. If an infected pig is muzzled, the other pigs in the area will not become infected.

The disease appears in milk, urine, and semen, and can infect the ground long before the animal shows any sign of the disease. The animal may be in the incubation period of the disease but still be highly infectious and can spread the disease rapidly long before it is noted by a veterinary surgeon, a husbandry expert or a farmer.

Education in this disease is sorely lacking in Australia. Many veterinary surgeons know nothing about it; they have never heard of it and are not interested. They read it when doing their course but did not keep up with the possibility of its coming here.

The virus may persist on the hair or skin of an animal. It is interesting that some animals in the enzootic area may carry the virus without showing any sign of the disease. It is rumoured that pigs can carry it and spread it. Insects and arthropoda can be carried in aeroplanes and so spread it.

Mr. Houston: What about the mosquito?

Dr. SCOTT-YOUNG: Certain midges will carry it.

Meat is another carrier, especially meat that has been killed, hung and chilled. Under ordinary circumstances, the virus may last in the meat for many days, especially in the bone marrow and the lymph. Meat that has been salted and packed will carry the virus for many days.

I have taken out some figures. Australian imports of meat in the year 1973-74 comprised 1 845 596 kg, which consisted of edible offal (fresh, chilled and frozen), meat juices, sausages, ham, pork (prepared and preserved), poultry (prepared and preserved), corned beef (prepared and preserved) steak and kidney pie and meat (canned, bottled and prepared). Every country from which we imported the meat, except New Zealand, has foot and mouth disease. This is the list of them: India, Jamaica, Japan, United Kingdom, Germany, Denmark, Czechoslovakia, Canada, Ireland, U.S.A., Norway, China, Yugoslavia, Netherlands, France, Argentina, Italy, Switzerland, Malaysia and Ethiopia. We imported nearly 2 000 000 kg of meat; yet here we are suddenly saying, "Be careful of the little pigs." This is not really a scientific approach to the problem!

Honourable Members: Hear, hear!

Dr. SCOTT-YOUNG: Other carriers are fomites such as bags, bedding, harnesses and clothing. Clothing is very important. The virus can be carried on clothing for up to 43 days. One migrant to America carried the virus on his clothes and started a big epizootic outbreak in America, with the loss

of thousands of head of cattle. Hides and even motor tyres have been found to carry the virus. Shoes are another carrier. People who have travelled through Bali walk straight off the plane into our country. They can bring it in that way. I spoke about birds before. They, too, spread it. It passes straight through the intestinal tract. In the United Kingdom in 1967 birds accounted for 16 per cent of the problem.

Another thing that rather surprised me was that imported vaccines can become contaminated. A common one was smallpox. They have even isolated this virus from specially prepared smallpox vaccines imported into this country and other countries. They found that it was a contaminant.

The incubation period of the disease is from one to 21 days. The usual incubation period is from three to eight days—a fairly short period. The epizootic outbreaks in the early 1800s were most probably started somewhere in the Spice Islands, where the ships stopped on their way to Australia. They could not have originated in the old country. In that length of time the animals would have died; it would have been noticed on the ship, and the animals would have been thrown overboard, unless they were killed and the meat was kept.

The clinical findings are high fever, loss of appetite, vesicular eruptions on the tongue and around the palate and sores on the coronet and between the clefts of the hoofs. The animals rapidly lose condition and milk production falls off. The interesting part is that they may resume eating in two or three days. Therefore, it is a quick, virulent and highly toxic disease lasting for two or three days. It takes the animals about six months to get over an attack, with the result that productivity of the beast falls off. It is no good for slaughter, no good for market and no good for milking. Convalescence can take up to six months. Sometimes the animal suffers from the disease in such a malignant form that it rapidly dies from myocarditis.

Another point I must emphasise is that this disease in sheep, goats and pigs is nowhere near as severe as it is in cattle. That is a point that has not been made in previous speeches. It is not a severe disease in pigs. In piglets there is a high mortality rate, but the general mortality rate in adult animals is from 1 to 3 per cent.

I turn now to controls. It can be controlled by eradication, vaccination or a combination of the two. Control by eradication is costly, because it means that animals have to be slaughtered and burnt. That is much too expensive. The stock of the whole nation could be slaughtered. Consequently control has evolved into isolation, vaccination and then slaughtering and destroying those badly infected.

The procedure is as follows: after the disease is diagnosed, no material, clothes, cars, hay, trucks, or farm equipment is to leave the area until it is completely disinfected with sodium hydroxide or formalin. The farm is left unstocked for six months and only restocked when test animals that have been put in have been proven free from the disease. In Argentina it was found that unstocked pastures became free of disease in 10 days. Human movement in these areas is restricted and anyone going into the area has to be subject to disinfection of clothes. All farms within a radius of 15 miles of the area are put in quarantine.

Destruction is so costly to the industry that vaccination was concentrated on and killed strains such as O, A and C were found to be extremely good. They give an immunity of six to eight months but require two shots. A little later, attenuated living viruses were used. South Africa used them and completely eradicated foot and mouth disease. This is somehting that this department should start thinking about instead of doing what it is doing.

Dr. Crawford: Who manufactures the virus?

Dr. SCOTT-YOUNG: Pirbright in England; they have a virology laboratory there.

It must be remembered that vaccination does not give protection adequately to pigs and sheep. The vaccination procedure where a case of the disease is discovered is as follows: the authorities vaccinate every beast in an area; in other words, they adopt a ring procedure, or ring vaccination. They could also do a frontier vaccination, that is, they vaccinate all cattle, sheep and pigs on one side of the border if the disease is in another country so that they have a complete circle or barrier against the focus of infection.

The following prohibitions are a must if we are to exclude this disease. There must be a complete embargo on the importation of animals and animal products from countries where the disease is enzootic. That is a must. But in view of our relationship with other countries financially and our economic problems, it would be impossible to impose a complete ban. Nevertheless, we could tighten up on our Federal duties and keep a lot out economically and also tighten up on our quarantine rules for aeroplanes and ships.

Mr. Hartwig: What quarantine rules?

Dr. SCOTT-YOUNG: This is it.

Speaking about quarantine—the Commonwealth forced the harbour boards of this State to put in incinerators. Such a heavy cost was involved that the Commonwealth said, "We will pay for them." But it did not pass any law to force the shipping companies to use them. The ships go three miles out of Townsville and tip out all of their

muck and slush inside the Great Barrier Reef. What this State ought to do is get in touch with the Commonwealth and say, "Listen, Big Brother. You make sure that the ships do burn their garbage and swill and that they do not throw it in our waters."

That is where our problem will arise. It will not arise with the Taiwanese fishing boats. The Taiwanese eat fish and rice. They do not eat pig. They catch fish and eat it. It is easy to carry and is high in nutrition. Where our big danger lies, is along our own coastline and in the weakness of our Federal Government in not enforcing the law on the use of port incinerators.

An Honourable Member interjected.

Dr. SCOTT-YOUNG: When the new port is established in Brisbane, big incinerators will be installed but they will not be used. The ships will dump their rubbish into the bay.

There must be no entry of cooked meat from ships, aeroplanes or other transport, and parcels must be investigated. This virus can last up to 20 weeks in fodder so we cannot afford to import cattle without care.

In areas of danger, pig-swill must be cooked. This is quite good. There is no problem in adopting the report of a man named Snowdon who is one of our leading virologists in the veterinarian world. At page 16 : 352 of the "Proceedings No. 16 of Course for Veterinarians on Virology and Virus Diseases" (which was held from 14 to 18 February 1972, so it is fairly recent), he said—

> "Swill can be fed to pigs without risk provided it is adequately cooked."

I must take the Minister to task for another thing. He said that swine fever discovered recently in Australia was caused by feeding pig-swill. I refer to page 16 : 348 of the same document where this passage appears—

> "(d) Hog Cholera (Swine Fever)
>
> "There have been four known outbreaks of hog cholera in Australia.
>
> "(i) 1903. Victoria, N.S.W., Queensland, Western Australia and South Australia. Probably introduced with pig meats from America.
>
> "(ii) 1927-28. Victoria, N.S.W., South Australia and Tasmania. Probably introduced with pig meat scraps from overseas."

(Time expired.)

Mr. GLASSON (Gregory) (9.51 p.m.): I should like to add a few comments although there is little to be said that has not already been said about pig-swill and all its implications. I should like to lend my support to the Minister in his attempt to introduce legislation for the benefit of an industry on which this country is almost wholly and solely dependent. Without beef and wool exports, this country's balance of payments would be in such dire straits that we could not compete in world trade. We do not wish Queensland to be the Cinderella State. By 1 July all other States in the Commonwealth will have introduced legislation to ban the feeding of swill to pigs.

It has been said that imports of meat products should be banned. I fully agree with that opinion. But how could we fail to accept our responsibility as a State and then ask the Commonwealth to play its part? I think it imperative that we pass this legislation. We should carefully examine the regulations when they are introduced and follow up with a combined effort, through the Australian Agricultural Council and all State Ministers, to have the Commonwealth Government stop the import of all meat products. We have just heard the honourable member for Townsville listing the countries from which meat products are imported. I think it is completely irresponsible to allow these products into this country.

When the previous Federal Government was in power, it was said in this State that that Government should ban the import of meat products. There has been a change of Government in Canberra and still meat products are being imported. It is a lack of responsibility on the part of the Federal authorities who control the import of meat products to this country.

Mr. Marginson: They have let everybody down.

Mr. GLASSON: We will stick to the Bill before the Committee. No excuse can be made for the Federal Government's not accepting its responsibilities in this matter.

Let us consider other ways in which the virus could enter this country. It could be brought in from ships that fish in Australian waters, sometimes well within territorial limits. In spite of what was said by the honourable member for Townsville, after what we have heard, no-one can tell me that the virus could not be introduced to our shores by people landing from fishing vessels for water or supplies.

Mr. Hartwig: They have pigs on board.

Mr. GLASSON: The honourable member for Callide reminds us that they have pigs on board. I might well repeat a story that was told to me about a person who went to England and whose parents had a farm that was adjacent to an area in which foot and mouth disease was rife. On returning to Australia he took all the necessary precautions as he saw them to prevent the virus entering this country only to be told by the quarantine authorities that they had no way of fumigation to prevent the virus coming in.

Mr. Burns: If you say on returning that you have been on a rural property they make you take your shoes off to disinfect them.

Mr. GLASSON: There are no quarantine restrictions on anyone who walks off an aeroplane in this country. All that concerns the authorities is that he might have a camera or some such article and they might lose import duty; but as far as I can see, concern in that area about foot and mouth disease is non-existent. It is about time that it was brought to light that there is serious concern about these three areas.

We have no control over migratory birds, but at least we have eliminated three areas of concern, and I believe they are vital in trying to stop the virus entering Australia. I believe that in Canada, which is not as dependent on its beef or wool products as we in Australia are for export earnings, in terms of lost export income it cost 200 times as much as it did to contain the disease. Mark my words, if this virus ever gets loose in the north of Australia, nobody will control it. Honourable members can say what they like. We do not have 300-acre paddocks here as they have in England. We are not like Canada with its geographical boundaries which confine stock so that they do not roam as they do in Australia. Let me say that I represent an area which is wholly dependent for its income on wool and beef and I believe that we have an obligation to the people in the livestock industry to do everything in our power to stop the virus entering this country.

I could not help agreeing with the honourable member for Townsville when he said that the education of the people in the livestock industry in this country leaves much to be desired. In fact, I would go so far as to say that it is a darned disgrace. I doubt that there would be 1 per cent of the people in the industry who would recognise the disease if it developed on their property tomorrow and that leaves much to be desired if we are to get to the root of the problem quickly. I must say honestly that I do not think there is a person in this Chamber who, deep in his heart, is not greatly concerned at what it will mean if this disease ever enters this country. The only point of difference seems to be the way we should prevent its entry.

I must disagree with the opening remarks of the honourable member for Archerfield the other night when he said that there had been a riot and that there was a split within my party. I completely reject that and I am disappointed to hear politics used in a matter as serious as this. But let me bring out one of the points that came out of the meeting. We have an opposition within our own party. We are concerned about what is the best thing to do for the people as a whole. We categorically deny the accusation that has been levelled at us, that the boss cracks the whip and everybody falls into line.

Mr. Frawley: We have to have an opposition in our party. The Opposition in the Assembly are so damned weak they can't provide good opposition.

Mr. GLASSON: Yes.

There are also so many unknowns, and I think this comes back to education. I would like to ask the honourable member for Townsville to elaborate a little on the figures he gave us tonight. If in fact the disease has been completely eliminated in South Africa, how did they do it and how long was it before their products were accepted overseas? If it arrives in Australia and enters a piggery, will we be allowed to export any of our products?

Dr. Scott-Young: No.

Mr. GLASSON: If foot and mouth disease breaks out on a piggery or a chook farm or a fish-breeding farm in this country, it will eliminate the export of our products. The American meat market has quite openly stated that if we get foot and mouth disease in this country, that market will be lost to us. America is our biggest customer for meat. I will not argue about the export of meat to Japan; but will it affect the export of our wool?

Mr. Burns: Yes.

Mr. GLASSON: The answer is "Yes" from the Leader of the Opposition. Can the Minister or anybody from his department tell me whether it will in fact stop the export of our wool to those countries which do not have foot and mouth disease?

Mr. Sullivan: Yes.

Mr. GLASSON: The Minister says that it will.

An Honourable Member interjected.

Mr. GLASSON: This is what I say; there are so many unknowns. I believe that when a Bill such as this comes before the Committee, in order to have a fair debate we must know all the facts pertaining to a particular product. I believe at this stage we have a responsibility not only to the people within the industry in Queensland but to every person in the Commonwealth to make sure that this virus does not enter the country. I will not accept that this Bill is the be-all and end-all of the problem.

I have to agree with everyone who has said that the disposal of this product will pose a tremendous problem for every local authority in the State. We know that every local authority in the State is now imposing what it thinks is the maximum rate levy it can reasonably charge and this additional impost will cause even greater problems for the ratepayers and the local authorities. At the same time, I do not agree that it will stop the spread of the virus. For instance, the back-filling of pits will not always be done to satisfactory standard all the year round,

and if the virus is present it will get to the feral pig. Let us not kid ourselves. It will not be done properly. There has been talk about dry renderers in the bigger centres. Once again it should be the responsibility of the Federal Government to assist with finance.

