Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 13 APRIL 1976

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

ELECTORAL DISTRICTS OF CLAYFIELD AND PORT CURTIS

BY-ELECTION DATES

Mr. SPEAKER: I inform the House that the dates in connection with the issue of the writs for the election of members to serve in this House for the electoral districts of Clayfield and Port Curtis will be as follows:—

Issue of writs—27 April 1976;
Date of nominations—4 May 1976;
Polling Day—29 May 1976;
Return of writs—25 June 1976.

MEETING OF QUEENSLAND BRANCH OF COMMONWEALTH PARLIAMENTARY ASSOCIATION

Mr. SPEAKER: I wish to notify honourable members that a meeting of the executive committee of the Queensland Branch of the Commonwealth Parliamentary Association will be held in my room at 12.30 p.m. today and that it will be followed by a full meeting of members of the branch in this Chamber at 12.45 p.m. The sitting of the House will be suspended at 12.45 and will resume at the usual time of 2.15 p.m.

PAPERS

The following papers were laid on the table:—

Orders in Council under—
Harbours Act 1955–1972.
District Courts Act 1967–1972.
Primary Producers' Co-operative Associations Act 1923–1974.

Regulations under—
Liquor Act 1912–1975.
Hen Quotas Act 1973–1975.

Ordinance under the City of Brisbane Act 1924–1974.

QUESTIONS UPON NOTICE

1. BUILDING SOCIETY MORTGAGE TRANSFERS

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

Will he give an assurance that, if mortgages are transferred from any of the suspended building societies to another society, there will be no cost involved for the mortgagor?

Answer:—

Yes.

2. AUSTRALIAN CONSTITUTIONAL CONVENTION

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

Has Queensland yet paid all its due contributions and/or commitments for meetings of the Australian Constitutional Convention and, if not, what amounts are outstanding?

Answer:—

Provision for Australian Constitutional Convention expenses is provided for in the Vote of the Premier's Department. All accounts received to date from the convention secretariat have been paid and all other ongoing expenses—for example, air travel of delegates to executive committee meetings are paid by the Premier's Department as such accounts are recorded. I am not aware of any accounts on hand for payment at the present juncture.

3. INVESTIGATION INTO POLICE FORCE

Mr. Marginson for **Mr. Melloy,** pursuant to notice, asked the Minister for Police—

(1) In view of his statements on 19 January and 20 March 1975, does he still approve of, and believe in, the secret methods used by the fine squad under Inspector Pitts?

(2) As it must be assumed, in view of the unanimous judgment handed down by the Full Court and the findings that the prosecution evidence was tainted with illegality and that the evidence was unlawfully procured by police witnesses who entirely lacked credibility, that Inspector Pitts and others have conspired, forged documents and even committed perjury, and as these are criminal offences, why have no charges been made?

(3) If the promised investigation is to proceed, when will the Supreme Court judge be appointed to conduct it and the terms of reference be announced?

Answers:—

(1) I approve of the use of all lawful methods which will assist in bringing to justice persons who offend against the laws of this State.

(2) Whilst the judgment may have indicated that the obtaining of evidence for the prosecution was tainted with illegality, it cannot be assumed, as suggested, that the police officers concerned were guilty of conspiracy, etc. This aspect will be included in matters which the New Scotland Yard detectives will investigate upon their return to Queensland.

(3) As previously mentioned in this House, two members of the Queensland Police Force and one ex-member of the force have been charged before a court with others on a number of charges of official corruption.

I would direct the honourable member's attention to the provisions of section 4A (1) of the Commissions of Inquiry Acts, which provide that when a commission of inquiry has been appointed to inquire into a matter and a court is inquiring into that matter or any other matter having a direct or indirect bearing on the inquiry, the court shall have no jurisdiction to and shall not make, continue or proceed with that inquiry.

The pressing of any inquiry prior to the determination of the charges, referred to could, I feel, only result in the courts' having no jurisdiction to determine the charges and thereby pervert the true course of justice. I feel sure the honourable member has no desire to do this.

4. IMPACT OF WAGE RISES ON STATE BUDGET

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

(1) What is the impact of wage rises on the current State Budget?

(2) What is the accumulated percentage increase in average wage levels to date this fiscal year, and has this figure exceeded estimates incorporated in the Budget?

Answers:—

(1) The estimated cost to Consolidated Revenue Fund of award and basic wage increases granted to date in the current year is estimated at $69,500,000 for the 1975-76 year.

(2) The most recent estimates of the increase in average weekly earnings of adult males in Australia for the 12 months ending March 1976 over the 12 months to March 1975 is 15 per cent. The increase in average earnings this financial year has been somewhat less than estimated but, of course, as a consequence State revenues from Financial Assistance Grants payments and pay-roll tax are reduced proportionately.

5. COLOUR OF ROAD MARKINGS FOR TRAFFIC

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

In view of the serious traffic hazard that exists during night hours under wet conditions owing to the poor visibility of white road markings, will he examine the efficacy of alternative colours and materials for such markings and, given the availability of a superior system, arrange for its earliest implementation in the interests of road safety?

Answer:—

The matter of road markings is under constant review, and the use of raised studs on the freeways is a typical innovation. Road markings meet Australian standards and officers of the Main Roads Department are on national committees that review colour systems for road markings and signs. The latest standards and practices are always used.

6. PHOSPHATE TREATMENT PLANT, SOUTH TOWNSVILLE

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

As prominent trade union officials in Townsville associated with the A.L.P. have publicly stated that under no circumstances will trade-unionists be allowed to build the phosphate treatment plant at South Townsville, what action will he take or can he take to have the plant erected, if investigations prove beyond any shadow of doubt that no distress, nuisance or inconvenience will be caused by the plant and the Townsville City Council approves of its erection?

Answer:—

The Industrial Conciliation and Arbitration Commission is fully empowered under the provisions of the Industrial Conciliation and Arbitration Act to deal with disputes between employers, employees and unions. Should the employees of any contractor engaged in the erection of the phosphate treatment plant at South Townsville refuse to work on this project, then the employer is at liberty to report such dispute to the Industrial Conciliation and Arbitration Commission under the provisions of section 36 of the Act. However, if the existing legal industrial processes prove inappropriate to meet the situation which the honourable member suggests will arise, then, as in the past, the Government will not hesitate to take other appropriate action.

7. TRAFFIC SIGNALS FOR IPSWICH ROAD AND CHURCH STREET INTERSECTION, GOODNA

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

When will traffic signals be installed at the dangerous intersection of the Ipswich-Brisbane highway and Church Street, Goodna?

Answer:—

Materials for this project are currently being assembled and it is anticipated that actual work on the signalisation and auxiliary road works will commence in the near future—because of the honourable member's representation, obviously.

8. LAND HELD BY EDUCATION DEPARTMENT IN WOLSTON ELECTORATE

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

(1) What land is held by his department for education purposes in the electorate of Wolston?

(2) If any land is held for this purpose, where is it located and what is the area of each parcel?

Answers:—

(1) My department currently holds five parcels of land in the electorate of Wolston.

(2) Details are—

Ellengrove	
Corner Waterford and Woogaroo Streets	2.6 ha
Richlands South	
Corner Archerfield and Boss Roads	4.047 ha
The foregoing are primary sites.	
Goodna West (secondary site)	
Corner Eric and Queen Streets	8.9 ha
Technical and Further Education—	
Bundamba	
Between Byrne and River Road	9.9 ha

An area of 2.43 ha is also held between Stuart and James Streets, Goodna. A pre-school centre has been established on portion of that site.

9. INSURANCE INVESTMENT IN HOUSING

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

With reference to his answer to my question last week regarding home loans by insurance companies and as my independent inquiries of life offices to supply figures on their investment policy regarding home-financing have been largely unsuccessful because a code of silence has been adopted as if they have something to hide—

(1) What proportion of funds is invested in home loans to policyholders?

(2) What proportion of funds is invested in building societies?

(3) What proportion of funds is invested in commercial property?

(4) What is their policy for home-financing in Queensland?

Answer:—

(1 to 4) The Queensland Government has no statutory returns that show the information sought and has no power to ask for such information. However, life offices have a duty to their policyholders to earn the highest possible rate of interest consistent with safety of investment. I understand that, because of the relatively high costs of administration involved, which have a very distinct bearing on the net interest return, some offices do not favour home loans.

10. STAMP DUTY ON LOCAL AUTHORITY LAND PURCHASES

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

(1) Is he aware that local authorities must pay full stamp duty on land purchased in fee simple and only a nominal fee on resumption of land?

(2) Is he aware that, in recent purchases by the Pine Rivers Shire Council, stamp duty amounting to approximately $9,000 was paid on the purchase of land whereas the equivalent resumption fees would have been approximately $200?

(3) Will he take action to remove this anomaly and thus encourage local authorities to avoid the less desirable course of resumption in favour of private treaty?

Answers:—

(1) This portion of the question is based on false premises. Local authorities pay full stamp duty on land purchased and also full stamp duty on land resumed. However, in the latter case, nominal duty is charged on the notice of gazettal of the resumption and the balance of duty is collected on advice of determination of the compensation to be paid.

(2) No record is available to me of a transaction entered into by the Pine Rivers Shire Council involving circumstances as outlined by the honourable member. However, if he produces details to me, I will have the matter further examined.

(3) See answer to (1). No anomaly exists.

11. AREA IMPROVEMENT PLAN FUNDS

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

Can he supply any further information regarding extension of the Area Improvement Plan funds into the 1976-77 financial year?

Answer:—

This matter was not raised at the Prime Minister-Premiers' Conference in Canberra on Friday last. I therefore can add nothing to my answer on 31 March to a question on a similar matter.

12. RAFFLE OF BLOCK OF LAND ON GOLD COAST FOR FLOOD RELIEF APPEAL

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

(1) With reference to a question to him on 19 March 1974 regarding a block of land at Gold Coast that was the prize in an art union on behalf of the Channel 9 National Flood Relief Appeal, is he still of the opinion that a proposal plan of subdivision was approved by the Gold Coast Council on 29 May 1972 and, if not, what is the true position and why did he mislead the House?

(2) Did the Harbours and Marine Department, on 14 July or before, grant final approval for its responsibilities and, if not, what is the true position?

(3) What is the position regarding the payment of the prize of the art union and what is the position if the winners or their trustees desire to capitalise on their good fortune and sell the land?

Answer:—

(1 to 3) A permit was issued by the Justice Department on 27 February 1974 for the conduct of an art union to raise money for the Queensland Flood Victims Relief Appeal.

The promoter of the art union was Alderman Sir Bruce Small, M.L.A., and the prize in the art union was a waterfront block of land valued at $22,000. A permit application fee of $760 was paid. The land was described as lot 545 contained in an existing parcel of land of 23 acres 2 roods 20 perches and described as subdivision 8 resubdivision F subdivision E portion 27 County of Ward, Parish of Nerang. The owner of the land was shown as Nerang Proprietary Limited and the estate was covered by the title deed—No. 284326 volume 1571 folio 66. The land was generally identified as the Isle of Capri and it is in fact immediately adjacent to the Isle of Capri. Lot 545 was donated by Bruce Small Enterprises, which controls a group of companies including Nerang Proprietary Limited.

In view of the urgent need to raise funds for flood victims and the need for an early drawing date, the permit was issued without obtaining all the relevant documents relating to the land. This approval was also given because of the outstanding integrity and standing in the community of the promoter and also on payment of $22,000 to the Department of Justice as security against the availability of the prize. A cheque for this amount was received on 20 March 1974. Provision for payment of security is contained in section 22 of the Art Union Regulation Act 1964–1974.

Advice was received by telephone by the Art Union Office from an officer of the Gold Coast City Council on 18 March 1974 that the proposal plan of subdivision was approved by the Gold Coast City Council on 29 May 1972. By letter dated 18 March 1974 (reference 56682 (21)), the Town Clerk, Gold Coast City Council, confirmed the advice given to the Art Union Office. The letter further stated that a survey plan of the subdivision had not yet been lodged with the council. The original of this letter is held on file.

The art union was drawn on 31 May 1974, and the winners of the prize were Marion and Ruth Hawkins, "Alveston", Somerton Road, Langport, Somerset, England.

The financial statement received at the conclusion of the art union was audited by Kenneth Baguley, 3 La Scala Court, Isle of Capri. Mr. Baguley is a public accountant registered under the Public Accountants Registration Act 1946–1975. This statement showed that the gross amount raised was $28,680.72 and the net proceeds of $21,688.94 were donated to the Queensland flood appeal. The total expenditure which is detailed in the statement amounted to $6,991.78. No expense was incurred with respect to the purchase of the land, which was clearly donated free of any charge.

A check of the records of the Queensland Flood Victims Relief Appeal reveals that the amount of $21,688.94 was received from the art union. The security of $22,000 was returned to K. Baguley & Co., accountants, 8 La Scala Court, Isle of Capri, on 2 July 1974. All financial returns were completed in accordance with the provisions of the Art Union Regulation Act 1964–1974.

I am further informed that an application was made to the Department of Harbours and Marine on 21 March 1973 by Bruce Small Enterprises Pty. Ltd. for provisional approval to construct canals at Benowa Waters Stage 1, which is the parcel of land in which the prize lot 545 is contained. A plan of the subdivision was attached to the application. On 14 June 1973 provisional approval to construct the

canals was granted by the Governor in Council pursuant to the provisions of the Canals Act 1958 to 1960.

On 12 July 1973 an Order in Council was issued granting final approval to Bruce Small Enterprises Pty. Ltd. to construct canals at Benowa Waters Stage 1. This approval was published in the Government Gazette on 14 July 1973. The Order in Council was granted in accordance with the provisions of the Canals Act 1958 to 1960, and I am informed was approved following the receipt of a set of engineering drawings which included the layout of the proposed subdivision. The Gold Coast City Council had endorsed the plans as approved subject to the approval of the Harbours and Marine Department. By letter dated 14 September 1973 the Gold Coast City Council informed the Harbours and Marine Department that the council had received a $50,000 bond from Bruce Small Enterprises Pty. Ltd. to construct the canals. The Harbours and Marine Department advised the council on 20 November 1973 that the department agreed with the acceptance of the bond by the council.

It will be seen that even at that late stage the Gold Coast City Council had not raised any objections to the subdivision and had in fact signified its approval in writing. The Harbours and Marine Department was informed of the completion of the construction of the canals, and the receipt of the certificate of completion issued by the Marine Board was published in the Government Gazette on 6 March 1976. An attempt was then made by Bruce Small Enterprises Pty. Ltd. to have two plans of the subdivision endorsed by the Gold Coast City Council so that registration could be effected under the Real Property Act 1877-1974. This application was refused by the council.

I am also informed that on 21 January 1976 the Harbours and Marine Department wrote to the Gold Coast City Council and informed it that following the issue of a certificate of completion the council would have no option but to endorse the plans so that the ownership of the canals could be returned to the Crown as provided in the Canals Act 1958 to 1960. No reply has been received to that letter to date.

The Registrar of the Local Government Court has advised that an appeal has been lodged by Bruce Small Enterprises Pty. Ltd. against the Gold Coast City Council's refusal to approve the subdivision known as Benowa Waters Stage 1, but an actual date of hearing has not yet been set down.

I am informed that the winners of the prize, Marion and Ruth Hawkins, are minors. Any action to transfer the land is a matter for determination between the promoter and the prize-winners. Application can be made to the Supreme Court to determine ownership of the prize or an application can be made for the appointment of a guardian (trustee) under section 87 of the Trusts Act 1973. This is essentially a civil matter between the parties concerned, and the Department of Justice would not interfere unless a complaint was received from one of the parties. There is no record at the department of any complaint being made by the promoter or the prize-winners.

From the information supplied it would appear that Sir Bruce Small did not gain any personal benefit from the art union and that the prize was a donation by a company associated with Sir Bruce. The net proceeds after the deduction of promotional expenses amounted to $21,688.94 and this amount was received by the Queensland Flood Victims Relief Appeal. At no time did I mislead the House, as the information I have supplied now clearly indicates.

13. COAL FOR ELECTRICITY GENERATION

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

(1) What stockpiles of coal are at powerhouses in South-east Queensland?

(2) Is the coal-mining industry in West Moreton District supplying enough coal for present electricity generation or is coal still being transported to Swanbank from Central Queensland coal mines?

(3) If coal is not now being transported from Central Queensland, will the West Moreton coal-mining industry be able to supply enough coal for the coming winter period when coal consumption at powerhouses generally increases?

Answers:—

(1) The total quantity of coal at the powerhouses in South-east Queensland as at 4 April was 429 113 tonnes.

(2 and 3) Coal is still being transported to Swanbank from Central Queensland. Since the beginning of this year, the coal consumed has exceeded the deliveries from West Moreton by 12 630 tonnes.

14. AID TO TOOWOOMBA HAILSTORM VICTIMS

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

(1) Is he aware that the Commonwealth Government has assured the Toowoomba Trades and Labor Council that it will assist victims of the January hailstorm if the State Government's relief expenditure in Toowoomba equals $200,000?

(2) Is this the true position?

Answer:—

(1 and 2) The Commonwealth Government has agreed to inclusion of expenditures by the State, local government and semi-governmental authorities on the

restoration and repair of public assets and facilities in the natural disaster relief arrangements, subject to the application of established terms and conditions which include a proviso that the over-all expenditure on relief assistance must be at least $200,000.

In giving this approval the Prime Minister specifically excluded the provision of Commonwealth funds for the restoration or repair of private assets on the grounds that insurance cover could normally be expected to be available for this type of damage.

I take it that the honourable member's reference is to victims of the hailstorm who suffered structural damage to their homes and that this answers his question.

I would mention that the cost of restoration of Government and local-government-owned dwellings is also excluded on basically the same grounds.

15. CONDUCT OF LOCAL AUTHORITY ELECTIONS

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

In view of some obviously stupid mistakes made by some of the shire and town clerks acting as returning officers in the recent local authority elections, will he seriously consider amending the Local Government Act to provide for local authority elections to be conducted by the State Electoral Office and provide for preferential voting at local authority elections?

Answer:—

I feel that the existing provisions of the Local Government Act 1936–1975 under which the clerks of local authorities act as returning officers at local authority triennial elections are generally operating satisfactorily. However, I would appreciate the opportunity of discussing any specific matters with the honourable member and then considering amendments if they are necessary.

16. "MISSION PROBE"

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

(1) Has he seen the paper being circulated named "Mission Probe" over the name of BOEMAR, MOM and C.WM?

(2) If so, how accurate are the paper's contents?

(3) Has the paper the approval of the majority of Methodists and Presbyterians?

Answers:—

(1 and 2) The document "Mission Probe" was issued as a joint publication of the Methodist Overseas Missions, the Board of Ecumenical Mission and Relations of the Presbyterian Church and the Council for World Mission (Congregational).

It is a matter for serious concern that churches should be indicated as approving such a document which continues to add confusion by purveying half truths and innuendo. Such can only add to the total lack of understanding of the facts by the public and more regrettably aggravate the uneasiness and restlessness already engendered in the minds of the Aurukun people. Indicative of the misleading statements are:

(a) "Mission Probe" claims the consortium "can even obtain freehold title over portions of the reserve". Nothing is further from the truth. The reserve areas remain intact. The company can hold freehold title of land off the reserve on the same basis as any other company or citizen of the State.

(b) "Inadequate provision is made for protecting sacred sites". The Aboriginal Relics Preservation Act 1967 to 1976 has very stringent safeguards and penalties were dramatically increased recently. Additionally, the consortium has, in writing, undertaken to meet the cost of recorders and negotiations have been progressing with the Aurukun people to nominate local Aboriginal recorders of their choice.

(c) "They have now expressed their complete opposition to any mining on the Reserve". However, the Ombudsman reports in his findings, "The Aurukun people are not categorically opposed to mining."

I could go on in this vein but will not.

I was most alarmed recently at a report in "The Courier-Mail" of Friday 9 April 1976, that the "Aurukun bauxite project could founder if the Consortium required to increase its payment for the Aurukun Aborigines." If this does occur the responsibility must rest solely with the Presbyterian Church, which has mounted such a campaign of fear, innuendo and, indeed, half truths at Aurukun and throughout Australia.

It is every citizen's right to question the actions of Government, but it is another thing to mislead the public either on purpose or in ignorance.

It is an unpleasant task to bring the credibility of this publication to the attention of honourable members, but I feel it is my duty to honourable members, church congregations and indeed churches themselves.

(3) I do not believe the majority of Presbyterians and Methodists are in agreement with the spending of money dedicated for the use of missions in this manner. Many active Presbyterians and Methodists, including some honourable members,

have expressed their disappointment to me that the boards of missions have compromised their position to such an extent to publish this type of pamphlet.

If persons have subscribed money which they now desire to have refunded to them, I would suggest that they seek independent legal advice.

17. SPINNING-SAUCER TOY

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

(1) Is he aware of a report in the "Telegraph" of 7 April referring to a warning by the New South Wales Consumer Affairs Bureau of a spinning-saucer toy which tests have shown can disintegrate if spun at 5,000 revolutions per minute, spraying out metals and glass at 80 kilometres per hour?

(2) Are these toys on sale in Queensland and, if so, what action does he intend to take in view of the reported dangers?

(3) What safety tests are carried out on toys in this State?

Answer:—

(1 to 3) The matters raised by the honourable member are covered by provisions in the Health Act, and in these circumstances the honourable member should direct his inquiries to my colleague the Minister for Health.

Mr. WRIGHT: I do so accordingly.

18. WOMEN'S RADIO STATION GROUP

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

(1) With regard to the moves made last year to establish a women's radio station to be called 4WU or 4BW, has any application been made to the Corporate Affairs Office for its registration as a company or under the Business Names Register?

(2) Is he aware that the last meeting concerning the proposed station was held in November last and that up to that time approximately 1,000 women had subscribed about $2,000?

(3) In view of the concern now being expressed by a number of subscribers, will he ascertain what has happened to that money?

(4) Who are the executive officers of the women's radio station group?

Answers:—

(1) No.

(2 to 4) There is no official record in the Office of the Commissioner for Corporate Affairs of the subscriptions mentioned having been made or the names of executive officers (if any) of the group mentioned.

19. TOILET FACILITIES AT ROCHEDALE SHOPPING CENTRE

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

(1) Further to his answer to questions by the member for Rockhampton North on 1 April regarding toilet facilities at Rochedale shopping centre that it is not correct that conflicting advice was given to the Bank Officers' Association by the Chief Inspector and by himself, why does he not regard as conflicting a letter from the inspectorate to the association dated 11 April 1975, which stated in part, "I have to advise that plans have now been submitted and approved for the installation of additional sanitary conveniences for both male and female employees. The department will take every action to see that these plans are complied with in due course.", a letter from the Minister to the association dated 24 November 1975, which stated in part, "It was established that toilets for male and female employees were adequate to meet the needs of employees", and a letter from the Minister to the association dated 6 January 1976 which stated in part, "I am informed that an Inspector of Factories and Shops has received advice that the company will call tenders in January 1976 for the construction of additional toilets. I am also advised that an Inspector of Factories and Shops will again visit Rochedale Shopping Centre in early February 1976 to establish what action has been taken by the company to provide additional toilets."?

(2) Is the association now in the position of having to advise its members working in the centre that, despite previous assurances from the inspectorate and the Minister, no additional conveniences are to be constructed?

(3) Are there approximately 37 females and 25 males employed at the centre and does this require the installation of an additional toilet for males and an additional toilet for females?

(4) Why is the inspectorate not enforcing the minimum provisions of the Act?

Answers:—

(1) The Australian Bank Officials Association has not received conflicting advice and the only assurance it has been given is that my department will ensure that the provisions of the Factories and Shops Act are complied with at the relevant time.

(2) I do not presume to know what is in the mind of the association but it would

appear the secretary of the association does not understand the provisions of the Factories and Shops Act.

(3) Excluding Woolworths, the T.A.B., and the Commonwealth Bank, all of which have separate toilet facilities for their employees, the most recent census of employees taken by an inspector indicated that there were 26 female employees and 14 male employees and not the 37 females and 25 males as claimed by the honourable member. It therefore appears that the honourable member's informant is erroneously including occupiers of premises in addition to employees when assessing the requirements of the Factories and Shops Act.

(4) The minimum requirements of the Factories and Shops Act are at present available to employees. The matter of toilets for occupiers, as for the general public, is one for the local authority concerned.

20. APPRENTICESHIP WELFARE OFFICER, MACKAY REGION

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

(1) Has any further consideration been given to the appointment of an apprenticeship welfare officer at Mackay?

(2) If not, as the Mackay region has such a high number of apprentices and is the only major region of Queensland that does not have the full-time services of an apprenticeship welfare officer, will he reconsider this matter?

Answer:—

(1 and 2) I indicated in my letter of 17 October 1975 to the honourable member that this matter would receive further consideration when staff estimates were being prepared for the 1976-1977 financial year. My department has taken action accordingly and has made a submission to the Department of the Public Service Board. It is too early at this stage to say definitely whether financial provision will be able to be made for this appointment in 1976-1977.

21. REVIEW OF REGULATION OF SUGAR CANE PRICES ACT

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

(1) Is he aware that the recent Queensland Cane Growers' Conference in Cairns again called on the State Government to urgently amend certain aspects of the Regulation of Sugar Cane Prices Act?

(2) In view of recent findings of the Central Sugar Cane Prices Board in cases wherein it indicated its inability to give judgment on such cases because of its limited jurisdiction under the Act, will he take immediate action to review the Act in the interests of the sugar industry?

Answers:—

(1) I am aware that the recent Queensland Cane Growers' Conference carried two resolutions recommending that the Queensland Cane Growers' Council press for certain amendments to the Regulation of Sugar Cane Prices Act. I understand that these resolutions are at present being considered by the council.

(2) The findings of the Central Sugar Cane Prices Board to which the honourable member refers revolve around the pooling system and raise complex considerations. I have received a deputation from far northern canegrowers and millers regarding the effects which a restructuring of this system would have in land-locked areas, and in accordance with my usual practice, I referred the matter to the sugar industry organisations for their views. These have now been received and are under consideration. Until the issues are clarified, it would be premature to forecast any amending legislation.

22. HOUSING COMMISSION PENSIONER RENTAL REBATE

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

(1) What is the maximum amount that a pensioner who is a Queensland Housing Commission tenant may have in the bank or some other liquid asset form and still qualify for the maximum rental rebate allowed by the commission and for how long has the amount remained at this level?

(2) As the real value of pensioners' meagre savings has been eroded by inflation to the level where the maximum figure used by the commission would be the equivalent of the widow's mite, will he take immediate administrative action to upgrade this figure to a more realistic level?

Answer:—

(1 and 2) There is no maximum amount of assets and no maximum amount of rebate. The rebate is the difference between concessional rent and economic rent. Concessional rent is calculated on income; economic rent is the cost of putting a house or unit on the market. Rebate as a derived figure from two independent calculations is a book figure kept so that the cost of rent subsidy is known. Income, not assets, is the basis of calculation of concessional rent. Unless an applicant declares his actual income from assets, those assets are assumed to earn savings bank interest, but the first $1,400 is ignored.

23. OLYMPIC GAMES TICKETS FOR MR. AND MRS. WICKHAM

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

(1) Is he aware that the parents of Miss Tracy Wickham, the 13-year-old Queensland swimming star and youngest swimmer ever selected in an Australian Olympic team, are unable to obtain tickets to see their daughter compete for Australia at the Montreal Olympic Games later this year?

(2) Is there anything he can do to assist Mr. and Mrs. Wickham in their endeavours to obtain seats to see their daughter's events at the Olympic Games?

Answer:—

(1 and 2) I was not aware that Mr. and Mrs. Wickham, parents of Miss Tracey Wickham who has been selected in the Australian Swimming Team for the Montreal Olympic Games, have been unable to obtain tickets to the swimming stadium to watch their daughter swim for Australia in this major sporting event. Unfortunately it seems that they are not the only parents finding themselves in this situation; parents of other competitors are similarly placed.

I understand that the Olympic Committee in other countries make arrangements for tickets to be held for the families of those selected to represent their country at the Olympic Games, but such action was not taken by the Australian Olympic Federation.

I have been informed that Australia received a very poor allocation of tickets for the Olympic Games and that Jet Set Tours, which have the sole distribution rights in Australia, allocated tickets in accordance with priority listings which closed with that company on 30 September 1975. I am also informed that the tickets have not yet been received in Australia for distribution.

Generally there appears to be a great deal of unhappiness in relation not only to the acquisition of tickets, but also in relation to other arrangements for the Games in Montreal. Instances have come to my notice where people have made arrangements some time ago to visit Montreal for the Games, but they now find that their allocation of accommodation requires them to share rooms with other unknown people.

I can understand how disappointed Mr. and Mrs. Wickham must be, but I can only suggest that they register their names with Jet Set Tours, whose Brisbane office is situated in the M.L.C. Building, corner of Adelaide and Edward Streets, and explain their particular circumstances in the hope that it may be possible to allocate a cancellation to them.

24. SCHOOL SIZES, WOODRIDGE AND KINGSTON

Mr. Ahern for **Mrs. Kyburz,** pursuant to notice, asked the Minister for Education and Cultural Activities—

(1) Is he aware that Mr. Barry Minter, a Queensland Teachers' Union industrial organiser, is using the teachers of Woodridge and Kingston in an attempt to embarrass the department and mislead parents in relation to the school sizes in the area?

(2) Does recent research indicate that schools need not be less than 1,000 pupils in size to be of value educationally, particularly in respect of the capital invested in buildings and equipment?

(3) Did Mr. Minter spend as much time in Woodridge and Kingston when Salisbury was a Labor seat?

Answers:—

(1) Yes.

(2) While there is some research evidence to support the contention that schools should not be unduly large, there is also evidence to show that school size itself has, at most, a minimal effect on pupil performance. While a number of educators have given their views on desirable school size, such views should not be confused with research evidence. There is no single answer to the question of what is the best size for a school. What may be the "best" size for pupil achievement or teacher morale or administrative efficiency, may not be the "best" with respect to economic factors or range of course offerings. It appears certain, however, that the best size as far as improving pupil performance is concerned has much more to do with the quality of teaching and the characteristics of pupils than with the size of school enrolments.

(3) I do not have the detailed information necessary to determine where Mr. Minter spends most of his time.

25. SPECIAL MINING LEASE 102, FRASER ISLAND

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

(1) Have D.M. Minerals sought to vary the lease conditions of special mining lease 102 on Fraser Island?

(2) If so, when and why was the application made?

(3) Has he approved any changes in the conditions of the lease and what effect will the changes have on the environment?

Answers:—

(1) Yes.

(2) On 14 September 1973 Dillingham Mining Company of Australia requested permission to pump water from Second Creek for mining purposes. On 13 October 1975 the company requested an interpretation and modification of the lease condition concerning the area of land which could remain unrehabilitated at any one time.

(3) On 18 February 1975 I approved a variation of the relevant lease condition to permit the taking of water from Second Creek with the permission of the Commissioner of Irrigation and Water Supply. On 21 November 1975 I approved the further application to make the condition limiting unrehabilitated areas more specific. These variations will not affect the environment.

26. AUSTRALIAN ASSISTANCE PLAN

Mr. Ahern for **Mrs. Kyburz,** pursuant to notice, asked the Minister for Community and Welfare Services and Minister for Sport—

(1) Has his attention been drawn to the feeble attempts of the remaining horde of paid staff at the headquarters of the Australian Assistance Plan to hoodwink the public into believing that the plan is a beneficial welfare scheme?

(2) Has the employment of so many community development officers eroded the money which was meant for the community and do many of the schemes put forward benefit only sectional groups interested only in their own welfare?

Answer:—

(1 and 2) I am not aware of any action being taken by the staff of the Commonwealth Government Social Welfare Commission to generate interest in the Australian Assistance Plan, nor am I in possession of any details regarding staff numbers in the office, which I believe is situated at Queanbeyan.

There is a great deal of uncertainty about the future of the A.A.P. As I have already indicated in reply to previous questions, the Commonwealth Minister for Social Security, Senator the Honourable Margaret Guilfoyle, tabled a report on the plan in the Senate on Thursday, 4 March 1976. In tabling the report, she indicated that she had directed officers of her department to arrange meetings with groups and institutions so that a comprehensive basis will evolve for the Commonwealth Government to review the policy objectives which the A.A.P. incorporates.

On Monday last I received a letter from Senator Guilfoyle wherein she advised that meetings were to be held with local government representatives in Sydney on 8 April, to be followed on 12 April by a conference between State Government representatives and Commonwealth officials. This was then to be followed by a national conference at the Australian University from 30 April to 3 May. She indicated that this conference would receive responses and comments on the report from State and local government, regional councils for social development and interested individuals and voluntary organisations.

I realise that a number of public statements have been made about the alleged benefits of the plan and that community development officers still continue to work in local areas. I have received correspondence indicating both support and opposition to the plan and from this I feel that it is fair to say that the public are not hoodwinked and that once people make up their minds about the Australian Assistance Plan they will either support it or denounce it.

I understand that the City of Brisbane Interim Committee for the Australian Assistance Plan employs an executive officer, an administrative secretary, a part-time typist and five community development officers. It is further understood that this year the budget of the committee included an administration grant of $40,000 and a grant of $60,000 for community development. This latter grant is used for community development activities or for the employment of community development officers to undertake such activities. There is as yet no capitation grant provided for the city of Brisbane to fund welfare projects but it would appear that a number of groups have been assisted by community development officers to obtain funds from other sources. I would not be aware of the schemes which have been put forward but the development of self-help groups is commendable and over many years a long list of such groups have played a significant part in the advancement of community life generally. For example, in the youth area, the work of Scouts, Girl Guides, Y.M.C.A., etc., and, at the other end of the spectrum, the work of senior citizen groups, can attest to the value of local self-help to the welfare of our society and I believe that they have an important place in the welfare network.

However, one section of the question by the honourable member refers to a matter which is causing grave concern and there is no doubt that, with present salary levels, when paid welfare staff enter into the field, the wages of such staff constitute a large amount of the expenditure for the delivery of welfare services. This is yet another reason why encouragement must be given to voluntary organisations to continue with the magnificent work they have been doing for many years.

27. TRAFFIC ACCIDENT, INTERSECTION OF CAVENDISH ROAD AND NURSERY ROAD, HOLLAND PARK

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

(1) Is he aware of a collision at the corner of Cavendish Road and Nursery Road, Holland Park, on the night of 17 March?

(2) What were the circumstances surrounding that accident?

(3) Who were the individuals involved and what injuries did they sustain?

(4) Were any charges laid against any of the drivers?

Answers:—

(1) Yes.

(2 to 4) The incident is still currently under investigation and it is not proposed to release information concerning this accident prior to finalisation of those investigations.

28. CAR-PARKING AREA FOR PRINCESS ALEXANDRA HOSPITAL AND DEAF SCHOOL

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

In view of the great demand for parking in the vicinity of the Princess Alexandra Hospital and the probable pressures that will result from a possible extension of the regulated parking area, will he investigate the possibility of acquiring some or all of the land opposite to the hospital that was previously the Brisbane City Council Tramway Depot, for the purpose of establishing a garden car-parking area for the convenience of hospital staff and visitors and for the staff of the Deaf School?

Answer:—

I have had previous representations on this matter from the Minister for Transport (the Honourable Keith Hooper) and the Minister for Works and Housing (the Honourable Norm Lee). Cabinet has decided that hospital boards should not accept the responsibility to provide parking for all hospital visitors and hospital staff. The South Brisbane Hospitals Board has, however, purchased property in close proximity to the Princess Alexandra Hospital to provide additional parking for staff during normal office hours and proposes to make such area available to the public at other times.

29. REHABILITATION SCHEME FOR DRINK-DRIVERS

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

(1) Has he read of the rehabilitation scheme for drink-drivers that was commenced at Sydney's Central Court and Bankstown Court on 1 March?

(2) Is the course designed to assist people who have asked for help because of their acknowledged drinking problems and the likelihood that they could commit similar offences in the future?

(3) Has any similar plan been implemented for such a scheme in Queensland?

Answer:—

(1 to 3) I would invite the honourable member's attention to my reply to a similar question without notice from the honourable member for Somerset on 26 November 1975.

30. LOCAL COUNCIL ELECTION, BADU ISLAND

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

(1) Did he receive a petition signed by 99 electors relative to the election of the local council on the island of Badu in Torres Strait and have complaints been received from two of the candidates, indicating that notification of the date of the election held on 30 January last was not received by them until 8 p.m. on 29 January?

(2) Has any investigation been undertaken and, if so, what was the extent and result of his or any inquiry made?

Answer:—

(1 and 2) A document signed by 99 persons registering a "complaint" has been received through the member for Cook. However, it does not specify grounds. Nevertheless, procedures adopted have been looked into and found consistent with requirements including appropriate notice of the intention to conduct an election. Further, I understand that many of the signatories were unaware of the purport of the document.

31. METROPOLITAN BUS AND RAIL CONCESSIONS FOR COUNTRY PENSIONER PATIENTS

Mrs. Kippin, pursuant to notice, asked the Minister for Transport—

(1) Are pensioners who have to come to Brisbane from country areas for medical treatment eligible for concessions on metropolitan bus and rail transport services?

(2) If so, how can the concessional passes be obtained?

Answers:—

(1) Pensioners eligible for full fringe benefits are issued by the Department of Social Security with a concession card, form TC1, which card entitles them to rail travel at half rates within Queensland.

As provided in the Urban Passenger Service Proprietors Assistance Act 1975, a pensioner holding a concession card TC1 is also entitled to travel at prescribed pensioner concession fares on private urban bus services. As far as Brisbane City Council policy is concerned, I understand that concessions available on bus services operated by the Brisbane City Council only apply to Brisbane residents who hold the special pensioner concession pass issued by the council.

(2) So far as private urban bus services and rail travel are concerned, no passes as such are required. The concession card is issued automatically to eligible pensioners by the Department of Social Security, and presentation of the TC1 is sufficient proof of entitlement to the pensioner concession fares.

32. MAINTENANCE FINANCE FOR SHIRE COUNCILS

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

In view of the current end-of-the-year shortage of maintenance finance which is being experienced by shire councils, especially as a result of the detrimental effect of the protracted wet season, will he arrange for his department to increase maintenance finance to those shires that are unable to meet maintenance commitments up to 30 June?

Answer:—

Yes. My department will continue to review the general maintenance position for main roads and allocate maintenance funds where the need exists. Local authorities have recently been given grants for flood repairs through the Co-ordinator-General for their own roads.

33. BRISBANE WHARF PASSENGER TERMINAL

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

(1) As he has voiced concern about the Brisbane air terminal, what action has his Government taken over the last 18 years to make the Brisbane wharf terminal for overseas and tourist passengers a first-class terminal with modern facilities and amenities, instead of the present barn which is allowed to masquerade as a passenger terminal?

(2) What action will his Government take now to give Queensland a worthy shipping passenger terminal?

Answers:—

(1) The honourable member should keep in mind that passenger terminals are not profitable facilities. The Hamilton wharves used for embarking and disembarking passengers are privately owned and operated. The wharf owners have been mindful of the needs of passengers and visitors and have made conditions as comfortable as possible.

(2) There are only about 12 passenger ships using Brisbane each year and an elaborate terminal is not justified. However, future plans for the port include the provision of comfortable and functional facilities.

34. BEACH-FRONT DEVELOPMENT AND EROSION

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

Will he read the report in "The Sunday Mail" of 28 March headed "Warning on Coast erosion ignored" and advise what action his Government is taking to stop beach-front development that could cause erosion?

Answer:—

I have read the article in question. The report allegedly prepared by "a senior officer in the then Tourism and Recreation Department" has not been forwarded to my Government or any of its departments and I am not aware of its contents or recommendations.

However, I would be surprised if a report of this type could add very much to our appreciation of the problems of coastal erosion. My Government is advised in these matters by the highly competent Beach Protection Authority.

The control of beach-front development is a town-planning matter within the province of local authorities. All coastal local authorities are presently reviewing their town plans, especially as regards future development of the coastal zone. In most cases, a 40 per cent Government subsidy has been provided towards the cost of these town plans.

The Government's function, through the Beach Protection Authority, is to provide local authorities with competent technical advice so that they are in a position to make sensible planning decisions.

Local authorities have been advised by the Beach Protection Authority on land which is vulnerable to erosion and which should be kept free of development so as to permit natural erosion and accretion and so as to ensure that beaches are at

all times available for public enjoyment. It is a matter for the local authorities concerned to implement this advice.

I would like to draw the honourable member's attention to my statement on coastal erosion and the Beach Protection Authority, printed in "The Courier-Mail" on 29 January 1976, and which gave further details of action taken by my Government on beach protection.

35. GRASS ON RAILWAY PROPERTY, COORPAROO-CANNON HILL

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

Will he ensure that the grass on railway property between Coorparoo and Cannon Hill Railway Stations is cut and the area generally cleaned up, in order to remove the threat of vermin to the residents adjacent to the railway line?

Answer:—

There is no need for the honourable member to take an interest in the area within my electorate as I can assure him that it is well represented. However, the answer is, "Yes."

36. TV CIGARETTE ADVERTISEMENTS

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

(1) With regard to the many variations of cancer, is he aware that approximately 23 per cent of deaths in Australia during 1974-75 resulted from one of its various forms, that approximately 20 per cent of all Australian cancers are directly related to cigarette-smoking and that cigarette sales and cigarette-smoking are on the increase in Australia?

(2) In view of these matters, will he comment on my opinion that super-sophisticated cigarette advertisements, by way of the all-persuasive colour television, are not in the public interest?

Answers:—

(1) The Australian Bureau of Statistics advises that in Australia in 1974, 15.35 per cent of all deaths were due to cancer and of these 18.05 per cent were due to cancer of the lung. The tobacco manufactured has fallen over the past two years but the number of manufactured cigarettes has increased.

(2) I am advised that the Commonwealth Government is proposing to ban cigarette and tobacco advertising on television from 1 September 1976.

37. SPEEDING AS CAUSE OF ROAD ACCIDENTS

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

(1) How many serious accidents occurred last year as the result wholly, or in part, of excessive speed?

(2) As the attempted limiting of speed by highway signs has apparently failed, will he investigate the possible introduction of speed governors on cars in an endeavour to secure a massive saving of life and property such as occurred in Europe during the fuel crisis, a saving in fuel consumption and the freeing of police for other important work?

(3) Would this also ensure that P-plate and other young drivers could not indulge in excessive and dangerous speeds?

Answers:—

(1) This information is not available, as accident figures published by the Bureau of Census and Statistics do not show "contributing circumstances".

(2) Over a period of time I have received various representations from honourable members, particularly the honourable member for Windsor, as to the use of speed governors and have myself attended demonstrations of their use. The honourable member would be interested to know that I gave permission several months ago for speed control devices of Australian manufacture to be fitted to my own Ministerial vehicle and three other departmental vehicles for an experimental period. However, to date my offer has not been taken up.

The question has been examined by the Traffic Advisory Committee constituted under the Traffic Act and it was decided that the fitting of governors should not be made compulsory. The proposition that speed of vehicles should be governed, whilst having apparent attractions, involves problems of safety as well as enforcement. There are two basic types, one of which governs the engine speed and the other, the speed of the vehicle. The former effects hill-climbing and traffic-driving capabilities, whilst vehicle speed control poses danger in overtaking manoeuvres and requires the fitting of an overriding device.

(3) Possibly this could be a result in some cases, but a governor operating for a 100 km/h speed zone, unless altered for a 60 km/h speed zone, could still result in excessive speed, as would be the case where road and weather conditions dictated a much lower speed than was permitted for any area. However, the honourable member should realise that not all P-plate and young drivers indulge in driving at excessive and dangerous speeds.

38. REGISTRATION OF BABY-SITTING AGENCIES

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

As a result of the abduction of a baby by a baby-sitter employed by an agency, has any consideration been given to the registration of baby-sitting agencies?

Answer:—

I am aware of an incident which occurred in Sydney in January. At the time, I made inquiries as to the advisability of introducing a system of licensing baby-sitting agencies in this State.

The object of licensing baby-sitting organisations, as suggested in the publicity associated with the incident which occurred in Sydney, appears to be to provide an assurance to people who wish to avail themselves of baby-sitting services that they would be provided with reliable and trustworthy persons to care for their children.

It is considered that there is no way in which officers of my department could ensure that this would be the case and, consequently, the licensing of baby-sitting agencies could result in parents who would otherwise not consider employing a baby sitter, other than someone they knew and trusted, being induced to use a licensed service in the belief that there was no risk involved. The serious implications stemming from this should anything go wrong are apparent.

In the light of the foregoing, it appears that the licensing of baby-sitting agencies could have quite serious dysfunctional consequences, may not ensure the desired objectives and may be seriously misleading to innocent people. I am also of the opinion that it is the responsibility of parents to protect their children and that it is up to them to choose competent and reliable people to care for them.

Another consideration in relation to this matter is that a great many people engage in baby-sitting on a part-time basis as a means of supplementing their income and for the most part they would be personally and favourably known to the parents wishing to utilise their services. It is felt that to impose registration formalities on such people would be unnecessary and would inevitably produce a storm of protest from a large section of the community—not only those who act as baby-sitters themselves but also the people who employ their services.

It should also be borne in mind that, in pursuance of Part V of the Labour and Industry Acts 1946–1963, private employment exchanges are required to obtain a licence to operate in accordance with the regulations prescribed by the Private Employment Exchanges Regulations of 1963. The objective in this is to ensure that supervision may be exercised over private employment exchanges to see that only fit and proper persons receive a licence and, when such licences are granted, to see that the business is properly conducted. The issue of such a licence entails a hearing before a stipendiary magistrate. Those agencies set up for the purpose of arranging baby-sitters for which fees are paid come within the ambit of the requirements of these regulations.

I understand, however, that the issue is being further examined in some depth by the Co-ordinating Committee on Child Abuse. The membership of this committee consists of the Director, Department of Children's Services, the Director of Maternal and Child Health, the Commissioner of Police and two paediatricians, one nominated by each of the two major children's hospitals in Brisbane. This committee will be making submissions to me in regard to the recommendations made concerning non-accidental injury to children in the Report and Recommendations of the Commission of Inquiry into the Nature and Extent of the Problems Confronting Youth in Queensland.

39. RAILWAY EMBANKMENT AS CAUSE OF FLOODING, FOREST HILL AND LAIDLEY

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

In the face of what Laidley Shire councillors call irrefutable proof contained in photographs on display in the Council Chambers that a 4 km railway embankment had caused flooding in Forest Hill and Laidley townships by obstructing the free flow of storm water, what action has the Government taken to prevent future flooding and recompense those who have lost as a result of the department's actions?

Answer:—

There have been many approaches and strong representations by the honourable member for Somerset (Mr. W. A. M. Gunn), who has expressed concern for some considerable time. However, railway engineers do not share the view expressed by the Laidley Shire councillors. The embankment depicted in the photograph referred to has existed with very little alteration in waterways since the time of construction of the railway and it is not considered that this embankment would cause any back-up of water which would extend to Laidley and cause flooding at that place. The track levels in the vicinity are 20 ft. lower than at Laidley. Investigations have also failed to establish that this embankment has any effect on flooding at Forest Hill.

40. BREACHES OF LICENSING LAWS BY CLUBS AND SPORTING BODIES

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

In the past three years, how many registered clubs and sporting bodies have been called upon to show cause why they should not be dealt with under the State's licensing laws for serving non-members or under-age drinkers or for operating outside set hours?

Answer:—

Bowling clubs	8
Golf clubs	12
Registered clubs	20
Ex-servicemen's clubs	4
Principal sporting clubs ..	2

QUESTIONS WITHOUT NOTICE

INVESTIGATION INTO POLICE DEPARTMENT ADMINISTRATION

Mr. BURNS: I ask the Minister for Police: When will the two Scotland Yard investigators who visited Queensland last year and returned to London for Christmas return to Brisbane to complete their inquiry and report?

Mr. HODGES: Very soon, I hope.

Mr. Burns: We all share your hope.

Mr. SPEAKER: Order!

LOADING FACILITIES AT BRISBANE ABATTOIR

Mr. BURNS: I ask the Minister for Primary Industries: Is he aware of the dispute that is developing at the Metropolitan Abattoir Board over the failure of the planners of the new abattoir to provide updated loading techniques for truck drivers and others who are removing meat from the abattoirs? As the Transport Workers' Union made a request in December 1974 for steps to be taken to provide modern loading techniques and as there is a threat of industrial action if something does not happen, will the Minister take steps to see that men are not forced to carry up to 300 lb. on their own away from the abattoir in future?

Mr. SULLIVAN: I know the dispute exists. Negotiations are going on between the authority and the unions. If the honourable member will put his question on notice I shall give a detailed explanation and bring him up to date on the present position.

Mr. BURNS: I put it on notice.

RENAMING OF ROOM BY QUEENSLAND UNIVERSITY UNION

Mr. PORTER: I ask the Minister for Education and Cultural Activities: Is he aware that the students' union at the university has renamed the J. D. Story Room in the union building as the Whitlam Room? Will he see what power he has to reverse this deplorable rat-baggery by the university's radical Left, which contemptuously denigrates a great Queenslander who had close association with the university, in order to gain cheap political capital by extolling an A.L.P. politician who was judged by the electorate as the most despised and unwanted leader ever produced by any party in Australia's political history.

Mr. BIRD: This matter was brought to my attention. I do not know how it was done, but I can only assume that the usual very small minority rat-bag group, if we may call it that, out at the university was responsible for it. Whether or not I have any power in this matter I do not know. It was suggested to me that, following the change of name to the E. G. Whitlam Room, there was a possibility that the room might be used for toilets. I do not know.

MINING IN AURUKUN AREA

Mr. TENNI: I ask the Minister for Mines and Energy: Would he advise me if mining has actually commenced in the Aurukun area?

Mr. CAMM: No. I have been amazed to read reports by supposedly knowledgeable people that the Aborigines were happy while it was just an authority to prospect, but that once mining commenced they became dissatisfied. For the benefit of the House I might mention that it is contained in the Bill that—

"The Companies shall . . . make environmental studies in accordance with the guide lines particulars whereof are set out in the First Schedule hereto to control the nature and extent of such studies."

The companies cannot commence mining until an environmental statement following such studies has been issued to the relevant Minister who, in this case, will be the Premier. The conditions associated with mining will relate to that environmental statement. The Bill also states that the companies shall furnish reports on the environmental studies relating to it—

"(i) all mining operations and associated activities;

(ii) the refinery referred to in clause 14 of Part III;

(iii) water supply to mine, refinery, harbour and town;

(iv) harbour and harbour works;

(v) town and service routes;

(vi) land required for the purposes of this Agreement;

(vii) smelter."

This all relates to the proper care of the environment. The Bill states further—

"The Companies shall not commence any mining or other development referred to in clause 3 of this Part II unless and

until the Minister and the relevant statutory authorities have approved in writing the proposals of the Companies in relation thereto for the proper care of the environment."

Mr. Jensen: You're reading that from the Bill.

Mr. CAMM: For the information of the honourable member for Bundaberg, yes, I am reading clauses of the Bill, because it would appear that the critics of this mining complex have not taken the trouble to read the Bill themselves to see that before mining can take place a proper environmental study must be made and a statement based on that study presented to the relevant Minister. The First Schedule of the Bill sets out guidelines for environmental studies. These are: description of present land use; determination of areas of special environmental significance; fauna and flora studies; landscape aspect and sociology; overburden management; plant, temporary stockpiles, ponds, etc.; wash water, etc.; and disposal of reject equipment and mine-site wastes. The First Schedule further sets out that the companies will report on—

"Sociological effects of rapid increase in population;

Effects on the natural environment of the region due to increased human pressure and intervention;

Environmental effects of increased waste generation and associated problems of disposal and drainage;

Sociological needs for recreation and aesthetics as a consequence of increased population;

Sociological needs as they relate to indigenous employees."

