Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

THURSDAY, 1 APRIL 1976

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

PAPER

The following paper was laid on the table:—

Proclamation under the Prisons Act 1958–1974.

PETITION

CONTROL OF AIR AND WATER POLLUTION IN TINGALPA, HEMMANT AND MURARRIE AREAS

Mr. BURNS (Lytton—Leader of the Opposition) presented a petition from 562 electors of Brisbane praying that the Parliament of Queensland will enforce and implement the provisions of the Clean Air Act and the Clean Waters Act as they apply to industries in the Tingalpa, Hemmant and Murarrie areas, adjacent to Bulimba Creek.

Petition read and received.

QUESTIONS UPON NOTICE

1. KENDERY PTY. LTD. OVERNIGHT EXPRESS; CONSULTING ENTERPRISES

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

(1) Is the company Kendery Pty. Ltd. Overnight Express or the firm Consulting Enterprises registered in Queensland?

(2) Who are the directors, proprietors or shareholders of these firms?

(3) Is either of these two firms operating in Queensland at present?

(4) Is there any assistance his department can give to the dozens of Queensland owner-drivers who have paid $2,500 bonds to these organisations and who are seeking to have the bonds returned and the promised wages paid?

Answers:—

(1 to 3) From information supplied by the Commissioner for Corporate Affairs, it would appear that Kendery Pty. Ltd. and Consulting Enterprises are not registered in Queensland. I am unable to say whether or not the company and the business are operating in Queensland.

Overnite-Express (N.Q.) is registered as a business name at Townsville. The two proprietors are Overnite Trading No. 1 Pty. Ltd. and Overnite Trading No. 2 Pty. Ltd., both of which are registered in Townsville.

(4) I am unaware of the fact that dozens of Queenslanders have paid the sum of $2,500 to those organisations. Should the honourable member be in a position to supply me with detailed information concerning these matters, I will arrange for an investigation to be carried out straightaway.

2 and 3. PROTECTION OF FRASER ISLAND

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

As it is expected that there will be many visitors to Fraser Island during the Easter and May school-holiday periods, will he make sure that sufficient rangers

of the Lands and Forestry Departments are present on the island to police the laws of the State?

Answer:—

It is fair to say that the enforcement of law during Easter and Christmas in particular, or during periods of school holidays, particularly in isolated areas such as Fraser Island, constitutes a practical problem in respect of the limited law-enforcement resources available. If the honourable member has any suggestions which might assist my colleague who is responsible for law enforcement, I would suggest he direct those suggestions to the Honourable the Minister for Police.

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

(1) What steps have been taken by officers of the Lands and Forestry Departments to remove from Fraser Island those people who flout the law by squatting on Lands Department and Forestry reserves and by behaving in such a manner as to constitute a danger to those who want to have a peaceful holiday on the island?

(2) What steps can his department take to stop the use of amphibious vehicles on Fraser Island?

Answer:—

(1 and 2) Official reports now received indicate certain instances of unauthorised occupation of Crown land on Fraser Island. These reports are being processed and appropriate action will be taken against offenders. The question of the control of what we now know as the off-road vehicle is the subject of comparatively recent legislation under the control of the Honourable the Minister for Transport. If the honourable member for Isis requires further advice on the provisions of that legislation, he might take that issue up with my colleague the Honourable the Minister for Transport.

4. SLAUGHTER OF RED DEER

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

(1) Is he aware that in a recent Press report it was stated that the national parks and wildlife parliamentary committee had agreed to the slaughter of at least 500 red deer?

(2) As there are members of the committee who view this style of animal-culling as an extraordinarily primitive form of wildlife management, will he assure the public that a meeting of the whole committee did not agree to this, and that it has not been discussed at any meeting of the committee?

Answer:—

(1 and 2) I am not aware of the particular Press report referred to by the honourable member, but there have been several irresponsible Press reports on this issue. The report is wrong, because under the Fauna Conservation Act 1974 the Governor in Council is the only authority empowered to declare an open season for the purpose of hunting fauna in Queensland. I am not going to be drawn into any discussion on the basic philosophy of whether hunting wild animals should be allowed in this day and age. Suffice it to say that there is provision in the legislation for controlled hunting seasons on protected fauna. Although introduced animals, deer have been protected in Queensland. Nevertheless they have been hunted illegally for many years, and over 500 are shot annually. The National Parks and Wildlife Service decided this year to face up to the problem and recommend a legal hunting season which would be rigidly controlled and policed. And that is the situation. The sensationalism that some newspaper reporters are trying to engender into this issue is mischievous. The so-called deer season is proving to be the non-event of the year.

5. AUSTRALIAN EQUITY IN MINING PROJECTS

Mrs. Kyburz, pursuant to notice, asked the Minister for Mines and Energy—

(1) In view of the extraordinarily ill-informed statement by the Deputy Prime Minister concerning the threat of invasion if Australia does not share its mineral wealth, what is this Government's official attitude towards Australian equity in mining projects, with particular reference to future uranium-mining and enrichment plants?

(2) Will he consider a referendum on this extremely important issue?

Answers:—

(1) Determination of the limits of foreign equity in mining and other industries is essentially a matter for the Commonwealth rather than the State Government since the Commonwealth administers the inflow of overseas capital and can impose restrictions on exports.

It is my view that it is desirable that the level of Australian equity in mining ventures be raised to as high a level as practicable. While a figure of 50 per cent could be regarded as an acceptable level, because of the large amounts of capital required in mining development, it may not be always possible to achieve this. Hence a degree of flexibility is required. This would apply to uranium-mining projects and enrichment plants as well as other major undertakings.

(2) This is not considered to be a matter for a referendum.

6. AURUKUN MISSION

Mrs. Kyburz, pursuant to notice, asked the Minister for Aboriginal and Islanders Advancement and Fisheries—

(1) As it is obvious that sections of the Presbyterian Church are concerned about their financial involvement in the Aurukun Mission, will he consider accepting control of this area and thereby forcing the church to relinquish its administration?

(2) As this is the obvious desire of the Aurukun people, what steps are being taken by his department to ensure that this occurs?

Answer:—

(1 and 2) The State Government pays a cash grant each year to the Presbyterian Church towards the maintenance of Aurukun and Mornington Island Communities as well as meeting capital and other costs. This year the grant is $581,424.

In keeping with the Government's policy of full consultation with the Aboriginal people and in response to the Aurukun people's several requests for the State to assume administrative responsibility, consultations have been proceeding with the Aborigines and the Presbyterian Church authorities. It has been made quite clear that the people are not happy with the performance of the Presbyterian Church agency (BOEMAR); however, the Aborigines, at a joint consultation held at Aurukun recently with church representatives and me, requested a stay of proceedings for 12 months, to which I agreed with certain reservations.

I can assure the honourable member, however, that I will not avoid acceptance of any responsibilities, and should the church request it and the Aborigines concur, my department is ready and willing to assume responsibility. The matter is presently one for church determination and interim responsibility for the people's well-being must rest on them.

The honourable member is further referred to my ministerial statement in this House on 9 March 1976.

7. PENSIONER CONCESSION BUS FARES

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

(1) Are bus concession fares for pensioners operating in Bundaberg and, if so, when did they commence?

(2) Are war widows over 60 years of age included and, if not, to what categories of pensioners is the concession available?

Answer:—

(1 and 2) Considerable publicity was given in December of last year to the commencement of the pensioner concession scheme and, in fact, on 18 December 1975 proprietors of Bundaberg urban bus passenger services were directly informed of the commencement of the scheme as from 1 January 1976. Representations which I received as long ago as 18 February from the honourable member for Isis concerning the proprietors of urban passenger bus services operating in the urban area of Bundaberg would indicate that the pensioner concession fares which were required to be given as from 1 January this year have been operating in Bundaberg from that date.

I am further advised that, according to the returns already received by the Department of Transport from two proprietors of urban services operating in Bundaberg, pensioner concessions, in accordance with the Urban Passenger Service Proprietors Assistance Act, have been given as evidenced by the use of official pensioner concession tickets supplied to these operators. They have made claims for reimbursement for the month of January.

The executive of the War Widows Guild, who have been well known to me for many years, and in fact a number of them are my personal friends, informed me of their intention to seek the extension to all war widows of the present pensioner concession scheme provided for under the Urban Passenger Service Proprietors Assistance Act. They advised me that they would be writing to honourable members, including, no doubt, the honourable member for Bundaberg, to support their case. While personally I have every sympathy towards their claim, war widows are not required to pass the means test of the Commonwealth for pensioner entitlement, and consequently the provisions of the Urban Passenger Service Proprietors Assistance Act would not apply to their members, including those who are over 60 years of age, as they do not come within the definition of "pensioner" under that Act.

Consistent with the general policy which has been adopted both in Queensland, in respect of the Railway Department, and in other States, eligibility for the fare concession is established by the issue to a pensioner by the Commonwealth Department of Social Security or the Department of Repatriation of a concession card (Form TC1) which is based on the means test.

As I have indicated, the application of the pensioner concession is determined on a pensioner's need established by the means test of the Commonwealth Department of Social Security or the Department of Repatriation. Any extension of this scheme to other pensioners, including war widows, would certainly receive my sympathetic support. However, as the honourable member would be aware, any extension of these concessions would require budgetary provision for the next financial year, which, of course, is a matter for the Honourable the Treasurer.

8. OVERSEAS TRIPS BY OFFICERS OF DEPARTMENT OF PRIMARY INDUSTRIES

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

How many officers of his department have been sent on overseas trips in the past 12 months, who were they and what was the purpose and length of each trip?

Answer:—

Officer	*Purpose and Length of Visit*
C. P. McPhee, Senior Husbandry Officer	Studied pig breeding and improved programmes in Europe—13 weeks.
E. O. Burns, Chief Advisory Officer (Administration); E. R. G. White, Private Secretary	Accompanied Minister on trade mission to Middle and Far East—6 weeks.
M. D. Connole, Supervising Microbiologist	Attended conference of the International Society for Animal and Human Mycology in Tokyo—2 weeks.
B. P. Trendell, Agronomist ..	Visited Tobacco Research Institutions in North America—4 weeks.
T. J. Tierney, Husbandry Officer ..	Visited Ghana to assist with development of livestock industry—6 months.
J. K. Teitzel, Senior Agrostologist..	Visited Malaysia to advise on aspects of pasture research—2 weeks.
K. G. Trudgian, Supervising Agronomist	Toured Great Britain, Europe and U.S.A. to study coarse grain linseed and legume production—10 weeks.
L. L. Callow, Chief Protozoologist	Visited Rome to attend conference on tick-borne diseases and Malaysia to assist Government authorities with tick fever problems—6 days.
S. R. Walsh, District Adviser ..	Visited Fiji to advise on grain sorghum production—4 weeks.
J. B. Greenaway, District Experimentalist	Visited Liberia to advise Government on large rice project on request of Dalgety Farm Management Pty. Ltd.—3 weeks.
B. A. Woolcock, Director, Beef Cattle Husbandry Branch	Visited South Africa, Kenya, U.K., U.S.A., Mexico and Britain studying Beef Cattle Industry and to attend World Veterinary Congress in Greece—9 weeks.
K. G. Pegg, Senior Plant Pathologist	Visited Fiji, U.S.A., U.K. and South Africa visiting research institutes specialising in fruit and vegetable diseases—10 weeks.
B. Walker, Supervising Agrostologist	To East Africa—Participated in F.A.O. Training Course in Tropical Pastures—2 months.
M. D. Littmann, Assistant Director, Information and Extension Training Branch	To U.K., Netherlands, U.S.A.—Studied organisation and administration of agricultural information services—3 months.
T. Passlow, Director, Entomology Branch	To U.S.S.R., U.K., West Germany, Switzerland, Singapore—Attended International Conferences on Entomology—6 weeks.
G. Allen, Executive Officer, Research Stations Section	To New Zealand, North America, England, Holland and Thailand—Studied administrative and operational procedures at Research Centres—9 weeks.
M. Chester, Husbandry Officer ..	To U.K.—Studied Artificial Breeding Centres and Research Institutions—3 weeks.
P. S. Brennan, Plant Breeder ..	To U.K. and Europe—Visited Plant Breeding centres—4 weeks.
R. E. Leverington, Assistant Director, Horticulture Branch	To Hawaii—Attended Planning Meeting on " Post-Harvest Crop Protection " and toured research centres associated with Post-Harvest technology in Hawaii and California—4 weeks
L. L. Callow, Chief Protozoologist	To Italy—Attended conference on Haemoparasitic Disease—4 days.
N. P. McMeniman, Senior Husbandry Officer	To U.K. and U.S.A.—studied ruminant nutrition, range science and computer simulation—4 weeks.
J. C. Walthall, Veterinary Officer	To Indonesia—Supervised unloading shipment of cattle and disinfection of vessel—6 weeks.
M. A. Burns, District Adviser ..	Attended South Pacific Commission Training Course in Solomon Islands—2 weeks.
D. L. Boothby, Husbandry Officer; J. E. Norcott, Experimentalist	To Bangladesh—Carried out assignment for Australian Development Assistance Agency—10 weeks.

Most of these trips were financed from funds provided by organisations other than the State Government.

9. GAMBLING CASINOS

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

(1) In view of the call by the Main Roads Minister, Mr. Hinze, for the Commonwealth Government to build a gambling casino at Coolangatta Airport on New South Wales land to pay for airport facilities, has the Government's attitude to casinos changed?

(2) Does Mr. Hinze's statement imply that gambling casinos are quite an acceptable means of raising finance if someone else carries the odium of having them built in his State?

Answer:—

(1 and 2) For the information of the honourable member, the Government has not changed its policy on this issue.

10. STUDENT ALLOWANCES

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

(1) When were the adjusted family income limits for the basic wage claims for the determination of student allowances last altered?

(2) In view of the rapid inflationary moves in the economy and thus the much heavier economic difficulties placed upon parents of children who must keep them at school, will he consider seeking changes in the scales in order to alleviate some of the extra hardship that has been placed upon such parents and their children and to bring the maximum limits more in line with the upward inflationary moves in the economy?

Answers:—

(1) The means test for student allowances was adjusted on 1 January 1976 to take into account movements in the State basic wage.

(2) The next adjustment to the means test is expected to be undertaken on 1 January 1977.

In the event of a parent's circumstances changing during the year, consideration of the application for the allowance will be based on the new circumstances.

11. COMMUNITY POLICEMAN FOR BELMONT ELECTORATE

Mr. Byrne, pursuant to notice, asked the Minister for Police—

In view of his statement reported in the "Sunday Sun" of 7 March that he has had some 14 applications for the vacancy in the Jamboree Heights area for the position of community policeman, will he consider appointing a further such policeman to the south side of Brisbane in the Carina-Mt. Gravatt East area, in order to test the concept in a different type of suburban environment to see if it can be successful in such areas in reducing the crime rate and in increasing the respect for policemen generally?

Answer:—

Not at present. Any decision to extend the community policeman concept will depend upon an evaluation, in due course, of the action taken in the Jindalee-Jamboree Heights area and, of course, availability of sufficient finance.

12. SCHOOL CROSSING, MAYFIELD STATE SCHOOL

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

(1) Is he aware of the existing danger for school-children living in the Fursden Road, Gray Street and Billan Street areas of Carina, who must cross a heavily trafficked Creek Road in order to walk via the Rymer Street easement to go each morning to the Mayfield State School?

(2) Will he have this matter investigated with the city council and consider the possibility of having white lines and children-crossing signs installed to help alleviate this danger?

Answers:—

(1) I am not personally aware of the danger referred to by the honourable member.

(2) Creek Road is under the control of the Brisbane City Council, and the council has full authority to install signs and road markings for school crossings. It is suggested, therefore, that an approach be made to the council. I will also make an approach on the honourable member's behalf.

13. BRIDGE OVER HERBERT RIVER AT HALIFAX

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

What is the final estimated cost of the new bridge which is under construction over the Herbert River at Halifax?

Answer:—

$1,914,500. The $692,000 above the original estimate in July 1974 is made up of rise and fall on the contract of $450,000, and $242,000 on foundation and other additional works.

14. REFORESTATION, HINCHINBROOK AND CARDWELL SHIRES

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

What is the present state of the negotiations taking place between the State Forestry Department and the Commonwealth Government on implementing an increased reforestation programme in the Hinchinbrook and Cardwell Shires?

Answer:—

Negotiations are currently at a standstill due to the present financial problems of the Commonwealth Government and the uncertainty of the future of the Softwoods Agreement, which expires on 30 June 1976.

15. DINGO CONTROL

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

(1) What has been the extent of the flood damage to the dingo barrier fence in Queensland and what is the estimated cost of repairing it?

(2) Are some local authorities and grazing organisations endeavouring to convince the State Co-ordinating Board that the necessary repairs should not be carried out and that maintenance work on the fence should be discontinued because of the supposed success of the "1080" poison-baiting campaign?

(3) What is the estimated annual cost of extending the "1080" poison-baiting campaign into the area of approximately 55 million hectares now contained within the dingo barrier fence, and what harmful effect, if any, is likely to be occasioned to other fauna in the area if such a campaign is undertaken?

Answer:—

(1 to 3) The whole question of the worth of the dingo barrier fence, and this includes the question of the maintenance of that fence in relation to damage sustained by recurring floods, is presently part of a public inquiry managed under the chairmanship of the President of the Land Court. That committee is required, by virtue of its terms of reference, to report to the Government upon the issues raised by the honourable member. If the honourable member has any views on the subject, I am sure the committee of inquiry would welcome them.

16. INSURANCE BUSINESS IN NORTH QUEENSLAND

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

(1) Is he aware that a considerable amount of insurance business in North Queensland has been relinquished by several overseas-controlled companies, mainly from the United Kingdom and the United States, which have now pulled out of the market in that area and that much of that business has been taken up by the State Government Insurance Office?

(2) Is he also aware that most compulsory third-party insurance is now going through offices of the S.G.I.O.?

(3) In view of this big increase in business in North Queensland by the S.G.I.O., will he consider changing the status of the Mackay office from a sub-branch to a branch?

Answers:—

(1) Yes.

(2) Yes.

(3) Yes. In fact the manager, Mackay, already possesses a certain degree of autonomy in relation to fire and motor vehicle business. As the office continues to develop its computer systems, it is envisaged that the Mackay office will ultimately gain autonomy in all classes of business.

17. SALE OF SUGAR TO CHINA

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

(1) What amount of sugar has been sold by the Queensland Sugar Board to China in each of the last five years and what amount has been shipped to that country so far this year?

(2) Has the Government-to-Government agreement on the sale of sugar to China, which was negotiated almost two years ago, been ratified by refineries in China and the Queensland Sugar Board and, if so, what are the details of that agreement and when will shipments under the agreement commence?

Answer:—

Mr. CAMM: I ask that the question be redirected on Tuesday next.

Mr. Casey: I do so accordingly.

18. S.G.I.O. INVESTMENT IN LAND-DEVELOPING COMPANIES

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

(1) Does the S.G.I.O. hold 100,000 shares in the company known as Alfred Grant Holdings Ltd., which was recently passed into receivership?

(2) Is it the policy of the S.G.I.O. to invest in dubious companies such as Alfred Grant Holdings?

(3) Has the S.G.I.O. any further financial interest in any other speculative land companies and, if so, what are the

names of the companies and what is the extent and value of the holdings in each company?

Answers:—

(1) Yes—this is public knowledge.

(2) The policy of the S.G.I.O. is determined by the S.G.I.O. Board.

(3) It is the established practice not to disclose business dealings between the S.G.I.O. and its clients.

19. SIR BRUCE SMALL AND LAND DEVELOPMENT INTERESTS

Mr. K. J. Hooper, pursuant to notice, asked the Minister for Justice and Attorney General—

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

(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 the newly elected mayor of the Gold Coast, Andrew Bruce Small, in recent negotiations with the liquidators of Cambridge Credit involving the rezoning of a large area of rural land to residential 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?

Answers:—

(1) I do not know whether or not Industrial Acceptance Corporation Limited is taking over certain Queensland assets of Cambridge Credit Corporation Limited and its subsidiaries.

(2) Riviera Pty. Ltd. is a company duly incorporated in Queensland and, therefore, there is no necessity to have an agent in this State. From the records held in the Office of the Commissioner for Corporate Affairs, there is no information to the effect that one Andrew Bruce Small is connected with the company. However, the records do disclose that of the 100 shares issued, IAC (Finance) Pty. Ltd. hold 99 of them.

(3) If assets are being transferred as suggested, I am unaware whether or not the transfer is being carried out in Darwin.

(4) Approval for the rezoning of land from rural to residential is in the prerogative of the local authority, subject, of course, to the approval of the Minister for Local Government.

20. FLOODING OF IPSWICH ROAD AT OXLEY FLATS

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

(1) With reference to my previous question concerning the flooding of the outbound lanes of Ipswich Road at the Oxley flats, is he aware that during the current wet season the road has been flooded on numerous occasions, sometimes for days?

(2) When can the thousands of motorists who daily use Ipswich Road expect to see an end to this farcical situation?

Answers:—

(1) Yes.

(2) The Commonwealth Minister, Mr. Nixon, myself and other State Ministers will be meeting in April and I expect to have a clearer undertaking on urban arterial road funding for the next three to five years. Ipswich Road will be given proper consideration as well as many other important arterials in Brisbane.

I thank the honourable member for the question. If it is possible to do anything with increased funds from the Commonwealth he will get one of the high priorities seeing that he is a good friend of mine.

21. BEEF SALES TO U.S.A.

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

In view of reported pressure now being imposed on the U.S.A. Secretary of Agriculture to secure forthwith agreements from Australia and New Zealand limiting their beef shipments to U.S. markets—

(1) What is the progress of U.S. shipments since the commencement of the current killing season and what are the comparable figures for the previous three years?

(2) What is the official status of U.S. supply negotiations and the best estimates currently available of the forward sales volume and price prospects for the remainder of this killing season?

Answers:—

(1) Australian shipments of beef and veal to the U.S.A. in the first two months of each of the last four years have been as follows:—

	tonnes
1976	57 722
1975	51 997
1974	33 591
1973	37 247

Of the 57 722 tonnes shipped so far this year, only about 8 000 tonnes came from Queensland as our killing season has only just commenced.

(2) Australia has secured a basic 287 000 tonnes share of the U.S. beef market for 1976. This is 4 000 tonnes more than the initial offer of 283 000 tonnes, and marginally less than the 290 000 tonnes shipped to the U.S.A. last year.

However, there are some signs that meat prices could strengthen in the U.S.A. later this year. This could influence the U.S. administration to relax Australia's quota, especially if other supplying countries looked like falling short of their own quotas. This would be to Queensland's benefit as our main killing season occurs in the middle of the year.

22. HEALTH HAZARDS OF CHILDREN'S CLOTHING

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

(1) Has he read the report on the suitability of children's clothing which was issued last week by a sub-committee of the New South Wales Medical Women's Society following a two-year survey?

(2) Will he examine the implications of the various findings of this report which impinge on Queensland conditions and advise the House as to the efficacy of existing safeguards against serious health hazards, particularly in relation to synthetic shoes and shoe linings, excessively tight clothing, tight elastic bands, flammable synthetic materials used for night attire and underwear, tight nylon panty-hose and the use of hats?

Answer:—

(1 and 2) I have read the Press report of the subcommittee's survey. The report has been requested and when available the health aspects will be fully investigated.

23. ROADWORTHINESS OF BICYCLES

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

As the use of bicycles is growing rapidly in urban areas, will he review existing pertinent regulations, bearing in mind the escalation of traffic density, velocity and hazards since these regulations were originally written, and ensure that consideration is given to the roadworthiness of bicycles for all weather conditions, the hazards of footpath-riding and the desirability of safety helmets for riders?

Answer:—

I well recall that, before the motor-car became so popular with the younger generation, bicycles were used, possibly more so than today, as a cheap and indeed healthy form of personal transport in urban as well as country areas. I am sure I have the support of the honourable member for Surfers Paradise when I make this statement, particularly in regard to the health aspects of bicycle-riding.

There is, of course, as the honourable member has mentioned, a resurgence of interest in bicycles as a form of transport both in Australia and the United States, partly as a result of the energy crisis and partly from environmental and economic aspects.

So far as safe riding is concerned, the Queensland Road Safety Council distributes pamphlets and more recently has commenced a pilot course of instruction in safe cycling at the Kenmore State School. This course will be expanded and developed in the light of experience gained in this experimental project.

The traffic regulations, I feel, adequately provide at present for the minimum control over riders of bicycles, including the offence of riding on a footpath, and the desirability of bicycle riders wearing safety helmets has not been established to date despite research undertaken in Australia and overseas.

The position regarding bicycle-riding is kept under review generally by the Traffic Advisory Committee as questions arise in this area, as well as by the Queensland Road Safety Council. The Standards Association has issued a draft standard specification for pedal bicycles for public review and the question of its adoption is presently under consideration.

I am not sure from the text of the honourable member's question whether he is advocating more Government regulation of riders of bicycles or more regulation of drivers of motor vehicles for the benefit of bicycle riders. Nevertheless, if the honourable member has some suggestions he would like to make in this area of personal transportation, I will have them examined and, as is my practice, discussed with members of my parliamentary transport committee.

24. EDENLEE PTY. LTD. LAND, HERVEY BAY

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

Further to my question of 26 August 1975, has the Office of the Commissioner for Corporate Affairs completed its investigations into the sale of land at Hervey Bay by Edenlee Pty. Ltd. or their agents and, if so, what was the result?

Answer:—

I am advised by the Commissioner for Corporate Affairs that his investigations in relation to the company, Edenlee Pty. Ltd., are still continuing.

25. INSURANCE INVESTMENT IN HOUSING

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

In view of the current concerning plight of Queensland home buyers and of

the State building industry and in the light of the support given by Queenslanders for the free-enterprise ownership and control of the life assurance industry, will he ask life offices operating in Queensland to review their current investment policies and direct more investment into the home-buying and building industries?

Answer:—

The life offices place their funds, by their own decision, in a manner most advantageous to their policyholders. I do exhort them from time to time to direct a share of their funds to local authority loans in this State. They do, of their own volition, invest quite heavily in the building industry and many of them provide loan finance for dwellings. I have noted the honourable member's request with respect to the latter. I might suggest the achievement of the objective he seeks might be enhanced if he also made an approach along the lines he suggests.

26. INDUSTRIAL ACTION BY PROFESSIONAL OFFICERS' ASSOCIATION

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

In view of his reply to my question without notice on 25 March relating to the Professional Officers' Association of Queensland and a report that the association representing 8,300 officers in the State Public Service has taken industrial action for the first time in 60 years because of a 3½-year delay in a Cabinet-appointed committee report on claims relating to hours of duty, time off, travelling time and overtime, what progress has the appointed committee made in the past 3½ years and does his previous comment of the report coming forward in due time mean a further 3½-year delay?

Answer:—

The Professional Officers' Association of Queensland and the Queensland State Service Union have been advised that the report in question will be completed by 30 June 1976. The Professional Officers' Association has accordingly withdrawn its bans.

27. FIRE HAZARDS IN BUILDINGS

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

(1) Has the Government held any discussion with Brisbane Fire Chief, Mr. V. W. Dowling, as to his statement of 29 December that the new fire legislation does not go far enough?

(2) Has any action been taken against the number of business houses that use fire-escapes as storage areas, with garbage bins, crates and other material jamming stairways and escape areas?

Answers:—

(1) Mr. Dowling expressed his opinion. However, the State Fire Services Council has a statutory responsibility to advise the Government on these matters and the Government acts on the advice of the State Fire Services Council.

(2) The Fire Safety Act when proclaimed can apply to certain classes of existing buildings as mentioned in the schedule to the Act. This may be done by the issue of an Order-in-Council and will be considered on a priority basis. Fire brigades are empowered not only to provide fire prevention advice, but also to make inspection of premises where there is sufficient indication that items such as empty bins, etcetera, are stored contrary to law. Where fire brigade chief officers report evidence to their board, the matter is required to be referred to the relevant licensing authority.

Factories and shops legislation requires fire-escapes to be kept clear of obstruction. Any references by the Metropolitan Fire Brigades Board to the Chief Inspector of Factories and Shops that fire-escapes are being obstructed have been investigated by inspectors of factories and shops and appropriate action has been taken. In addition, if inspectors of factories and shops discover in the course of their own inspections that fire-escapes are being obstructed they take action on their own initiative.

28. TOILET FACILITIES AT ROCHEDALE SHOPPING CENTRE

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

(1) Was a complaint made to the Inspectorate of Factories and Shops by the Australian Bank Officials' Association, Queensland Division, in October 1974 regarding the inadequacy of toilet facilities at the Rochedale shopping centre?

(2) Is this matter still not resolved?

(3) Was conflicting advice given to the association by the chief inspector and the Minister?

(4) Is he concerned at the level of apparent inefficiency shown by the inspectorate in this matter?

(5) Will he give an assurance that additional conveniences will be constructed to ensure compliance with the minimum provisions of the Factories and Shops Act?

Answer:—

(1 to 5) The matter of toilet facilities at the Rochedale shopping centre has been the subject of considerable correspondence between the Australian Bank Officials' Association and my department and inspections have been carried out from time to time.

It is not correct that conflicting advice was given to the association by the chief inspector and by myself.

I am informed by the Chief Inspector of Factories and Shops that the most recent inspection of these toilet facilities was made by an inspector of factories and shops on 4 March 1976 and at the time of inspection there were sufficient toilets to cater for the number of employees then employed at the centre. I would point out to the honourable member that if and when additional employees are engaged at the centre and the toilet facilities are then insufficient to meet the requirements of the Factories and Shops Act my department will be in a proper legal position to institute action in order to ensure that additional toilets are installed.

The question of toilet facilities for the general public at any shopping centre is a matter for the local authority.

29. UNIVERSITY SENATE FINANCES

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

(1) Is he aware that section 31B of the University of Queensland Act gives the Auditor-General authority to oversee the financial activities of the university senate?

(2) Is he aware that section 30 of the Act requires that all moneys received by the senate will be applied solely for the purposes of the university?

(3) Will he draw the provisions of section 30 of the Act to the attention of the Auditor-General and ask why the senate has been permitted to provide moneys through the students' union to the Australian Union of Students, radio station 4ZZZ and certain purely commercial activities, when all these things seem to fall plainly outside the purposes permitted under section 30?

Answers:—

(1) Yes.

(2) Yes.

(3) I want to assure the honourable member that I, too, am concerned at the reports that are coming to hand as to the manner in which moneys are being applied by the students' union. I am pleased the honourable member has raised these questions and I can assure him that I will try to ascertain exactly what is happening and the correctness or otherwise of the use of such moneys. I am also informed by the Vice-Chancellor of the University of Queensland that the university senate has set up a committee of four members of the senate, who are all legal men and one of whom is a judge, to consider the implications of section 30 of the University of Queensland Act as it affects the senate.

30. UNIVERSITY OF QUEENSLAND UNION

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

(1) Does he support the concept of compulsory unionism?

(2) Is he in favour of the current policy of the senate of the University of Queensland whereby students are refused enrolment at the university unless they pay union fees to the students' union?

(3) Will he stand by and allow the university senate, a statutory body under the control of this House, to force students into making compulsory payments to the student's union when this body has indicated that it will use the money for blatantly political purposes?

(4) As the university senate has consistently refused to accept its responsibilities in overseeing the activities of the university students' union, will he act to ensure that the Governor in Council removes the present spineless incumbents and replaces them with nominees who have the moral courage to face up to their duties to the community, the university and this Parliament and to act accordingly in their deliberations on the senate?

Answer:—

(1 to 4) I am informed that when tuition and associated fees were abolished in Australian universities in 1973, it was a part of the inter-Governmental arrangement that universities should compulsorily impose fees on students for the provision of student services. The question, of course, is now whether the moneys paid in in union fees are used for the provision of student services.

It is, of course, understood that in making payments to the University of Queensland Union, the university senate has done so on the basis that they were to be applied for the purposes of the university and I believe a special responsibility rests upon the senate to make sure that these moneys are spent in this way and this is the area in which there is very grave concern by myself and many other people. I hope the university senate will keep a close watch on the use of funds being allocated to student unions.

One of the virtues of payment by students to the university union is that it provides funds not available from the ordinary resources of the university, for amenities and services for university students. It would seem fair that all students who can avail themselves of these amenities and services should pay for them. Without the union fees, many of the amenities currently provided would undoubtedly have to close. The senate is composed of leaders of industry, senior officers of the Public Service, two members of this House and leading professional and church men who have given outstanding service to the State.

31, 32 and 33. BUREAU OF SUGAR EXPERIMENT STATIONS

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

(1) Under what award are staff of the Bureau of Sugar Experiment Stations employed?

(2) What right of appeal do staff have against any decision affecting employment conditions made by the Sugar Experiment Stations Board?

(3) Will he arrange to have the necessary machinery put in train to enable staff to have a concensus of opinion placed before the board on any matter of concern to them?

Answers:—

(1) Staff are not employed under any award.

(2) There is no right of appeal. The board's decision is final.

(3) This is a matter for decision by the Sugar Experiment Stations Board. Staff already have access to the board through the director.

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

(1) Were applications called within the extension service of the Bureau of Sugar Experiment Stations to fill recent vacancies at Innisfail and Proserpine and when were applications circulated to the staff?

(2) Are applications to be called to fill a new position at Babinda and, if so, when?

(3) Were applications called to fill a new position at Sarina and, if so, when?

Answers:—

(1) No. Vacancies were filled by transferring experienced senior staff from other centres.

(2) No final decision has been made regarding the opening of a centre at Babinda. A decision on the matter of staffing the centre will be made when the need arises.

(3) No. As advised previously, the officer servicing the area was transferred to Sarina to avoid excessive travelling from Mackay.

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

Since the Bureau of Sugar Experiment Stations and the Sugar Experiment Stations Board are set up under an Act of the Queensland Parliament and keeping in mind section 3G(1) and (2) of the Sugar Experiment Stations Act, why is the information I sought in questions to the Minister for Primary Industries on 17 and 24 March about the salaries of certain classifications in the bureau regarded as confidential?

Answer:—

The Sugar Experiment Stations Board consists of the Minister for Primary Industries and the Under Secretary for Primary Industries, ex officio, together with a nominee from each of the Australian Sugar Producers' Association Ltd. and the Queensland Cane Growers' Council. Since the inception of the board in 1951, it has been the unanimous decision of the board that salaries are confidential between the board and the individual staff member. The chairman of the board has a responsibility to the director and other staff members to regard bureau salaries with the confidentiality maintained by other members of the board. The Minister for Primary Industries, in his ex officio capacity as chairman of the board, is supplied with salary figures from time to time, and it is his decision at any stage whether, in his official capacity as Minister, he should divulge all or any of the figures available to him.

34. ABORIGINAL TRUST MONEYS

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

(1) How much money from the estates of deceased Aborigines has been paid into trust since 1960 because no beneficiaries were able to be found or were known, or for any other reason?

(2) How many estates have been involved during this period?

(3) What amount is still held in this trust fund and for what purposes has any money been used to date?

(4) What procedure is adopted by his department to endeavour to find beneficiaries of such estates?

(5) Who decides what should happen to moneys or property belonging to an estate if there is doubt as to the beneficiaries?

Answers:—

The honourable member is referred to details furnished the honourable member for Toowoomba South in reply to his question on 10 March last. These have relevance. In addition to that information I can advise:

(1) $59,268.94.

(2) 77.

(3) In accordance with legislation the amount is held identified for all time as a contingent liability in the event of any claimant demonstrating entitlement.

(4) Departmental records are searched, friends consulted and general inquiry made in areas of former habitat to locate

and establish beneficiaries. It is only after years of fruitless exhaustive inquiry that funds are transferred from the estate account.

(5) Without doubt, the will or current legislation establishes beneficiaries.

35. BJELKE-PETERSEN ANTI-INFLATIONARY PLAN

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

(1) With regard to the circular letter being forwarded to members by Mrs. Wanda F. Teakle regarding what she has termed the "Bjelke-Petersen Anti-Inflationary 3-Point Plan", what are the details of this so-called plan and what action has he taken to implement this plan as Premier and leader of the majority party in this House?

(2) Why has the plan been called the "Bjelke-Petersen Anti-Inflationary Plan" when it is allegedly the same as that which has been proposed by the Social Credit and League of Rights movements for almost five years?

Answer:—

(1 and 2) I am glad the honourable member has asked this question. Like so many others, he seems to have failed to recognise the importance of something I have been advocating on this subject for quite a long time.

On several occasions when Mr. Whitlam was Prime Minister, I raised this question at Premiers' Conferences. I pointed out that it had been Labor policy and that Mr. Curtin, when Prime Minister, used the principle very successfully to stabilise the economy. The honourable member should read the history of it.

Mr. Wright: I have. What have you done about it?

Answer (contd.)—

It was Sir Charles Adermann who brought me all the papers initially and explained the principle to me as applied by Mr. Curtin.

What has now become known as the "Petersen Plan" consists of three major proposals—

(1) The freezing of aggregate collections of income tax at the existing level,

(2) Reduction or elimination of sales tax on certain Consumer Price Index items.

(3) Payment of price incentives or consumer discounts on foodstuff components in the index.

My first two points identify taxation as an unproductive component of both costs and prices. Because both income tax and sales tax are sliding scale or percentage-added taxes, each leap-frog movement forward by either costs or prices is amplified by the taxation factor, thus the higher inflation goes (presently an unprecedented 16 per cent), the greater the cost-price gap. Obviously, the simple solution is to freeze taxation. A more forceful step must surely be to reduce sales tax. Such action would do more in one stroke to put value back into the dollar than any rash of tariff cuts, restrictive credit controls and so on.

To further combat inflation, the Federal Government should look in the direction of tax reduction, consumer subsidies, as they have applied from time to time, and production incentives rather than the encouragement of higher wages, higher prices and ever-escalating taxation. Past policies ensured stable prices for consumers and this was preferable to the instability caused by run-away inflation.

The problem is this: when people have attained a certain standard of living, they rightly desire to continue that living standard. When non-productive factors make this difficult (by reducing spending power), employees demand higher wages and producers demand better prices for their commodities. These pressures must be defused. This is why I believe that the "Petersen Plan" will substantially stabilise many of our inflationary problems which are threatening to overwhelm us and which, if not checked, will lay the foundations for even greater disruptions.

I have been advocating this principle around Australia at various times and indeed on four occasions with Mr. Fraser since he became Prime Minister. Because of the fact that I have constantly advocated this for some years, it has become known as the "Petersen Plan". I am sure that the average person would agree that taxation generally is such that something must be done about it. It is one of the reasons why I have come to the conclusion that we have got to introduce remedial measures in this area, and this is why I have proposed the elimination of death duties.

36. RESIDENTIAL TENANCY BONDS

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

(1) With reference to the recent public comments by a solicitor, Mr. G. L. Hyland, that it was likely that the new Residential Tenancies Act would result in landlords seeking larger bonds and that it was now likely that landlords would seek increased payments of rent in advance, is he aware if such a situation is now prevailing and has he received complaints against excessive bond requirements?

(2) In view of these comments, is it permissible to increase either the bond or advance rental payments for existing tenants?

(3) Have prospective tenants any redress against what could be classed as unreasonable bond and advance payment demands?

(4) What avenues of redress are available to tenants who are aggrieved about landlords who do not maintain their residences in reasonably habitable conditions?

Answers:—

(1) I am aware of a newspaper report suggesting that a solicitor, Mr. Hyland, had stated that it was likely that the new Residential Tenancies Act would result in landlords seeking larger bonds and that it was now likely that landlords would seek increased payments of rent in advance. This blanket statement appears to have been made, unsupported by any reasons or justifications. I have no reason to suspect, and I am not aware, that such a situation is now prevailing. The Residential Tenancies Act and the legislation which it replaced does not and did not contain any provisions dealing with the questions of security deposits or tenancy bonds. It is common for a landlord to require a tenant to pay a sum of money known as a tenancy bond or security deposit prior to or at the commencement of the tenancy. The bond money is held by the landlord as security for the due performance by the tenant of his obligations under the tenancy.

(2) This is a matter which is subject to the agreement between the landlord and the tenant at the time when they enter into a tenancy or any subsequent agreement which may be reached by the landlord and the tenant during the currency of the tenancy.

(3) In 1974 the Small Claims Tribunals Act was amended to permit a tenant to make a claim in the tribunal with respect to any dispute with a landlord concerning a security deposit. This has proved to be a very satisfactory method of dealing with disputes concerning tenancy bonds. I might mention that the Law Reform Commission of Western Australia examined this area of the law and recommended that the course which was adopted in Queensland be implemented in that State. Following that report the Western Australian Small Claims Tribunal Act was amended to give effect to the Law Reform Commission's recommendation.

(4) Under the Residential Tenancies Act, in respect of every tenancy agreement entered into after the commencement of that Act (i.e. 1 December 1975) there is an implied obligation on the part of the landlord:

(i) to allow the tenant during the tenancy quiet enjoyment of the dwelling-house and fixtures, fittings, goods and chattels let therewith;

(ii) to provide and, during the tenancy, maintain the dwelling-house in good tenantable repair and in a condition fit for human habitation;

(iii) to maintain during the tenancy fixtures, fittings, goods and chattels let with the dwelling-house in good tenantable repair;

(iv) to comply with all lawful requirements in regard to health and safety standards with respect to the dwelling-house;

(v) to keep common areas (in cases where the dwelling-house is part of a multiple house or other building) in a clean and safe condition.

Where a landlord fails to perform or observe any of these implied obligations or for that matter any other obligation or restriction contained or specified in the tenancy agreement, the tenant is entitled to terminate the tenancy. The tenant, the party innocent of the breach of obligation, is also entitled, if he so elects, to stand by his bargain and to resort to appropriate remedies to secure its enforcement by commencing an action in the appropriate court, whilst at the same time seeking to recover damages for any injury he may have suffered by the breach.

37. UNIVERSITY REMEDIAL-READING COURSES

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

(1) With reference to his answer to question No. 4 on 25 March, does he intend the House to understand that he does not regard the introduction of remedial-reading courses in southern universities as an astonishing development and, if so, does he regard their development as normal, reasonable and acceptable?

(2) When Queensland does catch up to the so-called progressives in the southern States and remedial-reading courses have to be introduced in Queensland, will he regard that development as astonishing or anticipated?

(3) As he has demonstrated in his answer that he believes that there is not an unnecessary dichotomy between traditional and so-called progressive methods of education, is he equally aware that there is not necessarily a synonymous relationship between the terms progressive and new or innovative?

(4) Does he recognise that it is easy in this dynamic society to confuse progress with change and experimentation?

(5) Will he assure the House that he will not allow his senior departmental officers to fall into the obvious trap of overvaluing new methods merely because they are new and were perhaps in vogue overseas?

(6) Will he assure the House that he will not permit senior departmental officers to experiment with other people's children?

Answers:—

(1) Information given in my answer to question No. 4 of 25 March was obtained through the Registrar of the University of Queensland. I understand that, if a remedial-reading course exists in another Australian University, it has been organised on an ad hoc basis and will not be listed in the relevant faculty handbooks. The extent and frequency of such courses is impossible to ascertain except by inquiry at each separate institution. If such courses are frequent and extensive, I share the honourable member's concern. As I indicated on 25 March, this is not the situation in Queensland.

(2) I would see nothing astonishing in the continuation of reading-improvement programmes, which are intended to assist students in coping with the reading load involved in tertiary studies, but I emphasise that this is quite different from a remedial-reading course.

(3) Yes.

(4) Yes.

(5) Yes.

(6) In the sense in which the honourable member has used the emotive phrase "to experiment with other people's children", I can give the House my assurance that this will not be permitted. In another sense, however, it is a legitimate and necessary function of a dynamic and responsible department to carry out carefully controlled research into new and possibly better ways to educate the children of Queensland.

38. CUISENAIRE TEACHING SYSTEM

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

(1) At the time that his department introduced the Cuisenaire system for teaching mathematics to beginners, had that system already been dropped in Belgium where it originated?

(2) What type of in-service training did Queensland teachers receive to teach them how to apply the system?

(3) Whilst Cuisenaire was only ever intended to be an aid, was it introduced into Queensland as a complete system?

(4) In past years has it been obligatory for Queensland teachers to use the Cuisenaire system?

(5) Is the use of the system optional this year?

(6) Is it possible that in future years the system could be totally dropped, as it has been overseas?

(7) How much did that experiment cost?

(8) Could a similar system of teaching aid have been introduced more cheaply and just as effectively, using buttons, as teachers did in the 1950s and the 1960s?

Answers:—

(1) No. This is an unfounded rumour that has persisted in spite of frequent denials.

(2) In the early 1960s some teachers developed an interest in the use of structured materials as aids to the understanding of mathematical concepts. Of the materials available, Cuisenaire rods were most easily obtainable, and teachers in many schools used them with promising results. The rods were not on issue to all schools until the mid-60s; up until that time subsidy was available for their purchase by a school, while in a sample of schools rods were used under the supervision of the Research and Curriculum Branch.

In the November 1963 Education Office Gazette there is an advertisement for "A teachers' workshop on the use of structured materials, particularly Cuisenaire rods" which was especially offered "to those teachers who are currently using or have been given approval to use Cuisenaire rods in their schools". As more teachers began making use of the aid, so the amount of in-service training increased, until it became comprehensive and Statewide.

(3) The fact that Cuisenaire is one aid available amongst many has always been acknowledged. In the 1966 Program in Mathematics for Primary Schools it is emphasised that "the program should be treated so that adequate experiences with concrete materials at all stages precede attempts at abstraction". One need scan only a few pages of the programme to note that use of a variety of concrete materials is advocated, including the buttons referred to in part (8) of the honourable member's question.

Cuisenaire rods were introduced gradually into schools, and at no time were considered to be a complete system. The honourable member is referred to a notice appearing in p. 229 of the July 1965 Education Office Gazette which states, in part, "Schools which wish to introduce the the method in 1966 are eligible to apply for material for Grade 1. Schools which have already introduced the method are eligible to apply for the additional material to enable the method to be continued into Grade 2, or Grade 3 where applicable."

(4) From what has already been answered above, it is clear that use of the Cuisenaire rods has not been obligatory, although all schools were eventually issued with materials, and most did make use of them.

(5) Teachers have always had an option, which is their professional right. Teachers are now exercising that option, having become more experienced in the use of structured materials of a greater variety.

(6) The system has not been totally dropped overseas. It is always possible, however, that in future years Cuisenaire, as such, might be replaced by superior or alternative materials.

(7) What I have described at some length was not an experiment. The use of structured materials, such as Cuisenaire rods, arose out of practical classroom experience. If the honourable member wishes to know the total amount expended on Cuisenaire rods, this information will require some time to obtain.

(8) Skilful teachers always make use of a variety of materials, especially materials easily obtainable in the children's environment. The button, however, as an aid for the teaching of mathematical concepts, is very limited in its application when compared with structured materials such as Cuisenaire rods.

39. ATTITUDE OF COUNTRY PEOPLE TO CITY CULTURAL CENTRE

Mr. Lamont: I ask that question 39 standing in my name be put on notice for Tuesday next.

40. IRRIGATION WORKS

Mr. Hartwig, pursuant to notice, asked the Minister for Water Resources—

(1) What expenditure has been allocated to stage II of the Callide Dam this financial year?

(2) How many men are presently employed there by the Irrigation and Water Supply Commission?

(3) What is the expected completion date of the recharge channel works being undertaken to take water to Kroombit and Kariboe Creeks?

Answers:—

(1) $700,000.

(2) A total of 47 men (44 day labour and 3 contract) are currently engaged on the job.

(3) Subject to adequate funds being available in 1976-77, it is hoped to complete the channel across to Kroombit and Kariboe Creeks by 30 June 1977.

41. RAILWAY STATION AND PROPERTY, BILOELA

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

(1) In view of the increased railway business operations at Biloela caused by a dramatic increase in rail freights and population in the Callide Valley, will he consider replacing the old structure with a new railway station?

(2) Would he allow the tenants now occupying business premises on railway land in Kariboe Street, Biloela, to convert their premises to freehold or allow the allotments to be sold to the people presently in business there?

Answers:—

(1) I am assured that the existing facilities adequately meet requirements, but, in any case, finance for the construction of a new station at Biloela is not available at the present time.

(2) This matter is under investigation following the representations made to me by the honourable member. I shall duly advise him of the outcome.

