Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

WEDNESDAY, 14 APRIL 1976

Electronic reproduction of original hardcopy

WEDNESDAY, 14 APRIL 1976

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

PAPERS

The following papers were laid on the table:—

Proclamation under the Forestry Act 1959–1975.

Orders in Council under—

State and Regional Planning and Development, Public Works Organization and Environmental Control Act 1971–1974.

Forestry Act 1959–1975.

Medical Act 1939–1973.

Explosives Act 1952–1975.

Grammar Schools Act 1975.

Regulations under—

Prisons Act 1958–1974.

Hospitals Act 1936–1971.

Rules under the Ambulance Services Act 1967–1975.

MINISTERIAL STATEMENT

RELEASE BY COMMONWEALTH SAVINGS BANK OF EXTRA HOUSING FINANCE

Hon. Sir GORDON CHALK (Lockyer—Deputy Premier and Treasurer) (11.3 a.m.): Mr. Speaker, I desire to inform the House that the Commonwealth Savings Bank has agreed to a request from me to release immediately an additional $23,700,000 for housing finance in Queensland. This will be of tremendous assistance to the housing industry in this State until the building societies' problems have been resolved completely.

The $23,700,000 is the State's entitlement under the State Government—Commonwealth Savings Bank agreement. It is the State's share of the increase in the bank's deposits for the quarter ended 31 March. The money normally would have come to the State as loan funds towards fulfilment of its Loan Council-approved programme.

The State recently has been using this entitlement to assist local authorities to fill their loan programmes. But these are now in a good situation and virtually complete for this year.

The Commonwealth Savings Bank has also agreed to my request that the housing loans be made available without the normal bank-customer preference. The loans will be provided to borrowers under the bank's normal terms and conditions, except that the bank's normal practice of giving preference to its own customers who have maintained reasonable balances with the bank will not be applied to this special allocation.

The interest rates will be from 9¼ per cent for loans up to $12,500, 10¼ per cent from $12,501 to $20,000 and 10½ per cent for loans over $20,000.

Applications for housing loans under the arrangement can be made at any branch of the Commonwealth Savings Bank in Queensland.

Mr. Burns: Is that in addition to the $20,000,000 you spoke of?

Sir GORDON CHALK: It is $23,700,000.

QUESTIONS UPON NOTICE

1. LOADING FACILITIES AT BRISBANE ABATTOIR

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

(1) 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 abattoir?

(2) As the Transport Workers' Union made a request in December 1974 for the updating of these facilities, will he take steps to see that modern loading techniques are available so that a man does not have to hump up to 300 lb. of beef to his truck?

Answers:—

(1) While the Metropolitan Public Abattoir Board has not been officially notified of any such problem, I have been made aware of a possible dispute between the transport companies and the operators at the new abattoir relative to the loadout of meat from the new public meat market facility. I am informed that, in the construction of the new meat market, the board provides a loadout rail to every door outlet. The board feels that its responsibility reasonably ceases at that point and that the onus is on the trucking company to provide an extension rail into the meat-handling vehicle. A problem often arises here because of a lack of uniformity in the type of rail installations in such vehicles.

(2) It is my understanding that when the Transport Workers' Union made an approach to the board in 1974 in relation to roll-out facilities direct into vehicles, both at the old works and at the new abattoir, it was informed that the possibility of achieving this was remote. This was due to the lack of uniformity of rail systems in the vehicles and the fact that the board and the trucking companies had separate rollers, with those at the meat market not being allowed to be removed from the abattoir premises.

2. TRANSFER OF SURFERS PARADISE C.I.B. OFFICERS

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

(1) Were the two senior officers of the Surfers Paradise C.I.B. recently transferred to Brisbane on brief notice?

(2) Has one of the officers since resigned from the force in protest?

(3) If these accusations are correct, what were the reasons for the sudden transfers?

Answers:—

(1) Two members of the Police Force attached to the Surfers Paradise Criminal Investigation Branch, namely a detective sergeant 2/c and a detective senior constable, were transferred from Surfers Paradise. The same period of notice was given to these members as is given to all other members of the Police Force.

(2) The detective senior constable did in fact resign from the Queensland Police Force. His stated reason was that he felt he had been victimised and was unable to obtain promotion to which he considered he was entitled.

(3) The transfers in question were made in the interests of efficiency within the Queensland Police Force.

3. SPINNING-SAUCER TOY

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

(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?

Answers:—

(1) Yes.

(2) At the time of the report, immediate investigations by departmental officers revealed that none of these articles was on sale in Queensland. Officers will continue to watch for their appearance.

(3) The Division of Public Health Supervision has a responsibility to supervise the sale of toys in Queensland. If a toy is found to be in breach of a provision of the Health Act, action is taken in co-operation with importer and distributor to have the offending toys removed from sale. If co-operation is not forthcoming, there is necessary statutory power under the Health Act for further action.

4. TRAWLING IN HERVEY BAY

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

(1) Has he seen an article in the "Hervey Bay Observer" of 9 April criticising trawling operations in Hervey Bay?

(2) Will he approach his colleague the Honourable the Minister for Tourism and Marine Services with a view to having two Marine Services inspectors stationed at Hervey Bay?

Answer:—

(1 and 2) Yes, and, in keeping with the assurances given the honourable member on his personal representations, fishing operations in the Hervey Bay area will be kept under continuing appraisal and any further remedial measures found necessary will be implemented.

I will discuss with the Minister for Tourism and Marine Services the possibility of stationing patrol inspectors in the area either on a part-time or full-time capacity. In the meantime, I will have the allegations investigated as a matter of urgency.

I do appreciate the personal interest the honourable member is taking in these matters, which are important to the area and its development.

5. HERVEY BAY INDUSTRIAL ESTATE

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

(1) How many applications have been received by companies desirous of establishing on the Hervey Bay Industrial Estate?

(2) Who is the person responsible for the administration of the estate?

(3) When will industry be established on the estate?

Answer:—

(1 to 3) An application was received recently for the provision of a State-owned factory building on the Hervey Bay Industrial Estate. Processing of the application awaits the receipt of additional information from the applicant. Inquiries have been made by several other organisations interested in establishing on the estate, but for reasons related largely to the prevailing economic situation, these inquiries have not yet resulted in the lodging of formal applications for sites on the estate.

The Hervey Bay Industrial Estate is one of 33 fully serviced Crown industrial estates under the administration of the Department of Commercial and Industrial Development. Every encouragement will be given to industry to establish on the Hervey Bay Industrial Estate. All projects locating there will be eligible for the generous incentives provided by the State Government to encourage decentralisation. However, I am sure that the honourable member will appreciate that in the final analysis it is the persons providing the capital and technical know-how who determine where an industry is to be located.

6. ERADICATION OF GIANT SENSITIVE PLANT, KURANDA

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

(1) Is he aware that large areas of giant sensitive plant are well established and spreading further on land leased by Mona Mona Co-operative Society of Kuranda?

(2) What action will be taken by his department to have this plant eradicated?

Answers:—

(1) The current infestation of giant sensitive plant on the land used by the Mona Mona Co-operative is the result of heavy germination of seed following ideal conditions during the 1975-76 summer months.

(2) The Co-ordinating Board's regional inspector, who had sprayed the area in 1974 and 1975 with satisfactory results, began spraying with weedicide on 11 March 1976, but abandoned the operation because of the boggy ground conditions. This treatment with weedicides will be finalised as soon as conditions will allow.

7. IMPROVEMENTS TO BUNDABERG CENTRAL STATE SCHOOL

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

As plans and estimates of costs were prepared in 1973 for a new principal's office, clerk-typist's office, staff room, services room, health room, stores room, janitor-groundsman accommodation and canteen facilities for the Bundaberg Central State School and, because of a shortage of funds, work was not commenced, when will the work be commenced?

Answer:—

Funds are not available at present to permit these projects to be approved and no indication can be given at this juncture as to when the work is likely to be undertaken.

8. GREYHOUND RACING FOR BUNDABERG

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

As it has been reported in the Bundaberg "News Mail" that the Queensland Greyhound Control Board has approved a provisional licence to conduct greyhound-racing in Bundaberg and further that the chairman of the board has stated that the application was the best ever received by the board, will he give his approval for this licence as early as possible in order to ensure that this sport commences in Bundaberg before the end of this year?

Answer:—

The Greyhound Racing Control Board of Queensland recently requested my permission to allow an advertisement to be placed inviting applications for a night-coursing licence in the Bundaberg area. That permission has been given. Following consideration of applications received, the board will make a recommendation to me that a provisional licence be issued to a particular club. It follows that, contrary to the Press reports, no provisional licence has been approved at this stage in relation to the Bundaberg area. One can say, however, that the movement towards night-coursing in Bundaberg has started in earnest and I am hopeful that no set-backs will occur to delay the progress.

9. PERMITS UNDER CLEAN AIR ACT

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

(1) In each year since the implementation of the Clean Air Act, how many permits have been issued under the Act allowing industrial emissions into the air?

(2) What are the names of the companies, firms and people concerned?

Answer:—

(1 and 2) There are no permits issued under the Clean Air Act "allowing industrial emissions into the air". The honourable member is probably referring to licences which are a different matter altogether in that they do not constitute "permission to pollute". Licences are issued to firms which come within the schedule of classes of industries. These industries are licensed because they are of a type which has a potential to pollute. However, all industries, whether licensed or not, must conform to the emission limits of air impurities laid down in the regulations to the Clean Air Act. Licences which are renewable annually totalled some 216 in the year 1974-75.

10. SMALL BOATS SAFETY AND TRAILERS

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

(1) What are the State Government requirements in regard to buoyant material to be built into small boats during their construction in Queensland?

(2) Are there any Queensland requirements on small boats manufactured outside Queensland as regards buoyancy, before such boats are allowed to be sold in Queensland?

(3) Is any braking system yet devised for boat trailers that will still operate after a few immersions in salt-water?

Answers:—

(1) The Queensland Navigation (Equipment of Pleasure Yachts) Regulations provide that an open or not fully decked vessel shall be provided with reserve buoyancy sufficient to support, when swamped, the weight of the vessel and its equipment plus 10 per centum of such weight.

(2) The Australian Standards Association has produced a Small Boats' Code which sets standards for construction, maximum power and loading, machinery installations and buoyancy. The requirements of this code with regard to buoyancy are a little in excess of those required by Queensland regulations. Most reputable builders build to the code. However, my department is not in a position to prohibit the sale of substandard boats. The responsibility lies with the owner to see that his boat is properly built and complies with regulations.

(3) I am advised by my Department of Harbours and Marine that a disc-braking system has been developed which, if properly maintained, will be effective after

immersion. However, matters concerning road vehicles would be more properly answered by my colleague the Minister for Local Government and Main Roads.

11. BUNDENG LTD.

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

(1) Does the State Government still guarantee a loan commitment of Bundeng Ltd. and still have a representative on the board of directors?

(2) What was the original amount of the Government's contingent and/or real commitment with this company, what is the amount involved at present and when will the Government be released from the commitment?

(3) When will the Government representative retire from the board of Bundeng?

Answer:—

(1 to 3) A Government guarantee under the Industrial Development Act was given on 19 August 1969 to the Bank of New South Wales for an amount of $560,000 covering two loans to be made to the Bundaberg Foundry Company Limited, a subsidiary of Bundeng Ltd. The loans were to be repaid over a period of 10 years.

At 28 February 1976 the total amount outstanding on the loans was $36,002. The guarantee will be cancelled when the loans have been fully repaid or alternative acceptable arrangements made between the bank and the company for the discharge of the outstanding balances.

A condition of the giving of the guarantee was that two Government representatives be appointed to the board of directors of Bundeng Ltd. It is anticipated the Government representatives will retire from the board when the guarantee is no longer current.

12. HOUSING COMMISSION ACTIVITIES, MARYBOROUGH

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

(1) What applications are being held for Housing Commission houses for rental and units for the aged at Maryborough?

(2) How many houses are yet to be completed in the current contract for 20 Housing Commission houses for rental at Maryborough, and when will construction commence on the two additional houses to be erected?

(3) In view of the disastrous cut-back in the current year's allocation for housing by the Whitlam Government, does he hold out any hope for increased allocation for 1976-77 for Housing Commission houses for rental and finance for co-operative housing societies?

Answers:—

(1) At 31 March 1976 a total of 139 applications consisting of—

1 with 100 points;
1 with 80 points;
1 with 60 points;
31 with 40 points;
89 with no points;
3 couple pensions; and
13 single pensioners.

(2) Of the 20-house contract, seven have been delivered, two are due for delivery, and the others expected at one or two a week with total completion by early June. Outside circumstances can of course upset these targets. Tenders closed for two houses yesterday.

(3) After the shabby treatment of 1974-75 and 1975-76, it would require a brave man to forecast Commonwealth funding for 1976-77. I have, of course, represented Queensland's case strenuously and now that rational Government is returning in Canberra, I am hopeful of a better deal than in the past.

13. VALUE OF GOVERNMENT AEROPLANE FOR EMERGENCY USE

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

(1) As the two councils that were the worst affected by floods in my electorate have received worth-while offers of Government assistance to help repair and rebuild flood-damaged assets, did his aerial inspection of my electorate help him prepare a worthwhile case for assistance to flood victims?

(2) Does this highlight the fact that the Government aircraft helps to provide tangible benefits for the people of Queensland?

Answer:—

(1 and 2) As Premier of a State whose geographical area approximates one-fifth that of the United States of America, I have an obligation to assist all Queenslanders whenever and wherever they are sorely affected, through no fault of their own, by natural catastrophes and disaster. In doing so, I follow a long tradition of service to the people observed by my many predecessors in office. Former Premiers used whatever speedy and efficient methods of transport were available to them in their day and I continue to do so, in the context of the present era, by means of the Government aircraft.

QUESTIONS WITHOUT NOTICE

THIRD-PARTY INSURANCE PREMIUMS

Mr. BURNS: I ask the Deputy Premier and Treasurer: As the Insurance Commissioner has been reported in "The Sunday Mail" as stating that submissions from the S.G.I.O. for increased third-party insurance premiums for motor-cars and motor-cycles have been forwarded to the Government, can he advise what was the recommendation of the Insurance Commissioner on this particular matter? Will the public be advised if insurance premiums are to be increased and the reasons for the increases, and also what the submissions were?

Sir GORDON CHALK: First of all, the report furnished is a confidential document. However, in this Chamber about a fortnight ago I did indicate that at this time I could not see a need to increase insurance premiums in this State.

POISON LEVELS IN FOOD

Mr. BURNS: I ask the Minister for Health: As the "Financial Review" reported yesterday that a survey conducted by the National Health and Medical Research Council had found that food in Brisbane in winter contained almost three times the World Health Organisation's recommended levels of the poison cadmium, has the Minister seen the report, and what action has been taken to protect the citizens of Queensland from this poison?

Dr. EDWARDS: The report was brought to my attention. As the Leader of the Opposition said, it did refer to cadmium levels and the levels of a lot of other chemicals in the blood and in foodstuffs. For many years the Government has undertaken what is called a basket survey, which means that officers go into supermarkets posing as ordinary people and purchase foodstuffs and other goods. These are submitted for chemical analysis and this report is the result of such a survey. We will be taking this matter up with the National Health and Medical Research Council. On the information I have at this stage, it was a very small survey and it does not cause us a great deal of concern, but it will be referred to the special committee set up recently by the Government comprising officers of the Departments of Primary Industries and Health to investigate chemical contamination. I shall certainly let the honourable member know the outcome of my request to the National Health and Medical Research Council for more information on this matter.

REDUCTION IN BREAD PRICE

Mr. BURNS: I ask the Minister for Industrial Development, Labour Relations and Consumer Affairs: As Sir Eric Willis is reported in "The Courier-Mail" to have made the promise that he will reduce the price of bread by up to 3c a loaf after the New South Wales State election, will he take steps to implement a similar proposal to protect consumers in Queensland?

Mr. Hinze: There is no election this year.

Mr. Burns: No election this year—this is the answer over there!

Mr. SPEAKER: Order!

Mr. CAMPBELL: The Leader of the Opposition has had sufficient experience in politics to know that what is said during the heat of an election campaign is not necessarily carried through as policy by a particular party. That applies to all political parties during election campaigns.