All that has to be done is contained in the Bill. All this information has to be presented to the Minister before the companies can commence mining. They must consult with various advisory bodies and administering authorities. For the benefit of the House and for the edification of those people who apparently cannot or will not read the Bill before they start making criticisms in the Press, I will just read the list of bodies with which the companies have to consult when they are making an environmental impact study. They are—

"(a) Water Quality Council of Queensland

(b) Air Pollution Council of Queensland

(c) Department of Mines

(d) Department of Health

(e) Department of Primary Industries

(f) Department of Irrigation and Water Supply

(g) Department of Commercial and Industrial Development

(h) Department of Harbours and Marine

(i) Department of Aboriginal and Islanders Advancement

(j) Department of Electricity Supply

(k) Department of Forestry

(l) Department of Lands."

So anyone who reads the Bill can readily see and realise that it provides for the needs of the people of the area and the protection of the environment, and also that it lays down very precisely what the mining companies must do before they may commence mining at Aurukun.

DANGERS OF WOOL-HANDLING DISPUTE TO QUEENSLAND ECONOMY

Mr. McKECHNIE: I ask the Premier: Will he please advise the House and the people of Queensland of the dangers of the current wool-handling dispute to the economy of Queensland?

Mr. BJELKE-PETERSEN: I am sure that every member of the House must be deeply disturbed and concerned about the wool-handling dispute, as it is known, which has held up many hundreds of thousands of bales of wool that are urgently needed in overseas countries such as Japan. Those countries will have to change to other materials in manufacturing their goods if wool is not available, and, in addition, primary producers will not receive money for their wool. Those consequences demonstrate very clearly the callous attitudes of people who are involved in the dispute who are prepared to hold to ransom not only primary producers but also an industry that is of great importance to this country and to other countries. These are the people whom honourable members opposite support. The A.L.P. backs them and supports them whole-heartedly in their general attitudes and actions in this regard. Never once does one hear the Leader of the Opposition condemn or take a stand against these people, because the Opposition is at one with their attitude and approach that hurt so many people.

ANZAC DAY ACT AMENDMENT BILL

THIRD READING

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

RURAL MACHINERY SAFETY BILL

THIRD READING

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

STOCK ACT AMENDMENT BILL

THIRD READING

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

LOCAL GOVERNMENT ACT AMENDMENT BILL

THIRD READING

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

THE CRIMINAL CODE AMENDMENT BILL

THIRD READING

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

INVASION OF PRIVACY ACT AMENDMENT BILL

THIRD READING

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

REAL PROPERTY ACT AMENDMENT BILL

THIRD READING

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

BUILDING SOCIETIES ACT AMENDMENT BILL

SECOND READING

Hon. N. E. LEE (Yeronga—Minister for Works and Housing) (12.9 p.m.): I move—

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

In my introductory speech I outlined most of the main amendments to the existing Act. The amending Bill was introduced into the Chamber on Wednesday last, 7 April 1976. I am sure that honourable members have taken the opportunity to study the comprehensive amendments.

The provisions of the Bill are designed to provide necessary and adequate control of the activities of building societies in this State, and to safeguard to the utmost extent possible the interests of the general public who are members and depositors of building societies in Queensland.

I do not intend at this stage to speak at length on particular provisions of the Bill, as I feel sure that most if not all comments by honourable members were covered in my reply last Wednesday.

There is one aspect, however, which I would like to bring to the notice of honourable members and that concerns the matter of advertising which is engaged upon by societies.

I point out to honourable members that for some considerable time now the registrar's office, at my instruction, has been conducting a complete and thorough review of all advertising used by building societies, with a view to withdrawing approval of advertisements that it is considered may give a wrong impression to the general public.

The objective is to tighten considerably the standards and guide-lines, which the registrar will enforce, in respect of advertising and to ensure that building societies foster and promote those objects for which they were formed.

It is not my intention to speak further at length on the amending Bill at this stage, but I do give notice now that I intend to seek leave of the House to introduce an additional matter relative to the administration of the Act so that arrangements under way to rescue and fully safeguard the interests of members of the suspended societies may be put into effect, and in the committee stage to move amendments, which I am sure have already been circulated.

I commend the Bill to the House.

Mr. K. J. HOOPER (Archerfield) (12.13 p.m.): I repeat what I said at the introductory stage, that is, that the Opposition has no complaint at all with the Bill. It is certainly a step in the right direction. However, as I have said previously, it is long overdue and should have been introduced at the latest in September or October of last year.

Generally speaking, the amendments are a step in the right direction and provide a long-overdue tightening of controls over building societies in Queensland. This should result in greater security for the people who have their money invested in building societies.

I take this opportunity to congratulate the Deputy Premier and Treasurer. This is the best piece of socialist legislation that has been introduced into this Chamber during the four years that I have been here. I commend him for it. Perhaps the Treasurer has mellowed with age, but I have noticed that whenever he introduces a Bill he moves a little further to the Left. For this I congratulate him. If he maintains this rate of improvement I shall recommend that he be awarded the Gough Whitlam Good Conduct Medal.

There is one warning that I would give the Treasurer. I realise that he is a wily old campaigner and possibly does not need any advice from me. Nevertheless I warn him that clandestine meetings have been held between members of the building societies and the Premier and that secret meetings have also been held between representatives of the building societies and members of the National Party caucus. I say to the Treasurer, "Watch your back."

Even though the Opposition supports the amendments, we hope that today will not be a confession of sins day. We hope that we will not simlpy say to some of the crooks who have operated in certain building societies, "Go. Your sins are forgiven. We give you absolution."

Some people, particularly certain directors of the Great Australian Permanent Building Society—the people whose rorts and rackets precipitated the introduction of this legislation—must be punished. I hope they do not go scot-free. I urge the Treasurer and the Minister in charge of the Bill to bring this matter to the attention of the Fraud Squad. The directors of the Great Australian Permanent Building Society and the United Savings and City Savings Building Society should be investigated by the squad.

These amendments will not mean much unless the legislation is properly policed. As Peter Connolly, Q.C., pointed out in his report to the Government a couple of years ago, there is a tendency whenever scandals occur in the business sector for the Government to rush new legislation onto the Statute Book instead of enforcing properly the existing legislation. As I have said on earlier occasions, our legislation in relation to building societies has not been properly policed.

For example, the unhappy position of many investors in building societies arose through seriously misleading ads. Until these amendments come into force, the Government, through the registrar, has control over advertising. But the controls have not been enforced. The registrar apparently approved of hundreds of ads that gave investors completely incorrect impressions of the nature of their investments, namely, that societies were banks (which they are not, although the advertisements suggest that they are). Investments are not at call because the societies' rules allow deferment; investments are not deposits or loans but in reality are shares, and building societies have no legal requirement to repay capital or pay any particular dividend. The provisions in the Bill designed to prevent fraud and false pretences by building societies are long overdue.

While the system continues and while advertisements that constitute false pretences are authorised by the registrar there is little point in providing penalties for the use of false pretences by officers of building societies. I will say that there has been some improvement. I note from the Minister's speech today that improvements have been written into the legislation to prevent misleading advertising by building societies. I noted in the week-end Press that the use of the term, "Government guaranteed loans", which was previously grossly misleading, has been discontinued. But I point out to the Treasurer that the advertisements are still misleading because they do not refer to any fixed term, although the rules clearly provide that societies can defer repayment and so make the term fixed. Some societies have been doing that for a long time.

I have here a copy of an advertisement by the Metropolitan Permanent Building Society that appeared in yesterday's "Courier-Mail", and which is grossly misleading. I shall read an entire paragraph so that I shall not get it out of context—

> "They get a sound, confident beginning by coming to Metropolitan Permanent, because we're the Biggest Building Society in the State, and to back up our claims to rock-solid security, . . ."

That is totally wrong and simply misleading. I ask the Treasurer or the Minister for Works and Housing to use his good offices to have this practice discontinued. The advertisement continues—

> ". . . we remind them that all our home loans are covered against loss with the Housing Loans Insurance Corporation, a Commonwealth Government Statutory Authority. Safe! Permanently safe."

This is important. I hope the Treasurer is listening to me. I ask him to look at this ad and approach the managing director of the Metropolitan Permanent Building Society to make the society conform to the amendments in the Bill we are discussing today.

As I said, societies have been deferring repayments and making terms fixed. That is wrong, and it is certainly misleading to many small investors in these societies who have no great knowledge of finance.

Some advertisements have also included phrases such as, "rock-solid security" when investors have no security because they are withdrawable shares without any legally enforceable rights. Phrases such as "permanent safety" are also included when the facts do not justify their use.

Another provision in the Bill brings the building society legislation into line with the Companies Act. This is long overdue. Had that been done ages ago, some of the rorts and rackets in the Great Australian Permanent Building Society, Australian Permanent Building Society and the Tasman Building Society would not have occurred. In earlier speeches I have said that I believed the managing director of the Tasman Permanent Building Society, a Mr. Colin Sinclair, was less than honest. One Government member said to me in the lobby—I shall not name him—"This fellow is well spoken and he dresses well." Of course he does; that is the hallmark of a successful con man, and that is what Mr. Sinclair is.

I agree entirely with the Minister's comments—it is not too often that I agree with a Minister—made last week when exposing Mr. Sinclair for what he is, that is, a smart, fast-talking con man.

To illustrate some of the rorts that took place in the building societies before the introduction of the amendments to bring building society legislation into line with the Companies Act, I refer to a company named Cadiz Pty. Ltd., with its registered office at 54 Looranah Street, Jindalee. The directors of the company are N. K. Meredith and H. A. Meredith. The shareholders are

Delicia Pty. Ltd. of 62 Dudley Street, Annerley, care of N. K. Meredith, and the auditors are A. W. Fadden & O'Shea. This is a lovely little rort. They received loans from the United Saving Permanent Building Society of $134,998. They received a loan from the Great Australian Permanent Building Society of $102,000, making a total of $236,998. But this is where the rort comes in—they had a paid-up capital of 12 $1 shares! That's not bad—to get loans totalling $236,998 on that paid-up capital.

I turn now to South West Holdings Pty. Ltd. The registered office is again 62 Dudley Street, Annerley. The directors are D. P. O'Shea, P. C. O'Shea and D. Watson. The shareholders are shown as D. P. O'Shea and P. C. O'Shea. The auditor—I ask honourable members to note how the auditors have interchanged—is Neville Keith Meredith of 31 Glencairn Avenue, Indooroopilly. He shifted from Jindalee to Indooroopilly. He sold his house out there, getting a good price for it, and moved to Indooroopilly. They received loans from the United Savings Permanent Building Society of $199,000—and they had the huge paid-up capital of four $2 shares!

Mr. Jensen: That's been going on for years.

Mr. K. J. HOOPER: It will not be going on now. These amendments will stop that. As a matter of fact, these directors should go to gaol.

Gotha Pty. Ltd. again is care of N. K. Meredith of 27 Turbot Street, Brisbane. The directors are D. P. O'Shea, E. Marsden and I. R. Douglas. The auditors are Marsden and O'Shea. Honourable members may have noted from the names I have read out that with different companies the directors and auditors have interchanged; one is a director and the other is an auditor, and vice versa. They received loans from the Great Australian Building Society of $103,037, yet they had a paid-up capital of only 12 $1 shares. How well these three gentlemen have done out of building societies!

Mr. Speaker, two of the crooked companies I have mentioned—Cadiz Pty. Ltd. and South West Holdings—have identical shareholders and directors and, by a strange coincidence, also have the same registered office as Annerley Nursing Homes. J. J. O'Shea and Co., chartered accountants, are shown as their auditors. The auditor of South West Holdings is shown as N. K. Meredith, 31 Glencairn Avenue, Indooroopilly.

What a marvellous thing that would be. If the honourable member for Kurilpa was working for Waltons as accountant and was tickling the peter and then at the end of the year he was appointed as auditor, he would be throwing up his hands with glee. This is what has happened in the instance of some of these building societies. I was using the honourable member for Kurilpa only as an example.

It is quite obvious that South West Holdings is a subsidiary of Nursing Centres of Australia, and the yearly financial accounts have been consolidated. I contend that the appointment of N. K. Meredith as auditor is grossly improper, as he is recorded in the Companies Office as a director and shareholder of Nursing Centres of Australia. The Minister is not listening to me. I do not know what is the matter with him. He is talking to the Treasurer. I want to speak to the butcher, not the block. It must be obvious to the Minister that, when a group such as Nursing Centres of Australia have been permitted to enjoy an unrestrained use of building society funds, the group would have an unfair advantage (as I am sure the Treasurer would agree) in having to pay only building society interest rates instead of bank or finance company rates and having funds available when required. They have been getting away with murder for years. This legislation, as I say, should put an end to their rorts and rackets.

The introduction of a Contingency Fund is long overdue. I hope it is policed properly. I would like to see how it works, because at the moment there is a lot of trouble in the building societies. The Treasurer is going down as the greatest back-door socialist of all time. He is not a democratic socialist, either. He is a totalitarian socialist. He is the devil incarnate as far as some of the building societies are concerned.

The introduction of a Contingency Fund is certainly a step in the right direction and, as I have previously said, it is long overdue. Prior to this Bill, an iniquitous situation existed in building societies in this State whereby borrowers were charged large fees if they repaid their loans early. This new legislation does appear, prima facie, to correct the shocking anomaly that existed under the previous legislation.

One of the larger building societies, too, is not blameless in this regard. I refer to Queensland Permanent. I have said before that Queensland Permanent has a few sins to atone for, and this is one of them. Some poor unfortunate people who came along to pay off their loans early were charged three months' interest before they could commute their loans. The Queensland Permanent would be hoping that all of its borrowers commuted their loans early so that it could charge them the additional three months' interest.

The Minister is also aware that some building societies were operating on the edge of a financial precipice because they broke one of the cardinal principles of business—they borrowed short and lent long. I know that the Treasurer agrees with me on this matter. I do not think that the Minister for Works and Housing understands, but the Treasurer does.

They certainly need fixed capital to provide a buffer against adverse conditions. In recent years, when investors withdrew large

sums of money over a short period, it became obvious that the majority of people withdrawing this money invest in building societies for fairly short periods.

The reputable building societies should welcome this legislation. It will alleviate some of the problems that I have mentioned. However, I suggest to the Minister that the legislation could be further strengthened by making building societies offer fixed-term deposits for three months, six months, nine months or 12 months, with the money being available thereafter on 30 days' notice. The building societies would still be permitted to offer their share-type investments on call. However, the Minister should insist that building societies clearly explain to the investing public the true nature of this type of investment. The restrictions have safeguarded them.

As I said before, the Opposition thinks that this Bill is a step in the right direction. Contrary to what the Minister said the other night, I do not condemn the Bill; I support it.

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (12.27 p.m.): I have listened to the remarks of the honourable member for Archerfield and appreciate that the Opposition realises that this Bill is being introduced for one specific purpose—to ensure protection of the funds of those persons who invested in building societies and have become shareholders in those societies. Because of that and some of the things that have happened, it has been necessary to introduce stringent legislation to ensure that some of the past happenings in the administration of building societies cannot be repeated.

As the honourable member said, the Bill will not be successful unless it is properly policed. During the introductory debate I gave an undertaking in this Chamber that steps will be taken to provide the necessary staff so that what we are now legislating for will certainly be put into effect. I emphasise that, because the Bill relates principally to the five suspended societies and three others that have problems concerning administration, liquidation or deferral of payments for a period in accordance with the small print in the forms signed by people investing in those particular societies. What we are endeavouring to do is to ensure that in future the protection will be there.

I also agree with what has been said by the honourable member for Archerfield on the possibility of there being a feeling that this legislation provides Government guarantees. It does not; it sets up a Contingency Fund so that if problems arise there will be adequate protection for the shareholders.

In recent times I have spoken to the registrar concerning the type of advertisement that has been used in the past. On the radio this morning I listened to one member of a building society indicating to the announcer that the advertisements that have appeared had the approval of the registrar. I believe that possibly that is so. On the other hand, loose wording, if I can use that term, will certainly be eliminated in the future.

I want to deal with some aspects of what this legislation will achieve, because I believe it is very important that after this legislation is passed the media, including radio, should try to ensure that the people of Queensland understand that it is for their protection and that there is no longer need for some of the panic that arose when the five societies were suspended. I would hope that there will be an appreciation amongst investors in building societies that, when the freedom is given to remove their funds if they so desire, the societies being taken over will now have the substantial backing of the State Government Insurance Office, and so there will be no need to panic or to drain the funds of not only the suspended societies being taken over but also other societies.

The Bill was introduced mainly to protect the assets of the five suspended societies and also to ensure that the doors of those societies would be reopened so that we can get back to a situation where, having rescued the societies and having provided funds, anyone who has placed his or her money in a society will receive that money in due course.

From time to time one hears that meetings have been called by a number of society shareholders because they believe that perhaps this or that should not have happened to the society in which they have invested their funds, but I want to say here that all suspended societies have been proven by special audits to be in a deficit situation. However, the shortfalls in each society are to be picked up by the Contingency Fund, and this Bill provides the basis upon which that fund will be established and outlines how the contributions will be made.

The industry was accorded the opportunity of endeavouring to rescue itself. There has been some comment in certain places to the effect that the entry of the State Government Insurance Office into this field has placed some of the societies at some disadvantage. When we ascertained exactly what the position was, it was necessary that some basis of funding be provided, or quite a number of people would lose a portion of their investment. So I held a conference with members of the board of the S.G.I.O. and indicated that the Government was looking for some basis of financing which would not only attract investors but also restore confidence in the building society movement.

Having worked out a scheme whereby the societies could be funded by the State Government Insurance Office, whereby the mortgages could be purchased and whereby we could ensure that, having removed the mortgages, as it were, from each suspended society, we could then leave the shell—in other words leave the loss behind—and

arrange for that to be picked up through the Contingency Fund. However, it would be necessary to have cash available so that this operation could be carried out, and the Government laid down a pattern that it knew could be followed.

I then met the Association of Permanent Building Societies and indicated that if it could raise funds from any other source, I would be quite happy to see it carry out the rescue operation instead of having the S.G.I.O. step in. It is a matter of some regret to me that the industry was not able to do that. It is true that it did put forward a couple of alternative proposals. However, those alternative proposals involved the lending of State Government Insurance Office funds on certain conditions to the societies concerned, and it must be realised that the funds of the S.G.I.O. belong to the policyholders and must be under the control of that office. Therefore, I indicated to the association that not under any circumstances would I be a party to the funds of the S.G.I.O. being lent to an outside board of directors, as it were, without some basis of major security.

Because of that, the association was given a further 24 hours in which to endeavour to solicit the necessary funds. Unfortunately, it eventually had to come forward and say that it could not raise the money other than with the involvement of S.G.I.O. funds. When that became evident to the Government, it then proceeded, through the appointment of administrators to the various societies that had been suspended, to take appropriate steps to ensure that sufficient funds will be available tomorrow to meet any urgent cases, on conditions that have been laid down.

As I said earlier, I hope that those who do not need funds urgently will not panic; ultimately they will be associated with a new society that will have substantial backing from the State Government Insurance Office and so their funds will be extremely secure.

Having reached that point, it became necessary for the Government to decide on what basis the new society would be established. I indicate to honourable members now that the new society will be known as the S.G.I.O. Permanent Building Society, and it will be formed to take over the deposits and the loans of the five suspended societies. The new society, the total assets and liabilities of which will be of the order of $43,000,000 at its commencement, will have, as I have indicated already, the financial backing of the State Government Insurance Office to the full extent of the society's shareholders' funds and deposits in the initial period.

Provision is being made in the rules of the society that the new society may, at its discretion, reduce the total standby facility being provided by the S.G.I.O. However, at all times the S.G.I.O. standby will be not less than 25 per cent of the new society's shareholders' funds and deposits. So there will be a new society established and backed to the extent of $43,000,000, and it will function in the usual way that a building society functions.

There is nothing different in this from what applies to one or two other insurance offices which have building societies associated with them. On that basis we are permitting the State Government Insurance Office to do exactly what is done by private enterprise. We have always held with competition between the State Government Insurance Office, as an insurance office, and private enterprise insurance offices. Most honourable members know that, although the State Government Insurance Office does not pay income tax direct to the Commonwealth, it pays direct to the State Government the same amount as it would otherwise pay to the Commonwealth as tax. So we are all on an equal footing.

Mr. Chinchen: Not on workers' compensation though.

Sir GORDON CHALK: The State Government Insurance Office compensation charges compare favourably with those levied in any other State in Australia.

Mr. Chinchen: It doesn't pay tax on the profit on workers' compensation.

Sir GORDON CHALK: I have not yet succeeded in making a profit through the State Government Insurance Office on workers' compensation. The point of the matter is that it has been necessary to increase premiums to try to keep ahead of the claims and demands. What the honourable member does not understand is that a case might not be completed for two years or so. Therefore it is necessary to have reserves and, at the same time, there has to be protection because very often the value of the damages awarded two years later is entirely different from the basis on which the premiums were initially levied when there was a different wage structure.

Mr. Casey: It should not make a profit on workers' compensation.

Sir GORDON CHALK: Nobody wants to make a profit on it, but sufficient funds have to be provided for claims that are met. The honourable member who is interjecting does not understand the situation. He does not realise that if the Whitlam Government had proceeded with the type of legislation it proposed, we would have had to discontinue that type of operation, but we would have had to provide tremendous sums to meet cases that had not been settled.

There are other matters I should like to deal with now, but I know, Mr. Deputy Speaker, that you propose to suspend the sitting at 12.45 p.m. I am wondering whether it would be possible to adjourn now, which

would give me an opportunity to develop other phases without interruption when we resume.

[*Sitting suspended from 12.44 to 2.15 p.m.*]

Sir GORDON CHALK: Prior to lunch I endeavoured to do two things. Firstly, I tried to get a message across to the people of Queensland and instil into their minds the fact of security within the building society movement. I hope that out of the debate that has taken place we will get back to a feeling of security of investment within the building society movement. If we can do that we will have a return of some of the funds that have been taken out of the liquidity of the societies and, when those funds are returned, they can be put into the production of homes for the people.

Secondly, I indicated the offers that have been made to the industry. While some people think that the entry of the S.G.I.O. into this particular type of operation is in some way undesirable, it is necessary if we are to provide funds and so protect every person involved in the problems confronting the societies.

The only source from which they could become available and which is accessible to me is the S.G.I.O. The industry itself had an opportunity to raise these funds from any other source. It had to admit that that was not possible. If that was not possible, it was a question either of following the procedure that we are adopting or of allowing the people to lose their investments. I think the latter is the last thing that any honourable member in this Chamber desires.

I outlined the way in which I was able to ensure that the S.G.I.O. would provide the necessary funds. I indicated that it would be called the State Government Insurance Office Permanent Building Society. It will be in no way different from the National Mutual Building Society, which is run by an insurance company, or certain other building societies that are financed by other financial institutions.

Mr. K. J. Hooper: It provides a certain guarantee.

Sir GORDON CHALK: And we are providing a guarantee for it.

I indicated that it would be necessary for the registrar to set up a board. The board will have on it representatives of those companies that have been taken over and are desirous of continuing some basis of administration and representation. It will have on it Mr. B. E. Riding, the chairman of the S.G.I.O. board. I have been able to acquire the services of a man who has been associated with building societies from a financial viewpoint for many years. I refer to Mr. B. Vimpani who is a retired manager for Queensland, Commercial Bank of Australia. He has also had experience in the financial world. The next member is Mr. Brian McCafferty, a citizen who has had considerable experience and is a solicitor attached to Messrs Morris, Fletcher and Cross. He is very well known and will be able to administer the affairs of the society. Another is Mr. Ken Allison, who is well known throughout Queensland as a man of high integrity. At the present time he is associated with the Tasman society. Mr. J. Pidgeon, who was chairman of the Family Permanent Society, will also be on the board. Finally, because of the association of the trade union movement and the trade unions in this matter, Mr. Jack Egerton will be the other member of the board. They are men of integrity who will be able to administer this new society and ensure that we return to a sound basis of administration and control of the funds of the people. A general manager and secretary of the society will be appointed. Most honourable members know that applications for these positions have been called.

The S.G.I.O. Permanent Building Society will use the premises, facilities and staff of the five suspended societies to the greatest extent possible. However, it is true that because of amalgamation there will be certain overlapping and duplication which will have to be eliminated as quickly as possible to ensure maximum efficiency. There will be extensive procedures to be gone through, and it is expected that it will take until early next month before the doors of the new society are open for full business. So that the public will be aware of the situation, I have indicated that the dead-line is being set for 12 May.

In the meantime, and as from tomorrow, the State Government Insurance Office has made arrangements to provide funds so that a depositor with the suspended societies needing emergency funds can secure up to one-quarter of his balance but not exceeding $500 to keep him going until the new society is in full swing. As I indicated, that will be not later than 12 May. Any time between tomorrow and 12 May a depositor in one of the suspended societies need simply present his passbook and a withdrawal form at the usual branch at which he has been operating and he will receive funds on the basis I have just outlined. However, as I said, it would assist the operation greatly if depositors not in urgent need did not exercise the right to make an emergency withdrawal. Their money is there if they want it. With the operations of the new society backed by the S.G.I.O. there is no doubt about its security. Furthermore, the full 9½ per cent interest is being earned by their funds now. Depositors will be able to operate normally again in a few weeks, as soon as it is humanly possible to get the new society ready. I believe that this action will benefit the whole industry. It will not only back up those who have run into problems but it will also, I believe, instil confidence in the people, and what is needed more than anything else at the present time is confidence in the building society industry.

The industry generally is having liquidity problems, part of which was brought about by the new 10.5 per cent Australian Savings Bonds, but these are being overcome, and with something like $43,000,000 to $45,000,000 in S.G.I.O. money coming into the building society industry liquidity will no longer be a problem. The new Act provides strict rules to ensure continued viability and good management.

The substitution of this new building society for the five smaller societies can do only good for the industry as a whole. I believe it will stabilise and strengthen the industry and provide that added competition so essential to our whole free-enterprise system. So that there will be no misconception in the minds of the public I want to outline what we propose to do and what we have done. We have done it on the basis of a rescue operation. We have done it because I believe it is the only method by which it is possible to ensure that good Queenslanders—people who in all good faith have invested their money in building societies—will be assured that they will have their money returned to them.

There are two other points I wish to raise, one of them in connection with the Australian Permanent Building Society, which at present is in the hands of a liquidator. The Government has given an assurance that those people who are involved as shareholders will not lose, but it is necessary for the liquidators to go through the process of liquidation, and because of that it could be some six months or more before the final payout will be able to be made to those people.

There is also one other point in relation to the Great Australian Permanent Building Society. Here the society moved in early and indicated that three months call must be given on money. The Government cannot depart from the rules of that particular society, but again I indicate that the position will be tidied up and those people who have funds invested in that society will receive protection similar to that being given in the case of the five suspended societies.

During the recess for lunch, the Leader of the Opposition approached me and asked whether something could be done for persons who have funds in either of those two societies and who are in desperate need. I indicated to him that, as far as I can see, the rules of the societies prevent any payouts at the present moment. However, I will ask my officers to investigate the position.

I believe that the action taken by the Government is in the best interests of the community as a whole.

Finally, I wish to say a word or two about a Mr. Sinclair—a gentleman who has appeared on the television screen in the drawing rooms of many people. After working very many hours, I sat in my lounge and saw and heard that particular gentleman make certain statements to the people of Queensland. That Mr. Sinclair is the same Colin Sinclair, a director of the Australian Co-operative Development Society, who was reported on by the liquidators in "The Courier-Mail" on Saturday last. They reported that loans totalling about $400,000 had been made in instances of utter recklessness. That report was presented to 500 creditors in the City Hall. They estimated that the deficiency is $1,200,000 and that any dividend will be fractional. The liquidators' report also said—

> "Those who are responsible for this appalling state of affairs must be brought to account under the law."

Let us see who are the men with whom Mr. Sinclair is associated. I shall take first the man Muller. He was committed for trial for conspiracy to defraud in New South Wales, and it took the Government of New South Wales three years to unravel the case. I might also mention a man by the name of Knudsen.

Colin Sinclair is a director of the Australian Permanent Building Society, which is now in the hands of the liquidators. The liquidators have advised that Sinclair and/or his service company received unlawful advances from that building society to the extent of about $6,000.

He is the same Colin Sinclair who told two deputy registrars of co-operative societies that the Australian Permanent Building Society was viable and that he would certify to all securities in the balance sheet. Twenty-four hours later the society was placed into liquidation, and the reports indicate a shortage of up to $800,000 in the society which had a capital of only $3,000,000.

He is the same Colin Sinclair who was originally dismissed from the office of director of Tasman Building Society because he had obtained a loan from Tasman Building Society while a director but did not vacate his office as required by section 22F (1) (i) of the Building Societies Act, and it was only the action of his co-directors that forced him to vacate the office some considerable time afterwards. He is the same Colin Sinclair who then, by personal canvass, secured enough proxy votes to tip out the Tasman board and have himself re-elected. He is the same Colin Sinclair who has, as I said, been smiling out of television screens during the recent periods of crisis and indicating that the Government has been doing something wrong. I listened to him on the night that I had to take the action which I did not want to take. He made the statement that Tasman had $2,000,000 in the bank and should not have been suspended. What he did not say was that he had $1,400,000 worth of cheques that had not been presented to the bank and that, if it had been called upon to pay, the deficiency would have been $2,800,000. He is the gentleman who has endeavoured to instil into the minds of some of the people in Queensland that the Government is not doing the right thing. The fact of the

matter is that he is making these statements in an endeavour to indicate that the society is stable.

We have looked very carefully at the reports furnished to us by the various auditors. The Australian Permanent Building Society has provided funds for a company known as Ebbs Pty. Ltd., which is totally owned by the Australian Co-operative Development Society. The money that was lent to that company by the Australian Permanent Building Society was made available for the purchase of land, but as the land was sold off, where did the money go? Mr Sinclair was associated with all three companies. The money did not go back to the Australian Permanent Building Society; it went to the Australian Co-operative Development Society. Where it went then one is left to guess. I have had up to 100 letters from people in the South who have been hoodwinked by Sinclair and Knudsen, and others with whom he has been associated. Yet that gentleman—and I use the word with some doubt—is prepared to go before the people of Queensland and present a picture of stability as being the true situation regarding that particular company. Anyone can read the statements that appeared in "The Courier-Mail" of Saturday, 10 April, which indicate that loans by societies were reckless. The same gentleman has written a letter seeking protection within this Chamber. Each of the points he has raised is snide and with the idea of gaining protection in this Chamber. I have here a letter written by a lady in New South Wales, which is a clear indication of the manner in which that gentleman and those associated with him have operated in this State.

I emphasise that what we have done in trying to protect the industry and the building societies has been done with one sincere desire, that is, to ensure that those people who were unfortunate enough to become involved in some of these difficult operations would have protection. All I hope is that they will learn by what we would probably have to describe as their mistakes or looseness in not realising just what the position was.

My purpose in rising was to outline first of all the basis on which the rescue operation has been brought about. I believe that it will achieve everything that the Government has said. I believe that as from tomorrow we will return to stability and confidence in the building society movement generally. This has not been a business of pleasure to my colleague the Minister for Works and Housing, members of my Cabinet or me. Many hours have been spent on it by top officers of the Treasury Department and the Office of the Commissioner for Corporate Affairs, right down to typists and clerks. We have demonstrated that we can provide a rescue operation. If we can provide that rescue operation, including the setting up of a Contingency Fund, that indicates that honourable members on both sides of the Chamber have an interest in the future of our people and an interest in the provision of homes for them. I hope that the interest rate of 9½ per cent will attract money back to the building societies.

I should not want anyone to believe that the S.G.I.O. is keen to hog the market. I say here and now that, if money is being taken out of the other societies and deposited with the S.G.I.O. society, I will limit the amount of money that the S.G.I.O. society can take. It is not my desire to see a great transfer of funds from the other societies to the S.G.I.O. society.

We are trying to carry out a rescue operation. We have at our disposal the means to limit the intake of funds to ensure that private enterprise and the S.G.I.O. can work hand in hand for the advancement and betterment of the societies and the building society movement as well as for the benefit of the people.

Mr. BURNS (Lytton—Leader of the Opposition) (2.36 p.m.): As our spokesman on housing has said, the Opposition welcomes this Bill. We believe it will do a lot to relieve many members of the community who have had their money threatened, in some ways by the lack of action on the part of the Government. In the past it has failed to control the directors of certain societies as well as the rules of some societies. The Deputy Premier and Treasurer has just launched a clear and concise attack on one of the directors of one of these building societies. One wonders how he was able to operate for so long and to wriggle through our laws and be allowed to get away with this sort of thing.

Sir Gordon Chalk: It took New South Wales three years to catch up with him.

Mr. BURNS: I wonder why, when reports submitted by the Queensland Branch of the Australian Society of Accountants and other bodies have suggested that our rules have not been tight enough, our Companies Office has not had sufficient staff and that we have allowed this situation to develop.

First up I say thank you to the Government members, to the Deputy Premier and Treasurer and to the Minister for Works and Housing, for the work they have done on behalf of those people who, a few weeks ago, were led to believe that their life savings had been lost. I appreciate the action taken by the Government, and I am sure that those people do likewise. But might I suggest to the Government that, when it speaks about societies outside of this Chamber, it should talk not about the five societies or a group of societies but about individual societies by name. If this is not done, the people become utterly confused.

I attended a meeting last night and one last Friday where the report on Mr. Sinclair and his Co-operative Development Society

was tabled at the City Hall. Some people who attended the meeting on Friday quite rightly thought it concerned the operations of the Co-operative Development Society; others thought it dealt with building societies. So it was with last night's meeting. People get the five suspended building societies confused with the eight or the seven. The position must be made clear to them.

Two or three aspects still cause concern. As I understand it, people who have money invested in the five suspended societies will be able to make partial withdrawals tomorrow, and by 12 May the societies will be able to trade in the normal way. I accept the Treasurer's assurance that those people whose money has been frozen in those five building societies will be paid interest on their deposits for the intervening period. So in reality they have not lost anything. I agree that the new building society that is to be created by the S.G.I.O. will be a first-class building society.

Sir Gordon Chalk: Might I make one point? We want to be helpful to one another in this. Where a building society has not made a profit, there is doubt whether under the rules the people can be paid interest.

Mr. BURNS: In such a case apparently some doubt exists about the payment of interest. Where a society has made a profit, it will pay interest; if not, that may not be so.

A lot of people are involved in the Australian Building Society, the Great Australian Building Society and the City Savings Building Society, and they want to know when they will be able to withdraw their money. They, too, have suffered hardship. They know that the Contingency Fund will provide the funds for them, but on the Treasurer's statement it might be six months before the Contingency Fund has enough money in it and before the liquidators submit their reports. Might I suggest to the Government that these people be given some money in the meantime to pay their bills? They will need money to pay income tax assessments, rates, rent, insurance and even their grocery bills. I know of some investors who are receiving assistance from the Society of St. Vincent de Paul. They are told daily that eventually they will receive dollar for dollar what they invested.

I have been told that last Friday staff of the Tasman Building Society were told that they were to be sacked. Some of them have had no assurance at all about long service leave and sick leave entitlements. I rang the office of the Minister for Works and Housing yesterday about this and I thank him for making a statement on TV. However, I think we should once again make it very clear to these people that they will not become casualties of the mismanagement of some societies and the problems that have been created.

Most of the questions asked last night at the public meeting I attended concerned the Bowkett societies. The Treasurer in his introductory speech referred to a period of 10 years. He also said—

> "It will be hived off into one society. An administrator will be appointed and a new entity administered until the conclusion of, say, the 10 years involved."

Sir Gordon Chalk: It can go up to 10 years.

Mr. BURNS: I am an investor in a Bowkett society. Last night, for the first time, I had a clear explanation of exactly how it works. People were sold Bowketts on these terms—

1. Save at a specific rate each month for (1) 10 years or (2) up to 25 years. This entitles the member to—

   (A) take part in a monthly ballot for an interest-free loan applicable to their plan or a cash equivalent.

   (B) at 10 years all savings may be withdrawn in full together with profits. All entitlements then cease.

   (C) continue after 10 years and withdrawn at any time thereafter at the conditions in (B).

   (D) continue until 25 years have elapsed and receive—

   1. all savings in full with profits.
   2. an interest free loan or cash equivalent as in (A).

People want to know if those conditions will still apply? I do not want the Treasurer to answer me now; that will take up my time. Maybe the Minister for Works and Housing can answer my question in his reply. Investors want to know, now that they are going into the new Bowkett society, whether all those conditions will prevail or whether there will be some watering down of the 25 years.

Sir Gordon Chalk: They are only taking the Bowketts that are in there at the moment and putting them into the one pool and finishing them off.

Mr. BURNS: Do they gain all the privileges that they were promised originally?

Sir Gordon Chalk: The Bowketts will continue as is. If there is a loss in the Bowketts, well, it is their's.

Mr. BURNS: Having made those submissions and trying to clear up a few matters raised with me by some of my electors and other people involved in societies, might I say that this Bill marks the end of attacks on the Labor Party for its socialist policies. When I read clause 38 (c) and some of the other clauses, I thought that I might put this Bill in a glossy cover and take it around Queensland with the title, "Socialism at Work"—"produced by Joh Bjelke-Petersen, Sir Gordon Chalk and Norm Lee." No longer will Government members be able to criticise socialism. Last year Government members charged the Labor Party under Gough Whitlam with socialist taint and with aiming at attacking businesses and taking them over. When I read that clause I realised that,

compared with the authors of this legislation, Whitlam was a weakie. He was a socialist piker compared with the three legislative musketeers who pose in this Parliament as the champions of private enterprise.

I ask Government members to study clause 38 (c) titled "Transfer of Engagements or Property by Direction of Registrar". That is not even democratic socialism: that is stand-over socialism. It gives an open licence to Cabinet, through the Housing Minister and the Registrar, to nationalise building societies whether they like it or not. Without consultation to determine their attitudes, the societies are being subjected rigidly to the whims and controls of the Liberal-National Party Big Brothers. They can be forced to amalgamate.

Government members should no longer run around the State charging Labor with interfering with free enterprise and competition. I ask the Premier not to base his next campaign on an assault on the socialist brothers in Canberra. An examination of clause 38 (c) discloses who the real socialist brothers are. They sit on the Government benches in this House today. They are implementing a socialist scheme to take over a group of building societies and they are implementing a clause which says that the registrar can tell the societies to amalgamate, that the registrar can tell them to give property over. The registrar can direct them completely on these matters. The old story about the socialist tigers being on the Left wing of the Labor Party is dead and gone; the socialist tigers are now sitting in the Liberal and National Parties in this House.

Under these provisions societies' property and financial engagements can be confiscated or severed without reason. They can be transferred against the wishes of the directors or the shareholders. Nothing could be more totalitarian, nothing more dictatorial!

This year, the Liberal-National Country Parties, by offering a 10.5 per cent bond rate—I don't care what honourable members tried to tell me the other day about it—fabricated a crippling crisis. Mr. Lynch caused the run on the societies; he was responsible for the problem. It was an emotional, frightening crisis in the building societies.

Last night on T.V., I saw a building industry man named Kelly, who, in very clear words, made it plain that he believed that not only the Federal Government but also the State Government were to blame for many of the troubles.

Societies that were enjoying a healthy growth rate at the end of last year have been brought to the brink of collapse and trapped in a liquidity squeeze that inhibits their lending money for home-building, in most cases, before September.

While I am on that matter, let me say that I think we made a mistake in giving $20,000,000 to the Commonwealth Bank for housing. I have heard the Minister for Housing on a number of occasions say that he is in a lot of trouble with the Housing Commission; that he wants more money. The Government is talking about sacking people in the Works Department. Why could we not have taken that $20,000,000 and put it into the co-operative housing societies through the Housing Commission or put it straight into the Housing Commission itself? That would have guaranteed the employment of the day-labour staff. From what I see of the prices quoted in the Housing Commission annual report, Housing Commission homes are produced more cheaply and in many cases at much better value than many of the houses built by operators who will have to borrow through the Commonwealth Bank and then build their spec homes and sell to the community in general. I believe it would have been better for that $20,000,000 to go straight to the Housing Commission instead of to the Commonwealth Bank.

This legislation could make societies inoperable. Building societies will be administered by laws that can be used to demand their destruction. The Government can decide whether we have one society, two societies, three societies or 103 societies. It can dictate whether they amalgamate, when they amalgamate and with whom they amalagamte. Of course it is socialism—and it is not even thinly disguised socialism.

I wish to talk about the directors, too. Remarks have been made about Mr. Sinclair. Last Friday I went to the City Hall to listen to a report by the liquidators of the Australian Co-operative Development Society. If honourable members have never been to a meeting at which creditors and shareholders are called together in a liquidation, they should go along to one. It is an education. It will bring members down to what the world is all about outside this Chamber. It will show how our legislation is implemented.

The liquidator stood up and read out to the meeting a report that I have here. Half of those present did not have an opportunity to follow it, as they were not given a copy. However, it was very clear right through that what the Treasurer said today about directors in that particular society is correct. I do not believe that the clause in this Bill relating to directors is strong enough, especially after hearing what went on in the society about which I am speaking.

For example, they were lending to themselves on securities of a third bill of mortgage over a house. One such bill was for $63,795. $16,000 was lent for a boat and $45,000 on properties——

Mr. Casey: You wouldn't get that much on a third mortgage on Parliament House.

Mr. BURNS: No! But on a third mortgage on an ordinary suburban house, they got $63,795.

What the Treasurer said was quite correct. They bought a block of land for $20,000, on which they put $1,000 down. I am not

certain that even the man who owned the block of land got a fair deal out of it. Eventually, after passing from one company to another, that was sold for $400,000. The money came from the public, but the profit was not passed on.

The liquidators made several points. They said that a substantial amount of the overhead expenses in the operation of the Australian Permanent Building Society and Bowkett was borne by this society in unlawful and improper circumstances.

Sir Gordon Chalk: That is what's happening. They are transferring——

Mr. BURNS: I do not think the Government has covered it in the clause relating to directors.

Sir Gordon Chalk: I don't think we have.

Mr. BURNS: It has to be covered. The liquidators said—

> "The only explanation that could be offered for this is that those who control the Australian Permanent Building Society were interested in producing a profitable trading situation in the building society at the expense of this society."

They are talking there about the Australian Co-operative Development Society. They continue—

> "In the opinion of the liquidators it is contrary to the public interest that there should be any common directorate or other link through one or more of these societies or building societies which in effect may allow the affairs of one body to be manipulated for the benefit or detriment of another."

Might I make this point? In the Morningside office of the permanent building society in my electorate a gentleman was standing at the counter every day when the poor old pensioners came there to deposit their money, saying to them, "Look, don't take 8½ per cent. I can get you 12½ per cent." He never once suggested that it was not in the permanent building society. He said all the time that it was on fixed deposit. One gentleman who was at the meeting last Sunday—he is in hospital now—had left the money on fixed deposit for his eight year old son. He was told, "If you put it in for 15 years, you will get 15 per cent interest and we will give you fixed deposit", a term used by banks, the implication being——

Mr. Jones: It was fixed, all right.

Mr. BURNS: Well and truly fixed. "Fixed" was the operative word. The point is that these offices acted as agents in this way. Some societies are now acting as travel agents. I must admit that travel societies seem all right, but might I suggest that the idea of a building society acting for any other group in any other way only puts the imprimatur of a building society on that operation, as it did with this Co-operative Development Society.

The liquidators also said—

> "The society granted a mortgage in favour of Australian Permanent Building Society to secure an amount of $150,000 which was advanced by the Building Society to enable the Society to buy the land. Under that mortgage a further $350,000 was advanced allegedly to the Society by Australian Permanent Building Society. However, this amount of $350,000 in effect represented losses incurred by Australian Permanent Building Society which were lumbered on the Society and in view of the fact that this sum was secured by the mortgage it did not become necessary for Australian Permanent Building Society to publish the loss represented by the amount so secured."

In other words, the A.P.B.S. figures that were being shown to the public were crook. They were saying that the money was lent to them by another society. The other society did not have any money or security on the funds. There was a lot of transferring from one company to another. The directors that the Treasury people were talking about, including Colin Sinclair, have been mentioned by the honourable member for Archerfield in this Chamber for the past 12 months.

It is a fact of life that during that period the directors of one or two building societies have had a field day with the ordinary little worker who "banked" his money in their particular building society and was conned by a good salesman. Some of the salesmen have quite a hide. Last Friday, one popped up and issued the first challenge at the City Hall. He was one of their ex-salesmen and he asked the chairman what right I had to be there. Luckily I had a proxy covering a dollar share that these very salesmen had been selling.

The question of interest rates worries me. In this case the Government has been less than fair to the people who have been borrowing. I know that the first proposal of the Treasurer was that we would reduce the interest payable to the people who were lending money. The people who are lending the money and obtaining the security from this new Contingency Fund are the ones who should be paying. I do not know that the man at the other end who bought his home five years ago, 10 years ago, or even 12 years ago should be having to pay; the problem is not of his making at all; but he is going to pay an extra three-quarters of 1 per cent. Whether he likes it or not he will pay that out of his pocket. He has been forced to pay for Mr. Sinclair's operations or the operations of the two or three societies that are in the hands of liquidators as against the others. I do not believe that he should have to pay.

Last year before the 13 December Federal election, the National and Liberal Parties promised reductions in home interest rates.

Sir Gordon Chalk: We did.

Mr. BURNS: Yes, of course they did.

In the four months since that election, those rates have risen twice and both rises have been a direct result of the policies of the very same political parties that cynically guaranteed reductions.

Sir Gordon Chalk: I could not control the 10.5 per cent Australian bond issue.

Mr. BURNS: It was done by a member of the Treasurer's party. I could not control Mr. Whitlam but the Treasurer hung him around my neck day after day in this Parliament. I am hanging Mr. Lynch around his. Mr. Lynch created this and the Treasurer has no control over his own party.

Sir Gordon Chalk: I made a public protest just the same.

Mr. BURNS: I made a public protest in my day, too, but that did not stop the Treasurer getting up on the stump during the last election and it will not stop me in the Clayfield by-election from reminding the people of the promises made by the Premier and Treasurer in December.

As a result of the rises in interest rates, a couple with a $15,000 loan from a building society last December must today either repay an extra $150 a year in interest or extend the term of their loan. In 90 years the laws to protect the shareholders of societies have been amended only 11 times (including the changes now before us) but in the past five years alone the interest rates have been varied 10 times by the present Government. They have, in that period, increased from 7 to 11¾ per cent. A couple who entered a $15,000 loan in April 1971 now find themselves repaying an extra $713 a year—almost $14 a week.

Throughout this five-year period of uncertainty, inconsistency and fluctuation, the only administering body over interest rates has been the National-Liberal Parties in this State. They have approved every rise and must accept the guilt for the higher repayments and financial discomforts suffered by home buyers. This continual variation of interest rates affects not only those buying a home and those planning to buy a home but also those living in rental accommodation. Last night, on the television programme "This Day Tonight", during the segment on rental accommodation, people were told that their rents will go up as a result of this. The $20,000,000 from the Commonwealth Bank would have been better in the hands of the Queensland Housing Commission. This should have happened instead of the money going back into the Commonwealth Bank with the resultant delay in lending. It is an unavoidable fact that, as home purchase costs are inflated by Government policy, then rentals of flats, home units and homes must spiral as well.

The National-Liberal parties have inspired instability and hardship for thousands of Queenslanders. They have increased depression in a high-employment industry that is already gripped by rescession. So Queensland couples have twice this year been forced to pay more to rescue building societies from Government-conceived crises. Now the same dinner-suit socialists are trying through this legislation to nationalise the very industry they have been so intent on destroying. In addition, the Fraser Liberal-National Country parties in Canberra have in the past fortnight removed the right of Queenslanders, after the first five years, to claim interest payments on mortgages as taxation deductions. So we are going to tighten the noose around the neck of the worker paying off his home. The effects of this action will be felt over a lingering, lasting period because most of the homes today, as we indicated when the interest rates went up, will be paid off over a longer period. So the Liberal-National Country Parties in Canberra have said, "Well, for five years we will give you a taxation deduction and for the next 25 years you can pay the full tax." That is a product of some of the policies that were promised to us. The Liberal-National Parties' philosophy today on home-ownership, home purchase or home-planning is higher taxes, higher interest rates, Government control (but not Government guarantee) and fewer homes, flats and home units.

One of the things that came out of last Friday's meeting, and one of the things I must applaud the Treasurer for saying in his introductory remarks, was the idea of appointing a further six inspectors. I do not know whether the Treasurer has a copy of the report on the Australian Co-operative Development Society, but it is very clear from reading through it that these people were able to manipulate the situation willy-nilly. As the Treasurer said, Sinclair, in reply to a question as to whether both societies were solvent, was able to say that they were. In this context, "both societies" meant the Australian Permanent Building Society and the Australian Co-operative Development Society.

Sir Gordon Chalk: He got one liquidator kicked out, pinched the books and then got another liquidator appointed.

Mr. BURNS: That's right. Again, it calls for inquiry how on Friday night a judge could place the society into a liquidator's hands and then on the Sunday afternoon another judge could take that society out of the liquidator's hands. Between then and the next week the liquidator said that books were lost and records were changed, and, surprisingly enough, it then went back into liquidation again and all these people found that they had lost their money. Now, there has to be something wrong with our law or there has

to be something wrong with the way we operate it if people can manipulate our laws like that.

Can honourable members imagine the feelings of the people sitting in the City Hall last Friday morning when this man stood up and read these things out coldly and dispassionately? He said, "Yes, the judge on Friday did issue control to the liquidators. We spent all day Saturday getting all the books out and on Sunday afternoon another judge said, 'You hand those books back' and we handed them back by the Monday, and a week or 12 days later when we got the books they had been changed and some of them were missing. We have to report to you that they are $1,700,000 in debt and we possibly have $500,000 in assets. We are not too sure about that because $400,000 of that is in doubt and you might have only $100,000 in assets."

I asked him, "How much will battlers get in the dollar on the money that has been invested?" He said, "It will be fractional." When I said, "Would it be 10 cents in the dollar?" he nodded. He did not nod his head "Yes"; he nodded his head the other way and said, "It will be fractional." I am not sure what he meant by "fractional"; but I think those people may receive one cent in the dollar. He might have meant a fraction of a cent in the dollar now that I come to think about it.

But the point is that people want to know how, under the laws that we administer, these things can happen—how money can disappear in that way, how books can disappear and how people can lend money from one company to the other, backwards and forwards, without anything being done about it. It comes back to the need for a company fraud squad, it comes back to the need for a team of auditors and inspectors to carry out spot checks, because this liquidator said that in his opinion at no time since the society started was it ever viable or solvent.

Dr. Lockwood: That's what I said about Capricornia, the same set-up.

Mr. BURNS: The same thing. We need a company fraud squad—a team of people who can go into these areas. It is not good enough when people like the honourable member for Archerfield raise questions in the Parliament for us to accept an answer without really checking it out. As we go along, we find that some of the things we were worried about six months ago had been happening for up to two years before, that people were being robbed and that people were passing money backwards and forwards without any trouble and that the people who have been named in the debate were named last Saturday as having lent each other $16,000 for a boat and $63,000 on a third mortgage on their home. It was going on and on.

As I said at the beginning, the Opposition welcomes the Bill because it will help a lot of little people to get their money back. As far as I can see, it will provide for the building industry of this State a secure and stable building society industry, and that is needed if there is to be a strong building industry and if people are to get homes. It is needed also if people are to invest in the industry, because they must believe that their money is sufficiently secure that there is a strong probability that it will come back to them, that they are not simply pouring it into a bottomless pit, as the liquidator said in the case in question.