Mr. Moore: In the rest of the world the table scraps go into rubbish tins.

Mr. GLASSON: As I say, the risk will not be eliminated completely.

I return to what I said before. I believe that we should support the Bill, but the matter should be taken to the Federal level in an endeavour to stop the importation of meat and to obtain assistance for local authorities. If over a period of time the Bill does not work effectively, let us evolve some other method of preventing the possible spread of foot and mouth disease. I support the principle of the Bill and hope that it is successful in preventing the spread of foot and mouth disease should it be ever introduced into this country.

Mr. LOWES (Brisbane) (10.2 p.m.): I agree with the honourable member for Gregory that we in this Chamber have a moral obligation to the grazing industry to prevent the introduction of foot and mouth disease into Australia. The operative word there is "introduction". What the Bill is all about has nothing to do with introduction. Unlike the honourable member for Gregory, I am not susceptible to the Minister's threat that unless we pass the Bill the rest of Australia will ban us, and that if foot and mouth disease were to break out in Queensland the rest of the Commonwealth would not come to our aid. What we have here now is an exercise in face-saving. This Parliament is being asked to put the stamp of approval on something which the Minister has done without prior reference to this Parliament. He is asking this Parliament to endorse a promise or an undertaking he has given to the Australian Agricultural Council without prior reference to us. I will not be a party to the validation of such a step.

I regret that the Minister did not use the time since he reported progress last Thursday to better purpose. I had hoped he would have deferred further consideration of the Bill even longer in order to give the joint parties an opportunity to reconsider the legislation just once again. It has already been considered a number of times, so once more would not have done any harm. On the next occasion perhaps a fully representative vote could have been obtained. I was disappointed when the Minister saw fit to report progress last Thursday night. At that time a number of members were prepared to speak on the Bill. I know the honourable member for Murrumba was prepared to speak. I, too, was prepared to put forward my argument. Indeed, I had introduced an exhibit into the Chamber to show honourable members just what we were talking about.

What we are talking about has been vividly referred to as pig-swill—as some sort of contemptible, seething mass of rubbish, whereas in fact it is not that. What we are talking about is protein food, which the Bill proposes should be disposed of—at a time when there is a world shortage of protein! We are being asked to vote on a matter that will deny people the right to food. Nothing could be worse or more inopportune than the introduction of such legislation.

It is said that similar legislation has come before other State Parliaments in the Commonwealth and that it received a stormy reception. In the debate on 9 October last in the State House of New South Wales the then Leader of the Opposition, the Honourable L. D. Serisier, said, "If we are to stop foot and mouth disease coming into Australia, the way to do it is to ban the import of those meats". He was referring to imported meats.

While the Bill is introduced by a Minister with a Country/National Party background, it is in fact a town-and-country Bill. I have some justification for speaking to it because the cities are affected in the same way as are the rural areas. For that reason I make no apology for adopting what might be regarded as a parochial attitude. My orientation is towards the central city area of Brisbane, which contains no fewer than seven hospitals, including the Royal Brisbane Hospital, providing beds for about 2,000 patients. The Royal Brisbane Hospital alone would generate some several tons of protein per day and the other hospitals proportionately less.

The area also contains two large convalescent homes and approximately 10 clubs. I know that in recent months, possibly with the thought of the introduction of this legislation, one of those clubs installed a grinding machine, which, although solving the problem of disposal of so-called pig-swill, has not curbed the cost of disposal. Furthermore, it has denied the pig population a large quantity of food. We are told that only 5 per cent of the pig population is fed on swill. That percentage would be much higher if we took account of the pig population close to the centre of the cities.

The central city area of Brisbane contains more than 50 restaurants, any one of which could produce 40 gallons of pig feed per day, and innumerable cafes and snack bars. My electorate contains 11,500 voters, and the population of the city as a whole is in the vicinity of 800,000. What is to happen to the food scraps of all those people? Are they, as has been suggested, to be put into the sewerage mains? Is the Brisbane City Council capable of handling the quantity of swill that would be generated? I am informed that the council could not handle it.

What is the position in the provincial cities, which would have the difficulty of disposing of food remains? I had hoped that since the House rose last Thursday the Minister would have obtained some statistical information as to the 114 local authorities that have indicated their favourable attitude towards the Bill. In the absence of such information I have made some inquiries and have been assured by the Brisbane City Council that it does not have the means of disposing of such a large quantity of swill. There are some local authorities that claim they could handle it. The Gladstone City Council, for instance, believes that it is not a great problem. It points out, however, that what is not put through the sewerage lines would have to be dumped onto the rubbish tips and that this would be an expensive operation as well as quite an ineffective one. I am informed that swill, when buried, will last for more than 12 months. When dug up after that period it is found to be in almost the same condition as when buried.

I spoke to the Rockhampton City Council, which at this stage does not have a fixed view on the matter. It is interesting to note that one of the councils that is most violently opposed to the proposed legislation advised me that it believes the dumping of swill to be more dangerous to the public than feeding it to the pigs. I refer to the Gympie City Council in the area represented by the Leader of the House.

The Bundaberg City Council says that it has no great problem but considers the collection and disposal of swill to be most costly.

The collection and disposal of swill raises another problem. Earlier this evening we discussed industrial relations. What would happen if the collection of swill was affected by strikes and was left lying around the city? What would happen if the people who operate the sewage works in a city such as Brisbane were to go on strike? We already have an incidence of raw sewage being pumped out at Luggage Point and into the Nerang River. How will these sewerage schemes handle the extra volume of swill not being fed to pigs? The disposal problems are not overcome by pumping swill into sewerage lines. Quite the reverse!

There is a very strong risk—and I have seen this in another country—of garbage-collecting services breaking down. We have heard of the troubles in New York when the whole town became a stinking, seething mass. What infections, illnesses and vermin attraction are involved in that!

At present Australia does not have foot and mouth disease. It may not get here. We are looking at a possibility. We know for certain that we have typhoid and other diseases that are caused by the harbouring or collecting of material that rots and festers in open conditions.

I was informed by a Victorian pig farmer who phoned me yesterday that the cost in Victoria of removing swill is $3.40 for a 55 lb. bin. A full 18 gallon bin would hold far more than 55 lb. and the rate could rise to $10 a bin. A restaurant of ordinary proportions would have to meet an extra cost of $10 to $20 a day. Who will meet the cost of removal? It will all be passed on to the consumer. We are not saving on this. We are losing a worth-while commodity in the protein we are throwing out and causing unnecessary expense. The local authorities who will be asked to handle this swill in their sewerage systems or rubbish dumps will have to meet this extra unnecessary cost. Industries will have an added burden which they will pass on to the consumers.

So much has been said of a scientific nature, particularly by the honourable member for Townsville. I am quite sure from my reading that all of what has been said has been correct. In 1968 in England, following the latest outbreak there, a committee of inquiry was set up into foot and mouth disease. I refer to the report. It said—

> "We have given priority to consideration of the ways by which the risk of the introduction of foot and mouth disease virus into Great Britain and the risk of future epidemics may be reduced."

Surely that is the objective of any legislation that we should consider introducing here—to prevent its introduction. However, the way we are treating it and the way we are approaching it is doing nothing of the kind.

The recommendations of the report I have just mentioned are quite revealing. The members of that committee make no reference whatsoever to banning the feeding of pigs with swill. In fact, the report refers to such matters as Mr. Serisier mentioned in the House of Parliament in New South Wales. The report from which I am reading, I am sure, is available for access to the Minister's advisers. If they had referred to it themselves, it is a pity that the results of their study of it are not revealed to any extent in the proposed legislation. The recommendations say—

> "We have pointed out that the major risks derive from the persistence of foot and mouth disease virus in bones, offal and lymph glands, and we think that if a policy is adopted which excludes these dangerous components, the reduction of risk would be almost equivalent to that which would be achieved by a complete ban on meat imports.
>
> . . .
>
> "General vaccination gives a large measure of protection but this advantage has to be balanced against the disadvantages attaching to the disturbance of normal farming practice, the diversion of veterinarian manpower and the very considerable cost."

Again we come back to "normal farming practice" and the "very considerable cost" when one departs from the normal farming practice such as the feeding of swill to pigs.

The recommendations go on, referring particularly to the banning of the import of mutton, lamb and pig meats from areas of countries where foot and mouth disease is endemic, and state that the import of lamb offal or pig offal from countries or areas of countries where foot and mouth disease is endemic should be limited to offal processed in such a manner as to destroy foot and mouth disease virus. The report is well worth referring to. I submit that the department would be far better off introducing legislation along these lines than a Bill that is going to do no more than put the seal of approval upon something which the Minister has already committed himself to without prior reference to us.

The introduction of this legislation would be as efficient in the stopping of foot and mouth disease as the hammering up of signs around the northern coastline of Australia saying, "Keep out foot and mouth disease products." It will be just as effective as the words of King Canute in telling the waves not to come in. When one considers the means by which foot and mouth disease is introduced and the means by which this legislation proposes to combat it, one realises what an abysmal waste the proposed legislation is, how ill conceived it is and how ill thought out it is. There is no way that I could support such a measure.

Mr. KATTER (Flinders) (10.19 p.m.): This Bill reminds me somewhat of the situation when Mr. Chamberlain was giving away part of Czechoslovakia. When Jan Masaryk, the President of Czechoslovakia, addressed the House of Commons, he said, "If you are giving away my country to bring peace to the world, then I applaud you. If not, gentlemen, may history condemn you."

We are talking about the livelihood of only 12 families in my area. We are telling them that they no longer have an income; that they must line up in the dole queue that already has 400 people from Charters Towers. We can go to bed happily tonight and forget about those 12 families if we are doing the right thing this evening. I ask the Minister to please look at the technological advice we have and the authorities that exist in our State and throughout Australia. Let me again state that it will mean the livelihood of 12 families in Charters Towers. I have had that statement contested by the Department of Primary Industries. I invite any member of the department to come with me to Charters Towers and I will take him around and introduce him to the 12 families who will be put out of work. I would very much like him to see the sort of people who will be thrown onto the scrap-heap of our economy.

Let me move on now to the cost to the council in Charters Towers. I have been accused of being a liar for stating that it will cost the council $30,000. The mayor of Charters Towers, who was awarded the Military Cross, has been in that position for 15 years. He is a man of the highest integrity and he told me that the cost would be $80,000. I do not doubt that for a moment. The council would have to buy a tractor. It does not have a dozer at the moment and would have to purchase a very large machine. That is one point.

The next point is that it means a loss of income of some $50,000 to $100,000 to the town. Because it is 300 miles to the nearest grain area, we cannot change to grain feeding. My friend from Mt. Isa would point out that his area is 600 miles from the nearest grain area. It would cost us an astronomical figure to import pigs from any other area because we are 300 miles from the nearest piggery.

Let me now move on to Toowoomba. I have here a letter from the Toowoomba City Council, which in part reads—

> "Disposal of offal—proposed legislation.
> (iv) Council could not comply with the requirements of the Clean Waters Act."

That is, if this legislation is introduced.

Further on—

> "To cater for the presently estimated 7,500 gallons of Pig Swill, it would cost Council, conservatively, a further $1m. In real terms this would cost $4.3m over 40 years at present loan rates."

We are talking about 12 people in my area who will have no jobs. Multiply that by the figures for the other areas of the State. We are talking about a cost of nearly $100,000 to the small council in Charters Towers and a loss of income between $50,000 and $100,000. We are talking about a cost to the Toowoomba council of $4,300,000 over a period of 40 years. Is this all justified?

To my knowledge I was one of the first four people who raised their voices in this State about foot and mouth disease, the others being Mr. Logan (a prominent cattleman in my area), the honourable member for Belyando (Mr. Lester), and the honourable member for Callide (Mr. Hartwig). We were very concerned about the importation of food. Where were all these people who are shouting, raving and pushing this particular legislation when we asked for action earlier in the year? Where were Senator Wriedt and Dr. Everingham then? Not a single person who has been pushing this Bill, including the owners of grain-feed piggeries in South-east Queensland, has raised a voice or done a single thing.

Let me move on to my political party, which represents all of the country areas of Queensland. Two out of three of the major decision-making people in that party, both of whom are cattlemen and probably the biggest names in the industry this century, have said that the Bill is a piece of rubbish.

I am not prepared to name them but will give their names to people quietly. That is the position in the political arena.

Let me move to another area—the North Queensland Local Government Conference. It was attended by a group of people who are completely dominated by graziers. Every council in my area is controlled by cattle growers. There are some exceptions, and Townsville would be a notable one. I have here "The Townsville Daily Bulletin" of 7 February 1976. A motion which was moved by someone else wanting to support this legislation was ruled out of order as it would have negated a motion carried at conference objecting to the proposed ban on swill feeding.

So the councils of North Queensland are against this legislation; the political party representing the country areas of Queensland is against this legislation and the people who fought hardest at the beginning of this year to have something done about foot and mouth disease are adamantly opposed to this legislation.

Let there be no doubt about it; if foot and mouth disease gets into the Gulf Country, we can simply throw a fence across it and forget it. There is no economic way of ever getting the disease out. Let us look at what world authorities have to say about foot and mouth disease. I propose to quote from four separate textbooks. I shall not quote the source of each; honourable members can obtain that privately afterwards. I quote from the first authority—

> "The sources of infection are uncertain, and migratory birds are believed to be common agents. But the use of household and industrial edible waste in the feeding of pigs is commonly asserted to be the cause of most outbreaks. The virus can remain alive in the marrow bones . . . it is recommended by some authorities in the U.S.A. that domestic wastes should be fed raw."

I repeat that it is recommended by some authorities in the U.S.A. that domestic wastes should be fed raw. It will be remembered that it cost $300,000,000 to eradicate foot and mouth disease in Mexico.

Let us look at the situation in Great Britain, which has the worst problem of all countries. It cost $1,000 million in that country in the year before last to cope with the disease. What is now being done in that country? I quote from this authority—

> "The position in Great Britain is that all foodstuffs containing animal matter not otherwise cooked must be boiled for not less than one hour before feeding to pigs."

In other words, there are licensed piggeries boiling the waste matter before it is fed to pigs. And that is being done in the country with the worst foot and mouth disease problem in the world! What are we doing in a country that has not had an outbreak for a century?