42. SECURITY OF ETNA CREEK PRISON

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

(1) Has he received a written report yet concerning the escape of two prisoners recently from Etna Creek Prison? If so, does he intend to consider proposals, if any, to give greater security to nearby residents by tightening up security for prisoners within the gaol?

(2) Is he aware that at a recent meeting of some 70 residents they asked that a siren or similar device be installed to warn residents of a prison break-out?

(3) Will he consider the erection of an adequate security fence around the gaol, suitably wired, so that when someone touches the fence an alarm system within the goal would be triggered off?

Answers:—

(1) A report on the escape of two prisoners from H.M. Prison, Rockhampton, which is situated at Etna Creek, has been received and as a result disciplinary charges have been laid against a prison officer.

The question of greater security to nearby residents by tightening up of security arrangements for prisoners has been carefully examined. As I indicated to the honourable member in my reply to his question on 18 March last, I can assure the people living adjacent to the prison that every effort is made to protect them from the type of incident which occurred.

It is pointed out, however, that in this incident the two escapees were not employed within the prison compound, where provision is being made for an additional security fence. The two prisoners who escaped were employed in a work gang in the farm section. They had been classified and assessed as suitable for employment under farm conditions and under supervision. I am advised that the two prisoners have no previous convictions of crimes involving violence and the one alleged to have assaulted the two nearby residents had only six days to serve to complete his sentence.

(2) The matter of a siren or similar warning device has previously been raised

with regard to another prison. It was agreed by the local residents that the siren would not be heard unless the prevailing winds suited the occasion. A siren is already used at the prison as a time signal for movements of prisoners within and outside the compound area and is particularly useful for those gangs working on the farm.

The question of the use of a siren at Rockhampton to signify an escape was considered some time ago and it was found it has an effective sound radius of approximately one mile. However, under certain weather conditions it could not even be heard within that distance.

While this particular incident involving two people living adjacent to the prison has occurred and certainly is regretted, it is pointed out that invariably when escapes occur the escapee's main desire is to put as much distance between him and the prison in the shortest possible time.

(3) It is not considered practicable to erect a security fence around the entire prison property. The area of property comprises 231.7 ha, or approximately 572 acres, and as such would need approximately four miles of fencing. The question of a wired fence which would trigger an alarm system within the prison also has a great number of difficulties associated with it. This has been the subject of a great deal of experiment overseas, but it was found that the alarm was triggered for many causes other than by persons touching it, for example, a bird flying into it or even a piece of vegetation blown into it.

I can only reiterate what I said previously on 18 March, that the number of escapes from H.M. Prison, Rockhampton has been very low compared with statistics for other areas.

In the case of the two prisoners in question, an effort was being made to assist in their rehabilitation, and I would be reluctant to change the present attempts which are being made to rehabilitate prisoners by allowing them to participate in outside work parties. The only alternative is to have all prisoners locked up under maximum security conditions.

43. THEFTS OF CARAVANS

Mr. Lindsay, pursuant to notice, asked the Minister for Police—

With reference to the article in "The Courier-Mail" of 16 February headed "Holiday Hope Stolen", which gave details of how thieves robbed an Everton Park invalid pensioner of his caravan—

(1) What progress have the police made in this case?

(2) What are some of the problems encountered by the police in attempting to track down the missing caravan?

(3) Is this an isolated case or are there frequent reports of caravans being stolen?

(4) Do caravan parks record the chassis numbers of caravans entering their premises or do they only record the registration numbers of the cars drawing the caravans?

Answers:—

(1) Although inquiries have been made, including a general broadcast about the stolen caravan over the police radio network, no useful information has been obtained to date.

(2) The major problem encountered by police is one of identification. The only means of identification of a caravan is the serial number, which is usually welded on the drawbar. These numbers can be sanded off and altered with very little difficulty. If a caravan is taken interstate, a new serial number can be welded on or imprinted on the drawbar and can be registered in any State of Australia.

(3) The theft of caravans in this State is not prevalent. There have been two reports of such thefts in Brisbane and two in the Beenleigh area during the last three months.

(4) Caravan parks do not usually record chassis numbers of caravans and in some instances only record the registered number of the caravan. Whilst a record is made in most cases of the registered numbers of the vehicle towing the caravans, these registered numbers are mostly obtained from the persons booking into the caravan park and not by personal viewing of such vehicles.

44. ALIEN FISH AND PRAWN POACHERS GIVEN QUEENSLAND JOBS

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

(1) Are crew members of Taiwanese fishing vessels confiscated in the Gulf of Carpentaria obtaining jobs at Thursday Island while Australians are out of work?

(2) Were 11 of the Taiwanese recently employed in prawn-processing on the island and 11 Australians dismissed to make way for them?

(3) As a nearly parallel position applied at Cairns late last year, will he take urgent action to ensure that aliens who came to poach our prawns and fish are not allowed to remain and poach our jobs?

Answer:—

(1 to 3) The Taiwanese fishing vessels and their crews are a Commonwealth responsibility. The honourable member is referred to my answer to his question on 9 October 1975, which has relevance

45. DETENTION IN CAIRNS WATCHHOUSE

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

(1) How many prisoners and/or persons on remand in each of the categories of men, women and children have been detained and accommodated at the Cairns Watchhouse each month for the last three months?

(2) What is the average length of time for the detention in each instance and category?

Answer:—

(1 and 2) January—9 men, 17 days 19 hours; 1 woman, 10 hours; and 1 child, 13 hours. February—4 men, 11 days 12½ hours; 1 woman, 24 hours; and 1 child, 29 hours. March—24 men, 5 days 4 hours; 1 woman, 3 days; and 1 child, 24 hours.

NOTE: Prisoners were detained at the Cairns Watchhouse for lengthy periods in the early part of the year on account of Cairns being isolated owing to floods and cyclones, which circumstances prevented their being transported to Townsville Prison.

46. CONTRACT FOR STEEL PILES, PORT OF CAIRNS

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

In view of the conflicting information currently circulating regarding the manufacture, supply and delivery of tubular steel piles for the A.N.L. roll-on, roll-off terminal in the Port of Cairns, tenders for the construction of which closed on 17 November 1975, can he give an assurance that local preference to Queensland industry will be extended, as recommended by the Cairns Harbour Board, or has the letting of the contract been deferred to allow the use of Japanese imported and manufactured pipe?

Answer:—

The question of the awarding of a contract for the construction of a roll-on, roll-off terminal at the Port of Cairns is not a matter coming within my immediate jurisdiction. I suggest therefore that the honourable member might address his question to the appropriate Minister.

Mr. Jones: I do so accordingly.

47. SOCCER POOL LEGISLATION

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

Does the proposed soccer pool legislation involve grants out of the pools to soccer in Queensland and, if this is the case, as soccer is a European game and has only a very limited following in this State, could he not extend the proposed soccer pool legislation to cover the game of Rugby League, which nearly a quarter of a million Queenslanders attend or play each week-end, particularly as rich New South Wales league clubs, fed on the poker machines, have defeated Queensland every year for the last 20 years?

Answer:—

It is proposed that a major portion of the duty the Government receives as a result of the extension of the pools system to this State—an estimated $1,000,000 in the first year of operation—will be made available for the support and development of sporting and youth facilities. The resulting benefits in no way will be confined to soccer football. It simply happens that the results of soccer matches provide the most convenient basis on which a pools system can operate. As a consequence of the spread of benefits to sporting and youth organisations, and because of the appeal of the pools game itself, entries will not be confined either. They will come not just from those who support a particular code of football, but from the public at large.

48. CONDITION OF FLINDERS HIGHWAY BETWEEN TORRENS CREEK AND TOWNSVILLE

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

As the Flinders Highway between Torrens Creek and Townsville is still unrepaired following the wet, and a combination of broken shoulders, pot holes and long grass has caused two very serious accidents in the last fortnight, will he secure immediate action on this situation before the condition of the road results in further injury and possible loss of life?

Answer:—

The district engineer at Townsville has been requested to take immediate action to have any necessary maintenance work carried out between Torrens Creek and Townsville.

49. BEEF PRICES

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

As beef prices are now static at around 20c per lb., which is half what they were five years ago, and as costs have increased by over 50 per cent in the same period, will he assure beef producers that this Government has not closed its mind to the introduction of a minimum price scheme which would give producers a viable price for their product, but on the contrary is trying to find an acceptable scheme at this moment through the State beef cattle committee?

Answer:—

Long and serious consideration was given to the possible establishment of a minimum price scheme for beef but, for various reasons, the proposal was dropped in favour of a system of variable levies. A minimum price scheme would have to be supported by all the eastern States, and this support was not forthcoming. In our submission to the Industries Assistance Commission, Queensland proposed a variable levy scheme to assist beef producers. However, this proposal received no support elsewhere and was also not pursued. I am well aware of the situation in the industry and officers in my department are continuing to examine alternative approaches to long-term stabilisation for beef-cattle producers. Much depends on the U.S.A. and Japanese markets. There are signs that beef prices could improve in the U.S.A. later in the year, and any improvements should be of direct benefit to Queensland producers.

50. STAGGERED HOLIDAYS

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

(1) Has the committee set up by Cabinet to study the question of staggered holidays been requested to study the disadvantage that could occur to families who, because of a single shut-down at the Christmas period, are able to have a holiday away together, either in the normal fashion or visiting relatives as a family unit?

(2) As many mothers have expressed concern that staggered holidays could destroy the idea of a family separated during the working year enjoying a holiday together, will he ensure that the committee looks at this particular matter when studying the question of staggered holidays?

Answer:—

(1 and 2) The points raised by the honourable member are of considerable concern to the Government. At this stage the matter has not been resolved and an interdepartmental committee has been set up to report upon the need for the staggering of holidays. When this report is available, the matter will be further considered by Cabinet.

51. 'FLU VACCINE

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

(1) In relation to an article in "The Courier-Mail" of 27 March titled "Killer 'Flu may hit 600,000 in Queensland", what action is the Government taking to ensure that all Queensland citizens who want to protect themselves against the 'flu will have the vaccine available to them?

(2) What is the current situation with regard to this virus?

Answers:—

(1) I am advised that adequate supplies of influenza vaccine will be available in Queensland from the Commonwealth Serum Laboratories.

(2) The virus section of the Laboratory of Microbiology and Pathology has isolated A. Victoria virus in three people resident in Queensland.

52. COMMONWEALTH AND STATE TAX-SHARING

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

With reference to Mr. Fraser's proposed new Commonwealth and State tax-sharing scheme, as he has constantly claimed that the new federalism will eliminate the essentially unproductive nature of Premiers' Conferences and the unseemly haggling over sums of money, is the Treasurer of the same mind or does he consider that in future the unseemly haggling over sums of money will be eliminated because once the new federalism agreement is signed the States will be effectively "nailed to the cross" and will have no excuses to seek money from the Commonwealth and, if they did, that they would be told to raise State taxes?

Answer:—

I am hopeful that the adoption of the new income-tax-sharing proposals will, as intimated by the Prime Minister, reduce the necessity for the States to continually approach the Commonwealth Government for additional financial assistance to meet the growing cost of providing State Government services at a level acceptable to the community. As the honourable member well knows, the new proposals are still in the process of negotiation and I cannot give him a more positive answer to his question until a clearer picture has been obtained as to what will be the final arrangements.

Mr. Houston: You bought a pig in a poke.

Mr. BJELKE-PETERSEN: I do not know about that. We will wait and see. I do not believe it.

Answer (contd.)—

Obviously, the answer will largely depend on the percentage of personal income tax given over to the States and the protections offered to the States in respect of any failure of tax yields to maintain a reasonable escalation in the future. Commonwealth and State Ministers will be meeting to discuss these matters further in the near future.

53. DRAINAGE PROBLEM, BANYO STATE HIGH SCHOOL

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

(1) With reference to submissions made to him by the Banyo State High School parents and citizens' association regarding the drainage problem at the school, when will action be undertaken in this matter?

(2) Will he be prepared to accompany me on an inspection of the schoolgrounds at a time suitable to himself?

Answers:—

(1) Funds are not available at present to permit this work to be approved and no indication can be given at this juncture as to when the necessary finance will become available.

(2) As detailed engineering reports on the drainage requirements already exist on files in my department, it is not considered necessary for me to undertake a personal inspection.

54. PROBLEMS AT SOUTHPORT HOSPITAL

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

(1) Has his attention been drawn to the report in "The Courier-Mail" of allegations by nursing staff at the Southport Hospital that the hospital is overrun by cockroaches, that there is a lack of toilet facilities, that there is an inadequacy of garbage disposal and that a fire hazard exists?

(2) Is he aware of these conditions and what action does he propose to take?

Answer:—

(1 and 2) I am aware of the allegations referred to by the honourable member and I am advised that the Gold Coast Hospitals Board will be investigating the matters raised. I am confident that the board will take appropriate action to correct any deficiencies which might be revealed during the course of the investigation.

QUESTIONS WITHOUT NOTICE

APPOINTMENT OF ADMINISTRATOR, CITY OF GOLD COAST

Mr. GIBBS: I ask the Minister for Local Government and Main Roads: Has his attention been drawn to an article on the front page of today's "Gold Coast Bulletin" referring to petitioning the Government to appoint an administrator for the City of Gold Coast? If so, would he make a statement on it?

Mr. Aikens: Why doesn't old Bruce stand up and fight?

Mr. HINZE: If he were like the honourable member for Townsville South, he would stand up and fight, wouldn't he?

My attention has been drawn to an article in today's issue of the "Gold Coast Bulletin", wherein it is stated that an aproach may be made to the Government for the appointment of an administrator. I am not taking the article seriously, for the simple reason that the council has not yet been sworn in, if I can put it that way. The result of the poll has not been declared and the aldermen have not yet sat down around the table. A number of very responsible businessmen have been elected to that council and it would be presumptuous of me, after 60,000 or 70,000 people on the Gold Coast have elected a council to govern for the next three years, if I were to even remotely consider the appointment of an administrator. It will be done only if anybody can prove to me or to the Government that corrupt practices are taking place in the City of Gold Coast. If the councillors themselves cannot get on with one another, there are other remedies to overcome the situation but the appointment of an administrator is certainly not one of them.

USE OF ROMA STREET RAILWAY GOODS YARDS BY OWNER-DRIVERS

Mr. MOORE: I ask the Minister for Transport: Has his attention been drawn to a happening in which an owner-driver, who is not a member of the Transport Workers' Union, has been prevented by members of that union from entering the Roma Street Railway Goods Yards? Will the Minister investigate this matter and take appropriate legal action against the offenders?

Mr. K. W. HOOPER: My attention has been drawn to the fact that there has been again—and I emphasise "again"—an attempt by the Transport Workers' Union to prevent an owner-driver, who is not a member of that union, entering the Roma Street yards. I assure the honourable member, this House, and in fact every owner-driver, that every protection will be given to owner-drivers within Railway Department grounds. We will give them that protection. This morning I issued instructions that the Railway Police Squad is to make sure that no intimidatory tactics whatsoever will be used on anybody, whether they be owner-drivers or anybody else, who has business to conduct with the Railway Department.

I appeal to the owner-driver concerned to make himself known to me because we are in fact desirous of obtaining all the business that we can from anybody who has business for the department.

In reply to the honourable member's question on legal action, that matter will be investigated immediately.

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

COMMONWEALTH AND STATES FINANCIAL AGREEMENT FURTHER VARIATION BILL

INITIATION

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

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to authorize the execution of and to ratify and approve an agreement between the Commonwealth of Australia and the several States of the Commonwealth further varying the Commonwealth and States Financial Agreement, and for other incidental purposes."

Motion agreed to.

STAMP ACT AMENDMENT BILL

INITIATION

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads): 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 Stamp Act 1894–1975 in certain particulars."

Motion agreed to.

INSURANCE ACT AMENDMENT BILL

INITIATION

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads): 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 Insurance Act 1960–1975 in certain particulars."

Motion agreed to.

QUEENSLAND CULTURAL CENTRE TRUST BILL

INITIATION

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

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to provide for the establishment and incorporation of a body to be known as the Queensland Cultural Centre Trust, to make provision with respect to the administration of that body and for purposes incidental thereto."

Motion agreed to.

SOCCER FOOTBALL POOLS BILL

INITIATION

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

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to provide for the promotion, conduct and operation of soccer football pools."

Motion agreed to.

LOCAL GOVERNMENT ACT AMENDMENT BILL

INITIATION IN COMMITTEE

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

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (12.11 p.m.): I move—

"That a Bill be introduced to amend the Local Government Act 1936–1975 in certain particulars."

The Bill provides for a number of amendments to the Local Government Act (some 20 in all), most of which have been sought by the Local Government Association and are designed to streamline administrative procedures and to give more effective controls in some areas.

This is the third Bill providing for amendments to the Act which I have introduced since I became Minister for Local Government some 17 months ago, and all have aimed at updating the Act in line with modern-day trends and requirements and at making the third level of government more effective and more efficient.

At this point, I would like to stress the very close co-operation which exists between my department and local authorities—individually and through the Queensland Local Government Association—and the part that this liaison plays in periodic reviews and amendments of the Local Government Act. I commend the Local Government Association for the very responsible manner in which it represents the interests of all 131 local authorities in Queensland, and as Minister I look forward to this spirit of co-operation continuing for the benefit of local government generally.

The trend in recent years has been to extend more and more autonomy to local government, and this is a trend which I, as Minister, actively encourage and applaud. As a former local government member and chairman for many years, I recognise the tremendous value of local government as "grass roots government", and its capacity and potential to serve the community. I think it would be generally acknowledged that local government today has more autonomy than it has ever had, and it is better situated, by virtue of its widening

role and expertise in many fields, to make an effective contribution as an elected level of government.

The emergence of local government as an effective level of government in its own right, largely unfettered by controls from higher levels of government, has been actively promoted by the Queensland Government, through successive Ministers. Local government in Queensland today has more autonomy, more outright say in its own affairs and trends, than it has in any other State in Australia. Local government in Queensland is encouraged to make its own decisions in affairs directly affecting it, and the State Government's involvement is largely one of co-operation, consultation and assistance. In Queensland, for example, local government is consulted on what should be done in areas such as road construction, and decisions made accordingly, instead of being told from "upstairs" what will or won't be done. Local authorities don't enjoy the same level of autonomy to the same extent in other States.

The one note of warning I would sound about the future of local government today is the need to ensure that the financial resources available to it must grow more or less in relation to its widening role and responsibilites. Local authorities are assuming responsibility for an increasing range of services and duties both as a result of consultation with State and Federal authorities and at the request of local government itself. Unless local government can be assured of a greater share of the national "cake" to go along with its widening role and growing independence, it could very well bog down as an effective level of government in a very short time.

It could be said that local government is at the cross-roads financially. Local government men throughout Australia have welcomed the new national Government's tax-sharing initiatives, which should guarantee local government a more equitable share of available revenue without the need for councils to go cap in hand to either the State or Federal Government to balance the books each year. The precise level of local government involvement in the new tax-sharing arrangement will not be clear, of course, until Federal Budget time in August, but I think we could be excused for now adopting a more hopeful attitude to the question of local government financing than we have been able to for some time.

I would now like to deal briefly with some of the more important amendments proposed in this Bill. One section in particular breaks new ground as far as local government in Australia is concerned. That is the provision for new powers for local authorities to regulate and control the development and operation of artificial lakes as part of land developments. The proposed new section empowers local authorities, in addition to their present powers on subdivision of land, to make by-laws for regulating, controlling, constructing and maintaining common areas of developments, including lakes. The aim, broadly, is to give local authorities control over the construction and management of developments which incorporate a lake for the use of owners of properties in the development.

Experience in Canada and the U.S.A. has shown that, left entirely in the hands of private individuals or companies, the proper maintenance of the lakes tends to be neglected, affecting water quality to the extent that the water becomes fouled by refuse and weed growth, generally polluted, and a severe health risk. Local authorities in those countries have learnt, too late, the desirability of forward-looking legislation to provide more effective controls, and the need for firm local authority supervision of lake management. Lake developments are only just beginning to appear in Australia as part of the residential land development scene, and it is now that legislation must be framed to ensure the proper management and control of lake developments. This proposed legislation is the first of its kind in Australia and provides an alternative of either corporate body ownership (subject to local authority by-laws) or transfer of the common area, including lakes, to the Crown, to be set aside and placed under the control of the local government, as trustee.

Another amendment, introducing a practice new to local government in Queensland, provides for an elected member of a local authority to take an oath of allegiance and sign a declaration of office, before taking up the position. In all other States of Australia, a person elected to the position of alderman or councillor on a local authority is required to subscribe an oath or affirmation of allegiance to Her Majesty the Queen, and to sign a declaration to the effect that he or she will faithfully and impartially fulfil the duties of the office. Honourable members would know, of course, that similar requirements exist in respect of elected members of all the Parliaments of the Commonwealth. Queensland is the only State in which admission to office of elected local authority members attracts no special ceremony to mark this important event.

The admission to office of a mayor, chairman, alderman or councillor should be regarded with no lesser significance, and should be performed with the same dignity as admission of elected representatives to State and Federal Parliaments. Public office in local government (as at any of the levels of government) is an onerous position, with duties and responsibilities to the community which any elected person should be made aware of. The duties and responsibility should not (and indeed cannot) be taken lightly, and the formal admission ceremony is a useful means by which the importance of the occasion can be impressed upon both the member taking up office, and the public generally.

Another clause in this Bill deals with differential, divisional, and mining claim rating. The Local Government Act currently provides that, where a local authority area is divided for financial purposes, the general rates levied by the local authority on rateable land in the various divisions need not be the same. Provision also is made for a local authority to fix a minimum general rate by resolution. Doubt has arisen as to whether this provision empowers a local authority to fix a minimum general rate in respect of each division.

There are a number of factors which influence the amount of a minimum rate levy determined by a local authority, and these factors can vary from division to division. For instance, adjoining divisions may support quite separate and distinct industries—or a predominantly urban division may border on a basically rural division. These differences are recognised in empowering local authorities to strike differing rates in respect of each financial division. It is therefore desirable that local authorities should have power not only to fix differing general rates in the dollar for different divisions, but also to fix differing minimum general rates in respect of different divisions. The Bill seeks to implement such a proposal.

The question of the levying of divisional minimum rates has also been raised in respect of special gem claims, restricted mining claims, and alluvial-mineral claims. The rateable values of these tenures are fixed by the Act, unlike the rateable values of all other rateable land, which involve the unimproved values of such lands as fixed by the Valuer-General. The proposed amendment is designed to avoid large disparities in rating where rateable values of lands in an area are substantially increased by the Valuer-General, and consequently the rate in the dollar applicable to these values is reduced by the local authority.

It is of some concern that because of the upward trend of valuations in urban areas, and the consequent need to reduce the rate in the dollar, the rate receipts from gem-fields in the same local authority will reduce further from their already low figure.

Although it is felt that gem-field lands should not be required to pay the same minimum general rate as the urban areas, at the same time it is considered that where the reduced rates are applied to the static valuations of the gem-fields, the result will be an unrealistically low amount of rate receipts from gem-field lands.

The Fourth Schedule to the Act, which contains the machinery for hearing appeals against dismissal by local authority officers, provides for the constitution of an appeal board comprising these people: a stipendiary magistrate appointed by the Minister, a local authority representative appointed by the local authority employing the appellant, and a members' representative appointed by the executive of the union of which the appellant is a member. No provision is made for circumstances where the appellant is not a member of a union. Such a situation arose in August 1975 involving the dismissal of an officer of the Gold Coast City Council.

The Solicitor-General advised that as there is no procedure for appointing a members' representative except by the member's union (or in default of appointment by the union, by the Minister), it is impossible to constitute an appeal board to hear an appeal by an officer who is not a member of a union. The net result is that the officer who is not a union member is deprived of a hearing to which other officers have a right because they are members of a union. This situation is, of course, inequitable. Union membership should not be a prerequisite to the right to a fair hearing, and local authority officers should not be deprived of the opportunity to appeal against dismissal merely because they do not belong to a union.

Another important amendment proposed in this Bill deals with the sale of land by local authorities to cover costs and expenses. Where a local authority incurs any expense in connection with any land on behalf of the landowner (for example, where he defaults in meeting requirements he is obliged to meet under the Act or the local authority's by-laws), the expenses, until payment, remain a charge upon the land in question. In 1973, this particular section was amended to provide that the expenses may be recovered in the same manner as rates are recoverable. The intention was that, where appropriate, a local authority could sell land to recover charges in arrears for three years or longer. An opinion from senior counsel is that this provision does not empower the council to sell land for arrears of expenses incurred in clearing land, as in the case of removing noxious weeds, for example. Advice from the Solicitor-General indicates that there could be some doubt as to the powers of a local authority in this regard and that the matter should be clarified.

The eradication of noxious weeds is becoming an important area of concern for local authorities, particularly in growth areas where large numbers of allotments are owned by absentee owners who fail to effectively maintain and clear them of excessive growth of weeds, etc. In these cases, the local authority incurs a great deal of expense in clearing to ensure that no health or fire risks are presented by the overgrown allotments, and that the spread of noxious weeds is contained. The expense incurred by the local authority is made a charge on the land and, as stated, some doubt does exist as to a council's power under the present provisions to sell land for non-payment of such expenses. The proposed amendment therefore seeks to put the intention beyond doubt.

Another amendment proposed (to section 23 of the Act) would empower a local authority to establish a general reserve fund in times of economic buoyancy to meet its commitments in depressed times. The necessity for such a provision has, of course,

been brought very much to light over the past few years. The Act currently provides for the establishment of specific reserve funds for plant maintenance and renewal, the payment of long service leave, etc., and it is considered that a council should similarly be empowered to establish a general reserve fund, with the same concept of equalisation and stability as applies to the existing reserve funds. The Auditor-General has power to report to the Minister where he considers the amount held in a reserve fund is in excess of requirements.

One amendment which will materially assist to cut down local government red tape and paperwork proposes an increase, from $3,000 to $6,000, in the amount of a contract that may be entered into by a local authority for the purchase of goods or the execution of work without inviting tenders. The clause also increases from $500 to $1,000 the amount of a contract that may be entered into by a local authority without calling quotes. The present limits were fixed several years ago and, having regard to changing money values over the years, the increases are fully justified.

Clause 16 of the Bill seeks to empower a local authority, by its nominee, to hold a function-room licence under the Liquor Act in respect of premises conducted by a council. Under this amendment, permission of the Governor in Council will be necessary before a local authority can take action. A number of local authorities, including the Ipswich and Mt. Isa City Councils, have sought approval to conduct function rooms at their civic centres, so that they can serve liquor at functions held there. Under this provision councils will have to apply to the Minister for permission from the Governor in Council, and evidence will have to be furnished that the Licensing Commission is satisfied that the local authority's nominee is a fit and proper person to hold a function-room licence under the Liquor Act.

I have given a general outline of what I believe are the key points of this Bill, which, as I said at the outset, proposes some 20 amendments to the Local Government Act. I commend the Bill to the Committee.

Mr. MARGINSON (Wolston) (12.25 p.m.): In outlining these many proposals, the Minister began by telling the Committee of the financial position of local government today. Finance in the field of local government has been a matter of grave concern, particularly to those who have been interested in local government over many years. Although I am not going to be as optimistic as the Minister and believe that local government's problems are over, or nearly over, I hope that the proposals outlined by him today will eventually become established facts and will benefit local government.

For many years I have been of the opinion that local government, besides being at the cross-roads, needs to have something done quickly to enable it to recover its financial position in all strata of its sphere of government.

One of the best moves made in relation to the financial responsibility of local government was made in 1973 by the Whitlam Government when it established a grants commission in the local government field. The Commonwealth Constitution provides that there should be a system of financial relationship between the Commonwealth and the States, and there it rested until 1973. Section 96 of the Constitution was sufficiently elastic to allow for changes and adjustments to be made in special grants in order to do justice to a particular local authority in comparison with others within the State. In 1934 a grants commission was set up to review the scheme of financial arrangements between the Commonwealth and the States, and there again local government was forgotten.

It is part of the commission's duties to recommend the allocation of special grants where a State, though financial, is unable to discharge its functions effectively. In 1973 the commission recommended to the successive Australian Governments that the amount of additional assistance required to enable States to carry on financially should be extended. However, as a result of the Act, in 1973 the new Grants Commission continued to inquire into local government.

Local government functions were such that the Grants Commission made a tremendous improvement in the financial affairs of local authorities in Queensland. But it was not the State Government that came to the rescue of local government in 1973; it was none other than the Whitlam Australian Government that came to its rescue.

Mr. Hinze: It wasn't a rescue.

Mr. MARGINSON: Of course it was a rescue. Local authorities were out, definitely out—and financially they have not recovered yet. All the State Government did was reduce the percentage of local authority subsidies. It tells us that it has given more money to local government than ever before. All it has done is prove that it has incurred greater expenditure on local government. Certainly it has paid more money to local authorities; but at the same time it reduced the percentage of their subsidies.

As a result of the actions of the Grants Commission, the proportion of finance made available for local authorities in Queensland is better than that in any other State.

Two reports were published—one in 1974-75, the other in 1975-76. As a result of those reports, last year—the first year of operation—Queensland councils received $8,900,000. Thanks to the Whitlam administration, $13,800,000 was set aside for local government this financial year. No one can tell me that the Federal Government did not do anything for local authorities.

The Premier of Queensland—the man who sits here in command of Government members—did his utmost to prevent a referendum that would have given local government the right to approach the Loan Council directly. He opposed that concept. These grants were given without any strings attached. I know how much mayors, aldermen, councillors and chairmen appreciated the assistance given by the Grants Commission to their respective local authorities.

Mr. Lester interjected.

Mr. MARGINSON: The honourable member need not worry about what else is to happen.

The point is that although the State Government did not do anything to assist, it gave local authorities many more responsibilities that they did not want. When the amendments to the Liquor Act were being discussed in this Assembly I predicted that their enforcement would be left to local authorities, and, sure enough, it was. Only last Tuesday night, when we were discussing another Bill, I heard some Government members complaining that it would mean more work and financial responsibilities for local government. Those were their words, not mine. That was said by Government members opposing the introduction of the Bill before they left the Chamber when the Opposition called "Divide". When they spoke here it seemed that they had a lot of guts, but they had nothing——

Dr. Scott-Young interjected.

Mr. MARGINSON: The honourable member was one who left the Chamber.

Dr. Scott-Young interjected.

Mr. MARGINSON: I did not speak on the Bill, but the honourable member did.

The CHAIRMAN: Order! I suggest that the honourable member should not speak on it now.

Mr. MARGINSON: I suggest that you pull the honourable member into gear, too, Mr. Hewitt. Do you think I will let him get away with that? I will not. When he interjects, I'll tell him.

The CHAIRMAN: Order! I tell the honourable member that the Stock Act Amendment Bill is not under discussion.

Mr. MARGINSON: I point out to the member for Townsville that as that Bill is not under discussion, he should forget about it.

Mr. Moore: You're on your feet, you galah!

The CHAIRMAN: Order! The honourable member for Windsor will not make unruly interjections.

Mr. MARGINSON: In contrast with the rosy picture that the Australian Labor Government painted for local authorities, what does one find now? The Grants Commission is to be disbanded by the Fraser Government and some provision is to be made by way of taxation.

If the Government of Queensland has its way, I cannot see much money going to local authorities through that avenue. Its past practices and attitudes indicate that it will ensure that it gets more than its fair share of the financial cake in comparison with local government.

With regard to the Bill——

Mr. Goleby: Get back to it.

Mr. MARGINSON: The honourable member does not know much about it; he has not spoken to the motion.

The Bill contains some very important provisions with which I agree, but there are other provisions about which I am not too sure. I will study them carefully.

The provision dealing with artificial lakes is necessary because no-one seems to care for them in local authority areas. They are a source of pollution and water-quality problems, and in most cases they become rubbish dumps. I am pleased that the Government is taking action to allow local authorities to control artificial lakes, because they might now receive the maintenance that they have not had in the past from private developers.

The proposal to swear in a lord mayor and his aldermen is quite a good one. The Minister spoke of the "dignity" of the office, and I am inclined to agree with him. I was a council alderman for 18 years. After each election we just went and sat in the council chamber and began proceedings. There was no ceremony of any note; in fact, no ceremony at all. All we did was wish each other well for the following three years. I am pleased to see that this step is being taken by the Minister.

Mr. K. J. Hooper: Sir Bruce Small supports it.

Mr. MARGINSON: Does the honourable member think he'll support it?

I am not and never have been an advocate of differential rating within a city. I have some reservations about differential rating within a shire, but I do not support the principle of differential rating in a city or town. I make it clear that I am not very happy about differential rating within a shire. I see that, in addition to the present minimum general rate for a shire, the Bill is to provide for a differential minimum general rate for separate divisions of a shire. It might work well; but in the last few elections—particularly the last one—the greatest scope for propaganda with most people has been in the field of rate reduction. I would not like to see candidates in wards or divisions continually focusing attention on an ability to keep rates down, as a weapon for election. I am not advocting rate increases,

but I fear that seeking success at successive shire elections by that means will result in inadequate revenue, to the detriment of the area.

A very important point outlined by the Minister, I thought, related to the dismissal of officers. It surprised me that I was not aware that a person who was not a member of a union could not have a representative appointed to an appeal board; consequently, in such a case an appeal board could not be formed. Local authority officers have the right under the Act to appeal. That provision has not been in the Act for very long. All of us remember that it resulted from a dispute that occurred between a city mayor and a town clerk. Later on, the principle was extended to cover other areas of Queensland which are governed by the Local Government Act. Originally the amendment was made to an Act other than the Local Government Act.

I was rather staggered to learn that the Minister was faced with the position of not being able to constitute an appeal board for an officer of the Gold Coast Council. I would like to know the outcome of that person's desire to appeal and the final result. I congratulate the Minister, having found this anomaly in the Act, on remedying the situation by making it clear that union membership will not be a prerequisite to a man's right to appeal. At the same time, I think it would be far better for any person, whoever he may be, to be a member of the union dealing with his working conditions.

There seems to be some benefit to be derived from the proposal to increase the limit on quotations that may be accepted by local government officers without reference to the council. Because of increased costs and rises in material prices caused by inflation, it is only right that the amount should be increased. The Minister's proposal is a very good one.

Because it affects my local council I am pleased, too, that it is intended to provide for a nominee with respect to the functions for which liquor is required at civic centres.

Mr. Hinze: You will remember that you spoke to me about that some time ago.

Mr. MARGINSON: I did, and I am pleased to see that the Minister is introducing this proposal.

Generally speaking, the Bill seems to be quite good. I will have a look at the question of artificial lakes. I had heard of some other proposals that might have been included in the Bill and I am pleased that one of them is not in the Bill or at least was not mentioned by the Minister. It concerns the Local Government Association of Queensland requiring that all local authorities should have compulsory membership within their organisations. I had been told that and I was a little dubious about compulsion being brought in. I am pleased that it has not been mentioned as being in the Bill.

I shall have a really good look at this Bill and, following the second-reading stage, I hope to discuss some of the very important clauses in the Committee.

Mr. PORTER (Toowong) (12.42 p.m.): This Bill is the first substantial amendment to the Act made by this Minister and he is to be congratulated on being adventurous and innovative. The Bill contains some excellent items. It is interesting that the honourable gentleman leading for the Opposition could do nothing but commend the Bill and, as he wanted to vent some political spleen, he had to content himself with referring to the previous Whitlam Government and what it had done—or what he alleged it had done—on behalf of local government.

I think that he was extraordinarily ill advised to bring any mention of this ill-fated, vindictive and pernicious Government into public discussion at all. He should be reminded that a Gallup poll was published this week. It was a Morgan Gallup poll, which is the only Gallup poll that I have found through the years to be reliable in forecasting political climate. This poll, published only a couple of days ago, indicated that the popularity of the present Fraser Government is 52 per cent, and that the popularity of the A.L.P. Opposition is 3 per cent lower than that of the Whitlam Government at the time of the last election.

Mr. Jensen: Nothing to do with this Bill.

Mr. PORTER: The honourable member for Wolston made it part of the debate. He brought it up. I am endeavouring to cure his ignorance by letting him know some of the facts of life, particularly of political life, of which he seems so sadly ignorant.

This pretence that the former Federal Government—the A.L.P. centralist Government—was so enormously popular and was doing wonderful things that the people wanted is such a painful myth that it can be destroyed by any reference to the facts. The fact of the latest Gallup poll is that the A.L.P., Federally, is lower down the line than it was even at the time of the last election. That means that were a Federal election to be held today, it would lose additional seats to those it lost in December last year.

I utterly reject the honourable member's suggestion that Mr. Whitlam's extraordinary Government was trying to do good things for local government. The suggestion is that by allowing local government to go direct to the Australian Grants Commission was fine and would have been all to the long-term advantage of local government. But what are the real facts? The real facts are, of course, that the Australian Labor Party is pledged to the abolition of local government as we know it now. That is its platform.

Mr. Houston: What a lot of nonsense!

Mr. PORTER: The platform of the honourable gentleman who interjected is the establishment of an all-powerful central Government which will then operate through a series of regional councils. The creation of regional councils means totally the abolition of local government as we have known it in this country since our history began. The plain fact is that nothing that the erstwhile Whitlam Government ever did had in mind the good future of local government in this State or in any other State. It was aimed at the aggrandisement of a central Government and the abolition of local authorities, as well as State Governments, as we know them at present. It is very interesting to note that regional councils would have been totally the creatures of the central Government. They would have had no sovereignty of any sort. The republican dream of this "Bazza" Prime Minister, Mr. Whitlam, was to finish up with one huge central Government in Canberra exerting some sort of local administration through various regional councils. Let us have none of the nonsense of suggesting that those on my side of politics did local government a bad turn when we opposed the referendum which, if carried, would have given local authorities the right of direct approach to the Grants Commission. Thank God we did oppose it, and thank God that the people had enough sense to realise where their real future safety lay.

It is interesting to hear Opposition members sound so righteous at this stage, but, as they raised the matter, I think it is important that the facts be known. Labor members are the inveterate, determined and rapacious enemies of local government because they want to eleminate it as it is now known. We should all remember that.

We on our side of politics have at long last tied local government into the one area of certain finance that can give promise of stability and capacity to meet their needs over the long haul. We have tied them to the one great growth tax, which is income tax. We have done this because we are determined to restore a federal system in this country and we are going to allow State Governments, as sovereign Governments, to receive their own moneys directly, not through an intermediary so that it appears that they are receiving largess from someone who very benevolently gives it to them. Because we are doing that, and at the same time making the Federal partnership work, we are allowing local government also to enter that partnership.

This is the most progressive step that has been taken in this country since federation and it will have enormous long-range effects on the viability of local government and its capacity to carry out the meaningful tasks allotted to it. It is important to remember that in future local authorities will not, as we on this side of politics see it, have to beg or grovel for money; they will get it as of right tied to a share of income tax.

Mr. Marginson: I hope you are right.

Mr. PORTER: The honourable member must at least accept the fact that the people of Australia have infinitely more faith in the solemn pledges that have been made by the present Government than he has. The reason they have this greater faith is that experience with the honourable member's side of politics has taught them that they can have none in what his party promises. They certainly should have faith in what it threatens.

The Bill provides many excellent things. The honourable member who led for the Opposition had perforce to admit that it was a good Bill and that the various items covered were first class.

The formal admission to office of mayors, chairmen and aldermen is a good thing. Anything that tends to make a person realise the importance of an office that he is about to assume is all to the good. I am one of those who firmly believe in useful and modest ceremony. This is one reason why I believe that we should never try to reduce our traditional British associations and heritage; it is the recognition of ceremony that grows out of the warp and woof of history that gives stability to the proceedings that we have today. Extending this to local government is, I think, a very useful thing.

The suggestion of variable rates for different divisions of a shire is interesting. I think that there must be some recognition in local government today that many local authorities have particular problems because, while they have partly rural areas, they may be adjacent to a large or growing city area so they have also areas which are partly urban and areas which are changing from being rural to partly urban. The result of this is that the calibre of services to be supplied in different parts of the local authority area are quite different, and therefore it seems only just that the rates should be different, that is, that those in rural areas who are not receiving urban-type services should not be required to pay for the services that are used totally or almost totally by the urban dwellers. So I think most of us will accept the propriety of a differential rating system. It is to be hoped that the Minister will—I am sure he will do this—watch carefully to see that this provision is not misused by councils for petty purposes, because I think it might be in some circumstances.

Mr. Marginson: You share my doubts?

Mr. PORTER: I only suggested that it should not be misused, which I suppose applies to 90 per cent of provisions in the Act, and that is what the Minister is for. He has a reserve power to ensure that things are not done in the wrong way.

The necessity for an effective appeals court is obvious, and I agree with the honourable member for Wolston that where there was a defect in this appeals machinery, most properly it should be remedied.

We are going to raise the ceiling on the amount that can be expended in contract form. We are going to double the ceiling from $3,000 to $6,000 for contracts which can be entered into without tender. I suppose in terms of money value this is necessary. I do not like to see too much leeway in this regard. I believe that public bodies should, whenever anything substantial is required, contract by public tender. Therefore, although one accepts that this is necessary in terms of money value, I would hope that as money values stabilise we will not find it necessary to take it any further but we will ensure that local authorities and, indeed, all statutory authorities wherever possible put up their propositions to public tender to make sure that for public money spent the very best return is given.

None of us will disagree with local authorities receiving liquor licences to conduct functions. I have always thought that in this State it is rather a pity that local authorities do not have the same types of civic centres that one can see in so many other States. I have always been attracted to the situation in Perth where various local authorities in the city have civic centres. These are quite extensive installations and nearly always they have various function rooms which are used for local functions, dinners, banquets, wedding receptions and so on. I think this is a very useful service that a local authority can provide in addition to that provided by private people.

Mr. Miller: It is a pity Brisbane hasn't followed the same line.

Mr. PORTER: Unfortunately we have this ridiculous Greater Brisbane, which is not flesh, fowl, fish or even good red herring. It is most certainly not a local government. Everything has been centralised in the city and we have very little in terms of these civic centres outside.

But undoubtedly the major provision in this Bill, and another first for Queensland, is the provision for artificial fresh-water lakes. It is very often said by various smart writers in the media that if one comes from the South to Queensland one has to be prepared to put one's clock back one hour and 10 years. The plain fact of the matter is that in so many areas—the whole spectrum of government and administration—Queensland has led the way for years. Other States are now doing what we did years ago, and here is another area where we have introduced a first. This is excellent. This type of installation is not going to have the cleansing assistance of nature, as have the various salt-water lakes and inlets with their tidal or current movement.

It is very important that over the long haul of years those areas be not permitted to fall into decay and disuse and become, as the honourable member opposite said, some sort of rubbish dump. This machinery, which I regard as somewhat akin to the common property arrangement used for strata titles, where there is a common or corporate responsibility for maintaining the artificial lake area, is first rate. I believe that it will be studied with interest. It will ensure that the quality of subdivision in these areas is better than it otherwise would be. I predict that it will not be long before other States are putting this sort of machinery into their Local Government Acts.

All in all, the Minister is to be congratulated on presenting an amending Bill with which I doubt there will be many dissenters.

Mr. LESTER (Belyando) (12.57 p.m.): It is my desire to say a few words on how things affect local authorities in country areas. Having been a councillor in the Belyando Shire for two successive terms and having to represent here small country shires—small in population but big in area——

Mr. Houston: Did you stand again?

Mr. LESTER: I didn't stand again. It is my policy to try to let everybody have a go in the government of Queensland, and I stepped down to let someone else have an opportunity.

Mr. Houston: Do you believe that that should apply to Sir Bruce Small, too?

Mr. LESTER: I am not talking about Sir Bruce Small.

Mr. Houston interjected.

The CHAIRMAN: Order! I suggest that the honourable member for Belyando proceed.

Mr. LESTER: Thank you, Mr. Hewitt, but I must correct the honourable member for Bulimba. When I was elected to Parliament I immediately retired from local government, and as a result someone else was able to stand for election.

Opposition Members interjected.

Mr. LESTER: When I am campaigning for the next election, I do not want to have to say that honourable members opposite tried to stop me from acting as the voice of the country people. If they would just quieten down so that I can tell the Minister about our problems, I am sure members would all appreciate it.

Many country local authorities are almost flat broke. They are faced with the problem of not being able to collect all their rates. Ratepayers in their areas have been plagued with bad seasons and bad prices for their products. Once the industries associated with local authority areas fall a little flat, the problems go right back to the local authority. Time and time again it has been necessary for the Government to come good and prop up the local authorities by making grants available for road works, etc. In this way the Government helps those local authorities to keep going. In many country areas the roads are worse now than they

were 20 years ago. Because of lack of finance local authorities cannot maintain gravel roads, etc., the way they used to. Most local authorities in small country areas cannot afford to run their swimming pools full time. Many other problems affect local authorities. We have to get down to finding just how this all came about.

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

Mr. LESTER: In recent years many local authorities have been forced to retrench staff and, as a result, we have seen a steady stream of country people to the cities. A large number of local authorities have great plans on the drawing-boards but, owing to the shortage of finance, are not able to implement them. This prompts me to ask: why haven't they got the money? Why are things so grim? It is easy to find the answer. The fact is that inflation has robbed them of their capacity to buy and their capacity to pay wages as well as their ability to maintain big staffs.

Wages bills have almost doubled since 1972, as have machinery costs. Even though rates have risen to some extent, the increase has not kept pace with the inflationary spiral.

It has been said that the Federal Labor Government was the first to make specific grants to local authorities and the State Government followed suit. The way the inflation rate increased after the Federal Labor Government took office in 1972, it had no alternative to making grants to local authorities. If grants had not been made, the local authorities would have collapsed around our ears. But might I say that I haven't the slightest doubt that the payment of these grants was designed as a move to do away with State Government involvement in local authority matters.

I can well remember attending a local government conference in Longreach about three years ago when the then shadow Minister for Local Government, Mr. Baldwin, said, "We will give you more money for local authorities and we won't have any more State Governments. And that suits me." He had the effrontery to make that statement in front of a whole heap of local authority representatives from Western Queensland Everyone was so flabbergasted that no-one said very much to him. However, his statement received publicity in the Press—and subsequently he lost his seat. The people of Queensland want State Government and local representation. Mr. Baldwin was never forgiven for making the awful suggestion that we do away with the States.

In the making of grants by the Federal Government to local authorities certain problems have arisen regarding the allocation of the money. I can remember that, on the first occasion the grants were made, the Peak Downs Shire did not get any money at all and the Jericho Shire Council, a small battling shire council controlling a large area, received a paltry grant of a little over $20,000. It is hard to understand how the Federal Government arrived at its assessments. On the other hand, everyone got a reasonable share of the cake when the State Government made its grants.

What are we going to do about local authorities and how are we to keep them going? The first thing we must do is halt inflation. This, of course, applies to most things in Australia. The tax-sharing system that is proposed by the Fraser Government no doubt has merit, but I do not know whether it will totally solve the problem. At least under it the situation will be better than it was.

Anyone who travels through the country areas can see the plight of many of our local authorities. Our country people contribute largely to the welfare of the State. It is, of course, a team effort involving both country people and city dwellers. If country people are not given fair representation, their numbers will become depleted and—mark my words!—all sorts of problems will arise.

I am pleased to see that in the Bill the Minister is trying to do away with the red tape that binds local authorities. This move is greatly appreciated, and some of the shires in my area have already asked me to commend him for it. If the Whitlam Federal Government had been allowed to remain in office, local authorities would have become bogged up to their ears in red tape. This huge quantity of red tape was designed only to give the centralist Government in Canberra a stranglehold on local authorities as well as on the States. Any move to bypass the States definitely had to be dealt with—and we certainly did deal with it.

I thank the Minister for what he is trying to do for people in local authorities. He has a very genuine approach to helping people. He has come out to help us with our problems and is trying to give us more money for roads and maintenance. I ask the Minister to keep doing the good job he is doing because that will make us very happy.

Mr. HOUSTON (Bulimba) (2.21 p.m.): It was interesting to hear the honourable member for Belyando talk about the role of local government. Obviously he spoke with one purpose in mind, that is, to pat the Minister on the back and tell him what a great fellow he is. I hope that means results in his area. I would like to see it progress. I hope that friendship with the Minister will help him. But friendship with Ministers does not apply to all honourable members or all local authorities.

Today's "Telegraph" contains a very interesting article—I hope that the Minister for Local Government has read it and that the Minister for Works and Housing will not interfere with his concentration. It is very important that he should hear this because it contains some very serious charges.

Mr. Hinze: I have read it.