Although the Opposition welcomes the Bill, it believes that there is a need to strengthen a couple of clauses in it. We have no objection to what has been done in this latest bid to repair the damage, and those people who, from tomorrow on, will be receiving money have to say, "Thank you very much" to the Parliament as a whole—not just to the Government, but to the Opposition and everyone else who has tried to participate to ensure that people get their money back. I think that some move ought to be made to assist those people with small sums of money tied up in G.A.P., A.P.B.S. and City Savings Building Societies who are worried about liquidity problems. If we protect them and guarantee security for investors, perhaps action can be taken straight away to build up enthusiasm, put a spark back into the home-building industry and give the people of this State who want to buy a home the opportunity to do so.

Mr. CHINCHEN (Mt. Gravatt) (3.2 p.m.): It was not my intention to enter the debate, but when the Treasurer said, after I made an interjection, that I did not know what I was talking about, I thought I should explain the situation as I see it.

The Treasurer said—and rightly so—that the S.G.I.O., which he was building up at that time, did not pay tax but allowed an equivalent amount of money to go to Consolidated Revenue. That is correct. By interjection, I said, "But this does not apply to workers' compensation." Then there was a strange sort of performance in which I was personally attacked and told I did not know what I was speaking about. Then an attempt was made to say, "Well, of course, they have contingent liabilities and these have to be looked after." Rightly so! Every insurance company has contingent liabilities; every company has contingent liabilities.

To prove the point that I was making, I should like to quote from the 1976 Separate Report of the Auditor-General upon the Accounts of the State Government Insurance Office (Queensland) for the financial year 1974-75. Under the heading "Taxation" it says—

> "The Office is exempt from taxation under the Income Tax Assessment Act 1936–1975 (Commonwealth) but payments, being the equivalent of income tax, are made annually from the Life Assurance

> Fund and the General Insurance Fund to the State Treasury for the credit of Consolidated Revenue Fund. No contribution is made from the Workers' Compensation Fund."

That is very clearly stated, and that is all I said. My words were that it does not apply to the Workers' Compensation Fund.

Mr. Jensen: The Treasurer said you did not know what you were talking about.

Mr. CHINCHEN: That is right, and I am quoting from the report to show that what I said was accurate.

On page 5 of the same report, under the heading "Workers' Compensation Fund", it says—

> "The net surplus of $10,445,648 for the year was distributed by a transfer of $7,449,464 to the Workers' Compensation Bonus Distribution Account . . ."

There is a net surplus. In any other organisation that would be considered a profit. Honourable members are aware that contingency funds must be available to take care of contingent liabilities. The point is that a profit was made on workers' compensation, and that was the only point I was making——

Sir Gordon Chalk: Don't walk in any further.

Mr. CHINCHEN: The honourable gentleman had thousands of words to say; I ask him to give me a chance. I was told, in effect, that I was talking a lot of nonsense. I think I have proved by quoting from the report that what I said was correct. No contribution is made to the Consolidated Revenue Fund in the form of taxation from the Workers' Compensation Fund. That is accurate and correct, and that is the point I care to make in regard to that.

As I am on my feet, I might refer to the question of building societies in Queensland. In general I am very disturbed and concerned because the building industry is going to be knocked to leg as a result of the breakdown of confidence in building societies in this State. Why is it happening in Queensland? Four or five years ago I was privileged to attend an international conference on housing and loan societies involving 47 countries. There were just on 2,000 delegates present. The conference was held at the Wentworth in Sydney, and it was a wonderful occasion. I learned that building societies are operating very successfully in small and large countries throughout the world, purely by the simple method of accepting funds from small people and allowing those funds to be used for the building of homes, normally again for small people. They are performing satisfactorily everywhere, the reason being that the societies are operating in the market-place, generally speaking. In other words, they offer a rate of interest that will attract funds, and with minimal administration costs those funds are handed out to people to buy homes. Delegates from America, West Germany, South American countries and elsewhere all told the same story.

I am inclined to think that in this State we have got into the problem of a little bit of over-control. There are two forms of control: administrative control and operating control. I agree that there must be tight administrative control; that is essential. Here we have made the problem by not having enough control at the administrative level. In the operating area I think we have created hardship, particularly with increased costs in recent years. Perhaps that has forced some of the organisations to move into areas where they should not have moved. The pressure has been there for them to survive, and therefore they have adopted these wrong attitudes.

I think we are unique in that we have held rates at the bottom and top ends, and have not allowed the societies free rein. They have to attract money and they have to lend it out. When they are operating in a competitive field, they cannot charge too high a rate or it will not be accepted. After all there are banks, insurance companies and rival building societies. We have learnt that story from the other States, where building societies operate satisfactorily. No other State has encountered the situation in which we find ourselves.

Another thing that worries me is the basis of involvement of the State Government Insurance Office. As far as I knew, the S.G.I.O. was going to provide funds on a certain basis. Of course, because Government back-benchers have not been privy to the arrangements being made, I did not know that basis, and probably that was correct. However, I understand that by some arrangement the S.G.I.O. was going to be involved until such time as the Contingency Fund could take care of the problem for those societies. From the Treasurer's speech today I gather that in effect it will be a take-over.

I am not sure about that, and I would like clarification. Is it a matter of the S.G.I.O. helping out in the meantime or is it that the S.G.I.O. will become a large building society in its own right? With its enormous financial backing, it would be in a much superior position to that of all the other building societies. If that is to be the case, it somewhat horrifies me because it would mean that all other societies would be at a great disadvantage. I am not clear on the point. I just do not know the answer to the problem.

A previous speaker referred to the authority to demand—a bureaucratic demand—that certain things happen, such as amalgamation. Perhaps if there were some appeal this could be regulated other than by a demand of an individual or two individuals. That would make for a much happier situation. We are in a very difficult spot, but I know that if building societies are able to handle their own affairs with administrative control, and operate in the market-place, we will

have the people's funds being used by others for the benefit of housing. I should like to see that happen; it happens elsewhere. I am inclined to think we are heading in the wrong direction.

Mr. JENSEN (Bundaberg) (3.10 p.m.): I am delighted to take part in this debate. I was most interested in the Minister's comments. He made three most important points. They were, firstly, that the Bill was designed to safeguard to the utmost possible extent the interests of the general public who are members and depositors of Queensland building societies; secondly, there would be a thorough review of all advertising used by building societies with a view to withdrawing advertisements that may be considered to give the wrong impression to the general public; and, thirdly, the Bill would ensure that building societies foster and promote those objects for which they are formed.

Those were the three most important points made by the Minister, and they have been backed up by the Treasurer, who put forward other important facts and figures.

The Government has done the right thing in bringing the S.G.I.O. into the building society movement. In 1972 I asked the then Minister for Housing to create an S.G.I.O. building society. My purpose was to keep interest rates down. I thought that the S.G.I.O. would offer security to investors and that they would be happy with low interest rates, which would naturally be followed by low interest rates to borrowers.

As I said at the introductory stage, people who are after security are not seeking high interest rates. I am talking now about short-term investments. The Commonwealth Savings Bank pays interest at the rate of 4½ or 5 per cent. In contrast, building societies were offering nearly double that rate, or 8¾, 9 and now 9½ per cent. And this is paid on daily balance. The savings banks pay interest monthly. I suggest that building societies could offer real security at an interest rate of only 2 per cent above that paid by the savings banks.

At the present time the borrowers are not getting a fair go. It is wrong that a young couple who are building or buying a home are required to pay interest at the rate of 11½ per cent. If a building society were able to offer real security, investors would be happy with 6½ per cent interest, and the borrowers, in turn, would be required to pay a lower rate of interest.

Although the Contingency Fund will offer greater security to depositors, their investments are not Government-guaranteed. At least the S.G.I.O. will provide some form of Government guarantee. Back in 1971 I referred to Queensland Syndication Management and Mutual Home Loans. The Government closed down both those organisations. They were robbing the public, including pensioners and people on superannuation. On that occasion I referred to the interest rates that were charged and asked that they be fixed. The Government did a good job by fixing them. However, since then the interest rates have risen from 6½ to 7 per cent, later to 7½ per cent and now to 9½ per cent. These increases place the borrowers at a serious disadvantage.

I turn now to the Bowkett societies. The Treasurer has said that they will continue to operate.

Sir Gordon Chalk: The Bowketts will operate under a separate set-up.

Mr. JENSEN: They will continue?

Sir Gordon Chalk: The 63 Bowketts will continue until they run out.

Mr. JENSEN: I do not know much about the Bowkett societies. I do, however, know what Mutual Home Loans was up to when I raised that matter some time ago. The managing director of that concern, Mr. Reynolds, threatened to make me apologise and to sue me. However, I told him to read the Criminal Code.

Although I warned my daughter about putting money into certain things, she invested in a Tasman Bowkett. People put their money into these societies because they are a gamble. If they draw the right number, they get an interest-free loan or a cash bonus. This scheme is similar to the disgraceful Mutual Loans scheme. In that instance, those who were in the know got the first draw.

Mr. K. J. Hooper: Do you believe that people, instead of wasting their money in a Bowkett, would have a better chance in the Golden Casket?

Mr. JENSEN: Yes.

The point is that they pay in and collect interest. At the time I raised the Mutual Loans matter, it was not paying much interest; it was a complete racket. The people who are in a Bowkett society are paid interest, but I do not know the rate. As well as receiving interest, they have a chance to draw and, on that basis, they take a gamble. Although I warned my daughter against building societies—which cannot give a guarantee—she has a few hundred dollars invested in a building society. On other occasions I have mentioned that I invested in a building society and that I drew my money out when I thought a depression was in the offing. I said to myself that, if ever there was a depression or a war, God help those who have money in such schemes and cannot get it out in a hurry. I have always watched money I have invested in this way. When I thought there might be a depression, I took it out and put it in two-year loans at a better rate of interest.

People who invest short term should be very careful, especially if it is a fair sum and it is invested in building societies. It is all very well to say that they are safe and that the Contingency Fund provides a backing. This fund will make investments much

more secure and that is why we support the legislation. But society investments will not be Government-secured. Unlike Commonwealth bonds no Government guarantee is involved. Likewise, they cannot be compared to a Commonwealth Bank term loan. However, societies have to continue. Over the years we have asked for security of investment in building societies. Time and again we have brought the matter up. Although the Bill is belated, we support it.

As the honourable member for Archerfield said, the Minister could have done something about building societies six months ago. It is not right to let crooks continue their activities after they are named in this House. They should be investigated, not whitewashed. The Minister should not throw dirt at the honourable member for Archerfield when he should be investigating the crooks and bringing them to light. The Minister could have investigated these societies six months ago. The Government took action in 1971-72 when I made complaints about Queensland Syndications and Mutual Home Loans.

Their activities were suspended, and that is the best thing the Government ever did, but it waited too long in this instance. The Treasurer is now saying that the Government has done the right thing. Of course it has, but its action was very belated. The Treasurer knows that the Government has let these activities continue. It is a shame that they have gone on so long that people have become frightened and will not invest. It may take one or two years before they become complacent and invest again. When a depression or a war is likely, there will be further fears.

The scheme involving the S.G.I.O. is one of the best that the Government has implemented. I hope it will compete and bring interest rates down from 9½ to 8 per cent for investors. I would invest at 8 per cent rather than 9½ per cent if the 9½ per cent investment was not Government-controlled. I would invest at any time at 8 per cent and let the borrower get money at 9½ per cent rather than 11¼ per cent. The people of Queensland would be much better off with money on those terms. The people who invest their money in these societies do not care two hoots about the poor fellow who is buying a home. As I said the other day, they are only little capitalists trying to get as much as they can. As soon as they get into trouble, they run and squeal to the Treasurer, to me or to any other member of Parliament about losing their money. They are gambling on the poor person who has to borrow money.

The best move the Government ever made was to bring in the S.G.I.O. I am against what the Treasurer said a minute ago about limiting the proportion of business the S.G.I.O. takes. I hope that the Treasurer will not limit its operations, but rather will let it get all it can, bring down the interest rate and make the investment more secure for depositors. The main thing is to reduce interest rates for the borrower so that he can afford a home.

Mr. PORTER (Toowong) (3.21 p.m.): I enter this debate with extreme reluctance because I accept, as we all do, that this is an area of great sensitivity. When one is dealing with the savings of a lot of little people—very often their life's savings—one is indeed reluctant to do anything at all which might imperil the safety of those savings. Nobody wants to aggravate a delicate situation; certainly I for one do not. I did not enter the introductory debate and I would not have entered this debate but for the fact that a new factor has been injected into it.

Financial confidence is a very dicey thing. I always think of something like a flock of birds resting on a telegraph wire. Something scares them and they fly away, and it may be a long time before they decide to settle back again. Financial confidence is like that. It is very shy. It has a very mercurial quality about it. It will not be restored merely by the passage of legislation through this House, by anybody repeatedly telling people that their money is safe or by any manoeuvre organised to take over a number of companies which are regarded as being in deficient circumstances.

If confidence is to be restored—and at best it will be a long haul doing it—it will only happen when people actually believe something (not merely when they are told it but when they believe what they are being told) and when they believe that what is being done is in fact in their best long-term interests. By that I mean the long-term interests of the investors, the borrowers and the community in general, because the overall community is heavily dependent on the good health of building societies, which are responsible for so much home-building, and on a good home-building programme in very large degree depends employment and prosperity in this State. It always has; it always will. The building industry is a barometer of what is happening in industry and commerce in general.

So I say that for me it is absolutely essential that people do not wonder if, under the guise of a rescue operation, an opening is being created—or, if an opening is not being created, then let us say an opportunity is being seized—to make what I believe will prove to be a fundamental and a lasting change in the whole building society scene.

Mr. K. J. Hooper: For the better?

Mr. PORTER: No, I do not think it is for the better, and the fact that the gentlemen opposite are so vociferous that it is for the better does not calm my fears. After all, I know—and this, too, has been said by speakers from the Opposition—that a great many people believe that undoubtedly the erring societies have contributed to their own problems. But people believe that so also

did we in this Parliament, because people believed—and I think that, in the absence of assurances to the contrary, they were entitled to believe—that constant checks and controls existed to ensure that the societies and their executives were kept to a strait and narrow path. Therefore, if there is now trouble for some of the societies, people believe that at least in part it is our fault also.

Without doubt, the overwhelming bulk of this Bill is to be welcomed because it will ensure that what people thought was happening will indeed happen in the future, and that is a very good thing indeed. But it is not surprising if most people believe that a rescue operation mounted through this Government will be aimed at retrieving a situation we thought should not have happened. Certainly, people can be excused for being somewhat surprised if they discover that this is not merely a rescue operation alone but rather something that opens a vital door and admits the S.G.I.O. into the building society field. If anybody does not think that that will change the nature and the scope of the building society field to a degree that we are not yet able to perceive, I suggest that he is either very simple or wants the changes that this Bill will make.

Why must we have a rescue operation that has significant strings attached to it? One is led to believe that the actual sum needed to make the five suspended societies operative again was just under $6,000,000. The largest part of this was in the Bowkett societies and not in the ordinary lending society side of the operation. After all, on past occasions, we rescued the A.L.P. Lord Mayor (Clem Jones) with sums not much less than this. We have been told that the Housing Societies Association was unable to come up with any alternative plan for financing the Contingency Fund to get the suspended societies out of trouble. But we have not been told any details of this. The Housing Societies Association maintains, even at this late stage, that it did have a viable proposition for using S.G.I.O. funds, but having them used through the building industry—the building societies.

I wonder if the Treasury made any approaches to see if the trading banks would assist with this. We do not know. I believe that the trading banks must have a sympathetic appreciation of this problem, and the sum is not a great one when we contemplate what Governments are involved in. If the S.G.I.O. is going to acquire the mortgages and take over the assets of these companies, in one fell swoop it will shell out $45,000,000 or something of that nature in the operation. To me that seems a decision of very massive proportions.

What is being presented here, in my view, is very different from what many expected. I believe it is different from what I was led to expect. I believed that the S.G.I.O. would provide standby finance to get the deficit companies operating again and would then withdraw as the Contingency Fund filled up with the statutory contributions made by all societies in the future. Then the S.G.I.O. withdrawal would mean that the five companies merged into one would be able to sail ahead as one large viable competitor, in true competition with the other existing societies. But as I understand what has been said today, that is not the case now. The S.G.I.O. is going into the housing society business and is going into it in a very big and permanent way.

Mr. Jensen: Not before time, either.

Mr. PORTER: The honourable gentleman thinks that it is not before time. That is his political philosophy; it is not mine and it most certainly is not the philosophy espoused by the overwhelming majority of people in this State.

This is a take-over because, as I understand it, the S.G.I.O. will acquire the assets of these societies and buy up their mortgages, and then an S.G.I.O. housing society or building society will compete with the existing building societies. If I am not correct in this assumption, either of the Ministers who are doing a tandem job on this legislation can correct me. But that is what I assume the position will be.

With that situation, this Parliament has to ask itself what will be the eventual ramifications, repercussions and significances of the entry by the S.G.I.O. into large-scale housing society finance.

Mr. K. J. Hooper: Socialism!

Mr. PORTER: That is quite correct.

What sort of competition will be provided by this new society, with its massive backing as a statutory Government authority? And it will be that; it will be an extension of that authority. It will be in an enormously powerful and advantaged position, and it is nonsense (and I think deception) to suggest that it will be otherwise. Of course it will be in an advantaged position, just as the S.G.I.O. is in an advantaged position in certain aspects of insurance.

I believe that members on this side of the House cannot look with indifference at this prospect—I cannot, even if it is remote—of an S.G.I.O. company getting itself into a monopoly or at least a commanding position in the housing society field. Remember, this will affect not only the building society field. With a commanding role in the building society set-up, just think how advantaged the S.G.I.O. will be in the field of home insurance. It will be able to soak up a tremendous share of this type of business. Half the homes built in the State are built through building societies, and hence this move may well have a tremendously damaging effect on the private insurance companies. This is what we on this side of the House stand for; we are apostles of free

enterprise and competition. We believe that the Government should be a referee, and not a referee and a player combined.

Mr. Houston: That's why you're not in the Cabinet.

Mr. PORTER: The honourable member makes a gibe about my not being in the Cabinet. The fault may not be mine. I want to say that we on this side of the House believe in the Government setting rules but leaving players to play under the rules, and it is not surprising that the comments of the honourable member for Archerfield and the Leader of the Opposition and the interjections that have been coming from the Opposition show how vociferously and enthusiastically they welcome this Bill and how they pointed to the socialistic implications of it. It seems to me a very unhappy thing that we on this side of the House, after the Opposition is reduced to a mere rump of 11 in 82, should be fulfilling their policy for them.

Certainly this move is not, as I said, what I was led to believe would happen. In another place I put what I considered to be a straight question and I got what I accepted as a straight answer. This is not that answer. Indeed, I say it is the reverse of it. The S.G.I.O. Permanent Building Society will make the Opposition happy. It will certainly not make me happy, and I would hope that many others on this side of the House would also be unhappy about it because we do not want to be responsible for creating a watered-down version of socialism; and certainly I think it is most improper that we should be hurried into accepting a proposition the long-term effects of which may well haunt parties on our side of politics for many long years to come. Of course we all want the building society business back to normal as soon as possible. Everybody is saying confidence must be restored. Amen to that. But to believe that can only happen via the route that is proposed today is, I believe, completely erroneous. We certainly do not want rescue for some which puts the sword of Damocles over others.

As I say, we here stand for certain basic principles that the Australian and the Queensland electorates have shown by a 2 to 1 vote at elections a year apart that they espouse. They want us to stand by those principles, and I certainly believe that this proposition to allow the S.G.I.O. to come into the field is not in accordance with what the electorate expected us to do. I believe that prospects for rescue should be looked at in a different way from the one that is proposed. If this new arm of the S.G.I.O. octopus was to be made a terminating society, one might—only might—look at it differently, but for anybody to see the S.G.I.O., which is so often harshly criticised by the Auditor-General for sloppy accounting procedures and which has not a wonderful record in terms of development investment, as a St. George rescuing the maiden from the dragon is a parody of the facts. Mr. Speaker, I deeply regret the necessity for entering this debate, but matter has been injected which leaves me extremely doubtful of the long-term outcome for building society operations in general.

Mr. WRIGHT (Rockhampton) (3.34 p.m.): It is always surprising to me personally to hear the honourable member for Toowong speak because he does not seem to mind when the S.G.I.O. spends hundreds of thousands of dollars with groups such as Alfred Grant and loses similar amounts of money or when it invests in hotel-motel complexes, but when a decision is made to use the S.G.I.O., as the Treasurer has done here, to help ordinary people and to try to do something for the housing industry, he suddenly screams about the socialist tiger and gets back on his capitalist bent. It is a great pity that he does not put things in their right perspective, because here an attempt is being made to help ordinary people and to help the industry generally.

However, there are some points that I think need clarification. Although the Treasurer and the Minister for Works and Housing have endeavoured to answer some of them by interjection, further comment is needed. I refer specifically to the future of the Bowkett system now operating in this State. The Treasurer said that the three existing societies will be amalgamated in some way and allowed to continue functioning. It seems to me that the Bowkett system will fail unless more investors are allowed to enter into it. Therefore, honourable members need to know exactly what is going to happen.

People entered the Bowkett scheme because they saw it firstly as a way of saving and secondly as a way of eventually getting a reasonable loan. As honourable members know, they have made monthly contributions—some of them for four or five years—receiving no interest rate, in the belief that eventually they will be able to borrow at a low interest rate, say, 4 or 5 per cent. I wonder how people who have entered into a contract in that sense will receive any benefit from their investment. During the years they have had their money in the Bowkett system, they have not received any benefit. Inflation has destroyed the value of the money invested; they have not received any interest on the money they have invested, and now it is quite possible that they will not gain the benefit of a low-interest loan.

Therefore, I believe that the Minister needs to explain very carefully what he intends. I have received numerous inquiries from people in my area—and there are many people in the Bowkett system there—who realise that there have been problems. They realise, too, that there is the incentive of having a chance every month to draw a no-interest loan or a certain amount of money that they may use for their own purposes. That has been one of the incentives that seemed to be necessary from the society's point of view. The Bowkett system, under which people are prepared to receive no interest for some time for the ultimate benefit of a low-interest loan, has merit.

Although some honourable members may not fully understand the system, I believe that it has a fair amount of merit and is accepted by a number of people. Therefore I ask for an explanation on that point.

There is also a need for further explanation from the Minister for Works and Housing of the sacking of staff throughout the State. Many people have been sacked—perhaps "retrenched" would be a better word—and others are working on a week-to-week basis. This may be all right for city investors, who can go to an office and find someone working there; but it is certainly not all right for people in country regions. Let me take first the example of Blackwater. People there are completely in the dark. There is no sense in their getting in touch with some of the smaller societies that have been suspended and the staff of which have been dismissed; no-one is there to tell them anything. The officers who are there in a caretaking capacity do not really know what to say, and it would seem that the suspended societies still need staff to go out and explain to people in Blackwater and other mining towns exactly what is happening. A big cloud of darkness still hangs over the whole issue.

I raise the matter of one clause of the Bill, relating to fraud by officers of the societies.

Mr. SPEAKER: Order!

Mr. WRIGHT: I do not intend to refer specifically to the clause, Mr. Speaker, but it is important to note that the penalty that will be incurred for fraud or malpractice could be $5,000 or two years' imprisonment. This will not overcome problems such as those that have arisen over the last couple of months. It is not going to bring to book those persons in the Australian Co-operative Development Society who milked a lot of money—in fact, hundreds of thousands of dollars—from the Australian Permanent Building Society. The honourable member for Archerfield has related to the House on other occasions circumstances that completely back up what I am saying. These defalcations have taken place. The Leader of the Opposition also raised these matters as a result of a meeting he went to on Friday last.

It would seem to me that the only real answer is to make the penalties retrospective. If we do that, we may be able to deal with the persons who posed as officers of the Australian Permanent Building Society and, by doing so, convinced people that they should put money into the Australian Co-operative Development Society—in many cases, tens of thousands of dollars—believing it was going into another sector of the Australian Permanent Building Society, and believing that they were simply going to have a fixed-term investment at a higher interest rate. I hope that the clause in the Bill can be used to bring those people to justice, because they certainly have robbed many people in Queensland.

Also, it is time we attempted to discover some way of getting at the personal assets of these offenders. It is all very well to put them in prison for two years and fine them $5,000, but they know that when they come out they have a $100,000 home and tens of thousands of dollars invested in other enterprises that cannot be touched. It is time we copied the system in England where, if a person is involved in fraud, and has robbed ordinary investors, his assets can be got at. That is the only way justice will be done here.

I made note of the Minister's mention of advertising. I am very pleased that he intends to do something about it. He said that he has instructed an officer of the registrar's office to review all advertising used by building societies. He went on to say that he intends to have approval for certain types of advertisements withdrawn.

There are four main areas involved in the misleading advertisements that appear. Many investors think that building societies are banks because the likes of the honourable member for Brisbane say that they are as safe as banks. They issue passbooks, describe their cashiers as tellers and refer to their accounts as savings accounts, when in fact they are not banks and do not enjoy the facilities which make bank investments safer than other investments. Investors believe that investments in building societies are at call—that a person can simply go along at any time and ask for his money back. In fact they are not at call. The investor has no legal right to demand repayment at call. In fact, under the rules of most societies, repayment can be deferred but people are not aware of that and have been misled by the societies themselves. Investors usually think of building society investments as deposits or loans whereas in fact they are usually investments in withdrawable shares, with the investor having no legal right to demand repayment of capital or dividend at any particular rate. They seem to believe from advertisements that they will get such-and-such an interest rate and that they can withdraw their money at any time they want to. They feel that they can ask for that capital and that dividend. Again, that is not so.

They are led to believe that the building societies are Government guaranteed. They are not Government guaranteed, but that is the impression gained by many investors from advertisements that refer to the loans of the society being insured with the Government-guaranteed Housing Loans Insurance Corporation. That latter statement is true in itself, because they are insured with the Housing Loans Insurance Corporation. It is therefore thought by investors that the building societies are Government backed. That is not so. I was very pleased that the Treasurer raised that again. He is going to have to do more than that; he is almost going to have to walk the highways and by-ways

to convince people, because the smart operator will still tell investors that that is the way it is.

It is quite obvious that we need to look very closely at the advertisements used. I have made some recommendations that have been discussed with members of the Opposition, in particular the honourable member for Archerfield.

The first point is the use of the phrase "no fixed term". It should be eliminated, as the investment can be converted into a fixed term if the building society exercises its right to defer payment. Yet building societies say that there is no fixed term. More suitable wording would be along these lines—"an investment in withdrawable shares which are normally repayable without notice, but the society under its rules has the power to defer payment." That tells the whole truth.

The use of advertisements with an illustration of passbooks or descriptions of investments as savings accounts should be eliminated, unless, of course, a clear explanation is given. That is not always so. I note, too, that most societies simply indicate the current dividend rate. It might be 9½ per cent or, in days gone by, 7½ per cent. The investor should be told—in fact, it should be advertised—that that dividend or interest payment can be changed at any time and is not legally enforcable.

There are a number of points the Minister should look at if we are to overcome the advertising problems in this State; no doubt he is taking cognisance of them; I certainly hope that when the recommendations are brought down by the registrar, he will be able to enforce them.

I wish to make a point on the role of the State Government Insurance Office in building societies. It is vital that we build up the housing industry. We have always had this total dependence on private enterprise for building finance. That is the way it has been under the capitalist system we have in this Commonwealth and in this State. The involvement of the S.G.I.O. in the building society industry is a step in the right direction but it could go a lot further. Comments have been made to the effect that we should not be using insurance investors' money for housing purposes. If there is any argument there—the honourable member for Toowong promoted such an argument; not that I agree with it—let us consider the existing instrument, that is, the Queensland Housing Commission. Why can't it be used in a way similar to building societies? Why can't people be allowed to save with the Housing Commission? Why can't they be permitted to enter into a five-year saving plan in which they deposit, say, $10 a week, or $520 a year, or $2,600 in five years? At the end of that five-year term they could receive a guaranteed loan, and a loan of the total sum required to build a home.

A current problem, whether money is made available by the banks or the building societies, is that young people have great difficulty in obtaining a loan of the maximum sum required. They may be able to obtain $18,000 from a building society or from the Housing Commission, but they are required to find the balance of, say, the $27,000 that is the cost of their home. It seems we need to look further than we are looking today. A recent issue of the "Telegraph" featured an article on lateral thinking. It seems that we could use a little lateral thinking on this. Instead we go on and on. I suggest that we have an alternative in the Queensland Housing Commission.

The plan that I envisage could be extended. Young people could be encouraged to invest even $20 a week, thereby allowing them to be granted higher loans. Such a plan has tremendous advantages. Besides involving people in a home-saving approach and giving them incentives to save money, it would make available a large pool of finance to the Government. Security would be given to the building industry in that it would not need to worry about the availability of finance through the banks or the building societies. Finance would be available from the Housing Commission, having been invested with it by prospective home builders.

I admit that it is desirable that such a scheme operate through a State bank. We do not have a State bank. Nevertheless such a scheme is worth consideration, so I ask the Treasurer and the Minister for Works and Housing to consider it is an extension of the provisions of the Bill.

I whole-heartedly support this legislation and congratulate the Treasurer and the Minister for Works and Housing on their efforts to restore confidence in the building society industry. It is important that such confidence be maintained, and this Bill goes a long way towards achieving that.

Mr. CASEY (Mackay) (3.48 p.m.): I do not intend to canvass all the points that have already been raised by previous speakers. I agree with those members who have supported the Bill. Legislation that tightens the control of building societies is long overdue.

I enter the debate for what might be termed parochial reasons. I am concerned at to what the future holds for some of the small, well-run building societies, particularly those in the Mackay area. The Minister for Works and Housing and the Treasurer would probably know that one of those societies is one of the oldest in Queensland. I pay a tribute to its directors by stating that it is also one of the best run. It was a well-run society long before building societies became fashionable, long before they started leasing luxurious offices in Queen Street to give the impression that they were banking institutions and long before the growth of the two major building societies in the State.

Some of the provincial-city societies are so well run that they cater exclusively for housing purposes. One such society in my area is able to lend money in today's competitive market at a rate of interest ¼ per cent lower than that charged by other societies. In other words, the benefits from the way in which the society is managed flow to those who should receive it—the borrowers. I am concerned that despite the efforts over the years of these men who run their societies properly—men who would not condone such practices and who have not been involved in any way in the skulduggery engaged in by other building societies—unfortunately they will have to impose a higher lending rate on their borrowers.

Sir Gordon Chalk: That is the maximum; they can offer a lower rate.

Mr. CASEY: That is true, but despite their efforts to maintain their societies properly they will be forced to increase interest rates.

Sir Gordon Chalk: They are not forced at all.

Mr. CASEY: They will be by the 0.25 per cent for the contingency fund.

Sir Gordon Chalk: Why?

Mr. CASEY: They will be forced to impose a higher interest rate on their borrowers because of the malpractices of directors of other societies.

I am not concerned greatly about the State-wide societies with a multitude of offices. I am speaking on behalf of some of the smaller societies. I am afraid that in the discussions relative to the rescue operation—I pay tribute to the Treasurer and the Minister for Works and Housing on the work that has been done—somewhere along the line many of the smaller societies have not been consulted on how they may be affected. In times when rapid action is necessary the tendency is to consult people who are readily accessible or the organisation that supposedly represents all the societies. At the same time, they do not have sufficient opportunity to contact all of their members.

I am happy to note that something is to be done about the Bowkett systems. It seems that the S.G.I.O. is to be used in the rescue operation. It is a worthy organisation to be used in this way, but I am concerned that in the hurry to plug the gaps in the legislation insufficient consideration may have been given to the small well-run societies. In our hurry to plug the gaps we may have left further loop-holes that some of the smart operators may be able to use. As an instance, I cite the list of amendments that have been circulated. Some of them are fairly elementary.

Sir Gordon Chalk: For a particular reason.

Mr. CASEY: That is so. Some of them are fairly elementary but they were missed when the legislation was first drafted.

Sir Gordon Chalk: No.

Mr. CASEY: I cite the one relative to the commencement of the Act. Over the week-end I sat down in Mackay with some of the directors of the local building societies. The first thing we looked at was the date which was to be laid down. That was an obvious omission. Nothing was laid down—as it is in every other Act—about the commencement date of that Act. Some little things have been missed. I am not trying to blame anyone in particular. I am merely saying that because of the haste to bring forward this legislation——

Mr. Lee: You cannot keep the people on the hook all the time.

Mr. CASEY: That is true.

I am concerned because, as has been admitted, we are dealing with some fairly sharp operators who have been working rackets in building societies in Queensland. They will be able to pick fairly quickly any further loop-holes if there are any in the legislation. It is unfortunate that this House is about to go into recess. If small points have been missed it may be three or four months before we can introduce further amending legislation.

There are some aspects of the building societies affair, if I may use that term, on which I would like some further answers from the Minister or the Treasurer at a later stage in the debate. I put forward these matters at this stage because I do not think that enough has been said about them. In the first place, hardship is now being experienced by a number of builders who have contracted to work financed by the suspended building societies. Where payments have been held up, I would like a clear statement about whether these builders have to wait until 12 May, the date the Treasurer has mentioned, before they are able to receive payments in the course of normal trading, or whether some special provision will be made for them. Those builders have to meet their employees' wages and pay their creditors. Many of them are only small operators, either working alone or employing perhaps one or two persons. They are not receiving their payments. Many of them are wanting to know just when they are likely to receive some payment for the work they have done.

I turn now to the Bowkett aspect. Whilst it has not been spelt out clearly, I understood from interjections that the present Bowketts are being amalgamated into the one group and taken through until they are finished. Do I understand that, as from now, there will be no further trading in Bowketts at all?

Mr. Lee: I will answer that in my reply.

Mr. CASEY: That is a point on which I wanted some clarification because a number of queries have been raised about it.

Another thing many people would like to know about the Bowketts is what will happen to the funds of those who have already deferred their payments. Many people have suspended their savings plan system—I do not want to use the term "opted out"—for a period of time, or deferred it. Will they come in on exactly the same basis, or will they still suffer the loss that had been indicated to them early in the piece by the society? That is another point that needs clarification.

One other question that has not been answered so far and on which I believe most of the building societies would like an indication—particularly the smaller ones, because they are concerned about the increase they have had to pass on to their borrowers—is just how long the Contingency Fund is expected to run. Will it run at its current level for all time? The first part of the Bill now before the House is designed to tighten up our legislation, and I believe that if it is successful it will bring the situation to the point which we should never again experience in building society operations in Queensland the unfortunate occurrences that we have had in recent months.

The second part of the legislation sets up the Contingency Fund. From the figures that have been quoted, after a number of years we can expect the fund to have grown to a considerable size. How long is it expected that the fund will last? If it is seen that the section of the Bill designed to tighten up the legislation is successful, I believe that at some future time, when all the current circumstances have been overcome and a sufficient fund has been built up, there could be either a considerable lowering in the rate being charged for the Contingency Fund or perhaps even a complete suspension of it, with a fidelity guarantee fund or fidelity insurance being introduced by the various building societies to cover any problems that might then occur.

After all, if the societies are tightened up and all their loans are made for housing, as is supposedly intended, they will be covered by the Commonwealth Government's Housing Loans Insurance Corporation and everything should be quite stable from that time on. Problems could then arise only in the event of defalcation by directors of some societies and that situation could possibly be covered by fidelity insurance, as it is in so many other spheres of activity.

There are two other matters that concern me and maybe they could be cleared up by the Minister. To a large extent the Bill sets out who may or may not receive funds and what activities the directors may undertake in lending money. The word "associate" is used quite often and is defined in part in the Bill. A difficulty could arise in smaller towns and areas. The Bill would debar any employee of any director as well. This could create hardships in some aspects of this type of lending. The Bill is very complicated and I do not know whether it contains provisions elsewhere such as those dealing with special resolutions of the board of directors that will override this provision or the definition of "associate". The Bill provides that a director's associate cannot in any way be associated with such lending. I think that provision should be defined more clearly.

I should also like a clearer definition of "daily balances" for calculation of the amount to be paid into the Contingency Fund. On my interpretation, the daily balance refers simply to the daily balance of the payments or subscriptions—the amount deposited with the society at that stage. Some people in building societies feel that the figure required is the actual balance at any stage, including all deficits, credits and loans; in other words, the balance on hand for any day. This should be defined more clearly so that people know what will be their commitment.

There are some other small problems. Perhaps a query at the clauses stage might be sufficient. I have raised several major points that have arisen out of discussions I had with directors of some of the smaller societies during the week-end. I pray that the Minister may be able to answer some of them for me.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing) (4.2 p.m.), in reply: I thank honourable members for their contributions. Most of the matters raised were covered during the introductory debate. It was gratifying to learn that so many honourable members are on side with this Bill. It is a very important Bill that will affect many people because the S.G.I.O. has come to the rescue for the first time and these people can now see daylight and know that they will obtain dollar for dollar.

The honourable member for Archerfield referred to the Companies Act. I told him at the introductory stage that we are getting in line with the Companies Act. I also told him about advertising and the appointment of six extra inspectors to police the Act. I think that all of his queries have been covered.

The Treasurer said that he would like to see other societies take up this money instead of the S.G.I.O. After all, we are a free-enterprise Government and would like to see this happen. But they could not do it. What are we to do—stand by and let all of the building societies collapse around our ears rather than have the S.G.I.O. come in and help the societies that have problems? Honourable members should think of those matters before making their statements.

The Leader of the Opposition spoke about the G.A.P. employees. Employees will receive all lawful entitlements. They will get whatever they are entitled o under the law or an award.

Mr. Burns: Every one of the eight?

Mr. LEE: Any one of the eight societies.

The honourable member also spoke about transfer of engagements, the Bill's being a socialist document and so forth. Let us be honest; he spoke with tongue in cheek. He knows that the power has existed for a long time in the New South Wales Act. All we have done is to adopt this provision in the New South Wales Act. Calling it a socialist document is just a pack of gefuffle. The honourable member also spoke about the provision relating to joint directors. They can be quickly removed if their interests conflict. I think I have told the honourable member that before, and in my view there is adequate provision to remove directors if their interests conflict.

The honourable member for Mt. Gravatt spoke about the S.G.I.O. I must repeat that it looks as if something in the vicinity of $54,000,000 will be required for this rescue operation and I know of no place where we can obtain this sort of money at this rate of interest other than the S.G.I.O. We have given the industry the opportunity.

The honourable member for Toowong said that he would like to see the financial confidence of the little people restored. I really hope that this will be achieved by what we are doing, and I hope that some of the doubts the honourable member expressed have been cleared up. There is one thing we can do—and I am sure the Treasurer will back me up on this—if the S.G.I.O. is in fact getting too much money and that is to restrict its intake of money. If its operations acted to the detriment of other societies, we could also ask the S.G.I.O. to lower its rates so that it would not attract money easily. I believe we have the flexibility to prevent the S.G.I.O. becoming a monopoly. We do not want the S.G.I.O. to become a monopoly and, as I say, we can stop it from becoming one by either reducing its money intake or lowering its borrowing and lending rates.

Mr. K. J. Hooper: You did a very good job of piloting this through the House.

Mr. LEE: I do not know whether that is a kiss of death or a compliment, but on this occasion I take it is a compliment.

The honourable member for Rockhampton spoke about the Bowkett system. I think the honourable member for Mackay also mentioned it, so I can answer both of them. The honourable members wanted to know how it will operate. First of all, let me say that it will be placed under the control of an administrator. In other words, we will take the three Bowkett societies, merge them into one and place them under an administrator. As I say, there will be payments as usual, but there will be no new Bowkett plans——

Mr. Casey: Payments will still be done through the S.G.I.O. one?

Mr. LEE: They will all be merged into one society, but not a Bowkett society. That part of it will be placed in the hands of an administrator. The S.G.I.O. society will be a permanent building society, not a Bowkett society.

Mr. Houston: Will it use the same computer?

Mr. LEE: The same administrator. I am not sure about the computer, therefore I cannot comment on that.

The honourable member for Rockhampton also spoke about fraud. There is a provision relating to personal liability when a society is being managed incorrectly. If this leads to a society being wound up, there is adequate provision to summons the person responsible, and he could be subject to a very heavy fine. Therefore the fraud side of it has been looked after. The honourable member also mentioned advertising. In my introductory remarks I said that we will inspect advertisements and, if necessary, will tighten up the requirements. If these advertisements are misleading to the point of fraud, again the same action can be taken. Stiff fines could be imposed.

The honourable member for Mackay was worried about employees and directors. If he looks at my introductory speech, he will see that I stated very clearly that there could be five directors and one employee and seven directors and two employees. That is to be the ratio. We do not want the opposite situation to arise—in other words, five directors being employees—because they could then direct the company in whatever way they wished. That has in fact happened in the past, and that is why specific provision has been included in the Bill.

The honourable member spoke also about directors being over a certain age. The Act is being amended to provide that directors who are over 72 years of age may be re-elected by the members each year.

Motion (Mr. Lee) agreed to.

CONTINGENT MOTION

Hon. N. E. LEE (Yeronga—Minister for Works and Housing), by leave, without notice: I move—

> "That it be an instruction to the Committee that they have power to consider an amendment to insert in the Bill on page 38, after clause 38, a new clause relating to additional powers of the Registrar when appointing directors."

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer): I second the motion.

Motion (Mr. Lee) agreed to.

COMMITTEE

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

Clause 1, as read, agreed to.

Insertion of new clause—

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following amendment—

"On page 1, insert the following new clause to follow clause 1:—

'2. **Commencement of Act.** (1) The following provisions of this Act shall be taken, to the extent indicated in this subsection, to have commenced on 1 January 1976 and to have retrospective effect accordingly:—

section 17;

paragraph (a) of section 19;

section 35 to the extent that it inserts section 36D (1) into the Principal Act.

(2) Section 20 shall be taken to have commenced on 8 April 1976 and to have retrospective effect accordingly.

(3) Save as is prescribed by subsections (1) and (2) this Act shall commence on the date it is assented to for and on behalf of the Crown.' "

Amendment agreed to.

New clause 2, as read, agreed to.

Clauses 2 to 10, both inclusive, as read, agreed to.

Clause 11—Repeal of and new s. 22F; Removal from office, etc.—

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following amendment:—

"On page 5, omit all words comprising lines 20 to 25, both inclusive, with a view to inserting in lieu thereof the following words:—

'(k) if he or his associate has a direct or indirect pecuniary interest in any agreement with the Society otherwise than—

(i) as a member of, and in common with the other members of a body corporate consisting of more than 20 persons;

(ii) as a partner in a body of persons that provides the Society with secretarial or administrative services; or

(iii) as a person who provides the Society with secretarial or administrative services;'."

Amendment agreed to.

Mr. K. J. HOOPER (Archerfield) (4.16 p.m.): Basically this clause deals with the removal from office of the director under certain circumstances. Fundamentally I do agree with the clause, but I have a query I wish to put to the Minister. The clause provides that the director shall be dismissed for various reasons, such as bankruptcy or if he is convicted of a criminal offence. What about the former director of a society who is a chartered accountant but whose membership has been suspended for two years because of a breach of professional ethics? What about the gentleman whose name was mentioned this afternoon, the former managing director of Tasman, Colin Sinclair? I think such a person should be debarred from sitting on the board of a building society. The expose this afternoon of Colin Sinclair has probably done him a good turn in the sense that nobody will now employ him and in all probability that will keep him out of gaol.

One thing that worries me about the clause is that, in announcing the proposed S.G.I.O. board, the Treasurer mentioned Mr. Ken Allison. It is an open secret around town that Mr. Allison was dismissed from his previous employment.

Mr. Lee: No.

Sir Gordon Chalk: Not to our knowledge.

Mr. K. J. HOOPER: I will accept the denial. The rumour around town is that he was dismissed in the time of the Whitlam Government when he was employed by Medical Benefits. It is an open secret around town; I would not say that if it were not true. I would like an assurance from the Treasurer that, if that is true, Mr. Allison will not be allowed to sit on the proposed board.

Sir Gordon Chalk: I have no knowledge of it.

Mr. BURNS (Lytton—Leader of the Opposition) (4.18 p.m.): After following the speech of the Treasurer, I think we need an iron-clad clause in the Bill to deal with the credibility and suitability of directors of societies. The clause which refers to the removal of directors from office in certain circumstances is not tough enough. It states—

"(a) if he is made bankrupt or takes advantage of the laws in force for the time being relating to bankruptcy."

The economic realities of the times are that wise businessmen never trade in their own name as sole traders or partners in a firm. When I talk about wise businessmen, I am talking about men who want to use the system—not honest businessmen, but businessmen wise in the ways of the world. Not only for estate-planning reasons, but more importantly to avoid the consequences of bankruptcy, competent and well-advised businessmen trade on the market-place under the guise of the company structure. By operating under what is referred to as the corporate veil, such a businessman can avoid personal liability for tortious and criminal actions.

Businessmen enjoy a relatively protected position if they form a company and trade in the name of some fictitious person. If through reckless or careless management a businessman

trading in his own name damns his own business by allowing his liabilities to exceed his assets, he suffers the consquence of bankruptcy. If, however, his business collapses as a result of recklessness or careless management and he has set himself up as a company—all the company needs is two directors, such as himself and his wife—the company goes into liquidation and the individual businessman is still able to become a building society director.

Provision has been made in this clause only for the involvement of the director in bankruptcy, or "if he takes advantage of the laws in force". I would like to know exactly what that means. While the company is being wound up, he is forming another company under another name, and he can be a director of a building society or he can do what has been done, as has been clearly shown, in Australian Co-operative Development Society—that is, set himself up again and be operative.

The purpose and intention of excluding a director from office once he has become bankrupt is obvious. The exclusion is designed to ensure efficient and competent management. I suggest that the section should include a provision to cover that type of situation and to exclude from office directors who have been directors of companies that have gone into liquidation where the liquidators are of the opinion that the liquidation is the result of reckless, careless or fraudulent management. If that is not done we will have a situation similar to that of the directors of the Australian Co-operative Development Society, who themselves are not bankrupt but are directors of a society that is in liquidation and are the subject of a report such as this—

> "The liquidators are of the opinion that the society was insolvent at all material times from its inception and that the continuation of this business by the directors was a travesty of management and a serious disregard of the rights of those who in good faith deposited funds in the belief that they were making a sound and safe investment."

As I read the clause, those men are protected and can still be directors of a building society. They have not gone broke; but they have been directors of a society that has been manipulated, and as the liquidator would say, have been guilty of "a travesty of management and a serious disregard of the rights of those who in good faith deposited their funds." Surely we have to cover that situation. This clause must be designed to prevent directors who have been in that type of situation from again becoming directors.

I imagine that the amendment that has been added covers management companies. It says "as a member of or in common with other members of a body corporate consisting of more than 20 persons or as a partner in a body of persons that provides the society with secretarial or administrative services." Does that cover management companies that have been referred to on a number of occasions?

It has been clearly shown that scrupulous directors of these building societies—I am talking not about the good directors but about a couple who have been named clearly in this Parliament——

Mr. Moore: Did you say "scrupulous" or "unscrupulous"?

Mr. BURNS: Unscrupulous in one way and scrupulous in another way. They are scrupulously clear on what they are going to do to manipulate the law. The term can be used either way.

They can pay themselves too much money in salaries and other expenses, such as travelling allowances. They can lend money to themselves at favourable rates directly or lend money to other companies, which then lend money back to the directors concerned, so that it cannot really be traced in accordance with the Act. They can do and have done a lot of things that I believe are corrupt.

I cannot see that clause 11 (1) and clause 12 are designed to cover situations of the type that I am raising or that they are designed to ensure that situations of conflict and interest are avoided. I do not know that we have really covered it. I am not claiming to have the answer; I am merely raising certain queries concerning the clause. At the second-reading stage the Treasurer said that he does not know whether or not we have covered this.

Page 15 of the Australian Co-operative Development Society liquidators' report refers to situations where directors operating under the corporate veil through a series of companies having a complete disregard for fiduciary duty can engage in gigantic public frauds. I suggest that clauses 11 (1) and 12 do not give protection against this situation. They merely say a director cannot be a director if he has a pecuniary interest in or agreement with the society. But we have already seen illustrated in the Australian Co-operative Development Society how directors can lend money from one society to the next and derive a direct benefit, and while in reality they have derived a direct pecuniary interest there is no contract or agreement between the principal building society and the director. If a director is perpetrating a fraud, he does not necessarily breach clause 11 (1). It worries me that that clause does not seem to cover what I have been looking for.

I repeat that, following the Treasurer's speech today, we must have iron-clad clauses in this Bill covering the credibility and suitability of directors of societies.

I submit that, today, the Treasurer admitted that certain shady individuals with a record of criminal irresponsibility extending

over three years or more have been permitted to trade legally with public funds in this State because of the deficiencies of National-Liberal Government laws. In other words, they have been allowed to defraud, deceive and cheat because of the Government's failure to provide correct laws. I think it is well known to all of us that company crooks spend their time studying laws and looking for loop-holes. The legal loop-holes are the direct product of what this Government has tolerated and condoned over the past 19 years in which it has been the controlling agent of the 90-year-old building society laws. The Government cannot escape its guilt; nor can it escape the blame for the suffering, loss and agony that it has allowed to be perpetrated on countless thousands of Queenslanders.

It is par for the course for the Treasurer to use Parliament, under the protection of privilege, to launch an attack on Mr. Sinclair. I think he deserves it. I am not defending him in any way. But anything he has done and anything he has gained has been made possible only because of the inadequacy, the incompetence or the indifference of the Government and its laws. The Treasurer has been in Parliament since 1957. It is the Government's laws——

Sir Gordon Chalk: Since 1947.

Mr. BURNS: The Treasurer has been in since 1947; we can give him 30 years of responsibility. If he wants to claim some more, we will accept that.

Sir Gordon Chalk: I had ten years in the wilderness.

Mr. BURNS: The way the Government is going, we will not be so long in the wilderness.

Mr. Sinclair's crime is not his involvement in building societies or his past corporate sins, but the fact that he has dared finally to bite the hand of the National-Liberal Government that fed and protected him. The law has protected him. The Government, in its legislative laxity, has been found guilty of consorting and, I fear to say, conspiring in laxity which today threatens the savings of Queenslanders in every corner of the State.

I suggest that clause 11 has to be amended; that we have to do something to ensure that these people are covered by the Bill. I submit that that is what is really intended by the clause.

The CHAIRMAN: Order! I know that a number of honourable members wish to speak to this clause and I shall protect their right to do so. I have three other amendments that have been foreshadowed. I will process those first and return to the original clause.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 6, line 14, after the word 'practicable' insert the words—

'at a meeting of the directors'."

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 6, omit all words comprising lines 27 and 28, with a view to inserting in lieu thereof the following words—

'activities and operations in which the other body corporate is engaged are or are likely to be such that that person should not be a director.' "

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 7, omit all words comprising lines 28 to 34 both inclusive."

Amendment agreed to.

Mr. CASEY (Mackay) (4.30 p.m.): Again the matter I wish to refer to is of more concern to the smaller societies than to the bigger ones such as Metropolitan Permanent or Queensland Permanent. I am concerned about a combination of certain parts of this clause. On page 5, (m) refers to a director or his associate receiving an advance from a society. On page 6, proposed new section 22F (4) contains a definition of "associate". As well as a director's spouse or somebody with whom he cohabits, it includes a partner in any business undertaking and the partner's partner in any business undertaking.

I know that we tend to think of the type of thing that has been going on with some of the corporate managers in the bigger societies in Brisbane. However, cane farmers are directors of building societies. Because of that, a son who is a partner in the farm cannot in fact borrow from the building society to finance the building of his own home should he marry.

However, it gets even worse when it refers to "a director's employer and a director's employee". In country areas, where the number of solicitors and accountants is limited, many of them participate in the work of building societies. As I pointed out earlier, the locally run building societies in our provincial cities have had among the best records with our Registrar of Building Societies and the best reports of any building societies in the State. The effect of this clause is that, if a solicitor is the director of a building society and one of the girls in his office gets married and she and her husband-to-be negotiate a joint loan with that building society, her employer is immediately debarred from being a director. Sometimes in our endeavours to close the gaps we might

harm people we do not intend to harm. I do not think that was the initial intention of the legislation.