Mr. Burns: You speak for yourself.

Mr. SPEAKER: Order!

Mr. CAMPBELL: I will now speak for myself, because in terms of our legislation——

Mr. Burns interjected.

Mr. CAMPBELL: Do you want to hear me?

Mr. Burns: Yes; I am listening.

Mr. SPEAKER: Order! The Leader of the Opposition knows the rules of the House.

Mr. CAMPBELL: In terms of our legislation, I have no power to either increase or decrease the price of bread, because this Government—a free-enterprise Government—

Mr. Houston: Not after last night!

Mr. SPEAKER: Order! I remind honourable members on both sides of the House that I will not tolerate persistent interjection while the Minister is on his feet. I ask all honourable members for their co-operation.

Mr. CAMPBELL: This Government leaves it to the market-place to regulate prices for goods and commodities in this State. The figures show that that has been a fairly efficient lever, because in South Australia, which, as the Leader of the Opposition knows, has an A.L.P. Government, and in which a vigorous price-control mechanism is operating for virtually all commodities, the price of bread is higher than it is in Queensland.

PEDESTRIAN-ACTUATED LIGHTS AT SCHOOL CROSSINGS, WONDALL HEIGHTS AND MANLY WEST STATE SCHOOLS

Mr. LAMOND: I ask the Minister for Local Government and Main Roads:

(1) Is he aware that another near accident, endangering the lives of three students, occurred yesterday at the Wondall Heights State School crossing?

(2) Is he also aware that similar instances are occurring at the school crossing on Manly Road outside the Manly West State School?

(3) Bearing in mind my long and strenuous submissions to all Ministers in any way associated with this problem and the Brisbane City Council, will he, as a matter of great and grave urgency, use his influence to have pedestrian-controlled traffic lights installed at these two crossings?

Mr. HINZE: I am aware that the honourable member is greatly concerned about these crossings and the danger to the children who have to cross the roads there. There has been too much duck-shoving and buck-passing in the past few months about whose responsibility it is. However, with the election of the new Brisbane City Council, I will make it a matter of first priority to discuss it with Alderman Sleeman and have something done about it virtually immediately. I am well aware of the honourable member's concern about the area and the possibility of further accidents occurring there.

RENAMING OF J. D. STORY ROOM, UNIVERSITY OF QUEENSLAND

Mr. PORTER: I direct a question to the Minister for Education and Cultural Activities. The president of the students' union at the University of Queensland has suggested that the renaming of the J. D. Story Room as the Whitlam Room had the prior approval of the Vice-Chancellor. As that seems most unlikely, I ask the Minister: Has he any information on the subject?

Mr. BIRD: I did indicate my great concern about this matter when it was raised in the House yesterday. My concern increased even further when I read in "The Courier Mail" this morning that the president of the students' union at the university alleged that the suggested change of name met with the approval of the Vice-Chancellor Sir Zelman Cowen. Sir Zelman Cowen was even more alarmed and upset at the suggestion that it had met with his approval. He contacted me by telephone this morning, and followed that with a statement which I believe should be read to the House and placed on record to indicate that that statement by the president of the students' union was incorrect. The information provided by the university reads as follows:—

> "Some months ago the President of the Union, Mr. Spencer briefly discussed the matter of naming more than one building or room in the University after the same person because of the geographic confusion it might cause. The Vice-Chancellor said that the award of honour names was a matter for recommendation to the Senate by its Academic Committee. That Committee had generally discussed the matter of honour names and had recognised the undesirability of the multiple use of such names but had taken no action at the time.
>
> "It is the practice to give some buildings and rooms honour names of persons who have had a long personal connection with the University; among them former Chancellors, Vice-Chancellors and Professors.
>
> "The Vice-Chancellor was never informed of this particular proposal and the report that Mr. Spencer said that the Vice-Chancellor had no objection to this particular change of name is incorrect. The matter of the particular change has never been before the Senate or the Academic Committee."

That information was confirmed on 14 April 1976 by Mr. Spencer.

ASSISTANCE TO WOOL INDUSTRY

Mr. NEAL: I ask the Minister for Lands, Forestry, National Parks and Wildlife Service: In view of the continuing disruption of the wool industry by the Storemen and Packers' Union with the result that severe financial hardship has been inflicted on that industry, will he give consideration to deferment of Crown rentals and other payments and to waiver of associated penalties as a measure of assistance to the industry?

Mr. TOMKINS: First of all I should like to say how disgraceful it is that the wool industry is being held to ransom by the Storemen and Packers' Union. It is a shocking thing! The strike has been going on for some weeks now and over $100,000,000 worth of wool is being held in stores. It is a disgraceful state of affairs that should be faced up to.

Upon written application to my department by any wool-grower who is inconvenienced by way of non-payment because of the complete hold-up in wool-selling, we are prepared to grant a deferment without interest until such time as the wool-selling season resumes.

CHAIRMAN OF FILMS REVIEW BOARD

Mr. K. J. HOOPER: I ask the Minister for Justice and Attorney-General: What fee is paid to Mr. D. Draydon as chairman of the State Films Review Board? What special qualifications does Mr. Draydon possess to justify his appointment to that position? As Mr. Draydon has now publicly declared his political affiliations by nominating for Liberal Party selection in the Clayfield State by-election, will he act to ensure that the position of chairman of the Films Review Board is not used as a "job for the boys" perk, and appoint a politically independent chairman?

Mr. KNOX: The honourable member's reputation is such that he is now becoming known as the hired mouth in this Parliament. I should regard his question as a stupid one, but I will assume that it is a serious question. When Mr. Draydon was appointed as chairman of the board, as far as I am aware his political intentions were not known. The Clayfield by-election was announced only recently, and Mr. Draydon was appointed chairman some years ago when the board was first set up. There is nothing in any Act that precludes a person in public office of that nature offering his services to the public in this or any other Parliament. If there were, most Opposition members would not be in this House, because most of them were school-teachers or public servants before they came here.

COMMENDATION OF MINES DEPARTMENT BY CONSERVATION GROUPS

Mr. GREENWOOD: I ask the Minister for Mines and Energy: In view of the public criticism of the Mines Department that occasionally occurs on conservation issues, has he received any acknowledgement from conservation groups of the work done by his department in imposing conditions on mining companies or in negotiating with them to preserve and improve the environment?

Mr. CAMM: Yes. It is strange that at all times we receive commendation from members of the conservation movement for directions given by us to mining companies. We also receive words of thanks from individual members who associate themselves with the conservation movement. Strange as it may seem, the Mines Department disturbs the land much less than any other department; nevertheless it seems to be singled out by the conservationists in relation to the disturbance of the land.

Only recently I received words of thanks from the University of Queensland Spelaeological Society Committee, which wrote to me thanking the department for its action in persuading the mining companies to relinquish several leases in the Limestone Ridge area at The Caves so that they could at some time in the future be included in a national park. This same group is still arguing and fighting—as is its right—for the preservation of more of the caves in the Mt. Etna area. As I have said, we do receive words of thanks from organisations associated with the conservation movement.

COMMONWEALTH-STATE HOUSING AGREEMENT

Mr. LANE: I ask the Minister for Works and Housing: Since the election of the new Federal Government, has any initiative been taken either by it or by the Queensland Government to renegotiate the Commonwealth-State Housing agreement with a view to (1) increasing the proportion of homes that can be built for home-ownership as opposed to rental, and (2) increasing the amount of weekly earnings that an applicant can receive under the means test, in accordance with Liberal Party policy?

Mr. LEE: Yes; I have made several approaches to the Federal Government regarding funds for the 1976-77 financial year. Next month a housing conference will be held in Sydney, and this matter will be placed on the agenda for discussion. I am sure it will be discussed at length.

LICENSING OF RIDING SCHOOLS IN BRISBANE

Mr. LANE: I ask the Minister for Police: Has he noted recent reports that the Brisbane City Council will move into the licensing of riding schools in Brisbane? Will he give an assurance that officers of the Police Department will give every assistance and co-operation to the Brisbane City Council inspectors where instances of cruelty to horses are detected, as defined by the Animals' Protection Act, under which the police have a responsibility? Further, will he ensure that offenders will be prosecuted to the maximum extent permitted by law?

Mr. HODGES: This has been the policy of the Police Department all the way through. It appreciates the attitude of the Brisbane City Council and will assist it in this regard.

UNIFORMS FOR NATIONAL PARK RANGERS

Mr. LANE: I ask the Minister for Lands, Forestry, National Parks and Wildlife Service: Has any consideration been given to outfitting the officers of his National Parks and Wildlife Service with a distinctive uniform and publicising their good work by lectures in schools so that young people may become aware of the importance of preserving the environment of national parks?

Mr. TOMKINS: I appreciate the question asked by the honourable member, who has shown quite a deal of interest in the National Parks and Wildlife Service. We are attending to the matter of providing a uniform with a distinctive Queensland appeal.

We are trying to upgrade the whole service with new staff. Recently we appointed to the service a man who came from the United States to introduce new ideas. We have also established new offices in town to upgrade the service. The honourable member can reasonably expect that in the next two or three years, with assistance from the Treasurer and others, the service given will increase greatly.

EGG PRICES

Mrs. KYBURZ: I ask the Minister for Primary Industries: As he stated in a recent Press release that, as a direct result of a scheme recently introduced to limit egg production to a level more consistent with local demand, the surplus of eggs in South Queensland has fallen sharply in recently months, and he has also stated that this has enabled the Egg Marketing Board to increase significantly its payments to egg producers, all this "without raising the average price of eggs to the consumer", how is the recent price rise justified?

Mr. SULLIVAN: Many factors would cause the price rise, such as increases in feed prices and general costs. Perhaps if the honourable member were to put the question on notice I could give her a more detailed answer.

Mrs. KYBURZ: Unfortunately, I do so accordingly.

POLICEWOMEN'S UNIFORMS

Mrs. KYBURZ: I ask the Minister for Police: How often is a review made of policewomen's uniforms with a view to modernising them, particularly in terms of style and length?

Mr. HODGES: A permanent committee keeps this matter under constant review. I think it is reviewing it again at the moment.

Mr. SPEAKER: Order! I draw the attention of honourable members to the fact that, as it is anticipated that the House will rise today, any questions put on notice will have to be asked again when the House resumes.

CONTROL OF FIREARMS

Mrs. KYBURZ: I direct a further question to the Minister for Police. As I asked in the last session of Parliament when the people of Queensland could expect legislation controlling the sale, use, and the owners of firearms, will the Minister outline the present position?

Mr. HODGES: I hope to introduce legislation in the next session.

NEW INDUSTRIAL PSYCHOLOGY SECTION

Mr. YEWDALE: I ask the Minister for Industrial Development, Labour Relations and Consumer Affairs: Can he advise the House when the proposed new section of his department led by an industrial psychiatrist will be established in Queensland and whether the section will service the entire State?

Mr. CAMPBELL: This is an industrial innovation in this State. The position is being advertised. The ultimate determination in relation to the honourable member's question will be governed by the experience we gather with this programme.

NATIONAL FITNESS CAMP, CURRIMUNDI LAKES

Mr. YEWDALE: In asking a question of the Minister for Community and Welfare Services and Minister for Sport, I refer him to his statement in the "Telegraph" of 1 April 1976 about the new National Fitness camp at Currimundi Lakes. Is it possible for the Minister to advise the House when construction will commence on the camp by the successful tenderers and whether any particular formula is to be adopted by his department in the allocation of people to use the camp? In other words, what sort of basis will be used for selection as between Tallebudgera and Currimundi?

Mr. HERBERT: The honourable member for Landsborough would probably be able to answer this better than I, because of the great interest he has taken in this development, which is in his electorate.

A tender has been accepted for the first stage of the construction, so that technically work has started. It is hoped that eventually the Currimundi Lake development will be the equal of Tallebudgera. In other words, the facilities at the Sunshine Coast and the Gold Coast will be similar.

It is intended that the new facility will be used by people from Brisbane and from the North Coast area generally. At present people from the North Coast and places such as Maryborough now have to travel right through Brisbane to get to Tallebudgera. Obviously, it will be better for them to use the new facility.

In addition, the Tallebudgera facilities are now fully utilised. There is no desire to develop the site any further, nor is there any room. However, we have a demand for the Tallebudgera facilities that we cannot satisfy. Therefore, the Currimundi project is also assured of success. It is hoped that schools north of Brisbane which now use Tallebudgera will be encouraged to use Currimundi, thus enabling Brisbane schools now having difficulty getting into Tallebudgera to do so.

It is part of a big programme and we hope that in this financial year a large part of the preparatory work will be under way. Obviously, it is a continuing project that will take some years to reach fruition, in the same way as Tallebudgera took many years to reach its present stage of development.

PARKING TICKET ISSUED IN NAME OF MR. H. MISPELKAMP

Mr. LOWES: I ask the Minister acting for the Minister for Justice and Attorney-General: Has his attention been drawn to the

report appearing in yesterday's "Courier-Mail" of the case of Helmut Mispelkamp, formerly of Bardon but presently of Geelong, arising out of a $10 parking offence committed in Herston Road, Herston? Is the Minister aware that Mr. Mispelkamp claims that neither he nor his vehicle was in Brisbane on the date of the alleged offence?

Mr. CAMPBELL: The Minister for Justice and Attorney-General was obliged to leave the Chamber to keep an important commitment and he asked me to answer this question on his behalf. He has furnished me with the information which has been sought by the honourable member for Brisbane.

Information was sought from the Clerk of the Court, Brisbane, and it was ascertained that the proceedings in this matter were taken by the Superintendent of Traffic for an offence which occurred at Herston Road, Brisbane, on 14 August 1974.

The vehicle concerned was a Holden motor-car, registered number OGE-500. A search of the Main Roads records revealed that on 3 January 1974 this vehicle, which was formerly registered in Victoria (JJL-965), was deregistered and re-registered in Queensland. The owner's name was given as Helmut Mispelkamp, motor mechanic, age 22 years, of Flat 5, 167 Jubilee Terrace, Bardon.

When police at Bardon attempted service of the summons in this matter in May 1975, the defendant could not be located and had, in fact, left Jubilee Terrace, Bardon. Police inquiries resulted in their locating relatives of Mispelkamp named Bloch at 51 Alexandra Street, Jubilee, who advised that the defendant's address was 98 Swanston Street, Geelong, Victoria. The summons was subsequently served on the defendant Helmut Mispelkamp personally by Constable D. C. Loveday of Geelong Police on 13 November 1975. Mispelkamp made no protest then, nor did he attend or communicate with the court, and the matter was dealt with ex parte.

This morning the Under Secretary communicated with the Superintendent of Police at Geelong (Superintendent Robinson) and requested him to make urgent inquiries, which he assigned to Inspector Ferris. The inspector interviewed Helmut Mispelkamp, who stated that the story which also appeared in the local Press this morning was completely true and reiterated that he had never been in Queensland. He was of the opinion that the offence would have been committed by his stepbrother, Sigmund Bloch, who is aged 23 or 24 years. Mispelkamp claims that some years ago he signed a hire-purchase agreement for Bloch, who was then a minor, for the purchase of an HD Special light blue Holden. He stated that Bloch resided at 25 Coleman Avenue, Norlane, before coming to Queensland. At the time he left for Queensland, Bloch still had the same Holden. So far as he was aware, Bloch is residing at 68 Jean Street, Woodridge.

Bloch admitted that at the material time he was the owner of the Holden motor-car registered number OGE-500. He admitted further that he registered it in the name of Helmut Mispelkamp and gave as his address Flat 5, 167 Jubilee Terrace, Bardon. He stated that to his knowledge Mispelkamp has never been in Brisbane and was definitely not here at the time the vehicle was registered or at the time of the alleged offence.

Bloch does not admit or deny this offence as he cannot recall receiving the traffic ticket. However, he used to park in Herston Road frequently when he attended the speedway.

Bloch admits signing Mispelkamp's name but explained that the vehicle was registered in Mispelkamp's name in Victoria because he signed the hire-purchase agreement.

The fine has now been paid and Mispelkamp will not go to gaol.