Mr. HOUSTON: I refer to an article by Ian Miller reporting that Sir Bruce Small had certain things to say. It is a pity that the honourable member for Surfers Paradise is not here.

Mr. Hinze: You like talking behind his back, don't you?

Mr. HOUSTON: I do not like doing it. I would prefer him to be here so that the Minister could tell him exactly what his defence is. As lunch is finished I suggest that the honourable member for Surfers Paradise should be back into the Chamber so that we may hear what he has to say.

The honourable member for Surfers Paradise is reported as saying—

> "It is impossible to talk to Mr. Hinze about it.
>
> "You can't talk to him at the best of times. He is a good talker, but when it comes to listening it's a different matter."

That is not a bad reputation for one National Party Minister to have with a National Party member!

Mr. Jensen: This must have been one of the only two speeches he made in the Assembly.

Mr. HOUSTON: This was not a speech in the Chamber.

Mr. Jensen interjected.

Mr. HOUSTON: That is right. When they were mates they sat together and patted each other on the back and said, "Good on you, man."

The honourable member for Surfers Paradise is reported in these terms—

> "Sir Bruce said he believed Mr. Hinze also was rubbing his wounds because he lost money punting on the election."

Mr. Hinze interjected.

Mr. HOUSTON: I suggest to the Minister that if he wants to interject he should at least sit in his own place. After all, he should set an example to back-benchers.

Mr. Moore: What part of the Bill does this refer to?

Mr. HOUSTON: To the co-operation that the Minister spoke about between himself and local government, in the opening part of his speech. I know that the honourable member for Windsor was not here, but I shall tell him what he said. The Minister told us—

> "I would like to stress the very close co-operation which exists between my department and local authorities."

There may be co-operation between his department and local authorities but there is not much co-operation between the Ministers and honourable members.

Later in the article the honourable member for Surfers Paradise is reported as follows:—

> "Sir Bruce said the old council had granted rezoning of property that Mr. Hinze had sought.
>
> "Failure to rezone would mean a drop in value of the land by about $30,000. People were objecting to the change because it was against the Gold Coast town plan."

Mr. Lee: You were watching "TDT" last night.

Mr. HOUSTON: No, I was not watching it last night. The trouble with Government members is that they do not find out things for themselves. They only want to hear what someone else has to say.

This is what the member for Surfers Paradise is reported as saying. I asked the Minister if he had read it and he said that he had. I suggest that he has to give us some answers. If he was gambling on election results we should know about it, particularly as a local authority election was concerned.

Mr. Aikens interjected.

Mr. HOUSTON: You got done in Townsville. You and your supporters got badly done and you can't take a licking.

The CHAIRMAN: Order!

Mr. HOUSTON: The honourable member stayed up there for three days. The election was on Saturday. The honourable member for Townsville South was so thunderstruck and knocked back that he could not even get out of his bed to come down here till today, so he should not start talking about the situation.

Mr. AIKENS: I rise to a point of order.

Honourable Members interjected.

The CHAIRMAN: Order! I am in the process of listening to a point of order. The Chamber will come to order.

Mr. AIKENS: You wouldn't expect anything better from the uncouth and uncultured——

The CHAIRMAN: Order! The honourable member will proceed with his point of order.

Mr. AIKENS: My interjection was that, at least if the honourable the Minister lost a bet, he would pay it, which is more than some parliamentary members of the A.L.P. did when they lost bets to me in the Federal election. They took the knock on me.

The CHAIRMAN: Order! There is no point of order.

Mr. HOUSTON: The Bill contains some very important provisions.

Mr. Hinze: You've changed your tune now that Sir Bruce is in the Chamber.

Mr. HOUSTON: The honourable member for Surfers Paradise knows full well that I mentioned factors associated with the statements reported in the Press. If they are untrue, he can get up and say so. That is his right in this place. I did not criticise his statement. All I said was that those statements are reported as having been made by him.

Sir Bruce Small: I don't know what it is all about.

Mr. HOUSTON: If the honourable member does not know what it is all about, he can have his fight with Ian Miller or whoever it was who wrote it. I am suggesting that the Minister should answer the charges and matters raised by the honourable member for Surfers Paradise.

Mr. Hinze: Why don't you be specific and lay some charges?

Mr. HOUSTON: Ask the honourable member for Surfers Paradise to lay them.

Mr. Hinze: I'm asking you to lay them. You are speaking on behalf of the Opposition. Why don't you lay some?

The CHAIRMAN: Order!

Mr. HOUSTON: I am asking the Minister to answer the charges that have already been made.

Mr. Hinze: I have answered them.

The CHAIRMAN: Order! The honourable member for Bulimba has made his statements. Anything he is now saying is recapitulation. I would ask him to proceed with his speech.

Mr. HOUSTON: Very well, Mr. Hewitt. I said it only to refute the suggestion that I might have said something behind the back of the honourable member for Surfers Paradise.

The member for Toowong and the member for Belyando had a lot to say about the Federal Labor Government. They forget that it was at the insistence of Mr. Whitlam that local authorities were given a seat at the Constitutional Convention, yet they are talking about uplifting local authorities to give them a chance to assist in the development of this nation. In the original concept of the Constitutional Convention, the local authorities were completely left out. I was at the convention meeting at which this State wanted to gang up against local authorities and prevent them from being represented. It was only after the insistence of Mr. Whitlam, supported by members of the Labor Party at that meeting, that it finally agreed to local authorities having direct representation at the Constitutional Convention. I think that is a great thing; but let it not be forgotten that it was the Labor Party that did it. I hope that the honourable member for Belyando goes back to his area and tells the people that, but for the Labor Party, Queensland local authorities would not be represented on that organisation—a most important organisation affecting their future development and operations.

The Government talks about not changing the concept of local authorities. Already it has introduced a new local authority based on Hervey Bay. I have no fight with that at all. However, it is obvious that, as time goes on, areas change, populations change and towns unfortunately die because industries they are based on cease to exist. Consequently there is going to be a shift in population. To me it seems unreal to say that over a period of 100 years we cannot alter local authority boundaries or the concept of a fixed number of local authorities. We have to keep pace.

I think that there are 105 electors in the Croydon Shire. I do not know how many people would live there but, judging by the number of electors, I would venture to say it would be under 300.

An Honourable Member: 240.

Mr. HOUSTON: I thank the honourable member.

This local authority could not possibly service its shire. One of two things must happen: it has to be amalgamated with another local authority or the State and Federal Governments will have to provide massive financial assistance for the development of that area. We talk about equality. We talk about local authorities providing various amenities. I suggest that over a period it will be in the interests of this State to keep a close look at local authorities, their development, their size, and their ability to service their financial requirements. If it is found that local authorities cannot service their people under the present set-up, we will have to consider one of those two alternatives—amalgamation or more money.

Mr. Lee: Go to the bank or what?

Mr. HOUSTON: Not necessarily. I said that we should look at it. Does the Minister suggest that we should allow a local authority with a small number of ratepayers to reach the stage where it can do practically no work in its area and the people are paying for administrative costs only, or does he suggest that it would be far better for it to be amalgamated with a bigger local authority? Let it have representation on that bigger local authority, for sure, but it is either amalgamation or more financial assistance from the State or Federal Governments.

Mr. Jensen interjected.

Mr. HOUSTON: I do not know. I am not criticising that council; it is working under the Act.

The Minister made a big noise about the help the State Government has given local authorities. I would say that it has hindered them and placed on them financial burdens that they should not have had to bear. In

saying that, let me point out the authority that local government has lost over the years. We see typical examples all of the time.

Years ago, local authorities made all their own rules and regulations concerning the development of their areas. They alone decided whether something should be done or not. Then this Government introduced regional councils. What are they—nothing but a virtual amalgamation of existing councils through which the Government restricts the activities of the member councils to a certain extent. So there again the Government entered this field.

A local authority cannot even decide its own town plan without ministerial approval and authority. And the Government talks about giving local authorities freedom! The City of Brisbane Town Plan was formulated by a body of people who were not elected aldermen.

Mr. Lee: That's wrong.

Mr. HOUSTON: It is wrong. The town-planning committee consisted of people other than aldermen and the Minister knows it or should know it.

Those people were appointed by the State Government and they brought down the recommendations on the town plan. Certainly it then went to the council, which endorsed it, but the plan was formulated by the town-planning authority. Then it came here and because there was an eruption in Government ranks, as there was over the pig-swill Bill——

The CHAIRMAN: Order! I remind the honourable member that town-planning in Brisbane comes under the provisions of the City of Brisbane Town Planning Act.

Mr. HOUSTON: Thank you, Mr. Hewitt. You are dead right, as usual.

The point is that what happened to Brisbane could happen to the Redland Shire or the Gold Coast City Council. Already we have seen a great friendship growing, and Sir Bruce Small has only been the mayor elect for a couple of days. What happens when he puts his town plan to the Minister? Will the Minister treat it as he treated the Brisbane Town Plan? The Government is, in fact, taking authority away from local government.

The Government is setting up a transport authority. Again it will say to local authorities, such as the Redcliffe City Council, the Pine Rivers Shire Council and the Albert Shire Council, that it will dictate through its own body—not an elected body, but an appointed body—what they can do in the transport field. Control of the supply of electricity has been taken from local authorities and that threat is being made again in respect of the Brisbane City Council.

Mr. Frawley: You couldn't have each local authority running its own power station.

Mr. HOUSTON: The point I am making is that the Minister for Local Government has said that the Government is giving more and more authority to local authorities whereas on the major issues it has taken authority from them. The honourable member who interjected is interested in the Redcliffe City Council. If the Government decided to do something about a better transport service for Redcliffe, that council would have to accept the views of the transport authority, even though the proposal did not have the approval of the council. I do not think there is any doubt about that.

The Government has given certain powers to local authorities under various Bills brought down in this Chamber, but money is required for the exercise of those powers. Inspectors have to be appointed. Who pays their wages? When the Government passes legislation giving authority to local councils to carry out inspections of some sort or other, it never says, "Here is the money to employ the inspectors." Recently we debated till the early hours of the morning a measure under which local authorities will have to dispose of rubbish. The State Government has not said, "Here is a sum of $500,000 for the setting up of treatment plants."

Mr. Lee: Why did you vote for it?

Mr. HOUSTON: I voted to allow us to see the Bill. I do not believe in arguing blind. I voted to allow us to see the contents of the Bill and we will give our opinion on it later. Local authorities are being asked to do a job, but the Government is not giving them the necessary cash to do it. In this respect the Government is not doing the right thing by local authorities.

The honourable member for Belyando quite rightly complained about road construction. Roads are in shocking condition and the only reason is that the State Government has not made available the money necessary to do the work. The State Government claims responsibility for local authorities. I heard the Government argue at the Constitutional Convention, "Local authorities should not be allowed here. We can represent them effectively. We created them and we will look after them." The Government gives local authorities responsibilities, but refuses to give them the finance to carry them out.

The Government now says that the new Federal Government will solve all the problems of local authorities. If ever I saw something that could be called a pig in a poke, it is this policy. The Opposition asked the Treasurer how much the State will obtain from the new financial arrangement and how it will work. He said, "I don't know. We are waiting to hear from Canberra." The Premier has accepted the scheme and he has been going round the country saying it is a great scheme and that the State and local authorities will get a lot out of it. But not one

person can tell me or anyone else how the scheme is going to work, how much local authorities will receive and what price they will pay for it in other ways.

Mr. Jensen: The Treasurer doesn't want it.

Mr. HOUSTON: That is right; he is against it. The scheme originated four months ago and was talked about six months before that, yet today we do not know how much finance will be available. That is quite shocking.

The Minister talks about what the Government is doing for local authorities. The crux of the matter is finance and the Minister has given us no idea how local authorities will obtain more. It is obvious that they cannot exist on rates alone. The day is past when local authorities could manage on rates income. Today that is absolutely impossible. All people pay rates, whether they be landholders, householders or people paying rent. It is nonsense to say that a person who rents a home does not pay rates, because a rate factor is included in his rent. All persons, irrespective of their income, pay rates. The thing that annoys me is that in many cases, because property values have gone up, those on low incomes—pensioners and so forth—are required to pay more than they paid during their working lives.

We have to look again at this problem. We have to find a new basis of financing local authorities. I do not know all the answers, but I believe it is the Government's responsibility not to talk about how much we might get but to act to relieve people of this great burden.

Mr. M. D. HOOPER (Townsville West) (2.41 p.m.): I would like to add my support to these amendments proposed by the Minister. As he said earlier, this is the third time in 18 months that he has brought forward amendments to the Act. He is obviously a very active Minister in a very sensitive area because the lives of everyone in this State with a total of 131 local authority areas depend very much on legislation brought forward by the Minister for Local Government and Main Roads.

I would particularly like to refer to some comments made earlier by speakers from the Opposition benches. Firstly, the honourable member for Wolston made great play of the fact that the Whitlam Government had introduced grants from the Grants Commission which had been a great boon to the various local authorities. They were some help to the local authorities which received them but they were of no help at all to local authorities like the Gold Coast City Council which received nothing. He did not mention that the Whitlam Government raised the bond rate on loan raisings from 6½ per cent to 10½ per cent. Mr. Whitlam was only giving us back with one hand what he had already taken away with the other. To a local authority like Townsville, which borrows something like $6,000,000 a year, this meant an interest-bearing commitment of something like $250,000, so the money the Whitlam Government gave us by way of grant was only money that it had taken from us already by raising the bond rate on loan raisings.

In this way the Whitlam Government hoped to break every local authority in Australia and, as the honourable member for Toowong said earlier, it was its intention to get rid of local government altogether. If the honourable member for Bulimba likes to deny the fact that the regional councils were supposed to take the place of local government I will ask him to read the report of a commission of inquiry into land tenure chaired by Justice Else Mitchell. The report said that not only were they hopeful of getting rid of State and local government as we know them; they wanted to constitute these local councils and get rid of elected members. This is something else they wanted to do—get rid of elected members on the regional councils. They wanted to appoint some of their bureaucrats from Canberra to control the regional councils.

Mr. Houston interjected.

Mr. M. D. HOOPER: Do not worry about that; it is there in black and white in the report of the commission of inquiry into land tenure. When the honourable member has read that report, he can come back and argue with me.

Mr. Houston: You got $500,000 out of the Grants Commission. What are you whingeing about?

Mr. M. D. HOOPER: It took three years to get it.

Mr. Jensen: How much money will you get this year?

Mr. M. D. HOOPER: It is under very poor administration this year so we will not get very much at all. To refer to some of the pertinent changes in the Act—first of all it is very desirable that power be given to the Department of Local Government to do work which it has already been doing in some areas, and that is the preparation of plans, specifications and design works for local authorities in the matter of roads, sewerage and drainage works. I appreciate very much the fact that there are responsible officers in the department who also oversee and vet the designs sent down to them by local authorities for some of their works. I know in my own local authority area sometimes engineers or architects will submit an ultra design which will cost far more than the necessary work in a particular year. In such cases the department gives a very good supervisory service and says, "Well, instead of putting a 9 in. main there, which you won't want for 20 years, go back to something like a 6 in. main and you will be able to do further works in another suburb." It does a very good job in this respect in

keeping local authorities, particularly the elected members, au fait with work that should be going on in an area and not just work which is designed by a consultant sometimes to get extra fees.

It is not before time, of course, that local authorities recognised that they occupy a very significant and important place in the three-tier system of government. Elected members will now be required to take an oath of allegiance on entering office. I think that not long ago local government was looked upon as a poor relation of government in Australia and I think this is a significant step in putting some honour and dignity into the office. I think this really existed before but was possibly not looked upon as such by members of the public.

Machinery items such as the proposed increase in the amount of authority that councils will have in the accepting of contracts and local tenders are very necessary because of rising costs and inflation.

The minimum general rate is very desirable for some of the country shires, particularly where they have diversified development. In the Thuringowa Shire, which is adjacent to the Townsville City Council area, we have a ridiculous situation. That shire has no rural rate at all, yet a great proportion of the land is cattle land or sugarcane land. People in that area pay the same general rate in the dollar as people living in urban areas. That creates an enormous amount of discontent among people in the rural section of the Thuringowa Shire. They are paying $3,000 or $4,000 a year rates to the shire but they do not see a grader once a year. On the other hand, people living in urban sections think that they are subsidising the grazier and the cane farmer. We find now that there is growing momentum in the Thuringowa Shire for a change of boundaries. As that momentum grows, hopefully we will see some action, and shire residents will petition the Minister for Local Government to have a poll taken to see whether a change of boundaries can take place in Townsville.

One of the desirable features of the Bill is the restriction on the time within which a person can make a second application for rezoning. This matter has been an embarrassment to some councils, particularly in respect of areas where land cannot be suitably developed because of the constraints imposed by the unavailability of sewerage, water and roads. I know one part of the Townsville area that was surveyed by the Surveyor-General about the turn of the century. It is 15 miles out of town, and God knows how a survey of that area was made at that time! Even the natives in Townsville would not have been friendly in 1900. In that area 15 miles out of town there are one-acre and five-acre blocks which are miles away from development, and yet freehold title deeds are held to those blocks. People who own those blocks are making application to erect homes on them, but the council is knocking them back. It would take $4,000,000 or $5,000,000 to run sewerage, water and electric light out to those isolated allotments. Because we knocked them back, we get politically motivated petitions suggesting that the council is giving those people a raw deal. They reapply a month later, and then again a month after that. This means continual advertising and calling for objections, etc. The requirement to wait 12 months between applications will mean a lessening of work and of embarrassment to the town-planning departments in local authorities.

An interesting part of the Bill is that relating to artificial lakes. Such legislation is an innovation in Australia. Obviously a great amount of thought has been put into it by the Minister's committee. It is bound to have some pitfalls.

Mr. Houston: Who is going to pay for their upkeep?

Mr. M. D. HOOPER: It could be either the responsibility of the people living around the lake, by way of a body corporate similar to that applying to a group title scheme, or it could be the local authority, if it wishes to take control of the lake. There are various ways of looking at it. It will be up to the local authority to decide whether it will supervise the lake or whether it will be the responsibility of the body corporate comprising the people surrounding the lake. Of course, some people will say, "There should be a fence around the lake so that people cannot get drowned." On those grounds it could be argued that there should be fences along the banks of all the State's rivers and streams. Some people would say that the Brisbane River isn't safe and therefore should be fenced.

Mr. Houston: You make fencing around swimming pools compulsory.

Mr. M. D. HOOPER: We make it compulsory in our city. I know this is going to cause many headaches in the future, and I dare say that over a period of time some faults will be found in those provisions. As a result, better legislation may follow. The requirements of the Clean Waters Act will have to be observed. The lakes will have to be kept clear of hyacinth. Littering is another problem that would have to be watched.

Many local authorities, particularly those with modern premises, are finding a demand for the holding of functions in their area. Not every person or organisation can afford to hold a small function at a large, expensive hotel. If local authorities can be permitted to hold a licence to provide liquor at small functions held at their premises, particularly those of civic importance, I am sure it will be greatly appreciated by major local authorities.

The Bill proposes to give to local authorities the power to sell land if the owner is in arrears in rates or other local authority charges. I mainly have in mind charges imposed for the clearing of rubbish from land. Many people buy land for investment as a hedge against inflation—it is better than money in the bank—and allow it to lie vacant until they sell it at a later date. In many instances the land is left in a dirty and untidy condition and nearby residents complain to the local authority about the rats and other vermin that infest it. Grass is allowed to grow on it and quite often is not removed unless a neighbour burns it off when it gets dry.

It is desirable to have legislation of this nature, which requires the owners of the land to clear it. But what is the position with Crown land? The great deficiency in this legislation is that it does not bind the Crown.

On the outskirts of Townsville there are large areas of land owned by the Lands Department. For most of the year—in fact for all of the year unless there is a dry season—it is covered with weeds and grass up to 6 ft. in height, abandoned motorcar bodies and all kinds of rubbish. Whenever the Townsville City Council applies to the Lands Department to have the areas cleared, either by the Government or by the council at Government expense, it is told that funds are not available for that purpose. It is not good to have one law for private persons and another for the Crown. This matter should be looked at closely. The Government should set the example and keep its land in a clean condition. If it did this, private landholders would be encouraged to do likewise. Perhaps the Crown could arrange with local authorities to do the clearing of the land and reimburse them for the cost involved. Even a 50-50 arrangement would be better than nothing. I am sure that if Crown land could be kept free of rubbish and noxious weeds, our local authority areas would be much more pleasant places in which to live.

The Bill also provides protection to local government employees in the course of their duties. I know of some parking attendants who, on issuing tickets, have received a smack in the nose for having done so, and of litter wardens who have been abused and assaulted by private persons. Although the police show some concern, that is as far as the matter goes. The offenders do not seem to be fined or punished in any other way. However, the Bill provides for the imposition of heavy penalties upon persons who assault local government employees engaged in the performance of their duty.

Last but not least, there is an amendment that gives protection to a local authority employee who is not a member of an industrial union and applies to the appeal board, say, in the case of dismissal. This is a most desirable provision. It is equally desirable, however, that senior officers of city councils not be required to be members of unions. They should be able to enter into an industrial agreement with the council that employs them.

About 12 months ago the Municipal Officers' Association staged a three-week strike in support of a demand for incremental payments. In Townsville only the town clerk and the city engineer remained at work. The city architect, the health inspector and the town-planning officer as well as other responsible officers in the administration of the city, all members of the M.O.A., were not allowed to come to work.

Mr. Houston: It's a responsible union.

Mr. M. D. HOOPER: Not all the time.

Mr. Aikens interjected

Mr. M. D. HOOPER: The Arbitration Commission has refused to grant incremental payments to white-collar workers, yet Mr. Tucker and the new A.L.P. council in Townsville, in spite of their pledge to reduce rates, will be handing out $65,000 in their first week of office by way of incremental payments to white-collar workers whose claim was rejected by the Arbitration Commission.

The amendments put forward by the Minister are highly desirable and all of them have my support.

Mr. BERTONI (Mt. Isa) (2.55 p.m.): I rise to support the proposed amendments to the Local Government Act and to express the respect of the people of Mt. Isa for the Minister. They regard him as a man of action, someone who will get things done. He has demonstrated that to people in my area over the 18 months that I have been in this Assembly.

An Opposition Member: What has he done up there?

Mr. BERTONI: We will get around to that.

I am very pleased with the provision giving permission to local authorities to hold functions in civic centres. We were faced with this problem at the opening of the Mt. Isa Civic Centre, when we had to allocate the licence to other people because the local authority could not hold it. It is desirable that a local authority, or its nominee, should have a licence for a function room because that will help to alleviate some of the running costs. The Mt. Isa Civic Centre costs the ratepayers about $65,000 a year to run and maintain. As far as possible that cost should be mitigated by allowing the council to have a licence for functions.

The two main matters I wish to refer to are roads and water resources in the Mt. Isa area. When Alec Inch represented Mt. Isa in this Parliament, the greatest complaint that the local authority had was the condition of the Flinders Highway.

Mr. Jensen interjected.

Mr. BERTONI: That is not so. I liked Alec Inch.

That was the main complaint of the local authority. It took years to get the message through to Governments. I am pleased that the State Government intends to have the road completed by the end of December this year. That is a credit to the State Government, Alec Inch, the public of Mt. Isa generally and others who assisted, including me.

Mr. Jensen interjected.

Mr. BERTONI: Alec is a very fine fellow.

I have received a number of complaints about Gunpowder Road. The argument concerns whether or not it is a declared road. In about 1916 it was a declared road, but the Government thinks it has not been declared. I should like clarification on that point to determine where responsibility lies. If it lies with the Government, something should be done to assist the people in the area. In January and February flooding in this area maroons people for three to four weeks at a time. That is not good enough.

Water resources are very important to local authorities and people who live in arid western climates. Indeed, water resources are one of the most important facilities in such areas. The Julius Dam has been developed, but its cost is a tremendous burden on the local authority. As I indicated in a speech in a Matters of Public Interest debate, the council's contribution to the cost of the dam will mean an increase in water rates from $76 to $156 a year.

Mr. Jensen: That is terrible.

Mr. BERTONI: I agree.

It is important that both the State and Federal Governments take positive steps to help. In the past two years we have been trying to get assistance, only to be met with promises and told that there are tremendous possibilities. Every time we approached the Federal Government we were knocked back. Our last chance lies with the State Government. I hope that it comes forward with a contribution apart from the normal $4,000,000 subsidy of the total cost of $30,000,000 and so alleviates the problems facing the people of Mt. Isa. If there is one issue above all others that concerns everybody in Mt. Isa it is the Julius Dam project. When consideration is being given to local authorities, I sincerely hope that the problems I have mentioned are looked at.

I know that a number of speakers are to follow me, but I wished to make those two points. I hope that the Minister will continue his good work. Now that the Flinders Highway is being completed, let us have something for the Julius Dam and for the Slaty Creek Dam in Cloncurry.

Mr. AIKENS (Townsville South) (3.1 p.m.): I think that I can, with other members of this Assembly, contribute something to this debate on the basis of experience. I was first elected as a member of a local authority in 1924—and that is before the honourable member for Bulimba was a twinkle in his father's eye. I was a member of a local authority for 25 years, I think. Forty years ago this month I was elected in Townsville as an alderman of the city council. I have been in public life in Townsville either as an alderman (or deputy mayor) or as a member of Parliament, or both, for 40 continuous years. I think that is a record that anybody could be proud of. Therefore, anything I say today—and I will not keep the Committee long—is based on the very many things that I learned in a local authority or in Parliament.

Unfortunately, the powers of local authorities have been increased tremendously. In the old days, all a local authority had to do was to see that the garbage was collected and that the old sanitary pans went round regularly—and that the horses of the garbage collectors and the sanitary pan collectors did not get bogged in the mud. There were no bitumen roadways; there was no concrete channelling; there was very little reticulated water—except in the bigger cities. Even provincial towns did not have it. The task of aldermen or councillors was quite a sinecure. As a matter of fact, at times they did not know what to do with themselves, so more often than not they started to fight among themselves.

With the development of the country and with the increased standard of living and concept of living held by many people, the duties and functions of local authorities have been enlarged tremendously. I sometimes think that they are taking more on their shoulders than they should. If I may use an old western expression, they are biting off more than they can chew. They seem to be going in for all sorts of extravagant ideas. For instance, I see no reason why a local authority should have its own welfare department; yet in Townsville we have all sorts of welfare departments of the local authority and various other authorities. All that money eventually comes out of the pocket of the ratepayer or the taxpayer. It is thought that if somebody is found a job, then a good thing has been done for the city.

Mr. Casey: In many cases it is just a duplication of service.

Mr. AIKENS: It is more than a duplication. It was a triplication—a quadruplication—of services more often than not. I think it is time the Minister for Local Government stepped in and stopped it.

We heard a diatribe from the honourable member for Bulimba, who said that no matter what a local authority does it has to do it under the protecting umbrella of the administrative authority of the Minister. That is a jolly good thing, because if we allow local authorities to go hell, west and crooked and do anything they want to in

the interests of their own particular area—and in the interests, sometimes, of their own pockets—there will be no limit; I do not know where we will finish up.

At the present time in Townsville we have a person who was defeated for the position of mayor—Alderman Innes Reid. She has been saying quite loudly and quite frequently that in Townsville we should have a director of the art gallery. We do not have an art gallery. I do not think we have any pictures—unless some of those outside the stationery shop are bought. With quite a lordly wave of the hand or shall I say a sort of Chesterfieldian gesture she said, "We can get a director for $19,000 a year."

No-one knows better than you, Mr. Hewitt—because you are steeped in accountancy practices; I am not going to embarrass you—when a person is appointed at $19,000 a year just how much it takes per year to stand that particular person up. If a person were appointed on $19,000 a year it would cost at least $100,000 a year because he would have to be provided with an office, equipment, secretaries, telephones, motor-cars and all sorts of things.

A few years ago we had a rather weird-looking gentleman named Creedy brought into Queensland from England. The Minister for Education and Cultural Activities assured us that he would cost $9,000 a year. I do not intend to go further with this matter; I am using it as an analogy. I do not know how much Creedy, his department, and his multifarious assistants and hangers-on together with his motor-cars and everything else, are costing the people of Queensland. There is an old saying: give a civil servant a pad and pencil and he will build a department. So I think that the Minister for Local Government should have some power and authority over these people because if they are not stopped they will go completely mad.

Mention was made by the mayor of Townsville (the honourable member for Townsville West)—he still is the mayor because the polls for last Saturday's elections have not been declared—about a claim made by the Municipal Officers' Association for an over-award payment. The matter has been rejected by the Full Court. But the A.L.P., through its spokesman on the last council (Alderman Reynolds), said, "The moment we get the council, they will get it. It will cost us $65,000 a year and that is all there is to it." If they are going to get $65,000 a year, every little pressure group working on the local aldermen or councils will get $65,000 a year. Who is going to foot the bill? We have heard that the ratepayers will not be continually slugged. Mr. Fraser has told us that there is to be some reassessment of the division of income tax received by the Federal Government and that local authorities will get their share. I should like to know what their share will be.

Mr. Houston: We don't know. We asked.

Mr. AIKENS: I am asking, too. This is the second time in nine years that I have agreed with the honourable member for Bulimba. I am on his side now.

If there is one thing that should be done by the Minister for Local Government it is to stop the rackets and rorts that went on in Townsville last Saturday. I do not know whether it is in the Bill and, if it is not, I shall move that the words "and for other purposes" be added to the motion to bring my remarks within the ambit of the Bill. A party received 35 per cent of the votes, had its own mayor elected, and has seven out of 10 aldermen. I have written to "The Townsville Daily Bulletin" pointing out that this is all because of the political dishonesty and hypocrisy of the present Government. It believes in preferential voting for State and Federal elections and employs that system in those elections; but when it comes to local authority elections, it believes in first past the post. It does not even believe in preferential voting for the election of the mayor of a city or the chairman of a shire.

I have made extensive inquiries as to why it adopts this attitude and I have been told that some of the old tick-whiskered members of the National Party who happen to be chairmen of some shires out in the back of beyond where the camel pad meets the sunset have gone into the National party conference and said, "You are not going to bring in preferential voting on me. I win as it is now with first past the post. I don't want any alteration." They are concerned only with their own narrow little viewpoints. If we are to have occurrences such as that in Townsville on Saturday which are a negation of democracy, the Minister and the Government have to face up to their responsibilities. We all know what happened on Saturday in Townsville. Two prominent members of the National Party organised aldermanic teams of their own, each of 10 candidates to make a total of 20. Those 20 were added to the 10 sitting aldermen. There were three independents. The people of Townsville were asked to select 10 aldermen from 43 candidates. The A.L.P., of course, always gets an irreducible minority. No matter how things are going with the A.L.P., they never get lower than their irreducible minority. There are some people who would vote for the A.L.P. candidate even if he were a diseased Afghan. In Townsville on Saturday, out of 45,000 people who voted, 10,000 formed the irreducible A.L.P. bloc vote. I think 16 of the 43 candidates finished up with a total of 10,000-odd votes. The Labor Party happened to get a few extra and they got their men in.

I think it is a shocking state of affairs when that sort of thing can happen. I do not know how preferential voting could be arranged when a ballot-paper contains 43 candidates for the selection of 10. As I have already said, two National Party members were so carried away by their ego and vanity that they would not combine their two teams

but instead decided to run separately. All the A.L.P. had to do in Townsville—I accept it—was to sit at home and put their feet on the kitchen table to win the election. There was no need for them to say anything at all. The 33 anti-Labor candidates won the election for them. That was a pure mathematical certainty. When that sort of thing goes on, as it went on in Townsville on Saturday, how can the Minister for Local Government claim that we have democracy in our State? After Saturday's debacle I hope that the next amendment of the Local Government Act brought down by the Minister will provide for preferential voting for at least mayors of cities and chairmen of shire councils.

There are all sorts of peculiar things going on in the North. If a thing does not go on there, it does not go on anywhere! We have a city of which we are inordinately proud and it will live through three years of A.L.P. administration. We have, after all, lived through harder things than that. It is a city of 87,000 people. It is a bustling, progressive city, the second in the State, and it has a mayor and 10 aldermen. On the fringe of Townsville is the Thuringowa Shire. At most, counting men, women, children, wallaroos, wombats, lizards and everything else, it would have a population of about 7,000. Believe it or not, the present Minister for Local Government has given the Shire of Thuringowa 12 members—a chairman and 11 councillors. Townsville has 10 and Thuringowa has 12. This came about because the Minister wanted to give an extra couple of councillors to what is called "up the river". About 600 or 700 people live "up the river" and they now have either four or five representatives. The exact number does not matter. The idea of taking a representative from one of the other divisions in which there are only about five men and a dog never enters his head.

Mr. Houston: One for each family up there?

Mr. AIKENS: It is a lot better than that—there is one for each family and two for the dog.

When there is talk of ministerial authority there are, I know, many people who raise their hands in holy horror, cover themselves with sackcloth and ashes and beat their breasts and say, "No, we must control our own affairs. No big fat slob of a Minister" (that is how I have heard him described, although he is in fact a fine, big upstanding man) "down in Brisbane is going to tell us what to do." I hope that we never depart from the principle that the Minister who is responsible to this Parliament and to the people of Queensland has the authority to override any decision of a council when he considers it is not acting in the interests of the people.

We have heard talk about a town plan. I am not going to talk of the Brisbane Town Plan, but some time ago the Angus Smith council introduced a town plan. I brought it up in this Chamber several times. I was accused by the then Speaker, every member of the Ministry and 95 per cent of the Government members of conducting a vendetta against that council. We had as Minister for Local Government the Honourable H. Richter. I think he is still with us; I hope he has not gone to the void from which no traveller returns. When I produced in this place a very simplified copy of the town plan for the city of Townsville, he was horrified. Believe it or not, the council had divided the main streets of Townsville on the basis of a pakapu ticket. There would be two houses, one shop, three shops, two houses. One never saw anything like it in one's life.

I remember very clearly that Percy Raymund Smith was sitting where the Government Whip is sitting now. I think it was his last time in this place. When I produced and read documents that had been issued and signed by the town clerk on behalf of the city council, he said, "But that is blackmail." As I convinced Percy Raymund Smith that blackmail was being practised, I think I could convince anybody.

Incidentally, I would like to say something else about Percy Raymund Smith. In all the years he has been in public life and getting scores of thousands of dollars from the pockets of taxpayers and everybody else, one way or another, we had to wait until he was 56 years of age before he did anything worth while. He beat Bryan Walsh the other day. That is the first thing he has ever done to earn one cent of the scores of thousands of dollars that have been paid to him.

Harold Richter went up to the city of Townsville. Of course, he was given the usual civic reception. Such things would be wasted on a worldly man like our present Minister. Council members took him out to plant a tree. They did not tell him it was the same tree that every Minister planted. They dug it up once the Minister went away and planted it again when the next Minister came. They could not put that over Russ Hinze and they could not put it over Harold Richter. Anyway, while they were sipping champagne they said, "You have come up to see our town plan, Mr. Richter?" He said, "Yes, and I have come up to tell you that I am not going to approve of it." One could have knocked them down with a feather. Some of them fell over without a knock from a feather. Yet the Minister, because he had the power and authority and because he had the interests of Townsville and this State at heart, refused to approve of the town plan that had been submitted by the then Townsville City Council. That was one of the best things that ever happened for Townsville.

Please do not let us get carried away with all this high-falutin malarkey about local democracy, about parochialism and about looking after our own affairs. Let us

remember that there is a solid principle of decency and honesty that must be obeyed and kept in mind by everybody. I think we would be very, very foolish if we ever even contemplated taking away from the Minister for Local Government the overriding power he has to dismiss a council, to refuse to accept a resolution, to refuse to accede to a town plan or to do many of the other things he has the right to do.

I know the honourable member for Surfers Paradise is asking the Minister to come in now as a backstop in a fight with a bloke down on the South Coast. If the honourable member for Surfers Paradise, as mayor of the Gold Coast, cannot clean him up in quick smart time, he should not be in that position. One does not go round asking people to come up and do one's fighting. He was elected mayor of the Gold Coast and it is his job to do the job for which he was elected. Having said those things, Mr. Hewitt, I thank you for your tolerance and understanding.

Mrs. KYBURZ (Salisbury) (3.20 p.m.): I rise once again to speak to a Bill amending the Local Government Act. As it contains so many amendments of the Act, one assumes that it is considered to be of great importance. The Minister has said that local government is assuming responsibilities for an ever-increasing range of services and duties. I sound a note of warning about the possibility of duplication of services, particularly in the area of social welfare. I am concerned about some of the services provided by local government, particularly in Brisbane. I refer specifically to the system of inoculation or vaccination of children at the City Hall.

I regularly question the expertise of aldermen and councillors, those in the Chamber excluded, simply because most aldermen and councillors are the puppets of a political party. As such they cannot make rational decisions. It is to the chagrin of most people that political parties have entered the local government arena, notwithstanding what my party happens to think. I think we will rue the day that any political parties entered the local government arena.

There is only one way for a council to be truly independent of political ideologies, and that is for all councillors to stand as independents. Only independent aldermen can make decisions, particularly financial decisions, free from the encumbrances that would otherwise be placed on them by businessmen, by certain groups in the community, by other groups through lobbying tactics, and by political parties. Financial decisions, of course, are necessary. The decisions in that area, particularly those of the Brisbane City Council, are made on a most arbitrary basis.

The Minister said that there was need to ensure that financial resources are available, and that those resources must grow in proportion to the growth in population. All I can say is that I hope that the brunt of this swelling financial contribution is not to be borne by the people in the form of rates. Some people are made to bear an iniquitous burden in the rates that they have to pay. The system in Brisbane seems to be a most inequitable one. Of course, it is far worse in Sydney where landowners alone elect city councillors. There are some points in favour of that system and some in favour of the Queensland system. Some families are paying between $6 and $10 a week just for the privilege of having their home on a piece of land within a particular local government boundary. I see that as totally unfair. An invalid pensioner or a single mother would have great difficulty in paying such rates as well as meeting all the other bills.

The honourable member for Bulimba said that the previous Federal Labor Government had done much for local government. One thing it did introduce was the iniquitous welfare system called the Australian Assistance Plan. That was a plan setting up a regional system to undermine not only local government but also State Governments. Fortunately it will soon be over, as I feel sure that Senator Margaret Guilfoyle will see the error of Labor's ways in that evil plan and will allow it to just wither and die.

I remind the Minister that the Albert Shire is at the southern end of my electorate. The divisions in the Albert Shire call for radical evaluation of represenatation according to population. Two councillors represent 12,500 people in division I. That is further proof of the raw deal that Woodridge and Kingston get. In Dayboro two councillors represent 900 people. I mention that by way of comparison. How on earth can two councillors deal with the day-to-day problems of 12,500 people? Woodridge has more than enough local government problems. I am tired of being telephoned by people who ask me to deal with the problems that previous councillors simply could not or would not handle. Loganlea, too, is in division I. The Minister, who has visited the top end of the shire with me, is well aware of these problems.

The chairman of the Albert Shire Council, Councillor Hugh Muntz, is doing all he can to help me in that part of my electorate and is showing sincere interest in the problems confronting the people of Woodridge and Kingston.

On previous occasions I have spoken to the Minister about the Compton Road underpass and the bridge there. Once again I bring this matter up, as is my duty, because during the past three weeks the road has been flooded three times, or once a week. It is virtually impossible for people in Woodridge and Kingston to get to the city unless they use that underpass.

The Albert Shire Council is not completely free from criticism. Some of the

streets in Woodridge and Kingston are nothing more than stinking cesspools masquerading as roads with kerbing and channelling. It is a shocking shame that so much is allowed to be neglected. In some areas, because of the lack of sewerage, there is a disgusting stench. I have attended parties and other evening functions in the area and found that the fumes are so revolting I almost needed a gas-mask, for example, when dancing. The water pressure in some areas of Woodridge and Kingston also poses a grave problem, and I am constantly being telephoned about that matter, too. However, the Minister has made sure that loan funds will be available to augment the water supply.

While speaking to the Bill, I mention that the Albert Shire Council has built in Woodridge a beautiful swimming pool complex and a library complex. However, there have been whisperings among the community that the swimming pool is leaking and that serious problems are arising. The people are worrying. In fact some of them are panicking. I don't quite know what they are imagining. Perhaps it is that their back yards will be flooded by swimming-pool water. I wish that the Minister would take this opportunity to assure the people that there is no cause for concern.

I am particularly worried about the lack of forward planning for the future on the part of all departments in relation to Woodridge and Kingston. I hope that in the local government sphere we will see much more forward planning.

Fortunately, on the Albert Shire Council there are some forward-thinking councillors—it's a pity there weren't more of them up here—and they have instituted a system of roving garbage tips in the form of garbage trucks that move around the area and park on a well-advertised corner for a day or so to give the residents the opportunity of dumping all their refuse in the trucks instead of littering it on the roads. This works very well, because many people are too lazy to drive half a mile to the garbage dump. Many take the opportunity of simply opening their car windows and tipping their rubbish out onto the road. Compton Road is an excellent example of this. I wonder sometimes how the road can still be seen, there is so much rubbish along the side of it.

Fortunately the Brisbane City Council is not as lopsided in representation as it was, and now of course there will not be nearly as much opportunity for corruption, as there used to be. I thank the Minister for his intervention in the Brisbane City Council, especially concerning the vandalism that occurred in the Evans Road reserve. That caused me a great deal of worry; I think the council acted in very bad faith in that matter.

The Beaudesert Shire Council is using its noxious weed eradication programme as a means of augmenting its revenue. I say that simply because many of my constituents who are small landholders in the Beaudesert Shire share with me the fear that some of the provisions in the Bill have been written into it purely to protect the shire council. The Minister has said that the eradication of noxious weeds is becoming an important area for concern in local authorities. So it is. However, the Beaudesert Shire Council imposes charges based upon hearsay from private contractors. In other words the contractors tell the council that they have eradicated groundsel on a property and the bill is sent to the landowner. But quite often the job is simply not done. In the Committee stage I shall have more to say about this clause. Landowners should have an opportunity to call for tenders and choose the tenderer. If they should tender themselves, they should be allowed to do the job. Tenders for the eradication of noxious weeds can be as high as hundreds of dollars when the job can be done by the landowner himself for $15 to $20.

Not only will the Beaudesert Shire Council not discuss who may tender for the eradication of noxious weeds, but also it will not allow any review of the situation. If this provision was made to protect the Beaudesert Shire Council, I hope that the public will scream. Two protest groups have been set up to fight it. I agree that there are many absentee landowners—some of whom live in Hong Kong and Singapore—who rarely tend their properties or have the noxious weeds destroyed. That causes concern to surrounding landowners.

I urge the Minister to review the system whereby the local authorities are all-powerful in this field. It seems a travesty that we should give so much power to councils; sometimes they do not have the best interests of landowners at heart. When I say that, I do not refer so much to those who live there as to those who do not.

Mr. JENSEN (Bundaberg) (3.32 p.m.): I am pleased to enter the debate to commend the Minister on introducing this Bill. I know that most of the 20 amendments in it were submitted by local authorities. I am surprised that many honourable members who are not connected with local government want to discuss the Federal matters. This legislation concerns local government and I shall discuss local government, unlike the honourable member for Townsville South, who entered the debate simply to attack the newly elected council. The other day when I asked where he was I was told, "He is packing up; he is so disgusted with the result of the local authority election he has to get out of Townsville."

Mr. Tenni: Why didn't you say that while he was here?

Mr. JENSEN: I did not get the chance.

I was very interested in what the honourable member for Bulimba said about the argument the honourable member for Surfers

Paradise is having with the Minister. The honourable member for Surfers Paradise has been a mighty man. He came into this Chamber hoping to do something for the City of Gold Coast. He thought that if he got into Parliament he could play merry hell but he found that he was only a little frog in a big pool and got nowhere. He could not even get anywhere with the Minister who wrote the two speeches that he has made since coming here. He is now attacking the Minister about the Gold Coast.

A member of Parliament's job is supposed to be a full-time job. If the mayoralty of the Gold Coast is only a sinecure the honourable member for Surfers Paradise should spend his time in this Chamber. But if the mayoralty is a full-time job I do not know how any person could be in this Chamber and also be the mayor of such a big city. The honourable member for Surfers Paradise, as mayor of the City of Gold Coast, will press for things to be done in that city, but he is wasting his time and energy coming here. He might as well stay on the Gold Coast and look after that city. It is astounding that he should treat one of the jobs as a sinecure when they are supposed to be full-time jobs. I cannot treat my job as a sinecure.

I shall be interested to study the amendments proposed by the Minister, some of which relate to artificial lakes. I should like to see shires like Gooburrum and Woongarra able to afford artificial lakes. Unless these are amalgamated with Bundaberg, they could not afford them.

The provision to administer an oath of office is quite good. Another point was differential rating. These are all matters that have come up through the Local Government Association, and the Minister has taken notice of them.

However, I was concerned that members such as the honourable member for Toowong attacked the Federal Labor Government, which has nothing to do with the debate. He attacked it over the Grants Commission. That commission has presented two reports. In 1974-75 the commission gave Queensland local authorities $8,900,000, and in 1975-76, $13,800,000. I have no complaints about that.

Mr. Tenni: How much of those amounts went in costs? How much did it cost the individual councils——

The CHAIRMAN: Order! I call the honourable member for Bundaberg.

Mr. JENSEN: I do not know how much it cost the individual councils, but the Grants Commission was set up on the same basis as the one that receives submissions from the State Government every year. This Government has been given $9,000,000, $20,000,000 and $30,000,000 by the Grants Commission, thereby getting it out of serious financial trouble. Every year the Government has had a real deficit. It was only because of the Grants Commission that we have been able to cope. The Grants Commission has helped local authorities. Some areas controlled by the National Party got nothing, because they could not submit a case to the Grants Commission. Just as the Queensland Government has to submit a case to the Grants Commission to get its share——

Mr. Frawley: Rubbish! Absolute rot!

Mr. JENSEN: Why does the Queensland Government go to the Grants Commission every year? It is so that it can get out of its financial troubles. The local authorities of Queensland, just like the State Government, went to the Grants Commission and submitted their cases, As a result they were given allocations. Some small shires had nothing to submit, and they got nothing. The Queensland Treasurer then came good and distributed another $5,000,000 among the little National Party shires to help them out. He had no reason to distribute that money. He had already given allocations through the Treasury. The Bundaberg City Council received $180,000 from the Grants Commission.

Mr. Gunn: What are you complaining about?

Mr. JENSEN: I am not complaining. I am saying how good it was for the shires that had a case to submit.

The Bundaberg City Council spent $57,000 on road-widening, $52,000 for off-street parking and $60,700 for drainage. Other smaller shires received helpful assistance. The Gooburrum Shire got $63,000 for roads. Even with that assistance, the roads are in a disgraceful condition. Last week the Minister came up to have a look at them. He will tell honourable members about them. The Isis Shire Council, which received $50,000, allocated $3,000 for sewerage, $7,000 for the Childers water fund and $2,500 for the Woodgate water fund. The rest has not been spent. They got $50,000 and they have spent about $10,000. That is what has happened in shires that have not made reasonably factual submissions.

Let us be fair about this. It is no good people coming here and arguing when they do not have a case to put. If this State did not have a case to argue before the Grants Commission, it would get nothing; but last year it got $30,000,000 to get the Treasurer out of trouble.

The Minister knows that we have problems in our area. He was good enough to come up last week, after I had asked him.

Mr. Hinze: You gave me one of your Bundaberg rums, too.

Mr. JENSEN: I kept my side of the bargain and I gave him what I said I would. It was better to give him that than to plant a tree, as the honourable member for

Townsville South said. He said they plant the same tree every year. He will not be able to give the Minister every year the same thing I gave him. However, he will get one when he comes to Bundaberg.

Mr. Hinze: Bundaberg rum.

Mr. JENSEN: It is the best stuff you can have, too.

I have spoken in this Chamber on local government matters a few times. I have mentioned the city of Bundaberg. I have with me a list of all Queensland cities—I am not talking about towns—showing the number of sq km they cover and their populations.

Bundaberg city covers 45 sq km and has a population of over 30,000. The only one with a smaller area is Mackay, which covers an area of 20 sq km—about 8 sq. miles. If any honourable member wants to know how to work it out, it is simple; simply divide sq km by 2½. Mt. Isa city covers an area of 41 250 sq km with a population the same size as Bundaberg. In this Chamber on many occasions I have asked why the Government does not include the Woongarra and Gooburrum Shires, which include our beaches, in Bundaberg.

An Honourable Member: You will go broke.