Returning to (m) on page 5—will the term "in accordance with a special resolution" (by the directors of a society) in actual fact cover the type of situation to which I have referred? Will the directors, by special resolution at a meeting, be able to make allowance for a director's employee in circumstances such as I have outlined, thus enabling her to obtain a loan from that particular building society? Otherwise employees may be debarred access to a very reliable and very secure source of lending in order to establish themselves in a family home. I ask the Minister for more definite clarification of that.

Mr. MILLER (Ithaca) (4.34 p.m.): I rise to speak on this clause, not because I have any objection to it—I believe it strengthens the Act, which will in turn protect the public—but to object to the slanderous attack on Ken Allison in this Chamber by the honourable member for Archerfield. I have no objection to any member rising in this Chamber to bring before it matters that he knows to be factual; but for any member to stand in this place and blacken the name of a good citizen of this city on the basis of a rumour that he has heard is in my opinion unforgivable. I hope that not only will we ensure that by this Bill we protect the public outside but also in the future we will look at protecting the public in this Chamber by introducing legislation to call such a member before the Bar to give reasons why he should attack an honourable man within our community. I know Mr. Allison personally.

Mr. K. J. Hooper: What about Sinclair?

Mr. MILLER: I am not talking about Mr. Sinclair. The honourable member mentioned the name of Ken Allison on the basis of a rumour that he heard around town. The allegation about Mr. Sinclair has been proved. The honourable member did not provide any proof at all. Without any proof whatsoever he made an accusation and blackened the name of a person in this city. I refute the suggestions put forward by the honourable member.

I hope that before long this Parliament will have legislation under which a member can be called to the Bar to provide proof of his allegations. Surely members of the public cannot be submitted to such slanderous attacks without redress.

Clause 11, as amended, agreed to.

Clause 12, as read, agreed to.

Clause 13—Repeal of and new s. 22G; Age limit for directors—

Hon. N. E. LEE (Yeronga—Minister for Works and Housing) (4.36 p.m.): I oppose the clause.

Mr. GREENWOOD (Ashgrove) (4.37 p.m.): I applaud the action of the Minister in deleting this clause. The present position is, as the Committee knows, that a man of this age has to be appointed by a special resolution. He has to have the vote of three-quarters of the members of the building society to receive appointment. This seems to be a sufficient protection for the public against people who are handicapped because of age from continuing in office. On the other hand, age by itself should not be a bar. There are many people whose experience could be valuable in this as in other businesses.

Clause 13, as read, negatived.

Clause 14—Amendment of s. 22H; Power to restrain certain persons from managing Registered Societies—

Mr. K. J. HOOPER (Archerfield) (4.38 p.m.): New subsection (4) which is to be inserted by clause 14 (c) provides—

> ". . . a person specied in the order from acting as a director of or being concerned in the management of, a Registered Society during such period not exceeding five years after making of the order as is specified in the order."

This provision is long overdue. For a long time, many directors of building societies have played a game of musical chairs on the board. Usually when a director obtains a pecuniary interest in the building society he resigns from it for three, four, five or six months. During that time a stooge is appointed to the board; he conveniently stands down when the person who is playing musical chairs on the board desires to sit again on the board of the society.

I ask the Minister to inform me what action will be taken against the directors of the Great Australian Permanent Building Society—O'Shea, Marsden, Coulson and Meredith—who precipitated the introduction of this legislation. I only hope that these people will not get off scot-free.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing) (4.39 p.m.): The provisions are in line with amendments to other Acts such as the Companies Act. New provisions in the Companies Act 1961 to 1975 have also been included in the Bill. These enable the registrar to apply to the court for an order prohibiting a person from acting as a director of a society or being concerned with its management for five years in a previous period of seven years. So that answers the honourable member's question. He was similarly concerned about a society or company that has been so managed that it would be wound up or ceased. I think that actually answers the question asked by the Leader of the Opposition because he was speaking more to this clause than to clause 11.

Clause 14, as read, agreed to.

Clauses 15 and 16, as read, agreed to.

Clause 17—Amendment of s. 23A: Maximum interest rates on loans—

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following amendment:—

"On page 10, omit all words comprising lines 17 and 18."

Amendment agreed to.

Mr. BURNS (Lytton—Leader of the Opposition) (4.41 p.m.): We amended the Bill by inserting a new clause after clause 1. Section 17, as I understand it, will be included in that amendment, so that means it reality we are taking it out of this section in the principal Act but we are leaving it in the amending Act.

I am interested in the retrospectivity clause in relation to paying an extra charge to the building society when a borrower decides to pay off his mortgage. I do not agree with that. We hear stories that there is a lot more book work involved and people should pay. As I understand it, the charge for book work is part of the total charge that has been levied by the Society. If I am going to pay a certain amount of money for 30 years at so much a month, then obviously the society is going to do 30 years' worth of book work. When I win the Casket and I decide to pay off my home—if ever I do win the Casket—and I turn up with $20,000 and say I want to pay off the mortgage, I think it is unfair and unreasonable to charge me extra no matter what the fee has been reduced to. I understand it is now 0.5 per cent, which could be $100 I have to give the society for book work just because I want to pay off the loan. As I understand the system of borrowing money, the person lending me the money at 8¾ per cent, 10½ per cent, 11½ per cent or 11¾ per cent—whatever the charge—has already worked out the costs involved. I do not see any reason why he should get extra money out of me because I want to pay out the debt. I do not agree with the principle. I think a man has discharged his debt and I do not think he should have to pay any charge other than the discharge of his debt. I oppose the clause.

Clause 17, as amended, agreed to.

Clause 18—New ss. 23AA, 23AB and 23AC—

Mr. K. J. HOOPER (Archerfield) (4.42 p.m.): In relation to special loans, I just want an assurance from the Minister that building societies will not be allowed to make loans to directors or anybody else for the purpose of building nursing homes. As we all know, this did take place last year or the year before last with the Great Australian Permanent Building Society, the United Savings Permanent Building Society and the City Savings Permanent Building Society. I just want an assurance from the Minister that it will not be allowed to take place in future.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing) (4.43 p.m.): We have taken precautions. I think I said this in my introductory remarks and I think it should be very clear that we have taken all the necessary precautions to limit this as much as possible.

Clause 18, as read, agreed to.

Clause 19, as read, agreed to.

Clause 20—New ss. 28B and 28C—

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following amendment:—

"On page 13, line 14, after the expression '1965-1973' add the words—

'of the Commonwealth';".

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 13, line 22, after the word 'mortgagee' insert the words—

'or exercisable by its directors under its rules'."

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 13, line 47, after the expression '28B' insert the expression—

', 38A or 38C'."

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 13, line 48, after the word 'acts' insert the words—

'or omissions'."

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 14, omit all words comprising lines 1 to 10, both inclusive, with a view to inserting in lieu thereof the following words—

'(b) that any Society that is mortgagee in relation to the mortgage debt subsequently to the original mortgagee shown in the instrument of mortgage has made an advance to the mortgagor for a purpose other than a purpose specified in section 23,

then notwithstanding those acts or omissions of that advance, on registration of the document assigning the mortgage debt secured by the instrument of mortgage, the person purchasing pursuant to section 28 (2) or acquiring

pursuant to section 28B, 38A or 38C the mortgage debt shall be deemed to have purchased or acquired a mortgage debt that is neither void nor voidable.' "

Amendment agreed to.

Clause 20, as amended, agreed to.

Clauses 21 to 29, both inclusive, as read, agreed to.

Clause 30—Amendment of s. 34C; Paid officers to account and deliver up books, etc., on demand—

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following amendment:—

"On page 18, line 12, omit the word—
'or'."

Amendment agreed to.

Clause 30, as amended, agreed to.

Clauses 31 to 34, both inclusive, as read, agreed to.

Clause 35—Repeal of and new ss. 36, 36A-36V—

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following amendment:—

"On page 24, omit all words comprising lines 3 to 17, both inclusive, with a view to inserting in lieu thereof the following words—

'(2) Save where permitted by direction of the Contingency Fund Committee issued pursuant to this subsection, on or before the fourteenth day of each calendar month each Permanent Society is required to pay to the Contingency Fund an amount calculated at a rate of 0.25 per centum per annum (or such other rate as is fixed by Order in Council) on the daily balances of the fund of the Society that in the calendar month immediately preceding the calendar month in which falls the date on which payment is required to be made is represented by the aggregate of—

(a) payments, subscriptions and contributions made, or deemed to have been made, by its members in respect of shares issued by the Society; and

(b) deposits and loans (excluding such loans as are prescribed) permitted under section 26 and received by the Society.

Upon representations made by a Society to the Contingency Fund Committee, the Committee, if it considers the case justifies it, may direct in writing that the Society shall pay on or before the fourteenth day of each calendar month an amount estimated by the Committee in lieu of the amount prescribed by the preceding paragraph as the amount to be paid by the Society to the Contingency Fund and may at any time, of its own motion, revoke a direction so given.

Payment by the Society to the Contingency Fund on or before the fourteenth day of each calendar month of the amount estimated in respect of that Society pursuant to the preceding paragraph shall, for as long as the Committee's direction subsists, be taken to be sufficient compliance with the provisions of such first paragraph until an adjustment is required to be made as prescribed by this subsection.

At a time selected by the Contingency Fund Committee in respect of each Society in relation to which a direction of the Committee subsists an adjustment shall be made as respects the estimated amount paid by a Society in accordance with the direction as follows—

(a) if the estimated amount so paid over the period concerned is less than the amount that would have been payable by the Society pursuant to this subsection over that period had the Committee's direction not been given the Committee, by its precept directed to the Society, shall require the Society to pay to the Contingency Fund within the time specified therein the difference between those amounts;

(b) if the estimated amount so paid over the period concerned exceeds the amount that would have been payable by the Society pursuant to this subsection over that period had the Committee's direction not been given the Committee shall repay to the Society the difference between those amounts as soon as practicable.

Subsections (7), (11) and (12) shall apply in respect of payments required to be made under a precept issued pursuant to this subsection as they apply to contributions to be paid by Societies under this section.' "

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 24, line 30, after the word 'loans' insert the words—

'(excluding such loans as are prescribed)';"

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 24, line 36, omit the words—

'amount of that'."

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 24, line 41, insert after the word 'loans' the words—

'(excluding such loans as are prescribed)'."

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 24, line 50, omit the words—

'amount of that'."

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 25, line 1, insert after the word 'loans' the words—

'(excluding such loans as are prescribed)'."

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 25, line 7, omit the words—

'amount of that'."

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 25, line 13, insert after the word 'loans' the words—

'(excluding such loans as are prescribed)'."

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 25, line 26, insert after the word 'loans' the words—

'(excluding such loans as are prescribed)'."

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 25, lines 32 and 33, omit the words—

'amount of that'."

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 25, line 38, insert after the word 'loans' the words—

'(excluding such loans as are prescribed)'."

Amendment agreed to.

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following further amendment:—

"On page 31, line 45, insert after the words 'from the' the word—

'Contingency'."

Amendment agreed to.

Mr. K. J. HOOPER (Archerfield) (4.51 p.m.): The provision that an auditor or a chartered accountant work in accordance with the provisions laid down in the latest edition of the Members' Handbook published by the Australian Society of Accountants or the Institute of Chartered Accountants in Australia is a good one. I did suggest that to the Minister about September last year. He told me he would give consideration to the matter. I am very pleased to see that that provision has been inserted. If these generally accepted principles had been accepted when I raised them last year, the United Savings Permanent Building Society would not have been prostituted the way it has been. I ask the Minister what action will be instituted against all of the directors of that society and the Great Australian Permanent Building Society. Is it proposed to allow those white-collar criminals to get off scot-free?

Mr. CASEY (Mackay) (4.52 p.m.): I wish to refer to one specific part of clause 35. It appears at page 27 of the Bill and deals with the setting up of the Contingency Fund Committee. I have made several references so far during the debate to small building societies. The Contingency Fund Committee consists of the registrar, two persons nominated by the Minister, two persons selected by the Minister from a panel of at least four names furnished to him by the Association of Permanent Building Societies of Queensland Limited, and so on. I now again make the plea to the Minister that in his consideration of the list of names he ensure that the Association of Permanent Building Societies of Queensland Limited puts forward at least one name of a person representative of the smaller building societies.

Sir Gordon Chalk: That has been agreed.

Mr. CASEY: I am very pleased to hear that. Many of the directors of small building societies have far greater experience—and good clean experience—in building society operations in Queensland than some of those who have come in in more recent years. I am very happy to have the assurance that that will be done. The smaller building societies are looking for it.

Clause 35, as amended, agreed to.

Clauses 36 to 38, both inclusive, as read, agreed to.

Insertion of new clause—

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following amendment—

"On page 38, insert after line 3 the following clause:—

'**39. New s. 37AF.** The Principal Act is amended by inserting after section 37AE the following section:—

"**37AF. Additional powers of Registrar when appointing directors.** (1) This section applies notwithstanding any other provision of this Act or the rules of the Registered Society in respect of which the Registrar seeks to exercise the powers and authorities conferred on him by this section.

(2) Where the Registrar appoints directors of a Society pursuant to section 37AD (5) he may, with the approval of the Minister first had and obtained, by instrument in writing—

(a) specify a time for which this section is to apply in respect of the Society;

(b) specify the terms and conditions on which the directors so appointed or any of them shall hold office;

(c) specify rules to be the rules of the Society or, as the Registrar specifies, part of the rules of the Society.

(3) For the time specified by the Registrar pursuant to subsection (2) or for that time as extended or reduced by him—

(a) this section shall apply in respect of the Society of which he has appointed directors;

(b) the Registrar may remove and appoint the directors of the Society from time to time;

(c) the terms and conditions specified pursuant to that subsection or those terms and conditions as amended by him shall be the terms and conditions on which the directors of the Society or any one or more of them, as specified by the Registrar, shall hold office;

(d) the rules specified pursuant to that subsection or those rules as amended by him shall be the rules or, as specified by the Registrar, part of the rules of the Society.

(4) The Registrar may at any time, with the approval of the Minister first had and obtained, by instrument in writing—

(a) extend the time for which this section is to apply in respect of a Society;

(b) amend, by revoking, altering or adding to, the terms and conditions on which the directors of a Society to which this section applies shall hold office or the rules of such a Society whether specified by him or made by the Society.

(5) A rule specified by the Registrar as a rule of a Society—

(a) shall not be amended or revoked save as is prescribed by subsection (4);

(b) if it is inconsistent with any other rule of the Society, shall prevail and the other rule shall to the extent of the inconsistency be invalid;

(c) shall have and be given the same evidentiary value as is by this Act accorded copies of the rules of the Society."'"

Amendment agreed to.

New clause 39, as read, agreed to.

Clauses 39 and 40, as read, agreed to.

Clause 41—New ss. 42A-42F—

Mr. BURNS (Lytton—Leader of the Opposition) (4.56 p.m.): I do not believe that the punishment in connection with the words "falsifies, destroys . . . records . . . or makes . . . any false or fraudulent entry . . . with intent to defraud or deceive any person" is severe enough. I am amazed at the way in which a young lad who steals an ice-cream or commits a misdemeanour is not allowed to be employed in, say, the Railway Department or the Public Service, and thus has his whole life adversely affected, yet the shady criminals get off with bonds. Why is it that only the blue-collar criminals end up in prison? We have before us proof of the corporate crimes that have been committed over the past few weeks by directors of certain societies. We should ensure that the legislation covers people who rob and deceive. They should be imprisoned. A fine is not adequate. If I steal a colour T.V. set tonight from someone's home I will probably end up in gaol. If I did it twice I would have imposed on me the toughest penalty allowed by law. But if some shady, sinister character who is permitted to be a director of a building society fleeces an elderly couple of their savings not once or twice but three or more times the Minister is satisfied with a fine. We should be tougher than that and stamp out the so-called white-collar criminals who burgle the people's pockets. A fine of $5,000 or a term of two years imprisonment is not enough.

If action had not been taken to set up the Contingency Fund a lot of people would have lost their life savings or their superannuation. The punishment should be tougher. We should make certain that people who engage in trickery and slick salesmanship to defraud the ordinary fellow are not allowed to get away with it. White-collar criminals should be hit hard. We should ensure that people will not be robbed by slick salesmen with slippery tongues. It is wrong that a blue-collar criminal who commits a misdemeanour ends up in gaol whereas the white-collar criminal only pays a fine.

Clause 41, as read, agreed to.

Clauses 42 to 44, both inclusive, as read, agreed to.

Clause 45—Amendment of s. 44; Inspection, etc. of documents—

Hon. N. E. LEE (Yeronga—Minister for Works and Housing): I move the following amendment—

"On page 44, line 25, omit the expression '36D (9)' with a view to inserting in lieu thereof the expression '36D (10)'."

Amendment agreed to.

Clause 45, as amended, agreed to.

Clause 46, and schedule, as read, agreed to.

Bill reported, with amendments.

THIRD READING

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

DRUGS STANDARD ADOPTING BILL

INITIATION IN COMMITTEE

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

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (5.2 p.m.): I move—

"That a Bill be introduced to amend the law relating to the adoption of the British Pharmacopoeia in Queensland and to provide for the adoption of the British Pharmaceutical Codex and the British Veterinary Codex in Queensland, and for other purposes."

At present, a provision of the Health Act 1957–1975 establishes the standards laid down in the British Pharmacopoeia as the standard for drugs sold in Queensland, such standard having been adopted by the British Pharmacopoeia Adopting Act 1898.

As would be expected with the passing of time, the British Pharmacopoeia Adopting Act 1898 is outdated, the Act referring to the British Pharmacopoeia published by the General Council of Medical Education and Registration of the United Kingdom. The present British Pharmacopoeia is published on the recommendation of the Medicines Commission pursuant to the Medicines Act 1968 of the United Kingdom.

The British Pharmacopoeia published on the recommendation of the Medicines Commission, together with the British Pharmaceutical Codex and British Veterinary Codex which are published by direction of the Council of the Pharmaceutical Society of Great Britain, and which apply to the pharmaceutical manufacturing industry and the supply of drugs for use in veterinary services, will still provide the basic standards for drugs in Queensland. Provision is made in this Bill therefore for adoption of the British Pharmacopoeia and the two codices.

The Commonwealth Department of Health from time to time issues therapeutic goods orders for drugs utilising standards established by the National Biological Standards Laboratory. Whilst the quality of the drug would be beyond doubt, it could be that it would not comply with the British Pharmacopoeia standard and, as such, a drug manufactured in Australia and acceptable in all other States would be considered adulterated in Queensland.

This matter was referred to the Solicitor-General for examination and he has advised that the existing provision of the Health Act 1937–1975 does not clearly authorise the Queensland Minister for Health to modify British Pharmacopoeia standards. A clause in this Bill will put beyond doubt this authority to modify, by order in writing, the standard for any drug and also the Minister's authority to determine standards and to order tests.

In conclusion I would remind honourable members that this Bill seeks only to update existing legislation and to clarify the intent of such legislation.

I commend the motion to the Committee.

Mr. BURNS (Lytton—Leader of the Opposition) (5.5 p.m.): As the Minister suggests, the Bill is designed only to update existing legislation and to clarify the intention of the legislation. The Opposition, obviously, has no objection to the Bill itself. When I saw the Bill on the Business Paper and realised that I would have to speak to it, I went to the library and also rang up my mate, who is a chemist, to find out what the British Pharmacopoeia was. He suggested to me that many pharmacists will be happy with this alteration because, as the pharmacopoeia was the official handbook, they had to buy it, but the codex was more valuable to them in many ways. The pharmacopoeia was sterile and only gave a description of the drug and some other details. He said that the codex gives usages and actions of drugs and is more valuable to anyone wanting to learn a little more about drugs than the standards contained in the British Pharmacopoeia.

If we are placed in the position where the Commonwealth Department of Health from time to time is issuing therapeutic goods orders for drugs utilising standards established by the National Biological Standards Laboratory and where a drug manufactured in Australia and acceptable in all other States would be considered adulterated in Queensland as it does not comply with the British Pharmacopoeia standard, I think it is a good

idea to make it very clear that the Minister is authorised to modify the British Pharmacopoeia. On behalf of the Opposition, I welcome the Bill.

Motion (Dr. Edwards) agreed to.

Resolution reported.

FIRST READING

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

HEALTH ACT AMENDMENT BILL

INITIATION IN COMMITTEE

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

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (5.10 p.m.): I move—

"That a Bill be introduced to amend the Health Act 1937–1975 in certain particulars."

I have been concerned for some time that penalties for drug offences, in certain instances, were inadequate and I sought advice through the Honourable the Minister for Justice and Attorney-General as to a means to ensure that penalties rendered were commensurate with the crime.

Advice was furnished by the Solicitor-General that the Attorney-General, in such circumstances, should have the right of appeal against punishment imposed, where this action is considered necessary, and that the appropriate tribunal to hear any appeal and review a sentence is the Court of Criminal Appeal.

At present the Health Act 1937–1975 provides that drug offences can be prosecuted on indictment or that action can be taken in summary proceedings. In the event of a conviction in summary proceedings, the person convicted has the option of appeal to the District Court or Full Court against sentence. It is considered that any appeal against sentence by a person convicted should be, as with an appeal by the Crown, to the Court of Criminal Appeal. Provision has been made in this Bill to give effect to the recommendations of the Solicitor-General in this regard.

The Solicitor-General has also advised that evidentiary problems could arise in cases dealing with drugs or poisons where the prosecution sought to rely on records, labels or markings, in the absence of analysis, to establish the nature of substances. An amendment contained in this Bill will enable a court to presume that, if a substance bears an inscription required under legislation or if a container is labelled according to legislation, that substance or article is of the nature or substance as indicated on the inscription or label.

I have previously introduced a Bill for the Drugs Standard Adopting Act 1976. A clause contained in this Bill will amend an existing provision of the Health Act to relate it to the Drugs Standard Adopting Act 1976 in lieu of the British Pharmacopoeia Adopting Act, 1898.

This Bill is in the main of a machinery nature seeking to complement the existing provisions of the Health Act 1937–1975.

I commend the motion to the Committee.

Mr. BURNS (Lytton—Leader of the Opposition) (5.10 p.m.): The misuse of drugs and drug dependence are social problems that are relatively new to people in Queensland. It has always seemed to be our policy under the Health Act to treat the pusher of dangerous drugs with greater severity than the consumer. I do not disagree with that provision. We should try to rehabilitate drug offenders and to cut off the supply from those people by dealing with those who want to make a living out of dealing in drugs. My attitude is that the Health Act should work along the lines that prevention is better than cure. We should try to prevent people from getting the drugs in the first place.

I should like to raise two points that I think I raised in 1972. Section 130 of the Health Act provides that possession of a dangerous drug or prohibited plant is an offence. As in all criminal cases, the prosecution has the onus of proving beyond a reasonable doubt that the accused was in possession of the drug.

One of the subsections of section 130 reverses the onus of proof in certain circumstances, that is, if a dangerous drug was at the material time upon the premises occupied or under the control of the accused unless he shows that he neither knew or had reason to suspect that the drug was on the premises. The effect is that once the prosecution establishes that the drug is on the premises of the accused, the onus rests with him to prove that he did not have ownership of the drug.

I have been told by police officers of a case in which a young fellow was crooked on his father and hid drugs in the toilet in the family home. He then rang the police and told them to go to such-and-such a house and look in the toilet. When the police officers got there, sure enough there were drugs in the toilet. The man was then placed in the position of having to defend himself against a charge of being in possession of dangerous drugs.

That reverses the whole idea of British justice. It should be the prosecution that has to prove the case. If it is obvious that a man has for sale great stocks of drugs in his home, that is a different situation. I return to my original submission that we should treat the pusher, and not the user, as the main criminal. If it is left as it is now, an unfair onus of proof is placed on the owner of the property. I can imagine a group of young people congregating at a party. If drugs were found, the accused would have to prove his innocence by establishing that the existence of the drugs on

his premises resulted from the indiscretion of an unknown member of the gathering in bringing them into his home. If one is having a party involving a large group of young people, it would not be practicable to search everybody coming into one's house. But if the police do raid the premises, especially where a group of young people are probably making a lot of noise, there is a possibility of drugs being discovered on the premises and one is placed in a very difficult situation.

I have waited for some time hoping that section 130J would be repealed or, if not repealed, at least reviewed and brought up-to-date. After listening to the Minister's introductory remarks, I can see no objection from the Opposition to the Bill. I will read it with some interest when it is printed.

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (5.16 p.m.), in reply: I appreciate the comments made by the Leader of the Opposition. I think the matter he referred to is covered by a section that was added to the Act in 1971, but I would have to check that with the Parliamentary Draftsman. Section 130J reads—

> "(b) proof that a dangerous drug was at the material time upon premises occupied by or under the control of any person is proof that the drug was then in his possession unless he shows that he then neither knew nor had reason to suspect that the drug was upon the premises;"

Mr. Burns: It is a bit hard to show, isn't it? If police suspect a person of being a drug offender and they find a drug there, naturally he will say, "I didn't know it was there." The onus of proof is still on him.

Dr. EDWARDS: I will be happy to take that up with the Parliamentary Draftsman.

Motion (Dr. Edwards) agreed to.

Resolution reported.

FIRST READING

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

HARBOURS ACT AMENDMENT BILL

INITIATION IN COMMITTEE

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

Hon. R. E. CAMM (Whitsunday—Acting Minister for Tourism and Marine Services) (5.19 p.m.): I move—

> "That a Bill be introduced to amend the Harbours Act 1955–1972 in certain particulars."

A number of provisions contained in the Bill follow requests received from the Queensland Harbour Boards' Association and other provisions are considered necessary and desirable for the more effective working of harbour boards in this State. Several of the amendments are identical with amendments made to the Local Government Act in recent years in respect of local authorities. I will now proceed to outline the main provisions contained in the Bill.

The Bill provides for the repeal of those sections of the Act relating to the Queensland Harbours Trust. Since 1941, the Corporation of the Treasurer of Queensland has been the harbour authority for all harbours in Queensland for which there is no harbour board. The Harbour Boards Act Amendment Act of 1952 introduced by the previous Government reconstituted the Corporation of the Treasurer of Queensland as a body corporate under the name of the Queensland Harbours Trust and consisting of five members. The Act provided that such reconstitution take effect from a day fixed by proclamation. However, the proclamation to bring the Queensland Harbours Trust into existence has never been issued.

It is obvious from statements made in Parliament by the Treasurer of the day (Mr. Walsh) when presenting the Bill setting up the Queensland Harbours Trust that the purpose in creating the trust was for all harbours in Queensland, including those under the control of harbour boards, to be under the control of the harbours trust. The legislation for the constitution of the Queensland Harbours Trust was passed 24 years ago, and time has shown that there is no necessity for the concept of a Queensland Harbours Trust.

The present system of harbours being under the control of the harbour boards or the Corporation of the Treasurer of Queensland works quite satisfactorily. The corporation is the Minister administering the Harbours Act, and the corporation's functions are carried out by the Minister and officers of the Department of Harbours and Marine.

The major multi-user ports (except the Port of Brisbane) are under the control of harbour boards, and single-user ports and minor multi-user ports are under the control of the corporation. The setting up of a Port of Brisbane Authority, which the Government proposes, will mean that all major multi-user ports will be under the control of non-Governmental bodies.

The Bill also provides for the alteration of the name of the corporation to the Harbours Corporation of Queensland.

The Bill removes a provision of the Act which disqualifies a person who enters into certain types of financial transactions with a harbour board from being or continuing to be a member of that harbour board. The provision which is to be removed disqualifies from membership any member who is concerned or participates in the profit of a contract with the harbour board except in certain circumstances. The same provisions contained in the Local Government Act in

respect of members of local authorities were removed by the Local Government Act Amendment Act of 1971.

Under an existing provision of the Act which is to be retained, and which was also retained in the Local Government Act, a member of a harbour board who has a pecuniary interest in a contract with the harbour board, and who is present at a meeting at which the contract is the subject of consideration, is required to disclose his interest and refrain from taking part in the discussion of or voting on any question regarding that contract. This provision protects the interests of the public in matters of this nature.

The Bill also extends the provisions in the Act relating to the payment of fees and expenses to members of harbour boards. At present, harbour board members are paid such fees as may be fixed by the board's by-laws for attending board meetings, committee meetings and authorised inspections and the expenses incurred in attending such meetings and inspections. The Bill extends this provision to include the payment of fees to members for attendance at deputations and conferences where attendance is authorised by the board, and the expenses so incurred, and allows these fees to be fixed by resolution of the board. These principles were inserted in the Local Government Act in 1963 in respect of members of a local authority.

The Bill authorises a harbour board to enter into contracts for the insurance of any member of the harbour board against injury arising out of or in the course of the performance of the duties of his office. A local authority is empowered under the Local Government Act similarly to insure its members.

The next provision in the Bill relates to the engagement and dismissal of employees of harbour boards. Under the existing law, only the harbour board itself may appoint or dismiss employees; the chairman and any officer appointed by the board's by-law have the power to suspend an employee. In accordance with normal business practice, it is reasonable that the chairman and senior officers and employees of a harbour board should have the power to appoint and dismiss employees, and the Bill empowers a harbour board to authorise this by resolution. The board, of course, will continue to have these powers.

The next provision in the Bill allows a harbour board to appoint employees of the Crown to perform the functions and duties of officers of the board. Such appointment may only be made with the approval of the permanent head of the department concerned and will allow, for example, officers of the Boating and Fisheries Patrol to assist in the policing on behalf of the harbour board certain by-laws made by the board, such as the control of houseboats in its harbour or the pollution of its waters.

The next provision in the Bill relates to the calling of tenders and quotations by a harbour board. The present law provides that a harbour board shall not, except in cases of emergency, enter into any contract for the execution of any work or the furnishing of any goods or materials to an amount exceeding $500 but not exceeding $2,000 without calling quotations. Tenders must be called where the amount involved exceeds $2,000. The harbour board is also empowered to take security for the due performance of any contract to an amount exceeding $2,000. The Bill provides that these limits may in future be fixed by Order in Council.

The next provision in the Bill relates to the granting by a harbour board to persons or companies by way of a lease, a licence or a permit, the right to use, occupy and develop lands in or adjacent to the harbour. At present, the powers of a harbour board to issue a lease or licence of its lands are contained in separate sections of the Act, and the Bill consolidates these provisions into one section. The Bill also reduces the maximum term of a harbour board lease from 99 to 75 years and a licence from 14 to 10 years.

The Bill empowers a harbour board to issue permits to persons for the use and occupation of land for the construction of harbour works and other works and for the placement of buoy moorings. The land over which a harbour board will be empowered to issue a permit will not only be land vested in or otherwise held by a harbour board but relate to the use and occupation of a part of the foreshore or of any other tidal land or tidal water in the harbour and any vacant Crown land contiguous to the foreshore irrespective of whether those lands are actually vested in or otherwise held by the board.

The Bill provides that a permit shall be issued for a maximum period of two years, which could be renewed. It is envisaged that a harbour board will issue these permits only for private jetties, boat ramps, moorings and other minor structures.

The Bill contains a provision that if a harbour board refuses an application for a permit or the renewal of a permit, the applicant may renew his application to the Minister, who, if he approves the application, shall direct the harbour board to grant or renew the permit.

The Bill also contains a provision relating to the sale of freehold land owned by a harbour board. Under the present law a harbour board cannot sell land owned by it in fee simple and designated under the Act as "harbour lands" without the approval of the Governor in Council, but it may sell land designated as "industrial lands" without any such approval. Industrial lands are those lands which I might describe as back-up lands where industries are located or planned to be located under a lease from the harbour board. These industries, generally speaking, use the harbour for the export or import of their

products, and harbour boards often obtain the fee simple of industrial lands. Industrial lands owned by harbour boards are strategically located in relation to the harbour and are precious and in short supply. The lands are an essential factor in the proper development of most harbours, and for this reason it is proposed that their sale also be subject to Governor in Council approval.

The next provision contained in the Bill relates to the shipping and unshipping of goods. The law at present provides that, if any goods unloaded from a vessel are in an offensive or dangerous condition, the chairman of the board may cause notice in writing to be served on the owner or consignee to remove such goods within 24 hours. At present the Act refers only to goods unloaded from a vessel, and the Bill widens this provision to include goods awaiting shipment.

The next provision in the Bill relates to the abandonment of vessels, vehicles and other things on land owned by a harbour board. A harbour board has power at present under the Act to take action in respect of vessels abandoned in its harbour. However, where these vessels are left abandoned on land above high-water mark owned by the board, there is no power to take action in respect of the abandoned vessel. The same applies to abandoned vehicles. The Bill empowers a harbour board to sell or dispose of vessels, vehicles or other things abandoned on its lands after carrying out certain steps, such as notifying the owner (if known) and inserting a notice in a newspaper. The procedural steps contained in the Bill follow the procedure set down in the Traffic Act to be complied with by the local authorities in respect of vehicles abandoned on roads.

A new provision is inserted by the Bill making it an offence to dump litter on any harbour board land.

The next provision in the Bill exempts harbour lands held by a harbour board from the payment of local authority rates, unless such lands are held or used by a person other than the harbour board. Under the Local Government Act, land actually in use by a harbour board for its own purposes is exempt from rating. Where the harbour board leases any of its lands, the lessees pay the rates. However, where land is held by the harbour board for future use the land is rateable under the existing law. The Queensland Harbour Boards' Association has submitted that rating exemption should be extended to include lands held by a harbour board for future use where such lands are designated pursuant to the Harbours Act as "harbour lands". Industrial lands held by a harbour board for future use will continue to be rateable, and the total amount of rates involved by extending exemption to harbour lands held for future use is estimated at less than $10,000 a year. The Local Government Association has no objection to the proposal, provided a local authority is empowered to request the Minister to review at any time the designation of any land as harbour lands, and the Bill provides accordingly.

The Bill also allows a fee to be fixed in respect of applications made for the approval by the Governor in Council of plans of works below high-water mark. The department incurs considerable expenditure in examining such plans and carrying out on-site engineering inspections prior to and after construction and the Bill allows regulations to be made fixing application fees and prescribing procedures to be followed by applicants. The penalty for construction of works on tidal lands without the approval of the Governor in Council is increased from $1,000 to $5,000.

The next provision in the Bill relates to the reclamation of land below high-water mark and requires applicants for a special Act or an Order in Council authorising the reclamation to advertise the proposed reclamation in the Gazette and in a newspaper circulating in the locality for four consecutive weeks. At the present time, only local authorities are required to publicly advertise reclamation proposals, and the Bill requires that all applications for reclamation of land under the Harbours Act be so advertised. The provisions will accordingly have application to reclamations by harbour boards.

The Bill provides that any person who feels aggrieved by the proposed reclamation may lodge an objection with the Land Court. The Land Court hears and determines any objection lodged and is required to make recommendations to the Governor in Council as to the granting or refusal of the application to reclaim.

The next provision in the Bill extends the by-law-making powers of a harbour board. The power to make by-laws in relation to harbour works is at present limited to harbour works vested in or belonging to the harbour board, or under its control or management. Circumstances do arise where it is desirable that a harbour board be in a position to control the operation and use of private harbour works in the public interest. The Bill empowers a harbour board to make by-laws regulating and controlling the use of such harbour works in order to secure the safety of shipping within the harbour or the interests of public health, safety or comfort.

The Bill also allows by-laws made by harbour boards under the Act to refer to standard rules or codes prepared by recognised associations. This will permit the saving of considerable time and expense in drafting by-laws and mirrors similar provisions in the Queensland Marine Act. The Bill increases the maximum penalty for a breach of harbour board by-laws from $200 to $5,000.

The various penalties under the Act have not been revised since 1955 and the Bill increases several penalties for offences against the Act.

The Bill requires the Harbours Corporation to give notice in a newspaper of its proposed by-laws and stating that the by-laws are open to inspection. This requirement has always applied to by-laws made by a harbour board.

The next provision in the Bill relates to the establishment and keeping of funds by a harbour board. The Act at present requires that a harbour board establish and keep a harbour fund, a trust fund, and a loan fund. The Act does not at present permit the creation of other funds such as an asset replacement and improvement fund. The principle of establishing such a fund is good business practice and the Bill permits a harbour board to establish additional funds as may be prescribed by regulations.

The next provision in the Bill authorises a harbour board to invest moneys on a long-term basis in traditionally safe securities mentioned in the Bill. This provision follows a request received from the Harbour Boards' Association. Under the existing law a harbour board may invest moneys which are temporarily surplus in any of its funds with an approved dealer in the short-term money market.

The Bill contains minor consequential provisions which have the support of the Auditor-General and which relate to the annual budget and accounts of a harbour board.

The next provision in the Bill relates to the audit of the books and accounts of a harbour board. At present, the Minister, on the recommendation of the Auditor-General, appoints the auditors and the Bill provides for the Auditor-General to make these appointments.

The next provision in the Bill relates to the fixing of the various dues and charges levied by a harbour board. These dues and charges are required to be fixed at present by by-laws made by the board. The charges levied by a harbour board for services such as hire of plant and the supply of power and water to shipping have to be reviewed frequently to keep pace with rising costs and may only be brought into force by by-laws, and the Bill provides that these service charges may be fixed by by-law or by resolution of the board.

It is not proposed to disturb the existing requirement for the principal dues and charges levied by a harbour board to be fixed by by-law. A local authority has power under the Local Government Act to fix comparable minor charges by its resolution.

The Bill increases the penalties for the following offences against the Act:—

(1) Depositing refuse into tidal waters —the penalty is increased from $200 to $5,000.

(2) Non-compliance with a notice from the harbour board prohibiting the discharge of refuse into a harbour—the penalty is increased from $200 to $10,000.

(3) Damaging navigation lights, buoys and beacons—the penalty is increased from $400 to $5,000.

(4) Damaging lights on wharves, docks and sheds—the penalty is increased from $100 to $5,000.

(5) The general penalty for offences against the Act is increased from $300 to $5,000.

The next provision in the Bill provides that any proceedings instituted by way of complaint for offences against the Act, other than proceedings of a harbour board, may be instituted by the director of the Department of Harbours and Marine or by a person authorised by the Minister or the director. The Bill inserts additional provisions in the Act similar to those contained in the Queensland Marine Act in relation to the facilitation of proof in court proceedings for offences against the Act.

The next provision in the Bill empowers a harbour board to serve legal processes on the agent of the owner of a vessel as an alternative to service on the owner or the master of the vessel. The same provisions were inserted in the Pollution of Waters by Oil Act of 1972 in respect of offences against that Act. The Bill also authorises a harbour board to apply to the Supreme Court for an injunction restraining a person from continuing to contravene a harbour board by-law. At present the person concerned must have been actually convicted of the offence before a restraining injunction may be applied for by the harbour board.

The next provision in the Bill gives the right to officers and employees of the Crown or a harbour board to enter upon land, harbour works and trading vessels.

The Bill also sets out the functions and powers of the Harbours Corporation of Queensland. In addition to its present functions as a harbour authority under the Act, the Bill authorises the corporation to undertake the following works and services:—

(1) The design, supervision and construction of harbour works on behalf of a harbour board.

(2) The provision of small-craft facilities.

(3) The provision of coastal engineering services including beach protection research, surveys, design work, supervision and construction of works, providing for maritime safety, shark meshing and dredging.

Mr. Houston: The board has to have authority? Is that the idea?

Mr. CAMM: Yes.

(4) The carrying out of research for harbour boards and local authorities and permitting the use of its research facilities to any person.

These functions are already carried out by the corporation or the Department of Harbours and Marine and the Bill expressly

authorises the corporation as a body corporate to carry out these functions and enter into contracts and agreements with harbour boards, local authorities and persons for the carrying out of the works and services. The Bill confers on the corporation the necessary and usual type of powers for the acquiring of land, the issuing of leases, licenses, or permits to occupy its lands, the power to borrow and the type of funds to be kept by the corporation.

I would like to summarise the Bill by saying that most of the provisions are directed towards providing a more streamlined approach in the administration of the Act and in the management of ports under the control of the Department of Harbours and Marine and the various harbour boards.

I commend the motion to the Committee.

Mr. HOUSTON (Bulimba) (5.41 p.m.): After listening to the Minister's introduction, I think all honourable members would agree that it was rather hard to follow in detail the various facets he covered. From a quick check, I would think that about 30 amendments are contemplated. Naturally, at this stage the Opposition will not be expressing its policy for or against the items separately.

The main tone of the Minister's introduction was, first of all, to eliminate from our legislation the Queensland Harbour Trust, basically because it was never persevered with. There could be many reasons for that. The Minister said that the enabling legislation was introduced in 1955. The change of Government in 1957 could have been the main reason for the attitude that has been taken. When the Government decided to give harbour boards more power, the concept of one authority was certainly contrary to that decision. I think I am right in my interpretation that the Bill will certainly give harbour boards more power and greater flexibility within the charter that will be laid down in the legislation.

The Minister kept referring to various conditions and the creation of by-laws for the operation of harbour boards to bring them in line with local authorities. That has to be watched carefully. After all, a local authority is an elected body. It is subject to election by franchise, just as is State Parliament. If it makes decisions that the people do not consider to be in their best interests, there is an opportunity every three years for the voters to express their opinion of the elected representatives through the ballot-box. On the other hand, members of harbour boards are not elected. They are appointed by either the Government or the local authority serviced by the board. There is therefore a slight but very important difference between the methods of composition of harbour boards and local authorities.

Of course, once a board has made a decision it is able to supervise efficiently any work carried out. There is that parallel between the two authorities. I assume that the Minister's use of the words "reference to local authorities" would be in that context rather than in the context of decisions made that cannot be appealed against. I assume, too, that the Minister for Marine Services will still be the channel through which an appeal may be lodged by a person who feels aggrieved.

Many of the matters referred to by the Minister are of an administrative nature. He suggested that some penalties have been increased. They have in fact been increased from $100 to $5,000, which is no mean increase in anybody's language. Perhaps the Minister could indicate whether or not there has been a breakdown in the area of destruction of harbour board property. No-one wants to take any action that would endanger lives at sea because as time passes more and more people are using our waterways, bays, harbours, rivers and even the open sea. Many of them are using boats of various sizes for pleasure—certainly much more than was the case a few years ago.

Unfortunately, perhaps, we get on our waterways more and more people who lack boating experience in certain conditions. Means of indicating channels and points of danger are therefore most important to the public as a whole, so naturally I support the tightening of laws to make sure that they are protected and that anyone who damages them will be dealt with. On the other hand, we must not throw the penalties out of relationship with those for other offences. The Minister indicated that the penalty has been increased from a maximum of $100 to a maximum of $5,000.

While speaking about more people using small boats, I notice a report that mooring fees could be increased substantially. I hope that that report is incorrect. Although it is right to say that the people who use the water should pay something towards the upkeep and the safety of their moorings, I do not think it is correct to compare them with the motorist who wants to store his car in a public car park day in and day out. That comparison is well off the track because in certain localities a boat-owner, because of the size of his boat, could not very well put it into his private garage even if he wanted to. The place where a boat is moored is therefore very important. I do not think that we should price owners out of the right to enjoy this great form of recreation that is so popular. If there is any truth in that report, I suggest that the increases be squashed immediately and that the Government take another look at the matter.

I think the Minister indicated that one of the provisions of the Bill gives harbour boards the right to handle their own financial affairs much more than they can at present. This could be a good move because the local people could know best the requirements of their own areas. However, we must watch that we do not create an imbalance where

one harbour board tries to compete with another and throws the burden of paying onto those who use the harbour. That must be avoided. I take it that the whole matter will be co-ordinated through the department so that these things are covered.

The provision for the borrowing of money to carry out construction, design or any other matters required for the development of a harbour, could be of advantage if it is used wisely. The whole matter will hinge on the wording of the Bill. When we see exactly how the harbour board is placed with regard to repayments and how it is financed from the harbour user we will be in a better position to discuss that provision. I hope that the drastic increase in penalties is not taken to mean that part of the finance will come from fines, forfeitures and this type of thing.

As I said, this is the type of Bill that needs to be looked at and the Opposition will leave it at that for the moment.

Mr. CASEY (Mackay) (5.50 p.m.): I am very pleased to see the introduction of this legislation. Most of the amendments listed by the Minister are badly needed. Since 1952 when the Act was consolidated by the then Treasurer, the late Mr. E. J. Walsh, there has been a considerable change in many of Queensland's port authorities. Many of the works and activities carried out by these port authorities have been updated. I would suggest that many of the amendments being put forward in this Bill are designed merely to legalise what has become the practice of many of the boards. I might add that I do not mean that in an illegal sense, because they are practices that are common, as the Minister pointed out, to local authorities and other business enterprises within the community, and so therefore it is necessary that the provisions covering harbour boards be updated in this way.

Harbour boards throughout Queensland have played and are continuing to play a great role in the development of the State. We are, as has so often been said, an export State, and as such our export earnings have contributed very greatly to the economic well-being of our nation as a whole. It is because of the efficiency of our harbour boards and the way in which they have operated over the years that we have been able to share in the economic development which has resulted from increased exports in recent years. Had it not been for the work done by many of our boards, we would not have the economic development we see along the length of the coast.

We must keep in mind that this Bill does not relate to the Port of Brisbane Authority Bill, which was introduced the other night. That Bill alters the working of the Port of Brisbane. The Corporation of the Treasurer will be changed in accordance with the amendments that have been put forward. This, too, is probably needed because again its whole purpose has altered considerably since the time it was first included in the Act together with the Queensland Harbours Trust. I agree that there is no further need for that trust, but at the time it was introduced there were a number of declining ports in Queensland. In fact, the Corporation of the Treasurer took over the operation of many of these declining ports. I would like the Minister to tell me if there is in fact any purpose behind the alteration to this set-up.

That body could perhaps look further at some of our problem ports in Queensland. We do have two, the ports of Bowen and Port Alma. They are board operations under the Harbours Act and have had financial difficulties for quite a number of years. If there is any possibility of the Corporation of the Treasurer assisting those boards in their operations, I think perhaps this would be the time to do it.

Of course, the Corporation of the Treasurer has not been handling only ports which are in financial difficulties; it has been handling all of the affairs of the ports of Weipa and Hay Point, too. They have become two of our largest ports and, indeed, the profits from the operation of those two ports must be a bonanza to the Corporation of the Treasurer. In so far as the port of Weipa is concerned, I suggest it would be very difficult to establish a harbour board there, although the Harbours Act does in fact allow for it. The operations of the port are tied to one industry and one operator at present, and no other established port authority within hundreds of miles could take over the operations in that area.

However, I suggest that a strong case can be made out for the Mackay Harbour Board to take over the operations of the Port of Hay Point. It is only about 20 kilometres across the water from Mackay harbour and it is equally a port of the Mackay district. Over many years the Mackay Harbour Board has proved that it can handle port operations very efficiently. The port of Hay Point was once part of the Mackay Harbour Board area, but was excluded many years ago on the pretence that there was pollution of a creek in the area. In fact, that was not very long before negotiations began with Central Queensland Coal Associates and the various companies inland from Mackay that are now handling coal. Central Queensland Coal Associates are now exporting 12,000,000 or 13,000,000 tonnes of coal a year, or perhaps even more, through Hay Point. When Norwich Park comes into production, between 16,000,000 and 19,000,000 tonnes of coal a year will be exported. In addition, other companies are due to establish operations and it is planned that they should operate through the port of Hay Point.

In recent months there has been quite a lot of noise about the export levy of $6 a tonne on coal-handling operations in Queensland. One of the cries from people in the Mackay area, from which some of the coal comes, is that the money goes to the Federal Government, which is not putting anything back into the area. If the port of Hay Point was constituted part of the port of Mackay, the local people who have had to put up with problems that have arisen indirectly from the development that has taken place in the area could perhaps share, through local organisations such as the Mackay Harbour Board, which has been a very good and enterprising board, in the profitable coal export. Because of the way in which royalties are obtained by the State and, through the coal export levy, by the Commonwealth, those two levels of Government are sharing in the prosperity of the area, while the smaller local organisations are not. I again suggest strongly that the Mackay Harbour Board could share in that prosperity if the port of Hay Point was brought under its control.

There are a couple of other points that I wish to make fairly quickly. The Minister mentioned that certain additional controls and alterations relative to small boats and shipping are included in the amendments now proposed. I do not know whether any other port authority is in a similar situation, but the small boat harbour has actually been established inside Mackay Harbour. A move is being made by the Department of Harbours and Marine in this State to take control of that small boat harbour, which is now under the control of the Mackay Harbour Board. It is said that the Bill is designed to update the work of harbour boards and give them better control, thus enabling them to overcome anomalies that have occurred over the years since the Harbours Act was introduced. At the same time, the Department of Harbours and Marine is to impose a burden on the Mackay Harbour Board that will restrict its control of operations in its own area. I know that finance was provided for this by the Department of Harbours and Marine through the Smallcraft Facilities Fund. The responsibility for looking after the proposal has rested with the Mackay Harbour Board. I was a member of that board when it negotiated with the department to build the boat harbour.

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

Mr. CASEY: Before the dinner adjournment I was referring to certain activities in regard to small boat harbours, in particular the small boat harbour at Mackay, which is situated in Mackay Harbour itself, and constructed by the Mackay Harbour Board, although finance was certainly supplied by the Department of Harbours and Marine. That boat harbour is unusual in that most of the other small boat harbours in Queensland have been sited away from the normal undertakings under the control of the port authority. The Rosslyn Bay boat harbour in the Emu Park-Yeppoon area is right away from the control of any harbour boards in that area. However, Rosslyn Bay is an example of what can happen in an attempt to set up something similar to a harbour as a small boat harbour. I believe that the setting up of the small boat harbour in the main harbour complex in Mackay has been very beneficial for boat owners in the area. Operations have been controlled by an experienced group on the Mackay Harbour Board. Advice given by that board concerning the establishment of the small boat harbour was indeed cherished and valued at the time by the Department of Harbours and Marine. So it is rather strange that while extra powers are now coming to the board—boards are being upgraded in many respects by the Bill—at the same time, on an administrative basis, the Department of Harbours and Marine is attempting to take away control of the small boat harbour in the port of Mackay from the Mackay Harbour Board. I would make a plea to the acting Minister that this be looked at very carefully. I would go so far as to suggest that more small boat harbours should be placed more directly under the control of harbour authorities.

I have already mentioned the possibility of Hay Point coming under the control of the Mackay Harbour Board. There is a proposal to build an additional small harbour at Hay Point. It has been classified as a tug harbour, but on the last estimate it will cost between $8,000,000 and $9,000,000. Perhaps that could be extended to cope with the many small boats in the area. As the acting Minister would know, the Mackay area is very popular for the use of small boats, mainly because there are more off-shore islands in the area 120 kilometres north and south of Mackay than along any other part of Australia's coastline. For that reason safe and pleasurable boating activities can be enjoyed in that area. This could be all tied in with the planning to extend the port of Mackay in conjunction with taking over the control of Hay Point. The one authority could control small boat harbours and take over the planning for heavy, noxious industries and other industries for which Hay Point would be a more suitable export outlet than Mackay Harbour. Many of these functions can be carried out only by a common board which can properly plan for both authorities. The planning for a small boat harbour adds weight to the need for Hay Point to come under the control of the Mackay Harbour Board.

During the last session I had a fair amount to say about the development of Lucinda Point, which is under the control of the corporation of the Treasury. During the recess I had an opportunity to visit the Lucinda area and inspect it personally. I firmly believe that the arguments I raised then are equally valid now. The money is

being badly spent on the development of Lucinda Point on that basis, particularly when one sees the need to develop the port of Bowen. The Minister has tried in many ways to promote the development of the area.

At the present time we see tremendous expansion in the sugar industry. Further expansion will follow in the Burdekin and Mackay areas. They are more capable than any other area of further expansion. The production from the Herbert River area is restricted somewhat by the port of Lucinda Point. I suggest that an additional sugar outlet should have been constructed in Bowen Harbour to cater for the output from the Inkerman and Proserpine sugar mills, which would be equivalent to the production from the Macknade and Victoria mills. The cost involved in constructing the additional outlet in Bowen Harbour would be far less than that incurred on the new port at Lucinda Point.