PARLIAMENT HOUSE TELEPHONES

Mr. ELLIOTT: I ask the Deputy Premier and Treasurer: Will he give honourable members an assurance that he will personally see that the undertaking given by him in regard to the telephone service at Parliament House is carried out forthwith?

Sir GORDON CHALK: Mr. Speaker, control of the operations of the House is in the hands of either yourself or the Minister for Works and Housing. If the honourable member is referring to taking the bars off the telephones in the House, Cabinet has decided that this will happen. To the best of my knowledge, instructions have been given to see that it occurs.

Mr. SPEAKER: Order! For the benefit of the honourable member—I understand that that work has been performed.

Honourable Members: No.

BEEF INDUSTRY ASSISTANCE

Mr. WRIGHT: I ask the Minister for Primary Industries: In view of the previous promises made by this Government to assist the beef industry and as it was announced that a special committee, including members of Parliament, was to be set up to investigate these problems and find solutions, will he tell us what has been done to date to assist the industry and what recommendations, if any, have been made by this committee?

Mr. SULLIVAN: It rather surprises me that the honourable member would want me to reiterate what has been achieved by this committee and has been widely publicised. Does the honourable member want me to go right back over the whole thing?

Mr. Wright: Just tell me what you know.

Mr. SULLIVAN: The honourable member knows what we have done in the short term. The committee has made a recommendation.

However, I think in view of the publicity that the honourable member is getting, he is more concerned with a meeting that is to take place in Rockhampton on 12 May. Perhaps he is thinking of the long term.

My committee has considered 72 submissions relating to the long term and the short term as to the manner in which we can assist the beef industry. That committee has made a recommendation to Cabinet in relation to certain matters that we believe will be of assistance to the beef industry in the long term. That recommendation is being considered by Cabinet at the present time, and I am hopeful that an early decision will be taken on it.

Mr. Wright: Thanks for nothing!

RELIGIOUS EDUCATION IN SCHOOLS

Mr. WRIGHT: I ask the Minister for Education and Cultural Activities: With regard to previous announcements that a special committee has been established to draw up a new religious education course in schools, is he able to advise how this project has now progressed, and when it is anticipated that the course will be implemented?

Mr. BIRD: Only two days ago the officer from my department responsible for this committee showed me some of the material that has already been collated for use in the religious education programme. I must say that I am very happy with the material that I have seen. I am very pleased with the progress that is being made. I could not give a definite date on this, but I understand that in the next few months a commencement will be made on the training of religious people, lay people and people who are deeply interested in religious education, in the use of materials and in the teaching of religious education in the school atmosphere.

Mr. Wright: The Minister obviously knows his portfolio.

ROADWORTHINESS CERTIFICATES

Mr. WRIGHT: I have a last question of the Minister for Industrial Development, Labour Relations and Consumer Affairs. In view of the repeated and growing criticism regarding roadworthiness certificates, does the Minister intend to amend the present law, and what action can be taken against an authorised officer if it can be shown that the certificate given is false or misrepresents the truth?

Mr. CAMPBELL: Replying to the second part of the question first, the department does not hesitate when a licensed tester is found guilty of issuing a false certificate. His licence is cancelled; and the licence of his employer is looked at closely. Indeed, I think even in cases where there is only suspicion, the inspectors have the power to suspend a licence almost immediately.

As to the first part of the question—I venture to say that criticism that does occur from time to time in relation to the roadworthiness certificate programme is quite unwarranted and unjustified. I recollect that there have been 800,000 vehicles tested by the 1,000 testing stations in Queensland since the introduction of the scheme, and the number of vehicles that have been eliminated from the roads through this scheme has been quite considerable. Indeed, it is not often these days that one sees a bomb car on the road. It is a simple scheme, it is effective and it is economical, and these are the three main objectives of the Government in endeavouring to see that cars on the roads are roadworthy. What I have to emphasise is that what should be made known is that the test is not an examination of the mechanical performance of a vehicle. A test of that kind, to use the last R.A.C.Q. figure I saw, costs some $20 or about three times the cost of a test for a roadworthiness certificate. I think the scheme is worth while and is fulfilling its objective.

COST OF LEVYING DEATH DUTIES

Mr. KATTER: I ask the Deputy Premier and Treasurer: What is the present cost to the Queensland Government of levying State death duties? Would Queensland's costs be similar to those of South Australia where the Premier, Don Dunstan, stated recently that the cost to that State was 104 per cent of the amount actually collected?

Sir GORDON CHALK: I have not seen the statement attributed to Mr. Dunstan, as alleged by the honourable member, but if the cost of collection of death duties in South Australia was 104 per cent of the amount collected, all I can assume is that during the years that the Labor Government has been in power in that State people have become so poor that, when they die, they die as paupers. Let me say, however, that I do not believe that the figure of 104 per cent, as stated by the honourable member, would be correct.

It is rather a coincidence that questions of this type have reached my office by letter on three occasions during the last week. So that I would be sure of the facts, I conferred with the honourable member for Condamine, my ministerial colleague, who was the first one to draw my attention to a letter that he received seeking such information.

It is difficult to assess exactly what the cost of collection represents as a percentage of death duties. As the honourable member will appreciate, it depends on the estates involved and, quite candidly, whether a greater number of rich people die in one year than in another. I am certain that it will

surprise the honourable member for Flinders when I tell him that, as far as it can be gauged, the figure in this State is between 4 and 5 per cent of the total revenue received.

RURAL RECONSTRUCTION BOARD ASSISTANCE TO WOOL-GROWERS

Mr. KATTER: I ask the Premier: Will he consider using the funds of the Rural Reconstruction Board to help wool-growers carry on, thus enabling them to avoid financial hardship and also to finance shearing, which finance houses are now refusing to facilitate, and, in turn, ensuring the jobs of shearers and other people servicing the industry?

Mr. BJELKE-PETERSEN: I hope that the strike will be over very shortly and that it will not be necessary to take such action. I also believe that wool houses generally will, naturally, be standing behind the wool-growers in the harvesting of their wool. On the other hand, should it be necessary, I am sure that the Minister and the Rural Reconstruction Board will be prepared to give urgent consideration to special cases of need.

UNION FEES OF TEACHER AIDES

Mr. LINDSAY: As to the employment of teacher aides—I ask the Minister for Education and Cultural Activities:

(1) Is he aware that many teacher aides are forced to work up to three weeks before earning enough money to pay their $35 a year flat-rate union fee?

(2) Will he re-examine the situation with a view to negotiating a sliding scale for union fees for teacher aides similar to that applying to teachers themselves?

Mr. BIRD: I am aware of the predicament in which teacher aides find themselves. I appreciate that they are not full-time employees and that their earnings, therefore, are considerably less than those of people generally in the work-force. I was given to understand that there was a sliding scale of union fees for people in these circumstances. However, some time ago the honourable member drew my attention to the fact that there is no such sliding scale of fees, and I am disappointed about that. I believe that it is primarily a matter which should be taken up by the teacher aides with the union concerned. If there is any way in which I can help them in that regard, I most certainly will.

GAGGING OF DEBATE ON AURUKUN ASSOCIATES AGREEMENT BILL

Mr. POWELL: I ask the Minister for Mines and Energy: Has he seen an item in "The Courier-Mail" this morning indicating that the Aurukun Associates Agreement Bill was gagged at the end of the second-reading debate? Can he categorically deny that the Bill was gagged by him?

Mr. CAMM: I did read the article in "The Courier-Mail" this morning. The writer should be aware of the rather unusual situation of members of Parliament in Queensland, in that at the introductory stage they can speak at length on any subject as long as it is associated with the principles of the Bill, and that on the second reading, after the Bill has been printed, once again they can speak on all the matters in the Bill. To that stage, therefore, they have two opportunities to speak at length. They can also speak to the clauses and schedule of the Bill in the Committee stage.

From the records I can find only one accusation that the Government applied the gag—that of the Independent member for Mackay, who obviously was a bit slow in rising to his feet. When I rose to close the debate at the second-reading stage, he claimed he was gagged. Later I went to the trouble of looking at "Hansard" because I had no idea that the debate had been gagged. Considering the number of speakers who spoke at the introductory, second-reading and Committee stages, I think any fair-minded person would say that the debate on the Aurukun Associates Agreement Bill was never gagged.

EVASION OF TAXES BY SOUTH AUSTRALIAN ROAD-HAULAGE COMPANIES

Mr. JONES: In asking a question without notice of the Minister for Transport, I refer to a recent report in "The Australian" that Transport Ministers and Attorneys-General in Queensland, New South Wales and Victoria were examining means of closing loopholes that allowed road-haulage companies registered in South Australia to evade millions of dollars in taxes. I now ask: What stage have these interstate talks reached, and when is it anticipated that appropriate legislation will be presented to this Parliament?

Mr. K. W. HOOPER: The matter is being examined. At this stage it is not envisaged that legislation will be necessary. However, I shall be only too happy to keep the honourable member posted.

ABORIGINAL POLICEMEN

Mr. JONES: I ask the Minister for Aboriginal and Islanders Advancement and Fisheries: Is he aware that a native policeman from Yarrabah was placed on a 12-month bond in the Cairns Magistrates Court on 30 December 1975 for beating his de facto wife with a piece of timber, and that the court was told that he had been a policeman for three years and that he had previous convictions for assault on 12

December 1975 and in September 1974? What are the behavioural qualifications required of native policemen? How are they selected? Who appoints them? How many convictions for assault, etc., are they allowed before dismissal?

Mr. WHARTON: The honourable member usually stipulates that he would like meaningful consideration of all his questions and other contributions in this House, so I would ask him to put this question on the Business Paper.

Mr. JONES: I might write him a letter.

Mr. SPEAKER: Order!

SUSPENSION OF MALE NURSE AT WOLSTON PARK

Mr. DOUMANY: I ask the Minister for Health: Has he seen a report in today's "Courier-Mail" regarding the concern of the Hospital Employees' Union over the suspension of a staff member following an incident at Wolston Park? Was the incident the result of self-protection following aggressive behaviour by a patient, as implied by the report?

Dr. EDWARDS: The report was brought to my attention. It refers to the suspension of a male nurse in one of the wards where intellectually handicapped children are cared for. The child who was allegedly maltreated was 10 years of age and only about 4 ft. tall.

The incident was reported by independent witnesses, and an official hospital visitor was asked to investigate. As a result of that investigation it was believed that there was a case on which action should be taken against the employee concerned. He has been suspended and charged under the Public Service Act.

I was disappointed that the Hospital Employees' Union should ask that that man be reinstated. As a matter of fact he had not been provoked by this 10-year-old intellectually handicapped child. I make it quite clear that I support the department's attitude in suspending him or any other person when there is any form of maltreatment of any patient in any hospital. I also make it quite clear that that employee's union and legal advisers can go with him when the charge is dealt with.

I believe that the police also are investigating this matter, and that appropriate action will be taken by them.

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

MINISTERIAL STATEMENT

WAGE INDEXATION AND INDUSTRIAL UNREST

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (12.5 p.m.): There is, I know, a limit to the references I may make to matters currently before the Federal Arbitration Commission or individual members. However, I can make the observation that probably never before has there been a national industrial issue, such as the principle of wage indexation, which requires such soul searching. Probably never, either, have there been such earnest endeavours by responsible respondents to the hearing to find a solution.

My concern today is not so much to assume acceptance of the eventual decision by most of the parties as to question the ability of those parties to contain or control the actions of individual groups within their organisation. As the decision will have an important bearing on the national economy and the economic well-being of all citizens, the question is: Will it be binding on everyone?

It is elementary that our country cannot afford a continuance of the sporadic diversions which have been so much a feature of the pressure that has been placed on the commission prior to its hearing. It is becoming increasingly obvious that more and more segments of unions no longer can be controlled by their leaders. The end result—to quote the wool bale weight ban as an example—could be disastrous to an economy such as ours, which depends so heavily on its competitiveness in overseas markets.

So I should like to examine briefly the effects on industry and the economy of irresponsible, unilateral actions such as rolling strikes, bans and limitations within the context of industrial disputation generally. Let me start with one observation—the dislocation of a way of life for some Central Queensland dairymen deprived of power for 30 hours. On the surface, this appears of minimal importance in the wider concept of union action; but it is really of the utmost importance.

What right has the E.T.U., or any other union, to ride roughshod over little people and interfere with their way of life or livelihood? If E.T.U. officials would pause and consider that, in the demarcation issue masquerading as justifiable grounds for industrial action, they are inflicting personal and industrial hardship, they could earn public respect. Queenslanders expect much more from persons holding positions of responsibility. Already I have had telephone calls from E.T.U. members stating that they wish to remain at work and not become involved in a distant dispute. Ballots at certain establishments have resulted in a majority of E.T.U. members deciding to continue at those establishments. Should the officials of the E.T.U. attempt to victimise any members of the union who keep working subsequent to a ballot in favour of such action, then I

want to say that the Government will meet this attempted victimisation as and when it arises with such action as is appropriate in the circumstances.

Last year we amended the Industrial Conciliation and Arbitration Act to confer on unionists the right to call for a secret ballot on continuation of a strike. In effect, we were aspiring to what might be termed in-service consultation as a means of working out problems. This legislation authorised in-plant or localised ballots, decisions of which would be binding on the establishment. Now that a strike has occurred, I challenge the E.T.U. to show its responsibility by seeking a State court-controlled ballot of members on the current issue.

If we accept that many stoppages in this country are spasmodic and unpredictable, it follows that they create unexpected problems for management in planning and maintaining production schedules, not only in establishments in which stoppages occur but also in those which are indirectly affected.

There is little doubt, either, that stoppages have an unsettling effect on business confidence and the morale of the work-force as a whole. This not only influences productivity at the time but may have long-term ill effects, for example, by upsetting training and investment programmes. The higher cost of production resulting from unnecessary stoppages tends to intensify foreign competition, of course, both domestically and in overseas markets.

Mr. Jones: You're cutting in on our time!

Mr. CAMPBELL: If the honourable member for Cairns does not consider this to be an important issue, he is recreant to the trust of the persons who have put him here.

Some bans, such as that on wool bales over a certain weight—despite the existence of a written agreement with the A.C.T.U.—are endangering traditional markets worth hundreds of millions of dollars to Australia and are threatening the very existence of one of our greatest industries.

And finally, the observation is warranted that a country with a high level of industrial disputation, particularly in the transport and related industries, tends to discourage overseas investment and repels tourists, with consequent additional loss to the nation.

These then are a few of the effects, on many occasions, of part of a union tail wagging an otherwise responsible dog.

Mr. JONES: I rise to a point of order. Under the Standing Orders a Minister may make a ministerial statement at any time. In making this statement at this time the Minister is simply cutting in on members' time in the Matters of Public Interest debate. I seek your intervention, Mr. Speaker, in this matter. I ask you to advise Ministers that they can make ministerial statements at any time except during this debate, which is a very important one for back-benchers.

Mr. SPEAKER: Order! I rule that the Minister may make a ministerial statement at any time.

Mr. CAMPBELL: I shall not delay the House longer other than to say that, to the Government, this is one of the questions of the moment.

The question we all ask, as Australians, is whether actions such as these constitute a challenge to orderly unionism and orderly government.

In the Federal Arbitration Commission there exists at all times a platform for adjudication of rights—without cost or inconvenience to the people.

In the A.C.T.U. is vested the authority to speak on behalf of organised unionism. If the A.C.T.U. cannot control unions, which, in turn, cannot control segments of their membership, what incentive is there for automatic acceptance of the commission as an impartial referee? It is obvious that some sections are determined to defy their elected leaders and flout the authority of the A.C.T.U. in the name of anarchy and economic catastrophe. Is this what Australia is coming to? It is certainly not what the people endorsed last December when they ignominiously threw out a Labor Government.

In the meantime, the silence of the A.L.P. as it watches our economy harmed and workers and their families suffer, is deafening.

MATTERS OF PUBLIC INTEREST

ACTIVITIES OF MR. JOHN SINCLAIR IN FRASER ISLAND DEFENCE ORGANISATION

Mr. ALISON (Maryborough) (12.13 p.m.): In this nation it is the inalienable right of citizens to be able to voice their opinions on any subject without fear of threat or intimidation. As a nation, we have taken part in two world wars and various other conflicts to fight for this right. At the same time, I believe a responsibility attaches to this right. An even greater responsibility rests on people in public office (including public servants) to voice their opinion in a proper manner and not to use or abuse their position or bring it into disrepute, or discredit the Public Service.