I move to another authority—

> ". . . satisfactory disposal of garbage and refuse from ships, aircraft, etc., should be adequately attended to."

There is absolutely no presumption that there should be anything of the nature now proposed here. This authority continues—

> "Garbage from ships, land vehicles, and aircraft that may contain meats, milk products, and the like originating in infected countries, should be prohibited entry or should be disposed of in a safe manner. As with hog cholera, VES, and some other diseases of swine, FMD is readily spread by infected garbage which is consumed by other cloven-footed animals."

Again there is no proposal to do what we are now proposing.

I now move on to another authority. I know a meat inspector who worked for 25 years in one of the major abattoirs in Queensland. I discussed the matter with him. He said, "Foot and mouth disease is only one of a number of diseases that pigs can get from garbage. In my experience of 25 years as a meat inspector I would say that the carcasses of swill-fed pigs are far healthier than the carcasses of grain-fed pigs." That is the opinion of a man with 25 years' experience in abattoirs. He was no airy-fairy intellectual academic, but a man who has seen it all for 25 years.

I move on now to an academic figure, an ex-Dean of the School of Veterinary Science of the University of Queensland which, I am proud to say, is one of the most prominent veterinary research schools in the world. When I told this professor what was proposed and asked him his opinion, he said, "I do not understand. You mean you are going to prevent it going to piggeries? I have never at any stage envisaged the disease coming into the country in this way. The chances are so infinitesimal that they are virtually non-existent. It will come in on people getting off aeroplanes or ships or entering the country in some other way. Then what happens? If you could move all the animals 30 miles from ports so that there would be no way of transporting the virus, that would be an ideal situation. But, as far as I can see, that is where the problem lies. What you are doing is allowing for something that could possibly happen, but the chances are so infinitesimal that it is ridiculous."

Mr. Gygar: That is exactly the advice the C.S.I.R.O. gave me.

Mr. KATTER: So there are the opinions of the C.S.I.R.O., a Dean of the Faculty of Veterinary Science and a meat inspector with 25 years' experience. In addition, I have quoted from three leading textbooks on the subject. I fail completely to see where the suggestion behind the Bill has come from. It is quite beyond my comprehension.

Let me reiterate what other countries have done. The country with the worst problem of all is England. It does not have an endemic situation, but there is such a situation in Europe. Europe is right beside England, which means that the disease enters England all the time. Two years ago the cost of the disease to that country was $1,000 million. What action do the authorities take in England? They license piggeries and inspect them to see that swill that may contain the virus is boiled. America spent $300,000,000 to eradicate the disease in Mexico. People there are feeding more swill to pigs because they believe that is safer than burying it, putting it in sewerage or disposing of it in any other way.

If other countries do not want to take the action we are proposing, if the authorities do not want it and the cattlemen do not want it, why are we considering it? I have quoted the National Party and I have quoted the North Queensland Local Government Association. I could quote all the cattlemen in my area. I can reel off names for an hour if honourable members so desire. It was in my area that I was first persuaded to go against this Bill. I was at a race meeting and I was listening to a number of cow cockies talking. They were just talking bush common sense. They said, "What stupidity. Instead of boiling it and feeding it to domestic pigs where you can throw a fence around them and shoot them if they catch some disease, they are throwing it on the dump where every damned animal, bird and other form of wildlife has access to it. There is no way of closing off council dumps."

I do not want to go off at that angle at this time, but I do want to mention those who have come down here and have been pushing this Bill. Only one group has been pushing this point of view, I understand, and these are the people representing the grain-feed piggeries of Queensland. I do not want to be cynical, but they have a very large vested interest in the passage of this legislation, and they are the only people who have been down here pushing for it.

Some leading and prominent identities in the U.G.A. are also pushing for it. All I can say is that these people do not know the facts. I know some of the people involved, and I can tell honourable members that they have the most sincere conviction that they are doing something to eliminate the danger of foot and mouth disease. But they do not have access, Mr. Hewitt, as you and I and everyone in this Committee has, to the library to find out what the authorities say about it. They do not have that sort of advice and we should have been giving it to them. I regret very much that I did not get time this evening to see the people involved, but in all fairness to myself I must say that I did not expect the proposal to come up again after it was thrown out so many times in another place.

I addressed a meeting just recently at Goomeri. A number of people there said to me, "What are you doing stopping this legislation going through?" I said to them, "The situation is this: do you want this scrap food boiled and fed to domestic pigs or do you want it thrown on the ground in your local garbage dump where every wild animal can get at it?" They said, "Oh, no, we don't want that. You're not going to do that, are you?" I said, "That's exactly what we are going to do." In the space of five seconds I was able to persuade 120 people to stop heading in one direction and head in the opposite direction. I am quite sure that if members had the time to go out to every meeting in Queensland, they would get exactly the same result. It has been a bluff and a load of rubbish.

Let me state categorically that what the people opposing this legislation are advocating is the licensing and controlling of the boiling and recycling of food scraps for feeding to domestic pigs, and I stress the point that it is domestic pigs. Having said all this, let me state that although there are many people here whose opinions I respect and whom I almost invariably admire, they are diametrically opposed to what I am putting forward here because they are looking at one statistic only and that is that, of some 500 documented outbreaks of foot and mouth disease, some 200 came from swill-feed piggeries. Superficially, there is a strong prima facie case for what is proposed in the Bill, and, while I can excuse people for seeing it like that and not going into it more deeply, I cannot excuse the people who are supposed to be giving us the technological advice upon which we are making such a decision.

What we are going to do is throw this swill onto our local dumps. Let me tell honourable members what will happen in the electorate of Flinders. In one town in the Flinders electorate the local pig man will open his gate every afternoon and, with the dump only 10 yards away, his pigs will dash over and feed at the dump and then go back after they have fed. We have a Bill here which is going to prevent that man from boiling the garbage and feeding it to his pigs, but every afternoon he is going to open his gate and out they will go to the dump. The argument that has been put up against us is that inspections cannot be carried out. The Minister has admitted that. That situation will continue.

In the same town three piggeries are being run. How were those piggeries set up? Men went down in the afternoon with their dogs and captured 30 feral pigs that were feeding at the local dump. I can name the people and the town. That is the situation also in other country areas of Queensland. If the virus got into one of those feral pigs, we could kiss good-bye to the Gulf of Carpentaria and we could kiss good-bye to the Peninsula. All I can

say is that this piece of legislation is the greatest load of rubbish that has ever been brought before this Assembly.

Mr. CASEY (Mackay) (10.36 p.m.): I thought that perhaps it was about time we had an Opposition comment on the Bill. So far the debate has been a little bit one-sided.

An Honourable Member interjected.

Mr. CASEY: I am an Opposition member; I am not a Government member. I have sat here and listened with interest to the one-sided debate by Government members. Government member after Government member has put forward a very good case against the swill-feeding of pigs. Just a few moments ago I was able to see a copy of the Minister's speech. I find that Government members are talking completely contrary to what the Minister is proposing. It may sound very strange to some members to hear me defending some of the comments made by the Minister for Primary Industries.

At the outset I would say that I would support to the fullest any legislation introduced into this Chamber for the protection of our great beef industry, to assist the struggling dairymen of the State and to ensure that wool growers will have continuity of income. Our nation depends so much on those three great industries, and on the men and women who populate outback and remote areas of the State, areas which many honourable members have never seen. People in those areas keep the State and nation going by their produce. Should this Assembly not properly consider legislation designed to protect those great industries, it would be a great slur on every honourable member.

I noted with interest that the Minister's comments indicated that really only a few piggeries will be affected. We have heard some comments to the contrary from some Government members, but I will touch on them later.

One thing that does concern me greatly is the manner in which the Bill has been presented. It concerns me greatly that it comes before us as a virtual fait accompli—something that has been wrapped up, signed and sealed by the Minister and his department in conjunction with other departments in other States and the Federal Department of Primary Industries through the Australian Agricultural Council. Too often in this Chamber we see rubber-stamping. We had it last week when dairy agreements were before the Assembly; we have seen it with Queensland Housing Commission agreements. We see it when Ministers have reached agreements without prior consultation with the Parliament or members of their own party. One principal fundamental to our democratic institution is that members are elected to put forward their own views and those of their constituents. This legislation is coming before the Assembly now after the whole deal is a fait accompli, so the Queensland Government has virtually disfranchised many of its own members, both National and Liberal Party. Tonight some Government members have put forward very sound arguments. I am not saying they are either right or wrong, but we must accept that some of the them are not entirely correct and that, conversely, some contained some excellent technical points that had not been presented before. The worst aspect, however, is that agreement had been reached before the opinions of Government members had been sought.

We have heard conflicting points of view expressed by members with a lifetime of experience in our grazing industries. I was particularly interested in the comments of the honourable member for Gregory, whose area I have visited very often over many years. He spoke strongly in support of this legislation and agreed that some problems would arise. Surely he and others like him, such as the honourable member for Callide, should have been given the opportunity to put forward their arguments before the matter became a fait accompli. Discussions should have been held in this State Parliament before the proposal was put forward.

Mr. Sullivan: You'd be joking, of course. Don't you think they've had the opportunity?

Mr. CASEY: The Minister was not in the Chamber when I commenced my speech by saying that I would defend him.

Far too often are the thoughts and feelings of members of this Parliament, who are elected by their constituents to put forward the views of the people they represent, totally disregarded in favour of pressure exerted by certain organisations. I realise that I have not yet said whether this legislation is good or bad; nevertheless my point is a valid one. It is time that the National and Liberal Party members learned that they must strengthen themselves in their party room to ensure that whatever legislation is introduced is brought forward in the interests of their constituents and that their points of view are considered before such legislation becomes a fait accompli.

Many points must cause us concern. I do not know whether they were completely discussed at the meeting of the Australian Agricultural Council.

I was interested in the comments of the member for Townsville, who indicated that birds are a source of foot and mouth disease. All of us know that Australia has a huge population of migratory birds that fly from the North Pacific to the South Pacific and back again every year. I wonder whether any efforts are being made to determine whether or not migratory birds bring the disease into this country. I realise that such a task could not be carried out by Queensland alone, but is the Australian Agricultural Council taking steps to see what can be done in this regard? To take an

extreme example—are we going to introduce legislation to stop birds from migrating? Perhaps that could be done by lining up fellows with guns on the Cape York Peninsula so that they could shoot the birds as they fly overhead. We certainly don't have enough naval vessels to apprehend Taiwanese fishermen, so we can't expect the Navy to help us solve the problem.

Another member referred to the importation of meat from New Guinea to the Torres Strait islands and eventually to Australia. On previous occasions I have raised the matter of the movement of insects and other forms of migratory animal life from New Guinea to the Torres Strait islands. What is happening in that field? The Minister should tell us whether this was discussed. If not, it is being brought out in the debate now whereas it should have been discussed by the Australian Agricultural Council if it is as concerned about this matter as it appears to be.

The honourable member for Townsville raised a point that I have referred to on a number of occasions, that is, ships off shore and their garbage. Because of an industrial dispute, for the last week or more, four large overseas bulk carriers, each between 120 000 and 150 000 tonnes, have been anchored off the Mackay foreshores, waiting to take on coal for overseas. Would anybody try to tell me that they are collecting all their garbage in bins and hanging onto it until such time as they berth and can put it in the incinerator? Certainly not! It is going over the side. I have brought to the attention of the Assembly on other occasions that ships' garbage is washed ashore right in a residential suburb of Mackay. Reference has been made to the importation of food through legitimate sources, but every item of food on these ships is bought in Japan or another foreign country where they get their ships chandlers' supplies before coming here. They do not take on any food in Australian ports. They may take on water, but that is all. All their food might be subject to this disease. What is the Australian Agricultural Council doing about this? I should like to hear the Minister's opinion on that. He should have raised it with the Australian Agricultural Council when this matter was being discussed.

I do not wish to enter into the great fight between the Minister, the honourable member for Callide and other honourable members, but another very important point was raised this evening. If some of these piggeries are to be retained, the swill must be replaced by grain. The 40 per cent increase in rail freights imposed by the Government will so raise the price of feed in certain areas as to make piggeries or the pig and bacon industry totally uneconomic. The factories will go out of production and the commodity will have to be purchased from the already wealthy Darling Downs co-operative or some other piggery in the southern part of the State. That will entail extra, high freight charges. As the honourable member for Brisbane pointed out, much of this extra cost will be passed on to the consumers.

Some honourable members may say that it is typical of the National Party that it should be fighting over buckets of stinking garbage and, indeed, on what we have heard here that is what it amounts to. At times I have raised matters of great importance in this Chamber. The Minister knows that in speaking on matters concerning the sugar industry I have been very critical. While not one Government member has been prepared to back me up on the floor of the Chamber, on going outside they have patted me on the back and said, "Good on you; you knew what you were talking about. That was a good speech. That was the right thing to say. That is what we need in the sugar industry." On those occasions they said nothing in this Chamber, yet now they are fighting over a can of garbage.

Last year, and the year before, when the beef industry was going through a crisis, certain members raised matters of great importance to the industry, but did we hear members of the National Party putting forward a case on behalf of their constituents? Certainly not! What did they do? They formed a little committee and ran away and subjected themselves to the dictates of the United Graziers' Association.

Last week the Minister for Lands introduced a Bill relating to the dairy industry. At that time I pointed out how the future of the dairy industry in Queensland was being dictated by Victorian dairy farmers. Once again many Government party members outside the Chamber said to me, "Your comments were so right." But did they stand up here on behalf of the dairy industry? No! Yet they are arguing on this occasion over a bucket of stinking garbage.

We all know, of course, that the dairying industry in Australia is controlled by Victorian farmers; so also is the Federal Government of the day controlled by Victorian farmers. It is whatever they dictate that happens. Government members talk about Wriedt and Everingham introducing this, but nothing different has been coming from Sinclair and Fraser. In fact, some members of the Government have expressed their concern about the import of meats that is still occurring under Doug Anthony, who is the Minister in charge of trade.

To me, if for none other than health reasons we have to do something to overcome the problem of swill-feeding or the way pig-food has been collected in the State, I go along with it. We have a hot climate in Queensland. Everybody has been talking about England and a lot of other places. There is nothing worse than going around some of our urban communities or small towns and seeing the stinking, smelly old garbage truck doing its rounds with all of the pig-swill. It is easy to tell where most

of them are from the flies following them about. We are now in 1976. We should be looking forward to bringing in enlightened legislation on this matter.