We have what I would term complementary legislation in the Port of Brisbane Authority Bill, which contains certain provisions that are not in the Harbours Act. From the Minister's introductory comments, I gather that some of those provisions are being included in the Harbours Act, and for this I am very grateful. The additional powers conferred by the Port of Brisbane Authority Bill should be given also to harbour boards throughout the State.

The Port of Brisbane Authority Bill allows the new Port of Brisbane Authority to take certain steps to cover unforeseen, emergent and extraordinary expenditure. Provision is made in the Local Government Act for local authorities to take similar action. The Minister has said that this Bill contains provisions similar to those already in the Local Government Act. I sincerely hope that harbour boards will be allowed to cover themselves under the new funding arrangements mentioned by him for emergent, unforeseen and extraordinary expenditure. This will bring them into line with the Port of Brisbane Authority and local authorities.

The Port of Brisbane Authority will cover the two areas to the north and to the south of the river. I should like to see the provisions of the Harbours Act extended to create harbour board areas on a boundary-to-boundary basis. By that I mean that port authorities, whether or not they be harbour boards, should have jurisdiction over contiguous areas with common boundaries. By this means greater control could be exercised over certain aspects of boating, shipping, fisheries and the movement of unknown vessels along our coastline. I should like to see contiguous port authority areas stretching from Cape York to the Queensland-New South Wales border.

Mr. JENSEN (Bundaberg) (7.24 p.m.): I am interested in the comments of the honourable member for Mackay, who has said that the major expansion in the sugar industry will take place in the Mackay and Burdekin areas. How he can make that claim in the light of the fact that the Sugar Board has given $50,000,000 towards the cost of the expansion of the ports of Bundaberg and Mourilyan, I do not know. The Bundaberg area has seen tremendous expansion in the sugar industry. All we are waiting for now in the completion of the irrigation scheme. We know what the Queensland Government has done in this direction—virtually nothing. Whereas the Federal Government spent $17,500,000, the Queensland Government has spent only $8,300,000.

As our sugar exports have to go through the port of Bundaberg the port facilities must be improved. Do honourable members think that the Sugar Board would put $50,000,000 into port facilities if it did not believe there was scope for large-scale increased production? The original cost of the Monduran irrigation scheme was estimated at $20,000,000 but because the Government has not taken steps to speed up its construction the cost has escalated to $40,000,000. The Government has channelled money into other schemes like the Eton irrigation scheme, which should have been delayed until the Bundaberg scheme got under way. When money began to come in from the farmers the Government could have started other schemes. I shall not talk about irrigation schemes, Mr. Miller.

The TEMPORARY CHAIRMAN (Mr. Miller): Order! I would like the honourable member to come back to the Bill.

Mr. JENSEN: I shall deal with it, but I point out that the Bundaberg district has the best prospects for expansion in the sugar industry. That is why the Sugar Board is advancing $50,000,000 for ports and harbours in two areas. That is a lot of money to take from the pockets of Mackay and other growers to spend on Mourilyan and Bundaberg port facilities.

Mr. Casey: The Bundaberg scheme bogged down for the same reason as the Eton scheme, that is, lack of finance from the Federal Government.

Mr. JENSEN: The present Federal Government will not advance further money, but the former Federal Government increased its allocation from $12,500,000 to over $17,000,000. Like the present Federal Government, the State Government will not increase its allocation of $8,300,000.

The TEMPORARY CHAIRMAN: Order! I cannot allow the honourable member to talk about irrigation works.

Mr. JENSEN: I shall not deal with that, but I emphasise that major expansion in the sugar industry is taking place in the Bundaberg area. The Queensland Sugar Board knows where the expansion is taking place, as does the Minister for Primary Industries.

Expenditure of $50,000,000 has been approved for ports and harbours at Bundaberg and Mourilyan. The Bundaberg irrigation scheme will lead to greater production in the Bundaberg area than elsewhere in the State.

Hon. R. E. CAMM (Whitsunday—Acting Minister for Tourism and Marine Services) (7.28 p.m.), in reply: I thank members of the Opposition for their contribution. As the honourable member for Bulimba indicated this is a very large Bill embodying many clauses. In the circumstances, I think honourable members should study the Bill when they receive it so that they may comment appropriately on the matters incorporated in it. Some items referred to in the debate have had no relation to the Bill.

The honourable member for Bulimba referred to the large increase in some penalties from a few hundred dollars to some thousands of dollars. At a later stage he provided the reason for that when he said that pollution control is becoming a major part of the activities of port authorities. The servicing of lights, beacons, buoys and harbour installations is becoming much more important in the light of the increased use of our harbours by small boats. That is why greater importance is attached to vandalism associated with installations.

I shall leave further comment until my speech at the second-reading stage. I shall then reply to some of the relevant matters raised by Opposition members.

Mr. Houston: Is this Bill being cleaned up this session?

Mr. CAMM: Yes, before we adjourn. The House will be sitting for as long as honourable members prolong the debates. It is intended to deal with the second and third readings this session.

Motion (Mr. Camm) agreed to.

Resolution reported.

FIRST READING

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

CHICKEN MEAT INDUSTRY COMMITTEE BILL

INITIATION IN COMMITTEE

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (7.32 p.m.): I move—

> "That a Bill be introduced relating to the stabilization of the chicken meat industry, to establish a chicken meat industry committee and for connected purposes."

The Bill is quite simple and straightforward and I believe will have the support of the industry.

The chicken meat industry in Queensland is highly efficient and professionally organised, with current annual wholesale receipts of approximately $30,000,000 from some 18,000,000 birds. So it is a fairly sizable primary industry. The industry consists of a small number of processors, most of whom are supplied with broiler chickens by a larger number of growers.

It is essential that processors have chickens available to meet market demands at all times. Likewise, because of the high quality the consumer now demands of table chickens, it is necessary that birds be shifted from growers to processors over a short, critical period.

Because the industry is founded on a high-volume, low-profit-margin basis, the price to be paid by processors to growers for birds is a crucial figure for industry stability. I would like honourable members, when considering the Bill, to remember that. Over the years, individual processors have negotiated growing fees with individual growers on a basis that has not always been satisfactory.

This Bill will allow the industry to carry out these negotiations in an orderly manner through a Chicken Meat Industry Committee. The committee will consist of representatives selected by the growers and processors with an independent chairman. It is proposed that the processors will nominate three representatives and the broiler growers, three. All agreements between processors and growers for the supply of broiler chickens will be vetted by this committee. This requirement will not apply to a processor who grows his own chickens.

Further, the committee will mediate in disputes where the parties fail to agree on a fair and reasonable price. In the event of the parties being unable to reach agreement, provision will be made for the committee to determine the matter finally.

I would stress that the provisions of the Bill will only apply to broiler chickens. They will not apply to the sale of birds which are kept for purposes of egg production.

Basically the intention is to leave the industry as unfettered as possible whilst at the same time providing a forum—the committee—for discussion and negotiation. Because of its nature it is essential that the industry retain the maximum degree of flexibility to enable it to cope with rapidly changing market situations. In the long run this legislation should benefit both processors and consumers and will have a stabilising effect on the industry generally.

As I indicated, this is a Bill—I will not say it is a simple one—that the processors and growers have asked for. There have been problems where growers have considered that their requirements have not been met and processors, too, have their point of view. This will set up a committee or forum where

these matters can be ironed out by three representatives of the processors, three representatives of the growers and an independent chairman.

I commend the motion to the Committee.

Mr. HOUSTON: (Bulimba) (7.38 p.m.): Earlier today the Leader of the Opposition suggested quite rightly that the present National-Liberal Government had fallen over backwards to acclaim and instrument socialistic principles. Like most people who copy things, the Government has gone to the complete extreme. This legislation could be considered to have come from this side of the Chamber. The Government is now practising that which it condemned only a while ago. It practises it because it is good in principle and in policy. Whether it will achieve the desired end is another matter.

An Honourable Member interjected.

Mr. HOUSTON: I do not know about flexibility. It could be thought of in terms of flexibility but it lays down certain fixed guide-lines.

The Minister indicated that the object of the legislation was to overcome the problems associated with the prices paid by the processor to the producer. If a Labor Government did this, it would be accused of price-fixing. It would be said, "That is completely wrong because you are bringing in a price-fixing measure." I do not think that the Minister will deny that it is a form of price-fixing; if he does, he had better have another look at the definition of that term.

He is setting up a tribunal of seven people—three processors, three growers and an independent chairman. On the one hand the Minister suggested that the parties might be unable to reach agreement. From that I take it that any decision made by the committee has to be a complete agreement or it will not stand. Surely a majority of four to three should rule on a seven-man committee. If the members are representative of the processors and the growers, I have no doubt that on a matter such as the price being paid to a particular grower the growers' representatives would vote unanimously. So the person then who would make the final decision would be this independent chairman.

I have no fight with his doing that, because if he is going to be an independent chairman we would expect him to favour one side and then the other depending on the facts of the issue and the way the argument is presented. That to my mind would be a 4-3 majority, yet in the Minister's introduction he said the position could be reached where they could fail to reach agreement. They were his words. How could they fail to reach agreement when there are seven members, which allows for a four to three majority, unless, of course, the Minister wants all decisions to be unanimous? I think he is flying too high if he thinks they will reach a unanimous decision on every occasion.

Another weakness in the legislation is that the processor can conduct his own farm, and as a result of doing that he can put a very strong financial lever on the growers because the processor always has the right to threaten that, if the grower does not fall into line with his price, he will extend his own growing activities. If we are to get stabilisation in the industry, more of this will have to happen. I can understand the desire of the industry to have stability. I think we can all understand the need for a ready supply of first-grade poultry for processing. I do not think there is any argument about that and I think that any legislation that tends to improve the situation will be welcomed. That is why in this case we are saying that we have no objection to the introduction of the Bill, but what I am pointing out is that, if all that is contained in the legislation is what was mentioned by the Minister in his introductory remarks, there will be problems associated with it.

In the matter of book-work, one of the things that the grower has to put up with is that the processor who grows his own poultry has two sections of his operation to which he can charge various costs. It would be a very easy matter for the processor to show his chicken production costs as a very low figure and his costs for the operation of the processing plant as a very high figure, whereas the independent chicken producer who supplies the processor has only the one cost structure to work on. So I think we require much more explanation from the Minister as to what he meant when he said, on the one hand, that the majority decision would virtually be the decision, and, on the other, that if agreement is not reached, it would be up to the committee to make the decision. As I said, the committee decision would be a 4-3 decision at best, and neither the grower nor the processor would be very happy about it. If it is the processor who is not happy, then he has the advantage in that he can extend his chicken-growing activities, and this is the big fear I have——

Mr. Moore: Are you talking about chickens or old boilers?

Mr. HOUSTON: I will let the honourable member for Windsor go. He was never very bright at this time of night so we will not embarrass him any further.

Mr. Sullivan: You aren't going to put him on the block, are you?

Mr. HOUSTON: No, I am not in the mood for an execution at the moment. I am sure that the Minister is trying to do two things. On the one hand, he wants birds

to be available for processing, and on the other he wants a fair price to the growers. Because the processor has no controls imposed on him as to how many birds he can produce or as to what his bargaining power is, a very awkward situation could arise for the grower.

Mr. CHINCHEN (Mt. Gravatt) (7.46 p.m.): The more years I spend in this Chamber the more I think there is a tendency to over-legislate. The proposed Bill is a typical example. I am not interested in growers or in processors; I am interested in the principles that revolve round this particular piece of legislation.

As I see it, this is an industrial matter or a commercial matter—call it what you wish, Mr. Miller—in which two bodies have to get together. If we are going to legislate for every group of people in a similar position, we will not be doing anything else. For example, Mr. Miller, you could take the manufacturers of motor-cars and the dealers who handle the sale of them; the manufacturers of frocks and the wholesalers and retailers. These groups are battling endlessly for their own ends. That is the way things happen. If we have to bring down legislation to establish the simple matter of what the grower gets and what the processor is paid, I think that is rather remarkable. I am surprised that such a Bill should come before this Chamber.

The proposed Bill came before our joint party meeting with perhaps eight or 10 other Bills and was handled in two minutes.

Opposition Members interjected.

Mr. CHINCHEN: I am telling honourable members that that is the way it goes. When I had a look at the proposed Bill, I thought to myself, "What on earth are we doing?" It is quite worrying, because there are many groups of people who are antagonistic to one another—in the commercial or industrial fields, or any other field you like, Mr. Miller—but who work things out for themselves. I can imagine quite easily that there have been many problems in this particular area. But as human beings in organisations, that is their problem; it is not our problem.

I can imagine, too, that the Department of Primary Industries has been involved in this matter and wants to be rid of it. What is the easiest way for it to get rid of it? Put through a piece of legislation that will mean that one man makes the decision. That is all we are doing—three growers, three processors and a person known as an independent chairman appointed by the Minister. Although he will be an independent chairman, I am inclined to think that on most occasions he will go with the strength in the rural areas, and this is where a problem will arise. There is no appeal against these decisions. The Minister mentioned the word "final". I gathered that whatever the independent chairman decides is final and binding.

The problem in this instance, of course, as in most situations, is that people in the rural areas do not understand the problems in the industrial areas and people in the industrial areas do not understand the problems in the rural areas. These problems can be resolved only by talks and negotiations. The difficulty cannot be overcome by a person dictating.

The problem of the processor is that his birds are going out onto a fluctuating market—a market that is never steady or static. On the other hand, the grower will want a fixed and firm price. I imagine that these could well be the problems. I do not know whether they are; I am just trying to visualise what the situation might be. In effect, there will be a price-fixing authority who will be one man appointed by the Minister.

As I said earlier, the industry does not interest me one iota, but the principle interests me greatly because there are so many areas of business in which it applies. Does it mean that I can rush along tomorrow and say to the Minister who is associated with a particular area of industry, "Because I can't get along with the people to whom I am selling goods, please set up a committee of this nature, with one man to decide"? There are hundreds of these areas—there may be thousands—and this is normal business. Why the two groups with whom we are concerned here cannot get together instead of asking the Minister to introduce legislation, I do not know.

I can understand that it is the easy way out. The growers will think, "The Minister will be on our side. He will appoint somebody who is inclined our way." Probably that is the way they are thinking. Perhaps the man appointed may be processor-oriented. That would be equally shocking. One group is dependent on the other. The grower is no good without the processor, and the processor fails without the grower. Therefore the two groups have to come to an understanding. I am amazed that adult people cannot do that within their own organisations. It will be said that that has been tried and tried again. We are now taking the load off their shoulders and saying, "We will handle it for you. We will put up a man who will make this decision which will be binding and final." What if that means the collapse of one side or the other? What happens then? The Minister is responsible, and I do not think he should ever be placed in that position. To me it is absolutely ridiculous that we enact legislation for a normal business matter. That is all it is.

I know there will be members in this Chamber who represent growers or processors. I represent none of them, but I am worried about the principle that we should bring down legislation to take care of a simple normal business matter. I don't agree with it. The Minister has said that there have been problems. I accept that, but it is up to people in business to work out

their own problems. There has to be understanding and co-operation. If we do not have that, and everything becomes a matter of legislation, the free-enterprise area may as well give up. We have experienced it before in this Chamber, and here it is again—control upon control upon control. It is quite worrying. I suggest that before the Minister places himself in this position he should give more thought to it, because he is going to be the man responsible for the success or failure of the industry. Both sides cannot prevail unless they can get along together. If the Minister's man says, "You are the winners and you are the losers", there are going to be ructions and problems. I agree with the Opposition speaker who said that this smells of price control. That is how it smells to me. It is worrying because this is a fluctuating industry where things are never static. If a person or committee is to decide what happens to it, and matters are taken out of the normal aspect of business work and communication, it is somewhat horrifying to me. I am disappointed that the Bill has come into the Chamber. I can see that from now on we are going to have thousands of these thrust at us. Having accepted one, how do we refuse others?

Mr. AHERN (Landsborough) (7.53 p.m.): As one who represents growers, I compliment the Minister on bringing down this legislation. After all, it has been the policy of this Government for many years to support orderly marketing in the primary industries. Countless pieces of legislation presented to this Parliament in the eight years I have been here have dealt with this simple aspect of orderly marketing in primary industries. When there is an attempt at orderly marketing there have to be tribunals. The type of tribunal described in the Minister's legislation represents the best chance for the industry to work out its problems. When growers and processors come together under an independent chairman, there is the best chance of getting some justice for both sides in the matters under dispute. I first raised this matter in the Chamber eight years ago. At that time I received a letter from the then Minister for Primary Industries (Hon. J. A. Row), who had raised the matter at Australian Agricultural Council level. At that time he said he was hoping for some arbitration on broiler growers' contracts. Because there has been so much vertical and horizontal integration in this industry over the years that has worked to the great detriment of the growers——

Mr. Jensen interjected.

Mr. AHERN: For the edification of the honourable member for Bundaberg I say that, because there have been so many amalgamations of companies at horizontal and vertical levels, there are very few independent processing units in this industry throughout Australia. The free market forces that one should imagine ought to apply—for example, if a grower got a bad deal off one processor, he could walk up the road and supply some other processor—just are not on in this industry. So my party has had to support orderly marketing here or the growers would be put out of business. Tremendous pressure was put on them. They were committed financially to various processors and the processors were calling the tune.

It is all very well for a member to claim that the principle is wrong. I would point out to him that the small farmers have a tremendous amount of capital tied up in their industry, on which they depend for their livelihood, and they may not be flexible enough to move into some other agricultural industry, nor are they able to go to another processor. Another processor won't have him, so he is stuck with the original processor, who over the years has been telling the farmer the exact number of chickens that he will produce and the exact price that he will be paid. And the price has been getting worse.

Against that background our party has tried to introduce orderly marketing to assist the primary producers in this industry. Orderly marketing is nothing new; it has been introduced into a whole range of primary industries. It is the policy of our party to introduce orderly marketing, and I am quite proud of it. Thanks to the efforts of this Minister, a great number of orderly marketing schemes have been introduced in recent times. Each scheme, whether it relates to the pineapple industry, the ginger industry or the tobacco industry, has been eminently successful. This is in spite of the fact that each scheme has been small and has been subjected to criticism of the type levelled by the honourable member for Mt. Gravatt. No matter what label is placed upon these schemes, they have worked to the great benefit of the growers.

The processors have not gone broke. In fact they have come to value the orderly marketing arrangements that have applied. As time goes by, this type of scheme will work in the interests of both the processors and the growers. The growers are entitled to enjoy a reasonable standard of living. After all, everyone else in the community is demanding a higher standard of living, so why should not the growers enjoy the same standard? Yet the processors have been asking them to accept less and less.

The chicken-processing industry has been in lots of trouble, brought about by increases in grain prices and lower meat prices. This has led to fierce competition in the marketplace. When all this is bundled together with the integration that has occurred between companies at both vertical and horizontal levels, we see that the situation is such as to call for action on the part of the Government.

I whole-heartedly support the legislation and ask the Minister to take this matter to the Australian Agricultural Council with a view to ensuring that growers in other States also enjoy the benefit of legislation of this type. A lot of processing units go interstate. Unless action is taken on a nation-wide basis, the scheme will not be as effective as we hope.

Mr. JENSEN (Bundaberg) (7.59 p.m.): The honourable member for Mt. Gravatt spoke a good deal of common sense. The honourable member for Landsborough might think about forming some co-operatives consisting of processors and the growers. He has supported his section of the industry—the growers. The honourable member for Mt. Gravatt showed that we have seen the introduction over the years of a heap of legislation to protect certain sections of primary industries. Everyone would agree that this all started with the Apple and Pear Board.

Mr. Goleby: Nothing to do with it.

Mr. JENSEN: I am just showing where it started. Later the Minister introduced the Hen Quotas Act. When that measure was being brought forward, I forecast that the price of eggs would reach $1 a dozen. Today they are $1.10 a dozen.

The TEMPORARY CHAIRMAN (Mr. Miller): Order! The honourable member will come back to the Bill.

Mr. Sullivan: I never hear you complaining about the price of beer.

Mr. JENSEN: I complain about the price of everything. I believe that things are going haywire. Prices and wages are going haywire and people who had a little money in the bank now have virtually nothing.

Mr. Sullivan: You were very critical about Gough Whitlam causing all this, weren't you?

Mr. JENSEN: I was critical of what the Government has done to protect this side of the industry.

The honourable member for Mt. Gravatt showed that he was seriously concerned about the Government's bringing in legislation to protect all sections of primary industry. On this occasion we are dealing with legislation to stabilise the chicken-meat industry. A few years ago, when the beef industry was down, the chicken-meat industry was in the ascendancy. When the price of beef rose, the chicken industry came good. Honourable members representing beef-producing areas were howling about the chicken industry taking over. Although the chicken industry is a primary industry, honourable members representing beef-producing areas were howling that the chicken industry was taking over when the price of steak rose to $2 a pound.

Mr. Gunn: That's ancient history.

Mr. JENSEN: It was only two years ago that Government members, including the honourable member for Somerset, howled when I protested about beef prices rising to $2 a pound. They were not concerned about the people. In those days people were paying $1 or $1.20 for a chicken. No. 7 or No. 12 chickens now cost $2 or $3.

This legislation will only cause the abattoirs or the processors to rob further the primary producers. I am not opposed to the primary producers on this matter. Producers in the chicken-meat industry get about 20c a lb. while the public pays about 80c a lb. The abattoirs are robbing the primary producers. Under this type of legislation the people are forced to pay more.

Irrespective of whether a primary producer produces beef or chickens, he does not care two hoots about the people who have to buy his product. He is interested only in making his cop. Producers in the beef industry did not worry two hoots about the people who were paying $2 a pound for rump steak. They were laughing their heads off. But when the beef industry collapsed they cried like hell. They cried in this Parliament.

The TEMPORARY CHAIRMAN (Mr. Miller): Order! I ask the honourable member to come back to the Bill before the Committee. We are dealing with the establishment of a Chicken Meat Industry Committee. I have given the honourable member fair latitude.

Mr. JENSEN: I am drawing an analogy.

The TEMPORARY CHAIRMAN: I will not allow the honourable member to deal with his analogy all night.

Mr. JENSEN: How can I make a speech without drawing an analogy or making a contrast?

The TEMPORARY CHAIRMAN: Order! The honourable member will speak about the Chicken Meat Industry Committee or I will have to ask him to resume his seat.

Mr. JENSEN: The motion moved by the Minister ends with these words, "and for connected purposes." I am talking about some of the connected purposes.

Mr. Casey: The best way of putting the legislation into effect would be in conjunction with a quota system—like the eggs.

Mr. JENSEN: Oh, a quota system! Mr. Acting Chairman——

The TEMPORARY CHAIRMAN: Order! The honourable member will address the Chair. He does not have to take interjections.

Mr. JENSEN: I said, "Mr. Acting Chairman——"

The honourable member for Mackay—as you would have heard if you were listening to me, Mr. Miller, instead of speaking to me—referred to a quota system. We

implemented such a system under the Hen Quotas Act. This is why eggs today are a dollar a dozen. When metrication has been fully introduced, they will be a dollar for 10.

This is the type of legislation that the Government enacts to put up prices to the consumer. The grower wants a fair price—and I agree. I have always supported the grower. I supported the grower in the pig-swill legislation debate. All these National Party members never considered the beef industry or any other industry——

The TEMPORARY CHAIRMAN (Mr. Miller): Order! The honourable member is reverting to the beef industry. For the last time I ask him to come back to the Chicken Meat Industry Committee.

Mr. JENSEN: I am talking about the chicken industry, and chickens can get diseases just as easily as can beef cattle and pigs. I believe that we in this place must protect any primary industry. I believe that, whether it be the sugar industry, the beef industry or the chicken industry, we are here to lend protection. They are most important industries to this State.

There is always a processor who wants to rob the primary producer. This legislation is the same as other Bills that the Government has introduced. The committee is to consist of three representatives of each side, with the Minister acting as chairman, I suppose. It is most important that the consumer gets a fair go. We do not want legislation setting up monopolies and acting against the best interests of the buyer.

Mr. Sullivan interjected.

Mr. JENSEN: I suppose the Minister is saying, "We wouldn't do that." I know that the Minister is a pretty fair man in most respects; but when the growers get on to him, he bows to them. The honourable member for Landsborough just got up and showed how the growers say that they want this and they want that.

This is most important. I will protect the Minister and the primary producers of this State at any time at all. I thought it was disgusting that half the National Party members did not support the Minister on the pig-swill Bill. Any big industry such as the pig industry, the chicken industry or the beef industry must be supported. We do not allow sugar-cane of any description to be brought into this State. We do not even let sugar come into the State. We would not allow cane sets to be brought into the State unless they went through quarantine. However, beef is allowed to be brought into the State—imported beef, which is killing our beef industry. We allow the import of other products, too.

The TEMPORARY CHAIRMAN: Order! I have been very tolerant with the honourable member. I will have to ask him to resume his seat.

Mr. GOLEBY (Redlands) (8.8 p.m.): On behalf of the meat chicken producers in the Redlands electorate I, for one, welcome this piece of legislation. It is something that the industry has sought for many, many years.

I have been quite amazed to see the ignorance shown by the members of the Opposition. It is remarkable how little they know about the meat chicken industry. The honourable member for Bulimba spoke in generalities, but he knew nothing at all. He was just feeling his way along, hoping he would find that his comments landed in the right spot, whereas the member for Bundaberg knew nothing at all.

Mr. Houston: Why don't you get stuck into Chinchen?

Mr. GOLEBY: He will come next. You will have to wait your turn. He did know a little bit about it, but you knew nothing about it.

The TEMPORARY CHAIRMAN: Order!

Mr. GOLEBY: The member for Bundaberg showed he had no knowledge or feeling for the industry. He has no knowledge whatsoever of who controls the industry—how the industry has changed over 20 years and is now controlled by big combines. That is the reason why this legislation is necessary.

The broiler industry began in the Redlands electorate back in the early 1950s. Today more than 50 per cent of the meat chickens produced in this State come from within the boundaries of my electorate. Except for one large family company, the growers are controlled in the main by interstate combines that operate throughout the nation.

Chickens are produced on a contract system. What I would like to impress upon honourable members is that the growers, as they have been referred to, are virtually custodians of the chickens. The chickens are supplied by the processor. The grower then raises the chickens. Let us bear in mind that, first, the grower has to provide his land, erect his sheds, supply the litter and the labour, and also pay the large interest bill involved. Each year he gets approximately 4.2 batches and each batch has about a 12-week cycle. For his efforts he has received a princely sum of as low as 8c a bird. When I hear Opposition members seek to imply that we are trying to control the industry by price-fixing——

Mr. Houston: Of course it's price-fixing!

Mr. GOLEBY: The honourable member again displays his ignorance. He knows nothing about it.

Honourable Members interjected.

The TEMPORARY CHAIRMAN (Mr. Miller): Order! I am trying to hear the honourable member for Redlands, not the honourable members for Bulimba and Somerset.

Mr. GOLEBY: The average bird sold in the supermarket today is the No. 14, which is the average size bird from each batch of chickens, and it retails at about $2.60. Under the present state of affairs the grower receives 14.7c. I impress on the Committee, and should like the honourable member for Bundaberg to take particular interest, the difference in the amounts received by the grower and processor.

Mr. Houston: What about the retailer?

Mr. GOLEBY: Yes. The retailer gets his margin on everything, so that is no argument. The grower, who is only the custodian of the chickens and produces them on behalf of the processor, gets only that small amount.

An honourable member suggested we were price-fixing. We are not. All that we are doing is ensuring that the grower gets a fair return for his birds.

Mr. Houston: Nobody is arguing that at all, but this Bill establishes price-fixing.

The TEMPORARY CHAIRMAN: Order! The honourable member for Bulimba has already had his opportunity to give his information to the Committee. I am trying to listen to the honourable member for Redlands.

Mr. GOLEBY: This Bill will stabilise the industry and ensure a supply of meat chickens for the housewife.

This State is not breaking new ground. A similar Bill was introduced in Western Australia and Victoria and New South Wales is preparing similar legislation for introduction into its House in the near future. The importance is plainly that we operate an interstate trade. This is where section 92 of the Constitution comes in. Chickens produced in Queensland can be transported all over Australia and, unless we have comparable legislation, Queensland growers will find that the other States which have controlled growing fees will exploit our growers. This legislation must be commended as it is in the interests of the meat chicken industry, the consumer and everybody else.

Mr. Casey: The opposite could apply. Our market could be endangered by operators across the border.

Mr. GOLEBY: Not at all. Chickens are produced more cheaply in Queensland. The honourable member for Mackay has been plucked once by the A.L.P. and he will be plucked again if he is not careful.

Mr. Jensen interjected.

The TEMPORARY CHAIRMAN: Order! Persistent interjections will not be tolerated.

Mr. GOLEBY: The processors and the growers have a reasonable agreement. They are happy with this legislation. It was a fair suggestion that both sides have three representatives on the committee and that the committee have an independent chairman. It is also fair that the chairman be a voting chairman. The legislation is being introduced with the concurrence of both sides of the industry.

I support the Bill and commend the Minister and his officers for the research they have done on this matter. By the introduction of this Bill we will have a stabilised meat chicken industry.

Mr. MULLER (Fassifern) (8.14 p.m.): I feel that the merits of this Bill have been reasonably well canvassed during the past 10 minutes. However, I feel obligated to make one or two brief comments because I would have as many persons in my electorate engaged in this industry as there would be in any other electorate in the State. I am rather amazed at some of the comments made by the honourable member for Bundaberg, who obviously has objections to the fixing of a price. This is not the fixing of a price, but even if it were, the honourable member should have a look at the sugar industry today and see how efficient and effective it has been because price is controlled. I commend the sugar industry for having done this; it has been most effective. But in this industry this is not intended. All the Minister has done is suggest that we appoint a committee to have a look at a price which might be considered fair and reasonable to three vitally important groups of people.

Mr. Jensen: What's wrong with that?

Mr. MULLER: I have listened to the honourable member all night, and he is very tiresome.

Those groups are the growers, the processors and, very importantly, the consumers. It has been suggested that the price might be fixed at a figure beyond the capacity of the consumer. Let me tell honourable members opposite—they do not seem to be aware of the facts and I have no intention of relating them, but I want to put them at ease—that these producers today who have established sheds and equipped them to produce meat chickens have in many, many instances outlaid a total of $100,000. They feed a certain number of birds, and the figure they are receiving from the processor at the moment is of the order of 14.7c a bird.

Mr. Houston: Is that the price that all processors pay to producers? It is a kind of fixed price that the processors have agreed on.

Mr. MULLER: I will answer the honourable member's question quite seriously. At the moment there is a process of negotiation. As I understand it, at this time the processors are paying the grower 14.7c a bird.

Mr. Jensen interjected.

Mr. MULLER: This Bill does nothing to alter that. What we are doing is suggesting that a committee be appointed to negotiate with the processor and the grower to allow them a reasonable margin of profit. There is no suggestion whatever of exploitation in this instance.

I am going to make another open statement to honourable members opposite. I have had discussions with some of these growers and they have indicated to me very clearly that all they are asking for now is an increase of 0.5c a bird. With the present cost structure this would be acceptable to the grower. I think this is fair and reasonable. However, with costs rising as they have been over past years it is distinctly possible that before long further negotiations might be necessary. In this instance the committee which will be established by the Minister will have a look at the price structure and peacefully reach agreement between both the producer and the processor. It is as simple as that, and this is the only thing the Bill aims at doing. I commend the Minister for introducing this legislation. In the light of present circumstances I believe it is necessary and, frankly, I think it is most worth-while.

Mr. CASEY (Mackay) (8.19 p.m.): There have been many strange comments tonight about this legislation, and I would like to say that at this stage I believe it does not go far enough, particularly in view of some of the comments I have heard from other speakers. Reference has been made to many of our primary industries which have been, well, "stabilised", which I think was the term used by one speaker. The honourable member for Fassifern just quoted the sugar industry as a model of what has been achieved in this State. I make it quite clear that it has become a model because the price, the quantity that can be grown and the quantity of sugar that can be manufactured by mills are all controlled. The tobacco industry was mentioned earlier, and the situation is similar in that industry. There is a guaranteed price for leaf and quotas are strictly controlled. The wheat industry and many other primary industries have a similar set-up.

Even the egg side of this industry—call it the chicken industry, the hen industry or whatever you wish, Mr. Miller—is controlled on a quota basis and also on a price basis. In fact, it is so strongly controlled that a tight organisation has been created. In many areas there has been a cut-back in egg numbers. That has been detrimental to growers in my own area, where there is an expanding market that they are not able to supply.

Some honourable members have spoken in this debate of the need for legislation to assist producers to supply additional markets for broilers or chicken meat. Yet, within the same industry, controls are so strict that in some areas of the State growers are not allowed to produce more eggs to meet the demand of markets in their own districts. For example, eggs have to be supplied to the Mackay and Townsville areas and other northern areas from southern Queensland. As a result, consumers have to pay much higher prices because of the additional freight component.

There has been talk of this legislation being the be-all and end-all of the chicken-meat industry in Queensland. However, it does not come anywhere near meeting the criteria that are being met by so many other primary industries in this State. According to the Minister, the proposed Bill will control price only, under an agreed price system.

I agree with the comments of the honourable member for Bulimba, who said, "You might as well have one man sitting as a board to determine the price." We have seen industrial disputes heard by one commissioner alone. According to the newspapers today, Commissioner Pont is sitting down with men in the electrical industry in Queensland to try to resolve the problems. There is no point in having three representatives of the Electrical Trades Union and three representatives of the electricity supply organisation sit down with him, because he is the man who will make the determination. Why cannot there be a similar set-up in this instance?

The honourable member for Mt. Gravatt said that somebody would virtually be sitting as a prices commissioner in this matter. Why do we not again appoint a prices commissioner in Queensland and have him sit in judgment on the price-rigging that is going on between the processors and the producers in the chicken-meat industry?

I accept the points that have been made by the honourable member for Fassifern, who always makes an intelligent contribution to debates, on what is happening in the industry. I feel very sorry indeed for the producers in the industry, who are having the screws put on them by the processors. It appears to me that they now have an avenue open to them through which severe penalties can be imposed upon the processors for what they are doing. I refer to the Prices Justification Tribunal. Surely this is an example of a price that is being rigged by a cartel or a group. If that is so, it is in direct contravention of Federal legislation relating to prices over the length and breadth of Australia. I suggest that chicken producers now have the right to go to the Prices Justification Tribunal.

The honourable member for Redlands asserted that one of the good aspects of the legislation is that it will allow Queensland to come into line with some of the other States. Not really, I suggest, because unless there is some quota-type agreement with the other States, such as now exists in the egg-producing side of the industry, the exact reverse of the point that he was making when he referred to section 92 of the Constitution and across-the-border trading will apply. If the

legislation is introduced, I suggest that the big danger to producers in his electorate and the electorates of other honourable members in the south-eastern part of the State will come from across-the-border operators.

Let me name the people who are doing this sort of rigging. Provincial Traders, Coles and Woolworths are the big national traders who are doing the price rigging on the growers. Are they going to stop short of the Queensland border? Certainly not. If they cannot get the price they want in Queensland because of some simple piece of legislation, they are going to work hand in glove with operators across the border. It is no use the Minister shaking his head. He has seen that sort of thing happen before in his own industry. I have seen big operators go into provincial city areas and squeeze out the small operators.

An Opposition Member interjected.

Mr. CASEY: They are bringing in fish from the Northern Rivers area all the time. Some of the processing that is done in the Northern Rivers area of New South Wales is of fish and prawns that come from as far north in Queensland as Karumba.

The TEMPORARY CHAIRMAN (Mr. Miller): Order! I ask the honourable member to come back to the Bill.

Mr. CASEY: It is a pertinent point because it is happening in so many other industries, particularly processing industries. We are only fooling ourselves if we think these big-time operators on a national basis are going to say, "We won't do this in the chicken-meat industry in Queensland."

Mr. Jones interjected.

The TEMPORARY CHAIRMAN: Order! The honourable member for Cairns can make a speech later if he wishes to.

Mr. CASEY: I would be pleased if he did join in the debate. He certainly knows what he is talking about. We are introducing legislation that affects the whole of Queensland. His thorough knowledge of the way the industry in North Queensland would be affected would be a valuable contribution.

Dr. SCOTT-YOUNG (Townsville) (8.27 p.m.): The number "13" seems to be rather momentous for this country. We kicked out a socialist Government on the 13th. When I walked into the Chamber today I found we had two socialistic Bills on the Business Paper. One of them was dealt with this morning and the second is just as bad. We seem to delight in saying that we are against socialism and socialistic programmes, yet we spend all our days and nights passing legislation which is virtually nothing but that. Look at the dairying industry, the pig industry, the wheat industry, navy beans, and now chooks.

The poultry industry is probably the most socialised of the lot—from mother to chicken and even eggs. As we go from the head to the tail we find that the whole of the poultry industry is socialised in some way. It appears that people who run poultry cannot run their own affairs. It seems they have no initiative or business acumen, but have to rush to the Department of Primary Industries and ask it how to market their goods and to settle their free-enterprise disputes. They ask Parliament to spend its time legislating on a matter on which we have no power to legislate, namely, price control. This Parliament has no power whatever in price fixing or price control. We have power to bring down industrial legislation but no price-control power, because that was given away in a referendum.

All I can see arising out of the Bill is the setting up of another committee of three growers and three processors with an independent chairman, some retired gentleman who will be sitting in judgment on the industry. The committee will lay down guide-lines for agreement. It will mean that the poultry farmers will not be able to make any agreement on their own. That indicates that they are beyond the stage where they can come to mutual arrangements. The committee will peruse all agreements and approve of those it considers to be good ones. It is taking away from the industry its own right to solve its own problems. If the agreement does not accord with the idea of the committee it will no longer be an agreement. The committee will mediate in disputes arising between growers and processors. Surely to God the growers and processors can do that themselves. There is no need for us to introduce an Act of Parliament to initiate this. Surely the growers and the processors can solve their own problems. We should not interfere at all. Industrial disputes, of course, are in a different category. They are covered by legislation and are settled quite often in the Industrial Commission.

The committee will negotiate prices. If that isn't price fixing, there is something wrong with my understanding of the term.

The committee will report to the Minister on any matter that it deems appropriate. In other words, if it gets into a jam it rushes back and gets ministerial protection. But I suppose this is good, because a Minister should have supreme control over any Act within his jurisdiction. He should have the power to direct boards and committees to do as he wishes. That provision is the only one that I agree with.

I cannot see how the Bill will result in lower prices or keep prices on an even keel. For many years poultry, a high-protein commodity, has been available at a reasonable price. It is much cheaper than beef. For example, a No. 15 chicken, of 1.5 kilograms, can be purchased for $1.99. The birds are

graded according to size, well presented and are priced so as to fit into the housewife's weekly budget. However, I cannot see that this will last if we entertain the idea of price fixing.

I will be interested to see the regulations when promulgated. This Bill negates the Liberal Party's stand in relation to socialism. I personally think this matter could have been negotiated by a co-operative comprising growers and processors. Man could discuss with man the best means of marketing. It is not necessary to have an Act of Parliament for this purpose.

Mr. JONES (Cairns) (8.34 p.m.): The point I was trying to raise by way of interjection during the speech made by the honourable member for Mackay concerned the right of redress to the Prices Justification Tribunal. I would ask the Minister what is the reverse situation where the price determined by this committee, the Chicken Meat Industry Committee, may be in contravention of the Trade Practices Act? The committee will be in effect a price-fixing body.

The Minister has said that the industry is a well-organised one, comprising 18,000,000 birds. I realise that with 18,000,000 birds of different types, it could not possibly be organised; but if the industry is such a highly efficient one and is so professionally organised, what is the need for this legislation? Admittedly the industry is a $30,000,000 one. It is also a fluctuating industry and one that can feel the effects of the rise and fall of meat prices.

Mr. Jensen: You know that Provincial Traders killed 60,000 birds in one smack when the price was down?

Mr. JONES: They would have been killed not for processing but simply to keep them off the market. I have seen other products dumped. It is a terrible thing when that happens in our primary industries. It seems that we are debating broiler chickens for processors supplied by a small number of growers. In my area most chicken meat producers process their own birds or supply a central processing plant. In the North we face problems such as extreme distance from grain-producing areas, high freight charges and competition from better orientation of southern manufacturers with larger markets.

Mr. Jensen: They don't even want you to produce a quantity of eggs up there.

Mr. JONES: I think Mr. Miller might rule me out of order if I were to talk about the hen tax.

The TEMPORARY CHAIRMAN (Mr. Miller): The honourable member is quite right.

Mr. JONES: The Minister said that this industry is one with high-volume production and a low profit margin which needs control. It seems that the crucial factor in maintaining industry stability is the price paid by the processors to the growers. If the Chicken Meat Industry Committee is to control the share-farmers—this was mentioned by the honourable member for Redlands—growers' fees will be supervised (that is price-fixing) and negotiations are to be entered into with the growers on behalf of the processors to the satisfaction of all. A committee of seven is proposed with three growers' representatives, three processors' representatives and an independent chairman. Why have a committee of seven? Why not have a committee of one? It appears to be a gross anachronism to set up such a committee.

Mr. Houston: Each side can present its case to an independent chairman.

Mr. JONES: They can, but does it take three committee members to present a case for each side? Perhaps only one on each side is needed. The cost structure will be decided by a committee which, obviously, will really be the independent chairman.

Mr. Lowes: What is the anachronism you referred to?

Mr. JONES: The whole thing is that the Minister said that he would leave the industry as unfettered as possible. Yet he proposes setting up a committee with three representatives from the processors, three from the growers and an independent chairman. How could such a committee make a decision in unison? Each party will put forward its side of the spectrum and the decision will be made by the independent chairman. That is why I stress the independent chairman.

I think the honourable member for Mt. Gravatt used the words, "The maximum degree of flexibility". He is fearful of the legislation. He makes no bones about whose side he is on; he is certainly not on the side of the small growers.

Mr. K. J. Hooper: Is it true——

The TEMPORARY CHAIRMAN: Order! The honourable member is not in his correct seat.

Mr. JONES: Once again the Minister has stirred to have this legislation steam-rollered through the party meeting. The honourable member for Mt. Gravatt said that it went through in two minutes. It seems that we always have an accumulation of legislation in the dying stages of Parliament. As yet I have not seen this Bill but the last Bill we debated contained 61 clauses. It seems that we will have some difficulty finishing by 4 o'clock tomorrow morning, resuming at 11 a.m. to process all of these Bills to the second-reading stage and finishing the session at 6 o'clock Thursday morning and do justice to the legislation coming before us. I very much doubt that that would be so.

The TEMPORARY CHAIRMAN: Order!

Mr. JONES: The intention, purpose and principle of the Bill are all directed at an orderly control of a fluctuating market. A committee will be set up with representatives from the growers and processors and an independent chairman. However, in his remarks the Minister made no mention about how or when the members will be paid or who will foot the bill, as the honourable member for Landsborough said. If the effect of the Bill is to stabilise the industry and benefit both processors and consumers, I will be amazed. As far as I can see, all it will do is confound the industry and increase the price.

If we are to bring legislation before Parliament to stabilise a particular industry, why have we not seen legislation to stabilise the beef industry? The problem is that this matter of boards is becoming a bit of a joke. They are being set up to do everything. As the honourable member for Mackay said, if we had had a commissioner for prices or a price-fixing authority, there would have been no need for legislation of this type. Referrals may be made under Commonwealth legislation. I believe that the Prices Justification Tribunal and the Trade Practices Act would cover the situation quite adequately without resort to legislation such as this.

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (8.42 p.m.), in reply: I thought that when introducing the Bill I indicated to the Committee that two sections of the industry—the processors and the growers—had reached an agreement about my proposal. The legislation proposes to set up a committee with three members representing the processors and three representing the growers. As there will be an independent chairman, I believe that not only will justice be done but justice will also appear to be done. Having said that, quite frankly I am at a loss to know why so many feathers have been ruffled.

The honourable members for Landsborough, Redlands and Fassifern, in their support of the measure, have indicated their awareness of the situation that has existed in the industry in recent times.

Mr. Houston: It has been going on for years.

Mr. SULLIVAN: Maybe it has, but I do not want it to go on for years in the future. That is what the legislation is all about.

I thank the honourable members to whom I have referred for their common-sense approach. The broiler industry is worth in the vicinity of $30,000,000. Because of my responsibility, I have got to know the people involved in the industry, both on the growers' side and on the processors' side. They are pretty common-sense people.

Mr. K. J. Hooper: Do you keep chickens?

Mr. SULLIVAN: If the honourable member would just keep quiet, it would help.

Whether it be in the poultry industry or me buying a cow from my next-door neighbour, negotiation takes place. Maybe some of the honourable members will one day sit in my seat. They will find that, when negotiations have taken place, the Minister has been the mediator. I believe that that is not satisfactory.

If honourable members are concerned about who the independent chairman will be, I give them the assurance now that he will not be a person from my department, a processor or a producer; he will be an independent guy with a lot of common sense. I will not go into who he will be; I am pointing out who he will not be. He will be a bloke with common sense in finance and be able to assess the industry at both levels.

Mr. Houston: How much are you going to pay him?

Mr. SULLIVAN: We are not going into how much he will be paid.

The processors and the growers agree on many things but on some they cannot reach complete agreement. That is all that the Bill is about.

The spokesman for the Opposition—he used to be leader and he could well be again—I am speaking of the honourable member for Bulimba. I say that with all respect to the Leader of the Opposition, who had to quieten the honourable member for Bundaberg. He is short of numbers so he said, "For God's sake, don't get sent home. We need you."

The honourable member for Bulimba, who was the Opposition spokesman, said that this was tantamount to price-fixing. It is not; it is negotiation between the two parties concerned.

Mr. Houston: What do you think price-fixing is?

Mr. SULLIVAN: This is arbitration.

Mr. Houston: You said that if they cannot agree——

Mr. SULLIVAN: The honourable member has had his say. I was courteous and listened to him. I am rebutting what he said.

This has nothing whatever to do with price-fixing. I say this also to the honourable member for Mt. Gravatt and the honourable member for Townsville. The honourable member for Bulimba talked about socialisation of industries. What we are trying to do is organise industry.

An Honourable Member interjected.

Mr. SULLIVAN: No. I ask the honourable member to have a look at any other primary industry in Queensland. In addition it surprised me that the honourable member for Mackay wanted the Government to control all primary industries. He would be out of step with all other Queenslanders.

This Government came to power in 1957. Like many Ministers for Primary Industries before me and, I hope, those who succeed me, I prefer to let the primary industries work out for themselves what they want. We will not inflict things upon primary industries. If certain things have to happen we discuss them with the industries concerned, whether it is grain-growing, peanut-growing, tobacco-growing or, in this case, broiler-chicken-raising. Through negotiation we have both the growers and the processors agreeing that this committee be established, with an independent chairman, to deal with the affairs of the industry. Why honourable members condemn this, I do not know.

I shall deal in more detail in my second-reading speech with points raised by honourable members.

The honourable member for Cairns asked whether this Bill would conflict with the Prices Justification Tribunal. As far as I can see——

Mr. K. J. Hooper: That's not very far.

Mr. SULLIVAN: The honourable member should know. The honourable member, above all people, after what he has copped in this Chamber from the Treasurer, the Minister for Works and Housing and other Ministers——

Mr. K. J. Hooper: That's not true.

The TEMPORARY CHAIRMAN (Mr. Miller): Order! The honourable member for Archerfield is not in his correct place.

Mr. SULLIVAN: There is no conflict. If something should arise I will look further into this aspect. I do not think I can be fairer than that. As my advisers and I see it at the present time, it would not be in conflict with the Prices Justification Tribunal.

But when we get both sectors of the industry agreeing and recommending to me that we introduce legislation to set up this committee to attend to the affairs of the industry and honourable members are critical of it, just where do we go? Do honourable members want, as the honourable member for Mackay suggested, Government control over the broiler industry, the growers? If they do they want a different Government——

Mr. Casey: What about the eggs?

Mr. SULLIVAN: The eggs are another story.

Mr. Casey: Deny you haven't got Government control over the eggs!

Mr. SULLIVAN: This was done for a very real purpose which the industry accepted. It is all right for the honourable member to say that we should have complete control over all primary industries, whether it be this industry, the grain-growing industry or any other. If this is what industry wants, and I am damned sure it is not, there would have to be a Government of a different political colour——

Mr. K. J. Hooper: The sooner the better.

Mr. SULLIVAN: It will be a long time away, I assure the honourable member, with fellows like him in the Opposition. Heaven forbid! It will be a long time from now. I think I have covered everything I wanted to cover for now but, as I say, I just cannot understand the feathers being so ruffled on a measure both sectors of the industry asked for.

Motion (Mr. Sullivan) agreed to.

Resolution reported.

FIRST READING

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

CITY OF BRISBANE TOWN PLAN MODIFICATION 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) (8.54 p.m.): I move—

"That a Bill be introduced to provide for the modification of the proposed new Town Plan for the City of Brisbane and various other related matters."

The objects of this legislation, and the reasons for introducing it, have been very well publicised and aired, and, I would think, would be fairly well known and acknowledged by honourable members on both sides of the Committee. Essentially, this amendment is necessary to empower me to refer back to the Brisbane City Council, for modification, its proposed new Brisbane Town Plan.

Honourable members will recall that the plan, and the 29,000 objections to it, came to me last year, and has been the subject of considerable public controversy since then. Senior officers of the Local Government Department have been examining the plan in detail for some months.

There are a number of aspects of the plan which concern me and which I believe warrant reconsideration and amendment. The power to refer the proposed new plan to the council for reassessment and reshaping, which this Bill provides, will give the Brisbane City Council—and the whole council, not just a committee—the opportunity to come up with a modified town plan, better suited to direct the course of development in the city of Brisbane over the next five years.

Under existing legislation, I could make recommendations to the Governor in Council myself, without reference to the council, on what changes I feel should be made to

the proposed plan, and the Governor in Council would have the power to approve the amended plan. However, my policy—and that of the Government—is to encourage greater autonomy for local government, not to diminish it.

The newly elected Brisbane City Council represents the citizens of Brisbane and will, of course, be responsible for administering the plan. It also will be answerable for the problems that it might bring; and, quite naturally, it will receive any credit for the benefits of the plan.

It is only right, then, that the council itself should have the opportunity to reconsider the plan before final decisions on it are made, in the light of problems that objectors and my department foresee, and amendments which are considered desirable as a result of the review I referred to earlier. The time is very opportune for referring the plan back to the council in view of the recent election and the changes in personnel on the council. The new council should have its due say in respect of the plan.

The referral of the plan back to the city council will involve a further period of public inspection and objections, and the views expressed by objectors—and the city council's views on these objections—will, of course, be taken into account before final recommendations are made and decisions taken. Under the provisions of this Bill, the city council will have 90 days in which to reconsider the proposed plan and to place the modified plan on public exhibition, and the public will have a further 60 days in which to consider the modified plan and lodge objections.

After the close of the objection period, the council will have to submit to me, within 60 days, its modified plan, relevant advertisements, actual objections received, and its representations and views on each objection. Under the terms of one clause in this Bill, I will provide the city council with specific guide-lines on the modifications, amendments, or alterations that I consider are warranted, following the review of the proposed plan by myself and by the Department of Local Government.

I don't propose to go into any great detail, at this stage, on what these guide-lines will contain, but, as I said at the outset, a number of aspects of the council's proposed plan are considered to need modification. These include aspects of the statement of intent accompanying the plan, the role of the city council's Planning Advisory Committee in its preparation, the need for greater aldermanic involvement in drafting and considering the plan, the need for more precise definitions (especially in the case of open space and park and recreation areas), preservation of citizen's rights of participation in the decision-making processes, compensation for injurious affection, and other matters.