My electorate—the city of Maryborough and district—has suffered in the past two or three years from a great torrent of lies, distortions, insults, abuse and criticism from a local resident and other parts of Australia, incited, in the main, by the activities of one, John Sinclair, who is the adult education officer stationed at Maryborough but who, during most of his time, carries on his activities as president of the Fraser Island Defence Organisation.

In Maryborough we have been castigated continually; we have copped abuse and insults and we have had people worried out of their minds because of his activities. People are frightened that possibly our newly won sand-mining industry could be put out of action.

We have been castigated and abused, yet in Maryborough this man has virtually no support. When questioned late last year, he stated publicly that he had 27 Maryborough members in FIDO out of a population of 20,000 and in Hervey Bay he had 42 members out of a permanent population of 8,000.

It is quite obvious to all, and to Maryborough people in particular who watch his activities, that he simply cannot do the job that he is paid to do and is not doing it.

In the past two or three years, numerous people have asked me how he gets away with it and why so little time is obviously spent on his job of adult education officer. It is quite obvious that he works when he likes and how he likes. On the few occasions during the week when I am able to watch local TV in Maryborough, I have seen him televised on Fraser Island. The question being asked of me is this: what has he got on somebody high up in the Education Department that he is able to continue with impunity in this fashion and work when he likes and how he likes?

On 25 November last year I asked the Minister for Education about how much time off work this officer had over the 12 months before that, both with and without pay. Without going into the details—anybody who wishes to read the answer may do so—the Minister replied that he had four weeks' annual leave, which is fair enough, seven weeks attending the Fraser Island Environmental Inquiry and three weeks' further time off in lieu of overtime. That makes a total of 14 weeks off, leaving 38 weeks of the year during which he worked.

It is obvious from the Minister's reply that during those 38 weeks he was able to work 535 hours' overtime. To cut a long story short, it boils down to this: this man is able to have 14 weeks off; he lost no pay (the Minister made that quite clear—"Time off without pay, nil"); and then he was able to earn himself a bonus of something like 100 hours' overtime over the amount he had to make up for his time off.

If this were the standard of adult education practice—and I am sure it is not—it should be looked at very strenuously. I know other adult education officers not only in Maryborough but elsewhere and I know that that is just not the practice. However, this man is able to get away with it and we want to know why.

In the short space of time available to me I want to give the House a few brief examples of how we in Maryborough have been abused by this public servant—this adult education officer. First, on the "This Day Tonight" programme of Wednesday, 28 May, he said—

> "Well, I feel very sad because I was born and bred in Maryborough. I've lived here most of my life. I was only away for seven years, and yet I have the feeling now that Maryborough has shown itself to be such a poisoned, parochial city that it's not a place with a good social environment to bring up a family."

What a shocking thing to say about a city in which, as he claims, he was born and bred!

The only reason we cop this sort of thing is, as I say, that we as a city do not go along with his more radical and extreme viewpoints on certain Fraser Island matters. I know for a fact that two letters on FIDO letterheads have been sent to the Queensland State managers of national enterprises, pointing out to them that, unless their Maryborough managers mended their ways—in other words, stopped putting their hands up at a meeting to indicate that they are in favour of controlled sand-mining on Fraser Island—a campaign would be mounted to advise members of FIDO to take their business away from these two companies. That is dreadful. As I understand it, the letters themselves were highly actionable. Why the State managers did not take action, I would not know. However, that is their affair.

I wish now to refer to a statement by Mr. Sinclair at the Fraser Island inquiry. He said—

> " . . . it is a very low proportion of the people in Maryborough who have got any tertiary education qualifications at all, and this makes it rather a introspective place, and a fairly, some might say an unhealthy place intellectually."

Again, what a shocking thing. I think this man Sinclair has some university qualifications—and good luck to him—but must he castigate most other people in the city because we are not graduates from the university? Frankly, I am not very impressed with academic qualifications as a rule. I prefer to take people as they are, on what they are doing and as they treat me. However, apparently in Mr. Sinclair's viewpoint those who do not have university qualifications are something less than he.

Mr. Turner: Does that automatically give you common sense?

Mr. ALISON: One would think so, from that statement.

He again blasted Maryborough, as appears in an article in the Maryborough "Chronicle" of 27 September. Among other things, he said—

> "However the Maryborough Chronicle had boycotted the publishing of any FIDO statements."

I would like to quote what was said by the editor of the Maryborough "Chronicle", who is a highly respected person in my city and quite rational and reasonable—

> "The Maryborough Chronicle never questioned the credibility of FIDO—only the credibility of one individual in its ranks. The FIDO boycott was self-imposed because Mr. Sinclair was advised that all future copy lodged by him must be subject to the same rules that applied to other contributors; it had to be checked by the editor.
>
> "This came about because of a libellous attack on a court and on a sandmining company which was lodged for publication.
>
> "In attacking the educational standards of Maryborough, Mr. Sinclair might bear in mind that he is a product of this city and at one time was sent overseas to study as a result of the activity of Rotary in Maryborough.
>
> "And I think it can be truthfully claimed that the Maryborough Grammar Schools, now the Maryborough State High School have one of the finest scholastic records in Queensland."

I believe that that is fair comment. Anybody who knows the situation in Maryborough and knows the activities of this man Sinclair would agree whole-heartedly with it.

I call for the Minister to conduct an inquiry into the activities of this man. This is not simply because he disagrees violently with me on certain matters. I am not interested in that at all; it is his right. But it is not his right to rather obviously use and abuse his position as an adult education officer as I have outlined briefly today.

Is Sinclair to be permitted to carry on in this fashion, use and abuse his position and bring worry and trouble to the people of Marborough and elsewhere? What has he got on somebody in the Education Department if it is a fact that he can carry on in this way with impunity? I call for an inquiry into this man's activities to bring him back into line and to ensure that he does conduct himself as one would expect from an adult education officer.

RECORD OF LIBERAL AND NATIONAL PARTIES IN GOVERNMENT, FEDERAL AND STATE

Mr. YEWDALE (Rockhampton North) (12.22 p.m.): At the outset I suggest to the honourable member for Maryborough that if he lives in a glass house he should not throw stones. Without going into all the ramifications of his comments, I suggest that he should look to his own attendance in this Chamber because obviously he spends a lot of time on other interests outside this Chamber.

The matter I wish to raise this morning comes at a time when Parliament is about to adjourn for the winter recess. I welcome the opportunity to review the record in the past four months of the Liberal-National Country Party Government in Canberra and that of the National-Liberal Government in Queensland. I submit that double standards and broken promises have attained a new prominence in the governmental system. I should like to give a few examples to illustrate my accusation.

Last year, before the 13 December Federal election, those parties promised to reduce interest rates on home loans. Instead of dropping as guaranteed, they have risen twice in the past three months and on both occasions as the direct result of decisions by the very parties that undertook to reduce them.

For the information of the House, I might digress for a moment to ask the relevant Ministers in Queensland, who are the Deputy Premier and Treasurer and the Minister for Works and Housing, whether either of them is aware that Government facilities are being used by unscrupulous high-pressure salesmen as a means of persuading the public to invest in various dubious ventures. This is done in a letter dated 10 March 1975, on the letterhead of the Department of the Valuer-General in the district of Maryborough, over the signature of the district valuer, addressed to Mary Valley Properties Pty. Ltd., 56 Jephson Street, Toowong. It sets out a cross-section of sales and lists sale prices at different dates of 11 properties in the Maryborough district.

The Ministers should also be aware that the address of Mary Valley Properties Pty. Ltd. is the same as that of the Australian Permanent Building Society, which is now in liquidation and was one of a group of organisations including the Australian Co-operative Development Society Limited which defrauded many investors and with which Colin Sinclair and associates whose skulduggery has been outlined by the Treasurer and by the Minister for Housing, were connected.

Many requests have been made by legitimate researchers for sale trends and prices of properties. Their requests have been refused by the Valuer-General's Department on the ground that it does not issue such information. I suggest that the Minister should explain why information that is denied honest, legitimate inquiries is readily available to co-operative crooks who use it to give the appearance of Government approval of their crooked schemes.

In the last year before the Federal election, the Liberal and National Parties promised to reduce taxes, yet in Canberra less than a week ago we found the same political parties endorsing a scheme that will allow the States as from July this year, to levy their own income tax. Instead of one tax, we are now confronted with two, with the early likelihood of a third, probably on Medibank. In other words, instead of honouring

their promises to reduce taxes, the Liberal and National Parties now propose to saddle Queenslanders with a system that increases the number of taxes that can be levied.

It was in my home city of Rockhampton last year, before the Federal election, that the Liberal and National Parties promised immediate pension rises to compensate for cost-of-living adjustments. In January, when the first increases became due, they cried austerity and reneged. Pensioners were betrayed and must now wait until next month for the first increase.

Last year before the Federal election the Liberal and National Parties pledged their support for wage indexation. At the first opportunity they intervened unsuccessfully in the Commonwealth Arbitration Court to oppose that very indexation. Even now, as we meet here today, the Prime Minister, Mr. Fraser, persists in his deception.

Mr. K. J. Hooper: Doesn't this prove that you just can't trust the Liberals?

Mr. YEWDALE: It is very clear that we just cannot trust the Liberals, and what I am saying here this morning cannot be refuted. The Prime Minister is now in the process of another appeal to the Arbitration Court, and he is also threatening to change the structure of the Consumer Price Index, the formula upon which inflation is measured and indexation applies.

Since December, Australian sporting organisations have been robbed of some $200,000 while, at the same time, the Liberal and National Parties have found money to provide golf lessons for Malaysian businessmen in Kuala Lumpur. It is alarming that money is being found for that purpose when $200,000 is being denied to sporting organisations in Australia. We are told that there are no soft options for average Australians and warned that there must be cuts in public spending. While the Liberal and National Parties preach austerity to you and me, the Prime Minister hires a butler and the Premier of this State has just finished wasting $250,000 of our money on his own political publicity.

Last year, in his lust for power, the Liberal Federal Treasurer loaned his Government car to a man now hunted by Scotland Yard on international fraud charges. The Premier lavished our money upon a mysterious American, Wiley Fancher, who could not even pay his rates on the Atherton Tableland. We suddenly found the Queensland Government aligned with people such as John Bracey, a fugitive from fraud charges in Sydney, and a shady American financier named Sunderman. In their greed for Government the Liberal and National Parties were prepared to smear innocent Australians and consort with spivs and cheats. They became the companions of characters who should have a place in the rogues gallery of the C.I.B. rather than in the corridors of our Parliaments.

Last year the Premier defied convention to invest Albert Field as a senator, and I read today that a Liberal senator now wants to cynically alter the Constitution so that no State Government can ever practice such trickery again. So it is a matter of "Don't do as I do; do as I say." It is little wonder that Queenslanders are bewildered; little wonder that they feel deceived. Honourable members opposite have lowered the standards of parliamentary decency that have prevailed in this nation since the turn of the century. In their impatience for power they have shown themselves to be prepared to consort and conspire with people of criminal reputation. They have been prepared to dangle promises that they have no intention of fulfilling. The Cabinet rooms in Canberra and Brisbane are littered with dishonoured promises.

Last year we were promised miracles, but all the Liberal and National Parties have delivered is misery. Home-loan interest rates are up when we were promised reductions. We are threatened with more taxes when we were promised less. Pensioners have been forced to wait for four months for rises which should have been given immediately. Our children have been punished in their sport and school-leavers deprived of their chance of a career in the Federal Public Service.

I heard on the radio news this morning that the Australian Medical Association is complaining of cuts in medical research and, like many Queenslanders, I ponder what will come next. It is time that the Liberal and National Parties realised that the honeymoon is over and that Queenslanders are sick of treachery and demand results. I am confident that the by-elections to be held next month in the electorates of Port Curtis and Clayfield will reflect the anger of a deceived electorate.

INDUSTRIAL VIOLENCE AND THUGGERY BY A.M.I.E.U.

Mr. GYGAR (Stafford) (12.29 p.m.): I rise today to talk about a grave development in the industrial field in this State, a campaign of viciousness, violence and thuggery that has never before been seen in Queensland. I fear that this development might set a precedent for the conduct of future disputes if some action is not immediately taken by this Government. I am referring to the current dispute between the Australian Meat Industry Employees' Union and the supermarkets in this State. This dispute arose following a 15-week strike in Victoria after which pay rises were granted to butchers who work in the meathalls of supermarkets. This affected the relativity that previously existed between the rates of those butchers and the rates of other employees.

I make no comment on the justice or otherwise of the award given to the Victorians. However, what has happened now is that the union nation-wide has decided that it wants flow-ons through all the other States, and it does not care how it gets them. Nothing is too low for this

union. It has demanded an increase of $26.50 a week for butchers and $11.50 for female employees. It refuses to go to arbitration because it knows that these increases are outside the indexation guidelines and that the commission would reject them as they do not comply with the rules.

The companies will not enter into a sweetheart agreement with the union to give it these above-guide-line increases because they know that the Prices Justification Tribunal will not wear sweetheart agreements any more and that they will not be able to increase their prices on this ground. So something like a stalemate has been reached—no arbitration because the unions will not be in it; no sweetheart agreement because the firms cannot afford it. The union did not like the stalemate, so it determined to break it—and to break it in any way, even by the use of any low tactics it could think of.

Firstly, somehow or other the union has threatened and cajoled the Cannon Hill meatworks—a meatworks owned by the State Government—into refusing to handle any more Woolworths meat. Woolworths have their own buyers, who go out west and buy meat on the hoof. It is then processed in job lots through the Cannon Hill abattoir. What has happened now, apparently, is that some threats have been made against the abattoir management that if they process this meat there will be a strike. Unfortunately there has been a cowardly cave-in by the management at Cannon Hill and they will not process the meat for Woolworths.

This is a wonderful situation for the union. It can have its cake and eat it too. There are no stand-downs, no men losing wages; yet at the same time it has an industrial dispute. It is absolute cowardice on the part of the management at Cannon Hill, and I call on the Minister for Primary Industries to go out there and tell the management of the meatworks that they will process meat for Woolworths. If the men want to strike, let them. That is their right, as it is the right of any free worker. I am concerned that the employees will just go on their merry way, banning the processing of Woolworths meat and still taking home their full pay every week. That is not good enough. That is not the way in which industrial relations are meant to work.

This is just the tip of the iceberg, and underneath that tip is the most vicious and brutal campaign of political union-oriented violence that this State has ever seen. The incidents which have been associated with this dispute have written a new and sinister chapter in the history of industrial relations in this State. Never to my knowledge have trade unionists so besmirched the name of decent unionism in Queensland. Some of the incidents that have occurred include those which I shall now outline to the Committee.

At Woolworths' Rochedale store last Tuesday, terrorists struck in the meat hall. There is no other word for them but "terrorists". Kerosene was poured over meat displayed in that store. Of course, the meat was completely unsaleable and had to be destroyed.

On Wednesday and Thursday of last week, the thugs struck again, this time at Coles' stores at Everton Park and Ashgrove, when packaged meat was slashed open with knives and again destroyed—another act of blatant terrorism.

But last Wednesday night the most disturbing incident of all occurred at Coles' supermarket at Springwood, when a supervisor went to the store after trading hours to check the premises. He found some sort of union picket line, and when he attempted to enter the store, he was stopped, and the so-called pickets demanded—demanded—to know what he was doing there. When he said he was going to enter the store, one of the thugs produced a rifle—for the first time, a gun in a Queensland union dispute—and told the supervisor that he would have his head blown off if he tried to go into the store. This is a shameful first for Queensland unionism.