Mr. JENSEN: We will not go broke. The Minister has indicated that there will be different rates for different areas. If they are paying higher sewerage rates, we could not afford to take them in without assistance.

Maryborough city area has just been increased from 25 sq km to 1 300 sq km and has a population of 20,000. Bundaberg still covers only 45 sq km with a population of over 30,000. Woongarra covers 750 sq km and has a population of 5,500. Gooburrum Shire covers 1 300 sq km and has a population of 4,450. Those two areas should be included in Bundaberg. It would then cover only about 2 000 sq km compared with Mt. Isa's 41 250 sq km, Townsville's 285 sq km, Gold Coast's 120 sq km, Ipswich's 120 sq km, Toowoomba's 120 sq km, Rockhampton's 160 sq km——

Mr. Frawley: And Redcliffe?

Mr. JENSEN: Redcliffe covers 35 sq km. It is only a little mud pool.

I have raised this matter because Woongarra and Gooburrum are really part of the greater Bundaberg area and the whole area would be developed better if they were included.

The honourable member for Townsville South said that the councils around Townsville have 11 members and that his council has 10 members, whereas ours has nine; Woongarra has 11, and Gooburrum has 11. We have a mayor and eight aldermen to represent 30,000 people.

Mr. Frawley: About 15,000 voters.

Mr. JENSEN: There are over 15,000 voters on the rolls. They have been printed.

I have spoken about this matter in this Chamber on many occasions. If Mt. Isa can look after 41 250 sq km, Bundaberg can look after those areas, which are important to the city of Bundaberg. They are our beach areas. I have mentioned this time and again because of the troubles that exist in the Woongarra Shire Council.

A headline in a newspaper dated Saturday, 17 March, reads, "Shire chairman blasts Burnett Heads." He did this because he did not like criticism. He had been criticised for shifting toilets that had been approved by the local authority. The Government has made $4,000 available for those toilets and they will cost at least $6,000.

I should like to read what Peter Neilson said. He is a life member of the National Party and a real friend of Clem Maughan, the shire chairman, who was once the chairman of the National Party campaign committee for the Minister for Aboriginal and Islanders Advancement and Fisheries (my friend Claude). We had the Ombudsman in Bundaberg over this matter. He went to the council and that is why I want to attack him in Parliament. I could attack him now if you would allow me, Mr. Hewitt. This report goes on—

> "It is a pity that the Ombudsman cannot see the proposed state of the Oaks Beach amenity block. Now that we have had good rains he would see the large amounts of seepage flowing into the sea at that site. Do not forget that the cost of building is over $3,000 higher at the southern end of the beach than the northern . . ."

The cost was $3,000 more, but the Ombudsman agreed with the chairman. The whole progress association was against it.

Mr. Frawley: The Minister was not there.

Mr. JENSEN: No. If I had had the Minister there, he would have stopped it immediately. But I could not get him there. Instead, they got the Ombudsman. I got the Minister there last week and he stopped some of the rot. The report continues—

> "It is time we had a change on the Woongarra Shire Council. If the council still builds on the southern site I hope that it will put up a prominent notice warning bathers on the Oaks Beach not to swim on the ebb tide owing to the pollution from the amenity block."

The council shifted that block against the wishes of the people of Burnett Heads. The Ombudsman approved of it, which was a disgrace to his job.

What did Mr. Strathdee say? He ran second in the recent Woongarra Shire Council election. This appears in a report of 25 March—

> "Cr. Strathdee claimed he had difficulty working with 'certain other' members representing the No. 1 Division. Because of their lack of support 'at least two big battles' have been lost, he said."

Do honourable members know the other battle that was lost? They have shifted the children's playground and, because the progress association complained about it, the shire chairman blasted them. He does not want any criticism. Surely that is not the way to behave. Strathdee is a member of that council who went specially to see the chairman on this matter. And what did he do? He blasted the progress association because they contradicted him.

Mr. Frawley: Who wrote this speech?

Mr. JENSEN: I do not need written speeches. I'm not a mug like you!

The CHAIRMAN: Order! The honourable member will withdraw that comment.

Mr. JENSEN: I am sorry, Mr. Hewitt. I withdraw it.

I am referring to things that I know something of. I was very pleased that the Minister came to my area last week. I see that the Minister for Aboriginal and Islanders Advancement and Fisheries is also in the Chamber now. He made certain that he came up, too, because of the trouble over the high-level bridge. It has been promised for years but deferred. Children have to get special trains to go to school at times because there is no high-level road bridge. I have here a photograph of the bridge covered with water on 9 March. The newspaper heading is, "Flooded Baffle Creek cuts off farms and towns." The bridge has been promised for years. Mr. Wharton tried his best to do something about it and I tried to help him. After all, he cannot get up in the House and ask questions of another Minister.

The Minister came up to the area and said, "They deserve a bridge." They should have had one three years ago but he is going to see that they get one as soon as more money is available. Getting the money is the trouble. I can remember the Minister saying in this Chamber before the last Federal election, "When Fraser gets in, we will have all the money we need. We'll have plenty of money for roads, bridges, and houses." Now what does the Government say? It continues to blame the Whitlam Government for lack of money. The Fraser Government has already cut out allocations from the Grants Commission to local authorities and I do not know how they will get on now. I do not know how the Woongarra and Gooburrum Shires could carry on without the help of the city of Bundaberg. If they have to concern themselves with lakes, how can they carry on? They cannot even look after beaches properly. It is about time there was a Greater Bundaberg. We saw an area of the little city of Maryborough south of us designated as part of Greater Maryborough.

Mr. Wharton: Are you asking the other shires to come into Bundaberg to help you get along?

Mr. JENSEN: I am asking to have them come in. They do not want to come in. As I said before, they want to be big frogs in a little puddle. They do not want to put three or four men each into the Bundaberg City Council and make a decent council of it. They want to be big frogs in a little puddle as the honourable member for Surfers Paradise is on the Gold Coast. When he is down there, he is a big frog in a little puddle. When he entered this place he was such a little frog he could not do anything.

Mr. Houston: As a matter of fact, he thought he would take over a ministerial job.

Mr. JENSEN: He thought he would become Minister for Local Government when he arrived here, and he missed out. But one can see the difference. The members of these little councils do not want to give up their positions. They get all the lurks and perks.

The Bill provides for an increase to $6,000 in the amount of a contract that a council may enter into without calling for tenders. This would be a bad thing for small councils. A small council out in the back-blocks could favour one builder or one store over another for the supply of goods or services.

(Time expired.)

Mr. GOLEBY (Redlands) (3.52 p.m.): I would like to compliment the Minister on his introduction of the Bill. As a former member of a local authority and chairman of the Albert Shire for many years, he has clearly shown he has a keen appreciation of the problems confronting local authorities, problems confronting not only those who administer the local authorities but also the people who live within their boundaries. As a local authority representative myself for 15 years, I share many of his sentiments.

Referring specifically to the Bill, I would like to say that the swearing in of newly elected chairmen, mayors, aldermen and councillors is a step in the right direction. If it is acceptable to make this a requirement for Federal and State parliamentarians, surely it is something that has been overlooked for many years in the local authority sphere.

In his introductory remarks the Minister referred to the alteration of the minimum rate in various divisions of a local authority area. Many councils have had problems over the years because of variations in valuations in that they have not been able to levy a minimum rate which was applicable at the time. Only recently were local authorities given the power to strike a minimum rate.

Previously the minimum rate was $10 and everybody knew that, if a local authority sent out a rate notice for $10, because of the administration costs involved it was out of pocket before it started. Then it was found that, once the minimum rate was allowed to float and the local authority concerned could levy its own rate, with the variations in valuations in some divisions the minimum rate in one area was not applicable to another area perhaps at the other end of the shire. So this alteration to the Act will be fairer for all concerned in the rating of various divisions.

Honourable members opposite mentioned the Grants Commission and the R.E.D. Scheme and drew many red herrings across the trail. Those of us who have been closely associated with local authority finances knew just how inadequate these funds were for some local authorities. There were many discrepancies and some local authorities were left out of Grants Commission funding entirely. The first year this funding was implemented we saw five local authorities left out: Redlands—the one I represent—Landsborough, Maroochy, Kilcoy and the Gold Coast. Then in the second year of operation four of these local authorities received a pittance and the Gold Coast was again excluded.

Mr. Gunn: Kilcoy was excluded, too.

Mr. GOLEBY: That is right. When we compare those local authorities with cities like Ipswich, we see the gross inadequacies whereas that local authority was given tremendous sums of money. Much of that money was wasted because the average member of the public cannot afford to operate the amenities provided.

A Government Member: This Government was generous to Ipswich, too.

Mr. GOLEBY: Ipswich hasn't missed out either way.

Referring to the minimum rating as it applies to mining areas, the Minister specifically mentioned the gem-fields. I should like to think that special provision will be made for local authorities with mining areas. I refer to the huge mining leases held by mining prospectors, particularly mineral-sand leases as they affect the Redlands electorate and the Shire of Redland. Almost the entire area of Stradbroke Island is taken up with mineral-sand leases. The amount of rates paid to the local authority is a mere pittance. Tremendous wealth is being won in those successful mining operations but the local authority and its ratepayers are expected to carry the financial burden of the maintenance of roads, public amenities and services. I hope that in the future the Minister will see fit to incorporate a wider sphere of mining activity. At the moment mining operations can be an embarrassment to a local authority.

Reference was made to the future of local government and to how the previous Federal Labor Government wished to remove local authorities from the scene, along with State Governments, and operate under one central Government. We saw the framework of regional councils being set up, but not regional councils, as we know them, set up by the State Government for the co-ordination of resources. Provision was being made to set up regional councils associated with the A.A.P. to completely eliminate the local authority scene. I for one am very pleased that a stop has been put to that. Local government, as we know it today, with 131 shires in Queensland, provides services and amenities to the people of Queensland. No-one is closer to the people than the members of local authorities. I for one would oppose any moves to try to reduce the number of local authorities and to take away the existing intimate relationship between the local councillor and the people he represents.

All speakers have mentioned the financing of local authorities. As the finance chairman of a local authority for many years, I fully appreciate the problems in that field. In most cases rating has reached the maximum the people can afford to pay.

There is one matter I should like to bring before the Committee, and I hope that the Minister takes particular notice of it. Local government elections have just been held throughout the State. Although many provisions are included in the Elections Act there is another one that I believe should be included. The Act should be amended to preclude any person from nominating for an election if he is indebted to the local authority because of unpaid rates. In the Shire of Redland at least three candidates were indebted to the shire council for a considerable amount of rates. None other than the former member for Redlands and the former shadow Minister for Local Government, Ted Baldwin, who stood for the chair——

Mr. Frawley: Red Ted.

Mr. GOLEBY: Yes, Red Ted. He stood for the chair at a time when he owed a considerable amount of money to the local authority. I believe no-one should have such a pecuniary interest by way of indebtedness to any organisation, let alone a local authority, at a time when he seeks to take control of it as its leader.

The provision to allow a local authority to purchase equipment—road-making equipment, office equipment, or anything else—to the extent of $6,000 without calling tenders will save a lot of time and inconvenience to those concerned.

The Minister also referred to provisions that will allow a local authority to charge any landholder for clearing his allotment of noxious weeds, grass and rubbish if he fails to do so himself. Such charges are to be

held as charges on the rate card and if the landholder has not paid the charge within three years the local authority will have power to sell his property.

I refer now to a problem that has arisen on Russell Island and adjoining islands. As the Minister is aware, the islands have been subdivided into approximately 18,000 allotments. Although this is the third year in which the islands have been under the control of the Redland Shire Council, the rates collected from landholders on the islands total no more than 66 per cent. In other words, only 66 per cent of landholders have honoured their rate obligation to the shire council. The council has incurred considerable expense in clearing untidy and overgrown allotments, for the simple reason that their owners cannot be traced. Land on Russell Island is owned by people all over the world. I doubt whether there would be one country that does not have within it a person who owns land on Russell Island. I would go as far as to say that land on the island has been sold to people in Iceland. As can be seen, the council has tremendous difficulty in collecting rates. Furthermore, as I say, it is faced with the responsibility of keeping much of this land in a clean and tidy condition.

Previous speakers have referred to the entry of party politics into local government. I would say that when political parties contest local authority elections, it reacts to the detriment of the local residents. I am a member of a political party, yet for 15 years I have stood as an independent in local authority elections. On each occasion I have received an overwhelming response from people, having come at the top of the poll. In fact, in last week-end's local authority election I, standing as an independent, received 70 per cent of the vote. When political parties contest local authority elections they completely forget the local resident. The elections become nothing more than a political battle.

Preferential voting has been mentioned. If political parties do contest local authority elections, preferential voting must be introduced. I shall not mention any names, but some candidates in local authority elections have no knowledge whatever of what local government is all about, yet, because they enter the fray with a political ticket around their neck, they automatically attract a certain percentage of the vote. That, however, does not give them the necessary qualifications for the position they seek to hold. I appeal to the Minister to consider the implementation of preferential voting in local authority elections.

Never has this need been brought out more clearly than at last Saturday's elections, when we saw the entry of political parties into a large number of local authority contests. I am not pointing the finger at any particular party; I know all have been involved.

Mr. Casey: If they had preferential voting, Ted Baldwin would have been the local chairman.

Mr. GOLEBY: Ted Baldwin would not have won the chairmanship. He didn't even have an A.L.P. ticket; the party would not endorse him. It had had enough of him.

The honourable member for Bundaberg made a comment about holding two jobs. As an active councillor and as a member of this Parliament, I was able to achieve more for the people of Redlands in six months than Ted Baldwin obtained for them in six years. This was because of my intimate knowledge of the needs of the people and my close association with them. The two jobs go hand in hand.

Mr. JENSEN: I rise to a point of order. I did not mention just two jobs. I referred to the mayor of a big city, such as Gold Coast.

The CHAIRMAN: Order! There is no point of order.

Mr. GOLEBY: I compliment the Minister on his introduction of this measure. I hope that in the near future further amendments, such as those outlined by me this afternoon, will be brought forward.

Mr. K. J. HOOPER (Archerfield) (4.5 p.m.): I enter this debate to expose some skulduggery and shocking political patronage that has occurred in a local government area, namely, the Bowen Shire. A Press statement issued recently by the Minister for Survey, Valuation, Urban and Regional Affairs indicates that two different formulas were used to determine valuations within the Bowen Shire. Urban valuations and those for small-crop farms were based on sale prices of land during the latter half of 1974, while grazing properties in the area were revalued, generally, at or below the 1967 valuations.

The CHAIRMAN: Order! If the honourable member is developing an argument about valuations, he is clearly out of order because they come under the Valuation of Land Act. Valuations are not governed by the Local Government Act.

Mr. K. J. HOOPER: The rates are based on valuations and that is how I shall develop my argument.

The CHAIRMAN: Order! The valuations are governed by the Valuation of Land Act.

Mr. K. J. HOOPER: My point is that this was done despite clear evidence that much of this land was sold at prices (after deduction of improvements) approximately 12 or 13 times the previous level.

I am told that the shire council has lodged objections with the Valuer-General against the valuation of 185 properties which, it believes, were seriously undervalued. I might add that, at the moment, public indignation is running high against the golden

handshakes that have been given to the grazing sections at the expense of the urban and farming community.

Mr. Jensen interjected.

Mr. K. J. HOOPER: The council is losing a lot of money in rates.

A public meeting which was called by the Bowen Trades and Labor Council on 27 October 1975 attracted over 300 people. I am sure the Minister would agree that that number represents a large cross-section of the people in Bowen. This meeting expressed indignation at the rorts being perpetrated on the ratepayers.

A significant point in this sordid affair is the involvement of the Camm family in recent purchases of land in the Bowen Shire and the consequent low valuation——

The CHAIRMAN: Order! I have already pointed out to the honourable member that he is developing an argument about land valuations. Unless he can relate his comments to the amendments under discussion, I shall have to ask him to resume his seat.

Mr. K. J. HOOPER: With respect to you, Mr. Hewitt, I repeat that what I am saying relates to rates in the area.

Mr. Jensen: Because of the loss of rates.

Mr. K. J. HOOPER: That is so. That is the point I am trying to develop.

The CHAIRMAN: Order! I shall listen to a little further argument, but I shall be listening very carefully.

Mr. K. J. HOOPER: This family received from the Valuer-General's Department valuations which will mean a huge reduction in the rateable value of their properties.

The CHAIRMAN: Order! The honourable member will resume his seat.

Mr. SIMPSON (Cooroora) (4.8 p.m.): I rise to support the 20 amendments to the Local Government Act under this Bill. They indicate the close co-operation that exists between the State Government and local government and prove how essential it is that co-operation should prevail so that there will be smooth running of local government.

Government members have already covered the major aspects of the Bill, so I shall refer more particularly to the provisions covering fresh-water lakes and to the need for the Government to provide guide-lines for local government so that it may experiment in this area. Such experiments in other countries in the world have shown, I believe, the many pitfalls associated with this form of development. Many of their lakes have become polluted and overseas experience shows that certain different uses adjacent to lakes are objectionable. These guide-lines can be followed by local authorities. It is desirable, in determining the best land usage, to try some of these forms of development carefully so that we may get the best out of them.

The provisions doubling the amount that local authorities may spend on the purchase of goods without inviting tenders and doubling the value of contracts that they may enter into without calling quotes are helpful. These moves have become necessary to enable local authorities to cope with the present inflationary spiral.

The provision for oaths of allegiance to be taken at the swearing in of the councillors is a move in the right direction. It indicates the very serious task they assume when they take office in local government. That has to be emphasised. This amendment is certainly to be applauded.

I turn now to the matter of a local authority recouping its costs for weed eradication. However, the legislation only goes so far. Costs incurred in clearing Crown land cannot be recovered. In the Noosa Shire 4,000 acres is now owned by the Commonwealth Government. "Elanda Plains", we heard recently, has been taken over by the Commonwealth Government. That was a dubious transaction, supposedly effected for park purposes. That has a lot of groudsel on it. With other Commonwealth land, the holding adds up to a total area of 4,000 acres, which is a sizeable quantity. The council cannot obtain recompense from the Commonwealth for eradicating weeds from that area, which, if not removed, would reinfest other areas in the shire. I believe local government should have the power to direct the State and Commonwealth Governments to clear noxious weeds from their land.

In the matter of eradication of weeds, some anomalies have crept in. The cost can be as high as $100 an acre or as low as $1 an acre; but there does not seem to be any requirement for a local authority to call more than one tender. The owner of the land can be greatly disadvantaged if he lives a long way from the area. The tender for eradication may not be a fair one. In turn, the high cost could lead to the sale of the block to recoup charges incurred by the council.

I again support the proposed amendments. The Bill provides further proof of the co-operation between State and local government.

Mr. MILLER (Ithaca) (4.13 p.m.): The amendments before us are well worthy of our support. Generally speaking, I support them without reservation, although I am concerned about two or three. I shall express my concern, and perhaps the Minister might enlighten me at a later stage.

I understand a minimum general rate is to be set in shire council areas. That will be for the benefit of certain people within the shire. Already differential rating is

allowed in shires. The first point I make is this: should property owners in shires have a voice in the making of a decision on the minimum general rate and on the differential rates?

I instance the Landsborough Shire Council, which has both country areas and coastal areas. Those two areas are rated on different bases. Now a minimum general rate is to be set. Will that be to the disadvantage of people who own land on the coastal strip? That may well be the situation.

I know that in the Landsborough Shire a number of properties are owned by people who live in Brisbane. Because they vote in Brisbane, they do not have the right to vote in the Landsborough Shire Council elections and therefore they do not have a voice in deciding who should control that council. We give that right to people who drift from one shire to another.

Mr. Casey: Are you advocating ratepayer franchise?

Mr. MILLER: No. The honourable member is taking away completely from the person who lives in the shire the right to vote. I am not trying to take that right away from that person. What I am saying is that I can see no harm whatsoever in a person who owns property in a shire also having a right to vote in the elections for that shire council.

Mr. Casey: You want him to have a vote in two shire council elections?

Mr. MILLER: Yes.

Mr. Moore: Five votes.

Mr. MILLER: I would not mind having five votes if I owned five properties in five different shires. I do not believe for one moment that a person who owns five properties in one shire should have five votes in that shire council election. I can see no harm whatsoever in a person who has invested perhaps $50,000 or $60,000 in a shire having the right to vote in the shire council elections. As I said a moment ago, people who drift in and out of a shire and may be there only four months in a year have the right to vote. If they have the right to vote, I fail to see why the honourable member for Mackay should laugh at the suggestion that a property owner with an investment of $50,000 or $60,000 should not enjoy the same privilege.

The honourable member for Townsville South referred to preferential voting. I agree with him 100 per cent. I believe that a lot of shire councils should have the right to preferential voting. If we believe in it, I see no reason why they should not have it. If we believe in preferential voting in State and Federal elections, the shire councils should also have that type of voting. I want to go one step further and allow property owners to have a say in the election of shire councils, especially as we are now going to give the right to councils to set a minimum rate within a division of a shire.

The next proposal I wish to speak to deals with the right of the Government to design, supervise or investigate the construction of water supply, sewerage, stormwater drainage or swimming pool projects on behalf of the local authority and at its expense. If a local authority wishes the Government to do any work in this area, we are prepared to do it. But what I suggest is that perhaps we should be considering whether or not we should go in even if we are not invited to go in.

What concerns me very much is that in old areas particularly the drainage systems are inadequate. In some areas, creeks are used as drains. The council allows the drainage to flow into the creeks and they become open drains more than creeks. Why should we say that we will go in and do these particular jobs only if local government requests it? I think we should go further.

I think the Minister for Local Government said in his speech that local government in Queensland is encouraged to make its own decisions in affairs directly affecting it and that the State Government's involvement is largely one of co-operation, consultation and assistance. I should like to go one step further and add the word, "direction". Why should we not direct any shire council—or for that matter the Brisbane City Council—if its involvement in land development or works overtaxes the drainage system? If a shire council overtaxes a drainage system, should we sit back and say, "We are not going to interfere. We have not been called upon to co-operate. We have not been able to consult with the shire council and we have not been called on for assistance."? What about those who are disadvantaged by flooding?

One of the amendments being considered today deals with lakes. Every day on which there is a heavy downpour in the Auchenflower area a lake appears that is not appreciated by the people who live there. I am wondering if the Minister should be considering whether or not we should direct local authorities when their actions cause interference to the everyday lives of the people.

Another amendment to which I wish to refer concerns the subdivision of land. It has been suggested on a number of occasions by the A.L.P. that shire councils and councils generally should involve themselves in housing. I want to say this afternoon that I am totally opposed to powers being given to councils to subdivide land and I would certainly be opposed to any power being given to local authorities to enter the field of housing, even if only rental houses. I do not think that that is one of the roles of local government and I for one would be totally opposed to it. I have seen in my area how local government resumes land,

and I am not at all happy with the methods under which we allow that to take place. I believe that local authorities have enough problems to deal with in matters such as drainage, road works, kerbing and channelling without entering the fields of land subdivision and housing.

I am very happy to note that we are at last strengthening the hand of local government in matters of land clearance. This is a problem in every member's electorate. Unfortunately, in the past it has been quite usual for six and sometimes up to nine months to roll by before the council takes any action to clear properties, mainly because it has been concerned about recovering from the owners the amount that it has to spend. I hope that the proposed amendment will enable councils to act much quicker in clearing land. I have received a number of complaints from people who have vacant land adjoining theirs that is owned by people who do not reside in Queensland. Quite often it is very difficult for a council to locate an owner who is constantly on the move.

I support the amendments before the Committee and I voice the concerns that I have mentioned in the hope that one day amendments will be brought down to overcome them.

Mr. CASEY (Mackay) (4.24 p.m.): There are a few points that I should like to make in the debate on this Bill.

Mr. Ahern: Very briefly.

Mr. CASEY: Yes, fairly briefly. Unlike other members who speak on virtually everything that opens and shuts in local government, I shall address myself to the Bill.

I am glad to see that the Minister is bringing down amendments to prescribe what should or should not be done with artificial lakes. I sincerely hope that local authorities properly accept their role in this. In his introductory remarks the Minister said he was going to introduce legislation to allow them to make the right and proper sort of by-laws to cover this matter. He pointed out that the experience in many overseas countries and in other States has been that these artificial lakes become dirty, polluted and full of rubbish, and that many are poorly maintained. On a very small scale, a good example close at hand is the filthy state of the small artificial lake or big pond in the Botanic Gardens. It is a beautiful spot, but unfortunately people tend to throw rubbish into it and there is a further accumulation when rain sweeps into it. It becomes polluted. It is fouled by birds and quite a number of other things.

One of the biggest shortcomings of local authorities today right throughout the State —I am only using this one here as an example—is an inability to provide proper and adequate maintenance funds and the personnel to carry out that maintenance. It is a very serious problem. Members of local authorities should properly accept their role. That applies to so many avenues of their work: streets, highways, bridges, traffic signs, street signs, lane markings, public buildings and toilet blocks. I could name so many others.

Each and every member knows that councils in his own area have put up a toilet block. They make great play of the money spent on it. But go back a week later, a month later, a year later or four or five years later. Somebody mentioned earlier about toilet blocks being high. They're high all right. They're on the nose. They are not being kept clean and maintained properly by the local authorities. One gets many complaints from people that toilets in cities and at beach resorts are not being properly maintained.

Take such little things as street signs. How often have members gone into strange towns or cities and found that someone in a local authority has done a very good job of putting up adequate street signs around the place; but they rust, are damaged by motor vehicles and other things that occur from time to time, and the paint peels off. They are not properly maintained so they might as well not be there because one is unable to find one's way around those places properly.

We face problems with our roads and streets. Very few councils in the State can fairly lay claim to a satisfactory level of maintenance of roads and streets, and that is why they are damaged so much during wet weather. That is why every year as soon as we get a little floodwater about the place, local authorities cry out for flood-relief money from the State Government and the Federal Government. If we made a proper examination of the situation, we would find that in 90 per cent of places, the damage is attributable to a lack of proper maintenance by the local authorities; they have not done the work they should have done over the years.

Bridges are another problem. I spoke yesterday about the bridges in Mackay. Let us look at the Forgan Bridge. Not only is it the main traffic artery between Mackay and North Mackay; it also represents the boundary between the two council areas. Halfway across the bridge one enters the Pioneer Shire Council area. We have in Mackay a stupid boundary problem like that pointed out by the honourable member for Bundaberg a short while ago. So who maintains the bridge? No-one! Vehicles going backwards and forwards across the bridge drop dirt from underneath the mud-guards and it is swept to the side of the bridge by the tyres, where it blocks up the weep-holes which we see on all concrete structures. They are designed to allow water to pass through and fall into the river below. Because these weep-holes are blocked up when it rains, the water cannot get away and the traffic using the bridge pounds the

water into the concrete pavement, and sure enough, what happens? The concrete pavement starts to break up and we see another major maintenance problem on the bridge which is expensive to repair. The pot-holes in the concrete structure cause severe damage to vehicles. This happens simply because proper preventive maintenance is not carried out by the local authority concerned. All that is required is a group of workmen with brooms and shovels to go across the bridge once a month and keep the sides clean. Half a day's work a month by three or four men and the whole thing could be kept clean. Because that sort of thing is not done major costs are incurred. They are major costs to the community because, after all, it is from the community that the money comes.

Planners in councils tend to think that they can skip an item of maintenance for one period. They say, "We will let it go this year and see if it will last until next year." It might be a bitumen surface that needs resealing. They look at their budget and say, "We will see if we can let that go until next year." At the end of the year they might find that the road surface has not greatly deteriorated—perhaps because there has not been much wet weather. When they are planning their budget they decide to let that work go for another year, and so it goes on. That happens time after time. It happens in some of the State Government departments, too—particularly in the Works Department with school buildings. The skipping of maintenance in one year encourages the budget-cutters to try the same thing the next year. Once upon a time most local authorities constantly had a small grader trimming road shoulders in dry weather and keeping them clear of rubbish and dirt. Today that sort of work seems to have stopped. Probably somebody says, "That grader could be used on capital work somewhere else." Then down comes the rain, and the water cannot get away properly, with the result that there is a breaking up of the surface along the edge of the bitumen. The situation worsens until eventually there is need for major capital expenditure on the reconstruction of the whole of that road surface.

Perhaps the cleaning of gutters can be let go during the year. The council might say, "Let the ratepayers mow their own footpaths and keep their own gutters clean." Many people do that because they have civic pride. But some people will not do it, and there is the odd person who throws accumulated rubbish into the gutter. When the rain comes, the rubbish is washed into inlets and major drainage structures become blocked. Local flooding can occur and cause considerable damage in the area. That can happen simply because one item of maintenance is not regularly carried out by the local authority. I suppose it can be said that there is no glamour of an opening ceremony or ribbon-cutting ceremony when a road is resealed or when the underside of a bridge is repainted. As we have heard from other speakers, there is a tendency for many local authority members to try to become kings in a small house in their own areas—the late honourable member for Port Curtis used to refer to them as "sawdust Caesars." Because there is no glamour associated with that sort of work, maintenance is delayed so that the money can be used on items that provide glamour. Delayed maintenance can be a heavy drain on the public purse in the long run.

The new provision dealing with the oath of allegiance will lead to little more pomp and ceremony in local authorities. Despite the fact that it has been mentioned that politics should not enter the local government field, I know many local authorities where councillors will be falling over one another to arrange a great ceremony for the swearing-in of the council.

One point the Minister neglected to mention was who was going to administer the oath of allegiance. The Governor of Queensland swears in the State Cabinet and delegates under his hand and authority a panel of commissioners to swear members in. Normally that panel is made up by the Premier, the Deputy Premier and another senior Minister. The swearing in is conducted fairly quickly and efficiently. The swearing in of a new Parliament must occur on the first day of its first session. Will it be written into the Act that the swearing in of a council must occur on its first sitting day, which must be held within 72 hours after the declaration of the poll? I should hope that this would happen and that councils will not be waiting to be sworn in until the Premier or the Minister for Police or the Chairman of Committees or someone else is able to officiate at the ceremony.

Mr. Marginson: It could be the local member.

Mr. CASEY: It could well be the local member. After all the Local Government Act is an Act of this Parliament. Many local authorities tend to lose sight of that fact. To some of those Government members who have interjected, I would say that they should keep this point before the local authorities in their areas. There is a tendency for local authorities, no matter what their political affiliations may be, to see themselves as being far above this Parliament.

Mr. Miller: The Brisbane City Council.

Mr. CASEY: Whether it is the Brisbane City Council or the Cook Shire Council, the tendency is still there. Local authorities should be reminded constantly that they act and operate under the authority of this Parliament. They should not be allowed to forget this. In fact this Bill gives local authorities the power to do certain things.

To come back to my main point—it would be fair for a local member to administer

the oath of allegiance. I do not mind whether it is the Chairman of Committees, a Minister or a back-bencher. It could be the magistrate or the town clerk. Whoever it is, it should be clearly set out in the Act, as should the method in which the swearing-in ceremony is to be conducted. As I say, it should take place immediately after the declaration of the poll so that we do not see the continuation of the bun-fighting that has been going on up to the present.

As the honourable member for Redlands has said, many persons who are elected to local authorities do not have a clue what they should do or what happens in local government. The Local Government Department should provide on a triennial basis a specialised course of instruction for people who enter local government. Half of the men and women who are elected to local authorities contest the election because they are unhappy with the previous council. However, when they are elected and have the opportunity to examine the situation and find out about loan allocations, loan priorities, local authority finance and other things, they realise that they may have been a little foolish in their criticism prior to the election. They find the situation to be entirely different from what they expected. So there is a need for persons entering local government to be educated in the affairs of local government.

Very few members of Parliament enter Parliament without having had some proper training. Much of this training is obtained on local authorities. In fact many fine members of Parliament were formerly local authority representatives. Both the Minister and the shadow Minister (Mr. Marginson) gave many years of long and meritorious service to local government prior to their election to Parliament. They acquired much of the skill and knowledge that allowed them to be good members of Parliament. Members also receive training in their political organisations. As I say, when a person is elected to a local authority he should be given the opportunity to obtain an education in all aspects of local government.

I am concerned about the point made by the Minister—which was supported by many Government members—relating to union membership, namely, that persons who may not be in a union should be protected in the matter of appeals on certain things in local government. That is strange legislation coming from the Government because it has legislation on its Statute Book whereby a town clerk cannot be a town clerk if he is not properly qualified, that an engineer employed by a local authority must be registered or he cannot be employed and that architects and building surveyors likewise must be registered. Only recently the honourable member for Pine Rivers, who is an architect, protested strongly about something in the building legislation because persons other than registered architects are allowed to do certain things. We have many medical practitioners in the Chamber. Doctors cannot practise medicine or be health officers of local authorities unless they are properly registered under legislation of this Assembly. Registration of all those professions gives protection of the respective organisations. Why shouldn't we legislate to ensure that all workers are similarly protected by union membership? If the Government does not accept that unions are properly run it, should treat the cause, not the effect.

I do not feel at all happy about the general reserve fund mentioned by the Minister. Early in his speech he told us that local authorities are short of funds, but under another part of this legislation he wants to ensure that local authorities with plenty of money up their sleeves keep it there. Surely that is the exact opposite of his earlier statement. I see no reason why any local authority—or for that matter any Government—should do that unless it has a special contingency fund for plant replacement and so on, which the Minister referred to.

If the Local Government Association is pressing for these things, it must be kidding somebody. Every local government conference I have attended, or heard of in the past 15 years, has insisted that local authorities are very poor, yet we are legislating to ensure that they can keep their nest-eggs safe for a rainy day.

I should like to deal with the boundaries of local authorities, which the honourable member for Bundaberg covered quite adequately. Suffice it for me to say that I strongly support, as I did on the first occasion when I spoke on local government matters in this Chamber, a complete revision of local authority boundaries in the State to bring proper equity to the councils in the State.

Mr. TENNI (Barron River) (4.43 p.m.): I rise to support the excellent provisions outlined by the Minister and congratulate him on the way he is handling his portfolio. He is looking at the most important things concerning local government and the people. This is important because most people in the State pay rates.

I have heard some very silly statements from the Opposition benches concerning the R.E.D. scheme and the Grants Commission. I can only say that Opposition members do not know the difference between councils and a country dunny. The R.E.D. scheme was put to the councils in a disgusting way. Those in charge of the scheme apparently did not realise the costs that councils would be forced to shoulder. Many of the R.E.D. schemes were a ridiculous waste of taxpayers' money. It can be said that people in the shires gained some benefits, but the cost of the jobs was outrageous. No sensible managerial person would contemplate doing jobs at the cost of those involved under the R.E.D. scheme. It is understandable that they were undertaken when we see the way

the Labor Government mismanaged the economy. It broke the country and endeavoured to break the councils as well.

The R.E.D. scheme was good for some councils. It was very noticeable, however, that in the main they were the Labor-controlled councils. In the Mareeba Shire we were putting in 30 per cent in order to get 70 per cent of the cost from the R.E.D. scheme. We had to supply our own overseers, gangers and trucks at ratepayers' expense in order to employ, on many occasions, the unemployable. That is something that our colleagues on the Opposition benches are not prepared to admit. They haven't the guts to do it.

Mr. JENSEN: I rise to a point of order. I did not mention the R.E.D. scheme in my speech. I mentioned the Grants Commission, but nothing about the R.E.D. scheme——

The CHAIRMAN: Order! The honourable member has made his point of order. I ask the honourable member for Barron River to accept that denial.

Mr. TENNI: I accept the denial. It was either the member for Bulimba or the member for Bundaberg. Perhaps it was the member for Bulimba who spoke about the R.E.D. scheme, seeing the member for Bundaberg has admitted he spoke about the Grants Commission.

While I am on the subject of the Grants Commission, I say that it is quite a sound idea except for the months of preparation of cases, which involve each executive member of the council—the chairman and councillors. The time and the cost involved are ridiculous. Once again, it was typical of the actions of the socialist regime we had in Canberra, and another reason why we are in such a hell of a mess financially.

Mr. Ahern interjected.

Mr. TENNI: Labor made one hell of a botch of it.

Mr. Jensen: Tell us how you would get rid of the pig-swill up in your area.

Mr. TENNI: We will have no trouble getting rid of the pig-swill in our area, but that has nothing whatever to do with this Bill.

I congratulate the Minister on a few of the provisions. One relates to setting up a board to hear an appeal by a dismissed local authority officer.

Local government encounters many problems. The Minister is ironing them out through amendments such as those before us today. The part of the legislation dealing with licences for civic centres is really great.

What I am concerned about, however—and this has been mentioned previously—is the way in which Mr. Tucker gained power in Townsville at the elections last weekend. It is very important that we bring in preferential voting. That should be done as a matter of urgency. If we are not careful, the socialists will gain power right throughout the State. Seeing the Minister has done such a marvellous job in his portfolio over the last 18 months, I strongly urge him to make suitable amendments before the next elections. They are most desirable, and in keeping with the policies of the State and Federal Governments.

At the moment I am still chairman of the Mareeba Shire, which is made up of divisions. This brings me to another matter of concern. Although divisions have been mentioned by the Minister in his proposed amendments, I would like to see divisions excluded from council operations except for electoral purposes. I say that because of the cost involved in keeping separate sets of books for each division and a master set. The work is out of all proportion to its value. When vehicles, men and equipment move from one division to another, the costs have to be allocated. In my shire, the men may work in three divisions in one day, and the relevant costs have to be split up. For the life of me, I cannot see the advantages.

The provision concerning artificial lakes will be very good in certain parts of the shire. In the Mareeba Shire we considered building a lake in the middle of Mareeba, but because of costs we had to shelve the plan. We are looking forward to assistance under the Commonwealth Government's tax-sharing scheme. Possibly that and the relevant amendment under this Bill will assist the Mareeba Shire Council to go ahead with it.

The honourable member for Mackay mentioned the swearing in of chairmen, councillors and aldermen. I think that this is an excellent and necessary move. I think that the local member of State Parliament should have the privilege of swearing in each and every councillor in his electorate. We would get to know the new councillors very smartly. This would be advantageous to them, and to the State and all concerned. I suggest that that be given serious consideration.

The provision allowing an increase from $3,000 to $6,000 in the contracts that may be entered into without inviting tenders and an increase from $500 to $1,000 in the contracts that can be let without calling quotes is an excellent one. These are in line with the inflationary trend brought about by the socialists in Canberra whom A.L.P. members support.

The Laborites in this Chamber can say what they like, but their policy is complete annihilation of local government. They want to set up regions. I take what they have to say with a grain of salt. It is a principle that they are forced into upholding.

I am pleased to have had the opportunity to speak and I thank the Minister for introducing proposals which will be beneficial to the people of this State.

Mr. BURNS (Lytton—Leader of the Opposition) (4.52 p.m.): I am not going to congratulate the Minister on the good job that he is doing in the Local Government Department. After listening to the last few Government speakers relating their experience gained in local government, I think it would have been better if some of them had stayed in local government. They are making no worth-while contributions in this Parliament.

I want to talk about the need for reprinting the Local Government Act. From time to time we amend the Act but nobody can purchase a copy of it. It is presently out of print and has been for about 18 months. In fact, the Government Printer had to make a refund on a cash transaction made on 7 December 1974. Since then there have been more than 100 written orders plus countless telephone and personal inquiries, but no copies are available.

When the Act was in print, it consisted of the principal Act and a conglomeration of ad hoc amendments that called for the use of large amounts of glue and energy before one could decipher or understand the current law. I think the Minister would agree that this is a difficult task for a person with legal experience, let alone a member of the public who merely wishes to know what the law is concerning his own property in the area in which he lives.

When it was in print the Local Government Act was last consolidated in 1969, despite the fact that substantial amendments were made to the town-planning section (section 33) in 1969 and 1973 and to the subdivision section (section 34). But we still do not have a consolidated Act. It is a serious denial of the civil rights of the average citizen to prevent him, through inefficiency, from obtaining copies of this legislation.

In the past the Queensland Supreme Court has commented adversely on the failure of the State Government and the Brisbane City Council to consolidate statutes and ordinances. I agree with Mr. Justice Wanstall, who made the comment that the Roman Emperor Gaius Caligula was in the habit of putting proclamations in small print on the tops of pillars. I suggest that the Minister is the Gaius Caligula of this State. The only difference is that with his weight and size, it would need to be a decent sort of pillar if he had to climb to the top of it to put his proclamations there.

That wayward autocrat in those times used to set up his administration in such a way that the ordinary citizen in the community was unable to find out what the proclamations were. It is no different today. The ordinary citizen in our community cannot find out the law regarding local government.

I see the Minister for Mines and Energy speaking to the Minister for Local Government and Main Roads. I suggest that he needs advice. We have been searching for this Act for 12 months and we cannot buy a copy of it. I am glad that the Minister for Mines has come to his assistance in this regard. He might be able to pass a few notes to the people generally to let them know a little about the Act.

If the citizen is to understand local government legislation, the relevant departments should be publishing not only the Act but explanatory pamphlets on the effect of the law. As the situation stands at present, the public are even worse off than the citizens of Rome. At least they could climb the pillars to read the proclamations. Queenslanders need to run through a mirror-maze of amendments reminiscent of childhood jig-saw puzzles. Of course, if the statutes are out of print, there is no problem for the citizen; he can live in quiet ignorance. But ignorance of the law is no excuse.

I said I would take four minutes. We ought to spend four or five hours on printing the Act so that the average citizen can obtain copies of it and be able to understand the law as it affects him.

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (4.56 p.m.), in reply: If nothing else, the debate has been very interesting. This is only natural because 20 clauses amending the Local Government Act would have to attract many speakers as most members are interested in local government activity.

I thank honourable members for their contributions to the debate on this Local Government Act Amendment Bill. The amendments generally are fairly straightforward, of course, and, as I said at the outset, they are aimed essentially at updating the Local Government Act, making it more workable, and at making local government itself more efficient.

From the contributions to this debate by several speakers, it is clear that members have an appreciation of the intent and objectives of the Bill. The provisions dealing with freshwater lakes, as I said previously, are the first such measures introduced in Australia and, as such, they no doubt will be closely watched by authorities elsewhere in Australia. In drafting these particular provisions we have been able to learn something from experiences in the U.S.A. and Canada, as I said in my introductory remarks. Our provisions are basically very sound, I believe, and I think they will be welcomed by everyone.

I would note in particular the tone of agreement in the remarks of the honourable member for Wolston, the Opposition's spokesman on local government matters in this Chamber. I thank him for his contribution.

I would like to deal briefly now with specific points raised by particular speakers. The honourable member for Wolston raised the question of the financial position of local authorities. This matter currently is under

very extensive examination at Federal level, involving representatives from all State Governments, too. The new Federal Government has decided that local government should receive a specified share of the common pool of taxation and consideration is being given at the moment to the percentage of taxation which should be allocated to the various States.

As honourable members will appreciate, the functions of local government vary from State to State and Queensland leads the field in the powers and autonomy that its local authorities have. Honourable members can be assured that the Queensland Government is very actively pursuing that matter to see that the State's local authorities receive a fair and adequate share in the distribution of the financial cake.

The Queensland Government has been generous in its financial assistance to local authorities, bearing in mind the limited financial resources available to it. Last year, for example, the State Government made available to local authorities subsidies totalling some $23,000,000 towards the cost of capital works such as water supply, sewerage, etc. In addition, during the last two financial years, the State Government made available unconditional general purpose grants to local authorities and $5,000,000 was allocated to them this year. Every local authority received a grant.

Under the Commonwealth Grants Commission scheme a number of local authorities (the Gold Coast City Council, for example) did not receive grants. It is my feeling as Local Government Minister, and the feeling of the Government, that all local authorities need this sort of assistance when it is available, not just some of them. One problem with grants, of course, is that there generally is no predictability, or guarantee, of their continuing, thus a local authority which receives a grant one year cannot be certain that it will receive a grant next year. This introduces an element of uncertainty in year-to-year planning which is not desirable.

Local authorities need to be assured that their financial well-being over the longer term is catered for. This is where the new tax-sharing arrangement should introduce a degree of stability which has been lacking in local government financing up to now. The State Government very naturally is looking closely at this question and our intention is that under the tax-sharing scheme local authorities will know for some years ahead what they will receive.

The honourable member for Wolston asked about the outcome of an appeal by an officer of the Gold Coast Council who was not a union member and who was dismissed from the council. My advice is that the officer in question went overseas shortly after his dismissal and did not pursue the matter further.

The honourable member for Toowong raised the question of amendments increasing the statutory amounts relating to the calling of quotations and tenders by councils for the purchase of equipment, etc. We fully support the principle of public tendering. However, owing to rampant inflation in recent years, statutory maximums fixed some years ago have been eroded and it is necessay to increase them. The honourable member can be assured that when monetary values become static, the statutory maximums fixed in relation to tenders and quotations will be reviewed and stabilised.

The honourable member for Bulimba made certain references to Press reports and suggestions, which I feel do him no credit; nevertheless I believe some points need to be answered. I think I made it very clear, earlier in the day, that I am certainly not engaged in any running battle or confrontation with any member, and that my policy is one of co-operation with all councils everywhere.

In respect of the land rezoning application to which the honourable member refers, I make it plain that my application in respect of land I own at Burleigh Heads seeks nothing more than to restore the allotments to the zoning which applied when I bought them, and the zoning which applied until May last year. The sole purpose of my application for rezoning is to protect my equity in the blocks. My application to the Gold Coast City Council—and which the council considered and endorsed unanimously—was in respect of my own two allotments only, and of course, as far as I am concerned as applicant, does not involve other allotments. I have submitted my application to the council in the usual manner—the same as a bricklayer, a doctor, or a labourer landholder would—and it has been considered by the council in the normal course of its business. There has been nothing special or different either in the manner in which I have made my application or in the way in which the council has dealt with it.

The application, and the council's decision on it, are of course subject to the normal objection procedure which currently is under way. As I am an interested party, I will not, as Minister, be considering the application myself at any stage. This would be quite improper. The application, the council's decision on it, and objections to it, will in the normal course be considered by the Local Government Department and the department's recommendation on it will be taken up with Cabinet by another Minister. I will not be taking any part either in review of the council's decision and objections, or in presenting a recommendation to Cabinet, or Cabinet's deliberations—and, of course, I will abide by whatever decision is reached. I think this explanation should firmly lay to rest any suggestion that I am either compromising my position as Minister or doing anything irregular in what is in fact a

normal application which any landholder is entitled to pursue and, of course, why shouldn't any parliamentary representative be entitled to this common right as well!

Mr. Marginson: You are giving an answer before I have asked the question. I haven't asked the question yet.

Mr. HINZE: Somebody asked the question. I think it was the honourable member for Bulimba. He raised the question of local government boundaries. I understand the honourable member for Wolston had some thoughts about this but the honourable member for Bulimba referred to it during the debate today.

The Government's attitude is not to alter local authority boundaries unless the local authorities involved agree to the alteration or unless the Government considers that a special case can be made out for the alteration. In the final analysis it is felt that the people of a particular area should be the ones to determine whether or not a suggested amalgamation takes place. If the local authority is able to carry on financially providing the services that the people want, then why should the council area be amalgamated with some other area? If this sort of thing went on, we could very well take the "local" out of local government. The experience in other states (including South Australia, it should be noted) is that large-scale local authority boundary alterations recommended by boundaries tribunals are not acceptable either to local authorities themselves or to the State Government.

On the question of local authority financing, I would like to restress that, in addition to the proposed taxation-sharing scheme, it is proposed that local authorities retain their present rating powers.

On the question of transport, referred to by the honourable member for Bulimba, it must be realised that the matter of coordinating public transport in the metropolitan area and surrounding areas goes beyond the boundaries of the Brisbane City Council, and it is necessary that a special body be set up to deal with this particular issue. This situation is, of course, that the Government has considerably added to the powers and autonomy of local government—not reduced it as the honourable member claims. In practice, proposed amendments to the Local Government Act are discussed with the Local Government Association executive and agreement invariably is reached on the proposals considered.

As mentioned previously, the question of widening the finance-raising capacity of local authorities, by giving them access to the common pool of taxation as well as traditional rating, is currently being considered by the three levels of government—local, State and Federal. It is felt that, as everyone enjoys the facilities provided by local authorities—and facilities provided largely by the people in the community who pay rates—there is a case for special government assistance (through taxation-sharing) to balance out the situation, so that everyone helps to foot the bill.