I am particularly concerned at the role of the city council's Planning Advisory Committee in preparing the proposed town plan, and the resultant lack of direct say which the council, as such, had in considering it—especially in the early stages of preparation. The Bill seeks to repeal certain ordinances of the council under which this Planning Advisory Committee operated, and to dissolve the committee. Also, the council would be prohibited from establishing, by ordinance or otherwise, any standing or special committee to advise or report to the council on any matters relating to the proposed new plan or the modified plan.

A committee may be formed to advise the council on the implementation of the present plan, provided that there are at the fewest five aldermen on the committee. It must comprise members of the council only.

The Bill makes it clear that consideration of the modified plan, guide-lines which I have previously referred to, and associated matters, shall not come within the functions of any standing committee or special committee of the council. However, the Bill does not preclude the council, at a special meeting, from resolving itself into a committee of the whole council, which, under its ordinances, will still consist of members only and be open to the public. The purpose of this action would be to remove certain restrictions on debate that normally would apply at a council meeting. The intent of these provisions is to ensure that reassessment and modification of the modified plan is subject to open consideration by the city council as a whole, not merely a select committee or group.

The city council will be required to prepare the modified plan and, in doing so, to consider the proposed new plan referred back to it, guide-lines provided by me, and all other matters considered relevant (including any submissions prepared at the initiative of the town clerk), at a special meeting or meetings called for the specific purpose. The council will be required to exhibit its modified plan at its office (or another suitable venue up to 1 km from its office) for 60 days between the hours of 10 a.m. and 8 p.m. on one working day of each week and between 10 a.m. and 4 p.m. on all other working days.

Copies of objection forms will be available at the council office and at the office of the Director of Local Government, free of charge, and an objector may attach an annexure to the form where this is considered necessary to more clearly or fully state an objection. It is proposed to require that specific forms be used, as this will greatly facilitate the processing of objections within the limited time available, ensure that essential information is provided, and enable effective identification of an objection as soon as it is received by the council. However, objectors need not feel inhibited

by the space available on the form, and may attach as many other sheets of objections and other details as they desire.

The Governor in Council, in considering the modified plan and all objections and representations on it, may reject the plan outright, or approve of it wholly or in part. This is the same situation as presently exists.

On publication of notice of approval, the modified plan will become and be the town plan for the city of Brisbane, and will have the force of law. The proposed new plan—the plan which this Bill empowers me to refer back to the council—shall then be deemed to have been rejected by the Governor in Council. This is a necessary provision to dispose legally of the plan which will now go back to the council.

I believe I have given an accurate, broad outline of the main provisions of this Bill, and the reasons for introducing it, and I believe the Bill will be well received by members on both sides of the Chamber. It is significant that the proposal to refer the plan back to the city council has been well received to date by members of the council itself, metropolitan members in this Chamber, and other community and civic interests.

Before concluding, I would briefly foreshadow amendments in future to the City of Brisbane Town Planning Act. The Act is due for a general reassessment and I would mention the difficult area of rights to compensation for adverse affection as one aspect which is under investigation, and this will be one of the items to be dealt with in the detailed review of the Act.

I commend the Bill to the Committee.

Mr. BURNS (Lytton—Leader of the Opposition) (9.2 p.m.): The City of Brisbane Town Planning Act passed in 1964 has already been amended eight times. It was amended in 1967, 1968, 1969 and 1971. In 1971 the Act was substantially amended to provide for a new town plan—the plan which this Bill seeks to return to the council. The Act was further amended in 1973, twice in 1974 and again in 1975. The objects of the new Bill are admitted in the Minister's speech. It is to empower the Minister to refer back to the council Brisbane's new town plan, or in other words to legalise what the Minister has already done. He referred it back just before the Brisbane City Council election, not because a group of members of his own party and their allies were really concerned about the citizens of Brisbane or planning in Brisbane, but because they thought it would help their chances to overthrow the Labor city council. How wrong they were.

The attitudes of the Liberals in this Assembly and elsewhere very clearly indicate why they are involved in politics. I refer particularly to a week-end comment of the new Liberal leader in the city council, the vice-president of the Liberal Party, who was reported in "The Courier-Mail" on 10 April 1976 as saying—

> "It is my personal view that if you want to be in politics, you are in it for what you can get out of it."

That has not been denied. It is there for all to see. It fairly obviously typifies the attitude of the Liberal Party not only in the council chamber but in this Assembly to this Bill.

We all remember the hue and cry from the Liberals for a commission into the Brisbane City Council and the resulting consequences of the lengthy, drawn-out Bennett Royal Commission, which cost ratepayers over $2,500 a day and which finally disclosed that the council's conditions on developers had saved ratepayers $16,800,000 in seven years. It was fairly obvious that the Liberals were acting for the developers, not for the ratepayers of the city of Brisbane. Indicative of Liberal thinking and intent is an article in "Rydges Journal" of January 1976 on how to make money, in which the following points were made:—

> "Politics. The opportunity for business advancement through involvement with a political party will always be good. Perhaps it is best to confine your political activities to local government. This has been a traditional source of career growth for real estate agents, property developers and builders. If you are connected with these industries you are on the right track."

Both Syd McDonald's statement and that article show quite clearly the attitude to town-planning of the Liberal members in this Chamber and elsewhere. They are in it for what they can get out of it. I understand that the aldermen are held responsible for the preparation and administration of the town plan, and any misgivings as to its application will be put to them to answer publicly. Even though the plan was sent back, the Labor council was returned, and quite clearly returned. Thus I submit the people supported the plan.

It is the Minister's responsibility to get the plan and make recommendations to the Governor in Council. As he said on 27 February, he could legislate for the adoption of the plan with amendments if he considered it appropriate; however, doing it that way would allow the council to say that it was not its plan or the plan of the citizens of Brisbane, but the Minister's own plan or the plan of a few of his own people in a committee here at Parliament House.

One can well understand why the Minister is to refer the plan back to the city council rather than have the 20-strong Government committee of metropolitan members, who have already had a two-day conference on the Bill, draw up their idea of the plan for Brisbane. It might not necessarily meet the interests of the citizens of Brisbane—in fact, I believe it would not do so.

There is no lawful provision for the plan to be altered in the joint party room or at the Liberal Party meeting or at a meeting of what I might call the Merrin select committee. Would this Assembly consider it proper when this same Merrin is engaged as an adviser to companies whose activities are influenced by a decision in relation to the town plan? All these people—Merrin and the Liberal members in this Chamber—have their lawful rights as citizens, and many of them have exercised those rights. But they now want to take upon themselves the rights that are not afforded to other citizens. I cannot remember too many Liberal members taking the plan around their electorates and placing it on display. We displayed it throughout the Lytton area, in the shopping centres, on Saturday after Saturday. We assisted people to object and to put their proposals in. Quite a large number of the Liberals spent most of their time complaining about a plan they had never seen. Obviously they, too, are in it for what they can get out of it.

After the town plan was prepared and placed on display for public inspection, many bona fide objections were lodged. As well as that, several thousand organised objections were lodged. I was one who organised objections in the Murarrie area and I brought a deputation to the Minister. I also organised thousands of objections in relation to Moreton Island. That is our right; that is the whole idea of the town-planning legislation. That is the system; that is the way the system should work. The council subsequently looked at these objections and passed them on to the Minister. It was up to the Minister finally to do something about them.

As "The Courier-Mail" said in August 1975, when referring to the town plan and the campaign that had been conducted against it, most damning of all was the charge that the plan had been prepared behind closed doors by a select little group (I suppose this was the Planning Advisory Committee), yet after all the public concern had been expressed, only a handful of people attended the eight sitting days of open debate by Brisbane City Council aldermen on the town plan. Even the Press bench was sparsely populated during the session. It may have been, as the administration suggested, that the public at large were quite happy with the plan and that the dissent had been stirred up by a few old faithful knockers who were present "at every council bashing".

From the comments of aldermen I know that they will not be upset with the idea of the plan being sent back. I think, however, that the way in which it will be sent back will cause a lot of problems. For a start, I do not think the time limit provided will give sufficient time. Do all the 29,000 objectors have to object again? Are our previous objections still valid, or does the council have another look at the plan and in the 90-day period allowed bring forward planning maps for the public to look at again?

As I understand the Minister's speech, aldermen in council are allowed 90 days to consider the proposed plan and then submit a modified plan for public exhibition. I do not think this could be done in 12 months. I laughed when I heard Syd McDonald say he would draw up a brand new plan in 12 months. I think 90 days would be a remarkable achievement.

Mr. Byrne: The last one was done in six months.

Mr. BURNS: I know. One of the objections to it was the speed with which it had to be done. The Minister has reduced the period to 90 days, and 60 days will be allowed to the public to consider the modified plan.

It is funny how the State Government, when dealing with the town plan, suddenly changes the ideas it expresses about some of its own authorities. I read the Metropolitan Transit Authority legislation, section 67 of which states that the public can view the plan only after it has been approved by Cabinet. Elected aldermen are strictly prohibited from being members of the authority. The Minister should remember our argument, "Why can't we have elected aldermen representing the Brisbane City Council on the Metropolitan Transit Authority?" We were told that Brisbane City Council aldermen should not have that right and that aldermen from other authorities should not be on it; that representatives had to be from other bodies or the Public Service.

In an authority controlled by the Government, the Government demands that aldermen shall not have a say, and that the public can have a say only after the plan has been produced and approved by Cabinet. But in the case of an authority that the Government has no elected say in—because the aldermen are the elected representatives of the people there—the Government is insisting on a completely different set of circumstances. Suddenly the Government demands of the Brisbane City Council that the aldermen, because they are the elected representatives of the people, shall have a say and that the public shall be involved. I agree with public involvement, but I wonder why the Government should change its tune and why there should be two sets of rules, one for the Government and one for the Brisbane City Council. I wonder why public participation applies only in someone else's area, but never in the Government's own domain.

Do the 29,000 objectors now have to go to the further expense of objecting again? Is this for the benefit of solicitors and town-planning consultants or for the public? Will the objectors have to repeat their objections if the new plan is the same as the one that is being rejected by the Minister and sent back to the council? What guarantee do we

have that it is not necessary to refer the plan back once again? If we get 40,000 objectors next time, do we say, "We have 40,000 objectors; we shall send the plan back again."? How long do we go on like this?

The 90 days given to the council is an utterly impossible dream. It indicates that someone—possibly the joint parliamentary committee—forced the Minister's hand because of a complete lack of understanding of the subject. A town planner with 20 years' local government experience told me that such a job in such a short time is virtually impossible. I believe that to be so.

I wonder why the Minister has not used the public inquiry provisions of the City of Brisbane Town Planning Act. When I was considering public involvement and the Government's so-called concern that people should have a say, I read section 4 of the City of Brisbane Town Planning Act. In spite of the many objections to the plan submitted, the Minister does not need to introduce a new Act to help him. He failed to take the action open to him under the City of Brisbane Town Planning Act. One would think that amending legislation would be necessary only when the provisions of existing legislation were found wanting. The Act specifically provides that the Minister may appoint a person to hold a public inquiry into a town-planning scheme and objections to it. Section 4 (16) and (17) are very important. Subsection 16 reads—

> "The Minister may, if he deems the circumstances so warrant, refer any aspects of the proposed new Plan to some competent person appointed by him in that behalf to inquire into the matter and make such report as having regard to the circumstances of the case and the public interest he deems proper. A person appointed under this subsection shall for the purposes of the inquiry have and may exercise all the powers, authorities, protection and jurisdiction of a commission under The Commissions of Inquiry Acts 1950-1954, but the Minister shall not be bound by any such report."

Subsection 17 says—

> "An inquiry to which subsection 16 of this section refers may be heard in public and all the matters into which a person is appointed to inquire may be dealt with together."

Why can't we use these amendments in the 1971 Act? Why didn't the Minister use those powers? He was strongly urged by professional groups to do so. The advice and suggestions of the same professional groups were accepted by some of the Minister's predecessors and by the Minister for Survey, Valuation, Urban and Regional Affairs. I believe that the Minister cannot disdain this advice.

One of the ideas I saw and welcomed in England when the authorities over there were talking about redistribution of boundaries was the setting up of local inquiries to give people in the various areas an opportunity to participate. One of the real problems in the Act is that, whilst we talk of public participation in planning, we really do not give the public much opportunity. I submit that there must be the most widespread participation on the part of individual citizens. Local government should be conducted with maximum public participation and this has been recognised by political philosophers.

Mr. Lindsay: What about the Labor council?

Mr. BURNS: Like this Parliament, councils are not places where there is public participation. There is no public participation in this Parliament. At times the Public Gallery is full of children who are dragged in here every day by their local members to try to get a few votes out of their parents. The extent of public participation in this Parliament can be seen in the gallery here tonight. If the Government wants the people to be involved in the plan as it affects their back yards, their streets, the transport in their area, where their local shopping centres are to be and where the local sports fields are to be, it has to take the plan to the people.

One of the great problems of the plan was its lack of availability as a printed document. If the Government is really interested in bringing the public into this, why not use the Government Printer to produce copies of the plan and make brochures available? What brochures were put out by the department to tell the people how the plan would affect them? When a person tried to find out about the roads that were dotted on the plan, he had to get a pen out himself and copy them because no copies were available from the department.

Mr. Byrne: They were not supposed to be there in the first place.

Mr. BURNS: That's the bit that annoys me. It is claimed that the people should not have known about those dotted lines! We were sending out surveyors and drawing lines through areas where there were houses and then, when someone saw these dotted lines on the map, we were told that the people should not have been told—that that was a terrible action by the Labor council. What a terrible, dirty trick, to advise the people where the roads might go in their area.

What a remarkable change of tactics! A moment ago the Minister was telling us that he wanted public participation, that he wanted the people to be involved in the town plan. Now the honourable member for Belmont tells us that we should not have told people about the proposed freeways and the proposed roads in their areas. He says that the map should not have been exhibited like that. I submit it should have been exactly the other way. I want to know about every plan that is being made for my area. If I

live in the area, I should be told about the changes to be made. Only the Liberal Party wanted to hide it.

We will find out how important public participation is to the Liberal Party when we see whether they are prepared to spend any of the Government Printer's money or any of the money of other Government departments on producing material and making it available. Or will they order someone else to do it? Will they order another authority—the Brisbane City Council, the aldermen or the ratepayers to pay? In essence, this whole exercise has been a product of the back-room boys of the Liberal Party—a product of the members of Parliament who sat down here in a joint committee and decided that they wanted the plan referred back. Now they are going to say to the ratepayers of Brisbane, "Pay for it.", but they are really not changing any of the provisions at all. In fact, they are allowing a shorter period to handle the plan than was provided under the old planning provisions when they were produced.

If the Local Government Department has the ultimate authority in deciding the final draft of the plan, it should also assist in ensuring that the public know how the plan will affect them. As I said, the State Government should assist. We should be assisting through the Government Printer.

Let me make a suggestion. No-one has raised it, but I discovered it myself when going into my area in street meetings or at shopping centres with the plan. What about migrants? It is hard enough for those of us who go down to look at the plan to find out what is to happen in our own areas to understand what is really meant by some of the subsections of the plan. Migrant people who can hardly read English find themselves in the basement of the City Hall, or call to see their members, with no comprehension of what is to happen in their areas. Some areas have large ethnic communities. We know that they are there. There is no reason why we could not produce some dodgers in the ethnic language. That is a matter for the Local Government Department. I think it is a matter that has to go a little above the council, because it is our responsibility.

Finally, the Local Government Department really has the last say on the plan, because, no matter what the council agrees to, the Minister has the final say. The final say rests here. The buck stops here. If the buck stops here, we ought to be prepared to assist people to understand what we are doing, to understand what might happen to them and to make it very clear to them how the town plan will affect them in their homes, in their occupations and in their particular areas.

Mr. Byrne: Isn't that what the aldermen were elected for—to have a look at it?

Mr. BURNS: The honourable member was elected as a member for his area, but most people from his area ring me up because they can't ever find him at home.

Of course aldermen are elected for that purpose, but so are the members of this Parliament. The pile of booklets that come through the Justice Department are provided by the Government for the assistance of people outside. With the paper war that becomes necessary to keep the elected representative informed, the alderman for the Waterloo Bay ward, for instance, with 26,000 people in his area, can hardly be expected to wander round from door to door and explain to each elector personally.

I took the plan around my electorate every Saturday morning for weeks and probably one-third of the electorate saw it. The only way to get the information to the other two-thirds of the electorate is to take a leaf out of the book of the Health Department and send out printed material and information.

Why can't we send out brochures as the Department of Health does? Why can't we get brochures into the schools so that the kiddies can take them home to their parents and tell them, "This is what is going to happen to our area under the town plan." If the Government is talking about public participation, isn't this the way to involve the public? Isn't this the way to keep people informed?

It is no good saying, "Let's have it in the basement of the City Hall." Take it out into the suburbs. People do not shop in town any more. The plan will be displayed on one day between 10 a.m. and 8 p.m. and on every other day from 10 a.m. to 4 p.m. What about the working man and his wife? How are they going to get to see it? Why can't it be taken to the various ward offices? Why can't it be taken around the shopping centres as a mobile display? And that will not mean only 90 days or 60 days of public display.

Planning is one of the most important processes that we have. It deals with all of the pollution problems and all of the problems with noise—if ever noisy Russ gets his Bill out of the joint party room and into Parliament. Most of the problems can be solved by planning zones with residential areas away from working areas.

The biggest problem facing the city of Brisbane results from a lack of planning many years ago. We must not push this aside for a while and play politics with it. We have to forget politics for a while and step in. This is our capital city. We will be involved in it. We will be spending money on transport, and where money will be spent on trains, buses and other forms of transport will be decided by the planning authorities, many a time in our absence. Someone will decide today to set up a large industrial estate or a residential area. Then people there will demand trams, trains, buses or some other form of transport. Then we will be charged with the responsibility. The requests will come here,

the petitions will come here, and the requests for pollution control will come here—all because of a lack of planning.

The council will welcome the idea of taking the plan back. But I feel we are only stalling. We need to have a closer look at what we are doing with the town plan of Brisbane.

Mr. CHINCHEN (Mt. Gravatt) (9.23 p.m.): Again we are dealing with a proposed Bill to amend the town-planning legislation. I am inclined to think that we should have realised by now that we cannot have good planning merely by legislation. There must be a will to bring about good planning. What has been lacking is not legislation but the will to plan progressively and sensibly. We have been through the process time and again to help the council by pointing out how to undertake planning in an up-to-date, sensible manner. This was done mainly in the 1971 amendments.

It is interesting to look at the history of the matter. In October 1961 we had an exhibition of the first town-planning scheme to be generally adopted. In December 1965 the first town-planning scheme for the city of Brisbane was gazetted. In July 1969 the Brisbane City Council placed on exhibition an amended town-planning scheme. In 1971 the Parliament amended the City of Brisbane Town Planning Act to require the council to prepare a new town-planning scheme by 1974. It was given three years to carry out that task. That Act prescribed the general form and the content of such a scheme. In February 1974 the amendments were gazetted.

Also in February 1974 the Brisbane City Council applied for and was granted an extension of 12 months in which to prepare a new town-planning scheme. In February 1975 the new town-planning scheme was placed on exhibition.

In 1971 we endeavoured by modern amendments to set out the design for a sensible town-planning scheme. But what did we get? We got something that as a town-planning scheme was almost totally incomprehensible. It was really unbelievable. Starting off with the statement of intent, the first half of this document is a matter of great political import. It compromised the Government and it could never have been approved. This must have been known by the author of such a document. There was some sort of a planning scheme at the end of this document, but when we go through the whole planning scheme we find there is an endeavour to take away the rights of the people.

I was a member of a committee of metropolitan members who put in a lot of time in an endeavour to ascertain what was behind this scheme—to find out what it was all about—and the further we went into it the more difficult the investigations became. There seemed to be big problems, and I think the first was the conflicts that existed in all directions. There was obviously a conflict between the then Lord Mayor and the planners because the Lord Mayor did not wish to plan ahead. All he wanted to do was update the ad hoc approvals that had been granted during previous years. The planners wanted to plan ahead, and it is very obvious that in odd areas they did so. But in major areas there was this conflict. Then we had the conflict between the council and the Government; the Government wanting to protect the rights of the individual and the council wanting to take these rights out of the hands of the people. These problems have shown up right through all areas of this planning scheme. It is really a disgrace.

There were 29,000 objections to the plan. There would have been thousands more if the people had known that the planning scheme did not consist only of maps but also of written documents, and that it was in those written documents that the council was taking excessive power and denying the rights of individuals. The people did not know this and many still do not know it today. It was in the statement of intent; it was in the Order in Council; and it was in the schedules and the ordinances. So we had the problem that the people did not know that they could object to the written word.

This document was also difficult to find at the City Hall. As far as I know, there was one copy and it was very hard to find. But the people looked at the maps thinking this was the planning scheme. It was not, of course. They were just maps showing roads and zoning propositions, with no forward planning at all. Because the Lord Mayor of the day did not believe in showing the next five years of residential development or any other development in certain directions, he put in "future urban"—and "future urban" only.

Then, right throughout the plan, we found that the amendments of 1971 were not faithfully observed. One of the requirements of these amendments was an economic assessment to show that what was proposed could be paid for by this city by some means or other. But this did not happen; it was totally ignored. It was rather funny that the whole central business district of the city was not planned at all. Why would this be so? Why should there be a big black-out of planning in the heart of the city? This was the area where at least certain levels should have been established so that if we wanted overhead pathways similar levels could have been established and these could be developed. There was nothing at all done for the planning of the centre of the city.

We found there were new approaches to such things as council charges. Here we found that the council had passed ordinances to establish an entirely new charging system. This has nothing to do with Parliament; we have no say in this. They took it upon themselves to establish these new charging methods which the citizen knew nothing about. I doubt if many people would have objected to this because they did not know the written word could be objected to. I think the point cannot be emphasised too

much that the council endeavoured in effect to get control of the land in the city of Brisbane by the written word and by subtle movements in regard to schedules and so on. The people were totally befuddled by this. They did not know what was happening, and the only people who objected in this area would have been professional bodies who have studied in great depth the enormous number of words that were tossed into the planning scheme.

I think the whole thing has been a disaster, and I am a little worried that the approach we are making now, which I think is the only one which can be made at this moment, will be too late. I do agree that the time is short. Because of the treatment of their previous planning staff, I do not think the council has the ability to attract good planners and I do not think they will have the staff to do this work. However, there are many consultants, and I hope that the council will be wise and engage consultants to do this work. Then we might get somewhere.

It is amazing that in the statement of intent one finds the very question raised by the Leader of the Opposition—the question of public involvement. It is stated that this is catered for by a committee that meets periodically to consider large matters of planning significance to this city. The people were not involved at all. I can tell the Committee the story of one man whom I know who went to a meeting of the Planning Advisory Committee. As soon as he walked in he was asked his name, why he was there, and who invited him. He gave his name and said, "I haven't been invited. I've just come along to see what happens here." He was asked, "What are you particularly interested in?" He said, "Nothing. I have just come to see the work you are doing."

Mr. K. J. Hooper: You sent him.

Mr. CHINCHEN: I did nothing of the sort. This gentleman, who was well known in business circles, went there simply to see what was being done. He was told, "Well, you should be invited by the chairman." He said, "I am sorry. I didn't know that." He was told, "You can stay here for 10 or 15 minutes. If you want to come along in future, please get in touch with the chairman for an invitation." For the 10 or 15 minutes that he was there, no work was done, so he left not knowing what was going on. As far as the Brisbane City Council is concerned, that is public participation.

I think you know as well as I do, Mr. Hewitt, that the aldermen of the city of Brisbane did not see the town plan until 9 o'clock on the morning in February when it went on exhibition. I have heard that from three or four aldermen myself. There is not only the question of public participation; there is also a lack of aldermanic participation, and the aldermen are the representatives of the people. Until the stage is reached at which aldermen are totally involved in planning and in discussing with people in their wards planning intentions and sorting matters out, not only will the public will not prevail but the people will not know of the planning alternatives and will not have their say. When that occurs, we will see better planning.

I had the good fortune to hear a talk by a Canadian planner who told the audience of the large amount of public participation that takes place in planning in the city in which he lives, which is a large city in Canada. I asked him, "After all this, how many objections would you get?" He said, "Our plan comes up for consideration every five years. The day after one plan is approved, the planning starts and it progresses for another five years. At the end of that period we will get 500 or 600 objections."—not 29,000!

There are so many faults in this plan that I would not have time to enumerate them—non-conforming uses; 14 areas of the plan that can be changed by resolution of the council; enormous problems of parks and open spaces because the council can use these at its will. There are so many things wrong with the plan that it is beyond explanation. After due consideration, I personally came to the conclusion that the answer surely would be community assessment—in other words, to have a situation in which the council can be cross-examined about why it has done a certain thing in a certain way, and in which people who object to a certain thing can express their thoughts and those who do not object can also express their thoughts. Ultimately, out of all that, would come a distillation of what would be very sensible planning.

There are very big problems, of course, under the objection scheme, because the council, or ultimately the Minister, has to decide what is a reasonable number of objections to cause a change in the plan. Is 800 the number? Is 2,000 the number? Quite often one objection could be valid and make a change of the plan necessary. An arbitrary decision has to be made. That is a cause for worry when one works under the objection system. There might be 5,000 objections in one area; but if those objections are accepted, how do the other 15,000 people —the silent majority—have their say? Do we accept 5,000? The answer might be, "No, that's too many. What about 1,000? What about 10? What about 20?" In the ultimate, it means that somebody is making very arbitrary decisions. That must be done by a member of the Minister's department. Here we have a person who is hearing only one side of the story. He can look at the objections but he does not know what the other people think. If an objection is made those other people do not have a say. These are the problems.

I compliment the people who arranged the seminar at the Queensland University. I did not see one member of the Opposition

at that seminar where the type of thing I am speaking about was carried out. Professor Gates was the commissioner, and he had an assistant. There was legal help on both sides. The council was well represented by a chief planner. The plan was pulled to pieces. The two-day seminar was handled well. It would probably take two or three months to do the whole thing properly, but out of that two-day seminar came real sense. If the Minister had accepted advice from that seminar he would have had something on which to act, because people on both sides were allowed to express opinions. Out of all that came something which would have helped the Minister enormously in making up his mind. Now all he will have will be objections from one side against something. The other people affected by a change can have no say at all. I am inclined to think that in a few months' time we will be in much the same position where arbitrary decisions have to be made.

I am not looking for great changes, but changes will come because we have a different council. We do not have domination by one man. Allowed their own will in regard to planning, I believe that the aldermen will produce a much better result than we have had in the past. Domination by one person will bring about quite radical changes. I am hoping that in the short time given there will be a concentrated effort so that the new council will produce a plan much more in keeping with the requirements of Brisbane.

The Minister mentioned the important subject of compensation. We all realise that without proper and reasonable compensation good planning cannot be undertaken. Those in authority are inclined to draw broad lines knowing full well that they are not responsible for the payment for what they take over. It is good to hear that the Minister has considered that point. Although one section of the City of Brisbane Act deals with compensation, it just does not work. It is known by the legal profession that it does not work. People involved have been advised not to go ahead. They are told, "Don't go ahead. Sure, they have made that land open space where you are. It has knocked your value to a fraction of what it was, but what can you do about it? It is not worth worrying about."

Of course, to the individual it is worth worrying about, and we on this side of the Chamber are interested in the individual. I hope that when the council is aware that provision is being made for reasonable and sensible compensation it will plan much more sensibly than it has in the past. It has literally made thousands of acres non-negotiable. The river strip has affected hundreds of people. It has done many things that have not worried it at all because it thought, "We are not responsible for compensation. It does not worry us. The Act is not working." But it is going to work. With that in mind, I am quite sure we will receive much better planning.

I think the new council will have a much better approach to planning. It will need to get staff or consultants who can do the work in a hurry. It is unfortunate that public participation will be impossible, but if the aldermen apply their minds to this task they will be able to improve on the shocking mess that has been given to the Minister. I look forward to a big improvement.

Mr. PORTER (Toowong) (9.40 p.m.): I am sure that all of us who are concerned with the long-term welfare of Brisbane and the planning of it as a beautiful city, and certainly the welfare of its citizens, will regard this as a very important Bill. I am not one who is given to the habit of congratulating Ministers in fulsome terms, but the Minister for Local Government is to be congratulated on the introduction of this Bill. The presentation of this town plan presented him with a very difficult situation, one that called for a Solomon-type judgment in arriving at a reasonable decision. Under the Act he can accept a plan, reject a plan or amend a plan. If he amends the plan, he and the Government, of which he is part, accept responsibility for that plan.

This particular town plan was so dreadful, so disastrous and so sinister in all its implications that no Government in its right senses could possibly accept the responsibility of amending it and hence having it branded as its work. We had to find the extra option, which is to return the plan to the council and make it do the job properly.

I do not make these disparaging comments about the town plan without very good reason. I should not think that in any Western-style country in the world it would be possible for a town plan so full of dangerous implications, inconsistencies and inadequacies to be prepared and presented for approval as was this particular town plan.

Without doubt, if the people of Brisbane had been made fully aware before the council election of just what this meant, the Labor aldermen would have been lucky to be returned in any ward at all. Under the town plan as presented by Alderman Jones the rights of the citizen were literally obliterated. This is no exaggeration.

Let me make a couple of points, and if any honourable gentleman on the Opposition side thinks he can counter them, let him try. The base of the plan is the statement of intent, which was designed by this Parliament in the 1971 amendment to provide what might be regarded as statutory authority for an expression of the philosophic content of the plan. That was to provide both a material and a philosophic ultimate goal for the city. Without that, the planning proposals would not have coherence. Indeed we could have a whole series of proposals without a statement of intent, which could in operation prove mutually antipathetic and

therefore quite destructive of the best interests of the city and its citizens. Parliament clearly intended in the wording of the 1971 amendment that the statement of intent should provide an acceptable justification for what otherwise would be a series of land propositions, which, as I say, might be in mutual conflict.

The statement of intent that is the basis, the prelude, the core, the heart of this town plan, which we are sending back to the council, is a grotesque parody of what the 1971 Act required. All it does is exploit for political ends the expectation that such a statement would responsibly set out the plan's major objectives and how it is proposed those objectives would be achieved. I presume this statement of intent was Alderman Jones' swan-song, his great gift to posterity. It wanders and waffles on for about 8,000 words without the appendices, and is written in the vaguest of terms—all suggesting the widest range of determination by the council that one could possibly imagine.

If this statement of intent had been accepted, all those areas where currently the Act gives the citizen the right of appeal against injustice would have been obliterated. The council would have made its own determinations of what was to be done and how it was to be done, and the citizen would have had no right of redress whatsoever. I say it is a great shame that people were not made aware before the election of what this town plan would have meant to them.

We must remember that the statement of intent is part of the statutory plan; hence every word of it and every phrase of it would become susceptible to legal interpretation and definition in any action that arose out of the plan. If we read this statement of intent and see the waffle in it—its deliberate vagueness and extraordinary confusion of words—we can well imagine the lawyers' harvest that the document would have provided in any argument following this town plan.

It even attempts to give the history of Brisbane on which it proposes to erect this monolithic type of control in the name of planning, and even the history is not correct. The first job I had was assistant to the Assistant Under Secretary in the Home Secretary's Department, Mr. Charles Chuter, when this City of Brisbane Act was drafted. I knew what the purpose of it was and what the socialist propositions behind it were. The Act has certainly fulfilled them. As I say, sentence after sentence in the document contains a tacit denial of all the ratepayers' rights. None of us on this side of the Chamber are prepared to accept that.

We see constantly in this statement of intent suggestions that the council has tried hard to get a workable plan but has been stymied because the Government has stalled it—that it has been hamstrung in its endeavours by State Government pressure. These statements are quite perverse because it is the Brisbane City Council that has always tried to produce propositions that ignore the rights of the citizen, and it is this Government which has tried consistently—by a number of measures, particularly amendments to the Act—to give the citizen the rights he is entitled to receive and expects to receive.

The objectives of the plan are stated in the vaguest and most grandiose terms. I shall cite a few of them so that the Committee may know that I am not speaking in generalities. For instance, the objectives of the plan include this phrase "to provide for orderly development". What in the name of heaven is "orderly development"? Another phrase is "to safeguard the proper use of land". What the devil does that mean? Yet another is "to remove from the plan those open space areas which serve no useful purpose". What does that mean? These things are capable of any interpretation. And they are capable of the most devilish interpretation in terms of the best interests of the people!

This statement of intent, written largely by the past Lord Mayor of Brisbane, was so deliberately generalised that it contains a host of terms that would have to be accepted as justification of what is proposed in the structural plan and the various maps. If they had to be accepted I can only say heaven help Brisbane because nothing else could do so.

The structure plan itself—the main plan on which all the others are based—is almost a casual document. It appears as if somebody dashed it off in half an hour of abstracted thought. It consists of only six pages and a single coloured map which was on separate display at the time. Yet that is supposed to embody the basic planning concept that the council has to use in exercising its myriad discretions. As we know, any application not conforming to the basic structure plan would be headed for rejection. With a total inadequacy in the structure plan, the council has tried to enlarge its discretionary area almost to infinity. That was not understood very well by people.

I believe that similar assumptions are to be made in terms of transportation because we have reached the stage where transportation is not now a major aspect of council responsibility. It seems to me quite inconceivable that a town plan should be drawn up that attempts to determine transport corridors—hence growth patterns—and be completely at variance with a transportation plan developed by the Metropolitan Transit Authority. People could be totally misled by this town plan unless the authority was prepared to accept in toto what the council planned. And that is not very likely. The town plan, as presented, took no responsibility at all for the fact that many of the assumptions on transport (and therefore much of the planning flowing from those assumptions) had no relation whatever to fact. Unless the new transit authority acknowledges

that the council has pre-eminence in the field, all those assumptions were so many empty words and useless lines on pretty maps. If the council had been able to determine what the transit authority has to determine, it would have been a case of the cart leading the horse with a vengeance and that, of course, was not acceptable.

We must accept that the statement of intent shows very clearly that the council intended to use its Planning Advisory Committee as a device to pretend that there was public participation in planning whilst, in fact, it exercised quite monolithic control. For anybody to suggest that the ordinary citizen is represented in planning by a committee that in fact represents only special-interest groups is in my view totally unrealistic.

The plan was like an onion. As one layer was peeled off, another layer was found underneath and another layer under that.

Mr. Lamont: And it made you cry, too.

Mr. PORTER: It made one weep tears of blood, almost, when one realised the significance of it all. There was no doubt that the Minister had no option whatever but to send the plan back to the council and require that all aldermen accept their responsibility—their proper elective responsibility—and do the job of considering and approving the plan. He could not accept this ridiculous nonsense that we had with the rejected plan, which was produced by the Lord Mayor in the morning. None of the aldermen had seen it before, yet they were required to approve it that day. What a piece of dangerous and fantastic nonsense that is.

So the plan goes back to council—a better-balanced council—with an Opposition that will keep the party in office in the council on its toes. I say, without doubt—and the member for Mt. Gravatt referred to it—that when the town plan comes back it must have a properly written statement of intent—one which is precise, which is brief, which is terse and which is in accord with the requirements of the 1971 amendment. It must be based on a proper economic assessment—and particularly of possible compensation costs, which could run anywhere between $300,000,000 and $2,000 million. It should have studies supporting clear statements of standards required, such as sports grounds with enclosed open space for 1,000 people, and so on. There should be a realistic structure plan as the basis of it all, evolved out of intensive study over at least 12 to 18 months. We accept that they have got to do a job in six months, but over the long haul this structure plan must be properly produced, because only then can the plan's conclusions remain reasonably valid for any extended period.

As I say, undoubtedly the plan must be presented in a way that will enable it to be understood by the people and that will enable it to be understood and properly interpreted in a court of law. The Bill is absolutely necessary and the Minister is to be commended for bringing it before us.

Mr. AKERS (Pine Rivers) (9.52 p.m.): I agree whole-heartedly with both of the previous speakers on the Government side. This Bill sees the last direct influence of one of the most contradictory personalities in any level of government in Queensland. The man who produced this plan is a dichotomy of socialism and capitalism. He made his money through exploiting the free-enterprise system we have in Queensland and then set out to establish a dictatorial and socialist administration in Brisbane.

The Brisbane Town Plan submitted by the previous city council was a classic example of hoodwinkery—a town plan that was produced by an illegal committee of basically unelected members—basically unelected yes-men. It was thrust at members of a council who were too stupid to stand up for their own rights; too much like sheep to demand that they see the plan before they approved it.

In his speech the Leader of the Opposition said that he organised objections to the plan. The hilarious situation we had was that members of the Brisbane City Council who had approved the plan—in fact, voted unanimously for it—were also organising objections to it. In many cases they led the objections. They were screaming about Moreton Island and about things that were happening in the Ashgrove electorate.

Mr. Lindsay: Such as the quarry.

Mr. AKERS: Yes, such as the quarry.

The men who had to approve this plan, who did not have the sense to stand up and say, "We want to see it before it is approved", organised the objections to it. This Bill is absolutely necessary because nobody who had anything to do originally with the City of Brisbane Town Planning Act and any of its amendments could ever have imagined a group of elected members of a council delegating to a secret, unelected committee the process and the powers granted to them under that Act. Nobody could have envisaged when drawing up the legislation that a group of elected representatives would do something like that.

The town plan was a great conglomeration of mistakes, poor planning decisions and socialist controls. The obvious limitations and controls such as that limiting viable, existing, non-conforming uses to seven years' life were only the tip of the iceberg. The statement of intent was described very aptly by the honourable member for Toowong. Far from being a guide to the interpretation of the plan, as was intended by the legislation, it was riddled with political propaganda, personal opinions of the writer and plain untruths. I shall not go into detail. The honourable member for Toowong has very effectively covered this matter.

No planner or court in the future could possibly use this statement of intent as even the slightest indication of what was intended under the plan. That is what a statement of intent is for. It says what the council intends the plan to do so as to give future courts and

planners some idea of what was intended and to allow the interpretation of those points that are not clear in the plan in accordance with the intention of the council when the plan was produced.

No effort was made in the plan to provide some life in the central district. No indication was given of any proposal for unification, as was mentioned by the honourable member for Mt. Gravatt, or co-ordination of designs. There was no proposal for pedestrian malls and nothing else to indicate how the heart of the city was to develop beyond a bland statement on car-parking stations around the perimeter of the city. This plan should have been rejected by the aldermen in council; indeed, it should have been rejected by the Planning Advisory Committee because it was obviously thrust onto it before it reached the council.

It worries me that the Leader of the Opposition said that he showed the plan around his electorate. This indicates a basic misunderstanding and lack of understanding of what the plan is all about.

An Honourable Member: A few maps is all he showed.

Mr. AKERS: A few maps. But the Brisbane Town Plan consists of an Order in Council containing the schedules where the real problems occur, the ordinances and the statement of intent. I bet he did not show them around the Lytton electorate. All that he showed was some drawings with some lines on them. People could look at them and say, "Isn't he a nice fellow for showing us what the town plan is and organising objections to it?"

An Honourable Member interjected.

Mr. AKERS: Yes, he showed where the red lines were so that they could come into it, and he gained a few votes there.

What worries me greatly is that that is the attitude of the Leader of the Opposition, of the aldermen and of many other people in Brisbane. That was all that the council allowed the people to believe. The Leader of the Opposition and members of his party were racing all over the place saying, "This is the plan for Brisbane. We are showing you the plan." What they were showing was less than a quarter of it, and the part that really did not matter.

It is no use saying that only 1,500 objections to properties were lodged and that therefore the plan was all right. Very few citizens of Brisbane were able to read the written documents with the plan, even if they were able to obtain a set of them. I might point out that they were horribly expensive to buy.

The rezoning of land to the detriment of owners without any thought of compensation and similar injustices are the really dangerous areas of the plan that were in those written documents that the Leader of the Opposition did not show his constituents. I had to go to considerable trouble to understand the intentions of the megalomaniac who produced the plan, yet the Leader of the Opposition took around a map and showed it to his constituents as the full plan.

I whole-heartedly support the introduction of the Bill and the comments of both of the Government speakers. I decry the attitude of the Leader of the Opposition and urge the Committee to approve the introduction of the Bill immediately.

Mr. MILLER (Ithaca) (10 p.m.): I would like to join with other metropolitan members in congratulating the Minister for introducing this very necessary Bill. I think it is fair to say that every metropolitan member was opposed to the new town plan which was put on public exhibition on 28 February 1975.

Mr. Moore: Metropolitan Government members.

Mr. MILLER: Yes, metropolitan Government members, because at that time I understood the members of the Opposition to be in favour of the introduction of it, even though we are now told by the Leader of the Opposition that he went round his electorate showing the map——

Mr. Byrne: I will tell you some more about that later.

Mr. MILLER: I will be very interested to hear what the honourable member for Belmont has to say. The legislation before the Committee tonight is very necessary indeed.

The Leader of the Opposition has stated that nobody went along to the city council to listen to the debate on the new town plan for the city of Brisbane and he surmised from this that the people of Brisbane were satisfied with the new town plan. I agree with all the previous speakers who said that those people did not read the statement of intent; that they did not read the ordinances; and that they just had a look at a plan and said to themselves, "This plan looks all right to me. It is not going to affect my block of land, so it is going to be all right." But I wonder how many people living in the electorate of Lytton would be able to tell me the definition of "municipal purpose", "public purpose", "open space" or "sport and recreation". I do not think many people in the whole of Brisbane, let alone the electorate of Lytton, would be able to give the definitions of those terms, because they did not have the opportunity to study the statement of intent and to say, as did the Government metropolitan members, that that was where the danger lay. The danger lay in the statement of intent and the ordinances which had to be read in conjunction with the maps that were put on display in the city hall.

I wonder if the lord mayor of the day, Alderman Jones, ever costed the implementation of that plan he submitted to this

Government as the new town plan. I hope that the Minister will expect the present lord mayor, when he submits an amended town plan, to submit with it an actual costing of its implementation, because surely as a Government and as an Opposition we want to know what this new town plan is going to cost the citizens of Brisbane. I for one am not prepared to blindly say, "The new town plan is acceptable to me", if I think for one moment that the people of Brisbane cannot afford to pay for it. So I want the Minister firstly to ensure that the new lord mayor submits with the amended town plan a costing of its implementation. What is it going to cost if the council is going to resume all the land along the river? What is it going to cost to resume open space owned by individuals, because as far as I am concerned the people who own land in the metropolitan area, or any other area of Queensland for that matter—but we are dealing with the city of Brisbane at the moment—will have to be paid for that land, its value as residential land, if it is going to be resumed by the Brisbane City Council, whether it is for open space, roadways or for any other purpose. As far as I am concerned, any plan that comes before this Chamber will have to be costed.

I understood the Minister to say that upon receipt of the new town plan by the town clerk, he is required to have prepared for presentation to the council submissions relevant to the preparation of the modified plan. The Minister went on to say that, at a special meeting or special meetings of the council called for that purpose, the council is required to prepare a modified plan, and in doing so to consider the new plan, the guide-lines provided by the Minister, and all other matters it considers to be warranted in the presentation of the modified plan, including any submissions caused by the town clerk to be prepared.

The Bill makes it clear that consideration of the new plan, the guide-lines, etc., shall not come within the functions of any standing committee or special committee of the council.

If one looks at the definition of "standing committee" one finds in the ordinances of the city of Brisbane that a standing committee covers all committees—the Finance Committee, the Works Committee, the Health Committee, the Transport and Electricity Committee, the Planning and Building Committee—including the Establishment and Co-ordination Committee. As I understand it, the Establishment and Co-ordination Committee is similar to the Cabinet in this Government. When Parliament is in recess, Cabinet becomes the Government of the day and operates as the Government. I want the Minister to make it quite clear to me that no standing committee or special committee will consider the town plan in isolation; that when the council is not sitting, the Establishment and Co-ordination Committee cannot become, in effect, the council and cannot consider the town plan in isolation.

As I understood what the Minister said, he would like to see the council become a committee of the whole and discuss the matter in open debate in public. In my opinion, that would be the best thing that could happen for the citizens of Brisbane. I want to see the Labor aldermen and the Liberal aldermen in the Brisbane City Council debate the new town plan in front of the people of Brisbane. What fairer way of doing it could there be? I do not want the Establishment and Co-ordination Committee having power, as Cabinet has, to run off into a room somewhere and make decisions on the new town plan. The Minister even said that the Bill does not preclude the council, at a special meeting, from resolving itself into a committee of the whole council which, under its ordinances, will still consist of members only and be open to the public. That is what I want. I do not want the Establishment and Co-ordination Committee to become that committee because the council is in recess.

I support the claim by the Leader of the Opposition that the council is not being given sufficient time to prepare the modified plan. I do not believe, Mr. Hewitt, that we can expect the new council, bearing in mind that the Lord Mayor has to submit a budget in excess of $300,000,000 by the end of June——

Mr. Akers: He has never had any experience.

Mr. MILLER: He has not had any experience. However, putting that to one side, I do not believe that we as a Government can expect the new council to submit a budget of over $300,000,000—larger than the budget for the State of Tasmania—and at the same time consider and discuss an amended town plan for submission to the Government within 90 days. I do not think that any council could be expected to do that.

When the plan comes back from the council, I hope that the Government will have before it an operating plan for the city of Brisbane for the next seven years; but we cannot expect the council to produce a plan that is acceptable to the Government if we do not give it sufficient time.

I hope that the Minister will make it quite clear in his reply that the Establishment and Co-ordination Committee will not have the power, when the council goes into recess, to operate as a council, because he has stated specifically that the council itself must make deliberations on the new town plan.

Mr. LAMONT (South Brisbane) (10.9 p.m.): In common with other speakers from this side of the Chamber, I can only say that the town plan—if one can euphemistically call it a "plan"—is the greatest

conglomeration of examples of autocracy, insensibility, arrogance and ignorance that I have ever seen put together by a group of people purporting to constitute a government in any sphere in Australia. The aldermen accepted that ramshackle collection of charts and documents as a plan; and they accepted it in one morning. It was typical Labor Party direction of what rank-and-file members would accept. When they saw the hue and cry they tried to back-pedal. I am tempted to say that they revealed themselves as nothing but a bunch of stool-pigeons. Luckily we have in this Chamber a group of people who constitute a committee known as the Metropolitan Members Committee, and we were able to put a "cat" among the stool-pigeons.

Mr. K. J. Hooper: Who is the chairman of that committee?

Mr. LAMONT: If the honourable member does not know, he is derelict in his responsibilities as a metropolitan member. Let him circulate that in Archerfield. He has been here so long and he lives in the metropolitan area but he does not know who is the chairman of the Metropolitan Members Committee. Disgusting!

The plan was supposed to be something which told us of what was going to be Brisbane's destiny in the forthcoming decade or more. It was all passed in one morning. When anybody puts up a plan which will cost other people money, one of the first duties is to price it. But did they do that? No. We saw no costing. The cost has been since estimated—give or take several million dollars—at about $500,000,000. With inflation and the amount of time that obviously it would take to implement such a plan, the cost could be much higher than that.

Let us say, however, that it would be $500,000,000. In one morning the council approved something that aldermen had not studied, had no knowledge of, had not bothered to price and which subsequently turned out would cost the ratepayers of Brisbane a sum of money that they collectively could not possibly put together, even if they did desire the Labor city council to spend that kind of money to reorganise their city. The Labor Party aldermen showed that they had learned nothing at all from the mistakes of their Federal colleagues, learned nothing from the results of an election which showed how unpopular it is for Governments to spend madly, badly, wildly and blindly other people's money, and that they had learned nothing from the errors of Whitlam. Thus, in one morning, according to the direction from where directions in the Labor Party come, they approved the plan—if we can call it that—for Brisbane, a plan which would cost hundreds of millions of dollars but which they had not bothered to cost.

Any plan that had the grandoise ambitions—"pretensions" is probably a better word—of that set of documents would necessarily severely and seriously injure the interest of some ratepayers. But was a basis of compensation clearly set out in the town plan? Did the Labor aldermen voice their concern that, if there was to be a plan affecting the interests of ratepayers and citizens of Brisbane, then there ought to be a plan within that plan to set out the basis for compensation? Did they show that concern for the people? No. They were quite willing to take the money from the people; they were quite willing to spend the money wildly and in a spend-thrift manner, but they had no concern about laying a basis for compensation for those injuriously affected by the contents of the plan.

What of the statement of intent? Surely, taking the language of those three words, the statement of intent should lay out clearly for anyone to see what was the intention of the council. Now, the council displayed some maps, but there was nothing on any of those maps that showed, for example, a riverside drive. Yet we saw in the wording of the town plan that people could not erect buildings or make changes to structures within 100 feet of the river.

We knew from things that were said outside the council that there was a clear intent in the minds of some people who had a great deal of influence over this so-called plan to have a riverside drive. But there was nothing in the town plan that really stated that clear intention, and nothing was shown on the maps for the people to view about a riverside drive. And that is dishonest—plainly dishonest—and misleading government. I fear I use the word "government" euphemistically in this context also.

When I look at the way this would have affected residents along the river in my electorate, particularly in the vicinity of Mowbray Park, it is quite clear that there was an intention that there would be a riverside drive, which would lop off the front of properties along the river there. Also, it was quite clear that a traffic corridor that was originally planned to cut through Mowbray Park, which would have then prevented mothers from sending their children to play there and probably would have deterred pensioners from strolling in the park in the afternoon, was 15 ft. wider than Laidlaw Parade, which it linked up with. It was quite clear that the future intent of the council was to lop 15 ft. off the frontages of homes in Laidlaw Parade and that, by the time it had made its riverside drive and extended that traffic corridor so that it had an alternative route to the new port of Brisbane suburbs, the people in that area would have had little room to pitch a tent on their remaining land. There was nothing in the statement of intent about that—and that is dishonest.

Let us have a further look through the plan, not the plan that was actually on display, but through the words and documents associated with it. There was nothing in the

maps that the people of Brisbane could look at to show them there was a schedule at the back of the plan, Schedule C, which allowed the council the right to use open space and parkland for certain purposes without notification to the residents of the area. It dispensed with the need for publication of the intention of the council as to how it would dispose of open space and parkland in a suburb.

That is bad enough. However, in the schedule we see there were four uses to which open space could be put without notification to the people of the area—if that plan had been accepted. They looked innocuous enough. Two of them interested me. One was "Municipal purposes"; the other was "Public purposes".

Mr. Miller: There's no difference.

Mr. LAMONT: No difference—its all verbiage. Intent to be dishonest was the only statement of intent we got. It was perfectly obvious that the layman was intended to put together in his own mind that "public purpose" and "municipal purpose" might have meant a public lavatory in a park or perhaps a shed or even a sheltered table with chairs. But when we look to the definitions in the front of the plan, several hundred pages earlier, and link them up with Schedule C we find, as the average citizen walking into the City Hall to look at the maps on display would never have found, that "municipal purpose" as defined at the front of the town plan was anything that the city council might deem to be a municipal purpose and that "public purpose" was defined in exactly the same way. This was duplicity if nothing else.

The logical conclusion is that open space anywhere—any parkland in Brisbane—could be used by the city council for any purpose it wanted to declare to be a municipal purpose from time to time, without notifying any of the residents as to what was going to happen in their area. There could have been a sewerage plant or a car park replacing an open space or a park beside the river. No notification would have been given of this until the first bricks in the sewerage plant were put in place. The local residents would suddenly realise that they had been thwarted and fooled by a dishonest council.