I am a great researcher of history. I read back to debates several years ago on sewerage. Forerunners of the National Party members in this Chamber argued in that debate against sewerage schemes in our smaller cities and towns. For some great reason they felt it was a good thing that a person did his business in a can and kept it for seven days as though it were of some value to be held onto for the future. Exactly the same type of arguments are being put forward this evening about garbage. If it is for no other reason than health, we must find a more sanitary way of disposing our garbage than collecting it in cans on the back of an old truck rattling round urban streets and carting it off to be fed to pigs. It is time we brought in legislation to remedy that situation.

I await with eagerness the printing of the Bill in order to see its full ramifications. I believe that many of the points that have been raised by honourable members are completely irrelevant. They have in the extreme gone far past the Minister's intention, the intention of the legislation and the points raised by the Minister.

It is very, very strange to see in this Assembly such a great argument over cans of garbage, when so many important measures affecting our rural industries have not attracted the attention they should have in debate, particularly from members of the National Party.

Mr. GIBBS (Albert) (10.53 p.m.): I am pleased to support this proposed Bill to amend the Stock Act 1915–1974 in certain particulars, which is, of course, related to the banning of pig-swill. Earlier speakers—and one must respect everything they have said on this matter—have covered, I believe, only individual points. In my opinion, nobody in this debate has covered the full problem, looking at it from the over-all point of view on a long-term basis. We cannot look at this problem in the short term.

Local authorities, particularly those in isolated areas, will encounter some trouble. No doubt they will need some assistance, because it will take them some time to adjust to the new problems facing them. Many members have spoken about sewerage and said that what was formerly pig-swill will go through the sewerage system. I do not believe that that is so. I think it will go with the remainder of the solid waste from the community—to the tip.

It is time that we in Queensland and Australia faced up realistically to the problem of disposing of solid waste. In fact, the Co-ordinator-General has set in motion an investigation into solid waste disposal for Brisbane and the surrounding areas, including the Gold Coast and the Albert Shire. That will take about one year to complete, after which recommendations will be made. We will then be saddled with a whole new ball game in the handling of solid waste.

It seems that the debate has become more a discussion on local authority solid-waste problems than anything else. Something is being done by the Co-ordinator-General's Department to overcome the problems associated with the disposal of solid waste in the South-east corner of Queensland. This is 1976. Surely we should be looking at this in a modern manner instead of burying our garbage as we have done over the years.

Some honourable members complained that councils would have to buy a machine with which to cover the solid waste. Surely every local authority should be doing that now. Under the Health Act, I think they are bound to do it, and possibly the Health Department should be looking at the situation to make sure that local authorities are doing their jobs properly. Because of their own inadequacies in handling solid-waste disposal, I do not think that they can criticise the banning of the feeding of pig-swill.

Some honourable members have spoken about feral pigs getting into dumps and chewing what is dumped there. Do people think that all household wastes and scraps go to the pigs? A very minor percentage of them do. Table scraps and many other scraps from cafes and homes are being dumped at present. If they are not being handled properly at the tip and if the tips are not fenced properly, the banning of the feeding of swill to pigs cannot be blamed on those inadequacies.

The Co-ordinator-General has set this investigation in motion and Maunsel and Partners are undertaking it. They will take into consideration the whole of the solid-waste disposal problem in the South-east corner of Queensland. They are the people who carried out the investigations in Hong Kong and in many other parts of the world. They would be the leaders in their field. When they publish their findings, there will be a completely new approach to the problem of solid-waste disposal.

It has been said that Brisbane will have difficulty in disposing of what is now used as pig-swill. I have been told differently. On behalf of the Albert Shire Council and the Gold Coast City Council, I attended the co-ordination meetings, as did the relevant officers and elected members from the Brisbane City Council and from all surrounding shires, including Redland and Beaudesert. I heard tonight that Caboolture will have problems. So far Caboolture has not come into the investigation because it has been claiming it has no problem. I do not see that the waste from the small number of restaurants in that area would create many problems.

Local authorities have to make a modern approach on solid-waste disposal, especially in closely settled areas. Fragmentation plants are one of the modern ways of handling the problem. Garbage and other solid wastes are put through fragmentation plants or a grinding system. It is reduced to 60 per cent in volume, which allows it to be used for land fill without coverage. That is the most expensive part of garbage disposal today. Fragmentation can be carried out on a regional basis by having transfer stations and by doing land fill anywhere it is needed within a fairly wide area.

To get away from local authority problems—we have before us a Bill that follows a decision made by all Ministers at a meeting of the Australian Agricultural Council. We have to try to abide by the decision and not be the odd man out. It was introduced in New South Wales and South Australia from 30 September 1975 and will be introduced in Victoria and Western Australia on 1 July 1976. Tasmania is reviewing its position at the same time as we are. If Queensland does not go along with the decision, how can we expect the Federal Government to react to a request to ban some types of imported meat?

Australia has had four outbreaks of swine fever, all of which started in piggeries that were feeding swill. I know that there will be hardships in well-run piggeries, but the ban will not apply to the feeding of dairy products, biscuit or bread waste, fruit or vegetable waste, or suitable fish waste. There is also provision for the feeding of slaughterhouse and butchery waste. I would like the Minister to tell me into which category a poultry abattoir falls in the feeding of waste to pigs. That is an interesting question on which I should like to hear the Minister's interpretation. It is also interesting to note that less than 2 per cent of pig products will be lost after the banning of swill-feeding. This has to be compared with the possible loss of interstate trade.

I know that the honourable member for Callide is strongly opposed to the Bill, and I respect the stand that he has taken. It is also interesting to note that there are several piggeries in Thangool. A friend of mine has a piggery there and his pigs feed on grain. They are sold through the Biloela system and they go to Norco. Surely the honourable member for Callide must have given some thought to that system. If New South Wales prohibits the feeding of swill to pigs and we do not, no doubt New South Wales will ban all imports of meat from Queensland. It must be realised that not only Thangool, Biloela and all the grain-growing areas are concerned but Killarney and Warwick as well.

It has also to be remembered that Brisbane is the trade centre for northern New South Wales. Brisbane is about 60 miles from the border, whereas Sydney is 600-odd miles away. Brisbane is the centre for the trade of northern New South Wales that flows back and forth across the border. Geographically Queensland is of great importance for the trade of northern New South Wales. Anderson's and Norco are not far over the border.

If Queensland becomes the odd man out and its products are banned, it will face the problem of selling pork and bacon that previously crossed the border. Nor must we forget stud pigs, which are very important in Queensland and all other States. If the free flow of pigs from studs were stopped, producers in this State would be in trouble and Queensland would suffer in the long run.

I have heard talk about the United Graziers' Association. Some people have said that that organisation does not represent this, that or the other thing. The executive was mentioned. Surely its members are elected representatives, just as we in this Chamber are. Irrespective of what anyone else may say, I accept the executive of the United Graziers' Association as the representatives of graziers. They have stood up to be counted and, as far as I am concerned, they are the ones of whom I will take notice. To me, they represent the industry.

An undertaking has been given that we will see the regulations. That is most important, as we should have some say in how they are framed to see that the blow, if any, is softened for swill feeders and local authorities. They are the ones who will be most affected by the Bill, but we will be the sufferers if we do not pass this legislation. In any case, local authorities must take a more realistic view of all the things that affect them from day to day.

I believe that if we do not play our part in the prevention of foot-and-mouth disease, no matter how small the contribution may appear to be in the minds of some people, we must surely lose our right to criticise others, especially in relation to the import of meat. If we do not play our part, how can we go cap in hand asking for something to be done? We must be fair dinkum ourselves.

We have admitted, of course, that this is only the first step towards a conclusion, but we have to be honourable in our thoughts and actions to prove our credibility to other people. I believe that we have to consider the pig industry, the cattle industry, the wool industry and the sheep industry. In fact, all primary industries are of the utmost importance to Queensland and, indeed, to the whole of Australia. Let us take our responsibilities seriously and not be the odd man out.

I am sure that in the long term Queensland will be the loser if this Bill does not receive the support of the Committee, and I have no hesitation in giving it my absolute and full support. I hope that the Committee will take its responsibilities seriously and give the Bill the support it deserves as the

first step in a campaign to try to prevent the entry of foot and mouth disease into this great State.

The TEMPORARY CHAIRMAN (Mr. Miller): Order! I appeal to honourable members to try to restrict the duration of their speeches to 10 minutes. There is no wish on the part of the Minister to gag the debate, but many members still wish to speak. I draw the attention of the Committee to Standing Order 141, which deals with tedious repetition. I think that 10 minutes will give each speaker the opportunity of making any new point he wishes to make, and I appeal to each honourable member to try to limit his contribution to that time.

Mr. BYRNE (Belmont) (11.6 p.m.): Fortunately I have great originality in my presentation and I might find myself going slightly beyond the 10 minutes. It is a great pity that this Committee appears ready to accept a logical fallacy, "ad populum", that just because everyone else has done it we should also do it. We have heard some pathetically grandiose speeches and we have also witnessed some grandiloquent histrionics, but to a very large extent some of the most important issues in this debate have been avoided.

The very purpose of the Bill is to enable regulations to be made to provide for the banning of the feeding of swill to pigs. That is the purpose and so we have to try to see why it should be done. The objective is to overcome the possibility of the introduction of foot and mouth disease into Queensland, in this instance through imported meats and contraband meats entering this State. We are told that the way to overcome this problem is to prevent these food scraps from being given to pigs and put them in other places, and the other places we are presented with are either dumps or sewerage systems.

The question that this Committee must ask itself tonight is quite a simple one. It is: is what this Bill proposes going to be able to be achieved? In other words, are we in any way going to see a lessening of the possibility of foot and mouth disease coming into this State by the proposals this Bill puts forward? I have to say that I cannot in any way see how that is possible, and in fact can only see that this will increase the possibility of the further dissemination of the foot and mouth disease virus in this State.

It is a shameful and scandalous situation in modern society when man does not take into account that his waste products are profitable things, and if he takes this waste and dumps it he can justly deserve the condemnation of every poorer nation which sees us doing just that, especially when the doing of it is going to bring no further benefit towards the prevention of the introduction of foot and mouth disease into Queensland. All it is going to do is ensure that pig feeders who desire to keep their pigs will have to start feeding them on grain, and that is the grain which, used elsewhere, could be of very great benefit to the starving populations of the world. There has been international condemnation of the U.S. and other countries which have continued with lot-feeding of stock on grain which could have been used elsewhere.

Instead of proposing in this Bill a sensible and proper alternative for people who desire to feed their pigs with food scraps by demanding that they meet certain requirements in relation to the boiling and preparation of those scraps, we refuse to even consider that and put ourselves into this scandalous circumstance. And where will the food waste go? It will go into rubbish dumps, and once it goes to a rubbish dump, what happens to it? It will be eaten by wildlife. Feral pigs have been mentioned, as have various birds which can carry the disease.

What about the water in our creeks and rivers? There are many rubbish dumps in depressed areas close to waterways. I immediately think of a dump in my own area in Fursden Road, Carina, right on Bulimba Creek. Every time Bulimba Creek comes down, enormous amounts of rubbish from that dump are washed into the streams and waterways and spread across the countryside. By some strange reasoning it is said that by putting food scraps on rubbish dumps we are decreasing the possibility of foot and mouth disease coming into the State.

The absurdity of the whole thing is that we are attacking the problem at the wrong end. We are like a man trying to stop a wave crashing onto the beach by putting his hand up and saying, "Stop, wave", and closing his eyes to the fact that it is going to come over the top of him. We must attack the problem at the starting point, that is, where the disease enters the country, not try to solve it by some sleight of hand, by some public relations stunt or by the Minister fulfilling his personal obligations to other State Ministers whom he appears to have told, "It is all right, I will be able to get it through the Queensland Parliament. You've done it, so I'll do it too." In that way he does not lose faith with the Australian Agricultural Council. That is the stupid absurdity presented to us. We are presented, as the honourable member for Mackay said, with a "fait accompli". It is not really a fait accompli because what is planned is in no way resolved until the Bill finishes its passage through this Parliament.

It is a gross absurdity for honourable members to support this Bill. We are being asked to put our signature to increasing the economic burden on local councils, to increasing the economic burden on pig farmers, to increasing the difficulty in disposal of waste, and to using that protein waste for no good purpose at all. And all for what? For the stated possibility—not the real possibility—of decreasing the likelihood of foot and mouth disease breaking out

in Queensland. As the honourable member for Mackay and many others have said, it is the desire of every member of this Parliament that from this legislation something will arise to assist and protect the beef industry and the dairy industry, but we have not been told in any manner, shape or form how the legislation will achieve that end.

The honourable member for Townsville, who dealt with the scientific elements of the situation, stated that we are achieving virtually nothing. Is this simply a public relations stunt? Is it simply a giving-in by the Minister to other State Ministers? Is it just a matter of Queensland saying, "Everyone else has done it, therefore we should do it."? Is it simply a case of the joint parties being sick and tired of seeing the Bill come into the party room and saying, "We kicked it out three times and it came in again. If we kick it out again, it will come in again."? In that way the opposition in the party room is slowly but surely whittled down so that the Bill is finally agreed to. I do not feel in any way bound by such a decision. Finally the vote was about 23 to 20. The majority in the Government party room is 35. If 23 members support it, that is not a very big representation of the people of Queensland.

We are told that the Bill is going to achieve enormous benefits. The greatest threat to Australia's beef industry lies in some form of sabotage. There is this great fear and dread of foot and mouth disease in Australia, but there are certain people in the community and other countries who would like to see the Australian beef industry broken down. What better way would there be for them to break it down than by importing the disease themselves? With the sort of prevention we presently have in Australia, it would take little or no effort to do it. It would not surprise me if there were ulterior motives in this case. It would be very easy for a person to import a phial of the virus with the direct intention and purpose of sabotaging the Australian beef industry.

In all innocence that is something we seem to overlook while we put up our hand against the waves and try to convince ourselves that we are achieving something with this public relations stunt, when we are in fact achieving absolutely nothing. What we should do is provide the capacity for food scraps to be broken down and boiled so that any virus that exists in them can be done away with. We are providing regulations for the banning of swill feeding instead of for the proper control of it or for reducing the possibility of importing foot and mouth disease into Australia.