The honourable member for Ithaca raised the question of minimum general rates. The present law gives a local authority the power, each year, to fix by resolution the minimum general rate to be levied. This is to enable each rate assessment to cover the cost of levying and collecting rates and the cost of providing minimum services. The Bill goes further and provides that, where a shire is divided into divisions for financial purposes, then the local authority can fix different minimum general rates in each division. The power is a discretionary one and is considered necessary because of differing conditions in different divisions. For example, one could embrace a seaside area and another a rural area. The local authority, of course, is responsible to its electorate for its decisions, and thus has to account for its decisions on the level of general rates.

I thank the honourable member for Landsborough for bringing forward the very real need for the amendment to the Act. After consideration by my committee it was decided to include the Landsborough Shire proposal in the amendments.

Mr Ahern: Thank you.

Mr. HINZE: I thank the honourable member. He is generally recognised as one of our up-and-coming young members.

The oath of allegiance and declaration of office must be subscribed before the clerk of the local authority. The oath and declaration must be subscribed before a member can exercise his office. If a member does not do so within one month or such other time as the Minster may allow, his office is vacated.

As to the question raised by the Leader of the Opposition (the honourable member for Lytton, Murarrie, Hemmant and all those places where those obnoxious things happen), the Local Government Act is being reprinted. It has been checked by the Department of Local Government, and it is expected to be available by June 1976. This reprint will contain the Act plus all amendments up to 31 December 1975. I do not know the actual cost, but I expect it will be something in the order of $5.

When the honourable gentleman referred to me as Caligula, a Roman Emperor, and likened me to Nero and all those other great men, one of my colleagues said to me, "The Leader of the Opposition obviously will never aspire to those great heights. He will never get away from the slave market."

Motion (Mr. Hinze) agreed to.

Resolution reported.

FIRST READING

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

GAS ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Miller, Ithaca, in the chair)

Hon. R. E. CAMM (Whitsunday—Minister for Mines and Energy) (5.10 p.m.): I move—

"That a Bill be introduced to amend the Gas Act 1965–1974 in certain particulars."

I have gone on record several times to state that as and when necessary I will amend the Gas Act so as to ensure that its provisions can adequately meet the changing requirements of the times.

A number of factors have contributed to the need for the amending legislation. Indeed, the majority of the changes have been initiated following advice from the Solicitor-General's office.

Some amendments have resulted from closer reappraisal following legal examination, which revealed areas needing strengthening to preserve the principles and authorities of the Act and its regulations.

The combining of all gas installation practices and licensing within the ambit of the Gas Act, together with the need for upgrading generally the regulations, highlighted many of these deficiencies.

Furthermore, the experiences gained from the handling of the many and varied circumstances which have arisen over the past few years also indicated the need for some changes if control of the Gas Act is to be effective and beneficial to the gas industry, consumers and the public generally, particularly from the safety point of view.

The modernising of the concept of a gas franchise to include more than just reticulation must be a boon to both gas company and consumer, particularly in areas where it is totally impracticable to reticulate, but economic to develop, a sizable L.P. gas business. All of our large centres, as well as the smaller country centres, should benefit ultimately from this and cost reduction should follow.

Classic examples are Mt. Isa, Gladstone and the Gold Coast and the towns of Townsville, Warwick and Gympie, which have been converted to L.P. gas. Many small country towns could likewise benefit.

Apart from the amendments initiating from our legal advisers, there are some other matters which needed attention, and the opportunity has been taken to cater for these also.

By far the bulk of the amendments concern safety matters.

As I pointed out earlier, there has been some depreciation of authority and concept. For example, the acceptance of even such a matter as the adoption of a Standards Association of Australia Code should no longer be effected by generalised legislation and such authorities should now be particularised.

It must be appreciated that, while more and better codes of practice for the gas industry have been and are being developed because of the great growth of the industry, there still are significant areas which have not been covered and in these areas discretion and interpretation must come from the experience and judgment of my senior staff.

This bridging operation has been a traditional and successful facet of the office of the Chief Gas Examiner for some time and it is desirable that it continue. As before, particularisation now is considered necessary.

Members will note that there has been a small but significant change to section 8 of the Act to allow basic safety requirements to be observed prior to connection of gas to the system. The benefit is obvious.

The authority to delegate some of the work-load of the Chief Gas Examiner provides for continuity of authority, increased operative efficiency and speedier service to the industry.

Accidents causing death or injury, explosion, fire or serious damage will now be investigated with authoritative backing similar to that given other departments involved with safety.

The authority of the Minister to inquire into aspects of gas franchise development and direct where necessary has been given greater flexibility.

Protection of a gas franchise from undue intrusion by bulk L.P. gas marketing due to expire this year has been continued subject to the authority of the Minister. I might add that the Minister always had the right to waive the protection in certain circumstances.

A review of Part VII of the Gas Act shows that many aspects concern the business and operation of the gas supplier. The present title therefore is a misnomer and is being altered to properly describe this part.

The Industrial Court has been given some discretion over the awarding of costs of an appeal action for cases where information not available prior to the hearing had a material effect on the determination reached by the court.

Obviously in such cases it may be unreasonable for the consumer and the Government to bear costs which may have been avoided if reasonable procedures had originally been observed. A time limit of not less than three weeks will apply for replies justifying queried items of expenditure. This is reasonable and precludes undue procrastination.

The responsibility for safety for gas installation, handling and production has been clearly defined. I am sure honourable members agree that an onus for safety of all persons in the industry is now a necessity.

The matter of penalties has been reviewed and the sums of money have been brought more into line with present day values. Further, the court has been given the right to ensure that a contravention can be rectified. Previously the payment of a fine could end the matter. Again, I am sure that honourable members agree that an unsatisfactory situation has now been eliminated.

The remainder of the amendments vary the wording of the scope of the matters for regulation as set out in Schedule IV. These are self-explanatory and mostly follow as a natural consequence of the basic need for the admendments I earlier indicated.

Members will note that one amendment to the schedule in particular will allow regulations providing for certification of gas installations as a prior-to-sale requisite for caravans and marine craft. I have been concerned for quite some time at the lack of safety in this area and do not believe that the unsuspecting purchaser should be exposed to danger.

I commend the Bill to honourable members.

Mr. MARGINSON (Wolston) (5.17 p.m.): I listened with great interest to the Minister's introductory remarks. The amendments that he mentioned dealt mainly with safety measures to be adopted by the Government and the improvement of regulations under the Act, and most of them have been prompted by reports made over the years by the Government Gas Engineer and Chief Gas Examiner.

I made it my business to read the four most recent reports of that officer, and in all of them he made it clear that he is concerned about the supply of natural gas in Queensland. I know that not the whole of the State is served by natural gas; I know that part of the south-eastern corner is.

I became concerned when I read what the Government Gas Engineer said in his reports about the supply of natural gas, particularly his first mention of the matter in his report of 30 June 1972. After reading that report I was prompted to ask the Minister a question dealing with natural gas resources in Queensland. Honourable members may recall that a franchise was then being granted to the Dalby Town Council. On 3 April 1973 I submitted a question on notice to the Minister asking about the availability of natural gas. I also asked whether it was true that some of the industrial concerns in south-east Queensland were not being encouraged or invited to use natural gas. In his reply to that question the Minister indicated that arrangements were being made for Dalby to receive natural gas and that he thought the demand would not place a great strain on the available resources. He also indicated that industrial plants were not being encouraged to use natural gas. In every report since then the Chief Gas Examiner has referred to the possible future scarcity of natural gas in Queensland.

It is very interesting to read his 1975 annual report. In the third paragraph he said—

> "Until the problems of availability and relative cost"—

and over the years the cost of it is important—

> "for both natural gas and liquefied petroleum gas are overcome the growth of the market must be limited and the shift into premium market sales must continue.
> . . .
> "The industry is still awaiting an increase in natural gas reserves or alternative availability so that expansion can again take place."

Later he said—

> "Should economic quantities of gas be established the short term supply problem should be solved."

My recollection is that this year—I think it was in January—Press reports indicated that a problem did exist with respect to the supply of natural gas. I know people who are not prepared at this stage to buy new appliances—candidly, some of my neighbours are not prepared to buy them—because no assurance has been given that the supply of natural gas will continue for any length of time. It was prophesied by "The Courier-Mail" that no more than five years' supply remains. I have not heard of any new reserves being found. What expenditure would be involved in bringing gas from the Cooper Basin, as has been done in Sydney? How would we be placed then? However, people are not prepared to invest in gas appliances until they have an assurance that natural gas will continue to be available to them.

Though the gas companies, because they are concerned about the falling off in appliance sales, have endeavoured to make it known that they are not worried about the situation, nobody has assured the people that natural gas will be available for any length of time.

Mr. Gunn: There is no shortage.

Mr. MARGINSON: I hope the honourable member is correct, but no-one has assured us that there will not be a shortage. On the other hand, it has been claimed that there will be a shortage. I am guided by the report of the Chief Gas Examiner, who continues to show his concern. So he should; it is his field of responsibility, and has been for some time. I repeat that in his last four reports he has made his concern clear to us.

I am pleased that safety measures are being introduced, and I am particularly pleased that provision is to be made relative to safety in caravans. There have been accidents due, I believe, to the stresses on a van when it is travelling over the roads. That

was another point mentioned by the Chief Gas Examiner in his latest annual report. I am pleased that the Minister is taking action on the matter.

We have been told this afternoon about the technical aspects that the Minister wants to clear up. If the Bill remedies those matters, the Minister will have the support of the Opposition.

Mr. GUNN (Somerset) (5.24 p.m.): The fact that there may not be many speakers on this Bill does not necessarily indicate a lack of interest in it. On the contrary, it emphasises the satisfaction with the Bill expressed by members on this side of the Chamber—members of the joint parties generally as well as those who are on the Minister's committee.

If there is one thing of which we should be mindful it is the cessation of exploration for natural gas in Queensland. I believe that there is still plenty of gas to be found, and it is unfortunate that exploration ceased during the period of the Labor Government in Canberra.

Mr. Moore: Confidence did, too.

Mr. GUNN: Confidence, too. The people undertaking exploration no longer received subsidies, so they went to other areas.

Mr. Burns: They did not make any money out of it?

Mr. GUNN: For instance, the Shell Company went to Nigeria and did well there.

Mr. Burns: Were they drilling near Roma?

Mr. GUNN: Not necessarily, but I am giving an instance of one of the companies that was engaged in exploration in Australia. It found exploration overseas to be more lucrative.

It has been mentioned that the Bill deals mainly with safety measures. This is to be applauded. Although the honourable member for Wolston might think differently, there is an increase in the demand for gas. There is also a strong demand for caravans and most of them are equipped for gas. Gas is still a good and economic proposition. It is very clean, and it is easily handled. Although it has been said that there is likely to be a shortage, I do not believe that there is one at the moment. If there was, gas could be obtained from other areas very quickly, and I would say it would still be an economic proposition.

It is not my intention to delay the passage of the Bill. As a member of the Minister's committee, I say that the members of the committee are very satisfied with it and think that it will do what it sets out to do. I do not think that any honourable member could have any qualms about its provisions. I support the Bill.

Mr. DOUMANY (Kurilpa) (5.28 p.m.): I rise to speak in support of the Minister. I acknowledge that the Bill gives priority to gas safety and, after the result of the accident at the corner of George Street and Burnett Lane four or five years ago, which resulted in a fatality and a coroner's inquiry, we must all agree that gas safety is a vital topic throughout the whole of the gas supply area in Brisbane.

The Minister alluded to another aspect which is very pertinent at the moment, namely, the strengthening of the role of this department and of the Government in maintaining and developing this segment of the energy industry. Energy is one of the most vital aspects of the economy of this State and of Australia, particularly when there is a world-wide shortage of hydrocarbon energy, which is at a high price, and particularly in Queensland where we have the specific problem of gas supply in the short term.

The report of the Government Gas Engineer and Chief Gas Engineer was referred to by the honourable member for Wolston. I shall not repeat the quotations. It highlights that there is an immediate supply problem and it must be tackled. It refers to some of the possible alternatives that are available and makes it quite clear that action is being taken to seek out the best alternatives. I stress that there is an immediate problem because there is in Brisbane, where the great bulk of natural gas is being consumed, one major industrial user which has been quite seriously constrained by the supply situation. I refer to the fertiliser works at the mouth of the Brisbane River in the electorate of Lytton. It is a factory that produces nitrogenous fertiliser, a vital commodity not only for agriculture in this State but for Australian farmers generally. It also produces substantial quantities of ammonia that find their way into industrial products such as explosives, and into other products which in turn go into the manufacture of resins and textiles. This industrial arena requires further supplies of gas.

The honourable member for Wolston spoke of encouraging new industrial users. I agree whole-heartedly that it is excellent to see increased use of gas, particularly at a time when we are concerned about air pollution, because it is a very clean fuel. Hydrogen fuels in general are excellent fuels, and I would like to see their increased use in the industrial sector. But there is no question that we have to get an alternative supply situation resolved.

The honourable member for Wolston mentioned that domestic consumers are conscious of the problem. I do not think that too many of them are in fact conscious of it. Since the electricity-supply crisis last July and August a very considerable number of people in Brisbane have switched from electrical to gas heating. If one reads "The Trading Post", which consists of advertisements of second-hand articles for sale, one will find literally dozens of electric hot-water

systems being sold by people who have switched to gas, which is a particularly effective and pollution-free method of heating.

I am concerned about not only the supply situation but also the price situation. The pipeline authority is at present particularly strong in its negotiations with industrial users and domestic supply companies. However, whilst the price should be sufficient to encourage exploration and further development of reserves or the bringing in of gas from interstate sources, the domestic user should be able to obtain energy at a reasonable price and industries should be able to operate economically. If there were any substantial upward movement in the price, industrial users would be disadvantaged and this would be quite serious for the community generally. Chemicals and fertilisers are already expensive enough.

The supply of gas for domestic users should be maintained at a reasonable price because they are committed to a fairly large investment in household appliances such as heating systems and stoves. Most of them are fairly capital intensive, and I do not think anyone would like to be placed in a position where he had to switch abruptly and without warning to a different type of energy, particularly if he had fairly new equipment. This is a very critical area and I trust that the Bill will enable the Minister to strengthen his position as the central figure in the co-ordination and management of these resources in the State of Queensland. I whole-heartedly commend the Bill to the Committee.

Mr. **BURNS** (Lytton—Leader of the Opposition) (5.34 p.m.): I, too, want to speak for a few moments about the threat to the gas supply for the citizens of Brisbane. I listened with interest to the honourable member for Somerset, who told us that there is no need for worry as the gas supply is assured. I am concerned because of an article I read in "The Courier-Mail" on 17 January 1976 (I think it was a front-page article) which stated—

> "More than 100,000 gas appliances in South-east Queensland face the prospect of being unusable in five years."

It continued in the second paragraph—

> "Concerned State Mines Department officials said yesterday that the known gas reserves on the Roma field would last only until then."

In the body of the story it was stated—

> "The State Mines Department considered as urgent the need for planning for an alternate supply to the Roma gas fields."

I did not take a lot of notice of that article then. It seemed to be an isolated item and was not followed up. But "The National Times" of 28 February 1976 talked about the natural gas nightmare and the plans that had been proposed by Queensland to have the gas from the fields in the Cooper Basin piped across to the Surat Basin and down the existing pipeline to Brisbane. So obviously someone was sharing the concern shown in the January article of "The Courier-Mail" and was not as complacent as the honourable member for Somerset, because that complacency could be a real tragedy for us. It could easily be a real tragedy not only for the industrial consumers who have, as a result of our own policies, connected to the gas supply that was run through to the Lytton electorate, but also for the 100,000 people whose gas appliances could be rendered useless if we did not have this supply. I can remember the natural gas connection being made.

My parents and, I suppose, most senior citizens have been supporters of the gas supply system and prefer gas to electricity. Electricity seems to be the modern means of heating and powering home appliances. I suppose older people prefer gas because over the years they became used to electricity blackouts. Many of them changed to gas. It was cheaper and probably more efficient. Many Brisbane residents were forced to convert to natural gas when we changed over from coal gas, and at the time it was a rather traumatic experience for them because the price did go up. Things have settled down fairly well, and natural gas is now accepted. I think the people would be concerned if they felt we were being too complacent or too indifferent about the problem that could arise if our gas supply fails, particularly the 30,000 consumers who have purchased 100,000 appliances that could be thrown on the scrapheap.

It is not a problem which only "The Courier-Mail" and "The National Times" have warned us about. Our own Under Secretary of the Department of Mines warned us about it in the reports of the Government Gas Engineer and Chief Gas Examiner in 1974 and 1975. We can go back further than that, because I think in 1971 the manager of Allgas here in Queensland said that there was a problem shaping up. It has been stated over and over again.

Mr. Gunn: There are problems in electricity, too, you know.

Mr. BURNS: Yes, and I do not think the Government handled them too well at all. It was a fiasco last year when people in this State had to go without electricity because of mismanagement of the supply situation. Consumers were placed in the situation where the Government had to tell them not to use hot water because coal was short. The Government had people scared stiff with threats of prosecutions over the use of electricity and now we are told not to worry about the gas problem. It has been the subject of warnings each year by its own Mines Department.

A Government Member: You don't know what you're talking about.

Mr. BURNS: It is not a matter of knowing what we are talking about. Let us just have a look at the department's reports. The

Minister for Mines and Energy cannot say he was not warned; nor can any other honourable member. Let us start with the 1974 report of the Chief Gas Examiner. In the first paragraph he said—

> "How far can the industry go, or be allowed to go in these changing times, where both the problems of availability and relative cost of supply must be given very serious consideration to see whether or not expansion will continue and if so, in what areas and at what rate?"

We were even worried about whether we were able to expand at a time when people were turning to this fuel and at a time when industries wanted more fuel and were constrained, as the honourable member for Kurilpa has said. In the second paragraph of the report—this is a report from our own experts—he said—

> "Both natural gas and liquefied petroleum gas markets are at saturation as far as present local availability is concerned; therefore, any market increase can only come from alternate and more expensive sources of supply."

In the sixth paragraph he said—

> "There has been little change in the natural gas reserve position though there is the hope that a number of small fields in the area to the south of Roma will show promise. For gas from any of these potential fields to be available there would first have to be a sufficient proven level of reserve to warrant connection to the main pipeline, and agreements satisfactory to the field owners, pipeline company and the gas companies would need to be negotiated."

In the eighth paragraph he said—

> "Even so, at this stage progress has been disappointingly slow and it is difficult to understand why more has not been achieved."

Who said that? It was the Chief Gas Examiner. He went on in the last paragraph at the bottom of the page to say—

> "As supply to non-essential automotive users cannot be guaranteed during periods of acute shortage—."

There was one of the Government's experts talking about periods of acute shortage, but honourable members opposite say that we should be complacent about it.

A Government Member interjected.

Mr. BURNS: I am pleased that someone came in on the subject of exploration. I have had a look at the profits that A.A.R. has been making. We are told that Shell Oil went over to Nigeria or somewhere else. It was not even exploring in the area. "AAR earns regular profits from Roma gas" is the newspaper headline. Its price for gas has been increased all along the line. Might I suggest that the price of gas here is higher than in some of the other States? No-one can tell me that companies would not explore in Queensland with a guaranteed market and the pipeline already constructed because someone would not give them an incentive. Is profit not an incentive any longer? The Government's own expert has been saying that exploration should be extended in this State. The capital investment is here. It must be cheaper to explore here than to go over to Nigeria or somewhere else and set up the whole pipeline and pumping infrastructure. Government members have to stop leaning on Gough Whitlam and the past; they have to learn to live in 1976. Sooner or later they are going to have to live in this year. They go back to the past all the time and blame somebody else. If the gas runs out, those stories of the past won't be able to satisfy the people. The Gas Examiner and the Under Secretary of the Department of Mines have been warning the Government for years. The manager of one company has been doing the same thing, but the Government would not listen.

Let us see what the Gas Examiner said in his report in 1975. He said—

> "It is of more than academic interest to note that the remarks made in regard to the gas industry in last year's annual report continue to have application to today's operations."

Has any notice been taken of what was said in the 1974 report? In 1975 he said that his remarks made in 1974 still had application. He continued—

> "Indeed the inability to obtain relief from the then problems of the day must be looked upon as a most disturbing feature as without remedy from this problem there can be no effective progress.
>
> ". . . Markets were virtually at saturation as far as local availability was concerned. . . .
>
> ". . . The industry is still awaiting an increase in natural gas reserves or alternative availability so that expansion can again take place.
>
> ". . . Agreement between the buyers, transporters and explorers in relation to the proving, development and sale of Surat Basin gas is now much closer though there are still serious difficulties.
>
> ". . . If the longer term supply needs cannot be met by this field then economic marketing of gas from likely alternative fields would require considerable escalation of the market to ensure pipeline viability.
>
> ". . . As in previous years there were supply difficulties and import was again a necessity."

The Government has been warned over and over again. It is the Government's colleagues who are in the Federal Government in Canberra today, and it is they who are going to do the spending. Honourable members opposite talk about assistance. If they want to talk about 1974 or 1975, which I thought they might, I will talk about 1971 when their Federal Government was in power. I will talk about 1971, 12 months before the

Federal Labor Government was elected. At that time, Mr. A. Willis, general manager of Allgas Energy Ltd. said that gas sales were running ahead of planning. After two years, sales of natural gas hit the planning limit of five years. So we were in trouble. I am told that he said sales lifted by 450 per cent. He reported that sales had far exceeded original estimates. Originally, reserves at Roma were estimated in "Petroleum Press Service" of October 1968 to be 150 billion cubic ft. He went on to talk about Rolleston and Gilmore. There were no plans to link those reserves to the Roma field.

What we are talking about is a problem that has been around for a long while. It is like the problem of electricity last year. Honourable members opposite just can't say that it was brought about because someone went on strike or another Government was elected. If anyone says that, he is fooling only himself. We have to live with the people of Queensland who want gas and expect gas in 1980. If the supply does peter out and all the appliances have to be changed, they are going to say to us, "You didn't do your job." I am going to accept the assurances of the honourable member for Somerset that there are no worries about gas. If the people in my area say to me, "Should we worry about gas?" I am going to say, "The honourable member for Somerset assured the Queensland Parliament that there's a ton of gas. The Gas Examiner is wrong; the gas report is wrong. Everything is right. Everything is hunky-dory as far as the honourable member for Somerset is concerned."

I now want to talk about industrial gas safety. Like the honourable member for Kurilpa and the honourable member for Somerset, I am concerned at the circumstances surrounding the explosion in George Street, and I tried to obtain a copy of the coroner's report on his inquiry following that explosion. Some aspects of the inquiry still worry me. Sooner or later the department should give us some information on what has been done to ensure that such an explosion cannot happen again.

Evidence was given that under the city there is a maze of mains, some of which were laid well before the turn of the century. A map tendered at the inquest as an exhibit revealed that it was not known exactly where some sections of gas mains are laid. I hope we have been able since then to discover where they are. Evidence was given also to the effect that records apparently were not available further back than 1938. I hope that such records are available, because I am told that one of the workers who gave evidence at the inquiry said that the method of establishing what sort of main confronted workers was to tap it with a chisel. As some of those mains have lain underground since prior to 1938, no wonder major gas leaks have occurred when they are sometimes tapped with a chisel.

In October 1972, Mr. P. Brixius, an industrial research and testing officer of the Queensland University Mining and Metallurgical Department, said that in the previous two years 650 cases of fractured or damaged gas pipes had been reported to him, most of which were caused by mechanical excavations and digging equipment. In other words, digging was being done in areas where it was not known whether or not gas mains were laid.

Since the 17 July explosions there have been four gas leaks in the same vicinity as the one in which the major problem arose. Two occurred near the corner of Queen and George Streets and one at Albert and Adelaide Streets. It was claimed that the pipes under George Street could have been affected by heavy traffic. That is a matter for grave concern. Heavy traffic and the continued expansion of traffic services must cause concern.

I am pleased to see that we are moving in relation to gas safety as far as caravans, refrigerators and small gas appliances are concerned, but I should like to think that our gas safety provisions are extended to cover the major mains beneath our city. I am sure that since the 1972 reports were published the department has done a lot more work, and I should like to hear the Minister tell us that the conditions reported on at that time no longer prevail. It is a worry to most people with business interests or families working in the city that some of the old mains beneath the city have been there for many years and must be reaching the stage where a tap with a chisel would endanger not only the workmen below ground level but also anyone who might be above.

Hon. R. E. CAMM (Whitsunday—Minister for Mines and Energy) (5.48 p.m.), in reply: I thank honourable members for their contributions to the debate and their ready acceptance of the need to make amendments to the Gas Act. The honourable member for Wolston mentioned the volume of natural gas in Queensland and quoted from the report of the Gas Engineer. He also indicated that industrial concerns were worried about the situation. His statements were reiterated by other speakers.

Both my department and the Government have been aware for quite some time of the need to augment the supply of natural gas in Queensland and we have been endeavouring to encourage further drilling for gas in the State. The honourable member for Somerset and another member—one who interjected—were quite right when they indicated that with the advent of the Whitlam Government every drilling team in Queensland fled the country. They are now drilling in Indonesia, Borneo and Thailand. The removal of the subsidy for oil and gas drilling was the greatest crime ever perpetrated by the Labor Government. That is why there is a threat of a shortage of gas.

Mr. Burns: Why don't you provide a subsidy in Queensland if we need the gas? Why doesn't the State Government provide it?

Mr. CAMM: The honourable member asks why the State Government does not provide a subsidy! We give every encouragement we possibly can to people to come to this country. I did that on my numerous journeys or when I met industrialists from overseas countries. I had American drilling individuals—I do not mean companies—who were prepared to come to Queensland to drill for oil and natural gas. I was successful in getting only one application through the Federal Labor Government. After considerable pressure, the Federal Government gave permission for this one operator to come here to spend $750,000 on the drilling of one well in his unsuccessful attempt to find oil and gas.

A shortage of gas is contemplated in Queensland because there has been little exploration. People are now coming in; a greater interest is being generated in gas exploration. Only this morning I had discussions with a firm that is contemplating building a pipeline from the smaller fields in the Kincora area below Roma to connect at Wallumbilla with the Roma-Brisbane gas pipeline. This firm has received encouragement from the Queensland and Federal Governments. It has been allowed to bring in money to drill for gas and is contemplating drilling 20 wells in the area—this to take place in an area where no-one was allowed to drill by the former Federal Labor Government. I hope it is successful in its efforts to find further gas reserves. We cannot say to companies, "You must go out there and drill for gas." We must encourage people and companies to spend millions of dollars here. Why do Opposition members think these people left Queensland and went to Indonesia, Borneo and Thailand? They were given encouragement by the central Governments of those countries. Why did the big oil companies go to Algeria and the North Sea? They were given encouragement by the people who control the areas. They were not told that they and their money were not welcome; they were encouraged to go there.

Mr. Aikens: And they were not branded as multinational corporations.

Mr. CAMM: No. They did not hate them; they welcomed them.

If anybody can show me any harm caused by a multinational company which has come to this country to aid development, I should like to see it. Some multinational companies that Opposition members speak about have greater interests in Australia than in any other country in the world. They create employment opportunities. What development could have taken place in the Bowen Basin coal-field without overseas finance and men with the knowledge to carry out that major mining operation? If Opposition members want to know why there is a contemplated, feared shortage of natural gas, that is the reason.

The contractual obligations entered into by the gas suppliers at Roma to supply the fertiliser works and the gas company are assured. Sufficient gas is available for these undertakings to keep going. We are looking for future supplies. We do not want the fertiliser company to close down when it uses the gas that the company contracted to supply, nor do we want the people of Brisbane to be short of gas. We are investigating several alternatives. One complex at Millmerran is being examined. If Opposition members have read some of Mr. Connor's utterances, they must be aware that he told Mitsui he was not prepared to allow the company to come in here and build a big coal-hydrogenation plant to manufacture gas and motor spirit. He would not allow the finance to come in. Where would Opposition members be able to locate hundreds and hundreds of millions of dollars for this purpose? That is another reason for the shortage.

Representatives of the same firm visited me recently to show me a sample of what they produced in the pilot plant in Japan. We hope that this project also will go ahead. That will be another source of gas for this part of Queensland.

When anyone compares the price being paid in Queensland with the price paid in Melbourne for gas, he should check on his facts. He would then realise that he knows nothing about economics.

Mr. Burns: I said South Australia.

Mr. CAMM: The honourable gentleman mentioned Sydney, as well.

Mr. Burns: No, I did not.

Mr. CAMM: South Australia consumes a greater volume of natural gas. Gas in Brisbane is consumed on the south side. The volume of gas consumed in South Australia is terrific. It is going to be used in power stations and in brickworks. We would be using it for many purposes if we had sufficient proved reserves. We do not have the reserves to allow companies to sell the gas for electricity generation; but we have sufficient coal for electricity generation in Queensland. Of course, the Leader of the Opposition would like to see us pour the natural gas in at low cost and put all the Ipswich miners out of work!

Mr. Burns: Rubbish!

Mr. CAMM: The Leader of the Opposition in his speech said, "Why don't you burn it in power stations?" I could see the ears of the honourable member for Wolston prick up at the very thought of bringing in natural gas to take the place of coal in our power stations.

The honourable member for Somerset knows the situation quite well. He knows

what we are endeavouring to do. He does not want to put fear in the minds of people in South-east Queensland.

Mr. Gunn: Scare tactics.

Mr. CAMM: The Leader of the Opposition lives on scare tactics. He would like to instil fear in the minds of the people that there will be a shortage of gas for the domestic user in South-east Queensland and then in 18 months' time, like a knight in shining armour, exclaim, "Because I brought this to the attention of Parliament you now have natural gas in sufficient quantities." He should not scare the people of South-east Queensland. I have indicated that there is sufficient gas to meet the contractual obligations entered into by the gas company. Naturally, we are concerned about the future and about an immediate increase in consumption by the fertiliser works. It is for that reason that we have been encouraging the oil companies to undertake further drilling in that part of Queensland.

The honourable member for Kurilpa expressed concern—and rightly so—about the fertiliser works being forced to constrain their output because of future supply of natural gas. We readily admit that. However, they are still able to obtain the amount of gas that the company contracted to supply to them. Major expansion is contemplated in output because of the demand for their product; but we cannot allow any major increase in their gas consumption until we are sure of increased reserves of natural gas.

The honourable member for Lytton compared the price here with what is being paid in Britain. I think he held a chart up. It shows how ridiculous his assessment is when he compares a facility supplying to a few thousand people with one supplying to tens of millions of people. Of course a lower rate can be struck when such a large consumption is spread over a very small area.

I explained earlier what has caused the shortage. Not a squeak was to be heard from the Leader of the Opposition when his colleagues in Canberra imposed restrictions on the inflow of capital into this country. We had the prospect of millions of dollars a a year coming into the country and then the Federal Government said, "For every $100 that comes in here, one-third must go into the Reserve Bank interest-free." Of course, no money went into the Reserve Bank on that scheme. No company was prepared to introduce capital under those conditions.

The Leader of the Opposition endeavoured to introduce last year's electricity shortage into this debate. His sorry record of utterances displaying a lack of knowledge on that issue were very pitiful indeed. He was talking about things that had happened 18 months previously. He would be well advised not to enter into any discussions about the electricity shortage last year.

I will reserve any further comments until the second reading.

Motion (Mr. Camm) agreed to.

Resolution reported.

FIRST READING

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

[Sitting suspended from 6.1 to 7.15 p.m.]

ANZAC DAY ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Row, Hinchinbrook, in the chair)

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (7.16 p.m.): I move—

"That a Bill be introduced to amend the Anzac Day Act 1921–1973 in a certain particular."

This is really a machinery amendment. Prior to recent amendments to the Racing and Betting Act, 80 per cent of bookmakers' turnover tax on bets made at ordinary race meetings was paid into consolidated revenue, with the balance of 20 per cent being paid into the Racing Clubs' Turnover Tax Special Fund for eventual distribution to racing clubs throughout the State.

The 1975 amendments to the Racing and Betting Act increased the percentage of bookmakers' turnover tax payable to the special fund from 20 per cent to 33.3 per cent. The percentage coming to Consolidated Revenue therefore dropped to 66.6 per cent but, as the amendments also increased the tax itself, the Consolidated Revenue position was not worsened.

In accordance with section 8 (2) (iii) of the Anzac Day Act 1921–1973, the percentage of bookmakers' turnover tax on bets made at Anzac Day meetings still stands at 80 per cent. In the circumstances, it is necessary that an adjustment be made to the percentage of turnover tax to be applied direct to the Anzac Day Fund to equate with the share which would otherwise remain in Consolidated Revenue. This means reducing the rate shown in section 8 (2) (iii) of the Anzac Day Act from 80 per cent to 66.6 per cent. Naturally, this will be offset by the increase in the rate of tax I mentioned before.

However, I welcome the opportunity this measure gives me to place on record the Government's appreciation of the unselfish work of Anzac Day Trust members and of those organisations contributing to the fund as a result of sporting contests arranged on Anzac Day.

The trust has been in existence for more than 11 years and during that period has distributed $859,615 to needy ex-servicemen

and women and their dependants. Honourable members will agree that this deserves our warm-hearted plaudits.

The constitution of the trust at present is: Mr. Justice Hoare, chairman; Messrs. A. G. Brayne, representing the R.S.L.; A. I. F. Mackillop, Legacy, and N. M. Connelly, associations of ex-servicemen and other organisations.

The income received by the trust last financial year was $130,048—an increase of over $12,000 on the previous year. It was derived, in the main, from licensed victuallers' fees, totalisator tax and bookmakers' turnover tax on Anzac Day meetings. Voluntary contributions amounted to $4,276. I hope that this year the contribution from all sources will be even larger, for when one examines the range of the beneficiaries one becomes more appreciative not only of the efforts of all concerned but of the contribution to alleviation of need which this trust fund makes possible.

Let me quote, for example, that last financial year, payments for financial assistance and relief of distress totalled just on $118,000. Twelve Legacy Clubs benefited, as did 20 ex-service organisations ranging from the R.S.L. to the War Widows' Guild. An interesting fact is that, through governmental action and increasing support from sporting bodies, trust expenditure increased from $22,185 in 1965 to $129,855 last financial year. To pass on almost $900,000 to the needy in 11 years is wonderful. Knowing that the money which made it possible has, in part, been raised in dedicated fashion and contributed to freely makes me a very happy man indeed.

I am sure this measure needs no commendation to the Committee.

Mr. YEWDALE (Rockhampton North) (7.20 p.m.): On looking in retrospect at the type of activity that takes place in sport and racing on the afternoon of Anzac Day, it is clear that this move has been quite acceptable, as it was previously—without trying to make a pun—a rather dead day. People other than those with a personal involvement as ex-servicemen in a day of remembrance had little to do on Anzac Day.

Mr. Lindsay: That would let you right out.

Mr. K. J. Hooper: What would you know? You were a paid mercenary—a hired gun.

Mr. YEWDALE: The money that is distributed to organisations that assist the community in many ways is most acceptable. I agree with the Minister that it is a machinery Bill. If there are any other matters that the Opposition wishes to raise, we will raise them on the second reading.

Mr. DEAN (Sandgate) (7.22 p.m.): I must again voice my feelings about the way in which Anzac Day is now observed. It has become a complete farce, and I will say that to anybody.

Mr. Lindsay: Rubbish!

Mr. DEAN: It is an absolute farce. "We will remember them!" How do we remember them? By booze and gambling on Anzac Day!

Mr. Lindsay: Rubbish!

Mr. DEAN: That is my opinion and I will stick by it. On every Anzac Day since this Act was passed to break down the solemnity of that occasion, I have been disgusted. As a matter of fact, I clear out of the town as quickly as I can because of the sights that meet my eyes and the eyes of all others who have any feeling and respect for those we are supposed to remember.

I cannot understand why the R.S.L. has given in on this matter. As I have said before, it is a week-kneed organisation so far as I am concerned, and so are its kindred clubs. With the utmost respect to ex-servicemen present in the Chamber tonight, I say that I cannot understand their taking the view that they do of Anzac Day. It is no longer the day that it should be. It originated as a day of remembrance rather than celebration. Until 12 o'clock we go through all the paraphernalia of dawn services and morning services, and after 12 o'clock it is a wide open go for gambling, grog and everything that goes with them—because it was a "dead" day! If it was a dead day, can't we have one dead day a year? Surely to goodness we should show some respect for those who gave their lives to give us the freedom that we presently enjoy.

I am going to speak only briefly but I shall do so on every occasion that this Act comes before us. I voice these feelings because I know that they are shared by many people outside this place. The Government can take no credit for introducing legislation of this type, nor can any who agree with it. I personally am against it.

Mr. LINDSAY (Everton) (7.24 p.m.): I should like to take this opportunity to make a few observations on the Bill. I have noted the comments of the previous speaker, the honourable member for Sandgate, particularly his denigration of the R.S.L. and other associated bodies.

I make an appeal to all returned servicemen, particularly as Anzac Day falls this year on a Sunday, to flock in their thousands to the various commemorative services. I appeal particularly to returned servicemen from Vietnam as this evening I myself have already been denigrated as a mercenary of some description; I think those were the words of the Communist member for Archerfield.

Mr. K. J. HOOPER: I rise to a point of order. It rather hurts me to take a point of order on the hired gun from Everton. He referred to me as a Communist. I resent that remark coming from a Fascist and I ask that he withdraw it.

The TEMPORARY CHAIRMAN (Mr. Row): Order! The point of order was facetious. There is no point of order.

Mr. LINDSAY: I won't withdraw. To continue——

Mr. K. J. Hooper: He is a hired gun.

The TEMPORARY CHAIRMAN: Order!

Mr. LINDSAY: To continue——

Mr. K. J. Hooper interjected.

The TEMPORARY CHAIRMAN: Order! I warn the honourable member for Archerfield.

Mr. LINDSAY: I am really using this forum to appeal to all servicemen who returned from all the unfortunate wars throughout our history, but particularly those of my own ilk, those servicemen who returned from Borneo, Malaysia and Vietnam, to support the commemorative services on Anzac Day, which this year will be held on a Sunday.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (7.26 p.m.), in reply: We all know the complete sincerity and the sensitivity of the honourable member for Sandgate, but I must make some observations in reply to his censure of the Government when he says that through this Act we have broken down the solemnity of Anzac Day and made a complete farce of it. I simply want to say that any commemoration that lasts for 57 years must have some very deep and underlying spirit within it, and those who participate each year have this sense of dedication which Anzac Day seeks to engender and perpetuate. Even if we have racing or festivities at R.S.L. clubs, I do not think that aspect has made any difference at all to the commemoration which takes place every year on 25 April, and I hope that in 10, 15 or 20 years' time this will continue, and will continue even long past then. I know it is difficult for young people today to appreciate the real concept and significance of Anzac Day, and so, while understanding the point of view of the honourable member for Sandgate I must say that I cannot agree with him when he says that this legislation is a farce, and that through it the solemnity of the day has been broken down.

Motion (Mr. Campbell) agreed to.

Resolution reported.

FIRST READING

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

RURAL MACHINERY SAFETY BILL

INITIATION IN COMMITTEE

(Mr. Row, Hinchinbrook, in the chair)

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (7.30 p.m.): I move—

"That a Bill be introduced to provide with respect to the safety and welfare of persons using rural machinery and for other purposes."

This is a measure which I confidently anticipate will receive the speedy and complete endorsement of the Committee. It aspires, as its title suggests, to ensure as far as is possible, the safety and welfare of persons using rural machinery.

It prescribes the fitting of protective cabs or frames to wheeled tractors within specified weight limits and, according to a specified time-table, lists exemptions and lays down rules for the safety of passengers. It contains many other provisions, of course, such as the powers of inspectors and the obligations of users, sellers, lessors and repairers.

The increasing number of fatalities associated with wheeled tractors has caused great concern over recent years—a concern shared by many rural and safety organisations throughout the State. Many overseas countries and most Australian States have legislation requiring the compulsory fitting of protective devices.

In Sweden, where compulsory fitting of cabs or frames was introduced in 1959, statistics have indicated that the fatality rate as a result of overturning has been reduced from 11.1 per 100,000 tractor years to one per 100,000 tractor years. New Zealand has similar legislation, and the National Safety Association there reports a steady downward trend in fatalities over the last three years.

Tractor accident statistics have been kept in Queensland since 1958-59, and in this period 242 fatal accidents associated with wheeled tractors have occurred.

Over the last five years there has been an average of 17 deaths a year. The 24 recorded during 1974-75 in Queensland was the highest on record. Thirteen of the deaths resulted from overturning.

Most frequent causes of death in wheeled tractor accidents have been overturning sideways; rearing backwards; illness; inattention; collisions while driving; unsafe acts such as cranking in gear, standing between tractors, speeding and being caught in the power take-off.

Almost 20 passengers have been killed by falling under the wheels, and at least two have been under three years of age. There have been over 20 deaths of children under 10 years from all causes. Another statistical fact is that most fatalities occur in the over 50 years age group, with the

group between 30 and 40 years of age next. It is the strong belief of the Government that safety frames would have prevented or reduced the severity of injuries.

Information on serious injuries and near misses is not available to my Division of Occupational Safety. However, researchers in the industrial field have found that for every serious or disabling injury there are 10 minor injuries, 30 property-damage accidents and 600 accidents which are classed as near-misses. These near-misses are still accidents which have occurred but have not caused any visible injury, loss or damage.

Research of accident reports by the University of Queensland has clearly established that even the most experienced tractor operators have been involved in fatal accidents arising from errors in judgment, particularly during periods of fatigue. Consistent support for the fitting of protective cabs or frames has come from virtually all sections of primary industry, the Department of Mechanical Engineering at the University of Queensland, the Rural Youth Organisation of Queensland and many other organisations.

The opinions of these organisations, the investigations of my officers and the irrefutable evidence from overseas make it imperative that positive steps be taken. Nevertheless, the time-tabling of the provisions of the Act are not harsh. We aim to minimise monetary hardship on primary producers, to make practical exemptions such as for orchardists and horticulturists and to give the Chief Inspector of Machinery wide discretionary powers.

So I may summarise the principal provisions of the Bill as follows:—

1. The Act will not come into operation less than six months from the date of proclamation.

2. The Bill contains specific times for the Act to apply in respect of new and existing machinery. For existing tractors, the fitting of protective cabs or frames and the general guarding of existing rural machinery other than power take-offs will be exempt until the Act has been in operation 10 years.

The fitting of protective cabs or frames on new tractors and the guarding of power take-offs on all tractors will be necessary as from one year after the date of operation. General guarding of other new rural machinery will be required as from two years after commencement of the Act.

3. Provision is included for an inspector to enter any place except a private dwelling-house to inspect or examine any rural machinery. Honourable members will agree this is essential for the the effective operation of the legislation.

4. Power take-off guards must be in accordance with the Australian standard.

5. The Act requires cabs or frames to be fitted to wheeled tractors ranging in weight between 560 kilograms and 3 860 kilograms. These cabs and frames must also accord with the Australian standard and, as I said, are required on all new wheeled tractors sold on or after one year after the commencement of the Act, and on any other wheeled tractor after 10 years.

6. Exemptions include tractors operated by orchardists and horticulturists and those used in or in close proximity to a building. The chief inspector has power to grant exemptions where it is impracticable to operate a wheeled tractor fitted with a frame or cab.

7. Another important provision of the Act is that it is an offence for a passenger under 17 years of age to be carried on a tractor unless a suitable seat, adequate footrests and handholds are provided.

8. It is an offence for anyone under 17 years to drive a tractor unless he or she has received sufficient training in driving tractors of the same class, or is under adequate supervision.

9. Owners are required to notify within 21 days any accident causing loss of life or serious injury, but notification of fatalities is requested as quickly as possible so that speedy investigations can be carried out.

10. The general penalty for a breach of the Act is $200.

There is little more that I can say, except that there are certain rules which should be followed to help reduce accidents. Apart from fitting a protective frame, these include: never drive close to creek banks or depressions; guard all power take-offs and machine drives; never crank a tractor when in gear; use a draw-bar hitch; drive at low speeds; and be extremely careful in towing up steep inclines.

My Division of Occupational Safety will be only too happy to provide inquirers with detailed safety principles. I commend the Bill to the Committee.

Mr. YEWDALE (Rockhampton North) (7.39 p.m.): At the outset I state that the Opposition welcomes the introduction of this legislation, but having said that I point out that under this coalition Government Queensland's industrial-accident rate is 50 per cent higher than the average Australian rate and seven times the rate in the United States of America.

Statistics issued by the National Safety Council of Queensland reveal that in 1968 there were 52 lost-time accidents for every 1,000,000 man-hours worked. I am speaking now in a general sense. In the same year the Australia-wide average was 35 lost-time accidents per 1,000,000 man-hours worked and the U.S. average was seven.

Mr. K. J. Hooper: Is that true?

Mr. YEWDALE: Yes. These are statistics. In 1968, tractors, graders and bulldozers claimed 10 lives, and "The Courier-Mail"

urged that tractor safety legislation be implemented. On the average, out of 400 people killed by industrial accidents in Australia each year, 75 are Queenslanders. The average annual toll costs Queensland approximately $50,000,000. The Government's procrastination in introducing proper tractor safety legislation has contributed to those appalling figures.

In 1972, tractor safety was implemented in New Zealand. The Committee may be interested to know that New Zealand has a club called "The Armadillo Club". To qualify for entry to this club one's life has to be saved by the protection afforded by a tractor safety frame. Since 1972, 80 people have qualified for membership. Coincidentally, since 1972, 71 people have been killed in Queensland as a result of tractor accidents. That is a good comparison of the situation in New Zealand where legislation was introduced and the situation in Queensland where it has not been.

Tractor safety in Queensland has been a public issue since 1967. Since it started 155 people have been killed in Queensland. The deaths of 155 people must surely be on the Government's conscience and that of people responsible for these protective measures. The rural community is the major user of these implements.

It is interesting to point out that these accidents in Queensland hit the community harder than strikes, and figures prove this. Every year this Government, and its counterparts in other areas, complain about strikes, but we seldom hear them talk about the need for more industrial safety. Most employers tend to ignore safety provisions, mainly because all workers in this State must be covered by workers' compensation.

Mr. Gunn: Have there been any strikes over that?

Mr. YEWDALE: There have been strikes over safety and the figures I shall give the Committee will bear that out.

In Australia alone, $500,000,000 to $600,000,000 is lost through industrial accidents. In 1968, 618,145 days were lost through accidents on the job. For the 2½ years prior to that, including the famous Mt. Isa strike, only 343,263 days were lost because of industrial disputation. That means about 100 per cent more days were lost through accidents than through industrial action at job level.

In 1967, the year in which a campaign was instituted in Queensland on tractor safety, a team was set up at the Queensland University to investigate the situation. It consisted of a Mr. Grigg and two other esteemed mechanical engineers, namely, Mr. G. E. Harvey and Mr. G. I. McDonald. These people examined all aspects of tractor safety and accidents.

In the local Press, on 18 December 1967, the following appeared—

> "Queensland University's tractor safety investigation team yesterday called on Government authorities to consider legislation to ban the sale of structurally unsound frames for tractors.
>
> "The team, in a plea in its annual report, released yesterday, said delay could contribute to further deaths."

The phrase "delay could contribute to further deaths" is very important. On 24 February 1967—that is getting closer to the present—a 27½-year-old married farmer was killed as the result of a tractor accident. At that point the situation deteriorated to the extent where "The Courier-Mail" came out and said—

> "'A farmer died yesterday when his tractor overturned, pinning him underneath . . .'
>
> "About eight times a year an item of this nature appears in the State's newspapers. A Queenslander, generally a farmer, has died probably needlessly."

I feel that the unfortunate aspect in relation to rural accidents is that farmers are self-employed and have no compulsion to be covered by insurance through the S.G.I.O. I think it would be generally found that a number of farmers would not, for a variety of reasons, take out any sort of reasonable insurance cover on themselves. As a consequence, the farmer's wife, generally with kiddies to look after, is left without means of support in some cases, and probably a large property or a farm to look after.

One would think that the present Government—and particularly the National Party, whose interests are supposed to lie with the people in the rural sector of the community—would have decided to take some action after 1972, when legislation was introduced in New Zealand. Perhaps the Government should have decided to act 10 years ago, when reliable experts were advising it to do something about the problem.

The comment has been that the fault lies with the manufacturers of tractors, who were reluctant to have operator-protector frames fitted to tractors because they thought it was an implication that their tractors were not safe.

Figures show that in Australia there are 100 tractor fatalities each year, 60 of which are caused by the tractor overturning and crushing the driver.