As the assistant secretary of the A.M.I.E.U., Mr. Colin Maxwell—a well-known member of the A.L.P. and a rabid Left-winger—was involved in an incident himself, the union cannot claim to have nothing to do with this campaign of violence and intimidation. Last Thursday, Maxwell and another thug turned up at Coles' Sunnybank store and demanded to inspect the cold-room at that store. When he was told that he had no right to make that demand, Maxwell said that he would flatten anyone who got in his way. He then barged into the working area of the store and out to the cold-room. Having seen that no-one was at work in that area—and apparently the purpose of his visit was to terrorise any butcher who would not knuckle down to the union bullies—Maxwell then barged out of the store without even having the common courtesy to close the door of the cold-room. Perhaps he thought he could spoil some of the meat that the kerosene-throwers and knife-wielders had missed.

I want to know why this terrorist has not been arrested. I cannot believe that our laws do not protect traders from bullying and thuggery by strong-arm merchants like Maxwell. If that man is not arrested, I want to know why. I want to know if the police endorse his actions and are prepared to go along with them. I call on the Police Minister and the Premier to immediately demonstrate, by having Maxwell arrested immediately today, that we won't stand for this sort of thing.

Mr. Houston: Don't you like him?

Mr. GYGAR: I take it that the honourable member is supporting the actions of Mr. Maxwell. It is no more and no less than I would have expected.

I turn now to another item of terrorism against Coles executives. It seems that a few bully boys have been imported from New South Wales. At least one would judge that from the number plate of the car involved. A few goons hang around the homes of Coles executives. They drive up and down the street and then park outside. Terrorism, intimidation! When the Coles people leave to go about their own private business, those thugs tag along behind. I want to know what the police are going to do about them.

Mr. K. J. Hooper: Are the police aware of it?

Mr. GYGAR: I have heard that these incidents have been reported to the police. Is there anyone stupid or naive enough to say that the union has nothing to do with these incidents when the assistant secretary is strong-arming his way into stores and when pickets produce guns on seemingly organised picket lines? I should like to hear members of the Opposition say what they think about this sort of activity. Do they claim that this advances the cause of decent unionism? Do they endorse it? Silence! Not a word!

Having taken a little look at a few of the people tied up in the union, I am not at all surprised at what is going on. They are all good old comrades from way back—C.P.A. members or extreme Leftists. We have our old pal Thug Maxwell, a well-known A.L.P. man and extreme Leftist. We have Hodgson, a former member of the C.P.A., who says he has resigned, but one can wonder. The list goes on: Bill Erving (C.P.A.), Syd Davis (C.P.A.), Hughy Fay (C.P.A.), Alice Hughes (C.P.A.) and friend Amear, who is also another good comrade from way back. But the A.L.P. doesn't mix with Communists! It passed a resolution about that. It threw out Harradine for saying there were Communists in the party. But do A.L.P. members condemn them? Never a word. I will wait a little longer in the fond but fruitless hope that Tom Burns will say something. I know he won't, because I know the standards of morality that run through the A.L.P., especially in its dealings with thugs, Communists, hoods and things like that tied up in union activity.

I call for immediate action by the Government, to reopen the Cannon Hill meatworks, firstly to show that at least this Government won't knuckle under to threats and intimidation and, secondly, to get that abattoir going so that it can process Woolworths' meat again. If the employees want to go on strike, let them go on strike. I also call on the Government to put a stop to the thuggery and terrorism that is being practised by this union. We will be betraying the people of Queensland if we do not take immediate steps to make sure that gunmen, slashers and kerosene-throwers are not the order of the day in industrial disputes in Queensland.

MANAGEMENT OF BUILDING INDUSTRY

Mr. HALES (Ipswich West) (12.39 p.m.): Today I wish to make a plea for economic sanity, or should I say sane economic management by Governments, with regard to the building industry throughout Australia. Once again the building industry is in dire straits. Not only are high-rise projects involving big companies and major developers affected, but just as importantly—or perhaps even more importantly—the small builders, both contract and spec, are at dire risk. I personally know of many small builders who have stopped building. I know some who unfortunately have sacked employees.

Economic management by the current Federal Government has caused approximately $1,000 million by way of Government bonds to be drained off the private sector. A considerable amount of that has come from the traditional sources used for housing loans. The small builders are once again facing severe economic problems.

Time and again the building industry is the first to get the kick in the guts from the monetary policies of Federal Governments on both sides of politics—Labor and Liberal-National Country Party. For instance, in the 1961 credit squeeze, caused by the Menzies Government, major companies such as Reid Murray and many of the smaller constructing companies failed. Later, in the 1974-75 credit squeeze, in the Whitlam era, companies like Mainline and Cambridge Credit as well as many smaller companies and individuals went to the wall.

Mr. K. J. Hooper: Not good management.

Mr. HALES: Bad management on either side of politics; I admit that.

The publication "Australian Housing", in an issue dated 10 June 1975, contains the following article written by Mr. Christopher Jay:—

> "The drop in housing completions during the downturn in the Australian housing industry is having repercussions across a range of household items, notably beds, floor coverings and lawn-mowers. The production cuts underline the reliance of a considerable number of industries on new household formation and the importance of reducing the cyclical swings in house-building."

Once again I say that the building industry, which is the greatest economic multiplier, is the first to suffer under any Draconian monetary policy on either side of government. Surely somewhere in Australia, or perhaps beyond, there is one economist who can devise a policy that, instead of dealing an economic blow to the building industry, will give it not only stability but also security.

To illustrate my point about the fluctuations that occur in the home-building industry I refer to a graph that appeared in the Federal Treasury Economic Paper No. 80

in 1975. It clearly shows the massive differences in mortgage approvals from 1955 to 1975. Low spots occurred in 1956, 1960 and 1961, 1965, 1971 and again in 1975. The high points occurred in 1958-59, 1962-63 and 1972-73. It is up and down like a yo-yo. These fluctuations cause grave concern in the industry. What business can programme for fluctuations such as those that have happened continually since 1955?

The run on building socieites in Queensland has further complicated the funding of home purchases. The permanent building societies have traditionally lent money to that section of the community containing the small depositor—the ordinary working man or, if I might borrow a term from the Leader of the Opposition, the battler.

Building societies have lent money on deposits of 5 per cent and 10 per cent, and the mortgages are insured by the Housing Loans Insurance Corporation (a Federal Government body) or M.G.I.C.A. (a private corporation). Building societies have certainly filled a need, as banks certainly require a much higher deposit.

I differ from an opinion expressed by a prominent investment adviser, Austin Donnelly, when he was quoted in a recent issue of the "Telegraph" as follows:—

> "Comments by some building society and housing industry spokesmen that events of last week would lead to a severe reduction in housing finance in Queensland were not correct.
>
> They overlook the vital point that money withdrawn from the building societies will not disappear. Most of it is likely to flow into the investment accounts with the savings banks, which are large providers of housing finance.
>
> The fact that for some recent periods building societies in Queensland were temporarily lending more than savings banks should not be allowed to cloud the issue."

He went on further to say—

> "There could be some difference because building societies normally lend a higher percentage of total funds on housing than savings banks."

What is not said is that building societies lend on 5 per cent deposit or on 10 per cent deposit. In other words, on a home costing $25,000 a building society will lend on a deposit of $2,500 or even a deposit as low as $1,250. But those loans are surely insured with the Housing Loans Insurance Corporation.

The Commonwealth Bank, which I rang recently, told me that on a $25,000 house it will make a first loan to a customer of 12 months' standing if he has $6,000 to $7,000 in hand, and that it will then lend him money on a second mortgage or personal loan through the Trading Bank. By the time he pays 10¼ per cent reducing interest on the first loan and 7¾ per cent flat on his second loan, he is probably worse off than if he borrowed from a building society.

Mr. K. J. Hooper: The bank does not go broke.

Mr. HALES: The bank never goes broke.

How can the home building industry not be hurt under the restrictive circumstances? We need strong, viable permanent building societies so that the battler may borrow on low deposit.

Of recent date there have been many references to the plight of the building industry. "The Australian" of 5 February, referred to a "building slump". In yesterday's "Telegraph" the headline appeared—"Builders in Despair". Time and again we see that no direct policy has been fostered by either side of Government to bring stability to the building industry.

I hope that my plea goes home to someone, somewhere—either to a Government economist or to a private economist—so that a policy may be formulated to bring stability to the building industry. I hope my plea does not fall on deaf ears.

GOVERNMENT AID FOR MT. MORGAN

Mr. WRIGHT (Rockhampton) (12.47 p.m.): I enter this debate to voice my disgust at the meek surrender, and the callous indifference that the Liberal and National Parties have shown to the very real, imminent plight of the Central Queensland township of Mt. Morgan.

Throughout this century Mt. Morgan has made a major contribution to the Australian economy. But today, as the town struggles for survival, the Liberal and National Governments in Canberra and this State seem content to preside over its disintegration into a ghost town. By the end of this year about 640 miners will be retrenched. Families will be forced to abandon homes without prospect of sale to seek alternative avenues of employment elsewhere. Unless the State and Federal Governments come to the party in a rescue operation, this township will rapidly vanish into the history books.

Last December, before the Federal elections, the National Party member for Capricornia (Mr. Carige) cynically promised the citizens of Mt. Morgan that the Liberal and National Country Parties would restore mining centres and revitalise the private sector.

I have here a copy of an advertisement that was placed in the Rockhampton "Morning Bulletin" on 13 December 1975. It is obvious now that it was a total misrepresentation—it was totally untrue. I now

quote the words of Mr. Carige in an open letter to the people of Mt. Morgan on the day of the election.

> "Give your family and district a chance —today could be your last chance—I ask you to think positive—and vote National Party."

A Government Member: I suppose he was right.

Mr. WRIGHT: I suppose he was right, because it was their last chance. It took the Prime Minister (Mr. Fraser) only a few short weeks to make certain of that.

The Federal Liberal-National Country Parties have denied Mt. Morgan a cent for its survival, but I have not heard a word of protest from either Mr. Carige or the State Government. In January this year it was the Leader of the State Opposition (Mr. Tom Burns) who held a public meeting in Mt. Morgan, and it was he who appealed to the Prime Minister for Commonwealth support. Regrettably this plea fell on deaf ears. The Prime Minister seems to be hypnotised by the electoral strength of Sydney and Melbourne and has no time or money for the problems of Central Queensland.

The difficulties now confronting Mt. Morgan are not new. For the past five years or more the State National and Liberal Parties have conveniently ignored the warnings from men such as the late Marty Hanson that its mining industry must inevitably wind down; but there has been no effort by this Government to entice alternative industries to the township. No effort has been made to improve the road to Rockhampton so that residents can continue to live in Mt. Morgan and work in the nearby city of Rockhampton. There has been no effort by either the State or the Federal Government to provide interim finance so that people can sustain themselves in the town while new work avenues are explored.

Earlier this year the chairman of the Mt. Morgan Shire Council (Councillor Timms) asked for a miserable $80,000 for the employment of retrenched miners, but his request was denied. Likewise, the Rockhampton City Council has offered jobs to 40 miners for three months if $100,000 can be obtained from the Government. But again the Liberal-National Country Parties, who control the Governments of this nation and this State, have ignored these requests and ignored any solution to the problems of Mt. Morgan. They have neglected the warnings of prior planning and now appear resigned to the fact that the township must vanish for ever under weeds and long grass. The Australian Labor Party is appalled at the cruel disinterest—appalled at the manner in which promises before the election of 13 December have been pigeon-holed.

Mt. Morgan is part of this State's history. It has played a vital role in the development of Queensland, and in particular of Central Queensland. We must keep in mind that these people do not want to leave their town. They are happy, like everyone else, to stay where they have been brought up. They are like all Queenslanders; they treasure local friendships that have been built up, in some cases, over a lifetime.

The Mines Department has advised that the Mt. Morgan company plans to spend $400,000 this year searching for new ore bodies. The township has a chance of survival, if only the State and Federal Governments will co-operate. As mining operations wind down, Mt. Morgan desperately needs carry-over finance to maintain employment while a long-term solution is sought. The Leader of the Opposition appealed to the Prime Minister. Councillor Timms has appealed to this Government. The late Marty Hanson warned of the impending problems. But nothing has been done and nothing has been guaranteed. The promises made by the Liberal and National Parties in their pre-election greed for votes have been broken in every instance.

The township of Mt. Morgan has been betrayed by the Government parties and it has been betrayed also by the mining interests there, who came out with Mr. Carige and other candidates, including Mr. Milroy, the Liberal candidate, and made all sorts of promises, or threats, that if the Labor Party was returned in Capricornia the mine would have to close down. They made that sort of statement a few days before the election, knowing full well that the mine was going to close down, anyway. So they completely lied to the people of Mt. Morgan.

Today, as concern mounts in the township, I appeal again to the Prime Minister and also to the Premier to amend their rigid stance on this issue. I appeal to the Premier to exert his influence upon Canberra—that is, if he has any left—and in addition to make State finance available to alleviate the immediate problems of the town and its residents.

It will be a futile exercise to pretend belated interest in the future of Mt. Morgan if the workers are forced to leave in advance because of lack of jobs. To be effective, the rescue operation must start now. It should have started a long time ago, but there is still a chance if we act now.

We are dealing in this issue with people—and many of them are elderly people. They are prepared to fight to save their own town but they need help from a sympathetic Government. They are Queenslanders who have contributed to this State and to this nation. As the basic industry of their district winds down, they seek only the right to continue living and working in that town which is their home. This Government has talked piously about decentralisation. Here is a golden opportunity to put those policies and promises into operation. Here in the heart of our State is a very real, very urgent, opportunity to put those so-called principles into practice.

Many suggestions have been made. When the Leader of the Opposition went to Mt. Morgan, both the member for Rockhampton North and I went with him. Numerous suggestions were put forward to us. Assistance could be given to establish a brick industry based on the old slag. A suggestion was made that we upgrade other industries in the Rockhampton region and encourage people to live in Mt. Morgan and travel to work in that area. They had also suggested the subsidising of exploration in the Mt. Morgan and Mt. Chalmers areas by subsidising wages on drilling operations, and generally assist those interests to find new ore bodies.

There is also a need to improve the existing roads between Mt. Morgan and Marmor, the Dawson Valley and Rockhampton. If Government projects such as those were undertaken, we could employ lots and lots of people. Admittedly, these are short-term answers, but they could save the town in the long term.

Many other suggestions have been put forward. One is a matter that I have raised with the Minister for Health, who is in the Chamber at the moment. It relates to the use of the Mt. Morgan Hospital as a geriatric centre; the establishment of Mt. Morgan, with an emphasis on aged persons, as an aged persons' town. This is not the only answer, but these things must be considered, because we are dealing with the lives and the futures of people. It is wrong that this Government should simply put aside the needs of these people because they are desperate and there is an immediate requirement for some action to be taken.

THE FIGHT FOR EDUCATION

Mr. LAMONT (South Brisbane) (12.55 p.m.): I am delighted to find that there are a few minutes unexpectedly left in this debate.

Mr. Jones: If the Minister for Industrial Development hadn't made his ministerial statement, you would have had 10 minutes.

Mr. LAMONT: I am not disappointed, because I had not anticipated having any minutes, and I do not intend to waste them any further in answering that sort of comment.

For some time I have been wanting to pursue what I consider to be the fight for education. Since my last speech on education in this Chamber three or four weeks ago I have been approached by numerous teachers as well as people in research areas about the sort of things I said. Nothing that I said was particularly new, although it was the opening of the batting for the traditional view in Queensland as far as I can gather.

Since that time I have been told, for example, that $800,000 has been budgeted for the in-service training of teachers in Queensland. That is quite a considerable amount of money. I applaud that there should be in-service training for teachers. For years gentlemen such as the honourable member for Rockhampton and I have screamed loud and long to get in-service training for teachers because we have recognised that there was a great need for this.

Recently a friend of mine went on an in-service training course for the Education Department. This is one of the courses that is part of the $800,000 programme. The whole staff of his school was taken out of the school for a week to do what was supposed to be an in-service training course. That frightens me for a start because I would think that an in-service training course ought not lift the entire staff out of a school for a week and put in a bunch of new relief teachers to control the school. They could not even direct one another to the staff lunch room. What they would know about running the school, which was totally foreign to them, I do not know.

But a more important question is: What did the teachers of the staff do when they were lifted out to go to an in-service training course? They did what is euphemistically called an interpersonal relationship course; from reports it is a "getting to know you better" course so that social engineering of the staff itself would be improved. It had nothing to do really with looking at new methods or new ideas in education and in teaching.