Have a look at our sewerage systems, particularly the one in Toowoomba that flows into Oakey Creek. Unless the food scraps are specially treated, such a system of disposal achieves nothing. The virus is not killed simply by going through a grister and then into a sewerage system. And where does Oakey Creek flow? Into the New South Wales river system and then into the Murray. So our great blessing upon our southern States is that we spread this virus from Queensland into their waterways. That just will not do.

In no wise have we been presented with a convincing argument that this proposal will overcome the possibilty of an outbreak of foot and mouth disease in Queensland simply by banning the swill feeding of pigs. The expense involved is very high, and what such a banning achieves appears to be nothing.

What is the effect of pouring tons of food scraps back into our environment? Has any consideration been given to that factor?

I point out that all the beef cattle that came to Australia originally were imported from countries that had foot and mouth disease. The virus was prevalent and strong —it was able to maintain itself in fodder— and it came to Australia at a time when little was known about the cure of foot and mouth disease and nothing was known about vaccinations. This virus was deadly and dangerous, yet at a time when there were no controls it had practically no effect whatever.

If we were able to provide the facilities for gristing and boiling down food scraps, we could license and control such operations. But how does the Minister expect to control the person who keeps a household pig in his back yard? Imported foods are very likely to finish up in a household and later be dumped perhaps in the back yard for the pig to eat. How is that type of situation to be overcome? Will the number of inspectors in these areas be increased?

The desire of this legislation is most laudable; but what it promises to achieve it never can. It is nothing more than an absurd waste of money. The Minister should consider carefully this fact.

By passing the Bill and accepting it, we are saying yes to all the things I have outlined. We are saying yes to legislation that can achieve nothing; we say yes to a proliferation of waste; we say yes to the use of grain as pig feed with the resultant high costs; we say yes to increased expenses confronting the pig industry and local authorities—and we say "no" to any achievement or effective result in overcoming the problem. This just will not do. We need a far clearer understanding of the situation and a clearer presentation of the manner in which it is hoped that this problem will be overcome. We need to know how the beef and dairy industries in Queensland are to be protected. We need more than a public relations stunt designed to make out to the people that we are trying to achieve something.

Mr. MULLER (Fassifern) (11.20 p.m.): I have been in this Assembly for a number of years and with the degree of emotionalism associated with this Bill tonight, it is clear that some members are straying from facts.

After listening to the debate I am thoroughly convinced that all the brains associated with the industry we are discussing are not contained within this Parliament.

This issue has been controversial for quite some time. The honourable member who has just resumed his seat made a statement a few moments ago that was completely incorrect. He said that this Bill went before the joint parties and was thrown out. That was not so. In the initial stages this Bill went before the joint parties and certain objections were made. The Minister did not call for a vote on that occasion. He took it back to his committee. Some amendments were made at that time but it was not until considerably later that the Bill was again placed before the joint parties. Then it was approved. However the Bill contained many issues that concerned honourable members. The Minister—I cannot understand why—permitted the Bill to go before the joint parties on the second occasion. It was again approved. That is why we are here tonight making submissions.

I said that the brains behind this great primary industry—and it is a massive industry—are not all contained in this Parliament. I do not profess to know all of the answers or even most of them. I therefore conferred with industry leaders. I say categorically that the U.G.A. executive supports this Bill and is very disturbed that members of this Parliament have seen fit to delay it. The Q.D.O., another one of our organisations, was also consulted. At executive level it completely supports this Bill. The Australian beef producers were also consulted. They are vitally interested and have given complete support. The Queensland Producers' Federation, another massive organisation, is completely united in its support of this measure.

I have before me a statement made recently by the Queensland Producers' Federation, signed by Mr. Price, in these terms—

> "We willingly acknowledge that banning of swill for pigs is not the be-all and end-all of protection measures. Garbage incineration at Ports, strict controls over the imports of animals and animal by-products, and control measures over travellers, particularly those coming from infected areas, are also important. But, it is a fact that many outbreaks of disease have first occurred in pigs fed garbage swill. As a State with a high investment in the livestock industries, Queensland has a very real responsibility to introduce appropriate legislation which will eliminate the entrenchment of diseases from this main potential source."

We must get our priorities right. From observing the past two hours of this debate, I wonder whether many honourable members are concerned basically about our massive primary industries. When I say massive, I point out that in 1973-74, primary industry exports alone realised $413,000,000, and last year, which was a very bad year, exports were reduced to $240,000,000.

With an industry of these dimensions, we have to make up our minds whether we support the people within it or concern ourselves only with those few unfortunate people who are feeding garbage or pig-swill. There is no doubt whatever in my mind; I must support the massive industries.

People might wonder what merit there is in the Bill, particularly when it makes specific reference to pig-swill. Records show that over the years in the United Kingdom there have been 198 outbreaks of foot and mouth disease, 94 of which were attributable directly to pig-swill feeding. That, I think, is sufficient evidence to support the provisions in this Bill. If we are determined to do anything to assist those in the industry to remain in production, we must consider the Bill a little more seriously. I feel sure that at any time we could put up an Aunt Sally which would indicate beyond all doubt that in many instances the preventive measures sought to be introduced were ineffective.

We could well ask how this disease is likely to be introduced. There are two known sources of infection. First—and this is the important one, of course—is countries that are exporting meat to us. I subscribe in part to suggestions that have been made by members of this Committee indicating that we should ban all meat imports. I would not be completely opposed to that if it were in fact possible to implement it. However, this is a matter of trade relations with other countries of the world. Organisations such as the U.G.A. and the Australian Meat Board realise that the implications make that impossible. So we have to attempt to live with it.

To overcome the problem of possibly introducing the disease through imported meat, we have a set of quarantine regulations which cover the situation fairly thoroughly—or at least I believe they do. It is not my intention to go through those regulations tonight, but they contain a whole host of precautions that must be taken before meat is permitted to be brought into Australia. It might be said that those provisions do not measure up to modern requirements. The fact of the matter is that they have worked effectively for 100 years. Earlier this evening the honourable member for Townsville indicated that the latest outbreak of foot and mouth disease here was in 1872. Therefore, if we have been able to keep the disease out of our country for 100 years with our present regulations, there cannot be much terribly wrong with them.

I admit that many of the countries from which we are importing meat products have at some time in the past been affected by foot and mouth disease. We are not disputing that. However, our quarantine regulations are such that all meat coming to Australia has been adequately screened by

responsible people before being admitted to the country. The results show that it has been most effective. There is no real point in pursuing that argument. They are Federal regulations. We have no power whatever to do anything to change them. That is up to the Federal authorities. In fairness to the gentlemen in the Opposition, I say that the present Government has not changed the quarantine regulations that were in existence during the Whitlam era. I am very much disinclined to support the philosophies of Mr. Whitlam and his Government but the fact of the matter is that these regulations which are basically as they were originally, have existed for some years. Slight amendments have been made to meet present-day requirements but generally speaking no basic amendment has been made to them and they have been reasonably effective.

As I said before, this is not our responsibility; nor is it our prerogative to do anything about the matter. This is something which is administered by the Commonwealth Government and we have to live with it. We have to set our own house in order if we wish to go to these people and say, "Look, this is not effective. We want you to do something about it."

I said earlier that this legislation is not the be-all and end-all. In my opinion this is another stop-gap measure. I believe that the Minister is conscious of this. But what are we to do? What is the alternative? We either attempt to do something that we feel is possible to do or we sit back, throw our arms up into the air in horror and say, "Look. There is nothing we can do." That is the choice.

The legislation will not affect people as adversely as has been suggested by some honourable members. In the majority of instances the way of life of the persons engaged in the pig-swill industry will not be tremendously adversely affected. The bulk of waste scraps will still be available to them. The only food waste that they will not be permitted to use will be anything containing meat. In the majority of instances these people are not concerned with moving around the cafes and so on collecting fish bones, fish particles and small scraps. They have no protein value. Consequently these people are not enthusiastic about collecting them. They are more interested in the bakeries and vegetable waste which they can obtain in large quantities. For the life of me I cannot see that they will be as adversely affected as has been suggested.

I know that the honourable member for Callide said earlier that this Bill is largely designed to destroy the small producer. I have never felt that. I would not like to see the small producer forced into a corner and I cannot see that the Bill seeks to do that. The Bill contains certain provisions which are quite good.

Of course we must be realistic and accept our responsibility. We are classified as legislators. What is the purpose of legislation? The only thing that legislation can do is to impose conditions on a person or a group of people which will pull them into line. It is as simple as that. Would anybody with another interpretation please tell me quickly because I would be interested to hear it?

Mr. Chinchen: Don't you think that this is a back-up from the breakdown in quarantine and that the tab should be picked up by the Commonwealth and not by local government or the small producers? I would go along with it if that were done.

Mr. MULLER: I accept this. I would be prepared to recommend that we appeal to the Commonwealth Government to do what the honourable member suggests. But we have no right to demand anything.

Mr. Chinchen: My word we have!

Mr. MULLER: Approaching a senior Parliament and making demands is the surest way of getting nothing. If our approach is by a submission to them, we might obtain some assistance; but if we go before them and demand certain things, we will have very little prospect of success.

Mr. Bertoni: What do you suggest if the Federal Government does not come across with assistance to the State Government or local governments? Do you suggest that we should implement the regulations or that we should wait till we get the finance?

Mr. MULLER: I have not thought seriously about the financing of it at this stage. I want to say, however, that as I observe the situation there is no evidence to suggest that local authorities are violently opposed to the legislation. I have been informed by the Minister that a circular was sent to local authorities asking them to comment on the proposal. Of 130 local authorities, 114 replied that they did not object.

It is fair enough to say that they are raising objections now. That could well be so, and this is something that has to be considered. But the seriousness of the situation has to be taken into account. Are members concerned with the problems of smaller producers, who will not be very adversely affected, and local authorites, or are they concerned with the great livestock industry? That is the question that must be determined.

To say that local authorities will be responsible in future for the disposal of all swill is in fact a lot of nonsense, as honourable members know very well. They will be obliged to dispose of only the meat content of swill. That is a statement of fact. I know quite well that it is not as simple a matter as that, but basically that is what it amounts to. Furthermore, it could well be said that over 90 per cent of waste products is now taken care of by local authorities. The percentage could well be higher. There is no way in which small operators are meeting the situation. Take, for example, the city of Brisbane. It has a population of more than

750,000 and it must have a tremendous amount of waste food products. I do not know how many swill feeders there are in Brisbane but the whole situation to me is quite ridiculous. I cannot really understand the attitude of some people to this matter.

Needless to say after making these comments, after careful consideration of the matter I am supporting the Minister. I believe that this is an obligation that we must accept. I regret, of course, that there are some provisions that disturb and upset people, but we have to go along with this type of legislation. As I said earlier, this is not the be-all and end-all of the problem. We know this now and at some future time as problems arise, as no doubt they will, we will have to take further measures. They will have to be implemented if we are to follow through with this course of action.

Mr. WRIGHT (Rockhampton) (11.38 p.m.): Tonight we have had a continuation of one of the most vigorous debates in this Chamber for some time. It has been going on now for many hours and we have had claims and counter-claims and charges and counter-charges. As the honourable member who has just resumed his seat said, the debate has largely been filled with emotionalism. I commend the honourable member for Fassifern on a very reasoned contribution. I hope that members listened to him carefully because I believe that what he said could help them make up their minds.

It is because of the various charges and counter-charges that have been made that members could perhaps not be blamed for not being quite sure of the facts. I would add that this is all the more reason for allowing the Bill to at least go to the first reading so that members can study it in detail. There are obvious divisions in the Government ranks and we have seen that they have crossed the normal Liberal and National Party boundaries. We have heard calls for sackings, and the honourable member for Murrumba even threatened the honourable member for Gregory—or was it Warrego? He was going to punch up someone; it is not unusual for him to threaten physical violence. But it is a matter of great concern.

Mr. TURNER: I rise to a point of order. The honourable member said that the honourable member for Murrumba referred to me. The honourable member for Murrumba did not refer to me and I would like the honourable member to withdraw the remark.

The CHAIRMAN: Order! I cannot sustain that point of order. The honourable member for Murrumba must defend himself.

Mr. WRIGHT: Thank you, Mr. Hewitt. As I was saying, this is a matter of some national importance. What amazes me is that we have so many people here involved in the cattle industry. The honourable member for Callide is a typical example, and yet he is willing to rise and put forward views that are completely opposed to the interests of the grazing industry.

Mr. HARTWIG: I rise to a point of order. I have stated that there is nobody in this Chamber who has done more to oppose the introduction of foot and mouth disease into this country than I have. I have gone on television and been quoted in the media——

The CHAIRMAN: Order! We do not want a speech on a point of order. Does the honourable member ask for a withdrawal?

Mr. WRIGHT: No! He could have fooled me, anyway, Mr. Hewitt, and I think most members of the Chamber remember his comments. But I come back to the statement made by the Australian Minister for Health, Dr. Doug. Everingham. I think he summed up the situation when he revealed that in 1974 alone quarantine officers had seized over five tonnes of illegal food imports from the Australian international airports alone. I notice too that Mr. McFadzen makes reference to this in a statement that was printed back in November 1975. He points out that quarantine officers in spot checks of passenger baggage and parcel post seized 10 tonnes of meat-based foods capable of carrying a virus which could have started a disastrous plague among Australia's 3,600,000 dairy cattle, 30,000,000 beef cattle, 153,290,000 sheep and 2,270,000 pigs. This indicates the possible severity of an outbreak of this virus. But he goes on to say that this food could have come in from any of the foot and mouth disease infected countries. He stressed the fact that a foot and mouth outbreak could cost this nation over $2,000 million. It could suspend meat exports for three years and it could destroy totally the possibility of a medium-term recovery for the beef industry. And if anyone is concerned about the problems of the beef industry, it amazes me that we have members rising and encouraging something that could totally threaten the future of this industry.

Figures have also been cited that an estimated 10,000,000 overseas travellers a year will visit Australia by 1980. So it is obvious that it is impossible to ensure that foot and mouth infected food is not carried through customs, even though Australia's quarantine protection is among the strictest in the world. It is because of this dilemma and because of the study carried out by Dr. Everingham and no doubt other officials who worked with him that he came out and said the only sure way of protecting the valuable grazing industry is to ban swill-feeding. He looked at this very carefully.