Sweden introduced compulsory fitting of operator-protector frames to all new tractors as early as 1959. Swedish experience shows—and I stress this—that, as a result of that legislation, tractor frames have prevented 90 per cent of fatalities from accidents resulting in overturning. Had the Queensland Government introduced legislation in 1959, the year in which Sweden introduced its legislation for tractor safety, there would have been 257 Queensland lives saved.

In 1973 our Minister for Industrial Development indicated through the Press that regulations were planned for tractor safety. That was after tractor fatalities had doubled since 1970. In that year just over one-third of fatalities were the result of tractors tipping sideways down embankments or into gutters, resulting in the unprotected drivers being crushed. Another third were protected, but other actions such as starting a tractor in gear, standing between tractors or speeding caused death. The rest of the fatalities were caused from tractors rearing backwards, crushing the drivers underneath. In that year no legislation was introduced.

Since the Minister got round to contemplating the introduction of legislation, 37 farmers have been killed. Letters appear in most Queensland newspapers about this matter. On 25 September last year Mr. G. T. Crawford, the industrial safety officer for the Queensland Canegrowers' Association, said amongst other things—

> "It is a shocking indictment of our society when a number of politicians can quite callously and deliberately make a decision that will, in effect, prevent action to save lives which could have been saved.
>
> "The Minister for Labour Relations and Consumer Affairs has had this problem under consideration for some years by a committee specially set up to consider safety legislation for rural industry."

Many other letters have been written and many other comments have been made in the media. A further comment was made by Mr. Woods, publicity officer of the Occupational Safety Organisation of Central Queensland. He referred in strong words to what was not being done about tractor safety.

The Minister released some statistics to the House, and quoted figures that I think he said had been kept since 1958-59. The figures I have differ slightly from those given by the Minister. For the period 1958-59 to 1974-75 the total deaths from tractor accidents in Queensland was 269. I think the Minister quoted fewer than that.

Of those 269, 242 were associated with wheeled tractors and 27 with crawler tractors. The document I have contains quite a lot of statistics. They are not my figures; they come from the Division of Occupational Safety, Department of Labour Relations and Consumer Affairs in Queensland. I ask leave to have this document incorporated in "Hansard" as part of my contribution.

(Leave granted.)

Re: Fatal Tractor Accidents Queensland

Financial Year	Fatal Accidents
1958-59	12
1959-60	19
1960-61	10
1961-62	13
1962-63	12
1963-64	13
1964-65	18
1965-66	17
1966-67	15
1967-68	19
1968-69	12
1969-70	23
1970-71	15
1971-72	14
1972-73	16
1973-74	17
1974-75	24
TOTAL	269

Of these 269, 242 were associated with wheeled tractors and 27 with crawler tractors.

The crawler tractor fatalities were—

1 killed by crawler stalling and crashing 40 feet to ground
1 killed by falling tree crushing canopy
1 killed caught between track and protection plates
2 killed by falling trees—no canopy
1 killed driving off low loader. Not experienced
1 killed when he reversed over the edge of a gorge seventy feet (70') deep
1 killed when wire rope used in tree felling pulled tree onto assistant
11 killed when tractor overturned
2 caught between tractor and other objects
4 run over by tractor
1 associated with towing trailer on farm
1 associated with maintenance of unit

27 (There was one (1) crawler tractor fatality in 1974-75)

The 242 fatal wheeled tractor accidents consisted of—

1974–75	1958–75	——
5	46	Directly associated with farming activities, i.e., ploughing, harrowing, cultivating, harvesting, etc.
12	107	Indirectly associated with farming work, i.e. towing trailers on farms, moving about property, driving on or across roads to reach paddocks, etc.
1	11	Associated with the construction or maintenance of farms, dams
5	78	Associated with tractors although stationary, i.e., refuelling, cranking in gear, tyre changing, and work other than farming
23	242	..

These can be analysed another way—

1974–75	1958–75	——
2	15	Were passengers on tractors (2 under 3 years of age) who fell off under tractor wheels
4	32	Were killed when tractors tipped backwards
9	95	Were killed when tractors overturned sideways, down embankments or in gutters, because of driving too closely, etc.
2	35	Were killed by unsafe acts, such as cranking in gear, standing between tractors, speeding, caught in power take-off, etc.
6	65	Fatalities were due to other causes, such as coronary occlusion while driving, tractor struck by another vehicle, blackout while driving, running over hidden stone, run over by tractor, defect in tractor, run over by towed implements, etc.
23	242	..

In age groups these 242 can be analysed as follows:—

——	1974–75	1958–75
Under 10 years of age	3	22
Over 10 years and up to 17 years ..	3	25
Over 17 years and up to 30 years ..	2	41
Over 30 years and up to 40 years ..	2	49
Over 40 years and up to 50 years ..	8	39
Over 50 years of age	5	64
Age not stated	0	2
	23	242

From these fatalities some rules can be laid down.

1. Fit a protective safety frame or cab.
2. Never drive too close to creek banks, ditches or depressions.
3. Guard all power take-offs and machine drives.
4. Don't carry a passenger on tractor or implements.
5. Engage clutch slowly when towing—snatch loading can cause backward tipping.
6. Never crank tractor whilst in gear.
7. Stop engine before refuelling. Whenever possible fuel when engine is cool.
8. Don't allow children to operate tractors.
9. Use the correct linkage device for towing implements.
10. For safety use draw-bar hitch, high hitch is dangerous.
11. Drive at speeds low enough to ensure complete control, especially over rough ground.
12. Don't tow loads in excess of tractor's capabilities. Be extremely careful towing up steep inclines.

Issued by—Division of Occupational Safety, Department of Labour Relations and Consumer Affairs, Queensland.

I believe that I have covered, to a large degree, what has happened in this field in the past decade. A recent article in the Press might be worth mentioning at this point. I have not the exact date of it. It reports the honourable member for Redlands as indicating that he did not think that the introduction of tractor roll-bars was in the best interests of the industry. He went on to say why. Perhaps the honourable member would now have some doubts about his comment, because the statistics and information I have put before the Committee tonight prove that the time is long past for this action to be taken.

To my mind, the Minister created some doubts when he spoke about exemptions. I realise that no details of them have been given. He spoke of periods ranging from six months to one year before the legislation comes into operation. If we are to accept that as the rule, in the next 12 months, while we are waiting for some of this legislation to be enforced, we can expect to read of another 24 or 25 people killed in tractor accidents in Queensland. I cannot find any reason for thinking differently. Certainly 1974-75 was a record year. I do not know what the figures for 1975-76 will be, but looking at the figures for the period between 1958-59 and 1974-75 I cannot see that the figure will be far from 20.

I close by reminding the Government of the concern expressed in Queensland in the past 10 years by the people I have referred to at the University of Queensland and the fact that Mr. McDonald, as chairman of that group, produced a thesis on tractor safety—I do not know whether the Minister or any of his officers have read it—indicating, in this host of information, the whys and wherefores of tractor use and tractor safety and what should and should not be done in using these implements. I suggest that the Government should search its conscience on the belatedness of its introduction of this legislation.

I reserve the right to go into the subject in more detail when the Minister has given a full explanation of the legislation.

Mr. CORY (Warwick) (7.54 p.m.): Before going further, let me say something in reply to the comments of the honourable member for Rockhampton North. He indicated that everyone killed in a tractor accident would have been saved if the tractors they were driving had been fitted with a roll-bar. This is very doubtful. It is obviously not true.

He also indicated that it is illegal at the present time to have a roll-bar on a tractor. We know that it is not. Anybody in the industry who wishes to have one on his tractor can put it on. So the honourable member should not blame the Government for these deaths when obviously everybody who has reason to need a roll-bar is quite at liberty to fit one. I would be very disappointed if we, as a community, could not accept some responsibility for what we do.

Mr. Yewdale: How do you get round the fact that the Government says that we have to wear seat-belts?

Mr. CORY: I will answer that later.

Mr. Yewdale: That is compulsory.

Mr. CORY: I know, and I think we have gone far enough on it. I do not say that I am particularly in favour of that, either. I shall refer to the seat-belt legislation later. What is now proposed is not in line with it. It goes further and it will be a greater burden on the people than the requirement under the seat-belt legislation.

I am not opposed to the fitting of roll-bars by those who believe in their value. Anybody who wishes to fit them is completely at liberty to do so. I am certainly not against manufacturers and sellers of roll-bars advocating their use. But I believe it is unreal for the Government to play a Big Brother role in the belief that it knows better than experienced operators of these machines. I also believe that it is unreal for the Government to take up the cudgels for the manufacturers of roll-bars by introducing bureaucratic compulsion. That is the part that upsets me. I have no objection to people using their wisdom and experience in deciding whether they will or will not fit roll-bars, but I do not believe that we know better than those who are working these machines and paying for them.

I am opposed to this legislation. I believe it is morally wrong. It is certainly politically wrong. It is unworkable and costly. It is quite obvious why it is unworkable. Who will pay for all the inspectors who will be needed to enforce it? If it is not fully enforced, some will be caught and some will not. It will be most unsatisfactory and it will not be well received. I believe that we have already imposed enough costs on farmers and I do not think that we as a Government should insist on further costs not only for the purchase of the equipment but in the daily running of it for the life of the tractor.

Why should we bother with laws that it will be impossible to police and that will be a festering sore and a costly annoyance to many hard-working, honest taxpayers?

Mr. Yewdale: Wouldn't you agree that there is a host of legislation that it is not possible to police but which we still put through the House?

Mr. CORY: I know, but here we are talking about people who own their own properties and their own tractors and for whom we are trying to make something compulsory.

In the seat-belt legislation, irrespective of whether we agree or disagree with the compulsion contained in it, we at least had the wisdom not to make it apply retrospectively to old vehicles. It is, of course, physically impossible to fix seat-belts to old vehicles just as it is physically impossible to fit adequate and what we term prescribed bars on many old tractors. There is just nowhere to attach them. It appears that if legislation is going to upset people and cost them money, we make it retrospective, but in matters such as probate concessions there is no retrospectivity. To me it is too one-sided.

I could accept a requirement that roll-bars be fitted to all new tractors in manufacture as from a prescribed date. But requiring the fitting of roll-bars to old tractors means not only extra cost but in many cases the provision of new buildings—and all because of bureaucratic legislation rather than legislation to meet the needs of an industry.

It is politically stupid, and in compelling people to do something to their own machinery for use on their own property we have gone too far. Why should all who own tractors, the vast majority of whom drive efficiently, have an added expense because someone does something with a tractor that he should not do? I stress that tractors do not turn themselves over; for this to happen the operator has to do something contrary to normal practice and safety precautions. I do not think that anyone can deny that.

The proposition is unworkable because on many tractors there is simply no suitable place to attach roll-bars. Whether it is because of the type of casting, the room between the seat and the mudguards or the positioning of the controls—whatever it might be—on many tractors one looks at there is no correctly designed place to put a roll-bar. So why should we kid ourselves that fitting one that is not correctly designed will achieve anything, anyhow.

Another point the Minister mentioned in his introductory remarks was that nobody under 17 can ride on a tractor without the provision of certain seating. Quite obviously many tractors are driven for many hours by very competent people under 17. They have experience and they do a good job. How are we going to teach a young person to drive a tractor if we do not allow him to drive one? It is easy to say that there should be correct seating, but again we come to the hydraulic controls and the braking controls which are positioned alongside the existing seats. There is not a great deal of room, so where are we going to put these things and who is going to pay for the shifting of the seats to allow for the placement of a roll-bar? I think the last thing we want is inexperienced people being given control of these machines. I think we should encourage people to gain experience before they are given complete independent control, and for that reason I think we are defeating our own purposes in this regard.

It seems desirable that roll-bars should be provided in some industries, but as I say, let the owners of the tractors in those

industries decide for themselves. Surely if operators in these industries want these things there is nothing to stop them fitting them, and this is the point that I want to stress. There is nothing to stop a person fitting a roll-bar on his tractor now if there is a suitable place to put it. So why make this requirement compulsory in industries where it is not necessary. Think of all the flat areas of country on the Darling Downs and similar places. Why make it compulsory there just because the sugar industry, for example, which uses tractors on slopes, obviously as an industry says it wants it? The sugar industry is entirely different from those conducted on the Darling Downs. I do not believe all industries should be compelled to fit roll-bars just because roll-bars are necessary in some others. We should not think ourselves wiser than experienced operators of these machines.

Then we come to the part of the Bill dealing with exemptions, and this is the part that worries me. I believe it will cause a lot of problems in the future. It is very nice and very good, and we appreciate that, through the Minister's wisdom, we have provision for exemptions. But I predict that not too many exemptions will be granted and, of course, this is where the problems will arise. Let us not kid ourselves. Once this Bill becomes law, we must expect that exemptions will be very hard to obtain. Exemption might be granted under certain circumstances, but I think the provision will soon be meaningless. It worries me, because, wise and competent as a machinery inspector might be about the general safety of vehicles and other machinery, I do not believe it is fair to make him responsible for directing a certain experienced operator to have a roll-bar fitted to his tractor when the experienced operator does not want it or says it is not desirable. I do not think it is fair to require a machinery inspector to make a moral judgment. That is exactly what it will be, a moral judgment and not a practical judgment. All his expertise should be directed towards deciding whether the roll-bar is of the correct type, is correctly fitted and is safe; but that will not be the judgment. The judgment will be whether or not a certain person should be given an exemption, and that will be a moral judgment and not a practical judgment. I do not believe that we as a Government are playing fair in expecting that of a machinery inspector. That is why I cannot support the Bill. I think it is morally wrong. By all means let us encourage the use of roll-bars, but it is wrong to make them compulsory, particularly in industries where they are not wanted or desired, or needed as a safeguard, and will continually cost operators money.

Mr. GOLEBY (Redlands) (8.5 p.m.): As to the compulsory fitting of roll-bars on tractors—it is well known that I opposed the legislation that was proposed earlier in the life of this Parliament. I did so for a very good reason, and I will explain that reason in the course of my speech tonight. The simple reason was that there were insufficient provisions to cater for certain industries.

I do believe that tractor roll-bars are necessary in some areas. Anyone who has had any experience in the operation of tractors, as a number of honourable members have, will agree with me. Opposition speakers indicated that this Government was to blame because roll-bars are not fitted to tractors at the present time. That is far from the truth. This Government has never legislated to prohibit the use of roll-bars. Roll-bars for tractors were obtainable if users thought they were necessary. Some people working in hilly terrain have fitted roll-bars to their tractors, but, in the main, tractors operated in the agricultural and rural industries of this State do not have roll-bars fitted.

I compliment the Minister on making provision for exemptions. Unfortunately very often legislation is drawn up for the Government by people who have had little practical experience in the subject-matter covered by the Bill. That is what we see in this case. Those who use tractors daily are in a better position to know the shortcomings, faults and dangers associated with the use of tractors. With all due respect to those responsible for the legislation I do feel that they have not a proper appreciation of the whole position. In my opinion tractor roll-bars are not essential in flat country. Accident statistics have been quoted tonight. If the honourable member for Warwick had gone a little further, he could have told us that most tractor accidents have occurred on hilly terrain or by tractors rolling over creek banks. Very few fatalities have occurred with tractors operating in relatively level country.

Orchardists have been exempted, and rightly so. I am sure many honourable members have never seen a tractor fitted with roll-bars. Those who have would quickly realise that tractors fitted with this equipment cannot operate in orchards because the roll-bar protector frames would protrude into trees and destroy a great deal of fruit. They are completely useless on banana plantations and in the horticultural industry. As an old poultry farmer, the Minister would be quick to realise that a tractor cannot be operated close to poultry sheds. As I have 54 per cent of Queensland's poultry production in my electorate, I was very concerned about those in that industry. As everyone knows, the Redlands district is largely responsible for horticultural production in the southern part of Queensland. So I thank the Minister for making those exemptions. They will save considerable inconvenience to rural producers in the electorate I represent.

Unfortunately, the legislation is unilateral in respect of everyone else outside those industries, with the exception of a few cases that have to be proved to the industrial inspectors.

Unfortunately those people who have had the most say in the implementation of industrial safety are quite often those who have little knowledge of the use of the equipment involved. I do not know how we get around this problem.

Previous speakers have mentioned that the farmers' organisations have been crying out for the implementation of these safety measures. Some people who consider themselves to be the spokesmen for farmer organisations have advocated the fitting of roll-bars, but on closer examination we find that those people are at executive level or secretarial level and possess little or no practical experience in the field.

The average farmer is a very practical man with an eye to safety. Many farmers who have seen the danger inherent in the use of tractors in steep country have already fitted roll-bars. As I said before, this is absolutely necessary. However, there are a few—I am pleased to say that they are presently in the minority—who have gone one step further and urged the fitting of seat-belts, too. As an operator of this type of machinery for many years, I would suggest that the fitting of seat-belts to tractors would be totally impracticable. Seat-belts would place the operator at a serious disadvantage as well as cause him considerable inconvenience and discomfort. I am sure that many honourable members with practical experience would agree with me.

The Minister has referred to the number of fatalities that have occurred in the use of tractors. It is interesting to note that the greatest number of fatalities have occurred in the higher age-group. As a large employer of labour for many years and as a works chairman of a council, I have found that older operators who have not had an opportunity to learn to drive and to operate a tractor correctly and efficiently, particularly a four-wheel, rubber-tyred tractor, have experienced difficulty from time to time in their operation. I can well understand why the higher death-rate occurs in the older age-bracket.

This brings me to the young operator. Anyone who has operated a tractor would be aware of the fact that, within reason, the younger a tractor operator is trained the more efficient he becomes. On many rural holdings lads who leave school are well qualified to drive a tractor. They are able to drive a tractor at the age of 13, 12, or even 11, and by the time they are ready to enter the work-force they are some of the most highly qualified machinery operators available. I would not like to see any undue restrictions placed on this age-group. I agree with the Minister that the legislation is pretty wide in its application. It allows anyone who is efficiently trained in this field to operate a machine.

Finally, I thank the Minister for the exemptions given to those industries that vitally concern me and my constituents. I am sure that they, too, are grateful for these exemptions.

Mr. GUNN (Somerset) (8.14 p.m.): As my electorate contains probably the most tractors in Queensland it would follow that it also has the highest tractor accident death-rate. I am talking now of registered tractors. I am told by the Main Roads Department that the Laidley Shire, of only 264 square miles, contains more registered tractors than any other shire in the State.

Mr. Casey interjected.

Mr. GUNN: Perhaps the tractor owners in the Mackay area dodge the payment of their registration fees. I represent a very honest type of farmer, one who registers his tractors.

Numerous tractor deaths have occurred in my area, but not all of them were caused by a lack of safety frames. Human error always plays a part. Sometimes accidents are caused by complacency, but fatigue is the main contributing factor. Tractor drivers often work very long hours. It is not unusual for them to drive all night, and in doing so they become tired.

While tractors may be safe on the Darling Downs and in general on open, flat country and although there is some flat country in my area, there are also lots of creeks and the terrain is much different from the downs country.

Frames will not eliminate tractor accidents. I believe that the provisions should be enacted but frames have already been fitted to most tractors in my area. People are conscious of the danger of working tractors near creek banks without protective frames. Often when a tractor rolls, the driver is thrown out. If he is not belted to the seat, he probably suffers the same fate as a person driving a tractor without a frame.

When I cast my mind back I cannot recall a year in which there has not been a tractor death in my area. However, I believe that many deaths have been caused by the imperfection of draw-bars and the very light front end which was common on many tractors a few years ago. On newer tractors it is now quite common to see weighted fronts, which are inclined to keep the tractors from rearing in very soft country. The first little T.E.D. tractors produced by the Ferguson company had a fitting whereby the pull was not on the draw-bar at the back of the tractor but at the front. The pull was not confined to the portion at the rear of the back wheels but was spread over the whole of the tractor. It might be said that this was a perfectly safe tractor. I bought one of them and considered that it was safe until last year when a neighbour of mine decided to pull a cow out of a bog.

Mr. Casey interjected.

Mr. GUNN: Firstly there was a petrol and kerosene model and later a little diesel model.

I thought that these tractors were safe, because of their unusual fitting, but last year a neighbour of mine who was pulling a cow out of a bog was killed when the tractor rolled sideways. I do not know how we can overcome that problem.

The Minister referred to accidents caused by the power take-off. I go further than that: many accidents in my area are caused by the machinery hitched to the power take-off of the tractor. We have had some very bad accidents caused by onion-cutting machines, lucerne crushers and squashers and so on. These accidents are caused mainly by human error. In one instance a man had his arm caught in a lucerne crusher for four hours at night. Part of the feed frame became clogged, and, leaving the power take-off in gear, he tried to clear it. It caught part of his clothing; he grabbed his clothing and his hand went in. Fortunately it was not a high-powered tractor and the motor snuffed; but his arm was caught between the two rollers. It would have been a very painful experience; there is no doubt about that. He was caught like that for several hours, enduring the pain. One of his neighbours heard a very faint call across Lockyer Creek; he shone a spotlight in the direction of the call and saw the man lying alongside the tractor. Fortunately, his arm was saved, but he was out of action for nearly 12 months. That was another instance of human error.

I wish to refer to the 10-year requirement. It is quite common, certainly in my area, for tractors to last for up to 30 years. I refer to I.H.C. wet-sleeve tractors. All one has to do is slip the worn wet sleeve out and replace it and one has practically a new motor. As well there are the W4s and W6s that you, Mr. Row, would be conversant with. There are also some of the old John Deeres.

Honourable Members interjected.

The TEMPORARY CHAIRMAN (Mr. Row): Order! There is too much audible conversation in the Chamber. I would commend to honourable members the interesting speech being made by the honourable member for Somerset.

Mr. GUNN: Thank you, Mr. Row. I know that members of the Opposition have never been interested in anything that pertains to the rural industry.

An Opposition Member: You're being nasty now.

Mr. GUNN: It isn't a matter of being nasty. I am giving them the benefit of my years of experience in this field. I had hoped that they would appreciate it.

Returning to the 10-year requirement—older tractors can be used for many, many years. I would like the Minister to reply to this point. When a tractor gets to that age, it is very handy for belt work; of course, it would be absolutely ludicrous—and very expensive—to put a frame on it, when it would be used for irrigation purposes. Probably its wheels would never turn again.

Mr. Casey: It becomes a stationary unit.

Mr. GUNN: Yes.

Mr. Casey: What the Minister said was that you protect the belt.

Mr. GUNN: I have not read the Minister's speech right through. I listened intently, but I might have missed that. That is a very important point, and I would like it to be spelt out by the Minister.

It has got to the stage where electricity is extremely expensive for irrigation purposes.

Mr. Houston: Blame your own Government.

Mr. GUNN: Listen to that, Mr. Row! We have had strikes and strikes and strikes.

Mr. Houston: Where?

Mr. GUNN: At the coal-mines. If they had opened up at Tarong, in my area, they would have got coal at $3.50 a tonne. Instead, they brought it from Blackwater. However, I do not want to go into that. About an hour ago the Minister for Mines did them over on the same point, so I do not want to labour it. I wish to speak about the matters that are before the Committee at the moment.

I turn now to the subject of children on tractors. We have probably all been guilty of this.

Mr. Houston: Child labour.

Mr. GUNN: I would not say that. We probably would not be as mean as the honourable member for Bulimba. When our children come running down to meet us, we lift them up on the tractor for a ride back. We have all been guilty of that. We are probably too good-hearted. There is no doubt that that can be the cause of a major accident.

I can remember not so long ago a very proficient farmer decided to give his little girl a ride home on the tractor. His attention was diverted for a moment and his daughter turned round and fell. The wheel ran over her. One of my greatest friends—he was only 21—decided very foolishly to unhook from the back hitch the plough that was on the draw-bar by leaning backwards, without getting off the seat of the tractor. He was not looking at what he was doing. He would have done it dozens and dozens of times. He knocked the tractor into gear; it went forward, causing him to fall backwards; he struck his head and was killed. These are the cases in which frames will not be of much benefit. I do think that frames are of great importance and I support their use.

Mr. K. J. Hooper interjected.

Mr. GUNN: The honourable member did not listen. If only he would put an intelligent look on his face and listen to me for a while, he would learn something.

Most of the tractors in the Lockyer Valley have these frames fitted now, anyway, and the farmers there will continue to buy them. If I bought a new tractor tomorrow, I would insist on a frame. My area is probably different from that of the honourable member for Cunningham, which contains thousands of acres of open, flat country.

Mr. K. J. Hooper interjected.

The TEMPORARY CHAIRMAN (Mr. Row): Order! The honourable member for Archerfield should address his interjections to the honourable member on his feet.

Mr. GUNN: I have said before that I have nothing against frames being fitted to wheeled tractors. This legislation is a step in the right direction. But it is not the be-all and end-all. We will still have accidents.

I get back to the complicated machinery that is in use. If we are going to police laws dealing with tractors, we should look at some of the machinery coming from America, such as onion-cutting plants, beetroot-pickers and carrot-pickers. We see so many accidents in which a hand is lost or clothing is caught up in the machine and different parts of the body are drawn into the machinery. Some of this machinery is quite dangerous and complicated.

There is very little more I can add. I shall listen to the second-reading debate and possibly will have more to say on that occasion.

Mr. CASEY (Mackay) (8.28 p.m.): My interest in this legislation goes back to 1969, the year in which I was elected to this Parliament. I asked questions concerning this matter because I have always been a strong supporter and advocate of this type of legislation. At that stage the Minister in charge of this portfolio was the Minister for Labour and Tourism, not the present Minister. When this Minister took over this portfolio in 1972, he displayed a much greater interest in this type of legislation and I compliment him on it. I well recall asking him questions on the subject during his first year in the portfolio.

It is significant that tractor-safety legislation of this nature was introduced in the New South Wales Parliament in 1972. I know that the Minister has strongly advocated this type of legislation in Queensland since that time. I shall now say something that I know that for political reasons he cannot say. Unfortunately, he has been a little hamstrung by certain elements of the National Party—not all elements, because I know that, like other members representing sugar areas, you, Mr. Row, have been very interested in this type of legislation.

To emphasise that I know what I am talking about, I point out that almost half of the total number of tractors in Queensland —not just registered tractors, reapers or anything like that—operate in the sugar districts. The sugar industry has been one of the strongest sponsors and supporters of tractor-safety legislation in this State. That industry contributed considerably to the University of Queensland to assist in the research conducted by Mr. G. L. McDonald and others to press for tractor safety frames.

That is why I refer to certain elements in the National Party. In due deference to the Minister and others, I say that I am aware that there are some members of the National Party who have been strong supporters of the legislation. I must also in fairness say that I have not yet heard a Labor member in this Chamber express opposition to it. One of the great things about the Labor Party and Labor Governments down through the years has been their strong support of legislation dealing with safety on the job for all people, whether they be self-employed or employees.

The Queensland Cane Growers' Council was a very strong supporter of the legislation. It was happy to see it introduced in New South Wales in 1972 and these provisions have applied in that State since October 1974. We are still two years behind New South Wales. All tractors in New South Wales will have to comply with this requirement by 1982, which is a date that is fast approaching. Provisions that the Minister is introducing concerning the licensing of tractor drivers and the carrying of passengers on tractors have applied in New South Wales since January 1973. They also apply in Victoria, where they were, I think, introduced before they came into force in New South Wales.

Is it any wonder that when we go to the southern States we find some people there thinking that we in Queensland are a backward race? Is it any wonder that they throw off at Queensland when this supposedly great agricultural State is so backward in convincing people of the need for proper safety legislation for tractors?

Much has been said here about the fact that tractor roll-bars have been available and that those who want them can buy them and fit them. On Friday 24 October 1969 I asked a question of the then Minister for Labour and Tourism. I asked whether tractor safety frames approved by his department were then being manufactured. We all know, of course, that under his oath of office a Minister will not lie to the House. In his reply he told me that a manufacturer at Bulimba in Queensland was then manufacturing tractor frames that had been tested and found to meet both the British and the Australian approved manufacturing standards. He went on to say—

> "In spite of the publicity which has been given to the availability of this

safety frame it is regrettable that no tractor owners or tractor distributors have taken advantage of its availability."

On the same note, the present Minister, in answer to a similar question asked by me on 6 December 1972, gave virtually the same answer. Referring again to Queensland industry and the Queensland manufacturer who had assisted the university group in much of the experimentation concerning tractor frames, and who had designed an approved frame, the Minister said that this firm did manufacture a safety frame that met the Australian standard requirements but unfortunately the manufacture of this frame had been discontinued through lack of orders despite extensive publicity by the Department of Industrial Affairs of its availability.

I pay due tribute to the Division of Occupational Safety for the work and effort put in over the years to get Queensland farmers to demonstrate a preparedness to fit frames to tractors. Mr. Egan was the one who led the campaign for a number of years within the department and his officers scattered over the length and breadth of Queensland have conducted a magnificent educational campaign in an endeavour to get farmers of all types to support this legislation.

So there is the answer to those who say that they can get this type of frame. The cockies of this State would not buy them or put them on. The manufacturers would not put them on their tractors, and just as the manufacturers of motor vehicles would not install safety-belts until they were forced to do so by legislation, so also the manufacturers of tractors in Queensland, and Australia, for that matter, will not put tractor frames on until such time as they are forced to do so. I will say, in fairness to some nation-wide manufacturers, that since 1974 they have placed fittings on their tractors for an approved frame, but still in many cases the farmers were not prepared to buy them.

The other night here in this Chamber we listened to a great diatribe on the matter of pig-swill for several hours from these self-same members of the National Party from whom we have heard this evening. They were fighting like steam for legislation to ensure that the profit of the cockies—the pig farmer and so many others—would not be affected. I do not disagree with that; I went along with them on that particular legislation. But the selfsame members here tonight—it is only a section of the National Party—are unconcerned, it would appear, about the lives of the farmers. Surely in anybody's language, life is far more valuable than money? Whether one is a farmer, a worker or an industrialist—no matter what one might be—life is far more valuable than money.

Let us look at this problem a little more closely. Why do tractors overturn? I have read the full report on this subject by the people who have made a study of it. If I had to indicate to the members who have spoken here tonight on this legislation, and so many other members, that they were incompetent or stupid drivers—I am referring to the people who overturn tractors—or say that the members themselves were incompetent, stupid drivers they would feel insulted. Nobody considers himself to be an incompetent or stupid driver but, none the less, there would be not one member of the Committee who has had a lot of experience in the driving of tractors—I have had as much as any of them—who would not be prepared to say that at some stage or other while they have been driving or working on a tractor their attention has been distracted by something else. Perhaps his attention was distracted by a snake, the wind, a noise, somebody calling out to them, a vehicle passing by or a bird flying overhead. I do not mean a bird walking along, which is what most members think; that does not distract a hard-working man, only the lazy layabouts. People have lapses of concentration while they are working. Any person can have a lapse of concentration——

Mr. Moore: You're having one now.

Mr. CASEY: Fatigue is something that affects each and every one of us. Of course, we do not concern ourselves with the fatigue of the honourable member for Windsor, because every time he sits down he shuts his brain off. Errors of judgment are another cause of accidents. Who in this Committee would deny that at some stage or other he has been responsible for an error of judgment? These are common failings amongst all men, and they have been traced back as sources of tractor accidents. This has been found when investigations have been carried out into a fatality caused by a tractor accident.

There are many extremes in tractor-driving. It can vary from conditions of extreme monotony to excessive demands on the operator, and in these circumstances fatigue or a lapse of concentration can quite easily lead to an accident.

I would like to make one other point. Again, this comes from a scientific statistical study made of all tractor fatalities in Queensland. It has been shown that 42 per cent of the tractors involved in these accidents—contrary to what has been said by many honourable members about hillsides, slopes and the bank of creeks—have overturned on slopes with a gradient of less than 5 per cent. This is where the accidents do occur. This is where we find fatigue, lapses of concentration and errors of judgment occurring. Many farmers actually lose control of tractors on a headland. Perhaps because the headland adjoins a creek when they lose control, they go over the bank and into the creek. It is obvious that if they could control the tractors on the headlands they would simply turn round and move on again, yet this is where these accidents occur.

Usually it is much easier to roll a tractor than a motor vehicle, even though, in most cases, speed is not a factor. I have seen tractors flip themselves over backwards. The honourable member for Somerset spoke about the Ferguson T.E.20 tractor. It was the easiest tractor on the market to do a back somersault with. I saw a man killed on a T.E.20 tractor when it did a back somersault. Simply because of the way it was attached, and a slight error of judgment, the tractor went hip hop, and flipped itself over on its back.

Mr. Yewdale: A bit like the back somersault Government members did on the pig-swill Bill.

Mr. CASEY: That is very true. I do not know so much about a back somersault but they did a good sort of a dance in the corridor as some tried to fight their way out of the Chamber as others tried to fight their way in.

Those are some of the points that had not been made in the debate, and I was anxious to bring them out.

Again I express my congratulations to the Division of Occupational Safety of the Minister's department for the untiring efforts it has made to try to convince farmers in Queensland of the need for tractor safety frames. Its hardest and toughest job was to try to convince some of the National Party members of this Chamber.

I go along with what the Minister said about the carriage of passengers on tractors —for the very reasons enumerated by the honourable member for Somerset. He explained how easy it is for small children carried on a tractor to slip and fall, particularly with the jolting and bouncing of the tractor as it moves over the countryside. I have taken my children on tractors, and I have no doubt you have done the same thing, Mr. Row. It is incumbent on the operator to ensure that passengers are safely seated somewhere on the tractor so that they will not fall off. Providing a special seating arrangement on a tractor might be far more difficult than fitting a tractor safety frame; but surely we do not want to see a repetition of the type of thing I saw in the Mackay district. While driving a tractor a 13-year-old killed his 10-year-old sister, who was travelling with him. Perhaps it was an error of judgment; perhaps there was some other reason. Such an accident brings to a family stark tragedy that remains with them for a very long time. If we are to call ourselves representatives of the people, and if we are to concern ourselves with the lives and safety of the people, we must get behind this legislation and whole-heartedly support it.

Mr. ELLIOTT (Cunningham) (8.43 p.m.): Having regard to the lateness of the hour, I shall confine my remarks to a few points.

A Government Member: We have a long way to go.

Mr. ELLIOTT: That's right.

I commend the Minister for parts of this legislation. I believe its main principle is good in some ways, although, like the honourable member for Warwick, I do have some concern about how far we should go in protecting a person against himself.

I commend the Bill for the protection it affords against power take-offs. Many accidents have occurred in all sorts of circumstances through unprotected power take-offs. It is so very easy for an accident to happen when a person bends over to try to clear something. I have seen all sorts of stupid things done. Time and time again people have been just lucky that they were not caught by the power take-off. What is proposed is a forward step. Protective covers should have been fitted on tractors, old and new, 30 years ago. The need for protective covers for power take-offs should have been seen many years ago because power take-offs are very dangerous.

I do question the need to fit roll-bars on older tractors. I know many people who have five or six old tractors sitting around on the property, and those tractors play only a very small role on the farm. Some may be used as stationary machines and others on odd jobs. It would be most unusual for them to be driven more than two or three miles in any year at other than a very slow pace over other than very even terrain. So I question the wisdom of this provision.

The weight factor that is built into this legislation is very sound indeed. I can see no reason for fitting protective roll-over cabs on the bigger wheeled tractors. I have a tractor with dual wheels, which when set up is 14 ft. wide. No-one could tip that tractor over, no matter how hard he tried.

Mr. Tenni: What about flipping over?

Mr. ELLIOTT: It could not flip backwards. It is worked on a linkage and has great big gear at the back. It cannot move any more than about two feet with its front wheels off the ground. It is held firmly by the implements on the back.

It is very difficult to legislate to cover all eventualities, so we have to adopt a practical approach. The Minister is a practical man, and I know that he has looked at this matter from a practical viewpoint. He is to be commended for this.

We should look closely at the use of tractors by persons under 17 years of age. I see some inherent problems here in relation to the application of the law to people who are, shall we say, not responsible for the actions of their children. Someone may try to prove that they should be held responsible. Further problems could be created for people who already are in very serious personal trouble as a result of accidents of this nature. I commend the Bill to the Committee.

Mr. TENNI (Barron River) (8.48 p.m.): I rise to congratulate the Minister on the introduction of this Bill. I speak as one who came off a cane farm and married into a cane farm, and one who has had considerable experience in the handling of tractors both during the day and at night.

Unlike some of my friends on the Government benches, I was not born with a silver spoon in my mouth. I had to work for my living, and after my father died I had to work both day and night. It was necessary to drive tractors at night to get the land ready for the planting of cane. The experience I have gained on the banks of the Barron River has stood me in good stead. I had to be careful when turning the tractor on the river bank as well as near the lagoons that existed throughout the farmlands in those days. Behana Creek and the Mulgrave River flowed through my father-in-law's property, and I have actually seen a tractor roll into the river. Fortunately my father-in-law threw himself in the opposite direction and escaped injury. So there is no way in the world that I would condemn this legislation.

It does, however, contain a few provisions that concern me. The Minister said that roll-bars should be built to Australian standards. I presume that the Minister will publicise these standards so that the average farmer is not put to a lot of expense and trouble in trying to find out what they are. In North Queensland as well as throughout the State in general our farmers are very sensible men and ones who are capable of manufacturing and fitting roll-bars themselves. We as a Government should make it as simple as possible for those farmers to know what to build and how to build it. They could save themselves a lot of money by doing this themselves, so I ask that this information be made available to them. I am sure it will be found that very few farmers would wait 10 years to fit roll-bars even on new tractors. They will do that thinking of their own safety and the people that they might leave behind if they became involved in an accident.

The measure allows one year's extension for the fitting of protective devices to new tractors. I am sure that some manufacturers will meet the requirements before the year passes. I sincerely hope that they do, because I believe that when this legislation is passed all new tractors should be fitted with roll-bars.

Some honourable members have referred to safety-belts on tractors. It would be very awkard to operate a tractor when belted in. If the Minister can get this message across to the farmers in the Press, someone may devise a belt that allows free movement. It would be a good safety measure, but I do not say that we should make safety-belts compulsory. It would be very awkward to do certain jobs when wearing a safety-belt. New devices are being made every day. Perhaps one could be made with a swivel or elastic section.

The Bill provides that persons under 17 years of age are not to be carried on a tractor that is not fitted with a special seat and footrest. I do not know how an extra seat with a footrest can be fitted on a tractor. I understand that people who carry children on tractors must accept responsibility. I carried my boy on the tractor from when he was about 2 years of age to when he was 6. No-one can say that a child does not enjoy it. It is a thrill to ride a tractor just as it is a thrill to ride on a merry-go-round for the first time. I found it quite safe to hold him between my legs. It would be reasonable to provide a footrest underneath the driver's seat for the child to put his feet on, but it is almost impossible to provide a separate seat.

I am worried about the restriction on people under 17 driving a tractor unless they have received sufficient training. The Minister may explain in his reply what is meant by sufficient training, where a person gets it, and who declares that he has had sufficient training.

Mr. Moore: Don't ask stupid questions!

Mr. TENNI: I don't think it is stupid; it is very sensible. It may be stupid in the honourable member's mind, but it is not in mine.

Mr. Moore interjected.

Mr. TENNI: It might be, but the honourable member may have a stupid mind.

It is very hard to know what is meant by "sufficient training". We cannot knock this practice. Because of the escalation in costs, an owner of a small cane farm with an 1 800 tonne peak or less could not afford much labour. A lad of 15 or 16 is quite capable of ploughing or scarifying a paddock. Most of them love it and they get a little extra pocket-money from it. I do not think we should knock this side of farming life.

Mr. Lester: Your conscience will be very clear after having said this tonight.

Mr. TENNI: I am sure it will be.

Those who oppose this Bill should remember that 13 people are killed——

The TEMPORARY CHAIRMAN (Mr. Row): Order! There is a little too much frivolity in the left foreground.

Mr. TENNI: They are normally like that, Mr. Row, but I do not mind.

In 1974-75, 13 people were killed in 24 accidents. Do the people who oppose the Bill say to themselves, "Too bad if another 13 get killed this year, next year or the year after."? I do not say that the 13

were killed by tractors rolling over on them or rearing back, but some of them would have been killed in that way and others because accidents just do happen. We must do something to avoid accidents and the Minister is trying to overcome the problems.

Mr. Chinchen: How many were killed on push-bikes during that time?

Mr. TENNI: A little while ago I heard the honourable member for Mackay make certain submissions—possibly he does not know the difference between a tractor and a bicycle. One of his statements that surprised me was that the southern States are away ahead of us, and that we are back in the dim dark ages. That surprises me.

Mr. Casey: They have had this legislation in for four years.

Mr. TENNI: The honourable member said that we are backward. I am sure the people of his electorate would be interested to hear that. After all, he represents the area. If his electorate is backward, he is to blame, not the people of the State.

I pay tribute to the men in the Minister's department who assisted him with this legislation. They have done a marvellous job on it. I am sure over the years further amendments will make the legislation more effective.

Mr. SIMPSON (Cooroora) (8.56 p.m.): It is unfortunate that we find it necessary to introduce legislation such as this to save people from the risk of death and injury. Although this legislation will help, how it is implemented will be very important. I feel that it should be followed by education so that we have an on-going awareness of safety brought to those who work on tractors.

In Queensland we are faced with a problem of difficult terrain, small areas and confined spaces. Many tractor deaths have occurred in such areas.

Some of the statistics on deaths that were quoted tonight related to the drivers of crawler tractors, which have very effective roll-bars fitted. If they had worn seat-belts, they would not have been killed. Unfortunately, seat-belts are a handicap in certain instances as they impair the ability of the operator to perform his functions properly.

I have a roll-bar on one of my tractors, and I insist that the operator use the seat-belt fitted to it. He does so when he is on hillside work. He uses it in a loose position and it is still effective, though, having a three-point linkage, it still makes movement more awkward than when it is not being used at all.

Mr. Gunn: Wouldn't cabins be more effective?

Mr. SIMPSON: Some of the statistics quoted relate to Europe, where cabins were introduced when roll-bars were made compulsory. In roll-over accidents, the drivers were contained within the cabins. The result is a very much higher safety factor than we will obtain solely from the use of roll-bars.

I am sure the Minister would look favourably at investigating accidents where they occur, as is done with aircraft crashes. Seminars could be conducted to bring the findings to the attention of farmers, graziers and tractor drivers so that the message of safety is effectively conveyed. The important thing is to create in the operator an awareness of the danger involved. He thinks it can never happen to him—until it is too late.

I am sure we all want to save lives. Certain exemptions are to be given under this Bill for some industries. I hope the Minister tries hard to foster in tractor users in the exempted industries an interest in roll-bars. It is in the area of horticulture that a lot of tractor accidents occur.

Mr. Porter: Do horticulturists really need roll-bars on their tractors?

Mr. SIMPSON: Yes. Take, for example, the cultivation of pineapples on steep country; that is where many tractor accidents happen.

If there are to be exemptions, I feel that we may not reap the full benefits from the legislation. It needs to be looked at sympathetically.

The honourable member for Barron River raised the very important aspect that at the moment the standards laid down do not allow a farmer to make his own roll-bar. I am sure that the Minister and his experts could evolve a roll-bar that could be manufactured by a farmer. I am sure that for different model tractors, especially the ones that are prone to overturn such as the T.E.20 and the earlier models, a very cheap roll-bar could be manufactured locally. It would have to conform to the regulations for a tractor of that particular weight. His inspectors, I hope, would have practical farming knowledge and engineering experience sufficient to approve farm-built roll-bars and protective canopies. Once the atmosphere of safety is engendered, we will achieve far more safety control through co-operation. So we need education as well as legislation. I am sure that we all agree with the Minister that we are heading in the right direction.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (9.2 p.m.), in reply: This legislation has certainly received a mixed reception. It was quite interesting to hear the various points of view on what I consider to be an extremely important piece of legislation.

The honourable member for Rockhampton North commenced his contribution by making some comments on industrial accident statistics generally. In that field, as

perhaps distinct from his analyses of tractor accidents, he made some rather wild statements which will need careful analysis. I shall arrange for my officers to examine those statements and shall comment on them at the second-reading stage.

The honourable member said that most employers ignored safety. If this is the case, union officials are not doing their job. One of the hardest jobs employers have is to induce employees to comply with the necessary safety requirements which the community believe are necessary. I noticed from the veranda that alongside the workroom of Watkins, who is building the new Parliament House, the management has been obliged to erect a very large sign reading, "No boots, no job." That is the extent to which employers have to go to see that workmen take the precautions which normally they should take.

The honourable member castigated the Government for delay. I refute that suggestion. There has been much research and a tremendous amount of consultation with industry to produce an acceptable proposition.

Mr. Yewdale: Ten years.

Mr. CAMPBELL: We have been most active in encouraging the acceptance of adequate safety devices. A departmental officer produced a very small model tractor and it has been used for demonstrations all over the State to illustrate the dangers that apply to wrong hitching to the draw-bar. I cannot accept the honourable member's comments on that.

I am well aware of the point of view of the honourable member for Warwick. Unfortunately I have not been able to persuade him to change it. This is how we operate here. He referred to what he termed bureaucratic compulsion. I really think he must be somewhat out of touch with the various rural organisations, all of whom have not only given their utmost co-operation but also, perhaps like the honourable member for Rockhampton North, have chided us for being a little tardy in proceeding with this legislation.

He said that the legislation was retrospective. There is no retrospectivity in it. It certainly has prospectivity.

He also asked who will pay for the inspector to enforce the legislation. It will not be necessary to appoint any additional inspectors. There are already 93 technical inspectors available in various parts of the State. If the need arises, of course, it will not be beyond our ability to appoint additional inspectors.

The honourable member made some observations concerning people under 17 years of age. The fact that since 1958 47 young people under the age of 17 have been killed in tractor accidents cannot be ignored.

He also stressed the need for exemptions. Clause 4 will give the chief inspector the power to grant to any person or class of persons exemption from compliance with all or any of the provisions of the legislation. That is an indication of the Government's sympathetic understanding of the problems in rural industry.

The honourable member for Redlands seemed to give me the impression that he felt that it was some comment that he made in the Press that was responsible for the exemption of orchards and poultry sheds. While this legislation was under consideration, it was always contemplated that orchards and poultry sheds would be exempt. I acknowledge that the addition of horticulture to the exemptions is of more recent origin.

The honourable member for Somerset made a very wise observation. He said that the legislation will not be the end of the problem. Unfortunately it will not, human nature being what it is. He listed the danger of improper hitching of draw-bars, to which I have already referred. He also said that old tractors give valuable service as stationary equipment. I speak from experience when I say that any person who uses stationary equipment, particularly old machinery, should ensure that it is adequately guarded. This is particularly necessary if it is a makeshift arrangement and there are children on the farm.

One of the most significant points made by the honourable member for Mackay was the problem of lack of concentration, inadvertence and fatigue resulting from long hours of work among drivers of tractors. A friend of mine on the Downs when working day and night, which is the custom in planting, told me that on one occasion he had fallen asleep for 15 minutes whilst driving a tractor. It was still moving when he awoke. It is not very pleasant to contemplate what would have happened if it had come to a slight slope.

The honourable member for Cunningham mentioned the danger from moving parts, particularly power take-offs. There is an old saying that familiarity breeds contempt and it certainly does tend to make people careless and casual. I cannot stress too strongly the need to guard all moving equipment. Indeed, I should say that the same type of precautions are just as essential on the farm as they now are in the factory workshop and statutory provision has been made for that.

The honourable member for Barron River questioned the ready availability of standards specifications. The Australian standards are available from the Standards Association of Australia, Upper Edward Street, Brisbane at nominal cost. He also queried the wording in the Bill concerning the training of persons under 17. I think it speaks for itself. Any parent who would allow a person under 17 to have full control of a tractor without satisfying himself that the lad or girl was fully competent to control that machine would almost be guilty of criminal negligence. The youth should receive adequate

training under the supervision of the parent who has a thorough knowledge and is experienced in the driving of tractors of the same class.

The honourable member for Cooroora made some very sound observations based on his personal experience, from which we can learn much.

Motion (Mr. Campbell) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Campbell, agreed to.

THE CRIMINAL CODE AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Miller, Ithaca, in the chair)

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (9.14 p.m.): I move—

"That a Bill be introduced to amend The Criminal Code in certain particulars."

A familiar expression in legal circles is that "the wind of change must be felt in the corridors of the courts if the law is to keep abreast of the times". The Criminal Code has again been reviewed in an endeavour to ensure that our criminal laws are adequate to deal with the ever-changing conditions and patterns of living in our society.