Unfortunately, to me that seems to be a bit of a waste. I am not saying that it is an absolute waste; I am asking the question and I propose to raise a few more questions rather than try to find answers in the few minutes at my disposal.

In-service training, I think, should take the form of training in the period known as the holidays. I believe that at the moment there are some in-service training courses during vacation but, of course, they are totally voluntary. Now I ask: Which teachers go to a voluntary in-service training course during the holidays? The conscientious ones, the good ones, the ones who want to keep abreast of their profession—they are the ones who go. Unfortunately the ones who need in-service training most are not often the ones who go voluntarily to these vacation courses.

There is only one way we will get people to give up their holidays to go to in-service training courses and that is to make it worth their while monetarily. What we should have is the sort of thing they have overseas—these summer vacation schools for professional people. As they bat up so many weeks of in-service training over a period of three years or whatever it might be and reach a certain level, they should receive recognition from the department for it and, also, an increment in pay. If the Treasurer says, "Well, that's going to be costly", then let us lop off some of these interpersonal relationship courses or "getting to know you

better" courses, break down the $800,000 that is being spent there and put it towards incremental pay for people who look to their profession and seek training during their vacation. I believe that that should be done.

At the moment, incidentally, we do have a glut of teachers. We have more teachers than we can provide jobs for. This is a golden opportunity therefore for the teachers' training colleges. (I still call them teachers' training colleges but they prefer to be called "colleges of advanced education". That in itself is ominous. Let us get the emphasis back to training teachers instead of providing "advanced education".) Many teachers in training at these teachers' colleges are people who have decided that teaching is not a bad thing to fall back on.

Many are students who have missed out on getting into the quota for medicine, dentistry, science, arts, or law and they say, "Oh well I can always be a teacher." Unfortunately these people who miss out on the other professions that they tried for are putting out of the teaching game people who would be teachers because they had their hearts set on teaching, or have been brought up in a teaching family and are genuinely vocationally called to be teachers.

Let us tighten up and make the profession less attractive to those who fall back on it, and tighten up teaching, train teachers, and encourage teachers to greater professionalism while we have the chance.

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

SUBCONTRACTORS' CHARGES ACT AMENDMENT BILL

SECOND READING

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (2.15 p.m.): I move—

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

I wish to thank honourable members for the support which they have given to this legislation. As mentioned during the introductory stage of the Bill, this type of legislation is very difficult to formulate, and in view of this the Act will be kept under review and further amendments to the Act will be considered and examined if necessary. However, I am confident that the amendments proposed by this Bill will generally improve this legislation and enable the Act to operate more effectively.

I have already explained in some detail the principal provisions of the Bill. At present under the Act a notice of claim of charge may be given although the work is not completed or the time for payment of the money has not arrived, but where the work is completed a notice of claim of charge must be given within 30 days of the completion of the work. However, in practice the subcontractor is not normally due to be paid within 30 days. In view of this and the other provisions contained in the Bill whereby the claim is required to be certified by an independent third person the time limit within which a notice of claim of charge must be given is being extended to three months. Similarly the period of one month within which a notice of claim of charge in respect of retention money must be given is being extended to three months. The time limit within which proceedings may be taken to enforce a charge will also be extended.

Those provisions of the Bill whereby a subcontractor will be required to prove to a qualified independent person that he has a prima facie claim before giving notice of his claim of charge will overcome the problems associated with exorbitant claims by subcontractors. Further provisions complementary to this proposal will provide that, if the claim is not certified or is certified by a person who has an interest in the work to which the claim refers, then such a claim will not be valid and the notice of claim of charge based on that claim will have no force or effect.

The provisions of the principal Act relating to the consequences of a notice of claim of charge provide that, where a contractor to whom money is payable under his contract gives notice that he accepts liability to pay the amount of a claim of charge, the employer or superior contractor by whom money is payable may pay to the subcontractor the amount he is required to retain. This leaves a discretion in the employer or superior contractor whether or not he pays the subcontractor. The provision of the Bill will provide that in such cases the employer or superior contractor shall be required to pay the subcontractor.

Section 12 of the Act presently provides that every action brought by a subcontractor to enforce a charge shall be deemed to be brought on behalf also of every other subcontractor claiming a charge. It has been suggested that employers withhold more money than they are required to under the Act because there may be more claims pending in respect of which they have not yet received notice of claim of charge. The Bill will clarify this situation by restricting these provisions of the Act to only subcontractors who have given notice of claim or charge. Experience has shown quite clearly that there is a need in Queensland for this type of legislation and the proposals contained in this Bill will overcome the problems which have become apparent since the introduction of the principal Act in 1974.

Mr. WRIGHT (Rockhampton) (2.19 p.m.): As I have stated on a number of occasions in this House, the Opposition welcomes any legislation that will protect subcontractors and others in the building industry.

In the last few days other honourable members and I have taken time to consider the amendments proposed by the Minister in very great detail. It is an understatement to say that it is difficult legislation; it is more than that; it is an area of legislation that is not going to satisfy everybody, and I doubt very much whether what the Minister has proposed here will overcome all the problems. No doubt he is aware of this, too. Criticism has been levelled that the Act originally was hastily drawn. The contractors themselves questioned it from the outset and said that it would disadvantage the contractors in the building industry generally and it was said that it would devastate the industry. This has not occurred, but we do know from cases cited in this House and representations made to members that it has had a serious effect.

It has also been suggested to me by a member of the legal profession that, because of criticism not only in Queensland but in other parts of this nation, before the Government goes any further with the Subcontractors' Charges Act, a commission of inquiry of some type should be appointed to sit down with all the interested parties and determine what is in the best interests of all persons involved in the industry.

In 1974, a commission of inquiry was appointed by the Western Australian Government to perform that function, and it is interesting to note that the inquiry rejected the Queensland Act. I note, too, that similar discussions were held by a joint party commission appointed by the Victorian Government and that that commission also criticised the Queensland Act; in fact, it made recommendations in December last year against the adoption of the Act. So, as I said earlier, the criticism is nation-wide.

In my opinion, some of the criticism is unfounded, because in Queensland at least something has been done to assist subcontractors. In the main, I think that protection has been given that was very greatly needed.

Mr. Jensen interjected.

Mr. WRIGHT: I will come to the point raised by the honourable member. There are serious reservations—and I would not be surprised if the Minister also had some reservations—about whether or not all the problems will be overcome. I am entirely in agreement that the interests of subcontractors must be protected; on the other hand, the Government must ensure that what is being done does not adversely affect others in the industry.

I think it must be accepted that certain builders have failed. Although bad management techniques brought about the downfall of some, quite a number of cases have been brought before this Assembly in which the Act aggravated the situation and prevented firms from managing themselves out of the difficulties they faced. The problems are enormous, and it is not easy to overcome them.

As honourable members are aware, hundreds of actions under the Act are now before Magistrates Courts, and it may be years before these are resolved. The situation will not be overcome simply by an amendment to the Act allowing District Courts and Supreme Courts to deal with cases. I cannot see that a case before a Magistrates Court at the moment can suddenly be shifted to a court of higher jurisdiction. Of course, it would be of great advantage if it could.

In the main, Mr. Speaker, we need to look more carefully at what is being done. I agree with what the Minister is trying to do. I do not wish to play personalities, because I think he is trying to come to grips with the problem. However, there is one problem with which he has not come to grips—it was mentioned by the honourable member for Bundaberg a moment ago—the problem of the supplier.

I took note of the report of the Western Australian Law Reform Commission on contractors' liens. I quote from page 20 of that report—

> ". . . there is no justification in principle in such a distinction. The contention that a supplier is better able to protect himself is questionable and in any event is no answer to the question if one accepts the principle that protection of the sort to be provided by the legislation is justified. The basis for the legislation is presumably that those who furnish labour and materials for a particular building project have a greater right to the monies due under the building contract than other creditors of the headcontractors. If that is the basis for the principle the Committee cannot see that a distinction can be drawn between a person who furnishes only labour for the job and a person who furnishes only materials that are installed on the job."

I note, too, that on page 250 of the latest issue of "Australian Current Law" reference is made to the Western Australian Act. So, although an amendment is being made here in the definition of "work", the anomaly will still exist that suppliers of materials cannot claim a charge if they only supply the materials for the construction of the building but do not perform work on the site itself. In South Australia, a supplier of materials who does not perform work on the land can claim a lien for the cost of materials. That lien is different from a charge on money, in that the supplier can register the lien on the owner's land. Such lien cannot be claimed until the money is due under contract. There does not seem to be any reason why suppliers should not have protection of some sort.

Mr. Lane: How far would you go? Suppliers of what?

Mr. WRIGHT: I think to the suppliers of materials that relate to construction under the terms of the contract.

Mr. Lane: What about ready-mixed concrete?

Mr. WRIGHT: Yes, I would even have to come back to things such as that.

Mr. Lane: Carpeting, furnishings?

Mr. WRIGHT: I accept the honourable member's point but——

Mr. Lane: How far would you like to go?

Mr. WRIGHT: Personally I cannot see why a line has to be drawn. They are suppliers of materials that are part of the contract in question. If they are part of the contract and relate to the building itself, there seem to be very good reasons why these people should have some type of protection. Once the materials are placed on the land, the owner of the land takes legal ownership of them. I believe that is right in law. If so, surely the contractor or builder has some obligation to that supplier.

Mr. Lane: Can you be specific as to how far you would go?

Mr. WRIGHT: I have not gone into the particular details. I do not know whether the honourable member is being facetious, but I do not think so. It is an important question. Certainly it must come back to general materials in the construction of the building. It may be that we would have to exclude furnishings and aspects of furniture. I certainly believe it must cover other materials in the construction. It is a matter that the Minister must look at again. It is one area that is obviously a vacuum in the Act. Those persons incur the same financial risk as others who actually work on the job yet they are not going to be covered in the Bill.

I am very pleased to see the new section 7A, which provides that the subcontractor is bound by any compromise or arrangement approved under section 181 of the Companies Act. That point has been raised with me and a couple of other members of the Opposition. Apparently the subcontractors were not bound, and regardless of creditors' meetings and attempts to come to some arrangements, the subcontractor could still pursue his claim. The Minister says this will be overcome. I certainly hope so.

There is one point I ask the Minister to look closely at. Provision is made for a new section 9B. I cannot find a section 9A anywhere. Section 9 in the principal Act refers to the contractor furnishing information as to the employer. It may be a typographical error in the Bill. As there has been no consolidation of the Act, I can see problems with people saying, "That is 9B. The section in the old principal Act is 9. What is 9A?"

At the moment a notice of claim can be made by a subcontractor, but apparently he is not bound to make such a claim by way of affidavit. At the same time he could face serious consequences if his claim is misrepresented or fraudulent in some way. It would seem to be a far better procedure if such claims were made by a form of affidavit. Other provisions do clean up the claims made by subcontractors. I refer to one specifically that creates some worry. A person who certifies a subcontractor's claim shall incur liability only if he is guilty of fraud, wilful misconduct or wilful neglect. Probably a fee will be charged by the qualified person for that certificate. Under the proviso in the new section 10A (3), that person will not be liable for ordinary negligence. We expect these people to perform certain duties. We say they are competent, and that is why they are employed. Surely if there is going to be some aspect of negligence—whether it is wilful or not—and the person has failed to take reasonable care and been negligent in the performance of his professional duties, there is no reason why he should be exempted from liability. Surely we have to expect some level of expertise in the various professions. If a person signs a certificate, he must realise he could suffer some consequences. It is noted, too, that no specific penalties are provided under section 10A for the issuing of a false or misleading certificate. This matter requires some explanation.

We have looked at all other aspects of the Bill, and while there will always be some criticism of it, it is an attempt by the Minister to try to overcome existing problems. From comments made to me by members of the building industry and a couple of fellows in the legal profession, I gather there is some doubt as to whether we will overcome the problems. So I would ask the Minister to give consideration to having some type of discussions with the industry again.

By all means, accept the law as it is going to be amended and accept the fact that we could still have problems; but let us not leave it at that. Let us do what the Minister did with real estate agents on the problem of multiple listing. Whilst his approach was not always acceptable, at least we got down to overcoming the problem. I remember that this matter was raised by the member for Ithaca. The solution was found when the people in that industry sat down, as it were, and resolved the problem. I suggest that this is one way of looking at the problems here. I ask the Minister to use the expertise that is available in his office and to involve the contractors' and subcontractors' associations. Look at the Act again and consider the criticisms that have been made by Western Australia and Victoria; look at the different types of protection that exist in the South Australian legislation, and come up with an Act that will really give the protection desired by the Minister for this State.

Mr. MILLER (Ithaca) (2.32 p.m.): It was not my intention to speak to the Bill, but after hearing the honourable member for Rockhampton I feel that I should do so.

Mr. Jensen: Why?

Mr. MILLER: Because I am a little bit concerned that the whole idea of the Act will be nullified. The Act is designed to protect the subcontractors in the building industry, not the suppliers of materials. I suggest to the honourable member for Rockhampton that if this matter were to be widened to the extent suggested by him, very few subcontractors would consider that the Bill had merit.

Mr. Wright: The Western Australian Law Commission and South Australia do not agree with you.

Mr. MILLER: We should not be listening to the Western Australian and South Australian Parliaments. The original intention was to protect subcontractors in Queensland. If a subcontractor is considered on the same basis as a supplier of materials to the principal contractor, the supplier of materials to the subcontractor will not be getting anything whatever. By this legislation we are saying that the subcontractors, who in most instances have got together with the principal contractors and formulated contract prices, should have the same opportunity of paying their suppliers of goods as that given to the principal contractor.

The honourable member for Rockhampton is suggesting for one reason or another that the supplier of goods to the principal contractor is a step above the supplier of goods to subcontractors.

Mr. Wright: No, that's not so.

Mr. MILLER: That is what his comments mean. They cannot be the same, because the supplier of goods to the subcontractor has no claim whatsoever on the principal contractor. The only people who have a claim on the principal contractor are the supplier of goods in the first instance and the subcontractor in the second. The third man in the game, the supplier to the subcontractor, has no connection whatever with the principal contractor. The suppliers who supply goods to the subcontractor can sing for their money if suppliers to the principal contractor are recognised under this Act.

In the Bill we are saying that if a subcontractor does his work properly he shall be paid for it, and by being paid for his work he can pay his suppliers. I can find no fairer means than that.

If a builder goes bankrupt by submitting too low a tender I can see no reason whatsoever why a supplier of goods should be considered in the same way as the subcontractor who has carried out his work and is entitled to payment. He has to pay people who work for him; he has to pay the supplier. These people should not be disadvantaged because Western Australia or South Australia has decided to treat a supplier of goods to the principal contractor as being at the same level as subcontractors.

I point out to the honourable member for Rockhampton that we have not had a committee of inquiry into this, but the Minister for Justice has had both sides at the table, not on one occasion but on a number of occasions. The principal contractors, who would be the master builders, the Housing Industry Association, the subcontractors, engineers and architects have all been present. We thrashed this out not on one occasion but on many occasions. What is before the House today is the result of an agreement between the principal contractors, the subcontractors, the architects and engineers—those who are concerned in the building industry.

This afternoon the honourable member for Rockhampton is saying to the subcontractors of Queensland that we should put them on the same level as the suppliers of goods. I must speak very strongly against that. The whole principle of this Act is designed to protect the subcontractors.

Mr. Wright: How are you going to protect the suppliers? What are you going to do?

Mr. MILLER: Can the honourable member for Rockhampton tell me any industry in which the supplier of goods is guaranteed payment? Is the owner of a woollen mill who supplies goods to a dress manufacturer assured of payment? Is there any industry which can claim that the Government ensures by legislation that the supplier of goods will be paid? There is no legislation on our books which guarantees that.

Mr. Porter: He is anti worker.

Mr. MILLER: The honourable member is absolutely anti worker.

We are here to ensure that people who come together and formulate a price to do a job receive settlement of their just demands—and those just demands happen to be a contract between a subcontractor and a principal contractor. The moment we go wider than that we defeat the whole purpose of the Bill.