Government Members interjected.

Mr. WRIGHT: Honourable members opposite can scream and go on as they have done all night. But not one of them has come up with alternatives. Not one of them has countered the arguments put forward by the

Minister or by those supporting this legislation. They have gone on emotionally about it but they have had no supporting facts.

The Federal Minister backed up his claims by saying that almost every outbreak of foot and mouth disease had been tracked directly to swill-feeding and again this has not been refuted by the members who oppose this measure. It is obvious, too, that Dr. Everingham's views and the Minister's views in this instance are widely supported by all grazing interests, and the legislative ban which is being proposed here is completely backed by those people involved in the grazing industry. I notice in the "Queensland Country Life"——

Government Members interjected.

Mr. WRIGHT: Let us go back to the Government's own supporters in the "Queensland Country Life", which I am told honourable members opposite read as though it were the Scriptures. On 18 March 1976 the president of the U.G.A., Mr. W. E. Meynink, said—

> "Further good news is the report that the joint Government parties (State) have approved the proposed legislation to ban the feeding of swill to pigs. Our members will know that the U.G.A. has been fighting hard for this legislation since the move originated with the Australian Agricultural Council.
>
> "We realise that with the banning of pig swill, some interests will suffer minor hardships, but there is no question that the move must be made to help protect our industry against the threat of foot-and-mouth disease."

He then went on to talk about the action taken by the Victorian Government.

We notice, too, that the president of the Queensland Dairymen's Organisation expressed his shock and disappointment at the reported decision of the joint Government parties in Queensland to drop plans for legislation banning the feeding of garbage to pigs.

Government Members interjected.

Mr. WRIGHT: It is not a matter of the A.L.P. Why can't those fellows recognise the fact that there are members on this side of the Chamber who are prepared to look at things from the point of view of their worth to the community? We are not playing politics like the honourable member for Callide.

What surprised me most was that, although most honourable members opposite have spoken sincerely on this matter—sometimes they have been sincerely mistaken—the honourable member for Callide totally played politics. It is amazing to what lengths he will go to get on such A.B.C. programmes as "Today Tonight". He is the one who has been calling for the sacking of the Minister.

Other members have totally ignored the whole principle of the legislation, simply to use their position, as the honourable member for Murrumba did, to attack officers of the D.P.I. One starts to wonder just what is their motive. What is the real motive behind the opposition of some Government members to the Bill?

I have no barrow to push for the Minister but I believe that in this instance he is correct in what he is doing. If this Committee has any sense of responsibility, it will support the Minister in what he is doing here.

Mr. Hartwig: That is $10 you owe me for that bet.

An Honourable Member interjected.

Mr. WRIGHT: I know he has sold all his cattle and he has now got flats and everything else down at the seaside.

I do not think anyone really believes that the threat of foot and mouth disease will be totally removed by the ban on the feeding of pig-swill. No-one has said, "This is the total answer"; but I believe the Bill is necessary for protection. The argument has been put forward that the disease is not a great killer. This might be so, but we need to look at the economic impact, which could be catastrophic. I checked figures on this and found that the vaccine costs up to 50c a dose, and has to be applied three times a year. Multiply that by 30,000,000 beef cattle in this nation, and take into consideration the dairy cattle. Multiply that figure by 50c a time and one starts to realise the massive financial burden that would be placed on the industries if an outbreak occurred.

I accept that the legislation proposed will have an impact on the consumer. It will increase the price of pigmeat; but imagine what would happen to the consumer if the beef industry were wiped out! Just imagine the price of table meat itself! Therefore it is far better for the consumer to meet the cost at one end than to pay exorbitant costs at the other end.

A Government Member: How are you going to get rid of it?

Mr. WRIGHT: I will come to that later.

The main risk is that foot and mouth disease could destroy our beef export trade. We know that if there were an outbreak, embargoes would be placed on our exports overnight. That has been enunciated by other members so I do not need to reiterate it. In 1952 Europe lost $900,000,000. In South America the losses recently totalled something like $700,000,000. The economic losses here would be fantastic, yet members are prepared to say that the Bill is not a necessity. We realise that it is not the end-all, but surely it is a great necessity if we are serious about doing something to prevent a dreaded outbreak.

Mr. Katter: Where is the link between this ban and the prevention of foot and mouth disease? You said that we have been unscientific.

Mr. WRIGHT: Dr. Everingham looked at this question very carefully, and he produced a document on it. I know that Mr. McFadzen has done the same thing. If I may correct the honourable member for Fassifern, of the 179 cases in Britain 97 were were directly related to the feeding of pigs.

Mr. Katter: Where is your scientific knowledge?

Mr. WRIGHT: A person doesn't have to talk about scientific knowledge when he sees the cattle dying and the economic catastrophe that would hit the rural industries. It is not only the cattle industry itself that would be affected. What about the effect on rural areas and small towns if the beef industry were wiped out? What about the effect on meatworks and the ordinary employee? The honourable member does not seem to care about those things because they do not come within his scientific category. They involve ordinary people. They are the ones we should be considering tonight. The honourable member laughs because he lacks concern for the ordinary individual. He lacks concern for the meatworkers, who could lose their jobs; he lacks concern for the small people in small country towns because he is not interested in them.

Parliament has the responsibility to protect these industries, and this responsibility will be carried out only if this measure at least reaches the first reading tonight. It could be that when the Bill is printed and members have the opportunity of studying it in detail, they will oppose certain amendments and move others. Under our system we do not know what is in the Bill until it is printed. Yet tonight members, for no real reason, are opposing it.

The Minister has a greater job to do. His responsibility does not finish here. This opinion has been expressed by other members, too. He has the responsibility to see that financial and technical assistance is available to local authorities as well as to those involved in this industry. It will be necessary to find effective and reasonably cheap methods of heat-treating and dry-rendering scraps. But we have lessons to learn from overseas. It has been shown that in Europe a technique has been evolved for the cooking of scraps at certain temperatures, and certain regulations have been introduced for the sealing of bins at restaurants, cafes and public institutions. This should be done by onflowing legislation or by regulation. Greater emphasis should be placed on the training of veterinary personnel in exotic diseases, as has occurred in New Zealand. But these things must come later. Surely our first responsibility is to see that this legislation reaches the first reading. As I say, the Minister has a heavy responsibility, and that is only the first, and vital, step.

This measure is a vital one. If it does only one thing, that is, limits the risk of an outbreak of foot and mouth disease, surely it should be supported. I reiterate that its opponents have not put forward any alternatives. They have made unsubstantiated challenges of the facts and the effect of foot and mouth disease in other countries. They have made unsubstantiated claims that it has been and can be spread by pigs.

Those members are selling out the grazing industry, and this will be on their conscience. I hope they remember it not only at election-time but also when they travel around the areas in which an outbreak of foot and mouth disease occurs—if there is one. This Parliament would be taking a retrograde step if it did not allow this Bill to reach the first reading. I for one support it.

Mr. NEAL (Balonne) (11.54 p.m.): I support the Minister in his introduction of this measure and in doing so urge this Parliament to do all in its power to contain and eradicate foot and mouth disease as well as all other exotic diseases.

Tonight we have heard arguments for and against this measure. The problem that it is desired to overcome is a long-term one. The banning of pig-swill is a short-term measure; the over-all problem that confronts us is a long-term one.

Some speakers have quoted from authoritative sources, and I have come to the conclusion that anyone can find in such a source arguments to suit a particular point of view.

I agree with those members who have said that our first line of defence is the banning of imports that may carry the virus or those that come from countries where foot and mouth disease and other exotic diseases are prevalent.

Our second line of defence is ensuring that the virus does not enter the country in goods or footwear or in packing such as hay or straw. It is accepted that the disease could be brought into Australia by foreign fishermen who land illegally and leave refuse on the remote shores of our State. The policing of these matters is entirely a Federal Government responsibility. I certainly agree that more could be done in this field. The honourable member who suggested putting up signs in the Gulf of Carpentaria was being extremely childish. We have a problem in that area. Whether or not the area is policed, foot and mouth disease could still enter.

It is also accepted that the Federal authorities cannot detect every illegally imported item. We know that parcels containing goods of animal origin enter Australia. Some honourable members have referred to five tonnes having been found and confiscated. It is therefore certain that a considerable amount has escaped detection. If this material is coming in, it surely follows that sooner or later some contaminated meat product will

come into the country which could well end in swill to be fed to pigs unless we introduce legislation to prevent it. That is the whole purpose of the legislation. The third line of defence is a measure that we as a Government are able to introduce, and it is but a small facet of the over-all programme.

In the light of the ever increasing flow of goods and people and the speed of transport from country to country, it is not a question of whether foot and mouth disease gets here but when foot and mouth disease gets here. The speed of transport within our own country is an extremely important factor. Animals can have foot and mouth disease for a couple of days before it is suspected.

Mr. Hartwig: Weeks.

Mr. NEAL: That makes the case even worse, If that is so, stock could be spread far and wide throughout the State.

It is the Federal Government's duty to try to stop the introduction of this disease by way of imports to the country. Should any contaminated material come to Australia, and the disease break out it will be up to the individual States to try to contain it.

Upon the introduction of the ban on feeding swill to pigs some families will be put out of business. As the honourable member for Flinders said, they will go by the board. But they will be as nothing compared with the number of people who would be put out of business if foot and mouth disease got here.

We have also heard that considerable extra cost will be imposed on local authorities. We must face up to this problem. I agree with the suggestion by some honourable members that this matter should be raised at Federal level to see what can be done.

As the honourable member, for Fassifern pointed out, the introduction of exotic diseases has been traced in a large number of cases directly to the feeding of swill to pigs.

Dr. Lockwood: What about the transport of the virus by water?

Mr. NEAL: I shall deal with that shortly.

Disease organisms, particularly viruses, are excreted freely in the faeces, urine, milk, saliva and sweat of animals. Veterinary research has proved that pigs offer the best virus factories for foot and mouth disease.

Mr. Moore: What is your authority for that?

Mr. NEAL: My authority comes from the university—from veterinary officers who have studied this and who have been to America as well to study.

Mr. Moore: From which university?

Mr. NEAL: The Queensland University. We have also the world reference library at Pirbright, England, which the honourable member for Townsville referred to. I want to quote from a document I have, which I will show to the honourable member for Windsor. It says—

> "It is generally stated that sheep act as maintenance hosts, pigs as amplifiers and cattle as indicators."

It has been said in the Chamber that the virus can be carried on the wind. According to this document, a study was made of what could be done if the epidemic affected the United States. They estimated how much it would cost, but they also found out that when foot and mouth disease broke out in Mexico, as has been said here tonight, it spread at a rate of up to 500 square miles a day.

I contend that the most effective method of spreading the disease in the first place is to feed contaminated swill to pigs. They are the ideal virus factory. The areas of greatest risk are those closest to the points of entry of our imports and the areas of dense population. It is to those areas that most illegal goods will be sent, and it is in those areas also that the most swill is fed.

Mr. Frawley: Did the Minister give you that brief?

Mr. NEAL: That is a frivolous interjection from the member just because I do not choose to agree with him. Surely I am entitled to my own opinion.

I do not want swill to be fed to pigs. That will only spread the disease at a much faster rate. What we are considering is how to dispose of a small lump of contaminated sausage or the like that has been tossed in with a lot of other refuse.

Mr. Moore: Whether it is from a hospital, a cafe or your own home.

Mr. NEAL: It does not matter where it comes from. What matters is whether we feed it to pigs and thereby multiply the virus ten thousand fold to be excreted freely in faeces, urine, milk, saliva and sweat, to be carried on the wind at a rate of up to 500 square miles a day. On the other hand, do we get rid of it by grinding and processing it through the sewerage works or dumping it in a refuse tip, where it cannot multiply?

We have seen that pigs are the amplifiers of the disease.

Dr. Scott-Young: You haven't proved that.

Mr. Frawley: What about the water?

Mr. NEAL: I will get to that.

Dr. Lockwood: It's your sheep and your cattle, so make up your mind.

Mr. NEAL: I have made up my mind. I am saying that, if it is fed into piggeries, it will multiply at a greater rate than if a small piece of diseased sausage is thrown into a council tip. It will be diluted to a greater degree in a tip than if it is taken to a piggery, where it will be magnified. In

sewage it will be diluted to such an infinitesimal amount that the chance of an animal contracting the disease will be to all intents and purposes practically nil—and that includes going through a ponding system.

Honourable members have spoken about council dumps and said that if waste is dumped there it will provide a smorgasboard for the scrub pig population. There is no doubt that that is true; but I assure honourable members that it has already been happening. It is not suddenly going to begin because we ban swill feeding and throw the waste into the dump. It has already been happening. Dozens and dozens of towns throughout the State do not have swill-feeding and throw their refuse in the dump; so there is already a smorgasboard for pigs in some areas. My contention is that we must do something to clean up the dumps. We could do it by erecting pig-proof fencing or by burning at the refuse tip. I know that quite a few of the councils in the smaller towns in my area do not have much of this refuse. They burn off every day. I would much rather have the swill destroyed in this manner than fed into the prime propagator, the pig.

The impact of an outbreak of foot and mouth disease or other exotic diseases on our primary industries would be catastrophic to say the least. To begin with, quite apart from the cost of the eradication programme, we would be faced with an immediate ban on most of our export animal products (other than those that are processed), a ban on the export of our livestock and as well a ban on wool—I know the honourable member for Gregory raised this—or at the least the wool would have to be placed in quarantine for a considerable period.

Mr. Moore: Forty-three days.

Mr. NEAL: That is fair enough. I ask the Minister to consider the dislocation that would take place in the industry.

Mr. Moore: You have to keep the viruses out of the country.

Mr. NEAL: I agree whole-heartedly with the honourable member but unfortunately we cannot cover every loop-hole to keep the germs out of the country. That is what I am speaking about tonight. I am not talking about whether we can keep it outside the door but about what happens when it gets here.

Last year the value of our meat exports was some $429,000,000. If a ban were imposed, there would be nil receipts from the export of meat until the ban was lifted. The value of export dairy products was $109,000,000 and again there would probably be nil receipts until the ban was lifted. The value of wool exports was $1,002 million. Payments would be made as the wool was released from quarantine so that the export of wool would be able to continue.