This Bill contains what I believe are worthwhile changes which will improve the efficiency of our criminal courts and at the same time preserve the existing safeguards. The principal changes follow recommendations of the Law Reform Commission of Queensland and of the Commission of Inquiry into the Nature and Extent of the Problems Confronting Youth in Queensland.

The Law Reform Commission, in its 17th report, recommended amendments in relation to the joinder of charges in criminal trials. The rules of joinder are important in practice because they serve to limit the number of charges that need to be considered during any one criminal trial. The general rule is that an indictment must charge one offence only and not two or more offences. However, even at the present time where several distinct indictable offences are alleged to be constituted by the same acts or omissions, or by a series of acts done or omitted to be done in the prosecution of a single purpose, charges of such distinct offences may be joinded in the same indictment against the same person.

The narrowness of the present joinder rules was illustrated in the case of the Queen v. Wilkinson 1973 Qld. R. 125, where an offence of rape was followed a short time later by an offence of attempted murder on the same person. It was held that the offences could not be joined in the one indictment because the acts were not "done in the prosecution of a single purpose". However, under similar circumstances in the United Kingdom and most Australian States the two charges could have been joined because the offences were "part of a series of offences of the same or a similar character". Accordingly the Bill seeks to broaden the present rules relating to joinder of charges in the one indictment to permit joinder where the charges are founded on the same facts or are or form part of a series of offences of the same or a similar character.

Safeguards are provided to allow the court to order separate trials if an accused person is likely to be prejudiced by the joinder. These safeguards are expanded under the Bill, and the court will be able to order the separate trial of any charge or charges where it is of the opinion that the accused person may be prejudiced or embarrassed in his defence by the joinder or it is otherwise desirable to direct a separate trial.

The Commission of Inquiry into the Nature and Extent of the Problems confronting Youth in Queensland recommended that amendments be made to the Criminal Code in relation to the age of criminal responsibility and the age for unlawful carnal knowledge. This Bill embodies those recommendations. The lower age limit below which a child is not criminally responsible for his acts or omissions is being increased from under seven years to under 10 years. The reasoning of the Youth Commission was that the Criminal Code was enacted in 1899 and at that time the law in this respect in England was identical. In England the age of criminal responsibility was raised to under eight years in 1933 and to under 10 years in 1963.

The upper age limit below which the prosecution must prove that the young person had the capacity to know that he ought not to do the act or make the omission is being increased from under 14 years to under 15 years. The commission on youth problems pointed out that children are required to attend school until they are 15 years of age, which previously stood at 14 years for a very long time. This implies that up to that time in their lives children are in need of education, which should be reflected in the law's inquiry into their capacity to know whether or not they are doing something wrong.

The Bill seeks to reduce from under 17 years to under 16 years the age of a girl below which it is an offence to have unlawful carnal knowledge of her. As the commission has stated, the purpose of the legislation is to protect young girls from themselves. It is possible now for girls to marry at the age of 16 years, and this must mean that at that age they are treated as being capable of making a responsible and important decision which includes the act of intercourse.

The Criminal Code contains a number of indictable offences which may be dealt with summarily with the consent of the accused person. It is proposed to extend these provisions to the following indictable offences:—

(1) Unlawful use or possession of motor vehicles, aircraft or vessels; and

(2) Breaking and entering a dwelling-house or a place other than a dwelling-house and committing or intending to commit an indictable offence therein where—

(a) the indictable offence committed or intended to be committed is stealing;

(b) the property stolen does not exceed $500; and

(c) the defendant is not armed with a dangerous weapon or equipped with implements of safebreaking or in the company of a person so armed or equipped.

In relation to the unlawful use or possession of a motor vehicle, magistrates in New South Wales, Victoria, Western Australia and Tasmania have a similar jurisdiction and magistrates in Queensland can deal summarily with this offence under the Traffic Act and the Vagrants, Gaming and Other Offences Act.

In relation to breaking and entering offences, magistrates in New South Wales, Victoria and Tasmania have a similar jurisdiction to that proposed and magistrates in Western Australia have jurisdiction to deal with offences for breaking and entering places other than dwelling-houses.

The Bill seeks to increase the maximum punishment of imprisonment which magistrates may impose for indictable offences determined summarily with the consent of the defendant from six months to two years. The relevant punishment which may be awarded in similar circumstances in the various States of Australia is as follows:—

N.S.W.—2 years' imprisonment or $2,000 or both;

Victoria—1 year's imprisonment or $1,000;

Queensland—6 months' imprisonment or $1,000;

South Australia—2 years' imprisonment or $200;

Western Australia—6 months' imprisonment or $500;

Tasmania—1 year's imprisonment except burglary offences which carry 2 years' imprisonment.

It should be pointed out that magistrates in Queensland can impose punishment of up to two years' imprisonment, $2,000, or both, for drug offences under the Health Act, 18 months' imprisonment for offences under the Traffic Act and 12 months' imprisonment for offences under several other Acts.

In the recent trial of R. v. Walker, Fogarty and Garcia in the District Court at Brisbane on a charge of extortion, the prosecution could not proceed because the court ruled that the thing extorted by the defendants, namely, services, did not come within the meaning of the word "anything" in the section. It is proposed in the Bill to amend the section to make it clear that the word "anything" applies to something intangible as well as to something "tangible".

A further amendment relates to the offence of assault occasioning bodily harm, for which a person can be summarily convicted. Cases have arisen where a magistrate is satisfied that the evidence establishes the offence of common assault but is not sufficient to convict of assault occasioning bodily harm. When this occurs, the defendant must be discharged and proceedings commenced again with a charge of assault. It is proposed to amend the Criminal Code to enable a magistrate to convict of common assault if this offence is established by the evidence.

Finally the Bill includes a clarifying provision relating to the extraterritorial operation of our criminal laws.

I commend the Bill to the Committee.

Mr. **WRIGHT** (Rockhampton) (9.22 p.m.): Owing to the lateness of the hour, I intend to leave remarks on the Law Reform Commission's recommendations to the second-reading stage, when I shall draw a comparison between those recommendations and the amendments as proposed by the Minister. I shall also deal with the proposed extension of criminal jurisdiction in the Magistrates Court.

Tonight I shall confine my remarks to those amendments that were put forward by the Commission of Inquiry into the Nature and Extent of the Problems Confronting Youth in Queensland. Members who have taken the time to read the report will have noted that recommendation No. 2 is that section 29 of the Criminal Code be amended to provide that—

"A person under the age of 10 years is not criminally responsible for any act or omission. A person under the age of 15 years is not criminally responsible for any act or omission unless it is proved that at the time of doing the act or making the omission he had capacity to know that he ought not to do the act or make the omission."

The existing provision in the Criminal Code relates to immature age and presently provides that a person under the age of eight years is not criminally responsible for any act or omission and that a person under the age of 14 years is not criminally responsible unless it can be proved that he had the capacity to know that he ought not to do the act or make the omission.

Having looked at this question, I note that the age of criminal responsibility was changed in England in 1963 from eight years to 10 years. Originally it was seven years.

The law acknowledges that not all children should be held criminally responsible, and I am sure that honourable members would concur with that view. In the report of the Committee of Inquiry into Youth Problems it was explained that to some extent the cut-off age is determined by the community's ability or capacity to protect itself from the anti-social activities of children. This ability depends on, firstly, discipline within the home; secondly, the inbuilt mechanisms within the education system which promote adherence to the expected community conduct; thirdly, the effectiveness of church and community bodies in propagating standards of conduct; and, finally, effectiveness of the law enforcement agencies to act as a deterrent.

It is debatable whether the increase in the age of criminal responsibility is necessary (a) because the socially oriented devices have failed or are failing or (b) because, owing to the development of the child in modern society, the old accepted level of immaturity is no longer valid. There are those who contend that there has been an over-all breakdown in home discipline, that the educational mechanisms are inadequate, that the church has faced an erosion of its authority and that the effectiveness of our law-enforcement agencies leaves a lot to be desired. On the other hand, statistical evidence is available to show that the age of the young offender has dropped in the last decade, and that the number of criminal acts committed by the young offender or so-called immature offender has risen sharply in recent years.

I took it upon myself to go through the report of the Commissioner of Police, which shows the number of offences brought before the Children's Court. The statistics I took out were for the year from July 1974 to June 1975. They disclose the following:—

Indecently Dealing with and Assaulting Females:

1 offence by a boy under 10 years.

1 offence by a boy 10 years and under 12 years.

6 offences by boys 12 years and under 14 years.

21 offences by boys 14 years and under 17 years.

Those figures do not seem significant; but the figures of offences where violence to property was used are very significant. They are:

Breaking and Entering a Dwelling ($0–$100):

Number of offences 750

Arrested 449

Broken down into age-groups they were:

Under 10 years	10 years and under 12 years	12 years and under 14 years	14 years and under 17 years
19 Males	42 Males	129 Males	295 Males
2 Females	1 Female	3 Females	5 Females

These statistics are similar for the breaking and entering of shops and the breaking and entering of other premises. There is a predominance of young offenders between the ages of 10 and 14.

For the same period the figures for the offence of:

Stealing or illegally using motor vehicles were:

Number of offences 689

Arrested 758

Broken down into age-groups they were:

Under 10 years	10 years and under 12 years	12 years and under 14 years	14 years and under 17 years
Nil	10 Males	81 Males	666 Males
	0 Females	5 Females	11 Females

The statistics are constant for all other stealing offences.

Total offences before the Children's Court were:

Number of offences .. 6,421

Arrested 4,439

These are broken down into the following age-groups:—

Under 10 years	10 years and under 12 years	12 years and under 14 years	14 years and under 17 years
97 Males	295 Males	921 Males	3,133 Males
8 Females	31 Females	99 Females	369 Females

A further breakdown was given for the Brisbane area, as can be seen from the following table:—

Break and enter offences .. 925

Stealing 609

Unlawful use of motor vehicles 161

Malicious damage 152

These figures become more realistic when the breakdown in age groups is looked at in this table—

Age of Children	Number of offences
7	0
8	7
9	12
10	98
11	117
12	266
13	440
14	373
15	300
16	244

I do not wish to baffle everyone with statistics but it is important——

Mr. Moore: Are you getting the Parliamentary Library to write your speeches now?

Mr. WRIGHT: I suggest that the honourable member should look at my notes. If he does so he will see that I cut these

statistics from the report presented to all members of Parliament. I suggest that the honourable member might read them sometimes.

Mr. Casey: The honourable member for Windsor has been here for seven years but he has not yet found the Parliamentary Library.

Mr. WRIGHT: I accept that interjection.

The summary of the Children's Court for the year ended 30 June 1975 backs up these statistics. It shows that there were 1,271 breaking, entering and stealing offences involving 697 offenders.

Mr. Chinchen: How many males and how many females?

Mr. WRIGHT: I will come to that in a moment because that is a very important point.

There were 1,472 breaking and enterings, involving 520 offenders; 3,786 stealing offences, involving 1,602 offenders; 1,188 offences of using motor vehicles without consent, involving 742 offenders; and 449 offences of wilful destruction of property, involving 224 offenders.

It is interesting to note that the break-up in age groups is as follows:—

——	Breaking, entering and stealing	Breaking and entering with intent	Stealing	Unlawful Use of Motor Vehicles	Wilful Destruction
8 Years ..	4	7	9	..	2
9 Years ..	11	4	44	1	5
10 Years ..	38	40	89	5	17
11 Years ..	64	113	156	17	21
12 Years ..	130	154	293	33	90
13 Years ..	226	209	651	105	87
14 Years ..	238	259	268	239	60

and so it goes on for whatever age group we consider.

Mr. Gygar: Unfortunately, you do go on.

The TEMPORARY CHAIRMAN (Mr. Miller): Order! I ask the Committee to come to order.

Mr. WRIGHT: That is a grand total of 10,876 offences involving 4,458 offenders.

That brings me to the point that this State is facing a junior crime wave and it is time we realised it. It is questionable if raising the age of criminal responsibility will combat this. I do not believe it will. It will only ensure that more offenders are liable for prosecution. It will act as a deterrent to some, but I believe it will be of limited effect. Few minors will stop to think that the law has changed. "Because I am now between the age of 10 and 15, I could be held criminally responsible for my action."—I do not believe that the young person even entertains such a thought.

I wonder whether in fact the answer is to be found in the other factors of home discipline, educational facilities and the role of the church.

The honourable member for Mt. Gravatt raised a pertinent point about girls. The alarming fact drawn from the statistics is that females now make up approximately 12 per cent of all offenders—522 out of 4,458. That is a matter for concern, and the trend is not restricted to Queensland. The statistics here parallel the studies in other countries. It is a new problem, and therefore it needs a new approach. The State Government must completely revise its approach to juvenile crime. The first step it should take is to expand the role of the Juvenile Aid Bureau. The second step it should take is to extend the functions of the police educational liaison officers.

The State should sponsor anti-crime-oriented TV programmes. That would be a far better use of money than the "Joh Show", which is costing us many hundreds of thousands of dollars. The show should be positive and should relate specifically to community and individual responsibility. Parents need to be woken up to their own responsibilities and they need to be told of the penalties that could face their children. The idea has been mentioned before in the Chamber—and there is some merit in it—of making parents more culpable for the actions of their children.

The measures I have suggested may be difficult to put into effect, but that observation is certainly not true of the Juvenile Aid Bureau and the Police Educational Liaison Scheme. The Juvenile Aid Bureau was established in 1963. At that time it had a staff of two. By 1974 the number had grown to 25; yet in 1975—and that is the year from which I drew my statistics—the staff was reduced to 16. It was reduced by more than 33 per cent at a time when juvenile crime was rampant in the State! The situation has not improved since then. In fact, it has become worse. I have considered the role of the bureau and I know that its aim is a worth-while one, as it seeks to turn potential delinquents——

Mr. Moore: Are you making the speech of the honourable member for Belmont?

Mr. WRIGHT: No doubt the member who just interjected would know what is meant by "delinquents", because he has personal experience.

The aim is to turn potential delinquents into law-abiding citizens and to prevent them from incurring a conviction which would leave a permanent blot on their character. This point was raised by either the honourable member for Belmont or the honourable member for Baroona in a previous speech, so there are other members who no doubt agree with my submission. This aim certainly is based on good intentions; but it could not be carried out unless there is sufficient manpower.

Mr. K. J. Hooper: Don't you realise that the honourable member for Windsor would reduce the age of consent to 10 years if he had his way?

Mr. WRIGHT: I could expect that, too.

Juvenile crime is an ever-increasing problem. I looked at previous statistics of offenders appearing before the Children's Court. In 1972-73 there were 3,269; in 1973-74, 3,939; and in 1974-75, 4,458. This year the number is estimated to exceed 6,000. So there has been an increase of almost 100 per cent in barely three years. It is apparent also that to approach the problem simply from the parents' point of view is long term and there is no guarantee of success because there are parents who lack the expertise or interest to discipline their children. So the State must turn to other avenues.

Mr. Chinchen: Don't you think that if we spent more money on remedial-teaching it would prevent drop-outs and we may save kids——

Mr. WRIGHT: Yes, I accept the point. This comes back to the improvement of educational facilities. It is a point I had not included in my notes but I take the interjection because I think it is worth while.

The Juvenile Aid Bureau should be trebled in size and first and foremost it should be decentralised throughout the State. The Police Education Liaison Unit needs to be expanded and its role revised to ensure that its officers are given every assistance and opportunity to upgrade their functions in schools. The Government attitude to the Police Youth Club also requires modernising and it should not be regarded as a distant cousin of the law-enforcement personnel in this State.

The churches are extremely aware of the handicap that they face. They are concerned because their authority has been undermined by the media and also by vocal minority groups. But the answer is to extend the role of the religious-education teacher into the one of school chaplaincy. I believe that the churches still have a vital role to play because Christian teachings are ideal for self-discipline. We will all admit that there will always be failures. I was interested to read recently a New South Wales report that pointed out that the number of juvenile offenders coming before the courts from what it could define as Christian homes was as low as 3 or 4 per cent. So it is important that the church looks at its role and improves it.

I reiterate that I agree that there are grounds for raising the age of criminal responsibility but that in itself will have little effect on the present problem of juvenile crime.

The second recommendation is to lower the age of consent from 17 to 16 years. It is this aspect of the legislation that has created the most interest. I add that as it is A.L.P. policy, Opposition members will support the proposal. Under section 215 of the Criminal Code it is an offence for a male to have intercourse with a girl other than his wife if she is under the age of 17 years irrespective of whether the girl in question was a willing partner. It is anomalous that a man may marry a girl who is aged 16 years but he commits the offence of carnal knowledge if he has intercourse with another girl of that age.

Over the years the courts have ruled that a girl of 16 years of age is capable of deciding whether or not she wishes to marry. So I think that all honourable members expected that eventually the Criminal Code would be amended as it relates to the defilement of girls under the age of 17 years. Whilst it is A.L.P. policy to lower the age to 16, that does not mean that many members do not have reservations about whether this amendment will achieve much.

The real issue here, like that in raising the age of criminal responsibility, centres on what is the age of responsibility. It is understandable that it is easier to set a cut-off point in the belief that the age selected is the average; but that raises the problem of assessing what is this so-called average. No-one could say that all 16-year-old girls have the capacity to make such an important and responsible decision when it comes to sexual intercouse. Some people would contend that the 14 and 15 year olds today are as mature as the 18 year olds of a decade ago. In contrast, a significant percentage of the community still believe that even 17 and 18 year olds are too young. Their belief is backed statistically by the high rate of breakdown and failure of what are termed teenage marriages. Admittedly many factors other than merely youthfulness prevail, but the evidence is still valid and cannot be set aside as irrelevant.

Another argument espoused for having a cut-off age for legal sexual intercourse rests on the belief that it will protect girls from themselves. I know that this has been advanced in some of the newspapers. This is highly questionable, but it is difficult to see how the lowering of the age will assist.

I may be a sceptic but I wonder whether the real reason behind the Government's lowering the age of consent is a selfish one

that centres more on the desire to reduce the work-load of the courts. Today the courts are burdened with dozens and dozens of carnal knowledge cases that would be dismissed if the age of consent were lowered by just one year. Personally I do not believe that the offence of carnal knowledge will lessen significantly in the long term just because the age of consent is decreased.

Last night, in company with six other members of Parliament, I watched the Mike Willesee special, "Learning About Sex". While I do not agree with many of the contributions made by members of the audience, and while I completely oppose the views expressed by one of the proponents of the more liberal approach to homosexuality, the programme convinced me that the sex problems in our society will not be removed by varying the age of consent.

The answer centres on greater parental responsibility and the need for better family-life-education programmes in schools specifically and in the community generally.

(Time expired.)

Mr. GREENWOOD (Ashgrove) (9.42 p.m.): Our cousins across the Pacific are celebrating their bicentenary year, as we all know, or perhaps we will be compelled to know in the very near future. The honourable member for Rockhampton spoke about potential delinquents. We should recall that a potential delinquent chopped down a cherry tree 200 years ago. Perhaps the boy with the cherry tree should be regarded as a test case. Two hundred or even 150 years ago punishment was uppermost in the minds of those who framed the criminal law. Today our community takes a somewhat different view. Judging a child may be the most difficult task of all, and there may be in what seems to be a delinquent personality a great potential for good which can be confirmed and stigmatised in its present direction or which in other circumstances can be guided to a path that will enable it to become an exemplar to the rest of the community. George Washington, of course, was perhaps such an example.

Mr. K. J. Hooper: Was he ever had up for carnal knowledge?

The TEMPORARY CHAIRMAN (Mr. Miller): Order! I remind the honourable member for Archerfield that I have been very tolerant. He has been interjecting from his present seat for the last 10 minutes.

Mr. Wright: He is acting as Leader of the Opposition.

The TEMPORARY CHAIRMAN: Order! I was not aware that the Leader of the Opposition sat in that seat.

Mr. GREENWOOD: George Washington had ambition, too, and I am the last person to decry it, however optimistic it might be in these circumstances.

The Government has taken the view that a child of eight or nine should not bear the stigma of a criminal act for the rest of his life; that a child of that age, just as he is entitled to the guidance and education of his parents and senior members of the community, should be forgiven if he has committed what we regard as a criminal offence. Time will tell whether or not this is a wise course. One does not wish to do something that is likely to encourage young people to break the law because they think they can do it with impunity. In taking this step the Government has looked at the experience in communities similar to our own, and it does seem that in England the age of responsibility was raised to eight years in 1933 and to under 10 years in 1963: so boys and girls of nine are now excused from what would otherwise be regarded as a criminal offence.

Mr. Moore: Someone said you're being paid by the hour.

Mr. GREENWOOD: I hesitate to say that nobody would ever say the same thing about the honourable member.

Mr. Casey interjected.

The TEMPORARY CHAIRMAN (Mr. Miller): Order! I warn the honourable member for Mackay.

Mr. GREENWOOD: This step has been taken and I suppose we now wait to see what the verdict of the next 20 years will be. All the indications are that it is a wise step, and on this side of the Committee we believe it to be so. For those reasons I commend the Minister for introducing it.

Mr. PORTER (Toowong) (9.47 p.m.): I believe that the major clauses of this amending Bill open up a vast and a quite terrifying area of moral responsibility, and every parliamentarian has—and I use the phrase in its best sense—an awful responsibility because we are talking in this Bill about children who have become victims of adult abdication from parental and educational responsibility and so have found themselves enmeshed in criminality. Honourable members know the saying, "Suffer the little children to come unto me." I think that one of the very bitter fruits of this age of affluence, when so often both mother and father work because they want more of the material comforts of life, has been that children have been suffered to become unwanted, unloved and undisciplined in their own homes. And then we add to this unhappy situation the intense and vile commercial, and sometimes political, endeavours to, as I term it, pressure-cook children and transform them overnight at an ever more tender age from innocent children into bewildered, confused little pseudo adults. We must remember all these things when we are considering the amendments here relating to children.

I believe that it is the duty of members to think about the role that is played by these very dark forces in our midst—forces which I believe, quite deliberately set out to debase and mentally and spiritually deform children, to persuade them that as children they can indulge with impunity in the urges, particularly the urges of the flesh, that so many people find themselves unable to cope with as adults. And yet it is suggested in so many quarters that children can do these things and get away with it; that they can effectively cope with the situation that will follow this.

I am talking now about the matter raised by the honourable member for Rockhampton —a television programme that was shown last night; a programme about which I asked a question of the Premier on the previous day of sitting. I asked whether anything could be done to prevent its being shown. Having watched the programme, I am sorry that we were unable to do anything to prevent it.

Of course, I recognise that there are some people who are quite heedless, or perhaps even desirous, of harming children and who would not see anything wrong with this, for me, extraordinary type of TV programme. I see it as a kind of slaughter of the innocents. I think it is a nonsense concept that individual liberty means that there should be no control and no censorship at all. That connotes a kind of right to metaphorically slaughter the innocence of children in order to provide sexual titillation for adults on TV. And that is what the programme was—a commercial gimmick.

Children always are the major victims of the abdication of proper adult responsibility and, in fact—the honourable member for Rockhampton spoke about this—all the indices of the last decade show what this much-vaunted new and progressive code has done. We have the most alarming growth in the illiteracy rate amongst pupils; we now have suicide as the largest single cause of youthful death; we have more and more violent crime being done by ever-younger offenders (the "Clockwork Orange" syndrome); we have an escalation of juvenile alcohol and drug problems; we have growing promiscuity amongst sub-teens, especially girls—we have all that against a community background of more unstable marriages, more illegitimacy and more people needing psychiatric care and more mental and general health care.

In considering this type of influence, we have to see it in its proper frame of reference. It should not be seen just as a single programme with the thought, "Oh, well, it's a bit odd and a bit kinky, but maybe I am behind the times and it's all right." It has to be seen as part of a general pattern of operations that are going on in the community incessantly and insidiously. It is wrong and dangerous to see it in isolation. It has to be seen as part of the constant campaign in so many quarters to push children into defying parental and other authority, into accepting that they have an in-built right to do their own thing, and that sexual experimentation at an extremely tender age is part of doing their own thing. Of course, parallel to this attempt to push children to the stage of making them little pseudo adults one sees intense efforts to denigrate marriage and erode support for the family unit.

If we are considering amending the criminal law in terms of lowering the threshold for the protection of children—and I regard the lowering of the age of consent as in fact lowering the barriers that protect children—we certainly have to consider the part that is played by so-called entertainment of this type offered to us under the specious guise of serious sex education. That applies to many of these unpleasant things. The pretence is made that a very serious community responsibility is being accepted, and that what is being done is being done with great care and sincerity. That is a load of rubbish; it is done for money. Later honourable members will be dealing with invasion of privacy. I regard programmes of that type as a most unwarranted outrage on normal privacy, because TV comes directly into people's homes.

What we have to consider is whether this type of material is objectionable in terms of what are reasonably good manners and proper toleration between people, and whether TV should be used to extol vulgarity, immodesty and unnecessary crudity, or whether it should accept normal community standards. As a matter of fact, I find it quite remarkable that such a programme should be shown. It showed women demonstrating how to use contraceptives, and it detailed acts of sexual intercourse in front of a mixed group of 12 to 14-year-olds. I do not know how it was done without contravening the broadcasting code, which specifically forbids this sort of thing; but apparently these days standards are made to be broken—provided we exploit sex commercially. That is always good business.

What worries me is that if programmes of this type are allowed on TV as normal, and unsuspecting people accept what the so-called experts say, namely, "This is all very useful," what happens next? If we raise the barriers of acceptance with such programmes, what do we do some time in the future as an encore? What will be done then in terms of letting people know about sex education for children?

Mr. Chinchen: Experimentation.

Mr. PORTER: As the honourable member for Mt. Gravatt interjected, experimentation will be depicted on the TV screen. And won't that be very jolly family entertainment for all! We could even keep the dog up on that night!

When we are considering young people and criminality, things of that type have

to be borne in mind. I know that the producer of the programme, Mike Willesee, has chosen his own life style—that is his business—but it is not the life style chosen by 95 per cent of the people in the community. That also has to be borne in mind.

When I talk of the commercial and other forces that do these things, I do not want it to be thought that I am merely talking in vague terms. They are well known. It is, of course, the radical Left that is doing its utmost to try to debase and distort children through all various fronts that it has—the Humanist Society, the Women's Abortion Action Committee, Children by Choice, various feminist and homosexual lobbies, and so on. They are working through the universities, colleges of advanced education, teachers' colleges, the Queensland Institute of Technology and, of late, even the high schools. Unhappily, much of this endeavour was funded by the former A.L.P. Government headed by Mr. Whitlam. It would be a good guess that through the various bodies that I have mentioned and their appendages something of the order of $250,000 to $350,000 is being employed in constant propaganda to achieve with children those ends that produce precisely the product that is the subject of this legislation.

I know that it will be thought by some that one is eccentric and an arch-conservative because one speaks in this way. The honourable member for Archerfield constantly says that I am somebody who belongs to the last century.

Mr. K. J. Hooper: That's true, and you know it.

Mr. PORTER: I say to the honourable gentleman that, far from being abnormal, people who hold my viewpoints are in the mainstream of contemporary public attitudes. Every public opinion poll taken over the past five years or so has shown that every three out of four Australians want sensible censorship. They do not approve of undue permissiveness; neither do they want relaxations accepted in community standards. They want their children taught discipline, control, duty and morality. As a Government member interjected, recent elections have shown overwhelmingly that that is so. All the things that the Whitlam Government and the Left-wing-dominated A.L.P. stood for have been decisively rejected by the electorate both in Queensland and throughout Australia.

In the 1960s many of the avant-garde were claiming that we were on the way to sweeping aside all censorship and to establishing a new society. The 1970s have shown, however, that throughout the world censorship is firmer now than it ever was. It is based solidly on the turn to the Right that has characterised politics in so many parts of the world.

We have a tremendous problem on our hands in coping with children who have wandered into the unhappy by-ways of criminality as a result of what we adults have done and are doing to them. It ill-behoves anybody to scoff at the problem or to deride the concern that we express on behalf of our children. All that will do is help to produce a larger harvest of misery eventually.

I speak, I suppose, from the viewpoint of my own experience and my own life span. I helped my wife bring up four children, and I am now deeply involved in the lives of 12 grandchildren. My concern is not academic; it is certainly not casual or geared to any sort of profit motive, either commercial or political. My concern springs from the oldest and most enduring source of all, that is, parental affection and the deep sense of pastoral care which I believe underlies all enduring family bonds. These stand solidly against any so-called winds of change.

We are amending the Criminal Code to deal with aspects of juvenile wrongdoing, and to a very large extent I accept the necessity for the amendments. However the proposed Bill deals with symptoms, and we must do much much more if we are to cope with the malaise that is causing the symptoms.

Mr. BYRNE (Belmont) (10.1 p.m.): In rising to support the Minister on all aspects of the Bill, I shall direct myself at this stage of the debate only to those areas that arise specifically from the Commission of Inquiry into the Nature and Extent of Problems Confronting Youth in Queensland. In those areas I shall make some brief comments on the submissions made by the honourable member for Rockhampton. While he was able to string off a great number of facts to us tonight—all of which are statistically correct—unfortunately an insufficient conclusion was drawn from them. One point that I tried to make to him was that these statistics have continually changing bases depending on how the Police Commissioner, in relation to criminal charges and offences, desires those offences to be counted each year.

When we see that there has been an increase in the number of children charged, or the number of offences put down, we should also realise that children who were formerly counselled and not charged are now being charged. Because of that there is an unnatural increase in the number of those convicted.

Mr. Wright: I accept that, but it does not destroy the fact that there has been an increase in the number of offences.

Mr. BYRNE: In relation to the increase in the number of offences, an impetus is again given by the Police Commissioner. I shall instance it for the honourable member. The honourable member may recall that he had some very high figures in the lower age groups. I shall explain the reason for that. If an 11-year-old child is caught stealing milk money and the police have reported to

them another 120 charges of stealing milk money, all of the instances of stealing are counted as individual offences. The 11-year-old child is asked, "Did you rob all those other houses as well." If he says, "Yes", we get another 120 offences and it seems that we are clearing up the offences at a much better rate than we are. That is why I question the statistics. I do not think that charging children is a reasonable way to improve statistics, or a reasonable way to show that we are solving the crime problems.

Mr. Wright: There is a crime wave.

Mr. BYRNE: I do not deny that there is an increase in crime in the community. There are many reasons for that increase, not the least of which are the changing social attitudes in relation to housing and the inability of people to purchase homes and give a child a basis of security on which it can grow and develop.

I refer also to unmarried mothers and the pensions they receive. I do not deny any woman the right to raise her own child, but I know of cases where a woman has decided to keep a child (and has been encouraged to do so by social workers) simply because of the economic benefit that will accrue to her. When the child becomes hard for her to take at age two, three or four, it comes to the State. What has been achieved? Absolutely nothing but an increased economic benefit for the woman and a disastrous beginning in the child's life while thousands of people in the States throughout Australia —very good husbands and wives unable to have children—desire to have children from the time they are babes and raise them in secure households. A most damnable situation has been allowed to develop. The blame must be placed on the irresponsibility of Governments. It all comes back to the level of welfare.

When I mention "Governments", I speak specifically of the previous Federal Government, because it was during its regime that these problems grew to their greatest extent. It was during that time that housing became the hardest thing for people to find. It was during that time that people lost the security of homes and had to find rental accommodation. It was during that time that increased welfare benefits encouraged not the prevention of the difficulties children were to experience, but rather the curing of problems. It is foolish for us to continue making welfare payments in an attempt to cure the problem if we are not getting to the root of it and stopping it before it becomes a problem.

I praise the Bill for taking into account that children find themselves in vastly different circumstances from those in previous centuries. I remind honourable members that in the last century children of a very young age were hanged for stealing loaves of bread. Although that is an extreme example which is often quoted, it is true. Children of very tender years were transported for similar offences. But times have changed. We realise that children, although they can be responsible for their acts, often lack certain elements of responsibility.

I turn now to the provision raising the age limit below which the prosecution must prove that the young person had the capacity to know that he ought not to do the act or make the omission. It is now to be 15 instead of 14. That does not thereby mean that the 15-year-olds are not considered to be able to possess criminal responsibility. It just alters the situation from a presumption to a necessity for proof by the prosecution. I believe that is quite reasonable.

In relation to the capacity of criminal responsibility—and this is the very tenet of responsibility—being increased from seven years to under 10 years, I refer to a speech I made last year. Some of the facts I stated in that speech were used by the honourable member for Rockhampton. I think he used them quite rightly and well, because I certainly agree with him in relation to the Juvenile Aid Bureau. However, I cannot agree with him in relation to the Education Department Liaison Section. A table I used in that speech, obtained from the Police Commissioner's report of 1974, I think, said that children of eight had committed two offences, children of nine had committed 44 offences, children of 10 had committed 61 offences, and it increased thereafter. It is ludicrous to charge a child of eight or nine in a court and then say, "You have been to the Court. You have been charged." The Police Commissioner stated that it was important, and I quote what he said in his own report—

> "Young persons need to be brought face to face with authority and made to account for all their unlawful activities. Research has not given any support for the view that sentimental caring is an adequate substitute for appropriate discipline in providing youngsters with proper guidelines for future conduct."

He also referred to eight and nine-year-olds as well. Obviously, it is ridiculous to bring an eight-year-old before a court and give him no punishment, simply saying, "You have done a naughty thing. You have been charged. You now have a criminal record. Go away and don't do it again." We have to reverse a trend that has begun, which is that children, instead of being referred for care and counsel to the Children's Services Department, have been referred straight to the Juvenile Courts. The effect is that the child goes to the court, pleads guilty, is admonished and discharged and goes home. Absolutely no counselling follows.

That was one of the reasons that forced me to say during the speech of the honourable member for Rockhampton that I was completely opposed to the continuation and extension of the Education Department

Liaison Section. It was introduced straight after an attempt was made by the Commissioner of Police to change the structure of the Juvenile Aid Bureau. It was introduced one month later, and since that time it has been increased in its strength and we have seen more juveniles and young children charged with offences instead of being put in care and control with counselling.

Mr. Lamont: Complemented by discrimination by the Police Commissioner against Juvenile Aid Bureau people.

Mr. BYRNE: Speeches and questions in this Parliament and statements in the Press and by many sections of the community verify that.

It was only through the hard work of several members of this Parliament that the Juvenile Aid Bureau continued to exist. It continues to exist and I note very happily that following the recommendation from the inquiry into youth it should spread its boundaries not only in Brisbane but in provincial cities and right throughout Queensland. It is a most laudable concept indeed.

There are many things in the area of juvenile crime that we must look at and see cleared up. The Bill shows a suitable and fitting appreciation by the Government that the level of criminal responsibility should be raised to 10 years in line with the modern interpretation of the responsibility of children and, similarly, in the prosecution of children, and that capacity to know whether they acted rightly should be raised from that age to 15 years.

I now move to the proposal outlined by the Minister decreasing from 17 to 16 years the age under which it is an offence to have carnal knowledge. I point out, as previous speakers have, that it clears up the anomalous situation that a girl of that age can marry and is therefore recognised by the law to possess the capacity to consent and make a responsible decision in that regard and a girl of that age who is not married is unable to give consent. I do not think that marriage gives that capacity to the person, so I am pleased to see that anomalous situation gone.

I refer to the speech of the honourable member for Toowong and point out that in the TV programme last night to which he referred—although I agree there needs to be a much broader basis of sex education—children aged 12 to 14 years were involved. We speak of a person's capacity in relation to a person who is under 16 years of age. I see there is a difference between what the law sees as capacities and responsibilities and what society is desirous of seeing in this regard. I do not voice any condemnation in that sense, but I draw the attention of the Committee to the fact that it presents us with an anomalous situation.

I hope that from this situation we will see not only changes made to the Criminal Code but also a broadening of the Juvenile Aid Bureau to cope with juvenile crime and an abolition of the Education Department Liaison Section at the earliest possible opportunity and replacement of it by a very much broadened Juvenile Aid Bureau, because it is by counselling, by following up those children, by seeing what sort of situation they live in and by trying to assist those children, their teachers and their parents that we will achieve something. It must not be thought that simply by taking children before a court we will stop them from committing further crimes and be able to make them fit to take their positions in the community.

I support the Minister whole-heartedly and I look forward to those further changes which I believe will be of greatest benefit in the abolition or lessening of the juvenile crime situation in Queensland today.

Mrs. KYBURZ (Salisbury) (10.14 p.m.): I could not let this opportunity pass without congratulating the Minister, his department and his advisers on this far-reaching amendment of the Criminal Code by which we are modernising it and bringing it into line with what the public want. I am referring particularly to the three proposals covering the age of criminal responsibility, the age of consent and the reporting of non-accidental injury to children.

The honourable member for Belmont uttered many truths in his submission to the Committee, especially his statement that many of the problems of delinquent children are a social problem related to their environment and, in the main, their family environment. The criminal law can be invoked and the child taken before the courts, but that does not solve the problem. The only solution lies in re-education through counselling not only of the children but also of their parents.

My home in Salisbury has been robbed four times in the last year by young boys of 12 and 13 years. Those children had a very sad family background. My home was not robbed because I am who I am; the boys were systematically robbing the streets of Salisbury for something to do. It was a matter of kicks. When I spoke to the boys, whom I happened to know, they were most sorry for what they had done. I went to see their mother, who has lived with a series of so-called fathers, and she was most apologetic to everyone who had been "done over", as they call it.

This is merely symptomatic of what is happening in society. It is symptomatic of the fact that one's car is no longer safe, irrespective of where one parks it. A horse in a paddock at Calamvale could be shot, slaughtered or vandalised at any time. I fear for mine because he is so alone out there. There was a case recently of a fellow aged about 21 who vandalised part of the college at Kelvin Grove. He gouged the eyes out of a goat and was given a gaol sentence of three months—not because of his cruelty to the animal, but because of

the damage he had done to the property! When something like that happens, I truly wonder if we are doing the right thing by the rest of the community. Of course, the Criminal Code is really framed to protect society from its wrongdoers.

The most important provision of the Bill, I think, is the lowering of the age of consent. One could speak at length on this and many other members have. What is proposed will bring Queensland in line with the other States. As previous speakers have said, if a girl can marry at 16 and have intercourse legally with her husband, why should a fellow be charged with carnal knowledge if he has intercourse with a girl of that age? We all know how girls of 16 can dress and make themselves appear to be 18 or even 20 and, of course, we have to take into account the masculine viewpoint. Once again it is symptomatic of society's attitudes.

I ask: is 16 young enough? In future years I think it may well be reduced again. However, to me 16 is a very reasonable age. It is an age when most girls are well into puberty. They would realise the problems of the world, of getting on with other people, of their relationships with their families and with members of the opposite sex. The Minister has said that the object of the amendment is to protect girls from themselves. Protecting people from themselves is, of course, very difficult. It is similar to saying, "Don't drink because you will get drunk and have a hangover next day." That does not always work because even though people know that they will have a hangover they will still drink.

I find it a little unusual that a girl should be considered capable at 16 years of age of making a decision on a matter as important as marriage. Perhaps that does not quite fit in with what I might think on other matters, but I think 16 is too young to marry. In fact, it is far too young to marry. I often think that girls of 16 were permitted to marry simply because they were pregnant and we therefore had to put society's approval on that union. I do not believe that any girl at the age of 16 has had enough experience of life to join herself permanently to a man for the rest of her life. She just does not realise the full consequences of such a union. I think 16 is far too young. In fact, I think even 18 is too young but, as I said before, I am sure that if I were pregnant and 16, getting married would be the easiest solution, and I think that is precisely why it is permitted.

I feel so sorry for young couples of 17 and 18, with a babe in arms and perhaps very much in love with each other, who are struggling to save and who would have preferred to wait and gain some sort of job training before they became united in marriage. We see so many couples whose marriages are now falling apart simply because after an early marriage they meet other people and realise that the person they married was not, after all, the be-all and end-all in sexual unity and that there is far more to life than sitting at home washing nappies and so on. I think that is a significant factor in the huge divorce rate we see in Australia today.

I could not go on without making a comment in direct conflict with that of the honourable member for Toowong about the programme that was shown on television last night. I think that lack of sex education in our schools today is part of the reason why we are lowering the age of consent—in fact, part of the reason why girls get pregnant. I believe that the old adage that hope is not a method of contraception is a very true one. After all, how can we expect our young people to know how not to get pregnant if we do not tell them? As all honourable members will realise, so many parents do not tell their children about contraceptive methods. I meet so many young girls, and I have met them in schools, who knew nothing about menstruating and who in fact were shocked when this happened to them. They should have known long before.

I disagree with the statement of the honourable member for Toowong that the programme was an opportunist one. I do not believe it was; I believe it was a very rational, sound and intelligent attempt to show people what can be done in a responsible way in the area of sex education. The approach of the doctors, and the prominent lady doctor in particular, in the programme was absolutely fantastic, and this is the sort of thing we should be pushing here.

In Queensland, of course, we do have a Family Planning group. There are women doctors involved with that group and they do go around to schools, p. and c. meetings and meetings of women's groups lecturing on precisely the same thing. A woman can take her daughter there at any age to learn about contraceptive advice and various other female problems, but she has to go to the clinic. This is not one of those so-called Left-wing radical clinics; it is a clinic funded by the Government with the approval of the Minister for Health. Unfortunately, though, some girls and women do not seek contraceptive advice until it is too late, and I think that the programme last night highlighted the fact that we are not doing enough in the educational sphere to bring about these changes.

The reporting of non-accidental injury to children has particular reference to child bashing and the negligence of doctors in reporting such cases. This is an appalling occurrence in modern society. Many people are thoroughly shocked when it happens. As well as child bashing, there is bashing of wives. Anyone who has had occasion to visit a women's refuge or various women's centres would have seen that not only are the children physically and mentally bruised, broken and unhappy but the mothers, too, are in that condition.

Because of the absence of legal protection in a possible defamation suit, some doctors have adopted the practice of not reporting to the police non-accidental injury of children. If they will now have that protection, as I understand they will, we should be able to prosecute more people who are obviously culpable and negligent in the injury of their own children.

The Bill represents a very modernistic approach to the Criminal Code, and I am pleased to see its introduction. The Minister for Justice, of course, has introduced many far-reaching Bills to amend various Acts and this one is of particular relevance and importance to all Queenslanders, particularly the women of this State.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (10.27 p.m.), in reply: I thank honourable members for their contribution. It is my intention to try to print four Bills tonight, all of which are of great interest. In order to give members the optimum opportunity to speak, I propose on each occasion to reserve my reply until the second-reading stage, if that meets their wishes, as I think it will. As all the Bills include a certain amount of technicality, a considered reply at the second-reading stage will probably be of more use.

Motion (Mr. Knox) agreed to.

Resolution reported.

FIRST READING

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

INVASION OF PRIVACY ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Miller, Ithaca, in the chair)

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (10.29 p.m.): I move—

"That a Bill be introduced to amend the Invasion of Privacy Act 1971 in certain particulars."

"An Englishman's home is his castle" is a principle which the English law has accepted and upheld for many centuries. However, with the growth of modern civilisation, in all its intricacies and complexities, the law has found it necessary to encroach on this conception of the freedom of the individual in his private domain. The issue of search warrants and the powers of certain inspectors under various Acts are examples of this encroachment. But it will be seen that the intrusion of the individual's privacy has only been taken away by public laws for the good of the community as a whole. In the society in which we now live the law must be constantly examined and reviewed to ensure that the rights of privacy are not being eroded or intruded upon for reasons other than the good of the community as a whole.

The Invasion of Privacy Act, which was passed in 1971, is an Act which reflects this principle. It makes provision for the licensing and control of credit reporting agents and private inquiry agents and also regulates the use of listening devices. The Act has now been reviewed and this Bill seeks, as its principal objective, to enact further measures to uphold the rights of privacy of the individual in his own dwelling-house. The right of privacy of a lawful occupier of a dwelling-house is presently not sufficiently protected from forcible or deceptive entry by private inquiry agents or by repossession agents.

Under the Criminal Code it is a crime to enter or be in the dwelling-house of another with intent to commit a crime in the dwelling-house or to break and enter a dwelling-house with intent to commit an indictable offence in the dwelling-house. However, if one breaks or enters a dwelling-house to obtain evidence associated with court proceedings, or to retake possession of goods on hire-purchase, or to obtain some other information or evidence, one does not have the intent of committing an indictable offence in the dwelling-house.

The Criminal Code also makes it a misdemeanour to forcibly enter land in peaceable possession of another whether the offender is entitled to enter the land or not. However, a charge of forcible entry will not apply where the entry to the dwelling-house is gained by deception, for example, by posing as a police officer. Offenders are usually charged with wilful and unlawful destruction of property or with being a vagrant, that is, being found in the dwelling-house of another without lawful excuse. These charges are usually dealt with summarily and fines of small amounts are imposed.

It is proposed to create an offence for any person to enter a dwelling-house without the permission of the person in lawful occupation or, if unoccupied, the owner. The offender will be dealt with summarily before a stipendiary magistrate and will be liable to a fine of $1,000 or imprisonment for 12 months. It is also proposed to provide that it will be a circumstance of aggravation if the entry is gained by force or deception. In such cases the offender will be liable to a fine of $1,500 or imprisonment for 18 months. In respect of this offence the Bill provides that it will be a defence for the accused to show that his entry was authorised, justified or excused by law or that he entered for the protection or well-being of the occupant or the preservation or protection of the dwelling-house. Further provisions will enable an order to be made that the offender pay for any loss or damage to property.

It is also proposed to create an offence for any person to be found in the yard of a dwelling-house or in the dwelling-house itself without lawful excuse. The proof of such lawful excuse will be upon the accused person.

At present there are no statutory provisions authorising the Commissioner for Corporate Affairs to obtain from the Commissioner of Police a report on the fame and character of an applicant for a licence under the Act. It is considered important that applications for private inquiry agents licences or credit reporting agents licences be thoroughly investigated before being granted. The Act itself requires the Commissioner for Corporate Affairs to inquire into the fame and character and the suitability and qualifications of an applicant.

The Bill seeks to provide that, for the purposes of his inquiry, the commissioner may request the Commissioner of Police to furnish him with a report on the fame and character of an applicant.

A further provision, complementary to this proposal, provides an indemnity for anything done in good faith and purporting to be for the purposes of the Act by the Commissioner of Police, the Commissioner for Corporate Affairs, the Minister or their officers.

All licences granted under the Act expire on the 31 December each year. To enable the work-load associated with the renewal of licences to be spread over a period of 12 months it is proposed that licences shall be in force for 12 months from the date of issue.

Further provisions contained in the Bill will ensure that notice of the registered address and change of address of a licensee is furnished to the commissioner in respect not only of the principal place of business but of all places in which the licensee carries on business.

Several other minor amendments are also included in the Bill.

As I explained earlier, the principal objective of this Bill is to ensure that the privacy of an individual in his home is not interfered with otherwise than by accepted legal sanctions.

It is incumbent on this Legislature to clearly recognise that the individual who carries out his obligations to the community is entitled, in return, to expect protection in the enjoyment of his established rights to privacy in his own domain.

I commend the Bill to the Committee.

Mr. WRIGHT (Rockhampton) (10.35 p.m.): From an ideological point of view, the Opposition is always pleased to see legislation introduced to strengthen the rights of individual citizens. Much has been made of the Invasion of Privacy Act, and that was the position in 1971 when it was introduced. The Minister told us at the time that it was pioneering legislation—and it was. To be fair, it was a positive attempt to protect citizens from abuses by the credit reporting agents and the private inquiry agents and to act as a safeguard against the Big Brother movement that was becoming evident in society through the invention of sophisticated listening devices and the like.

While the Act achieved its purpose in theory, experience in the last 4½ years has shown that, in practice, it leaves a lot to be desired. No doubt the Minister realises that, and it is the basis of some of the amendments he outlined tonight. He told us that he intends to amend the law to change the provisions dealing with prowlers. I noted in a recent Press release that credit was given to the honourable member for Merthyr for bringing this matter to his notice. It is good to know that members of Parliament play their part in legislative procedures.

I am sure that all honourable members will support the measure in principle. It is important that no stone be left unturned to protect the privacy of the family.

In view of the explanation given in the Press that it is very difficult to apprehend prowlers because of the inadequacy of the provisions of the Vagrants, Gaming and Other Offences Act and the Enclosed Land Act, this legislation is a matter of some urgency and certainly has the support of the Opposition. We all realise that the problems created by prowlers have become more prevalent in recent years. It is wrong that police should be limited in any way at all in performing their duties by an inadequate law and that they cannot charge a person with other than a minor offence.