When we look at parks, we see a bland statement that the area of parkland per head of population has constantly increased throughout the period of Labor administration. What a lot of hogwash that was! If we include recreation reserves such as Lang Park, I suppose it could be said that open space was keeping up with population growth. But when we look at local parks, those within a short distance from houses to which mum might like to send the kids to play and still be able to keep an eye on them, and parks within reach of pensioners where they can walk and sit in a clean environment in the afternoon, we find from the very documents in the town plan—these were not the ones on display; these were the expensive ones that had to be bought if one wanted to take them home to study them—that in 1961 there were 2.4 acres available per thousand head of population, while today only .8 of an acre is available per thousand population. In other words, local parks—those that really matter to the community—have declined to the extent that only one-third of the area is left. What has happened to the rest? Like the open space I spoke of earlier, it has been disposed of by the council for its own good profit. And now the council wants to be able to legislate to go ahead with that sort of procedure without even notifying residents of what is happening to the local parks.

The documents then went on to talk about parks as if they were buffer zones. Swamp areas beside creeks were to be counted in the acreage to boost the statistic. So the dishonesty was perpetuated.

What was displayed for the people of Brisbane to look at? A group of maps! Not the statements of intent—that were misleading, anyway—not the ordinances or the Order in Council, but a bunch of maps. It could be said that the town plan was on display in comic form only. If it was not so serious it would have achieved nothing more than comic relief.

Why has the Minister adopted this method to dispose of this problem? Why has he said, "We will send the plan back to the council to do its homework because it did not do it properly."? Why didn't he just amend the plan in the areas where we found fault? The reason is very simply this: If the Minister were to amend the plan he would be taking responsibility for it. He would be just as responsible for those areas that he did not amend as for those areas that he did amend. If the work of metropolitan members, the Minister and his department all combined overlooked some area where anomalies and dishonesty still existed, the Minister would have been responsible for that, too. The only solution was to give the job back to the people who were supposed to do it in the first place, that is, the Labor aldermen, and say to them, "There is your town plan; it is inadequate, it is dishonest, it is arrogant, it leads to autocracy. It is supposed to be democratic; it is supposed to encourage public participation; it is supposed to be clear and it is supposed to state an intent. Now go away and do it."

I find it absolutely comical that the Leader of the Opposition should find himself in the dilemma of having to support it because it is a Labor Party plan, and then have to run around to drum up objections within his own area so that his own credibility in Lytton remains intact. In this case our friend the Leader of the Opposition is a skilful schizophrenic. I have no sympathy for the situation he found himself in, because once again the Labor Party has refused to learn the lessons that the people of Australia have taught it constantly, that is, that it cannot be profligate

with other people's money, that it cannot dither and dicker around with plans that do not hold water.

The city council has said that it may cost half-a-million dollars to revise the plan; it is saying that this Parliament is costing the council half-a-million dollars. If that is so, that amount of half-a-million dollars is incurred by the abdication of the last Labor city council from its duties. That is the half-a-million dollars it is talking about—the half-a-million dollars it in its indolence, arrogance and lack of responsibility cost the people of Brisbane.

I thoroughly commend the Minister's decision in setting up this legislation so that the town plan might well have a chance to be dealt with properly. Now that there are Liberals in the city council I am certain there will be a conscience there, and I can only say how lucky the Labor Party is that the Liberal Party did not make this the major issue of the city council elections in Brisbane, because on this issue the Labor city council stands utterly condemned.

Mr. BYRNE (Belmont) (10.26 p.m.): I concur with the sentiments expressed by preceding members on this side of the Chamber. I point out that the provisions of this Bill relating to the Brisbane Town Plan exist for one reason: it took six months to plan a city; 20 minutes to approve the plan; and a few hours to process the objections. That is the town plan that the city council so responsibly, presumbly, drew up and gave to this Government to ratify. This Government just did not accept that. This Government does not deal with things in that manner, even if the Brisbane City Council does. We like to have things researched properly; to see what is involved; and to make sure that the rights of the individual are taken into account.

I want to make brief reference here to some of the remarks of the Leader of the Opposition, who referred to me during his address. I point out that the honourable member for Lytton had no comprehension of what was in the plan, because the plan that he took out to his electorate to show the people of Lytton consisted simply of the maps of his area. It was very commendable indeed for him to take those maps out there. But, having taken them out there, he called a public meeting (he objected because I went to it) and spoke chiefly about the red lines—the transit corridors—on the map going through my electorate.

At the end of the evening's discussion someone asked for a different point of view. In an endeavour to distract attention from all the rezoning proposed by the plan, the honourable member for Bulimba spoke for an hour and the honourable member for Lytton spoke for 40 minutes telling the people how terrible the Queensland Government was because it was going to put roads through their houses. I went up and spoke for 10 minutes and explained the lines were not part of the plan. The honourable member for Lytton was so concerned that he took me aside and said, "You have got as much out of this as we have. I think you should pay for a third of the rental of the hall." That is the sort of petty politics involved in the man. He comes and says to us that he was so concerned to have the people of Lytton see what was involved in the plan that he took it into his electorate. To further show his knowledgability, he challenged me when I explained that on the map there was a transit corridor extending down towards the area where the port of Brisbane would be. He stated that that was not the case; that he knew the map thoroughly and he would bet $100 that that would not be on the map. I said, "I am sorry, Mr. Burns. I would not make such a bet. I am not a gambling man and I would not like to take your money, anyway." Before the crowd of 200 people there he insisted that there was no transit corridor on the map. So I went over to the map he had on the file, picked it up, pointed to it and said, "Well, Mr. Burns, I am sorry. There goes your $100."

So he did not have a great deal of knowledge about it, even though he took it to his electorate. The Leader of the Opposition did not possess that knowledge; nor did the members of the council. That is the great condemnation of the present town plan. The people who were responsible for it and those who were talking about it knew nothing about it. If the people in council who were the elected representatives of the people of Brisbane knew nothing about it, were happy to approve it in 20 minutes and pass through the 29,000 objections in a couple of hours, I really wonder what the rest of the people of Brisbane thought their representatives were doing.

But I am not surprised. I would not have expected anything more of those aldermen because in later times they have shown no greater capacity in other areas.

I want to make reference to one specific point. On the maps that were shown in the basement of the city hall—those beautiful maps that made it appear that Brisbane was the greatest city of the 20th Century—the open area was designated. Every single piece of open area space—vacant council land and small parks—was shown in green. So was every area from a quarter to half a mile from it. It seemed that Brisbane was an adventure playground because all land within a quarter or half a mile of any parkland was shown in green. The whole area was coloured green, indicating that the people were very close to open area. This was the sort of deceit and deception presented to the public.

Whether the public went there or not to see what happened made very little difference. When the officers on duty were asked about

the red lines on the map, they said, "That is not part of the town plan." When they were pushed, they said, "Those are the roads that the State Government will put through your houses." Pressed further as to why they were there they said, "The people involved in the preparation of the plan said that it came as an instruction from the Lord Mayor that those red lines go onto the maps." They were not part of the town plan. But it was a marvellous way to distract attention from the problems of the zoning of land. They were not worried about the effect of showing transit corridors going through certain houses. And the honourable member for Lytton had the hide to say, "Fancy trying to hide from the people that there are these transit corridors. They were not supposed to find out."

He had no concern at all that these red lines on the maps affected people who were trying to sell their houses or land or people who were trying to buy. No decision had been made as to the transit corridors, as has since been proven; they were proposals that were being looked at by the department. No decision had been taken. What was the thought left in these people's minds? All of these people in my electorate suddenly found that the value of their land plummeted and that they could not sell their land.

Those are the facts. They show the gross misunderstanding and the gross lack of knowledge not only of the council but also of the Leader of the Opposition. Showing up this deceit and the duplicity which exists in the town plan is one of the greatest things that this Government has done for the people of Brisbane. It has accepted a very great responsibility in sending the town plan back to the city council, which has the responsibility to submit a proper plan, with proper work and proper representation, and not something which was given a 20-minute approval and a two-hour look at objections.

I thoroughly support the Bill.

Mr. KAUS (Mansfield) (10.33 p.m.): I am very pleased to enter this debate. I agree with most of the points raised by the previous Government speakers and should like to raise a few more.

The first time that the lines indicating the railway corridors in my electorate appeared on the maps was in 1973. We had notice about the maps being displayed in the City Hall. In my electorate a public meeting of more than 500 people was held. Most of them were concerned over the plan, which shows a transportation route through the electorate. I asked the Minister numerous questions on this matter. The Transport Minister, who is presently in the Chamber, denied that there would ever be a railway line constructed there. However, when the town plan was displayed, we saw these lines on the maps.

Quite a few people living in the area where the proposed railway line is shown on the maps are new Australians who are working on farmlands. Unfortunately, the combination of this new town plan and revaluations in the area will mean that in future these people will be priced off their land. The people in that area have so many problems that it is just not funny. I can see what is going to happen. The council will eventually take over that land and no compensation at all will be paid.

I have only a couple more points. I would like to support the call for more planning expertise in the Local Government Department and in the Brisbane City Council. While I would like to see more planning expertise, I suggest that the emphasis should be on educating and counselling local authorities in planning, because I am opposed to government by regulation. I had intended to make a point about policy decisions, but I think it has been covered by other honourable members. I do hope that it will be covered in the Bill.

As honourable members know, the rezoning of land as open space has created tremendous problems in my area. There is a right of appeal in rezoning cases, but when a local authority takes a decision to rezone an area, that decision is subject to scrutiny by the public and requires the approval of the Minister for Local Government. In that case any interested person may lodge a notice of appeal against a proposed rezoning and he has the right to a hearing within a court of law. That seems to me to be equitable because it protects the rights of the citizen in any given area who may be affected by such rezoning. Then again, once the rezoning has been effected, the control of the land which has been zoned as open space is vested in the local authority concerned.

In this context the term "open space" would include parkland, playing areas, recreational areas and other areas of communally owned land which is not built upon. As I understand the position, the local authority may, without legal hindrance, reallocate this open space land for use by sporting bodies. I will give honourable members an example in my area. The Lions Club did a good job for the community in developing an area as a playground for children. One of the local churches has a similar area near the Lions Park, which is used for church picnics and so forth. But in each of these cases the initial development by the council consisted of cutting down trees, which in time created a proliferation of weeds and so forth.

The point I am making is that nobody knew about the development of these parklands until such time as they saw a bulldozer moving in. No notice of intent was given by the council, and this development created quite a number of problems in the electorate. Where there is no adequate justification in the best interests of the community at large for open space land reallocation, there is inherent in the current situation the possibility that the decisions taken will have regard only to sectional

interests in the community. For example, if in, say, Brisbane the Lord Mayor was a keen sportsman, one might expect a degree of patronage to be exhibited in favour of sporting bodies. In fact, that has not happened, and honourable members are aware of the little problems that have arisen at the Brisbane Cricket Ground.

I do not think I need add much more, Mr. Hewitt. If more time was available, I could speak for about half an hour on the double standards of the council on parkland. If the council does not look after the rights of the people of Brisbane, it is up to the Minister and Government members to do so. Metropolitan Liberal members made submissions to the Minister for his assistance and for the benefit of the people of Brisbane when an inept and inefficient Brisbane City Council did not do its job, and I congratulate the Minister for sending the town plan back to the council for modification.

I support the amendments proposed in the Bill.

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (10.41 p.m.), in reply: I thank honourable members for their contributions to the debate. Because of the lateness of the hour, I do not propose to answer all honourable members in detail now. However, I shall endeavour to do so in my second-reading speech.

It is obvious that the Bill has been well received by all honourable members. In retrospect, I think it is only right that the new council, particularly in view of its composition, should have the right to have another look at the town plan, instead of being told, "There is the town plan prepared by the previous Council. You have to work under that plan for the next three to five years."

I thank the honourable member for Mansfield for restricting his contribution to the debate. It was purely a magnanimous gesture on his part. The honourable member always makes representations that he is entitled to make on behalf of his electorate, and I indicate to him my appreciation of his action and commend him for it.

I am sure that all honourable members think that, at this hour of the night, enough has been said about the City of Brisbane Town Plan Modification Bill, so I commend the motion to the Committee.

Motion (Mr. Hinze) agreed to.

Resolution reported.

FIRST READING

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

TOWNSVILLE CITY COUNCIL (SALE OF LAND) ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Row, Hinchinbrook, in the chair)

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (10.45 p.m.): I move—

"That a Bill be introduced to amend the Townsville City Council (Sale of Land) Act 1973 in a certain particular."

The sole purpose of this Bill is to put beyond doubt the validity of certain agreements entered into by the Townsville City Council with residents of the city for the sale of land for residential development in the suburb of Douglas. Honourable members will recall that in 1973 an Act entitled the Townsville City Council (Sale of Land) Act was passed to enable the Townsville City Council to sell certain freehold land which it held in the suburb of Douglas. The legislation was passed at a time of booming land prices, and was aimed at providing allotments at a reasonable price to those people wishing to erect their own homes. To achieve this objective, the legislation was designed to enable the council to sell the land in question by private contract, instead of by public auction or tender as is required under the provisions of the Local Government Act. Instead of being obliged to accept the most advantageous offer, the council was empowered to sell allotments by ballot, with the selling price being fixed beforehand, and being sufficient to cover the council's development costs plus a small margin for profit.

The terms of sale, inter alia, provided that land could only be purchased by persons who were bona fide residents of Townsville, who did not own other land in the city, and who were prepared to erect a dwelling-house on the land within a fixed period of time.

Under the legislation, the council, before calling for applications to purchase any allotment, was required to submit the terms and conditions of the sale for the approval of the Governor in Council. The Governor in Council subsequently gave his approval to terms and conditions governing the sale of certain of the land.

The Townsville City Council, however, has entered into a number of agreements to sell allotments of land which are at variance in certain minor respects with the terms and conditions approved by the Governor in Council. The principal variation has been to increase from three to five years the period within which purchasers were obliged to erect a dwelling on the land they had purchased. Honourable members will agree, I am sure, that the actions of the Townsville City Council in this matter were not at variance with the intention of the special Act, but were designed to provide more reasonable conditions relating to the erection of dwelling-houses on the lands sold. Legal advice has been obtained to the effect that

amending legislation is needed to make provision whereby the Governor in Council can approve of these variations. The Bill provides accordingly. I commend it to the Committee.

Mr. MARGINSON (Wolston) (10.49 p.m.): The Minister has been very brief in his introduction of the Bill. As I see it, in 1973 an Act was passed to assist the Townsville City Council.

In Ipswich in about 1966 we surveyed some land and built roads through it, and then had to put it up for public auction under the Local Government Act. We were not very successful in the prices we obtained at that time.

In 1973 there was a great boom in land prices, and the Townsville City Council at that time (I am not talking about the present Townsville City Council; I am sure it would never have made such indiscretions under the present mayor, with all respect to my friend from Townsville West) apparently made certain variations to the 1973 agreement.

Residential homes are a big thing to Queenslanders. I have heard the Premier and the Minister for Works and Housing say that a Government in Canberra was responsible for the drop in home-building in Queensland. I have not seen any improvement since that Government went out of office. I suppose that for a long time to come we will be told by the Minister for Works and Housing that the previous Federal Government was responsible for the lessening in home-building activities in Queensland.

I am sorry that the member for Townsville South is not here. How important this measure must have been to him! He is not even here to give his version of the Townsville City Council's attitude to these agreements.

The measure looks pretty good, and the Opposition will have a look at it. Unfortunately the council has allowed an extension of time of five years in contrast to three, but this was its condition at the time of the passing of the Act. We will comment further on the Bill at the second-reading stage—which I hope will be tomorrow.

Mr. M. D. HOOPER (Townsville West) (10.51 p.m.): In speaking in support of these amendments I think I should give some background to the introduction of the Act. I go back to 1971, when the development of land in Townsville was controlled by two or three large development companies, which had the foresight over the years to buy large tracts of land and release them for building sites as they thought the demand warranted. They also controlled their own building companies, which meant that anyone who bought a block of land from them was required to have his home built by them. This caused some discontent among the small builders in Townsville, who could not buy land from these major developers and consequently could not obtain building contracts to keep themselves viable.

The Townsville City Council gave serious thought to the best means of overcoming this situation. At that time we had close on 1,000 acres of land on the south bank of the Ross River. It had been bought by a previous council, 10 years earlier, at a cost of approximately $35 an acre. Part of the land had been given to the James Cook University; some had been given to the Federal Government for the establishment of a C.S.I.R.O. base near Mt. Stuart, and some had been set aside for the establishment of a teachers' college. The balance of 800 acres was retained for future development.

The council decided to put up 54 acres for sale by public tender with a view to encouraging another developer to enter the field and sell land at more attractive prices to building contractors and private buyers. At that time the price of land in the area five or six miles from the city was about $2,500 an acre in globo if someone was buying in broad acres. On development these blocks were retailing at $3,000 to $3,500 each. When the 54 acres were put up for public tender the council quite confidently expected to receive approximately $120,000. But much to our surprise, in addition to five or six tenderers who submitted prices in the vicinity of $120,000, one tenderer submitted a price of $250,000, or something like $4,800 per acre. Such a price has never been attained for land even closer to the city. At that time, as a new member of the council, I said that would cause a sharp escalation in land prices in Townsville because if the developer were to develop the land at current development prices he would need to sell his land at more than $1,000 a block above the existing prices of land one mile closer to the city. Fortunately for the developer, Townsville experienced a shortage of land and people started trading in land. Land prices rose sharply in 1972. When this developer was able to put the 54 acres of developed land on the market he found to his pleasant surprise that his land was returning about $6,000 a block, with a slightly higher price in areas closer to the city.

At the time, I said to members of the Townsville City Council, "It is about time that we accepted some responsibility for the young people of this city. We should develop portion of the balance of the area we hold, and create a new subdivision in the suburb of Douglas." I felt that our younger citizens should be able to secure a building site at a reasonable price and not have to buy land on a rising market—a false market created mainly by land speculators. I do not decry that practice, because the share market had taken a bad turn and land is a profitable form of investment and a hedge against inflation. But a false set of values was being created because land was being sold by one person to another; land prices were

increasing; houses were not being built, and people wanting to build had to pay a price far in excess of what land was worth.

I made it clear to the aldermen—and they agreed—that we should not knock private enterprise altogether. We did not consider that we should try to corner the market and stop private developers from developing land they held. We discussed this with the private developers. While they may not have agreed entirely, they accepted that we were not trying to put them out of business, that we were only trying to look after certain buyers, particularly young people who did not want to pay inflated values.

Having accepted the facts, the council then discovered that it could not sell the land on the terms and conditions that were favoured. A special Act of Parliament was required to facilitate these land sales because the Local Government Act provides that local authorities must sell their land at the highest possible price—and normally by auction—to try to obtain a fair return for the ratepayers, who, after all, are the vested property owners of land owned by local authorities.

One of the restrictions that the council wanted to place on the land was that an applicant must not own a block of land in Townsville, Brisbane or elsewhere in Queensland. It also advocated a fixed maximum price at which the land could be sold. If more than one buyer wanted a block of land, they had to take part in a ballot until the ultimate buyer was determined. We wanted to peg the blocks at a fair selling price. We also imposed a condition that when a person acquired a site he could not sell the land at a profit. If after six or 12 months he wished to leave Townsville, he had to pass the block of land back to the city council at the original price. In this way we cut out completely any chances of speculation by persons buying a block of land at Douglas from the Townsville City Council

Those conditions were contrary to the Local Government Act. Fortunately we received very sympathetic support and assistance from the then Minister for Local Government (Hon. Henry McKechnie), who battled on our behalf with Cabinet and other members of Parliament. We were also helped by the honourable members for Townsville and Mt. Coot-tha.

We pointed out to the Minister that the interested ratepayers who could not participate in the scheme would be fully protected. We said that, although the area of land in globo had been bought some years ago at about $35 an acre, we would base our selling price of individual allotments on development costs plus a value of approximately $5,000 an acre in globo on the land we intended to develop. In other words, on the parcel of land we intended to develop, we placed a value of $5,000 an acre, which would come back to the ratepayers of the city who could not participate in the scheme. Over a number of years this sum of money will be devoted to civic development such as theatres, cultural centres and roads, or any other activities that might be decided on by the city council which will allow this money to come back as a bonus to the ratepayers who could not participate in the scheme.

Development works were let out by contract to private people and we were able to put the first 119 blocks of land on the market in June 1974 at an average price of $5,000 each. The development standards were extremely high—higher than those previously imposed on Townsville developers. We had complete underground drainage, sewerage and water of course, underground reticulation of electricity, bitumen roads and concrete kerbing of a very high standard.

I make it clear that the development work did not cause any increase in general rates in Townsville. At the time the scheme was introduced the then member for Townsville West, Mr. Percy Tucker, made great play of the fact that general rates in Townsville would increase sharply because of the scheme. It was said then that the general rates would not increase because of the scheme, as it was not the intention to finance it from loan raisings. It was financed completely by an overdraft from the Commonwealth Bank. As recently as a month ago Mr. Tucker was still saying that the Townsville people were paying high rates because of the Douglas land scheme. After three years, he still has not been educated. He calls himself a financial wizard. I hope he can do a better job in the Townsville City Council that he has shown in relation to the Douglas land scheme, because he hasn't got a clue on it.

The Townsville City Council was able to put these sites on the market at approximately $2,000 cheaper than comparable sites being sold by private developers. People might ask why we could do that. Why can a council develop land, including the purchase price of $5,000 per acre, and be so competitive in retail marketing? It is quite easily explained. In the first place, we were not paying the high interest rates of 15 and 20 per cent which developers normally pay when they are subdividing land. Secondly, we were not paying income tax on any small margin of profit after development and purchase costs were taken into account. So we were able to beat the private developer by putting land on the market at a much cheaper price than he could.

Unfortunately, we struck a period when the real estate market had been soundly thrashed by the financial crisis precipitated by the Whitlam Government. Bank interest at the time was something like 15 per cent on borrowings for the purchase of a block of land. Even if the person was prepared to pay that much, there was no possibility of getting finance on a home after the block of land was paid off.

Mr. Houston: What is it like under this Government?

Mr. M. D. HOOPER: Things have improved slightly, I can assure the honourable member.

Sales were very slow initially, but I am happy to say that they are now proceeding smartly. Out of a total of 119 blocks, we have sold 97 allotments. At the present time 43 homes are either occupied or in the course of construction, and another 120 sites are fully developed, ready to go on the market in the very near future.

Even though there was a provision in the Act for the local authority to recommend to the Minister that the buyer of a block of land could apply for an extension of time after the initial period of three years which was allowed for the development of the site, a lot of people did not realise that they could apply for an extension from the local authority after the expiration of three years if finance was not available to build their homes. So it was moved by resolution of the full council that we ask the Minister to extend the time to a period of five years to allow people to build a home. It was felt that that would give them a lot more confidence in buying a block of land, and I feel that it is a very desirable amendment. If a person strikes some financial embarrassment after five years and cannot afford to build, he can still ask the city council for an extension of time.

The scheme has been very successful. I commend it to other local authorities in Queensland. I feel they should all try to do something similar, especially cities or shires that face the problem of escalation of land prices. I hope that this scheme is taken up by other local authorities, because I am afraid that in future so many young people in our society will be living in multi-unit dwellings—flats, in other words. There is a marked increase in flat development in most of the provincial cities as well as in the metropolitan area.

This is a trend that we should try to reverse. We should assist young people as much as we possibly can to buy their own block of land at a fair and reasonable price so that they can start a new family in their own home. I believe that will eradicate one of the social evils of our time. If we can get young families living in their own home, they will have a much better understanding of one another and their families, and in that way I think we will see less breaking up of marriages in the years to come and we will have a better society in which to live.

This Bill provides an incentive to young people to purchase their own block of land below market value and I commend the Minister for it.

Dr. SCOTT-YOUNG (Townsville) (11.5 p.m.): In 1972, Townsville was rather an interesting place. It had a lot of schemes for development and it was given impetus by Mr. Gough Whitlam when he came to the city to support the Labor candidate (Mr. Sweeney). Mr. Whitlam said, "I will make this a growth centre." That is as much as he did; we have not seen any growth centre development. The city has developed because of the intelligent thinking of the then mayor and his council.

At that time the Mayor was the present member for Townsville West. He had considerable experience in land development on a practical scale and he pointed out to the council the benefit to be derived through developing its own land. The land that has been developed was bought originally on the foresight of two people named George Roberts and Angus Smith when they controlled the T.C.A. council. They bought some 1,000 acres for $35,000 and planned this scheme. It is closely associated with the teachers' training school and the James Cook University and is virtually in the centre of a rapidly developing city.

At that time land development was rather difficult. Because of the high rate of interest the average person could not purchase the land on which to build a home. The council gave a chance to them. The then mayor and his council decided that the land could be sold at two-thirds of its then current value. They estimated that about 6,000 people would live in this area so that it was virtually a new electorate as big as some of the Brisbane electorates. It was to be self-contained with shopping facilities, recreational areas of 170 acres, underground electricity and telephone lines installed and arrangements for high-density areas. The high-density zones in the commercial areas were not included in the legislation, which contained only provisions for the sale of building allotments.

At that time Townsville was booming. In 1972 it is considered that some 700 building allotments were sold and it was thought that in 1973 over 1,000 would be sold. The applications for building permits increased from 1972 and in 1973 totalled in the vicinity of 1,400 to 1,500.

It was decided that these blocks would be sold only to genuine home builders. No speculator was allowed to purchase them. If the council considered that the purchaser did not have the intention or facilities to finance and continue the agreement, it could buy back or reclaim the land from the speculator on its own terms. It also decided that if two people wanted the one block, it could be balloted for. It also decided that if there were more applicants than blocks, the ballot system could be used to the betterment of the public interest. A medium-density area was also allowed. As far as I can understand, it was not intended to be proceeded with until all building allotments for homes were sold.

Previously it was not possible to purchase land direct from a local authority and a local authority could not sell land unless it was sold by public auction or tender. This

legislation removed that impediment to the sale of this land.

The financing of this land was not carried out as Mr. Tucker said. He claimed that rates in Townsville would be increased by some 20 per cent to finance the land. As the honourable member for Townsville West said, this was arranged through bank finance and did not cause the increase in rates. The rates were automatically increased that year for reasons other than to finance building in the Douglas area.

It was considered that this was a viable project and that building allotments could be sold for $2,300, which was some two-thirds less than the current market price. It was interesting to see that in certain parts of Townsville at that time, such as the Riverside Drive area which was being developed by private enterprise, building allotments cost about $5,000. At Louisa Heights the price was $6,000, and in the more densely populated area of North Ward it was $25,000. So the council was definitely offering to young people under the age of 30, just starting their families, a very considerable reduction in the purchase price of land. The trading banks agreed to finance these purchases on 10 per cent deposit, which again was a change from the normal procedure whereby land developers had contacts with finance companies—and also in some devious way with certain building societies—and once the young people got into their hands they paid a high price for a block of land and spent many years paying it off.

In his speech on this Bill Mr. Tucker made the point that the land should be leasehold. This was far from the thoughts of the council and the then Mayor, the honourable member for Townsville West, at that time because it was felt that in fact the best way of getting people a home was to make sure they bought it at the right price, not an inflated price. A home gives them a sense of ownership and of belonging in the area. The then Minister (Hon. H. A. McKechnie) when introducing the Bill said that the scheme would be made flexible and that he and his fellow Ministers would keep their eyes on it. He said that if problems arose he would ensure that the rules would not be rigidly enforced. This is exactly what the present Minister is doing. He has brought the Act back to the Committee in order to allow this flexibility to be written into it by allowing a term of five years instead of three years in which people have to build on their land. It is an excellent idea and I consider the Minister should be congratulated on it. It will undoubtedly help young people in the area of Douglas to purchase land and build within a reasonable time.

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (11.14 p.m.), in reply: I thank the honourable member for Wolston for his comments on behalf of the Opposition on the Townsville City Council (Sale of Land) Act Amendment Bill. I also thank the honourable members for Townsville and Townsville West for their contributions. They have an intimate knowledge of the problem. As the title indicates, the Bill was designed to overcome a small problem in the Townsville city area. I commend the Bill to the Committee.

Motion (Mr. Hinze) agreed to.

Resolution reported.

FIRST READING

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

COMMONWEALTH AND STATES FINANCIAL AGREEMENT FURTHER VARIATION BILL

SECOND READING

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (11.16 p.m.): I move—

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

As I pointed out to honourable members when introducing the Bill, its primary purpose is to provide legislative approval for an agreement entered into by the Commonwealth and the States on 5 February 1976 to amend the Financial Agreement in certain particulars. A copy of that agreement has been set out in the schedule to the Bill.

The agreement, which is to have retrospective effect from 30 June 1975, has been signed by all State Premiers and the Prime Minister on behalf of the Commonwealth. It cannot become operative until it has been ratified and approved by all State Parliaments and the Commonwealth. The Bill is necessary to achieve this as far as Queensland is concerned, and I commend it to the House.

Mr. HOUSTON (Bulimba) (11.17 p.m.): I am sure the Treasurer will agree that the Bill is virtually a continuation of earlier agreements that were made. Analysing the payment required of the State, one finds that it runs out at approximately four times the Commonwealth's contribution and that is about the same with each State. That it is probably why the Premiers had no difficulty in agreeing. I imagine that there would have been some debate about the relative contributions by the Commonwealth and the States.

There is one point on which I should like the Treasurer to enlighten the House. If I may refer to the schedule without going into detail, Mr. Speaker, the Treasurer might tell the House on what basis the loans covered by clause 9 of the schedule were selected. Honourable members might have noticed that various debts were eliminated, and I should like to know the basis on which they were selected.

Other than that, the Bill covers the points made by the Treasurer in his introductory speech.

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (11.18 p.m.), in reply: The honourable member for Bulimba raised a point as to selection. I understand that at the time certain debts were maturing at certain periods, at different interest rates, and a representative parcel of these loans was to be taken into account to aggregate the figure arrived at by the Commonwealth. I believe that that is why the loans were selected.

Motion (Sir Gordon Chalk) agreed to.

COMMITTEE

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

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

Bill reported, without amendment.

THIRD READING

Bill, on motion of Sir Gordon Chalk, by leave, read a third time.

STAMP ACT AMENDMENT BILL

SECOND READING

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (11.21 p.m.): I move—

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

As I pointed out to honourable members when I introduced the Bill, its provisions are brief but nevertheless very necessary.

I have previously outlined to honourable members the reasons for the necessity to make the changes to the legislation. The banks had failed to lodge the returns and pay the duty as required by the Act, and the solicitors for the Australian Bankers Association submitted legal argument as to the reasons for their failing to do so. After taking further legal opinion, the Government decided that it would be in the interest of everyone concerned if the definitions were amended to remove any uncertainty in the law. The new provisions will operate in respect of all billing periods ending in the month of April, and returns in respect of these will be required to be lodged by 28 May 1976.

It is well to point out at this stage that it was the Government's intention that the legislation should operate to ensure that the revenue the State would have lost as a result of Bankcard operations would be recouped. It was the Government's belief that the use of Bankcards would result in a reduced need to draw cheques in settlement of accounts on which the State receives 10c for each cheque drawn.

I would again stress that the stamp duty payable is only equivalent to the amount of duty that would have been payable had the cardholder drawn a stamped cheque to pay each merchant with whom a transaction was had during the billing period, with a deduction of 10c on the assumption that the cardholder may draw a stamped cheque in settlement of his credit card account with the bank. The duty is not levied on the basis that the cardholder would have drawn a cheque in respect of each transaction with a merchant, but on the basis that each of the merchants with whom the cardholder had dealings would have operated an account with the cardholder, which account would have been settled with one cheque at the end of the billing period.

As I have said on a previous occasion, the legislation requires that the bank lodge the return and account for the stamp duty. If the bank fails to lodge the return as required, there is provision for the bank to be declared a non-compliant bank, and it would then be necessary for the individual cardholder to lodge a return on his own behalf. Where an organisation operates outside Queensland, but issues a credit card to a person in Queensland, then, unless that organisation makes arrangements to account for the stamp duty on behalf of its clients, the individual must lodge the return. It is obviously in the interest of all credit card operators to account for duty on behalf of their clients rather than put them to the inconvenience of having to submit individual returns.

The provisions of the Bill seek to ensure that the legislation operates as the Government intended, and I commend the Bill to the House.

Mr. HOUSTON (Bulimba) (11.24 p.m.): As I indicated at the introductory stage, the Opposition can clearly understand the motives behind the Treasurer's action, although I restate the fact that I do not think the Treasurer intended to lose on the transaction when legislation covering the use of Bankcards was originally introduced. I am sure he knew there would be people using Bankcards who previously did not use cheques. As examples, I gave instances known to me personally of people who previously withdrew lump sums and paid cash for their transactions, but who have now taken out Bankcards.

In some cases the companies that are part of the Bankcard system are only small traders. The prices of the articles that they sell are quite modest, so that a person can quite conceivably do a lot of shopping on a normal withdrawal through the pass-book system rather than through the cheque system. As I have said, we do not entirely agree with the method adopted by the Government to obtain the money; nevertheless, I can understand the problem confronting the Treasurer once the Budget was approved.

I hope that the Treasurer will look again at this system, because I feel that if a means is adopted whereby the public will not be required to carry large sums of money, thereby running the risk of robbery, particularly if they have the money in their

homes over the week-end while the banks are closed, the better it will be for them. Their welfare must be taken into account.

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (11.26 p.m.), in reply: I appreciate the remarks of the honourable gentleman. These issues were raised when the legislation was originally introduced. It was passed by Parliament and it was the basis on which part of the revenue in the Budget was assessed. It is only because of the view expressed by the Banks Association that this amendment was considered necessary.

Motion (Sir Gordon Chalk) agreed to.

COMMITTEE

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

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

Bill reported, without amendment.

THIRD READING

Bill, on motion of Sir Gordon Chalk, by leave, read a third time.

INSURANCE ACT AMENDMENT BILL

SECOND READING

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (11.28 p.m.): I move—

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

When I introduced this Bill, a number of honourable members took the opportunity to raise a variety of insurance issues which were totally unrelated to the amendments contained in the Bill. I replied to the general issues which were raised, but the honourable member for Bulimba did raise one matter which was relevant to the Bill and, since I did not comment at the introductory stage, I would like to clear up the point now.

The honourable member questioned the amount which the State will lose by way of licence fees as a result of amendments contained in this Bill. The answer is that it is approximately $19,000 per year. This is the amount collected by way of agents' licence fees. A licence costs each agent $1 per year.

However, the abandonment of the system will result in economies by way of staff reductions and general administration costs that will in fact exceed the revenue lost. The licensing system was never intended to be a source of Government revenue, but cost increases over the past several years had made it a losing proposition and a licence fee increase was overdue.

In my introductory remarks, I pointed out that the main purpose of the Bill was to repeal the requirement that insurers carrying on general insurance business in Queensland must take out a State licence. The supervision and control over the operations and financial stability of these insurers is now a Commonwealth responsibility. Because of the wider powers which the Commonwealth can exercise, the protection afforded to the insuring public is enhanced.

The Bill also provides for other changes to delete requirements which in practice cannot be enforced. However, I do not think there is any real need for me to recapitulate on these lesser issues as members have now had the opportunity to examine the Bill.

I again commend the Bill to the House.

Mr. HOUSTON (Bulimba) (11.31 p.m.): A day or so ago—since the introductory stage—I noted an item in the news stating that the Commonwealth is looking into the possibility of registering brokers.

Sir Gordon Chalk: That is true.

Mr. HOUSTON: Without labouring the point and seeing that the Commonwealth has gone so far and we have relinquished one part of the field, perhaps the Treasurer might indicate whether we will naturally follow with a further amendment to vacate this field as well if the Commonwealth does go on with the suggestion.

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (11.32 p.m.), in reply: The point raised by the honourable member has been noted by me. Since I introduced this Bill a statement has been made at Commonwealth level about extending the Commonwealth Bill to bring in insurance brokers. I had heard something about that at the time the amendments were drawn up. On the other hand there are questions about brokers and the extent of the licensing involved. Until we have that information to hand, I am not prepared to say that we will remove brokers from this legislation. As we have taken the opportunity to amend the legislation in relation to general insurance business, it would seem that no good purpose would be served by continuing to license brokers here if we were satisfied with the legislation brought down by the Commonwealth.

Motion (Sir Gordon Chalk) agreed to.

COMMITTEE

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

Clauses 1 to 17, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

Bill, on motion of Sir Gordon Chalk, by leave, read a third time.

QUEENSLAND CULTURAL CENTRE TRUST BILL

SECOND READING

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (11.35 p.m.): I move—

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

The main provisions and purposes of the Bill were outlined and debated at the introductory stage and I would like to comment further on some of the points raised in that debate.

The cost of the complex was estimated at October 1974 costs to be about $45,000,000. Naturally, with inflation, this cost will rise, but I would hesitate to predict what the rate of future price escalation will be. The work will be financed in stages so that the figure of $45,000,000 will not escalate in total into the 1980s. The cost of the later stages could be expected to escalate more than those completed earlier. On the credit side, loan allocations, the ability to pay entrance charges, Casket profits and the State's ability to meet unrecouped debt charges can also be expected to increase over that time. The planning and development will be carried out progressively with all these factors in mind. I do not expect any major financing problems which would be an embarrassment to the State.

It is true that there are other avenues where expenditure is needed. However, there is a need for a venture such as this to broaden the quality of life in the State. Other areas such as roads, schools and housing have been receiving large annual allocations over a period of time. These will continue. However, the centre will involve a once-and-for-all allocation. This will be spread over a number of years so that there is no interference with the usual priorities. A further point is that the expenditure cannot be classified as unnecessary, even if there is dispute about the centre's concept. The museum, the art gallery, which is only in rented premises, and the State Library all urgently need modern accommodation in central locations close to public transport in order to carry out their functions in the best possible manner. A State performing arts centre which can accommodate all top quality performances is also a high priority after the State has lacked one for so many years.

As to the implementation of the Government's policy for the development of the centre by the trust—it will be seen from the Bill that the trust is to be subject to the general control and direction of the Minister administering the Act.

The first trust will consist of the present Planning and Establishment Committee of the centre, which includes Sir David Muir as the chairman and five other departmental or deputy departmental heads responsible to Ministers. Appointments thereafter will be by the Governor in Council. The trust's annual budget is also subject to approval by the Minister. This power will allow approval in respect of types of work as well as in respect of annual amounts of expenditure. The Government will therefore be firmly in control of the venture, while at the same time the benefits of advice from expert representatives of the various branches of culture will still be available.

The facilities which are planned should encompass the needs of all types of performing groups. It is too early to know what the rental charges might be. However, the Government has in mind that the centre should be a genuine cultural centre for the whole community so that high rents will not exclude its use by representative community groups.

In relation to buildings, the activities of the trust will be confined to the centre. However, one of its general functions is to encourage and facilitate activities in artistic, scientific, cultural or performing arts throughout the State. It thus has the power to work with local groups throughout the State in relation to these matters. At this stage it is envisaged that the function of the cultural activities section of the Education Department, including the payment of grants to various cultural groups throughout the State, will remain unaltered.

Advice has been taken from various sources to form the over-all conceptual plan of what shall be included. Representatives of the museum, art gallery, library and the performing arts have been consulted about special needs for areas, storage, air-conditioning, seating requirements and so on. All facilities will generally be of modern design. The central location, as well as providing great aesthetic impact in combination with the Brisbane River, the Victoria Bridge and the city buildings, will also mean that public transport will be close by. While Brisbane citizens will on average receive more benefit from this centre, it is in fact a State centre for all of the citizens of the State. It is only appropriate that it be situated in the capital. The library, art gallery and museum are already located in Brisbane and in relation to them the new project only involves a transfer of location.

I would mention at this stage that I shall be moving a very minor amendment in the Committee stage to substitute an incorrect reference which has been located in the Bill. The amendment will not have any effect whatever on the principles contained in the measure.

Mr. HOUSTON (Bulimba) (11.40 p.m.): As was mentioned at the introductory stage, the Opposition is not opposed to the concept of the Bill. What concerns the Opposition greatly is the possible lack of speed with which this project will proceed. It is some considerable time since the decision was made to build the complex on the Southside and anybody would be excused for believing that it was not intended to proceed with any great speed. The Minister has indicated by introducing the Bill that at least the first stage can be proceeded with. I trust that every effort will be made to get the project under way. Anyone who has had occasion to visit the art gallery and museum must surely realise that they are completely inadequate and out-of-date and certainly not the type of establishment that one would like to point out to people from other States.

Unfortunately, because of the structure and presentation in the art gallery and museum, far too many of our young schoolchildren do not have the opportunity to get an earlier grounding in the benefits that both of those establishments should be able to offer to the community. I trust that the new complex will be proceeded with speedily and will be worthy of this city and State.

Some honourable members have expressed concern because the money will be spent in Brisbane. I do not think that anybody would suggest that the War Memorial in Canberra should be located in a country town. These things must be kept in correct perspective. It is not because a person lives in Brisbane, but it is the capital city of the State which many people visit during holiday periods. While here they can visit the museum and the art gallery and enjoy what they have to offer. People do not visit these establishments every week. It is not quite the same with a theatre for the performing arts; I believe that, to country people, that is not the main function of the centre. The main function is to replace and revitalise the art gallery and museum.

I pay respect to the people associated with conducting the S.G.I.O. Theatre and the university theatre. Both of them have been well run. They are very pleasant theatres to attend. Those responsible for staging the performances in them are to be commended.

This brings me to my first point on the Bill—the establishment of the first trust. In no way do I cast any reflection on the members who have been named, owing to their positions, as members of the first trust. However, I feel that the trust lacks a balance between professional builders of such establishments, financiers of such establishments and those with the expertise associated with the projects that are to be housed there.

One can say in truth that Sir David Muir, the Director of Industrial Development, has proved his worth in the position he holds in the Queensland Theatre Company and I do not think anyone would begrudge him his place on the trust in the position of chairman. I believe he is a very worth-while choice because of his position in the Public Service and his knowledge of the performing arts.

I suppose the Treasurer could argue that the other gentlemen concerned are equally worthy of their positions. In no way do I argue against that, but I do feel that it is completely out of proportion to have only one person representing both the museum and the art gallery. I know that the Treasurer does not want the first trust to be a large body but I do say to him that there is a completely different set of requirements for the designing of an art gallery and a museum and that these jobs are both specialist in their application. I have had the privilege of seeing the art galleries in Melbourne and Adelaide and the older established ones in New South Wales, as have no doubt the Treasurer and other members. I refer particularly to the newer ones in Melbourne and Adelaide, where new concepts were introduced. In the main I believe they are very worth-while establishments. But I could not conceive that, merely because people are very capable in their jobs, as are the Director-General of Education and the Deputy Chairman of the Public Service Board, they would claim that they had the knowledge required to correctly show pictures or correctly display museum items. So I would suggest to the Treasurer even at this late stage that he should have associated with the first trust at least one person capable of doing this. As Sir David Muir is the representative of the performing arts, perhaps he could take care of that.

The other point I want to make is about the library. Here again, although the distinguished gentlemen already mentioned would certainly know something about the use of a library, again I doubt whether they are experts in the design of a modern library. So virtually with the addition of two people I believe we could have a first trust which would give complete coverage to a project which will finish up costing in the vicinity of $100,000,000. After all, we do not want another Sydney Opera House on our hands, where a lack of expertise in the vital fields of the performing arts created problems with the establishment of that great building.

The other provisions of the Bill are in the main administrative but there is one point I would like to bring to the Treasurer's attention, and that is that the trust is subject to the direction of the Minister. I often wonder why, when we establish a body of experts and clothe them with the authority to get on with the job, we then say to them, "Look, you are subject to the direction of the Minister." I feel that it is not in the interests of the smooth running of a trust to do this. I can understand that the Treasurer wants to keep some type of grip on the finances of the trust so that it is not spending money willy-nilly or wasting public funds, but I also feel that, when we establish a trust made up of such personnel, we should clothe them also with certain powers, and, although I would perhaps go along with the idea that the Minister should give final approval to certain aspects, I am not particularly happy that the Minister can direct the trust to do certain things, because we are not dealing only with the present Minister. We are dealing with an Act which lays down that a Minister has certain powers, and over a period a clash may occur because a Minister is acting with or without Government approval. We all know from our parliamentary experience that some Ministers become rather stubborn about certain facets of their administration and beliefs that they have.

Generally, the Bill deals with administration, and I hope that the trust can get under way and that the cultural centre will become a reality without any long delay.

Mr. W. D. HEWITT (Chatsworth) (11.51 p.m.): It is my intention to be still performing on the political stage when this scheme reaches its culmination. Therefore I wish to say something about it at its genesis.

I am sure that our Thespian Treasurer takes some personal satisfaction in piloting this Bill through the House because his association with the arts is well known and he is a well-known theatre-goer. I am sure that he, too, has some ambition to still be around when the scheme reaches its culmination.

It is exciting legislation that we take through the House tonight, Mr. Speaker. For too long Brisbane has been the cultural desert of Australian capital cities. Every other capital city in the nation now has a cultural centre that dignifies that name—a cultural centre that can play host to great productions from overseas in addition to Australian productions—and it is a sad fact that when major productions come to these shores, Brisbane is the one city that cannot be host to them because it cannot offer adequate facilities. At long last this is being put right.

I know that there is some feeling about the nature of this expenditure and the positioning of the cultural centre. In justifying the centre a little more, I suppose one could well pose the question: how far would people be prepared to travel to see such people as Nureyev, Dame Margot Fonteyn, Gielgud and Olivier? One might say that people would happily drive for two hours to see such well-known personalities. If one takes a radius of two hours' driving from the cultural centre, one would find that this would be catering for close to 1,000,000 people. It would take in Toowoomba, the Gold Coast, the thriving, pulsating city of Redcliffe and places a little further north. Because there is such an aggregation of population in that area, I am sure that the project can very easily be justified.

What is important, also, is that this total complex does not cater only for the performing arts, although that in itself would justify the expenditure; it is also going to provide a first-rate museum. Those who have been privileged to travel to Perth, for example, well know that the museum there specialises in Aboriginal arts, and it is one of the outstanding places in the world in which to study Aboriginal artefacts. I am quite sure that a prestige museum in a centre such as this, while offering general exhibitions, should also be able to specialise in the same way as the museum in Perth.

One cannot fail to pay particular tribute to those who seem to select themselves as members of the trust. If one were to select one person from the others, one would certainly refer to Sir David Muir and the sterling effort he has made in the Queensland Theatre Company. The selection of productions that have taken place at the S.G.I.O. Theatre has been quite outstanding. His singular contribution should not go unnoticed.

Spending money specifically on cultural activities is becoming a latter-day event in Queensland. If we look at the tables that the Treasurer provides each year with his Budget statement we find that cultural activities as a separate item never rated a mention until 1967-68. That does not reflect very well upon our predecessors in Government. In 1967-68, for the first time that item appeared, and the modest sum of $210,265 was appropriated. The sum has grown steadily, and the amount actually expended in 1974-75 was $1,293,078 —still a modest sum, but showing a steady growth from the time when the item first appeared in the Budget papers.

Mr. Lane: And distributed very selectively.

Mr. W. D. HEWITT: Yes, distributed very selectively. I know that choral groups have received some assistance.

The fact of the matter is that cultural activity is at last finding its place in the sun in the Sunshine State. It is a great pleasure to be associated with this wonderful, exciting scheme at this enabling legislation time, and I am sure many other members share my sentiment when I say we all look forward to the culmination of the complex. We hope that it will not take too long to come along.

Mr. BURNS (Lytton—Leader of the Opposition) (11.56 p.m.): I should like to ask the Treasurer or the committee handling the matter to reconsider the programme laid down for the State Library. I understand that stage I, the art gallery, will be completed in 1979; stage II, the performing art centre, will be in 1981; stage III, the museum, will be in 1982; stage IV, the library, will be in 1983.

The annual report of the Library Board of Queensland indicates that the State Library is in a very difficult situation. As the State Library does service large areas of the State, as well as Brisbane, and as a modern library is no longer just a museum of books but an active information centre which becomes part of the every-day life of the community—I talk of the community as a whole—I believe that the State Library ought to be the keystone of a library and information service for the whole of the State. Consequently it worries me to see reports from that library board which indicate that the library is hampered and hindered by inadequacies of the library building in William Street.

For example, the report refers to difficulties caused by restricted shelving etc. I am told that the significance of that is that it is very difficult without considerable delay to meet the needs of people who come to the library. People must be highly motivated to use the library if they have to be prepared to return 24 or 48 hours later after an item has been obtained from elsewhere. The consequence is that inadequate use is made of an extensive

public asset. The Public Library is a major asset. The report shows that there are accommodation problems in the archives building. There are also accommodation problems for the reference library. They are important facets of our library system, and it should not be restricted.

If we are going to wait until 1983 for a new library we are going to have to put up with the library which is now abominably housed in the William Street building and which was extended in the 1960s. In retrospect I think that was an unwise decision. It was a temporary expedient, and a short-sighted decision. It should have been evident to any informed observer that what was done was an expensive, temporary makeshift. We should have abandoned the old building and constructed a completely new building suitable for the later days of the 20th Century. But we went ahead with the idea of extending the building.

The consequences of that decision are that parts of the State Library are scattered in various places around Brisbane, including flood-prone areas. That was shown by the loss of most of the country extension service stock in the 1974 flood. The State Library is promised a new home in the cultural centre in 1983. In the meantime the essential library and information service, which has so much to contribute to commerce and industry as well as education and culture throughout the State, is cramped and confined by a white elephant of a building designed for a different age. I ask the Treasurer to see what can be done. After all, the library service is part of our educational system and it serves people not only in Brisbane but throughout the State as a whole. It should be extended as a modern service. The priorities are wrong if such a proper service is not to be provided in the near future.

[Wednesday, 14 April 1976]

Mr. CASEY (Mackay) (12.1 a.m.): I seek clarification of one point. At the introductory stage I referred to the Treasurer's Budget speech last year, when he made the initial announcement concerning the financial arrangements surrounding the establishment of the State cultural centre. At the same time he mentioned a new scheme for the entire State.

At the introductory stage he confirmed that one of the functions of the trust will be to encourage and facilitate activities in artistic, scientific and cultural activities and in the performing arts. Tonight he said again that the old system of grants under the Cultural Activities Section of the Education Department will continue. I presume it will continue, as will the capital grants.

There is no mention in the Bill of further finance for these other activities throughout local authority areas in other parts of the State. Other members and I were led to believe that this also would be covered through the funding of the trust. I would seek some clarification from the Treasurer of the way in which these activities will be funded. Country members are being asked questions of this type by their constituents.

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (12.2 a.m.), in reply: I thank honourable members for their contribution to the debate on this very important Bill. The honourable member for Bulimba raised a couple of points about the setting up of the first trust. What we have in mind is that those persons who had been associated with the Planning and Establishment Committee, including persons connected with the art gallery, the museum and the library, would be appointed as the first members of the trust. The legislation provides for their appointment until 12 months after the commencement of the Act. The people who have been nominated are those who have had considerable experience in the planning. I appreciate the honourable member's view and assure him that we have been in close consultation with others who have made major contributions to this line of thought.

As to the direction of the Minister—this provision appears in many Acts. Where considerable finance is involved, it is advantageous to have some control by a Minister or the Government. It is not a new measure. I gave some thought to it before it was applied and I am sure it will prove to be in the best interests of everyone concerned.

The Leader of the Opposition referred to the State Library. I am fully aware of the conditions that exist there and of the need to improve them very quickly. We have tried to draw up a plan. I believe that it is fairly concrete in the way we have mapped it out. There are certain reasons why we have to commence in one area. I assure the Leader of the Opposition that if it is felt that a change in plans should be made, or a speeding up of this portion should be effected, those charged with the administration of the trust will be only too willing to listen to any approaches made.

On the point made by the honourable member for Mackay about the educational side, firstly, we are not doing anything to interfere with matters normally controlled by the Department of Education. The idea is to set up a trust to handle the funds and to ensure that we can proceed not only in this area but also in others. As I indicated previously, if a local authority decides to go ahead with a cultural facility, funds will be provided as outlined in the Budget. All areas can benefit.

I do not think anything new was raised in the other comments. I have previously outlined these matters clearly. I am sure that, in the long run, the establishment of this trust will be advantageous to the State.

Motion (Sir Gordon Chalk) agreed to.