The amount of money involved is in the vicinity of $1,550 million. This goes towards the servicing of the over-all debt of primary producers, which totals some $2,920 million. The money would be cut off completely with beef and dairy exports and would be held up with wool exports. There would be tremendous disruption and loss at the production end.

Consider what else is at stake. Quite apart from the value of exports we have 33,000,000 head of cattle, 2,200,000 pigs and 151,500,000 sheep, the value of which totals $2,300 million. This is what is at stake if foot and mouth disease gets into the country.

It is not only the primary producer who would suffer. Other people who would suffer are those associated with livestock production—the storekeepers in the town, station hands, meatworkers, process workers, mechanics, garage owners and all others who supply services to the primary producers. Because their jobs are dependent in some way or other on industries that are based on livestock production, they would suffer.

It is said that the provisions of the Bill will cost local authorities some money. The measure will indeed cost local authorities some money, but the cost to them would be considerably more in lost rates if foot and mouth disease ever came to this country. If it did, no livestock producer would be able to pay rates.

Mr. Frawley: Don't you think the Minister's department should pay the costs of the local authorities?

Mr. NEAL: I contend that the cost to local authorities and the public, and the inconvenience that may be caused by the measures contained in the Bill, are merely drops in the ocean compared with the cost of an outbreak of foot and mouth disease or any other of the more serious exotic diseases.

There are, of course, other lines of defence against this disease and, as I said at the outset, I do not believe the Bill to be the be-all and end-all in the control of foot and mouth disease. We have to consider such things as control of feral pigs. If foot and mouth disease were introduced through Cape York Peninsula by means of illegal entry, it could possibly get to feral pigs. This is one very sound reason for continuing with the "1080" baiting programme as that dovetails in with the other programmes undertaken for the control of foot and mouth disease in this country. I support the Bill.

[Wednesday, 31 March 1976]

Mrs. KIPPIN (Mourilyan) (12.12 a.m.): In supporting the introduction of the Bill, I must tell the Committee that the pig producers of North Queensland are very concerned about the delay in its passage. They

were told at the week-end that New South Wales and Victorian producers have called for a ban on the import of pigs and pigmeat from Queensland. As the Tableland producers send the major part of their produce to the southern States, we should all understand their concern.

At the moment their turn-off is geared to demand and thus price stabilisation automatically applies. If the southern market is lost for a large percentage of their production, there will be turmoil in the North Queensland pig industry. We have all seen what over-supply has done to the beef industry, and I am sure that we would not like to see that happen to the pig industry in any part of the State. In the Far North 77 pig producers own more than 8,000 pigs, and in the Cairns area 29 pig producers own 9,000 pigs. These producers turn off over 200 tonnes of pigmeat a month. They earn $250,000.

The CHAIRMAN: Order! There is too much audible conversation in the Chamber.

An Honourable Member: Throw them out!

The CHAIRMAN: Order! I do not need any assistance from any member of the Committee in running proceedings.

Mrs. KIPPIN: Their level of production is far in excess of local demand. The pig industry in North Queensland is highly intensive and it produces a very fine bacon carcass. That is why most of its produce has to go south. Already Tancreds are no longer buying in North Queensland, and the removal of this buyer means that 90 carcasses a week are going begging. We hope that the North Queensland bacon factory at Mareeba will take up the slack, but if there is any curtailment in the outlets from the bacon factory we will have turmoil. This is a most inopportune time to place stress on any primary industry, as most primary industries are struggling to effect economies, especially after the trouble that they have been in in the last couple of years.

Not only the pig industry in North Queensland will be adversely affected. The maize industry also will be affected. In fact, 15 per cent of all corn grown on the Atherton Tableland is consumed by pigs in the area, and 25 per cent of the mash produced also goes to pigs. It is rather ironic, I think, that although no swill is fed to pigs in this area, the people there will suffer if the ban is implemented. I fully appreciate the concern and indignation that these growers feel, and I can only appeal to the Committee to pass the legislation as soon as possible so that northern producers are not seriously disadvantaged by any delay.

Mr. POWELL (Isis) (12.16 a.m.): At this hour of the morning I am in something of a dilemma in discussing this piece of legislation. In fact, I am not even sure whether "legislation" is the correct term to use.

Every member who has opposed the introduction of the proposed Bill knows of the dangers of the entry of foot and mouth disease into this country. Nobody is doubting that it is a very serious disease which could, and would, be disastrous to the Australian grazing industry. What is in question is whether the proposal now before the Committee will prevent its entry.

It is obvious that we should be moving strongly to have the Federal Government ban the importation of meat. Of course, there are those who immediately say, "But that is not the point. The point is that some little old Italian lady brings in her favourite salami from Italy and then throws some of it in the garbage and, through the feeding of swill to pigs, that is going to spread the disease in Australia." I suggest that if the little old Italian lady smuggles in her salami there is no way in the world that she will throw it away. She will be so concerned about smuggling it into the country that she will eat it all.

For the life of me, I cannot understand what the proposal is all about. I sympathise with the Minister, who has been given this advice by his department, because he knows, as all members know, that it is very important that everything possible should be done to minimise the danger of the spread of foot and mouth disease in this country. But the research findings that I have before me—research done by the honourable member for Townsville and other members who have opposed the Bill—prove that if we ban the feeding of swill to pigs we must find some other means of disposing of it. The Minister has introduced a Bill that will allow regulations to be made to ban the feeding of swill to pigs.

Mr. Tenni interjected.

Mr. POWELL: The honourable member will have his opportunity in a minute, so I suggest he keep quiet now.

It is quite obvious that research has not removed doubts about the safety of the available alternatives. If during the debate on the second reading of the Bill—if it gets that far—the Minister can prove to me that the alternatives that are available will preclude the spread of the disease, then I will be all for the Bill. There are those who claim that foot and mouth disease can come into Australia only through the feeding of swill. Of course, that in itself is just pig-swill.

The honourable member for Rockhampton stood up in the Chamber a few minutes ago —it seems hours ago—and complained about the emotional speeches that had been made. He then proceeded to make one of the most emotional speeches in the whole debate. It is quite obvious that there are those who believe that the whole matter can be reduced to a series of black-and-white arguments. To me there is no black or white about it;

there are many grey areas. As one who has to try to decide what should be done, I am greatly concerned about that.

I am aware that the Minister has left many matters open. He has not dealt with questions that he knew would be raised in this debate. Local Government appears to be lumbered with the job of getting rid of the swill in such a manner that it cannot then be a means of spreading the disease. A paper titled "Public Water Supplies" states that in sewerage the virus will last between six days at 28 degrees Celsius and 110 days at 4 degrees Celcius. If the waste is put into sewerage, it must first be ground and then dry rendered. The whole cost of that has to be borne by local authorities. A few minutes ago the honourable member for Balonne justifiably said, "And so the local authorities should carry that cost, because if foot and mouth disease got into the country it would ruin the cattle industry and that, in turn, would ruin local authorities." His argument is a fairly logical one.

But why introduce legislation with so many loop-holes in it? Why even think about it without closing all the loop-holes? It indicates the type of advice that the Minister is receiving, and that is why people are objecting violently to it.

The proposed Bill will allow regulations to be made banning the feeding of swill. I should like to see the regulations spelt out in the Bill. I do not like Bills that allow regulations to be made that we have no opportunity to argue. Regulations should be written into the legislation; it should not be possible to have them gazetted without our being able to argue them.

A gentleman—I use the word advisedly—by the name of Wolfenden has been reported as saying on "Country Hour"—an A.B.C. programme that has a wide audience throughout country areas—that I am one person who is violently opposed to the legislation. First of all, Mr. Wolfenden had no right to say such a thing on an A.B.C. programme; secondly, I am not violently opposed to the legislation. I am in full agreement—and so is every member in the Chamber, I am sure—with any measure that it can be proved is likely to prevent the spread of foot and mouth disease in Australia. But this is not the legislation to do that—at least, it has not yet been proved to me that it is.

In his opening remarks the Minister did not quell the fears of members that the proposed Bill is just a sop to try to quieten some of the noisy remarks being made about the disease. One way to prevent the introduction of foot and mouth disease to Australia is to enforce a ban on the importation of meats into this country. There is no need for meats to be imported, because we produce enough of our own; in fact, we export quite a lot. The other thing that must be done to minimise the likelihood of the introduction of the disease is to enforce to the utmost the quarantine regulations.

When somebody comes into this country from overseas, he should definitely have his baggage, footwear, etc., thoroughly examined. The honourable member for Rockhampton said that was being done under Customs regulations. That is just so much rot. Members who have gone overseas and come back into this country know jolly well that passing through Customs is a mere formality. The only interest that Customs officers have in people coming back to this country or entering it for the first time is in seeing whether they have some contraband goods in their possession—for example, too many watches.

Mr. Houston: That is not right.

Mr. POWELL: It is right. I have had the experience of entering Australia at Sydney Airport and being asked by customs officials, "Have you anything to declare?", to which I replied, "Yes. Two days ago I was walking through a cow paddock in the United States of America. I have something to declare. Do you want to look at my shoes?" I was told, "Oh no, we don't worry about that. Have you anything else to declare? Have you got too many bottles of grog?" I replied, "I don't drink." I was asked, "Have you got too many smokes?" I answered, "No." The only thing the customs officers were concerned about was getting more duty from me. They could not care less about protecting our cattle industry. Foot and mouth disease will come into this country by way of people from overseas who inadvertently bring it on their footwear and clothing. They are not inspected in the correct fashion by customs officers.

It is quite obvious that the Bill is not going to achieve its aim. It will be merely a sop to those people who are presently making a lot of noise. If the regulations will prevent the spread of foot and mouth disease, they should be included within the Bill. I await with interest the Bill in its printed form and reserve my right to speak at the second-reading stage.

Mr. ROW (Hinchinbrook) (12.28 a.m.): I recognise the lateness of the hour and also the mood of the Chamber, and many of the comments that I would have made are now superfluous because they would constitute what has been described as tiresome repetition. Nevertheless, I must indicate where I stand on this matter—on the side of those who have spoken against the introduction of this legislation.

I am appalled at the degree of disharmony that has arisen in this Chamber throughout this lengthy debate. Probably no more contentious subject has been debated in this Parliament. The division of opinion exists within the Government parties and I am amazed that the Minister has allowed this

area of disagreemnt to widen without having allowed greater consideration to be given to the implications of this legislation.

I compliment those speakers who have gone to great pains to carry out research into foot and mouth disease. I refer particularly to the honourable members for Townsville and Brisbane as well as to others who have elucidated quite clearly that the measures proposed in this legislation will in no way combat foot and mouth disease. I am one of those who are gravely concerned at the possibility of the entry of an exotic disease such as foot and mouth disease into Australia; but like other speakers I believe this legislation is nothing more than a token and a sop and nothing more than an academic exercise to justify our going through the motions of appearing to be concerned at the problem. It is nothing more than a farce.

If foot and mouth disease enters Australia, it will be through avenues that are already well established. Foreign vessels dump garbage off our coast and the northern beaches of the State are infested by feral pigs in plague proportions. Surely these beasts consume many types of material that enter the country unknown and unchecked. The avenue for this disease to enter the country is already established. It should be closed by measures that have been outlined in the Chamber tonight. I refer to stricter quarantine measures and surveillance which, of course, lie within the Federal Government's jurisdiction. I firmly believe that this is where the action should be coming from.

I think it fitting to place on record in this debate my experience of the efficacy of quarantine precautions in Australia. In 1968, I spent some considerable time in Taiwan. At that time its pig population was 13,000,000. In fact, there was a pig per person in a country no bigger than an area stretching roughly from Bundaberg out west to Warwick and down to Lismore. This very small country, in its geographical position and with its very large pig population, is highly vulnerable to foot and mouth disease.

When I returned to Brisbane airport I was asked by a quarantine officer if I had been to any piggeries in Taiwan. I said that I had been to just about every piggery there. He asked me, "What footwear did you wear?" I told him and he then asked me, "Was your footwear disinfected?" I said, "We walked over some kind of mat through which the disinfectant oozed around our feet when we entered and left the piggery." He said, "Where are your boots?" I said, "In my suitcase." He did not ask me another question. I was not asked to destroy or dispose of my boots, or deal with them in any other way. In my opinion the quarantine regulations are a little weak on that performance. The officers seemed to be more interested in looking for articles on which they could impose an import levy than in preventing the entry of a disease.

I am firmly of the opinion that this debate has developed into a battle of wills between the Minister, with his advisers, and honourable members who are very doubtful about the credentials of the legislation. On many occasions the Minister has raised the matter of conscience. He has said to me that on conscience surely the issue is clear in this case. My conscience dictates that I should not be prepared to support legislation which I believe to be ineffective and of no merit other than to destroy the livelihood of a minority in our community who are entitled to a livelihood.

We are abandoning what I believe to be a perfectly logical and biological means of disposing of garbage. This fundamental process is used in many areas. In fact it is used particularly in Taiwan and many other countries that are susceptible to foot and mouth disease. If we interrupt the process in Queensland we will place an enormous burden on local authorities and other people. They will not dispose of the garbage properly. It will lie around and create a greater nuisance than it does at present. In most instances it is dealt with reasonably satisfactorily.

At this stage I cannot possibly support the legislation unless a suitable amendment is brought forward to make it an effective, reasonable and genuine attempt to deal with the problem. The measure, as it stands, is nothing more than a token attempt to deal with the problem, and it will reduce the credibility of the Government if it is passed.

Mr. CORY (Warwick) (12.34 a.m.): I join in the debate not to delay the processes of the Committee but to advance some thoughts which, I hope, will in some way allay the public fear that immature thinking has taken control of this issue. Throughout the debate tonight and last Thursday very little appreciation has been shown of the capital investment of the industries that are involved in this issue.

I believe, as other speakers have said, that prevention is better than cure. It is easy to say that it is the Commonwealth Government's responsibility, but we have to be honest. Let us be fair about it. If we do not put our house in order we are not the ones to point the finger at somebody else. I believe it is the Commonwealth Government's responsibility to a great extent, but we also have a part to play. That is all we are trying to do through this Bill.