The Bill we have before us to tighten up the old legislation is worthy of the support of this House.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (2.38 p.m.), in reply: I thank both honourable members for their contributions. The matter of the numbering will be attended to. We thought we could have it fixed by a reading by the Clerk. I shall move later by way of amendment for its alteration.

On the matter of the other States and what they have done about this problem, I point out that it has been under active consideration by me and my advisers. We supplied information to people in the other States when they held their inquiries.

In 1974, Western Australia was in the course of holding its inquiry when we introduced legislation. Nothing has been done in Western Australia about this problem, nor has anything been done elsewhere in Australia. It is true that the Western Australian inquiry was critical of our legislation. It is also true that the Victorian inquiry decided not to adopt it. I think those States would have to reconsider their position as, indeed, will any community like ours in which there have been major changes in the structure and commercial operations of the building industry.

Originally in this State, as elsewhere in Australia, the Contractors' and Workmen's Liens Act was concerned about the wage earner getting his wages. But for that Act many employees of contractors would have gone without. In this State after 1917 the Industrial Conciliation and Arbitration Act, in conjunction with the Wages Act and successive amendments to it over the years, guaranteed the wages of employees, and the Contractors' and Workmen's Liens Act was not required to look after their interests. This meant that in those respects that Act was redundant. When we repealed it in 1964 we did so on the understanding that the wages of workmen were protected by other legislation.

However, the very nature of industry changed enormously, particularly in building, where the key person was no longer an employee as a single person but an employee as a group. The subcontractor became the unit in the building industry. The repeal of the Contractors' and Workmen's Liens Act virtually meant there was no guarantee of payment to subcontractors.

There are those who argue that this should be a matter of understanding in normal business activity between two businesses. To my knowledge, there are over 8,000 subcontractors operating in this State. There could be more. It became quite apparent to us on this side of the House—and no doubt to the Opposition—that many subcontractors were left lamenting by virtue of the absence of a liens Act.

Mr. Miller: And the suppliers.

Mr. KNOX: And the suppliers, in their turn.

So in 1974 we introduced the legislation. I will not go through all that again. I firmly believe that the other States will have to follow in our footsteps with this sort of legislation. The numerous inquiries I get and the number of conversations I have had with members of subcontractors' organisations that hold their conferences in this State from time to time have indicated to me quite clearly that in their own States the situation is becoming worse daily because of the absence of legislation of this type.

So I suspect that we are paying the price of pioneering. People say, "It doesn't cover all the circumstances. It won't meet all the problems." We agree with that—or at least I do—and it is acknowledged. Nevertheless, these amendments will represent a major step forward in tidying up the shortcomings of the legislation. As a result of it, I am certain that the day is coming closer when other States adopt legislation very similar to ours—and not only here. North America and Europe have exactly the same problem.

Mr. Wright: How can you overcome the problem where the money of the contractor is tied up because of a claim made by a subcontractor, and a supplier cannot be paid? This is the problem I was trying to get at before. There must be some answer to this.

Mr. KNOX: We have made some amendments to overcome that problem, if indeed it has occurred. I mentioned in my speech this afternoon that some contractors have kept too much money back. Maybe they have used the Act as an excuse. They have in fact retained moneys and I forecast now that there will be other occasions in the future when that will be done.

This legislation will not solve all possible problems and I hope that recourse to it will be minimal. I believe the amendments we are now considering will encourage that situation, and that both subcontractors and contractors get satisfaction—not because they can go to law but because the Act exists. They know that there is an inevitability about a decision being made one way or the other because they will have the advantage of opinions from their lawyers who will tell them how far they can go.

I know dozens of subcontractors in this State today who, but for the 1974 Act, would have been left lamenting in this day and age because the contractor was able to consult the Act and knew what might be the result, while the subcontractor was standing back on his situation because he knew that he was entitled to his claim. So the matters were never heard; they were settled out of court. I hope that that will be the situation with this legislation. But there will still be matters that will go to court which will become the precedents for future decisions and determinations and will also lead to future amendments. So let us not dodge the possibility of future amendments because of that experience.

Generally speaking, the industry welcomes this legislation. While there has been criticism in some of the inquiries from other States, there is certainly not much criticism from the majority of people in the industry which the legislation affects in this State. All I can say is that the people in the building industry in other States have passed resolutions and sent messages to their Ministers seeking similar legislation to that which exists in Queensland. I believe that we are on the right track and that this legislation, with the approval of the

Assembly, will take the matter farther along that track. We have done a lot of homework in relation to the inquiries held elsewhere.

The question of suppliers is a difficult problem. Indeed it is one of the difficulties that have arisen in the past two years because a number of suppliers regard themselves as subcontractors under the Act. There is just no limit to the number and size of suppliers and the sums of money involved with suppliers if they are all to be regarded as subcontractors.

Where do supplies actually start? Do they start in the factory of manufacture which could be on the other side of the world? Are supplies to a project those that are still on the water and have been ordered in anticipation of being supplied to the site? Are the supplies those held in the warehouse which have been reserved for a particular project but for which specific orders have not been received? Are supplies those items that have been left on site to be placed in position at some future time? Are supplies those things that have already been implanted in the mortar and concrete of a building?

Because of difficulties of this sort we have not attempted to solve the suppliers' problem. Indeed I do not believe that they have a real problem, if indeed they have made their contractual obligations to the principal contractor or to the subcontractor in a proper fashion. I can assure honourable members that the suppliers' chances of doing this are a lot better than those of a normal subcontractor because they themselves are in continuous business supplying those particular items, be they pre-mixed concrete, bricks or plumbing materials. They are in a position to know their business very thoroughly. Some subcontractors are suppliers themselves because they fit as well as supply.

The situation of suppliers is a difficult one. I agree with the honourable member for Ithaca; I do not believe that we should try to cast our net too wide. In fact, that is one of the shortcomings of the existing legislation.

As far as the future is concerned, I forecast now that in a couple of years' time we will be looking at this legislation again in the light of experience, decisions of courts and so on. I trust that in the meantime we will have provided for the people of our State the necessary enlightened legislation.

Motion (Mr. Knox) agreed to.

COMMITTEE

(Mr. Miller, Ithaca, in the chair)

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

Clause 6—New s. 9B; Contractor to furnish information as to employer—

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (2.50 p.m.): I intend to move an amendment to correct a numbering error. I move the following amendment—

"On page 3, line 8, omit the expression—

'9B'

and insert in lieu thereof the expression—

'9A.'"

Amendment agreed to.

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

"On page 3, line 10, omit the expression—

'9B'

and insert in lieu thereof the expression—

'9A.'"

Amendment agreed to.

Clause 6, as amended, agreed to.

Clause 7, as read, agreed to.

Clause 8—New s. 10A; Qualified persons—

Mr. WRIGHT (Rockhampton) (2.54 p.m.): During the debate on the second reading I mentioned this certificate that is required. This clause relates to section 10 of the principal Act. That section was amended by clause 7 and it now provides that a claim shall not be a valid claim for the purposes of the section and a notice of claim of charge based on such a claim shall be of no force or effect unless that claim is certified in accordance with other provisions of the Act. The Bill goes on to define the various qualified persons who can certify a claim, and we have no argument with that. The clause provides that such a person shall not have any personal interest in any claim that he certifies, and again we have no argument with that.

But I come back to page 4 of the Bill. The new section 10A (3) reads—

> "A person who gives a certificate with respect to a claim shall not incur liability by reason only of the giving of that certificate unless in relation thereto he is guilty of fraud, wilful misconduct or wilful neglect."

I accept that, if it is going to be a matter of fraud, then the Criminal Code will deal with him, but it would seem it would have been far better to have specified the type of offence in respect of which "wilful neglect" could take place. I reiterate the point I made previously about negligence. There is no penalty here. Perhaps the Minister can enlighten us. There may be some other avenue of penalty, but if we are going to have a deterrent, surely it must encompass a type of penalty. The requirement must be on that professional person to carry out his duties. If he does not do so and there

is a case of fraud, we are taking care of him; otherwise I am not sure whether we are.

I do not intend to suggest a penalty, but I am not sure that the provision in the Bill is wide enough or specific enough to cover the offence that is being mentioned. It is only reasonable that the person carrying out these duties should do so properly or suffer a penalty for his action or inaction.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (2.56 p.m.): In this instance we are trying to avoid creating any offences, because we are dealing with a situation in which these people are called upon, in circumstances not of their own making, to be referees. We are anxious, of course, that these people come forward without any reservations or inhibitions.

In the main, in five of the categories we are dealing with people in professions of some sort, and one relies heavily on their professional standing to carry out their professional duties without any reservation. In the other category, where there is mutual consent to a person other than those in the professional categories, presumably the parties concerned will abide by the decision without any reservation. If we did not include a clause such as this, it would be very difficult for the parties to readily obtain a suitable referee.

As a decision by a referee in these circumstances would be very prompt—it would not require long and involved inquiries; it may mean only looking at something and determining the matter, or perhaps examining a few documents—it should not be necessary to have a cumbersome procedure. If we left the situation open and the referee—we are not talking about penalties or offences here—was subject to some action as a result of a determination in a matter in which he has no interest other than to perform a service for these people——

Mr. Wright: There would probably be a fee for service.

Mr. KNOX: He would receive a fee, certainly. If we are not able to get such persons readily, the whole procedure for determination by referee will become so unattractive to referees and others that we might as well not have it.

Mr. Wright: I accept that.

Mr. KNOX: So subclause (3) of clause 8 is for that purpose, and I hope that is understood.

Mr. Wright: Yes, I accept that.

Clause 8, as read, agreed to.

Clauses 9 to 14, both inclusive, as read, agreed to.

Bill reported, with amendments.

THIRD READING

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

SPORTING BODIES' PROPERTY HOLDING ACT AMENDMENT BILL

SECOND READING

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3 p.m.): I move—

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

Section 2 (2) of the Sporting Bodies' Property Holding Act 1975 provides that where a reference to "authorized representative" is relevant to an association or sporting club promoting, furthering or controlling the sport of lawn bowls, it shall be taken to be the authorised representative of the Royal Queensland Bowls Association. It also provides in respect of sports other than lawn bowls that the "authorised representative" of any association or club participating in a particular sport is the authorised representative of the State association controlling that sport. This provision when read in conjunction with other provisions of the Act precludes the Queensland Ladies' Bowling Association from obtaining its benefits. The proposed amendment rewords the section to remove the reference to lawn bowls but still provides for the authorised representatives of parent bodies of sporting associations to be the authorised representatives of district associations affiliated with them and sporting clubs affiliated with them or with such district associations. Upon the coming into operation of the Bill, the Act will be able to be extended to the Ladies' Bowling Association provided its other requirements can be complied with.

I might here say that I have been most disappointed to learn that the only State sporting association which has applied to have the Bill extended to it has been the Ladies' Bowling Association. I had thought when introducing the Act last year that the application of its provisions would have been eagerly sought by sporting bodies because of its obvious advantages.

I might say here that this Bill represents the 100th piece of legislation I have introduced into the Assembly over the last four years. I pay particular tribute to my officers who work long hours in preparing legislation for the Parliament, and to the Law Reform Commission and its officers for all they have done in preparing documents for the Parliament in the first instance and ultimately for me for the presentation of legislation.

Mr. Casey: What about poor old Keith Wright?

Mr. KNOX: I have not got to the members yet. They come third on the list. The Bill before the House is not controversial so this is probably an appropriate time to say that members of my committee on the Government side have had a fairly arduous task over those four years, as it has been for me, because a great deal of

the legislation is very difficult to follow unless one has had a very close study of it over a period of time. It does take time to absorb it, understand it and be able to comment on it in a useful way, and to discover ways in which it can be useful to the public. It is no secret that the members of the Government's Justice Committee would be the hardest-working members in the Parliament. There have been quite a number of them in the two Parliaments I am speaking of. I think they have enjoyed themselves, even though the preparation of the Bills and debates on some of them have been rather solid.

I thank the Opposition for its co-operation in a great number of the measures. I don't think the public understands clearly that many of the Bills we pass in this House are passed unanimously. They would get the opinion sometimes that we are in constant conflict in Parliament about what is in the best interests of the public. I particularly thank the honourable member for Rockhampton because he has had the role of leading spokesman on that side. He probably has had the same sort of problems in following the details. With all those difficulties which I also have had in a number of directions I think we have managed fairly well between us.

The role of the officers of Parliament in handling legislation of this type is rather an important one. In this particular role the Parliamentary Counsel and his staff play a very important part. To Mr. Murray and the parliamentary draftsmen I say "Thank you" particularly. I also express thanks to Mr. Jim O'Callaghan, who previously held that office. Without their work it would be impossible for this Parliament to handle some of the very difficult Bills that I have presented to it from time to time. Most of them involve obscure matters requiring a great deal of research by them in order to provide the proper draft.

I thank all members for their co-operation. As I said a little while ago, the public do not understand that a large number of these Bills—in fact nearly 100 per cent of them—go through this House without dissent. Contributions are made usually with the idea of improving the legislation rather than rejecting it.

I am not sure whether 100 Bills in 3½ years is a record—I haven't the faintest idea—but all I can say is that, of the 200-odd pieces of legislation for which I am responsible, the business of providing good legislation for our people is a very satisfying one. On the occasion of this 100th Bill I thought I should make those comments.

Mr. WRIGHT (Rockhampton) (3.6 p.m.): As has been explained by the Minister, the proposal is simply to extend the provisions of the Sporting Bodies' Property Holding Act to cover the Queensland Ladies Bowling Association. The Opposition has no argument against this measure, because we are well aware of the important contribution made by that organisation to the sporting world, particularly the bowling world.

Mr. Yewdale: Most of us play bowls.

Mr. WRIGHT: Most Opposition members do, and the wives of Opposition members, too, enjoy participating in this sport. If they are to be assisted, as I believe they are, we welcome such assistance.

The Minister commented that this Bill is the 100th piece of legislation introduced by him. He is to be commended for this. It is very easy to pay tributes on the last day of sitting; nevertheless, I am sincere when I say that he is faced with an onerous task. With only 1½ years' study of law, I have a limited knowledge of it. It is certainly not enough without the aid of legal experts.

Tribute must be paid also to those persons who have worked so hard with the Minister. We are dealing with detailed legislation, unlike some that is brought before Parliament, when everyone wants to have his tuppence worth. For example, on a local government matter a lot of members speak. The depth of legislation can be gauged by the number of members participating in debate on it. Very few members participate in debate on legal legislation or measures associated with law reform. Quite often those who do speak to it refer to matters pertaining to their electorates or some special point. Credit must be given to the Minister's own officers.

One point I would make is that we could assist this Parliament more if when difficult legislation is brought forward all members, especially members on both the Justice committees, have some access to an explanation of what is being proposed. The huge task I have is to go through an existing Act without knowing exactly what the amendments will be, to go through all the other amendments that have been made to it over the years and to read old newspapers to learn what the Minister has suggested about certain problems. Perhaps in the next session the Minister might make available, not speech notes, but some explanation. This would add to the debate that takes place in this Chamber.

Mr. Casey: The Health Department does this very well.

Mr. WRIGHT: I am not aware of that.

This area is a difficult and an important one. The Law Reform Commission has worked long and hard to amend and upgrade the law. It is important that members understand what is happening when legislation is brought forward.

I reiterate a comment made by Mr. Killen in the Federal House that very often very few members are fully conversant with the legislation that they vote on. Adoption of the suggestion that I have put forward could assist members to understand legislation.

The Opposition supports the legislation, and again I commend the Minister on what he has done and has tried to do to upgrade the law in Queensland.

Motion (Mr. Knox) agreed to.

COMMITTEE

(Mr. Miller, Ithaca, in the chair)

Clauses 1 and 2, as read, agreed to.

Bill reported, without amendment.

THIRD READING

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

ART UNIONS AND AMUSEMENTS BILL

SECOND READING

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.11 p.m.): I move—

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

Although the Bill applies to many things other than bingo, honourable members at the introductory stage spoke almost entirely on that topic, particularly in relation to its conduct by approved associations.

As I remarked previously, the provisions of the present Art Union Regulation Act have been rearranged. A reference to Division 3 of Part II of the Bill shows clearly in clause 20 that the associations which may conduct minor art unions are associations registered under that Division as approved associations.