The move to include this offence under the Invasion of Privacy Act by including a provision to make it illegal to be found in the yard of a dwelling-place without lawful excuse has merit. I hope that it will enable the police to carry out their functions as they desire.

The Minister referred also to restricting the activities of repossession agents and inquiry agents. At the same time he spoke of the licensing aspects. I come to a point which, no doubt, other honourable members will raise in the debate because I am sure that all could cite numerous examples of complaints from consumers concerning repossession agents who have acted totally irresponsibly when entering premises to repossess goods. Only last year a complainant came to me about a repossession agent who entered her premises to repossess a caravan that was in the back yard of her home. Her point was that she was not the hirer under the Hire-purchase Act. She was simply a relative, but, as the hirer had gone to the Blackwater area to work, he wanted to leave the caravan there for a time. While the hirer was away, the repossession agent repossessed the caravan. He entered the premises totally

unannounced and removed the caravan irrespective of the fact that it contained numerous personal items that had nothing whatever to do with the hire-purchase agreement.

This matter was taken up by the local consumers' association but it took three months to retrieve the personal property. When it was finally returned, much of it had deteriorated considerably. The property included effects belonging to the people who owned the dwelling-place and their children. It also included such personal effects as letters and accounts. It is totally wrong for any person acting for a hire-purchase company or finance company to act in such a manner. Admittedly, he has a job to do, but that is certainly not the way to do it.

It is accepted that hire-purchase or finance companies must be able to repossess goods if the hirer defaults on the agreement. As I said, there is a right way and a wrong way to go about that duty. I certainly hope that the legislation will put paid to practices such as the one I have outlined. After listening to the Minister's speech, I am not quite sure that it will.

I hope, too, that something can be done to arrest the growth in the number of incidents in which goods are wrongly repossessed. I admit that this might be a matter that pertains more to the Hire-purchase Act itself, but restrictions on the right of entry of repossession agents could do much to alleviate this difficulty. In these days it can take a week or sometimes even more for a letter to travel from one part of Queensland to another. I do not want to enter into a debate about the inefficiency of certain services of Australia Post.

Mr. Houston: Especially since the Fraser Government came in.

Mr. WRIGHT: I accept that interjection.

Often a hire-purchase firm orders goods to be repossessed for non-payment after the payment has been sent. It is all very well for people to say that the hirer has a responsibility to meet the precise terms of the agreement and must pay his monthly dues on time. It must be remembered that many families need every day they can possibly get to be able to rake up the money to meet the amount involved.

I realise that, when the mistake is brought to the attention of the hire-purchase company, it readily returns the goods; I know of a dozen instances of that. However, the consumer is still left holding the bill for the fees of the repossession agent, as well as the costs of repossession—for example, the charges for towing a vehicle away. The consumer must pay those costs. Moreover, he is then responsible for the cost of having the goods returned. There may be only $20 or $30 at stake; but, if we multiply that amount by the number of occasions on which this occurs in the State, we are talking about thousands upon thousands of dollars each year. I for one would be very interested to see whether that is to be tackled by the proposed amendments. If it is not, I would ask the Minister to use his office to see that the appropriate legislation is changed.

I have given credit to the Minister for his advertising. Whilst we might talk about his photo on the pages of these advertisements, I still believe that they are of tremendous benefit to the community. Recently the Department of Justice released an excellent booklet called "The Law's in your court." It is one that I have had many constituents ask for. It is one that I feel should be available to as many people as possible.

Mr. Moore: Are you asking for an overlay of your photograph to pretend that you have done the lot?

Mr. WRIGHT: Oh, no.

Mr. Moore: You'll never live long enough.

Mr. WRIGHT: I do not aspire to have my photograph on anything like this. The photograph is really immaterial. It is the actual document itself that has been greatly sought after—I believe because of its grass roots approach to Queensland law. One of them, stated to be No. 16 in the series, is headed—

> "Ever been refused credit—wrongly, you feel? Here's how you find out why."

It deals with credit as it comes within the Invasion of Privacy Act. The verbiage applies mainly to the consumer, but there is a final paragraph which refers specifically to the Act. It says—

> "Also, you can keep in mind the fact that heavy penalties are prescribed for supplying or falsifying information, unauthorised disclosure and obtaining information falsely."

Under section 18 (2), if the accuracy of a credit report is disputed, the credit reporting agent shall within a reasonable period of time make investigations into the information unless there are reasonable grounds for believing that the dispute is frivolous, irrelevant or vexatious. It is a pity that this type of document does not make that clear, because in effect, while the consumer has certain rights to pursue matters if the information is false, it is really left up to the credit reporting agent to decide whether or not the complaint is indeed frivolous, irrelevant or vexatious. All he has to do is reasonably believe that that is so. If he has a reasonable belief, he is not forced to pursue that complaint. He is not forced to investigate the information. However the consumer can do nothing, because no penalties are prescribed if the credit reporting agent's belief is unreasonable. This is in complete contrast with the way this document presents the argument. It pretends to make out that huge penalties are prescribed in the interests of consumers. This is only one aspect of contention about the Act.

A detailed study of it reveals other deficiencies. A number of areas and practices relating to credit are uncovered. Some provisions are difficult to interpret while other parts of the Act have only a lukewarm effect upon people concerned with the granting of credit.

Take firstly the definition in the Act of "credit report". It deals only with "credit to be used wholly or primarily for personal, family or household purposes". This is an important and significant area. We do not doubt this. It is important that we protect the ordinary family person in the purchase of goods and the credit rating that he is given for the purchase of goods solely for "personal, family or household purposes". This delineation completely excludes even accumulations of information which contain the most potential menace, that is, the computer-based data banks.

Going further into the interpretation of "credit report"—another difficulty is created because what is meant by "personal, family or household purposes"? Take the example of a man who purchases a car. He is purchasing it mainly for himself because he may be a commission agent or sales representative and will use the car also for business purposes. The Act says that it has to be for "personal, family or household purposes." The Act is not intended to cover commercial or industrial transactions. So it is certainly not clear whether that individual—and admittedly I made him up—is covered by the Act.

Another area of concern is section 7 (1) (a), which involves the requirement of a person to answer questions and sign a declaration as to the truth of his answers. Section 7 (2) provides that a person cannot be compelled to answer any question incriminating or tending to incriminate himself. When sections 7 (1) (a) and 7 (2) are put side by side, the difficulties of interpretation are revealed. A person would need to be pretty well skilled in law to be able to draw a line between those questions he is compelled to answer under section 7 (1) (a) and those that he does not have to answer because under section 7 (2) he might be incriminating himself.

I recently read an article by Professor D. J. Whalan recorded in the University of Queensland Law Journal 1972. Because he puts it rather well, I quote from it as follows—

> "If he guesses wrongly and refuses to answer a question which a court later holds was not an incriminating question, then he would be guilty of an offence and subject to quite heavy penalties.
>
> . . .
>
> "On the other hand he might be afraid of this section and make possibly damaging admissions in circumstances far removed from those ordinarily required by a court before it will look at a confession."

It is important that section 7 be reviewed not only for those circumstances but also because it provides a right of entry upon a licensee's premises and provides a right of search. It is a legislative departure from the principle that searches should only be made after the obtaining of a search warrant. These points could be easily tidied up by simple amendments or redrafting measures. That is not true of the problem of computer-based data banks.

I was reading in one of the southern newspapers at the airport only the other week that the other States are looking seriously into this area. I ask therefore that Queensland give consideration to following suit. After all, Queensland set the lead when it introduced this Act but it cannot simply rest on its laurels when there is obviously a need for further improvement.

I also took time to read the "Report on the Law of Privacy" by Professor W. L. Morison, dated February 1973, which was presented by the New South Wales Attorney-General to Parliament and was ordered to be printed in April 1973. The report treats a number of topics that are also extensions of the Queensland Act. They are—

(a) looking at data collection;

(b) credit operations;

(c) resort to technical surveillance devices;

(d) Press and broadcasting;

(e) private inquiry agents;

(f) banks (which are excluded in this State);

(g) doctors and hospitals;

(h) courts of law;

(i) religious advisers;

(j) family relationships;

(k) educational organisations;

(l) master and servant; and

(m) landlord and tenant.

They are very important areas and this is an interesting report. One very important matter that took my attention was the mention of the tort of infringement of privacy. Reference is made in the report to the United States of America and it is pointed out that a tort of infringement of privacy is recognised in all but a few jurisdictions in that country. The basis of this is the belief that a person who unreasonably or seriously interferes with another's interest in not having his affairs known to others, or his likeness exhibited to others, is liable to the other. It is a matter that has been considered by New South Wales because concern has been expressed as to the right of an individual to take civil action for the invasion of his privacy.

The Attorney-General presented Professor Morison's report in which he said that he could not recommend the establishment of a general tort of infringement of privacy which would be remedied by damages, but he did see merit in the establishment of a right of

privacy which, if threatened or infringed, should be remedied by the serving of an injunction to restrain future infringements. I tried to compare that with the present Queensland law. I believe that we have certain rights to take out an injunction if there is some nuisance aspect but I do not believe that our law has gone as far as Professor Morison suggested. It certainly has not gone as far as the law in South Australia, where the Lower House has already considered a civil tort of invasion of privacy.

As I said before, we have been a progressive and pioneering Legislature, so surely this is a matter that should now be considered in order to give the citizen complete protection and every avenue of redress if he reasonably believes that his privacy has been infringed or invaded. This is not a matter that will be decided in this Assembly at this point. I ask that the Law Reform Commission be requested to consider it in depth.

I note, too, from the comments made by Professor Morison that there are difficulties, and he goes into some detail of how this tort works in the United States. I am sure that we can come up with something that will give the citizen the right to take civil action in this area. I ask the Minister to give some consideration to it.

The Opposition supports the proposal put forward by the Minister and we look forward to receiving the Bill and studying it in detail.

Mr. W. D. HEWITT (Chatsworth) (10.53 p.m.): When the late Dr. Delamothe introduced the original Bill in 1971, Queensland enjoyed the distinction of being the first State in the Commonwealth to legislate in this sensitive area. The main thrust of the Bill in that year was to control the activities of inquiry agents, to license credit bureaus, to control the contents of those bureaus, to make certain that they discharged stale information and to give those whose records were held the right to remedy if it was shown that those records were in error.

Even though that was five short years ago they were more leisurely days and we spoke infrequently about privacy. In the intervening years this has become an area of great sensitivity. We recognise more and more as each day passes that the right of privacy is one to be cherished and upheld and, as we move closer and closer to the Orwellian 1984, we feel we must resist the suggestion that there will be complete intrusion into everything a person thinks, says and does. Therefore this sensitivity increases year by year. It has now become necessary for Governments in positive ways to find means to protect the right of privacy. Indeed, some four years before this Bill found its way into this Parliament, the British section of the International Commission of Jurists was applying its corporate ability to this problem and it arrived at the conclusion that—

> "The right of privacy reflects a fundamental human need which must be respected in any civilized society, and requires the protection of the law."

It further concluded that—

> "The tendency in sophisticated and technological society is for infringements of the right of privacy to increase, and accordingly the need for legal protection also increases."

From those conclusions it made the recommendation that the law be amended—

> "To provide a civil remedy for any substantial and unreasonable infringement of any person's privacy, while fully safeguarding the interests of the community, and especially the needs of the Press as a guardian of the public interest."

It also recommended that the law be amended—

> "To make the use of electronic, optical or other artificial devices as a means of surreptitious surveillance a criminal offence except in certain clearly defined circumstances."

By inference the recommendation clearly excluded law enforcement. Obviously the police and other law-enforcement authorities have the right to compile information on criminals and potential criminals, and the rights of privacy do not extend so far that those records can be destroyed or, indeed, that they can be made available. But it is clear that the Commission of Jurists was laying down a pattern which was to be followed by world opinion.

It is interesting indeed that those sentiments are reflected in Australia by the judiciary. Quite recently Mr. Justice Kirby at a significant seminar in Armidale expressed his concern, particularly with regard to the collation of data in computer banks. Mr. Justice Kirby was reported in a newspaper article as saying—

> "Data is held in respect of taxation, medical matters, credit references, bank records. Data storage may soon move into the retail supermarkets.
>
> "In the United States, computer product codes are used in supermarkets and can be used to store information on customers' buying patterns."

The report continues—

> "He pointed out that increasingly available sophisticated surveillance devices give the media, private inquiry agents and the Government greater opportunities to intrude on individuals' privacy."

Significantly, Mr. Justice Kirby also made reference to the closeness of 1984. His reference to data banks of course reflects the greatest concern of all people when they contemplate privacy, because with data banks and computers it is now possible to

record all sorts of information, damaging and otherwise, with regard to a person's background.

Mr. Burns: A computer in California raided another computer and got information out of it.

Mr. W. D. HEWITT: That is computers going wild. But two European countries, namely Sweden and Britain, have in fact legislated for the control of data banks, and the British Data Surveillance Bill of 1969, which, I have said, could be applied to Queensland circumstances, provides that a public register should be kept by the Registrar of Restrictive Trading Practices of all data banks, defined as a computer which records and stores information. That Bill listed all of those agencies which kept data banks.

The honourable member for Rockhampton, who preceded me in this debate, made reference to the Morison report. It is far and away the most comprehensive inquiry into privacy that has been made in Australia. Professor Morison must have laboured many months indeed to compile this document. It was submitted to the New South Wales Parliament in 1973, two years after our Invasion of Privacy Act was first introduced into this Chamber. The honourable member for Rockhampton referred to a number of significant headings that the Morison report referred to. Having referred to those headings, the Morison report went into a great deal of detail on each and every one of them. What the honourable member for Rockhampton did not mention was the fact that these specific headings were suggested as being matters that should be kept under continuing surveillance by a standing privacy committee. That was the main thrust of the Morison report. In fact, that recommendation has been acted upon by the New South Wales Government.

The New South Wales Government now has a standing committee constantly looking at matters of privacy. There is good sense in that. The area is both complex and sensitive. The Legislature could do the community a disservice in the long term if it tried to define those areas and legislate upon them. I think it is far better for a committee to look at them for a while, to understand how those areas can be breached in any way at all, and in the light of case history which is forthcoming make recommendations to the Parliament, and the Parliament then act upon them.

Indeed, the Morison report looks to heavy involvement by the Ombudsman. It believes that people should have recourse to the Ombudsman if they feel there has been a breach of their personal privacy. The important thing is that the New South Wales Government saw fit to set up a standing committee on privacy. The purpose of my rising tonight is to say to the Minister that I believe that a similar committee could well be entertained here in Queensland.

You, Mr. Miller, in particular, will know that a subcommittee of the Liberal Party policy committee was formed to look at this whole question of privacy some 2½ to three years ago. It was my honour to be appointed chairman of that committee. That is why I take the opportunity to speak on this matter tonight. That committee did an enormous amount of work, and as a consequence of that work it became very much aware of the problematical and sensitive area of personal privacy, how it has been invaded and how potentially it can be invaded. It arrived very much at the opinion that there must be protection for the individual against those who would invade his privacy, be it by sophisticated apparatus or be it by a collation of data to his disadvantage.

Having said that, I repeat that I hope the Minister will seriously contemplate the establishment of a privacy committee so that it can look at these areas that have been touched on by the Morison report and, in the fullness of time, the Legislature might deem it necessary to legislate in precise terms on some of the matters looked at by that committee.

Mr. BURNS (Lytton—Leader of the Opposition) (11.3 p.m.): The last two speakers mentioned 1984. I can remember a quote from William H. Martin, the "Spying Around" columnist, in which he said—

> "Why do we find the world of 1984 so harrowing? Certainly one reason is its vision of life totally robbed of personal privacy, but there is more to it than that. For the ugliest and most frightening thing about that world was its vision of total control of men's lives by a monolithic, authoritarian state. Indeed, the destruction of privacy was a means to this end, a tool for reinforcing instant obedience to the dictates of the authorities."

Maybe we are fast approaching that sort of situation. I think how my father would have reacted when he first went on the farm had he received the number of forms, requests and other material nowadays sent to people seeking information. I know a lot of people who get upset when they have to face the census-taker once every now and then, and are required to supply information they consider to be peculiarly their own. Governments are gradually demanding more and more information. Farmers will eventually need a secretary to complete the forms and requests that come to them from various departments such as the Department of Primary Industries. More and more information is being demanded from the average citizen. People are stopped in the street by policemen. For some reason the police have instituted field interrogation reports. A policeman can stop a person as he is walking along the street on his own just because in his view that person is in a situation where he should check on him. The policeman fills out a card and sends it in to police headquarters, and that person is then on the file. He might have

never done anything wrong. What happens to the F.I.R. reports? Why are the cards sent in? What happens to them afterwards? Where are they filed? How long are they kept? A person who has not done anything wrong and has such a report made on him begins to worry that Big Brother has him by the throat. It must be strange for an innocent person to find himself stopped by a policeman who writes down on a card all this information to be filed for the future.

I have tried to make a list of some of the questions that a person is asked when applying for credit. An applicant is required to give his name and address, the length of time that he has lived at that address, his marital status, the number of children, the cost of his home, the amount of repayments or rent, the name of his bank, building society or other financial institution, details of current hire-purchase agreements, details of loan or credit accounts, whether or not they have been paid in full within the previous two years, details of income, monthly commitments, past payment record, the number of jobs held, the period of employment and a host of other things. Such questions are fairly routine ones asked of people day in and day out, and all the particulars go into the credit bureau's data bank.

Requests are made by the Taxation Department, the Department of Social Security, the Bureau of Census and Statistics, the Police Department, the Transport Department, the Department of Defence if the person involved is a serviceman, and A.S.I.O. if the person involved happens to be a member of an opposition political party or someone thinks he is a spy.

Tonight we are moving on a couple of small sections, and I am pleased to see this happen. But the Act still excludes banks.

In 1973 I had the distressing task of writing to the Minister in relation to a Mrs. Hawton of Rosemary Street, Wynnum North. She was the victim of a very strange repossession action on behalf of Universal Guarantees. These agents sent out to her home a stand-over man to repossess her washing machine, which had in fact been paid for. He went to a house on the wrong side of the street and accused the owner of being Mrs. Hawton. When she denied this, he called her a liar and abused and threatened her. When he found out that Mrs. Hawton lived across the road he went under her home into the laundry, where the washing machine was situated—no-one was home—and took the washing machine together with the house key, which she had put in the washing machine for her husband. When she arrived home the neighbour across the street told her that a man had called at her home and taken the washing machine away. She rang her husband, who rang the police. They told him it had nothing to do with them as it was a civil matter involving a repossession agent. Mrs. Hawton was left without her fully paid for washing machine. She contacted "Sunday Sun", who telephoned the repossession agent. He said, "We will return the washing machine," which he did. He would not offer an apology, however, and said that out of the goodness of his heart he would not claim the repossession fee. The goodness of his heart!

Mr. Gygar: He should have been sent to gaol.

Mr. BURNS: Of course he should have. Repossession companies generally seem to hire strong-arm men to threaten and scare people. They are nothing more than thugs. I welcome any action taken to protect people from these tactics.

Another amendment is one designed to protect us from persons who enter a dwelling-house or a yard without any lawful excuse or reason. Both the Minister for Police and I know of a case involving young children who went into a beautiful home at Lindum and smashed it to pieces. This act of vandalism received front-page publicity in the "Telegraph". The home belonged to a wonderful hardworking lady who had spent a lot of money setting it up to her particular standards. It contained a large quantity of antiques and valuable furniture. A total of $30,000 worth of damage was done by a 14 year old girl and a couple of her young brothers and sisters. They threw tomato sauce over the good Persian carpets and smashed antique lights and fittings to smithereens. They were let out on a bond, and terrorised this young woman and her family for weeks.

It is time that we required vandals to compensate property owners for the damage done. In addition compel them to carry out some community service. They should be put out to do a bit of hard work. I know many jobs that they could do along the Brisbane River to clean up the muck and pollution on the banks. If we gave them a few months' work in such areas they might think about respecting people's property and even the privacy of the individual. It is about time we got away from some of the airy-fairy ideas of giving them probation or motel rooms at the gaols and made them start to face up to accepting a little responsibility for their anti-social activities.

Mr. Frawley interjected.

Mr. BURNS: I don't believe in "Flog 'em Frawley's philosophy"; but at the same time we can be too kind.

I have compiled a list of ways in which organisations seem to abuse our privacy. I do not know who hands out our home addresses but it seems that more and more people are sending letters to me at home.

Mr. Kaus: They get them from the telephone book.

A Government Member: Or from the list given to the Clerk.

Mr. BURNS: Perhaps they do get them in that way. Because it makes no difference where I get my mail I do not mind, but more mail than ever is turning up at my home. It seems that someone supplies these people with the list we give the Clerk. A similar action is taken by many organisations who sell mailing lists.

A lady complained to me that a person conducting a survey for a Queensland permanent building society appeared on her doorstep one day to ask about her credit habits. He said that he had been sent by the building society to see her, as one of its clients, to get her to answer the questionnaire so that it could provide its members with a better service. She said that she objected to the building society giving her name and address to this person who eventually turned up to question her.

A Government Member: Do you know that the society did that?

Mr. BURNS: The lady rang the "Telegraph", which reported the story and the building society gave its version. It said that it was conducting the survey in an attempt to give a better service.

Mr. Kaus: They normally ask for five names.

Mr. BURNS: I can refer to the article because I kept it at the time.

It seems that invasion of one person's privacy is justified, at times, by the illegal acts of other people. A gentleman told me that he had been termed a dole bludger and that he was threatened that he would not receive the dole any longer. Fortunately, he had got a job before he was sent the letter to say that he would not receive further dole payments because he would not comply with a certain request by one of the department's officers. He complained to me about the actions of the Department of Social Security. He said that he had answered all the questions but when he was asked how much money he had in the bank, and to produce his bank account, he said no. The department said, "You must show it." He said, "I am not showing it." The department said, "If you don't there's no more dole for you." He was then sent a form saying that, if he did not supply the information within 14 days, dole payments would cease. That did not make much difference to him because he had started work.

I wrote to the department and said, "We have invasion of privacy legislation in Queensland. I wonder if you are legally entitled to ask this man to disclose this information." The departmental letter in reply read in part—

> "Perhaps I should also explain that Section 142 of the Social Services Act provides that:—
>
> 'Nothing contained in any law of a State or Territory shall operate so as to prevent any person from furnishing any information, or making any books, documents or papers available to the Director-General or to an officer for the purposes of this Act'."

In other words, no matter what we do by way of legislation to protect the privacy of the individual in our State, if it is to do with social services, section 142 of the Social Services Act overrides our decisions. I do not know that that should be so. I do not think that we should accept that someone else can pass an Act to override our desires to protect the individual in our State. If we legislate to protect the people of Queensland, no-one should have the right to override our legislation for his own purposes.

I have a couple of small criticisms of the Act. The honourable member for Chatsworth referred to computer data banks and the gathering of information. I agree with him that this is one area about which we must be very concerned.

I read a book called "Computer Security". It was written by Peter Hamilton and published by Cassells. Earlier I offered an interjection to the honourable member for Chatsworth, which he accepted. I would like to read a quote from this book into "Hansard" because I think it is important to understand just how far computers can go. It tells a story—and it is a true story—of 1973. The critique reads—

> "A Californian computer was recently reported to have stolen information from another computer. The spying computer took over a computer service bureau terminal, having previously obtained the passcode by electronic interception. An excited police sergeant mistakenly wrote out a charge under Californian State law indicting the computer with alleged unauthorised acquisition of information from another computer."

We are now faced with computer data banks. Agencies sell information about each of us, one to the other. We are told that, with a computer system, our records can be kept in complete secrecy. It is obvious from that report that we are now able to use one computer to break into another computer electronically, seek out information and so invade our privacy electronically.

I would like to mention two of the provisions that I hoped the Minister might have touched on in these amendments. One was in relation to the deletion of stale information. There is a provision in section 24 of the Act which in effect provides that all information contained in a credit reporting agent's records that is more than five years old is to be deleted and that, once information is more than five years old, no credit report can be based upon that information. As I understand it, the Statute of Limitations says six years and the taxation office works on seven years. I thought we might have tried to get into line or talk them

into coming into line—one with the other—or at least make it seven years so we were at least in line with the longest period for which information is kept.

I also thought that some action should have been taken about the limit we have placed on the liability for defamation. I believe that if someone distributes a wrong credit report on me I ought to have the right to sue him if he has damaged my reputation.

Mr. Greenwood: What are you saying?

Mr. BURNS: There is a limitation in our Invasion of Privacy Act, as I understand it. A professor of law from the university gave me his version on it when he said—

> "There is one section at least in the Act which seems to me to give to people dealing with credit reports and information an advantage which they do not perhaps have under the law as it stands at present. Under the law as it is at present, the position is not entirely clear, but it is possible for a person to be defamed by people engaged in the credit granting operation. If he felt that he were defamed then, in some circumstances, he can bring a successful action for damages for defamation. However, when the Invasion of Privacy Act comes into operation, people concerned with credit granting will no longer be liable in all such cases because section 23 of the Act confirms some immunity, although this immunity is not complete. The section provides as follows:—
>
> '23. **Liability of credit reporting agent.** A credit reporting agent, the user of a credit report and the supplier of the information which is contained in a credit report do not incur any liability as for defamation in respect of publication in good faith of any defamatory matter in the course of the preparation, supply and use of a credit report in compliance with this Act.' "

It goes on with two reasons. A publication shall be taken to be made in good faith if the person making the publication says that he believed that in the circumstances the matter was not harmful or defamatory and that he did not intend to harm or defame the person concerned.

The professor made this point—

> "Although the section's heading states that it deals only with the liability of a credit reporting agent it is much wider than this. Indeed the section provides that if a person involved in credit granting, be he credit reporting agent, user of a credit report or even the supplier of information, acts with care and without malice, he will enjoy substantial immunity from actions for defamation. This section must be of considerable advantage to people in the credit business but its protection is gained at the expense of people having to open up their credit records to some extent."

Let us say they tell the story of my credit rating and they have the wrong information and it is fed out to a finance company, to my bank, to an insurance company, to the building societies and others and the report says I am a bad risk. It is all very well to say that later on I can find out about it and have it corrected; but under the Act I have a very limited amount of time to find out. Having found out about it, I can then demand that they retract and correct it. In the meantime, if I went to borrow the $18,000 or $20,000 that I needed for the home and was rejected, I have not only been hurt personally—defamed—but I have also probably lost the chance of buying the home because of the report. So I have lost my chance of that deal. If I wanted the home and committed myself to the home, I probably have not lost anything financially but I suppose I could say I have lost my good name.

Mr. Chinchen: You might have lost your deposit.

Mr. BURNS: I could have lost my deposit if we are talking in the financial sense.

So what this man has done is circulate a report or a story about me that is not true. If it has hurt me what can I do? There is no chance of my ensuring that every person who read the original incorrect report will read the correct version. So there will be some people in the community who will say, "Don't lend money to him. He is a bad risk. I saw a report about him." I should have the opportunity of taking action against him and making it public in the newspapers. I should be able to say, "I am going into the court to protect my good name and I am suing for defamation to show publicly that my reputation has been hurt." Providing that limitation or that protection for the credit bureau reduces or removes some of my rights to sue. It is one section of the Act that should have been amended and I am sorry that it is not in the Bill before the Committee.

Mr. BYRNE (Belmont) (11.21 p.m.): I ask honourable members how much they know about themselves that no-one else knows about them apart perhaps from the people whom they have a desire to tell. If they think about it, they will find that there is very little we can preserve in the islands of ourselves from the outside world.

It is unfortunate that man can only create his own world in his own home. It is there in his own home that his privacy is still invaded. In addition, so are his capacities and his acts. Governmental and private agencies, sociological surveys and all varieties of groups within the community want to know all sorts of things, such as how much money I have, how many wives, children, cattle, horses, sheep, dogs, cats, pigs, goats, poultry, ducks and drakes and what sort of grains and crops and vegetables I grow, how many cars, television sets, radios, bedrooms,

bathrooms, toilets—how many of all of these things I have and possess and what is my name, age, occupation, marital status and education. Once all of these things are asked of us and are gone through by the various instrumentalities that exist, we cannot even be alone in knowing what brand of toothpaste, soap powder, detergent or any other variety of thing we use.

A man's property is indeed an extension of his person and, just as an assault upon a man's person is an offence and a trespass upon his person is an offence, so also must it be recognised that a trespass of any nature upon a man's property is a trespass upon that person. A man's privacy is the stable condition of being withdrawn from society or from public interest. It is very difficult for a man to go into his own home and be there alone with his family and live his own individual and private life, because he is invaded by people coming into his house trying to solicit the sale of goods and to do many other things.

He is also invaded in his privacy by other things which come in other areas—noise and air pollution. I have no intention of speaking on those two subjects but they are still an invasion of the privacy of a man—the privacy of his home and the privacy of the comfort that he possesses.

I wish to make reference to a situation in which I found myself not long ago. I was travelling along a country road near the property of a relative. Someone was walking along that road miles from anywhere else. As I was mustering some cattle, I asked this person who was walking along the road miles from anywhere if he was lost or if his car had broken down. I said, "Where are you going?" He said, "I'm going up to that house on the hill." I said, "Do you usually go to homes that are not yours?" He proceeded on his way and went up and looked through the house. Before he went up I said, "If you are going up there, at least leave it in one piece." That house and many others in the area had been damaged by people who, because they were unoccupied, felt that no-one owned them and they had a right to enter them.

Legislation of this type is most important because it allows a property owner to tell others not only that they should not be there but that he can bring an action against them.

I support the legislation whole-heartedly. I appreciate its importance as it establishes more firmly a person's right to privacy in his own home and in his own world.

Motion (Mr. Knox) agreed to.

Resolution reported.

FIRST READING

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

REAL PROPERTY 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) (11.29 p.m.): I move—

"That a Bill be introduced to provide for the registration and the validation of the registration of certain plans of subdivision of land in the office of the Registrar of Titles and to amend the Real Property Act 1861–1974 in certain particulars."

This Bill will provide for the registration and the validation of the registration of certain plans of subdivision of land in the Office of the Registrar of Titles.

The need for the legislation arises out of a decision of the Full Court which held that none of the plans which were awaiting registration on 12 May 1973 (the date on which certain islands were included in the area of the Redland Shire) ought to be registered unless council approval is given to them. However, some plans have been registered and there have been many dealings with respect to the land comprised in the new (subdivided) title deeds registered. Some of the plans which have been registered were withdrawn and re-entered after 12 May 1973.

The plans which were awaiting registration on 12 May 1973 fall into four classes—

(A) Plans which were withdrawn, re-entered and subsequently registered;

(B) Plans which were not withdrawn and which were registered;

(C) A plan which was withdrawn and re-entered but which has not been registered;

(D) Plans which were not withdrawn but which have not been registered.

If the matter is left as it is, the validity of the registration of the dealings with respect to the land comprised in the plans which have been registered is in serious doubt. Under the Local Government Act dealings with land in unapproved subdivisions may not be registered by the Registrar of Titles. Should legislation not be effected to confirm the present state of the register it is considered the present owners of the subdivided land would be disadvantaged if their title remains dubious and the Valuer-General's valuations on a subdivisional basis could be open to challenge. By confirming the rights of those landowners whose plans have been registered, it is considered it would be desirable to cover also those plans not registered but which had been lodged prior to 12 May 1973.

It is considered that the "accident of registration" ought not to work any difference in the rights of the landowners whose

plans had been lodged. While the court's decision did not refer particularly to the matter of plans which were lodged and registered prior to 12 May 1973, the court's decision may have raised some doubt as to the validity of such registrations of plans of subdivisions of land in the bay islands and the registration of subsequent dealings in accordance with such plans and indeed all registrations in any area which was not at the time of lodgment of the relevant plan, in a local authority area. On the bay islands alone there are upwards of 18,000 registered lots resulting from subdivisions over many years which would fall into this category. It is therefore proposed to put beyond any doubt the validity of the state of the Register Book in relation to this situation.

The Local Government Act provides that plans shall be lodged for registration within six months of their approval by the local authority.

Where a plan has been lodged for registration within this six months period and is subsequently withdrawn and re-entered to give priority of registration to another instrument even when the date of re-entry is then more than six months after the date of the local authority's approval, it has been the practice at the Titles Office not to ask for a fresh notation of approval by the local authority as it has been taken that the lodger did in fact comply with the provisions of the Local Government Act by initially lodging the plan within the six months period and the withdrawal and re-entry was only for the purpose of the priority provisions contained in the Real Property Act. As there is some doubt as to the validity of this practice, it is proposed by the Bill to clarify the situation.

It is proposed to amend section 41 by providing that no Assurance Fund fee shall be payable on transmissions by death where the proprietor dies on or after 25 September 1975 and the whole of the interest in the land is being transferred to his spouse. Another worth-while amendment proposed is to provide for the appointment of Deputy Masters of Titles. I commend the Bill to the Committee.

Mr. WRIGHT (Rockhampton) (11.34 p.m.): It is always difficult for members of the Opposition to find out before the Minister introduces legislation what he intends doing. Although sometimes we are fortunate and hear a whisper of what is to happen, the specific details are not available to most of us. When I heard that the amendment to the Real Property Act would deal with Moreton Bay islands, as it was put to me, I decided to check on the problem that had been experienced, because it was suggested that this matter went as far back as three or four years ago. Honourable members who were in this Chamber at that time will recall the debates relating to the fraudulent practices that were taking place in the sale of certain land to unsuspecting southerners. The confrontation—

A Government Member: The local residents, too.

Mr. WRIGHT: Actually, Mr. Ted Baldwin, who was then member for Redlands, raised the matter. That was in April 1974. I also recall the former member for Toowoomba North, Mr. Ray Bousen, pursuing the matter.

Mr. Ahern: Mr. Goleby will tell you the real facts in a minute.

Mr. WRIGHT: I am glad he is going to do that. The matter was pursued vigorously in this Chamber, and repeated accusations were levelled and repeated requests were made for Government action. The claims were that worthless tracts of mangrove swamp were being sold to unsuspecting southern buyers as profitable real estate investments. The land was being promoted as choice sea-front allotments when in fact it was under water.

The dispute went somewhat further because of the attitude of the Redland Shire Council. When a question arose as to the registration of the land, the point was made that the islands were handed over to the council after the development had taken place. The council wanted no part of that. For that reason certain applications for registration were withdrawn, as the Minister has explained.

At that time the Opposition called for a public inquiry. I remember Mr. Newton, who was then the member for Belmont, detailing to the Chamber some of the problems raised by a Sydney owner, Mr. Gibbons. I took it upon myself to go back over some old Press cuttings, and I went back particularly to what was reported on 20 August 1974, when Mr. Newton called for a probe into the sale of land on Moreton Bay islands.

Mr. Goleby: About three years too late.

Mr. WRIGHT: He may have been too late, because in fact the land was bought three years earlier. Mr. Gibbons made the point in his report—it was an in-depth report, too—that he did not know what he was buying because the advertisements referred to it as choice land. No-one discounted that; no-one ever bothered to say that that was not so. Blocks were selling for $4,000 or $5,000 each. Mr. Gibbons attacked about seven Government departments. He attacked the Justice Department for not investigating the validity of some of the advertising of the land on the islands; he attacked the Department of Local Government and the electric authority for allegedly allowing maps of the area to be published showing electricity supplies that were not there; he attacked the Department of Harbours and Marine, alleging that it should have had knowledge of tidal areas and marked them on its maps; he was critical

of the Police Department for not thoroughly investigating the complaints about fraudulent sales; and he also called on the Premier (Mr. Bjelke-Petersen) to explain why he did not have first-hand knowledge of all major developments in the State.

A Government Member: He did not do his homework. He bought as an absentee owner.

Mr. WRIGHT: I accept that. I accept it as a fact that most people went in as investors, hoping to make a lot of money.

Mr. Knox: There are thousands of acres of Queensland land that have no facilities.

Mr. WRIGHT: It was not that; it was the way in which the land was being promoted. It was being promoted as choice allotments when in fact it was submerged. Had the situation not been as it was, I do not believe that the Redland Shire Council would have acted as it did. It wanted no part in the matter.

Mr. Gibbons said that he had been conned into buying three worthless blocks of land —tidal land on Russell Island. Action by the Opposition at the time did at least bring the Government to heel, because the Minister for Justice (Mr. Knox) reported to Parliament on 9 October that the Fraud Squad had investigated seven organisations that were advertising or selling land on the Redland Bay islands. However, the matter was then dropped again. It was not until 9 February 1975—some four months later —that the "Sunday Sun" stirred up the issue. It reported—

> "Bay Islands Rates Row
>
> "The Moreton Bay islands land fiasco remains swamped by red tape and official buck passing. And while the wrangle rages between Redland Shire Council, the State Government and the developers thousands of people are stuck with useless blocks."

If the legislation goes through, no doubt these people own those useless blocks, but that still does not overcome the original problem.

Mr. Knox: I don't think you are right in assuming that all these blocks that we are discussing are useless.

Mr. WRIGHT: That is the trouble with not knowing for sure. The Minister mentioned 18,000 blocks. That also is in the report, and it indicates that we are talking about the same thing. The report states that, according to the council, 18,000 blocks were sold or were for sale on the four islands, and estimates put the affected sites at betwen one-quarter and one-third of that number. If the Minister claims that we are not dealing with these particular blocks, let him say so.

Mr. Knox: I said so.

Mr. WRIGHT: We are not dealing with any of them?

Mr. Knox: Yes. I said we are dealing with those in the categories I mentioned.

Mr. WRIGHT: Then we are dealing with those that were sold fraudulently?

Mr. Knox: No, we are not. I explained in my introductory speech that certain transactions were taking place at the time of the transfers to the local authority on 12 May 1973 and that, because they have been invalidated by the court, it is necessary to regularise the register to protect the people who have been involved in those purchases and transactions. If we do not do that, those people will be in a very difficult position.

Mr. WRIGHT: I accept that; but I still make the point that even if the registration goes through, as is intended by this legislation, these people will have registered title to land that could be useless. Wouldn't that be so?

Mr. Knox: The member for the area will explain that.

Mr. WRIGHT: I hope he will.

I come back to my original point that there is an obligation on Government, no matter which department is involved, to play some supervisory role over the sale of land. It is time that this Parliament took its responsibility seriously. Too many sales occur in which land is totally misrepresented.

I have extracted some Press releases on this aspect, and in them I find that all the land involved lies along the coast. I hope that, in addition to doing something to have these titles officially registered, we will look more deeply into the problems that arose. If the area about which I am speaking is not involved, I would be pleased to hear that. Nevertheless, I believe that the points I have made are valid, as was the action taken some three years ago by the Opposition. I will, however, study the Bill in detail when it is printed.

Mr. GOLEBY (Redlands) (11.43 p.m.): I think it is desirable that I inform the Committee of the situation relative to the Moreton Bay islands. Four islands are involved, namely, Lamb, Karragarra, Macleay and Russell. During the early 1970s these islands, which lie at the southern end of Moreton Bay, between Redland Bay and Stradbroke Island—a very beautiful, colourful and picturesque area—were suddenly the subject of one of the largest dealings in land in this State since separation. The scandalous methods employed in the subdivision of these islands, as well as the sale of certain allotments on them, will go down in history as probably the greatest subdivisional raping of land ever to occur in the State.

The Government is now placed in the situation in which, because of the date that was set when the Redland Shire Council was to take over the islands, some four or five landholders were caught with their plans

of subdivision in the Titles Office. When 12 May came their titles had not been registered. The need for this legislation arises from the decision of the Full Court that none of the plans awaiting registration at 12 May 1973, the date on which these islands were included in the Redland Shire, ought to be registered unless the council gave approval.

As I have said, the council had been asked by the Government to take over these islands, and some 18,000 allotments came under the council's jurisdiction. The honourable member for Rockhampton gave the impression that thousands of blocks were either tidal or located in swampland. This is not correct. The bulk of the land on the islands is first-class land and from most of it a person has a very good view of the bay. Unfortunately, the unscrupulous dealings of a few resulted in some low land being sold. Although much low land was subdivided, only a few blocks were sold. When someone bought a high block of land, he received an additional block as a bonus. In most instances it was one of the lower-lying blocks, which may be inundated in wet seasons and in some instances subject to tidal influences.

The plans fell into four categories. Firstly, there were plans that were withdrawn, re-entered and subsequently registered; secondly, there were plans that were not withdrawn and were registered; thirdly, there was a plan that had been withdrawn and re-entered but not registered; and, fourthly, there was a plan that was not withdrawn which has not been registered. It can be seen that this is a very complicated affair.

The Redland Shire Council sought legal opinion and took the matter to court. After a Full Court hearing, judgment was given in its favour, and five landholders were placed in rather an invidious position. They had bought land which, according to the plan they have, is registered; yet its registration is held up in the Titles Office. The council has said, "We have 18,000 lots; we do not wish to have any more."

To be precise, 129 allotments are involved in the four plans to which I have referred. Looking at the matter in its correct perspective, 129 blocks will not make much monetary difference to the tremendous job the council has before it in trying to provide and maintain services for the people in these areas. But legally and morally the council feels that it has a case. As a Government, we may have been wise to allow the plans to be registered and to have given the council the right to apply subdivisional conditions. When the Redland Shire Council took over the bay islands there was not a gravel road on the islands suitable for vehicular traffic.

Mr. Wright: That is not what the advertisements said.

Mr. GOLEBY: They may not have said that, but some roads were formed by the developers in a very poor manner. After the first wet season the scouring was so extensive that no local authority could hope to maintain them. The council has been able to maintain only a road across the island to give the people access to the town centre. On Russell Island it is centred near the jetty, where there is a local store, school, church, and so on.

An Honourable Member interjected.

Mr. GOLEBY: I shall correct that statement. Not all the blocks are under water; only a small number are under water. The Minister for Justice and his committee, the Minister for Local Government and Main Roads, the Minister for Tourism and Marine Services and I visited the island and all of us can vouch for that.

Mr. Wright interjected.

Mr. GOLEBY: Many of the blocks on the islands have not been sold. They are still held by the land developers, who are stuck with them.

As I said in an earlier debate today, land on these islands has been sold to people in every country of the world. The council's register records sales to people in Iceland. That gives some idea of the problems confronting the shire council. I said earlier that 60-odd per cent of the rates had been collected. A major sale of land on bay islands for arrears of rates will be held next year.

A big problem confronting the council is that no land has been set aside for public space. All land has been developed to the waterline. The council has had to spend considerable sums, and the Government provided $250,000 to try to ease the burden the council had to face after accepting the islands into the shire. Land has had to be resumed for public purposes, for parks and particularly for gravel. Any area showing a semblance of gravel has been resumed by the council. The nearest gravel pits are on the mainland, some 15 miles away, and as honourable members would realise, the transportation of gravel for road-making purposes in barges is a very costly exercise.

I point out that, although the Bill might rectify the problems confronting five landholders, that is not the matter of greatest concern to the council. What does concern it is that it will not allow any future subdivision. I think that is reasonable. Sufficient land has been subdivided on the islands to cater for many generations to come.

I correct a statement made by the member for Rockhampton about electricity. When Russell Island was subdivided, electricity was available. The high-tension lines traversed the island en route to Stradbroke Island, where the mineral sands industry was serviced.

By our registering this land and passing the Bill through Parliament, the persons involved will be relieved of a considerable financial burden. I understand there are only five of them. However, I know the problems with which they have been confronted. They bought the land in good faith. They believed that they could subdivide it, and submitted their plans. As I said earlier, they have been caught by this dead-line of 12 May 1973. We will by this Bill be solving that problem for them.

However, I appeal to the Government on behalf of the Redland Shire Council to extend the grant of $250,000 which it has given, plus the additional loans it has made available, to try to bring some semblance of amenities and development to these people so that those who are living on the island can experience some of the comforts that we on the mainland enjoy. I ask the Minister to recommend to the Government to make funds available over the next three years so that we will be able to provide decent roads and amenities not only for the people who live there but also for the many visitors who use the islands for picnicking at the week-ends.

There are no public amenities at all on any of the islands. We know that, from a health point of view, that situation cannot be allowed to continue. However, in this day and age, with islands set in the placid waters of Moreton Bay, it is not possible to stop people visiting for picnics and family outings. The point I stress is that, with the financial burden being imposed on it, the council—and this is the smallest shire in Queensland—just cannot accept its full responsibility.

However, the provisions made in the Bill will relieve personal hardship that has been experience by the five landholders.

Motion (Mr. Knox) agreed to.

Resolution reported.

FIRST READING

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

EVIDENCE BILL

INITIATION IN COMMITTEE

(Mr. Row, Hinchinbrook, in the chair)

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (11.55 p.m.): I move—

> "That a Bill be introduced to consolidate, amend and reform the law of evidence and for related purposes."

Under its approved programme, the Law Reform Commission has undertaken a comprehensive review of the law of evidence. The commission's report which embodies its recommendations for the consolidation, amendment and reform of the law of evidence comprises a draft Bill and a detailed commentary on the provisions of that draft Bill. This report, which is numbered 19, was laid on the table of the House on 11 March 1976.

The working paper which preceded the report was circulated widely to persons and bodies known to be interested in these matters and as a result the commission received many criticisms, suggestions and comments on their proposals for reform. These matters were taken into account by the commission before adopting its final report.

In drawing the draft Evidence Bill the Law Reform Commission's main purpose has been to state in modern form so much of the law of evidence as can conveniently be set out in the one instrument. The commission has not attempted to abolish the common law on this subject. It will be noted that this is a consolidating Bill and not a code and therefore assumes the continuance of the common law except where it has been modified by statutory provisions.

An examination of the commission's proposals will show that it has sought to avoid any highly controversial alterations of the existing law, especially so far as they might relate to criminal proceedings. Basically the proposals contained in the Bill are based on well-tried provisions of legislation which have been in use in other jurisdictions with the consequence that there are numerous judicial decisions providing expositions of particular sections.

The report is the result of a very comprehensive and detailed examination of this branch of the law over a considerable period of time. The law of evidence in Queensland, like that of the other Australian States, England and New Zealand is a mixture of common law and statutory law. The common law has been modified by various statutory enactments over a period of time. At present the principal statute in Queensland relating to the law of evidence is the Evidence and Discovery Act of 1867. This Act is derived from the statute law of England.

The provisions of the Bill, which adopt the recommendations contained in the Law Reform Commission's report, deal with some rather technical and complex legal aspects of the law of evidence, and its provisions will be of vital concern to the members of the judiciary, the legal profession and those Government departments involved in the prosecution of various offences.

For this reason and to give all honourable members an opportunity of making themselves fully conversant with its provisions, I do not propose to proceed with a second reading of the Bill during this session of Parliament. I invite constructive comment on the provisions of the Bill from all persons and bodies interested in the reform of the law of evidence.

Any suggestions for amendment to the proposed Bill which are received by me on or before Friday, 28 May 1976, will be considered fully and amendments made to the Bill where it is considered desirable to do so, and the Bill will be recommitted in the next session.

I commend the Bill to the Committee.

Mr. WRIGHT (Rockhampton) (11.59 p.m.): I think that the Minister has adopted a very wise approach here and I commend him for it. I have endeavoured on two occasions to go through the Law Reform Commission report. It totals over 120 pages. It is an excellent report in that it outlines the history of the law of evidence and the difficulties related to this aspect of law. It also came down with a number of recommendations which I am pleased to say are fully explained virtually clause by clause.

It is not my intention to even debate the issue at this point. Now that the Minister has allowed this extra time, my aim will be to draw a comparison between his proposed Bill and the recommendations of the Law Reform Commission.

I notice that the members of the commission said that they realise that aspects of criminal proceedings form a difficult area. The Minister in fact said that this was a controversial area. They say that they will not proceed to recommend any amendments at this time. Members may be aware that this aspect of criminal investigation has been the subject of an investigation by the Australian Law Reform Commission and I would also like to make some comparisons with the findings of that commission. I do, however, feel that it is a pity the law concerning criminal investigations has not been included. Although the Minister says that it is not a code, it is always important, if possible, to codify or consolidate legislation in this way.

It is a difficult area and it is one on which I will be consulting some of my legal advisers and asking for their opinions. I again thank the Minister for the extended opportunity to consider the legislation and also to put suggestions to him.

Motion (Mr. Knox) agreed to.

Resolution reported.

FIRST READING

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

SPECIAL ADJOURNMENT

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

"That the House, at its rising, do adjourn until Tuesday next."

Motion agreed to.

The House adjourned at 12.3 a.m. (Friday).