Earlier tonight an honourable member said he would rather go to the library and read in a book what he should do than talk to the people who have capital invested in the industries that are affected or that might be affected. If members of this Parliament go to the library to get their information and do not return to their electorates to talk to the people who have capital invested, we will not go very far or be very successful as a Government. If we carry on as we have

been doing tonight, we will not be very successful as a Government. The sooner we realise that, the better.

There has been a lot of comment about the Minister being pre-committed as to what he should or should not do with this measure. This decision was made at the Agricultural Council. It was no secret. We in the Minister's committee heard about it seven or 10 months ago. We knew what was happening at the Agricultural Council and we knew what the report was. The recommendation from the Agricultural Council, which has been criticised tonight, was one that we as a committee would have no part in, because we felt that it was not acceptable in Queensland's conditions. Accordingly, the recommendation from Agricultural Council has been considerably amended in vital areas. As I see it, it is now acceptable. Perhaps we have doubts in certain areas, but the Bill is acceptable to the greatest possible extent. It is what our industries must have, and what most of them demand.

I congratulate the Minister for bringing forward these amendments, which relieve country slaughter-houses, country poultry abattoirs and that type of operation from the full impact of these regulations. It is in those areas that major concern was expressed. Provided adequate disposal can be effected, many of the major problems and much of the cost of industry will automatically be dealt with.

With a view to overcoming the problems that perhaps now exist, I believe we should be considering compensation and assistance for local authority to overcome their difficulties, but we cannot get away from the basic concept of this legislation and the need for it. I think we should in the future look at the problem areas where assistance should be given.

There has been a great deal of talk in this debate about what happens in certain electorates. I, too, have the interests of my electorate at heart and therefore I have as much right to talk about it as any other honourable member has to talk about his electorate. More than 26,000 pigs enter New South Wales from Queensland every year, and, as my electorate is close to the border, quite a percentage of those come from my area. If we can do anything to protect the markets that we have for our primary industries, we should do so, especially when we realise that the number of those whose livelihood is involved far exceeds the number of those who may be disadvantaged. We have to consider the broad issue and then come back to what I said previously—devise some assistance plan for those who are disadvantaged individually.

We should look at what has happened and what the Minister has done. I believe that he has done a very good job in bringing down a measure that is acceptable to some and nearly acceptable to others. If we did not have a Minister who held out and made that possible, honourable members would be arguing about something much worse than the subject under discussion. I accept what the Minister has done regarding country slaughter-houses and poultry abattoirs. Without that type of assistance, he would have had a real problem.

A comment in the draft thoughts on this Bill was that similar treatment would be desirable in slaughter-houses—this is, the boiling of offal—and that it would be acceptable if it was heated in covered pots to the satisfaction of an inspector. I hope that that comment is not the thin end of the wedge for some future regulation that would not be acceptable. We do not want to be foolish or careless about this matter. We must be fair with the people whom we represent. We must be fair as a Government and make sure that where we are going is where we want to go.

Regarding that comment, I hope that too much reliance is not being placed on a regulation that could be changed and adapted and could kill the principle that we are trying to maintain—that people with money involved should suffer no risk to their operation by the introduction of foot and mouth disease or any other disease and that they should be allowed a reasonably fair crack of the whip and a fair go. We hope that this is not the thin edge of the wedge for something that will not be acceptable. By then it would be too late. I am sure that it will not happen while we have our present Minister, but it is something that must be looked at.

Australia is in an invidious situation. Somebody mentioned the markets that we might lose. If a person buys a pair of boots, a motor-car or anything else, he says what quality he wants and the price he will pay. It is the same with the export of primary products. It is the fellow who buys them and not the seller who will say what is wanted. We are the seller of our beef, mutton and pork and therefore we have to supply a commodity that is acceptable. No Government should tolerate a situation where the enormous private capital that is involved in our primary industries is in any way placed in jeopardy, whether the investment is in cattle, pigs or sheep. No Government would like to think that it was the cause of the markets for these products being placed in jeopardy.

I have as much right to talk about my area as other honourable members have to talk about theirs. I am not prepared to accept the responsibility for something that might put our beef and pig markets, either interstate or overseas, out of business. I have had quite a bit of experience in arguing and fighting with New South Wales about obtaining licences for entry into New South Wales with pigs, pork and beef products. Anybody who realised the technicalities and academic arguments that a commodity should not be made available here and there would also

realise that it is not quite as simple as saying, "What does it matter what New South Wales thinks?" It does matter because it has the right to make these decisions and this trade is vital to the economy of Queensland.

Another point is that Queensland export works, most of which are in country areas, would be exporting 75 per cent of their kill. If anyone can tell me how any of those works could operate economically on 25 per cent of kill, and pay interest and redemption on capital borrowed, I would be very surprised. Obviously that is quite impossible.

I now come to the way in which this whole matter started and what it has meant to Australia. How was it that Australia gained entry to the United States market in 1958? Australia was able to start sending beef to the United States only because there was an outbreak of foot and mouth disease in Argentina. We all know that Argentina can produce in greater quantity meat that is at least as good as Australian meat. But because there was foot and mouth disease in that country its product was not acceptable in the United States. That let in Australian meat and in 1958 we sent to the United States 23,000 tons in what could now be termed a token consignment. But that at least let Australia into the market. In 1975, 300,000 tons of meat were sent from this country to the United States. Over that period, with a few fluctuations, exports have progressively increased from 23,000 tons to 300,000 tons a year.

Honourable Members interjected.

The CHAIRMAN: Order! The honourable gentleman will please resume his seat. I shall call on him to continue when the Committee comes to order.

Mr. CORY: Thank you, Mr. Hewitt.

From 1966 Australia has been sending in excess of 200,000 tons of meat to the United States market. Meat from Argentina has again become acceptable to most world markets in recent years and we have to keep in mind that the United States has maintained its faith in our commodity. We came to America's aid when it wanted meat. The Americans accepted our product in good faith and they have continued to increase progressively their intake of Australian meat, at present at the expense of Argentine meat. It was only an outbreak of foot and mouth disease that made this possible. Let us not forget it. If we do not play our part and make it appear to the world that we have done everything possible to prevent foot and mouth disease, we will have only ourselves to blame if we lose markets.

Of the 300,000 tons that Australia sends to the United States, Queensland contributes 37.4 per cent. This demonstrates that the economy of Queensland depends largely on the cattle industry. It means $151,000,000 to Queensland and $300,000,000, or in excess of that figure, to Australia. I thought it not unreasonable to mention how Australia gained access to the United States market and what it would mean to the industry if there was even a foot and mouth disease scare.

Any who have been involved in the technicalities surrounding export licences and the requirements placed on Australian works by the Americans will realise that there would not have to be an outbreak of the disease to cause the loss of the market, as was the case with Argentina in 1958. It could be lost simply beause everything possible had not been done to prevent an outbreak of the disease. Now that there is an alternative supply for the United States from other parts of the world, including Argentina, we have to play our part and guarantee that there will never be an outbreak of the disease in Australia. If the Americans continue to do the right thing, as they have done until now, there will be no risk to the meat industry. But we have to play our part, and that is what this legislation is all about.

Mr. TENNI (Barron River) (12.50 a.m.): I rise to support this Bill and I congratulate the Minister on his efforts in bringing it forward and for sticking to his guns for so long after he introduced it. I will not speak for long——

Honourable Members interjected.

Mr. TENNI: I have listened to all the hogwash over the last six or seven hours from members who are opposed to this Bill—and that is all it was, a lot of hog-wash. All I can say is that, if they had any brains at all, they would support this Bill fully because at least it is the start of something, and if honourable members are not prepared to support something that will eventually be added to and benefit the pig and cattlemen of this State, then they are not fit or proper people to be here. That is all I can say.

The honourable member for Mourilyan made a sensible contribution to the debate, not like these fellows in front of me who are roaring and grunting like pigs at the moment. They ought to wake up to themselves. I know that this legislation is not the be-all and end-all, but it will certainly be the forerunner of better safeguards. I am sick and tired of listening to people saying to me, "Don't support the Bill!"

Mr. Houston: Who is saying that?

Mr. TENNI: Fellows like the honourable member.

The honourable member for Mourilyan spoke very strongly in support of the Bill because she is concerned, as I am, about the fact that in our electorates we have 17,000 pigs on some 77 holdings and they are worth a lot of money to the people in the Cairns-Tableland area.

Honourable Members interjected.

Mr. TENNI: Honourable members had their say a while ago and it was rot, so let me have my say. Most of our pigs are fed

on formulated feed. Very few are fed on scraps, because the people in Far North Queensland are sensible. They would not think we were very sensible if we did not support this legislation.

An Honourable Member interjected.

Mr. TENNI: The honourable member can take the pig scraps home to his place. I am satisfied that there are members of this Committee who do not know the difference between a pig and a pup. The opponents of the Bill have not given enough thought to it. The way they are going on is very silly. Some of them are carrying on like children and, as I said a while ago, it is about time they woke up to themselves and thought of this country.

When we are thinking of this country, let us think of Queensland first, because that is what we represent. We should do everything in our power to protect this State, and those who oppose this Bill are certainly not protecting this State. The honourable member for Mt. Isa has been making certain comments. I think one of them was, "Are you going to let the southern States dictate to you?" By that I suppose he means that if the opponents of this Bill were successful in knocking it—which I sincerely hope they will not be—they would be opposing what the southern States have done and I would be supporting them. If they were successful in knocking the Bill, I would immediately have 20 vacancies in the bacon factory at Mareeba because at the present moment it is sending 15 tonnes of meat a week interstate. If I knock this Bill, I knock those 20 people. I will not be dictated to by any southern State. I am not saying that Victoria or New South Wales will adopt the attitude, "To hell with Queensland pigmeat"—I do not know whether they will or not—but I am not prepared to take that risk because I am here to support this State and its industries, and while I am here I will carry on doing it.

Most of those who oppose the Bill would not know the difference between a porker and a baconer, and it is about time they did. A little while ago I asked one honourable member the difference—I will not mention his name—and he said, "I really don't know." Yet he had spoken very strongly against the Bill previously. It has just got me beat.

If the legislation is not passed, possibly New South Wales and Victoria will ban pigs and chilled and frozen pork from this State. That could be a very serious thing for Queensland, particularly my electorate and those represented by the honourable members for Mourilyan, Mulgrave and Cairns.

Because of the actions of the previous socialist regime in Canberra, the North Queensland Bacon Factory was forced to sack 57 men. If the Bill is not passed, it may have to put off another 20. Do members who oppose the Bill want me to say, "Oppose the Bill and wipe out another 20 jobs."? I won't do it. I said that I would speak for only a short time. We have heard all the hog-wash of the Bill's opponents. I again compliment the Minister and thank him for bringing the Bill forward. I sincerely hope that at the second-reading stage the opponents of the Bill will wake up to themselves and support it.

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (12.57 a.m.), in reply: If I may talk about last things first, I will refer to the contribution by the honourable member for Barron River. Remembering what a glorious area the North will be for the next few months, I suggest that he and the honourable member for Mourilyan might take aside the honourable members for Flinders and Mt. Isa and talk a little bit of sense into them. I thank the honourable members for Mourilyan and Barron River for their contributions. It is good at this late hour to hear a little bit of common sense spoken.

Any Minister with a one-page Bill containing two clauses could be excused for thinking that he was introducing a simple Bill. In all seriousness, that is exactly how I thought of it. Nevertheless, I am not being critical. On Thursday night when I rose to reply to certain honourable members, my good friend the honourable member for Murrumba was to be the next speaker. He thought I was applying the gag.

Mr. Frawley: I thought you were.

Mr. SULLIVAN: He judged me wrongly. I don't apply the gag.

By the discussion that took place on Thursday last and again today, it is obvious that there is a lot of interest in the Bill, and so there should be. By God, what I am doing protects the whole of our livestock industries! The Bill deals with a very serious problem, and one that could greatly affect the economy. There has been the odd person—I do not mean "odd" in the wrong sense—who has said

what the Bill could mean to the employment of a few people. Although some honourable members have been critical of what I have been proposing, I am not suggesting that they are not sensible. All we are trying to do is protect our livestock industries against disease.

Mr. Moore interjected.

Mr. SULLIVAN: I didn't interject while the honourable member was speaking.

Mr. Moore: Well, I'm doing it on you.

Mr. SULLIVAN: The interjection by the honourable member for Windsor has caused some hilarity. I regret I did not hear it. Might I ask him to repeat it so that I might have a laugh, too?

Mr. Moore: If you didn't hear it, that's your bad luck.

Mr. SULLIVAN: You're not getting piggy, are you?

The CHAIRMAN: Order!

Mr. SULLIVAN: The Bill has wide ramifications, and I thank honourable members for their points of view, whether they be with me or agin me, as the old Irishman said. I am prepared to consider the points of view put forward, and we have a pretty good record of them.

The point is that the Bill contains only two clauses and all it does is amend the Stock Act to allow regulations to be brought in for the banning of certain swill. They will be looked at in depth.

A lot has been said about the problems confronting local authorities. I have talked to plenty of them and they have said they will not do anything until the regulations are brought in. Nobody can do anything at this moment. I don't blame the swill feeders if they do nothing until the regulations are brought in. They are working within the law. This is what some people don't seem to be able to comprehend. However that is something we will talk about at another time.

I am sure honourable members would not want me to answer every speaker in detail at this hour. I am an old farmer from way back and I don't give a damn whether I go to bed at 10 o'clock at night or 4 o'clock in the morning; I still get up at 6 o'clock. We have had a pretty good go at this and a lot of people have got a lot of swill off their chest. We will all feel the better for it.

If there are certain people—indications are that there are—who might take it out on me personally——

Mr. Frawley: No, we won't.

Mr. SULLIVAN: I thank the honourable member. I have always thought from his very nature that he is a kindly sort of character.

Anything that members might think is objectionable to me does not worry me at all. I don't hold any comments against anyone personally. Members have the responsibility of speaking for the people they represent. Whether they are right or wrong, the people they represent will be the judges.

At the second-reading stage I shall reply to the matters that have been raised by a very large number of speakers. At this hour I will content myself with the comments I have made. If any matters that have been raised call for a reply, I give my assurance that they will be answered.

Question—That the motion (Mr. Sullivan) be agreed to—put; and the Committee divided—

Resolved in the affirmative under Standing Order No. 148.

Resolution reported.

FIRST READING

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

The House adjourned at 1.8 a.m. (Wednesday).