COMMITTEE

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

Clauses 1 to 22, both inclusive, as read, agreed to.

Clause 23—Director and Assistant Directors—

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

"On page 8, line 22, omit the word—
'Trustees'
and insert in lieu thereof the word—
'members'."

Amendment agreed to.

Clause 23, as amended, agreed to.

Clauses 24 to 42, both inclusive, as read, agreed to.

Bill reported, with an amendment.

THIRD READING

Bill, on motion of Sir Gordon Chalk, by leave, read a third time.

SOCCER FOOTBALL POOLS BILL

SECOND READING

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (12.10 a.m.): I move—

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

The object of the Bill is to make provision for the licensing of a promoter to conduct soccer football pools in Queensland under approved rules. It also provides for the establishment of a sports and youth fund.

At the introductory stage I tried to outline as fully as I could the details of the Bill in general. I believe honourable members have now had an opportunity to peruse the Bill. Consequently, if there are any points on which they seek elucidation I am prepared to explain the issues to them.

If the time-table we have set out is met—and I appreciate that if it is to be met the promoter would have to work very quickly to establish his organisation and to educate the public—we are hoping to have the pools system in operation by 1 June.

I commend the Bill to the House.

Mr. HOUSTON (Bulimba) (12.11 a.m.): As I indicated at the introductory stage, the Opposition does not oppose this Bill, as we believe that many people, particularly those from the old country, have been associated with the operation of soccer football pools for a long period. On coming to Australia they continued, where possible, with that form of entertainment and the possibility of winning money for themselves, of course. Because of the cost of the tickets, it is a very modest type of gambling. However, what concerns me is that the introduction of another type of gambling could have quite an appreciable effect on some of the established methods of gambling that are presently available. Raffles that are conducted in hotels, for argument's sake, are all run on behalf of one worth-while organisation or another. The proceeds of bingo, once again, are devoted to worth-while organisations. Many art unions are conducted for charities. Doubles are conducted on football matches. As well, there is the Golden Casket, the proceeds from which are now to be committed to the cultural centre. Last, but not least, is the amount of money invested on the T.A.B.

Although a small number of people unfortunately get themselves into trouble gambling and cannot really handle their own finances, I think most people handle their own money quite wisely. So there is only a certain amount of money available, shall we say, for gambling. Naturally, if a person gambles, the object is to get as much return as he can from his investment. So, if we set up a new form of gambling, others could be affected. That, in turn, would affect the various organisations that the many forms of gambling are at present helping to finance. I suggest that, as some fields of gambling are of significance in the Treasurer's Budget—and I am referring in particular to the T.A.B.—he should keep a very close check on the movement of funds from one type of gambling to another.

Out of the prize-money 30 per cent goes to the Government and 10 per cent goes into Consolidated Revenue. Doubtless the Treasurer will experience no difficulty in deciding where it is going. He might have trouble deciding who will get it, but it will certainly be allocated.

In addition, 20 per cent will be paid into the Sports and Youth Fund. Nobody could object to helping youth organisations. In our society we need to find ways and means of occupying the time of our young people. Many are quite capable of entertaining themselves. Unfortunately some have to be assisted and shown the way and a few who so far have not come into the field of taking part in sport either as participants or as interested onlookers. They are a worry in any society.

I trust that some of the money available will be used in research to ascertain what can be done to get young people interested in some form of recreation. Not all human beings are made the same. Some are very capable at various sports and others are not but they show great aptitude for other forms of leisure activity. An investigation into why some of our young people tend to drift would be worth while.

They gather together on street corners, just stand around and let time pass by. If it is suggested to them that they join a youth

club or that the local football club wants players, they do not display any great interest. At that age they are usually too old for anything to be done with them. I suggest that an investigation into why they have reached that stage might be very worth while.

Even if it means appointing a couple of employees full time to look into this facet it could be of great interest to the community and would stop some of the younger generation reaching that stage. Many of them turn out to be good citizens but in the meantime quite a few years of their lives are virtually wasted when they could be using their skills and enjoying themselves with the idea of achieving a healthy mind and a healthy body.

As I said at the introductory stage, the percentage of prize-money is very small for a gambling venture. I do not think that there is any doubt that it is the smallest percentage return to the investor and perhaps the redeeming feature is that the prize is usually substantial. There is always the $500,000 or so that people hope for, so they are not particularly worried about the percentage of the money invested that they receive. They adopt a "what's in it for me" attitude. They will be interested when $500,000 is dangling in front of their eyes.

I am mentioning these matters now to save speaking at the Committee stage. One clause deals with a penalty of $100 if a person under the age of 18 years is found taking part in this form of gambling. The Bill does not clearly lay down exactly how the pool will operate and whether or not postal applications will be allowed. I can understand that T.A.B. agencies could be used as receiving depots and I have been informed by my colleague from Wolston that overseas the postal method is used to send in coupons. The Bill does not make clear whether the Treasurer intends to allow the posting of coupons. After all, persons under the age of 18 will not have a copy of the Act. They will be told about it now, but future generations of 18-year-olds could fill in a coupon and be found out when they enter an establishment. I doubt whether they would be challenged unless they were very young. If the operation of other forms of gambling is any criterion, I doubt this very much indeed. But I want the Treasurer to tell me what happens if, after an 18-year-old is fined $100, it is found that he has a winning coupon. Will he still be paid $500,000 or whatever it is? Although the Bill says that it is unlawful for him to hand in a coupon, I imagine that by the time it is established that he is under 18 he would have had a very good look at his coupon.

Again, the Treasurer has not indicated the method of ascertaining the winner or of informing him of his win. I believe in one particular pool the holder of a winning coupon has to notify the organiser that he believes he has won something in order to have the coupon checked. If that is the case, and if I faced the prospect of being fined $100 with $500,000 at stake, it would be worth the risk. Perhaps the Treasurer can tell us what the situation is in such cases.

Mr. WRIGHT (Rockhampton) (12.22 a.m.): The legislation before us at the moment has received both support and opposition from various sections of the community. There are those who put forward the proposition that in the long term it is not advisable that a Government should fund its administrative activities through gambling or games of chance, but in his introductory remarks the Treasurer did explain that it was vitally important to the finances of this State that we have our own soccer pools because if we do not we are going to have hundreds of thousands of dollars being siphoned off by other States. It is important that the revenue we derive from soccer pools is put to good use.

I want to speak on only one of the clauses, and that is the one that refers to the establishment of a special Sports and Youth Fund. The use that is being stressed here is an acceptable one because it will benefit the whole community. We know of the difficulties being faced by sporting, recreational and general youth committees. They are unable to provide the facilities that they need, first of all because of the high cost of facilities today, but more so because the Federal Liberal Government under Mr. Fraser has cut out the finance that was previously available under the Whitlam Government. We are set to lose something like $250,000 alone in the sporting field.

Mr. Lane: It was negligible.

Mr. WRIGHT: That $250,000 has to be found somewhere else, and if the honourable member talks to people in the sporting field, he will realise this is something that the State will have to find. It is this point that I want to press home; there has been a complete cut-off of all Federal funds. Because the Fraser Government has not honoured its promise to maintain contributions to various areas such as sport, the State is left the task of assisting these bodies. It is a huge task, one that I know the Minister for Sport is concerned about.

We know from the National Fitness point of view alone that there are no more scholarships for National Fitness officers to go to Narrabeen. There have been cut-backs also on those organisations which wish to build new facilities, and so whilst it is commendable that we are going to establish a Sports and Youth Fund I think we would gain more if the money, the two-thirds of the revenue the State is going to gain from these soccer pools, were put into the new sporting and recreational organisation which will evolve from the National Fitness movement after legislation is introduced this year.

The National Fitness movement is undergoing major reconstruction. At the moment its budget is about $900,000, which just does not meet its future needs. We are going to need more officers in the movement, more women officers in various areas and more officers in the Brisbane region. This is one area that was forgotten for a long time. In addition to the staffing problem, there is a growing requirement in the community for multi-purpose complexes, a need to improve our sporting facilities, a requirement to build basketball stadiums and so on, which cost many hundreds of thousands of dollars, and a need to provide first-class gymnasiums, swimming pools and the like.

There is also the new move that has been made by the Minister for Education to allow the community to use schoolgrounds. I can see this developing into school parents and citizens' associations working with community groups in establishing community facilities.

We are talking, Mr. Speaker, about youth recreational and sporting areas. Therefore, it is of vital importance that we come back to the funding of these facilities. It is quite obvious that, with only $900,000 a year, it cannot be done through the existing National Fitness organisation. There is emphasis today on camping. Some excellent camps are being established throughout the State, and we must give credit to the Minister for Sport for the work that he is doing. I know that he is interested in this area.

However, Mr. Speaker, we are talking about hundreds upon hundreds of thousands of dollars for these facilities. New ones are proposed at Mt. Isa, at the Fairbairn Dam at Emerald and at the Tannum Sands area at Gladstone. Bundaberg and Maryborough also are now talking about establishing their own camps. We have heard mentioned in this Chamber the ideal site at Happy Valley on Fraser Island, and a suggestion has also been put forward that a western vacation camp should be established at Blackall. If vacation camps of this type are to be established and if facilities are to be provided for ordinary people, money is needed, and there is no way in which the National Fitness organisation can do the work.

Instead of establishing a special fund through which the money will go to the Treasury, I suggest that we should direct it immediately to the National Fitness organisation. It has played an exceptional role in the provision of sporting facilities and the development of sporting activities in this State, and it is developing further in the field of recreational and youth activities because of the Youth Inquiry report. It matters little what functions that organisation accepts for itself if it has not the funds that it needs to carry out those functions.

I should like the Minister to give honourable members an undertaking that the major part of this money will be directed into the National Fitness area, because the National Fitness organisation is the ideal body in this State to carry out these functions at the moment. It has an excellent expert body at State level—people from all walks of sporting and recreational life, men and women who know the needs of the community—and then at the grass roots level there is the area committee. It is very unusual in Government administration because it is totally decentralised and has on it representatives from all interested groups in the community. So we have available the ideal mechanism to carry out this very important role.

I stress again that the growth and success that obviously can be achieved through the National Fitness organisation will not be achieved unless money is available. I support the measure that the Minister has brought forward except on the one point that the money is to go direct to the Treasury. Although I do not doubt the Treasurer himself, I do question the wisdom of money going straight into the Treasury, because the chance of it getting back to the National Fitness organisation would be somewhat limited. I should like the Minister to give honourable members an undertaking that the major part of this money will go to the National Fitness organisation. After all, it will not be only National Fitness in the future; it will be a special type of recreational council for the State. If we are to achieve the purpose that the Minister has put forward, it will be best achieved if the National Fitness organisation has funds made available to it.

As I said, I support the measures put forward. There are no other comments that I wish to make other than that the Bill is not sufficiently specific in that the money is to go into a Treasury fund, not into the important area in which it is required.

Mr. LANE (Merthyr) (12.28 a.m.): The hour being late, I shall be brief, but I wish to ask a few questions about this legislation on behalf of small businessmen.

First, I should like to know—and I invite the Treasurer to tell the House when he replies—some of the administrative details of how the agencies for the sale of pool tickets will be allocated in the community. I understand that there will be some provision for principal agents, and that the principal agents will be the Totalisator Administration Board and the Associated Newsagents Co-operative (Queensland) Limited. I should like to know whether the authority to establish agencies, to license them or to give them out to small newsagents will be delegated to the Totalisator Administration Board or some committee under its control, or whether it will be delegated to the committee of the Associated Newsagents Co-operative Limited.

Most of the queries that I have received in my electorate have been from small newsagents who are scratching a living in an area in which industry is expanding and in which newspaper sales and their clientele have been

decreasing. They would welcome the opportunity to have another small source of income. That is probably all it would be. Perhaps the Treasurer could give us an explanation of that.

I should like to know what commission the small newsagent will receive for the sale of coupons. I understand that the total commission provided is about 12½ per cent. That 12½ per cent will go to the principal agents I referred to, but the base commission paid to their respective outlets is a matter for those principal agents to decide. I wonder just what part of that 12½ per cent will be retained by the two principal agents, and what will be passed on to the small newsagent. Those points are not clear to me.

I suggest that the Treasurer or those administering the Bill consider some form of educational programme, perhaps by way of an explanation on television where it could be physically illustrated just how the coupons should be filled in by those who desire to participate in soccer pools. In Great Britain the pools are very big business, and as children grow up they learn in the home how to do their pool sheets every week. The general community in Queensland has had no such experience. Forms of any kind can be confusing. I should like the authority to consider some sort of educational programme.

I am very happy that money will now be provided for sport from another source. I would hope that a sizable proportion of it would find its way into the hands of the Queensland Soccer Federation. Soccer is a great sport, and I was disappointed when I heard an honourable member opposite say something against soccer. As the pools are operated on soccer matches, I hope that a substantial contribution will be made to that sport.

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (12.33 a.m.), in reply: There are just one or two matters that perhaps I should clear up. The honourable member for Bulimba said that this was just another form of gambling. To an extent that is true, but pools selections can involve a degree of skill. He expressed concern that it may have an effect on other forms of gambling from which the State receives revenue. No doubt some of the money that will find its way into pools would otherwise have been spent in bets on galloping, trotting or coursing. Generally speaking, from my own experience over many years, I would say that although there might be a slight transfer of funds from one sport to another, in the long run it seems to balance out and all of the organisations seem to continue to operate. Perhaps it could have some effect on chook raffles in hotels, but we consider the pools will appeal to many who would not normally support the T.A.B. or chook raffles. Our investigations conclude that the effect of the pools on other organised gambling will be minimal. The idea behind the soccer pools movement is simply to provide more money for the advancement of sport, etc.

The honourable member also raised the issue of the 37 per cent that will make up the prize-money. Later, when pools are firmly established throughout Australia we may be able to cut down on operating costs and reallocate that saving to boost the prize fund percentage, but until then the promotional costs will be fairly high.

The honourable member for Rockhampton endeavoured to impress upon me the need for funds to go to National Fitness. I am not prepared to make any promises in relation to that. At the introductory stage I stated quite clearly that we would not curtail the funds provided in our annual State Budget for assistance to sport. I pointed out that in the last Budget the sum of $2,400,000, a good portion of which is set aside for National Fitness, was provided and that that would be the base. Any funds that come to the State from soccer pools will be distributed among the various sporting and youth activities. An advisory committee will be set up to discuss with the Minister the best way in which those funds can be distributed. I am sure this will best serve the interests of everyone.

The honourable member also felt that the money should not be paid into the Treasury. The bulk of the revenue received by the State must pass through the Treasury, which is after all the hub of the activities of all departments. Unless some general control is exercised by the Treasury over the total operation, the priorities could become very much mixed up.

The honourable member for Merthyr asked how agents would be appointed. It is my understanding that the control will be exercised through the principal collection and distribution agents, that is, the Associated Newsagents Co-operative (Qld.) Ltd. and the T.A.B. The commission will be as has been laid down in the discussions I have had with certain people. We still have to call applications. As I indicated at the introductory stage, I do not think anyone would be better able to set up this organisation than those people with whom we have had discussions. The commission will be 12½ per cent, and any newsagents who are appointed will probably receive 7½ per cent of that 12½ per cent as a base commission. The fact that this organisation is a co-operative means that indirectly he would also share in any profit made by his co-operative as a result of handling pools business.

As to teaching people how to fill in the coupons—my discussions reveal that the promoters intend to spend large sums of money in the early stages on their promotional programme. I am quite confident that the

average Australian will pick up very quickly the way in which to take part in soccer pools.

Motion (Sir Gordon Chalk) agreed to.

COMMITTEE

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

Clauses 1 to 21, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

Bill, on motion of Sir Gordon Chalk, by leave, read a third time.

FIRE BRIGADES ACT AND ANOTHER ACT AMENDMENT BILL

SECOND READING

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (12.41 a.m.): I move—

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

Honourable members will recall the principles enunciated at the introductory stage of these important amendments to the Fire Brigades Act 1964–1973 and the Fire Safety Act 1974, and they have now had an opportunity to study the proposals in detail.

The Bill changes the allocation of precepts which policyholders are required to contribute to the maintenance of fire brigades from a levy upon premiums paid to a levy upon the sums insured. I dealt with this point at the introductory stage. The Bill also proposes that the State Fire Services Council be deemed an employer in industrial matters which the council considers affect more than one board. It is realistic, surely, that when disputes overlap board boundaries, as they so often do, there should be one voice on behalf of the boards concerned.

The Government expects and will require —I want to emphasise this—the State Fire Services Council to consult closely with individual boards in the types of disputes specified. In fact, to spell it out quite clearly, briefs the council will argue will incorporate the views of individual boards concerned.

A legitimate area of concern to the Government is the sky-rocketing cost of fire services. Fire brigade boards, of course, are not directly responsible for raising funds for their operation. In this they are fortunate. For my part, I cannot overstate the Government's concern at the continuing and exceptionally high increases in its contribution to fire brigade costs. It shares this concern with other contributories—the insurance industry and local authorities.

Recently I received queries on whether the public is getting value for money spent on fire-fighting services, which tend to become an ever-increasing burden upon citizens and businesses. The Treasury is concerned that the cost of fire brigades is rising disproportionately to the cost of general Government services.

The opinion has been expressed that salary increases, which constitute 80 per cent of total annual costs of boards, are outpacing those in many sections of the community. As an example, comparing 1972-73 with 1975-76, there has been an increase of 138 per cent in fire brigade board costs. Increased wages and salaries have accounted for a large proportion of this.

However, neither the Government, the insurance industry nor local authorities have the right to participate in the negotiating or fixing of wages and conditions of employees of boards subject to awards or industrial agreements. While it is desirable that individual boards should have scope to negotiate in respect of their own employees on domestic matters, it is desired that the State Fire Services Council be empowered to advance the viewpoint of the Government, insurance industry and local authorities collectively where the matters in dispute may affect the service as a whole or another fire brigade board. The amendments to the Act will, we hope, discourage industrial agreements being made which lead to leap-frogging between boards or sections of the service.

Increases in wages to some fire brigade employees between June 1972 and February 1976 have been 88.5 per cent for first-class firemen and 101.8 per cent for country chief officers. Salary increases for officers have occurred at a time when there has been a reduction in the weekly hours, first from 56 to 48, and then to 42.

The percentage increases quoted do not take into account service incremental payments and allowances for the use of breathing apparatus, which can add another $691 per person to brigade costs. Shorter working hours and longer leave have required a large increase in fire-brigade staff in the last three to four years. I emphasise that, in mentioning these increases, I am dealing only with the question of costs. I am not reflecting at all on the personnel of brigades.

The honourable member for Rockhampton North referred in his comments to a statement that fire services in Queensland are the most expensive in the world. His statement, whether correct or not, reinforces the need for the amendment included in the Bill. I mentioned when introducing the Bill that there is an increasing consultation between State fire services and the Commonwealth. However, the charter of the Australian Fire Board confines it to Government property in the Federal sphere. All States agree that there has been no proven need for a national fire board.

There are other minor aspects of the Bill, which I think were elaborated on at the introductory stage.

Mr. YEWDALE (Rockhampton North) (12.48 a.m.): The Fire Brigade Act and the Fire Safety Act, which are now being amended, were the subject of what I would describe as extensive amendments in 1974. Sections 3, 11, 16, 19, 23, 29, 35, 36 and so on were amended, and a new section 16A inserted, which related to trust funds. In all, approximately 15 amendments were made. Now, in 1976 we have a similar number of amendments. They are further alterations to the amendments that were before us in 1974. At the conclusion of the 1974 amendments we were told that the then comprehensive Act containing some 50 sections should eventually be of great benefit to the community. I believe that provisions of the 1974 amendments have in the main remained as mere verbiage in the Act, with no real effort having been made to do much about fire risk and public safety.

I wish to refer to the "Record of the Legislative Acts" relating to the Second Session of the Fortieth Parliament in 1973–74, which is produced by the Premier's Department. At page 109 it says—

> "If the fire authority (that is, the Metropolitan Fire Brigades Board or the State Fire Services Council) considers that the risk to persons in the event of fire is so serious in a particular building that the risk should be reduced to a reasonable level, a Supreme Court injunction may be sought to prohibit or restrict the use of the premises.
>
> "Provision is also made in the Act for consultation between local authorities and the fire authorities in connection with any dispensation from fire safety requirements or any alterations to plans or premises. Specific power is given to fire safety officers to enter and inspect premises at all reasonable times for the purposes of the Act. Regulation-making power is provided in the Act governing fire precautions, inclusive of internal construction of premises, the materials used, and the specified standard of furnishings. Provision is included in the legislation so that a fire safety officer cannot apply a requirement more onerous than provided in the regulations."

This sort of action has not been taken by the State Fire Services Council and I refer particularly to the situation in the metropolitan area.

Included in the Bill is a rather lengthy amendment covering the requirements of companies as to stock declaration policies. To my mind the amendment is so ponderous that the Minister, if he decided to take the trouble, would take all night to explain it to the House. I have some little doubt whether he could really explain and interpret it unless he took the trouble to talk to the people concerned with its framing.

One of the most controversial proposals in the Bill provides that the State Fire Services Council will be deemed an employer. This was raised by the Minister tonight. I personally wonder what is the motive behind this measure. It could be suggested that the council has had experience of fire brigade boards not being able to handle a disputation or perhaps some board or boards have provoked disputation.

Since these proposals were ventilated in this Chamber last week I have seen several different strong objections emanating from country boards and country officer groups. It has been said that no consultation took place prior to the introduction of this proposal. I cannot prove whether that is factual or not; but I am actually quoting the words of a representative of a Queensland board.

Over all, as I indicated in my speech at the introductory stage, while an Act of this nature will of necessity be amended fairly regularly I consider that the State Fire Services Council is by no means coming to grips with fire safety and there is an apparent need for immediate drastic action in the metropolitan area.

Tonight the Minister spoke of the need for identification of the State Fire Services Council as an employer and of the overlapping of boundaries where disputes could occur. To continue with that argument, it could be said that wherever a dispute occurs in any board area, it could overlap. It is not as if it would be isolated in a compact area; it seems that an overlap could take place when employees endeavour to achieve better working conditions, hours, leave or anything else.

I appreciate and accept that the problem confronting the fire services in the State—probably elsewhere in Australia and for that matter throughout the world—is one of costs. Nobody can deny that that is a problem. We have to provide fire services, fire precaution and fire safety in the community at large, so that we are confronted with that cost whatever we do and we will be confronted with rising costs in the natural course of events.

In my speech at the introductory stage I referred to the need for a national co-ordinating body. This is one way we could reduce costs on an over-all basis in a number of ways. Equipment could be bought in bulk for all fire services. Training techniques could be adopted and training centres could be established on the basis that everybody shares in a national training centre rather than have training centres scattered throughout the Commonwealth. Employees trained and qualified in this way could move from State to State. I think a national co-ordinating body would be one way to bring costs down.

The Minister also made reference to leave, hours of work and general working conditions. I know he mentioned this in relation to costs, and I accept that qualification. I do not think we can avoid that question either, because this is a pattern of society where each and every group of people is trying to improve its standard of living in accordance with the wealth and productivity of the country. I might point out in fairness to people within the fire service that as a group they are confronted with an occupation which on many occasions does not allow them to take the type of action that the average unionist, the blue and white-collar worker, is able to take in the commercial field. I feel that they have used restraint. So I suggest that they be looked at in a different light to other workers. I suppose I should include ambulance bearers and some people working in nursing homes and old people's homes in that remark. I do not think they should be discriminated against simply because theirs is a service industry.

The Opposition naturally welcomes the amendments in the sense that there is a strengthening of contributions which are necessary to maintain this service. Naturally we go along with amendments designed to provide a better and more streamlined fire service.

Finally I reiterate that I feel there is a lot to be desired in the service. I will not go into detail as I did during the introductory debate—my comments have been recorded—but the arguments, the figures and the details I put forward can be justified. We should have done something very drastic about our fire service long ago. I will reserve any other comments until we debate the clauses.

Dr. SCOTT-YOUNG (Townsville) (12.58 a.m.): I rise to speak to this amendment because I consider, after reading some of the speeches made during the introductory debate, that the true issue has not really been aired in this House. Tonight the Minister gave us much more detail about two very important alterations to the Act.

One of the provisions with which I will deal is the amendment to section 23 of the principal Act, which relates to the duties of the council. Section 23 (f) refers to the council examining the budget of each board. In his speech the Minister referred to escalating costs. I do not think that escalating costs can be completely blamed on individual boards. These boards are in the grip of spiralling costs. Extra holidays are awarded, which again increase costs. The cost of equipment has also been spiralling in recent years. Unfortunately, fire-fighting equipment is expensive and there is very little competition in its marketing so that there is not keen competition amongst suppliers to reduce costs. If that is why the council decided to take control of things other than those for which it was originally designed —which was standardisation of equipment and training of personnel—it seems to have overstepped the mark and launched into the industrial field.

If I remember correctly, the individual boards formed what they called the Queensland Country Fire Brigade Boards Union of Employers and employed a full-time advocate, who represents them at industrial disputes. It is not the individual board chairman or the individual board member who enters into what the Minister called sweetheart agreements. The boards are represented by a trained, skilled industrial officer who does their industrial work for them.

I do not think that the boards are of poor standard. In Part II of the Act, section 6 lays down very specifically how boards shall be constituted. The Governor in Council shall, by notification published in the Gazette, appoint two members; the contributory companies shall elect three members; and the local authority shall elect two members. These are all men of substance, and I do not see them entering into airy-fairy sweetheart agreements. I suggest that the additional cost cannot be attributed to the poor standard of boards and that that cannot be used by the central council as an excuse to assume more power and get more control over the individual boards. It is only a power grab by a centralised authority to assume the responsibility of the boards in industrial matters.

In my opinion, this matter should be looked at again by the Minister and considered in depth because it is a retrograde step. It should not have been brought before the House until all the boards in Queensland had considered it. From the information I can gather, very few boards had been given an opportunity to comment on it before the Bill was brought to the House.

The only consolation that I can see in these amendments—and great publicity has already been given to it—is the removal of the fire levy in areas in which no service has been rendered. This is not before time, either. I have correspondence dating back to 1971-72 in which various associations, including the United Graziers Association, have been agitating for its removal.

I reiterate that I do not believe that the interference with the ordinary boards is a forward step. I think it is a retrograde step that can only lead to disharmony and disunity amongst the boards, which are doing a very good job at present. As I pointed out, the members of those boards are elected by the Governor in Council, insurance companies and local authorities. They are men of substance who are quite capable of negotiating agreements through their industrial officers without having the council interfering in their work.

Mr. JONES (Cairns) (1.3 a.m.): I wish to comment on only one aspect of the Bill and, because of the lateness of the hour, I shall be brief.

It relates to the Fire Services Council being deemed to be the employer in matters relating to negotiation of wages, settlement of disputes, and any arbitration or provision of an industrial agreement or award that affects or is likely to affect, in the council's opinion, more than one board. These seem to be very wide provisions, indicating that where more than one board may be affected the council can step in and negotiate or arbitrate on behalf of one board. This premise is resented by the boards. It appears to me that they are very jealous of their autonomy and that members of the boards believe that this provision will restrict the scope and extent of their jurisdiction. They feel very strongly about it.

A new subclause is being inserted. The Minister said that individual boards should have scope to operate and that it was not the purpose of the Bill to enable the council to interfere too greatly.

He indicated that what he wanted to do was discourage industrial agreements between boards and members of the service. I have received a telegram from the Cairns Fire Brigade Board which indicates the feeling of resentment and other strong feelings about the Bill. In its telegram the board indicates that it would wish to have the proposed amendments withdrawn because it has not been consulted about them. It says that the Bill will cause the boards to eventually become rubber stamps. Those are very strong words from the Cairns Fire Brigade Board. It believes that it is efficiently carrying out the affairs of the board and that, with its own local knowledge, the board would be in the best position to conduct the board's affairs. It strongly resents the intimation contained in the proposed amendments that it will be interfered with in its administration.

It has also indicated that the proposed amendments are contrary to all information supplied by authority. I suppose that means the Fire Services Council or the Minister. It indicates its resentment and says that the Bill represents an intrusion into the board's control. It further says that that intrusion was guaranteed by Ministers not to take place. Apparently the board has had some assurance previously that such an intrusion into the autonomy of the board would not occur. The board has sought my representations on its behalf from the floor of the House. I hope the Minister will deem it right and proper to comment on that in his reply. Because of the lateness of the hour, I will surprise the House by concluding my remarks at that point.

Mr. MARGINSON (Wolston) (1.8 a.m.): I have received protests from the local fire board in Ipswich. It has been pointed out to me that when the Minister last introduced amendments to the Fire Brigades Act he stressed that those amendments were being brought down as a result of requests from country fire brigade boards and the Fire Services Council. Indeed, he was quite proud that he was acting on their advice and recommendations. It has come to my knowledge that those people have been completely ignored in these amendments. They were unaware that they were to be brought before Parliament. They are rather concerned that local autonomy is being eroded by this Government. It is a practice of this Government. It did it only recently when certain responsibilities were taken from ambulance committees. To date the practice has not been applied so much to hospital boards, but we find it now being applied to fire brigade boards.

I think the Minister would be well aware that at the annual meeting of the country boards last year it was resolved that the Minister in charge of fire services should not attempt to alter the Act without prior consultation with them and the Fire Services Council and without obtaining their views. On this occasion no views have been asked for. The primary functions of the Fire Services Council concern the standardisation of equipment and things of that nature, but now it is coming round to the industrial side of fire services.

As the honourable member for Cairns has said, the fire boards are wondering whether they will be rubber stamps and whether they are really wanted by the Minister and the council to carry out local administration and to assume responsibility for fire services.

I would be pleased if the Minister would take notice of the protest coming from Ipswich. Like the honourable member for Cairns, I have received a telegram from my people, and I am rather concerned that this should be happening. I was a member of the fire board in Ipswich for some years and I know it is doing a wonderful job. Over many years industrial trouble has arisen in a certain other city. Whether this is an attempt to overcome things such as that, I do not know. The protest I make is that the Government should have taken into account the advice from the fire brigades and the council services.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (1.12 a.m.), in reply: I thank honourable members for the spirit in which they have entered into this debate. Referring firstly to the comments of the honourable member for Rockhampton North—some of the points raised by him are not connected with the contents of the Bill but refer generally to fire safety, which is dealt with under the Fire Safety Act. Without any rancour he questions my ability to understand certain aspects of the Bill. Having had 10 years' experience in a fire, marine and accident insurance office, I think I can say that I have had a close acquaintance with all aspects of that type of insurance and with

all humility I would claim that I would know more about the principles of insurance than perhaps any other member.

He referred to overlapping, which I dealt with at the introductory stage. He put forward the suggestion that perhaps fire brigades could reduce their costs by bulk buying and standardisation. It is difficult to get some boards to accept standardisation in relation to machines. I am sure most reasonable people will acknowledge that since the Fire Services Council standardised the design of fire engines tremendous savings have been effected.

The honourable member also pointed out that people engaged in fire-fighting services constitute a group who are confronted with far more dangers than persons in most other vocations. This is well acknowledged. In none of my remarks did I intend to cast any slur on those persons engaged in fire-fighting services.

The honourable member for Townsville referred to the escalation of costs and said that it cannot be blamed on the boards. Again I say that we are not laying the blame on the boards. What we are simply pointing out is that the cost of fire services has escalated over the past two years far more rapidly than that of any other service in the community. This is imposing an increasing burden upon the community.

The honourable member spoke of sweetheart agreements. I have referred to that matter already. I assure him that the minor amendments which give authority to the Fire Services Council in certain areas of industrial disputation cannot be regarded as a power grab.

The honourable member for Cairns referred particularly to the Fire Services Council being involved when more than one board is concerned in industrial action. I repeat the assurance I gave at the introductory stage, namely, that before any action is taken by the Fire Services Council under the minor increase in powers conferred by this legislation full consultation will take place with the respective fire brigade boards. I cannot make that plainer.

The honourable members for Cairns and Wolston referred to telegrams they had received. Perhaps they might be excused for believing that they were spontaneous, unsolicited telegrams. Oddly enough, I have a circular which the chairman, Mr. Gardner, a very good friend of mine, apparently sent to every fire brigade board in Queensland.

Mr. Yewdale: Did he send you a copy?

Mr. CAMPBELL: No, he did not. I am glad that the honourable member for Rockhampton North raised that matter. Because of the relationship I have enjoyed with Mr. Gardner over many years, I should have thought that if he had any concern about the import of this Bill he would at least have taken the trouble to inquire from me. I can speak only for myself, but I am not aware that he even contacted my officers. The very words in the telegrams are sufficient to prove my point. It reads—

> "It can readily be seen that with the S.F.S.C.'s control of staff approval, budgeting and now industrial function to the point of being the employer boards' employees fire boards are becoming little less than a rubber stamp and the control of fire services is quickly becoming centralised allowing for an easier take-over of the boards throughout Queensland."

Even at this late hour I shall take one minute to dwell on that. About 18 months ago a furphy was raised when some person promoted the belief that this very thing was about to happen, that is, that the State Fire Services Council or the Government was to take over the operation of fire brigade boards or diminish their autonomy.

I made a special point at Maryborough—the honourable member for Wolston reminded me of this—to assure the boards at their annual conference that that was the last thing the Government wanted to do. Having told the House that, I emphasise that I take a fairly poor view of the points made by the chairman of the Country Fire Brigades Board Union of Employers in his memo headed—

"Urgent Attention!

"Secretaries please inform the chairman of your board and board immediately

"Notice to All Boards

"Legislation introduced Parliament 8th April, Amendment Fire Brigades Act."

This is what he said——

Mr. Yewdale: You are not going to read all of the two foolscap pages?

Mr. CAMPBELL: I will read two paragraphs because they are important in the light of what has been said. They are in these terms—

> "It has appeared obvious to my Executive that the S.F.S.C. has for some time engaged on a project to increase its power and diminish the role of Fire Brigade Boards in Queensland.
>
> "My Executive revealed this to the Boards last year when suggestions were made to dissolve all Boards and place the S.F.S.C. in control."

It is not very becoming of the chairman of the Country Fire Brigades Board to rake up coals that did not even develop a glimmer at the conference last year, when I am sure they accepted the Government's assurance. However, I find, from a notification that bears a date of a few days ago, that this rumour is still being propagated.

Motion (Mr. Campbell) agreed to.

COMMITTEE

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

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

Clause 10—Amendment of s. 23; Duties of Council—

Mr. YEWDALE (Rockhampton North) (1.21 a.m.): Very briefly, it would seem from the comment of the Minister just now about the aim of clause 10 that some dissension has been created throughout the fire boards. I asked earlier in my contribution whether there was any ulterior motive of the Fire Services Council's doing this. It would seem that it would have been much more appropriate in the past if they had exercised jurisdiction in administration of the boards rather than in this particular area of industrial disputation. I leave it at that and suggest that time will tell how this clause really functions and how the fire brigade boards react to it.

I am not really able to assess where this will go. It is obvious that the boards do not like being interfered with. Suggestions or promises have been made here tonight that they will not be interfered with; they will be consulted quite clearly and thoroughly before the Fire Services Council moves in. I can only suggest that time will tell and we will probably be talking about it further.

Mr. JONES (Cairns) (1.22 a.m.): We are pleased to have the assurance of the Minister, and I am sure that the fire brigade boards would be pleased to receive that assurance, too. I think it is only right that we as members representing the Cairns area should bring forward in a responsible manner any representations we receive from a body such as the Cairns Fire Brigade Board. I am sure the Minister would concur that the Cairns Fire Brigade Board contains men of very high calibre and standing in the community, as most members of fire brigade boards in all centres are. I think we have a responsibility and duty to bring these matters before the Chamber at this stage of the debate.

Mr. AKERS (Pine Rivers) (1.23 a.m.): This morning I had a visit from the chairman of the Pine Rivers Fire Brigade.

Mr. Houston: That was yesterday, wasn't it?

Mr. AKERS: Yes. Yesterday I had a visit from the chairman of the Pine Rivers Fire Brigade complaining about this clause. I have listened to the Minister's comments and I will be passing them on to the chairman. However, I feel I should express those fears of the board's, and the hope that the Minister's assurances will be kept.

Clause 10, as read, agreed to.

Clauses 11 and 12, as read, agreed to.

Clause 13—Amendment of s. 36; Apportionment of contribution amongst contributory companies—

Mr. YEWDALE (Rockhampton North) (1.24 a.m.): In my second-reading speech I made reference to what I shall call the jargon used in drawing up these Bills. The Minister indicated that his long experience gives him the right to say that he can interpret them. When a Bill is handed to people outside this Chamber for consideration or perusal it is difficult for them to understand what is meant.

This aspect has been raised before, not only concerning this legislation but also concerning the procedure of Parliament itself. I referred earlier to a Record of the Legislative Acts prepared by the Premier's Department. A person can read through it and come to a reasonable understanding of the purpose of the Bill or amendment and can readily relate that to the debate in this Chamber. That is not the case when it is looked at separately on paper. This is a very lengthy clause; indeed it is probably one of the longest that would be seen. I felt it necessary to make the point concerning laymen who are interested in legislation that affects them, for instance, firemen or fire brigade board members who are trying to understand this jargon.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (1.26 a.m.): I appreciate that. I am glad that the honourable member raised this point. Excluding the jargon, clause 13 provides that the apportionment of contribution amongst insurance companies follows the basis in clause 12, that the percentage of the sum insured is included in the basis only for stock declaration policies and that the maximum loss policies are defined for contribution purposes. It is important that the percentage no longer applies to householders' comprehensive insurance, television insurance and motor vehicle insurance which formerly were taken into account. They were excluded for contribution purposes, and adjustment of reinsurance is left to the companies concerned.

The honourable member tempts me to give a half-hour delineation of what that means simply. It involves over 50 lines of printing. I can say to the honourable member that this is directed to the insurance industry and it will certainly understand it. It is necessary to put it in this way because we are creating a major change in the determination of the levy by switching from premiums charged to sums insured.

Clause 13, as read, agreed to.

Clauses 14 to 16, both inclusive, as read, agreed to.

Clause 17—Amendment of s. 60; Penalty provisions—

Mr. YEWDALE (Rockhampton North) (1.28 a.m.): Clause 17 refers briefly to the action that can be taken by the State Fire

Services Council as to the furnishing of reports by boards within a stipulated period. A penalty of $100 is provided and, if the order is not complied with within 14 days, a penalty of $20 a day can be imposed. It seems to me very unlikely that this clause would be operated. I cannot see the council carrying it out. I think it is nebulous in the sense that it is put there to sound a note of warning to secretaries and boards concerned. I do not know whether the Minister can tell me of any penalties imposed by the council in other directions and/or in this direction. I do not have the experience of many years but it seems to me to be a clause that will not be put into effect and is there for the interest of the people concerned who should do something about it.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (1.29 a.m.): Far from its being nebulous, I will give a very real reason for it. At 9 o'clock this evening I met the executive of the country fire brigade boards, who indicated to me a desire for the continuation of the autonomy that they enjoy. I reiterated to them, as I have said earlier in discussion on this legislation, that the Government does not wish to impinge on their autonomy; but in ceding, and continuing to cede, to the fire brigade boards their autonomy the Government expects them to discharge their duties as required, just the same as any other reputable organisation. I do not want to name a board which is offending in this regard, but I am tempted to. I have become sick and tired of writing to the secretary of a certain country board asking that he please furnish me with the 1974-75 annual report. It is many, many months overdue. This should not happen. If boards want their autonomy, they have to live up to the responsibility which that implies. Most of the boards are punctilious in their functioning, but there are one or two which are not and this is a very real reason for this imposition.

Clause 17, as read, agreed to.

Clause 18—Amendment of Sch. I.—

Mr. YEWDALE (Rockhampton North) (1.31 a.m.): This clause relates to persons who have received benefit from services rendered by the board when there has been a house fire, grass fire or any other sort of fire. In some instances a number of householders can be involved and the board can impose a charge on those people who have had their properties protected by the service given by it. I have had an experience of this in my electorate and there is some doubt about proving who actually benefited from the service or who was responsible for the fire. Without going into detail, in the case I am referring to it was alleged that certain people caused a fire and were going to be charged with the cost incurred by the board. After some investigation it was found that this allegation could not be proved; but it did seem to me that the persons at whom the charges were being levelled did not have any real opportunity to defend themselves, and it was only when they produced some evidence that they could not possibly have been responsible that the board then dropped the charge.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (1.32 a.m.): This is clause 18 (b), is it?

Mr. Yewdale: Yes.

Mr. CAMPBELL: If the honourable member for Merthyr were here, he would recall that he has brought at least half a dozen cases to my notice of persons owning property allowing a fire hazard such as long grass to develop which I have had the fire brigade attend to. This subclause simply provides for a daily penalty and I think the honourable member would accept that the continued failure of a person to comply with a fire brigade notice to remove a fire hazard——

Mr. Yewdale: How would that apply to a Government department in a similar situation?

Mr. CAMPBELL: I do not think the Government department would need any nudging on it.

Clause 18, as read, agreed to.

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

Bill reported, without amendment.

THIRD READING

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

GAS ACT AMENDMENT BILL

SECOND READING

Hon. R. E. CAMM (Whitsunday—Minister for Mines and Energy) (1.35 a.m.): I move—

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

Before outlining the Bill in detail, there are some matters which I should mention.

When I spoke at the close of the debate following my introduction of the Bill, I referred to the downturn in oil and gas exploration in recent years—to be precise, during the period 1972 to 1975 under the Federal Labor Government. The disincentives to petroleum exploration had an Australia-wide effect, but they are of particular concern in the matter of the future supply of natural gas to south-eastern Queensland.

As has been acknowledged, my department has expressed its concern during the three years in question as to the need to discover

additional reserves of natural gas. These are required to supply users in south-eastern Queensland beyond the present contractual period for those reserves at present connected to the pipeline, and, if possible, to enable the connection of other potential users. If sufficient new reserves are not found to be available, then alternative sources of gas will need to be developed.

Unfortunately, there is only one way to prove or disprove the existence of deposits of oil and gas, that is, by intensive and costly drilling. In order to find prospective targets, detailed seismic surveys need to be undertaken and the results examined. Exploration teams, involving both seismic and drilling crews, have mostly left Australia to find employment elsewhere, along with many highly trained petroleum geologists and engineers.

There are encouraging signs of renewed interest in petroleum exploration in southern Queensland, but it is not going to be possible to get exploration teams here to bring drilling activity back to a desirable level immediately. Furthermore, one thing is certain: even if we can get exploration back into full stream and achieve the success we hope, the petroleum discovered will be much more expensive to develop and produce. If some form of exploration subsidy is not reintroduced, all these increases in costs will end up with the consumer.

The picture has been painted in some quarters that, while my department recognises the problems of future natural gas supply to south-eastern Queensland, and has done so for some time, it has done nothing towards solving the problem. This is not the case.

Furthermore, I have to say that, apart from selectively quoting from the annual report of the Government Gas Engineer and Chief Gas Examiner, the Leader of the Opposition appears to confuse past shortages of liquefied petroleum gas with natural gas matters. Suffice it to say that when such shortages do occur, they are very often due to industrial dislocation.

I now propose to refer briefly to the main avenues of additional gas supply that are presently under active investigation.

The company which has discovered a small gas field at Kincora, 35 miles south of Roma, has applied to me for a petroleum lease and proposes to build a spur line to connect with the Roma to Brisbane pipeline at Wallumbilla. As previously mentioned, it has a number of exploration targets in its farm-out block. Negotiations for the sale of gas from the Kincora field to the fertilizer plant are at an advanced stage.

As was reported in the Press on Friday, 2 April, the consortium which discovered gas at Silver Springs and Boxleigh, also south of Roma, is commencing a two-well programme to confirm and extend its reserves. It is hoped that additional drilling will follow and enable connection of these fields to the Roma to Brisbane pipeline. This consortium is also negotiating sales of gas to the fertilizer plant.

It is possible, as well, that some other minor discoveries which were made some time ago in the Roma area, but never connected to the pipeline, can be brought into economic consideration. The performance of all gas-fields in the Roma area is being kept under close review by petroleum engineers of my department to assess future deliverability. Reserves are updated on an annual basis and published in the annual report of the department.

One well has been drilled early this year in the Cooper Basin in the far south-west of the State, but it was unsuccessful. Two additional wells are to be drilled in the Queensland portion of the basin this year, as soon as the abnormal flood conditions recede sufficiently to enable movement of equipment.

At present only a few per cent of Cooper Basin gas reserves have been found in Queensland. In order to promote additional exploration and to facilitate orderly development of the petroleum resources of the basin, negotiations have recently been initiated between the various parties to enable the Queensland fields to be developed as a productive unit with those in South Australia. If sufficient additional gas reserves can be discovered in the Cooper Basin, it is hoped that it will prove economic for gas from this source to be supplied to south-eastern Queensland.

In some areas of the Cooper Basin petroleum liquids, either in the form of oil or condensate, occur with the gas. In present terms, because of the reserve situation in relation to existing commitments for the supply of Cooper Basin gas to Adelaide and Sydney, a more attractive alternative would appear to be transmission of these liquids to Brisbane by a pipeline from Moomba, in the far north-east of South Australia, possibly connecting to the Moonie pipeline. Officers of my department are co-operating with the Department of Commercial and Industrial Development and the Commonwealth's pipeline authority to examine the feasibility of this scheme, which would be in competition with the proposed Redcliffs petrochemical scheme in South Australia. If the Queensland proposal is successful, it would mean that the liquid hydrocarbons from the Cooper Basin would find use here as feedstock for the local refineries and the fertiliser plant, as well as being capable of being reformed to gas to supplement natural gas from fields in southern Queensland.

In the longer term, unless very large discoveries of natural gas can be made, we will have to look to gasification of some of the vast coal reserves of the State. As I have previously mentioned, a promising project of this nature is that based on coal deposits in the Millmerran area of the Darling Downs. The success of this project will involve overseas technology and, I venture

to say, considerable overseas finance. It did not get any encouragement from the previous Federal Government, but a more reasonable view on foreign investment now prevails in Canberra. I shall certainly continue to give it every possible assistance to become a reality. It should be realised, however, that considerable lead times are involved in coal conversion projects, and capital costs are very large.

I turn now to the matter of safety of underground mains. The Leader of the Opposition wanted to know what we have done for underground mains safety following the unfortunate 1971 explosion in George Street. It is sad indeed when he does not follow the legislation. I commend for his reading the 1971 and the 1974 Gas Act Amendment Acts. Additionally, I refer him to the Gas Act reports for sections dealing with underground mains, namely—

1971—Page 4—Five paragraphs.
1972—Page 3—Five paragraphs.
1973—Page 3—Two paragraphs.
1974—Page 4—Two paragraphs.
1975—Page 3—One paragraph.

The Leader of the Opposition spoke specifically about records. He has had time to study the Bill, and if he has read it he will note clause 22 (d)—the broadening of the authority to regulate for the keeping of records. With the strengthening by the amendment of our authorities, there will be more than we can do if it proves necessary.

I shall now move to the main points of the Bill. Changes have been made to the titles of Parts IV and VII to make them more in keeping with the requirements of those parts of the Act.

Several amendments are proposed to the definition clause and I draw attention to the major points. The modern term "flammable" replaces "inflammable", and "Chief Gas Examiner" is defined. "Cylinder" is deleted as this will be covered by regulation and Standards Association codes. "Fittings" is made now to cover installation work, and "franchise" has been extended to take into consideration the existence of L.P. gas franchises. "Hydrogen gas and hydrocarbon gases" have been included for ease of understanding as they are flammable gases and have always been subject to the Act.

Further to my remarks concerning "fittings", the Bill enables gas examiners to protect the public from unsatisfactory or unsafe work before gas is connected, and identifies the person in charge to whom a safety direction is to be given, and the amendment strengthens the present provision set out in the regulations concerning the production of books, records, etc., which are essential for the efficient administration of the Act.

Serious accidents must be investigated without interference, and the amendments permit this to be done.

Several clauses have been amended to extend the operation of "gas undertaking" to "gas franchise" as the former term meant only the distribution of gas through underground pipe systems, whereas many franchises and sections of franchises can only exist by virtue of the distribution of L.P. gas. Provision has been made for consolidation of all gas-fitting, including town gas, L.P. gas and automotive L.P. gas-fitting, under the Gas Act, but existing licence holders for town gas-fitting will not lose their entitlements.

There has always been a need for the Minister to be able to exercise such rights to ensure progress of a franchise after it has been established and the proposed amendments give the Minister that power. This is to ensure that the rights of the Government and benefit to the public are not lost as the life of a franchise extends in time.

At present the Act provides protection to 30 June 1976 to a franchise holder from L.P. gas marketers, who could create detrimental effects on the holder and on the community. The amendment eliminates reference to the period of time for protection and leaves this in the hands of the Minister.

The Act made provision for regulating the method a gas supplier uses for arriving at the price charged for gas supplied and the amendments tighten the procedure by prescribing that certain information requested by the Chief Gas Examiner in this regard must be supplied within 21 days. For failure to comply with, or for contravention of, this section, a gas supplier is liable to a penalty of $1,000 and this has been increased to $250 per day for each day the supplier fails to comply.

The present Act provides for appeal to the Industrial Court against a price-fixing order made by the gas referee for gas supplied and the amendments are aimed at reducing or eliminating unnecessary or vexatious appeals to such court. The court has been given the right to determine whether pertinent information upon which its determination is based should have been presented at an earlier stage and, if so, the gas supplier shall not be entitled to be awarded costs of his appeal and his costs and any awarded against him shall be deducted from the next dividend declared.

The Bill makes provision for the adoption of standard rules, codes, etc., such as those of the Standards Association of Australia, the British Standards Institution and similar competent bodies, and provides for approval to be the responsibility of the Chief Gas Examiner. Provision has been made to require that work shall be carried out only by an installer licensed under the Gas Act.

New sections are introduced tightening safety requirements in relation to any operation concerning the supply, transportation, handling, consumption, etc. of gas, and ensuring that a gas supplier also accepts safety responsibility by withholding the

supply of gas to a defective installation or by cutting off the supply to a dangerous installation. The inspection access aspect of the supply of gas to rented or strata-title buildings has also been covered.

The amendments increase the time from six to 12 months in which to take proceedings following a breach of the Act and the court has been given power to have any contravention remedied.

Finally, the Bill provides for a more definite backing of the power to make regulations in relation to licensing, safety, inspections, and the keeping of records, with some degree of flexibility. Provision has been made to regulate for the issue of certificates covering safety, work carried out or work inspected. This is for the benefit of the consumer or purchaser of articles, such as caravans, marine craft, etc., which carry gas-fitting. Further, power has been given to regulate to control the terms of security deposits required to be lodged by a consumer, and for the general discretionary powers of the Chief Gas Examiner to continue. Penalties have been upgraded to bring them into line with today's money values.

I feel I have covered in detail the major points of the proposed amendments and I commend the Bill to the House.

Mr. MARGINSON (Wolston) (1.48 a.m.): At the introductory stage a number of Opposition members made reference to certain aspects of the Bill, including the proposed amendments. Reference was also made to the resources of natural gas in South-east Queensland. On behalf of the Opposition I thank the Minister for explaining to us tonight what the position is in relation to the exploration for natural gas. We have no objection to the Bill and go along with it.

Motion (Mr. Camm) agreed to.

COMMITTEE

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

Clauses 1 to 8, both inclusive, as read, agreed to.

Clause 9—Amendment of s. 28; Duty of gas supplier to supply consumers—

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

"On page 4, after line 45, insert the following paragraph—

'(c) inserting at the end of the third paragraph the words "and the cost of so much of any main in excess of a distance of 20 metres laid for the purpose of such supply".' "

Amendment agreed to.

Clause 9, as amended, agreed to.

Clauses 10 to 23, both inclusive, and schedule, as read, agreed to.

Bill reported, with an amendment.

THIRD READING

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

The House adjourned at 1.52 a.m. (Wednesday).