A great deal of publicity will be given to this aspect of the Bill prior to its commencement and there should no longer be any misapprehension as to which organisations may lawfully conduct minor bingo. With the conditions relating to bingo extended after consideration of the many representations made, the conditions will be strictly policed and enforced. Failure to comply with conditions will lead to prosecution and suspension or cancellation of registration.

With reference to the conduct of bingo on licensed premises, honourable members are aware that there are two different sets of requirements to be complied with, namely, those of the Liquor Act and those of the Art Union Regulation Act. Any action taken by the Licensing Commission is under the Liquor Act. Breaches of the Art Union Regulation Act are dealt with under that Act.

The pros and cons of bingo could be argued indefinitely but the fact remains that the proposals contained in the Bill are regarded as being sufficient to enable organisations both large and small to exist side by side.

The contents of the Bill are now apparent to all and I stress that all organisations conducting art unions will be required to operate within the framework outlined in the Bill. The proposed procedures are expected to reduce departmental requirements to a minimum and save many hours of time for organisations.

Mr. WRIGHT (Rockhampton) (3.14 p.m.): I should like to make a contribution similar to the one I made in the debate on the last Bill. Credit should be given to certain officers in the art union section of the Justice Department on the tremendous part they played in overcoming many problems and limiting a number of those that have arisen by way of concern about the Art Union Regulation Act. The officers have always been readily available and willing to give advice when requested. Sometimes they have had a very difficult task. Whilst we do not like to admit it, persons involved on committees who suddenly come into conflict with the law often end up blaming the departmental officer. We have to accept that in the main they have only been carrying out their duties and have done a very good job.

I believe, however, that the new law will help them in carrying out those duties, provided the Minister fulfils his undertaking to publicise the new provisions. I welcome that approach. I suggest to him that will have to be done not only by his usual newspaper advertisements and booklets but also by a direct involvement of members of Parliament with the various committees in their electorates. Whether that should be done by sending out duplicated material or a booklet that goes into some detail, I do not know. We do need to have these organisations fully conversant with the position.

The problem that arose before revolved round the rules for conducting games of bingo and certain types of minor art unions, and as to whether an association was approved or not. As I explained in the introductory debate, many thought that in fact they were approved because they came within the ambit of charitable, sporting or other organisation as listed in the Act. However, the position is now clear and no organisation will have an excuse. They must apply for approval, and only by getting approval will they be allowed to enjoy some of the benefits of this legislation.

It is important, too, that we have penalties. The Minister has increased some of the penalties by these amendments. I would hope that it is not done just from the point of view of raising revenue, because in the main it will be the small organisations that will suffer. However, the Minister has also increased penalties for people who falsely involve themselves in art unions and generally take the people down. This is not only

a deterrent but also a protection to the public and is surely what we are supposed to do.

If we are to have an effective law, we need to make sure that the citizens understand it—at least in a general way—and the important thing here will be to impress on members of committees that they ought to fully understand their liability. That will have to be driven home to the executive members and the secretaries of the various fund-raising committees. As the Act now stands, they will be liable. It is in black and white and they need to know that. They will need to know the various exemptions and the requirements on them to apply for exemption. I cite in passing the exemption that is given for billiard tables for clubs and other groups.

They will need to know, too, that there are exclusions. This applied before. They will need to know that they should not allow people under the age of 15 years to sell tickets. This worries me sometimes, because a parents and citizens' association will send out tickets to parents through children of all ages. In my own home I have seen children of barely 10 or 11 obviously selling tickets from door to door for some school or other. Under the Act they are not allowed to do this. We need to ram that fact home.

I question whether 15 should be the cut-off age. Responsible young people at high-school level will be selling tickets and raising money for all sorts of sporting organisations. I could instance such groups as junior soccer, junior cricket and little athletics. It is understandable that in some way many young people desire to raise funds for their organisation. But the limitation is there and, if it is accepted by this Parliament, it will have to be enforced.

I wish to make a number of other comments, but I will leave them to the Committee stage, as they pertain strictly to certain of the clauses. I would only be breaking the rules, Mr. Speaker, if I spoke about them now.

In the main, we support the legislation presented. It will have to prove itself in its administration and in its application. I am hopeful—and fairly confident, I must admit—that it will do this, because a number of anomalies have been removed. We support the legislation and I will make further comments in due course.

Mr. CASEY (Mackay) (3.19 p.m.): There is just one matter I wish to raise briefly at this stage. It relates to comments I made at the introductory stage, most of which are clarified by the Bill. I refer to the registration of approved associations. I raise it now because the Minister may be able to clarify it in his reply. This provision caused a lot of confusion, as the member for Rockhampton has said, amongst a number of organisations who found that in actual fact they were, in all innocence, in breach of the Act. They thought they were covered because they were organisations of a certain type. The new provision certainly spells it out clearly.

Mr. Wright: Are you suggesting a moratorium on all the other organisations that have been fined—in their opinion wrongly?

Mr. CASEY: Yes. I believe it is most unfortunate that we are imposing penalties rather than fines on a number of organisations that were caught up in this breach. The Bill repeals this particular provision and sets out the position clearly for the first time.

One point I ask the Minister to clarify deals with one of the definitions in the Bill. This legislation will become effective on a date to be decided upon. I presume that once the Act is effective, all organisations that conduct minor art unions will have to apply to become approved associations—that those who are now approved within the definition of the Act will have to reapply. Could the Minister spell it out loudly and clearly now so that all organisations are made aware of this through the media? I think it is important that he stress this fact in his advertisements.

Another clause mentions that approved associations will continue to obtain registration subject to the payment of a periodic prescribed fee. What will the department's interpretation of this be? Will it be used to cover any variation in the prescribed fee or will an annual fee be imposed upon renewal of registration?

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.22 p.m.), in reply: The matters that have been raised are quite important. The registration of approved associations is fairly clearly explained in the legislation. It will be necessary for any associations who believe they are already registered or who want to become registered to apply. This will not be a difficult task. We will ensure that they are registered. We already have their names and they will be advised.

One difficulty will be that some of the letters we send out will be returned to us from the dead letter office as some associations do not exist any more. I have forgotten how many there are but I think in excess of 15,000 for one reason or another run art unions, collections and bingo. Not all of them will become approved associations. Some of them hold events only once a year.

The difficulty will be to trace some of these organisations. Possibly we should not bother because if they want to be approved they will let us know in due course. To tidy the matter up there will be a little paper war for us; it will not be as noticeable the other end. It will not do any harm and probably it is overdue; it will give us a

list of registered approved associations and who their officers are. In this way they will be identifiable.

The greatest difficulty will come after organisations are approved. Under the regulations, it will be necessary for them to advise us of changes in officers' names. This could be embarrassing because very often this is forgotten by organisations. They hold their annual meetings and people are elected, but they forget to tell the Justice Department. That leads to misunderstanding. Very often we send mail to the address of a person who no longer holds office and, in some cases, has left under a cloud or has just walked out and will not have anything further to do with his organisation, so he refuses to pass on the mail. This leads to a number of unfortunate misunderstandings which, when brought to our notice, we can correct. We will have that problem, too. In the brochures and publications which we will send to all these organisations we will stress the need to advise us from time to time of changes of personnel so that in fact the information does get to the right person.

Mr. Wright: Can you have a special part in the pamphlet not only talking about what the law is but some sort of thing about the obligations that the seceretary is under and have this rammed home, because the secretary usually carries out these functions. Whether they read the whole thing is another point.

Mr. KNOX: We will consider that. Quite frankly, we will be sending out a lot of literature. No matter how much we send out we will still have people who will not read it even if it is in big black type. But we will do our best to overcome this particular difficulty, although I am sure there will still be difficulties.

I hope that once organisations realise their obligations as registered or approved associations, they will operate within the terms of the legislation, because I get no pleasure at all from prosecuting worthy organisations and fining them for an offence—absolutely none at all. They are usually worthy organisations trying their best to do things for their communities. They are full of good intentions, and very often the only reason they get into difficulty is carelessness in administration. Many of these people do this work in their spare time, and the obligations on voluntary workers are quite onerous. But if they are to be protected from the inroads of people who are working for other than the worthy causes which we support, then some restrictions have to be placed on them. If this is not done, of course, they could easily be wiped out by pirate operations, if I can use that term; so it is rather important that they do meet their obligations. I assure honourable members that the Art Union Office now goes to a lot of trouble to try to help officers of organisations over these hurdles, but, even with that help, on occasions they still persist in making errors. So perhaps we have to go a little further than merely sending out literature on the subject. We may have to have meetings with some of these people, allow them to ask questions and help them on the way.

Motion (Mr. Knox) agreed to.

COMMITTEE

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

Clauses 1 to 6, both inclusive, as read, agreed to.

Clause 7—Interpretation—

Mr. WRIGHT (Rockhampton) (3.29 p.m.): Most of the points I have to raise can be solved very quickly. The Minister will note that on page 4 the definitions of charitable purposes are set out. A number of areas are outlined. For example, subclause (a) under the heading of "charitable purposes" reads—

> "aiding persons in distress due to any cause and the dependants of such persons;"

Subclause (b) refers to aiding hospitals, ambulances and so on. Then we come down to subclause (d) which reads—

> "aiding associations that conduct activities which are wholly or mainly concerned with the instruction, care or housing in the State of the blind, deaf, dumb or aged, persons in distress and their dependants, or children;"

My question is whether or not we have left out a very, very important area that might not come within the general ambit of this definition of persons in distress, and I speak of those who are physically handicapped in the sense that they suffer from multiple sclerosis. I do not expect the Minister to outline every organisation that could come within this definition, but there are certain types of diseases which affect young children. The autistic child has certain difficulties, too.

Perhaps it would be necessary to expand that even further to show clearly that it covers handicapped people. Unless "people in distress" covers that specifically, it could be people in distress who have been isolated by floods, or people who have been left on a doorstep by parents and some type of organisation is being set up to help them. It could be, for example, Parents Without Partners or a new organisation being set up to help one-parent families.

I am not sure that there is any need to worry, but when I first went through this provision it seemed to me that it was rather too general and that the important area of the handicapped had been left out. I should like the Minister to comment on that.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.31 p.m.): I do not think there is any problem; I have not had any problem to date. Even with the definitions that are in the Act, I could bring the handicapped under a number of areas. There is "community purpose",

where I have a discretion; there is "educational purpose". I am sure that I can bring the organisations mentioned by the honourable member under at least two of the headings listed under "charitable purposes". I do not see any problem about giving them the necessary permits.

Clause 7, as read, agreed to.

Clauses 8 to 16, both inclusive, as read, agreed to.

Clause 17—Restriction on permissible prizes—

Mr. WRIGHT (Rockhampton) (3.32 p.m.): The restriction on permissible prizes has to be part of the legislation. However, it is to be noted that under subclause (1) (a) an open order cannot be a prize. That seems to me to be a rather unnecessary restriction. In addition, no prize shall be tobacco in any form or liquors.

I understand the point made in relation to money prizes. It has been said to me that if major money prizes are offered, they will be competing with the Golden Casket. I am not sure whether that is the Minister's reason for not allowing money prizes, because money prizes are allowed for smaller art unions, as are prizes of tobacco and liquor. It is probably worth while having some explanation from the Minister, because there seems to be some inconsistency between the major art union prize and the minor art union prize. I ask the Minister to give the Committee an explanation.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.33 p.m.): Of course, the reason for this is mainly historical. One of the great troubles—and there have been discussions in this Chamber before on this matter—is that if in fact a prize is not sufficiently definite, it leads to the opportunity for collusion as to what the prize might ultimately be. Questions have been asked over a long period about art unions and the nature of the prizes.

Mr. Wright: Nothing is more definite than money.

Mr. KNOX: Yes, and no. Take an open order. What does that mean? It is something that may or may not be realisable. It becomes rather vague and indefinite. I have seen prizes of that type given, and I have heard complaints later. Of course, they are not in order in this context.

The best indication that I can give honourable members is to mention a prize given in another State in what is the equivalent of an art union. It was a block of debentures in a company. When the prize was advertised, the debentures were worth quite a lot of money at face value. When the prize was due to be given, the company was in liquidation and the debentures were valueless.

There must be something fairly definite in relation to prizes, and because of experience in the past—there is no alteration here; the provision is the same as the provision in the old Act—the administration accepts that it should stick to rules of this type for prizes. The opportunity for collusion between the donor and others can become wide open. That is one of the difficulties.

The CHAIRMAN: I would remind members and Ministers that Standing Order 25 provides that members "shall not stand in any of the passages or gangways."

Mr. K. J. HOOPER (Archerfield) (3.35 p.m.): When land is offered as a prize in an art union, a proper description of it should be advertised. When the art union is drawn, the land should be handed over immediately.

Mr. Ahern: How much did you give to the Flood Relief Appeal?

Mr. K. J. HOOPER: It does not matter how much I gave. It would be interesting to know how much the honourable member gave to that appeal, and what he did at the time of the flood. People didn't even know where he was during the flood.

It should be an indictable offence if the promoter does not have clear title to the land or does not hand it over immediately the art union is drawn. Yesterday in answer to a question I asked the Minister replied—

> "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".

The land was described as being on the Isle of Capri. According to the Minister's answer, the land was adjacent to the Isle of Capri. A photostat copy of ticket number 33890 says quite clearly that the land is located on the Isle of Capri. I say quite bluntly to the Minister that a fraud was perpetrated on the unsuspecting public. I will be interested to hear the Minister's reply.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.36 p.m.): I feel that I gave an adequate explanation yesterday. I do not think I could have been more complete in the information I supplied to the House. I fear that the honourable member is prosecuting a personal quarrel. We do not want to hear any more about it unless he is prepared to state in clear terms the nature of any fraudulent operation he suspects.

Mr. K. J. Hooper interjected.

The CHAIRMAN: Order! We are in any case debating the provisions of clause 17.

Clause 17, as read, agreed to.

Clause 18—Payment of insurance moneys lawful—

Mr. WRIGHT (Rockhampton) (3.37 p.m.): Provision is made that if a prize is lost, damaged or injured (it could be some type of animal), the insurance compensation can be paid in lieu of the prize. That is all very well, and it is important that we allow that to happen, but I wonder if we are allowing some opening for the person who desires to perpetrate some type of fraud. A person might insure a vehicle worth $6,000 for only $3,000. Instead of coming good with the advertised prize, he might make the excuse that the vehicle had been damaged or ruined in some way and say, "All we can do for you is give you the $3,000." Provision does not seem to be made anywhere that the prize-winner must get the total value of the prize as originally advertised. Could there be some type of make-up provision so that if the prize was worth $10,000, and the insurance coverage was only $6,000, in the event of loss, etc., it would be incumbent on those who ran the art union to find the other $4,000?

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.40 p.m.): No. That may be a matter for some civil action consequent upon the drawing of the art union. To begin with, we do not compel people to insure. I presume that people running an art union take out the necessary insurance to protect themselves or the people they are trying to support. In the case of civil action, should they not be able to provide the prize owing to circumstances beyond their control—such as fire, flood or irreparable damage to the prize—they could be sued.

Mr. Wright: Clause 19 says that an alternative prize can be requested. Could the under secretary request an alternative prize if there was insurance cover?

Mr. KNOX: Clause 19 is a new provision, one that is not in the existing Act. It allows for some discretion, which previously did not exist.

Mr. Wright: That will overcome the problem of clause 18.

Mr. KNOX: It does not overcome the problem. As there is no money prize under clause 18, there is no guarantee that the prize-winner will get the value of the prize in cash. It would only be the wise management of the people promoting the art union that would ensure that there is a policy to cover the prize. If they do not do this they would be liable to civil action for not being able to provide the prize as advertised. This has occurred in Queensland. It is a matter of prudence on the part of the promoters to look after their interests and those of the organisation they are supporting. When loss does occur as the result of an act of God or a fire or flood, we permit—and we have permitted for some time—the prize-winner to be paid money if that is acceptable to him.

If in the circumstances as outlined by the honourable member for Rockhampton the prize-winner is not satisfied that he has received a prize in accordance with the advertised value, he can take suitable action against the promoter or the organisation concerned.

It must be remembered that we are dealing not with a normal commercial transaction but with a game of chance. Certain risks are involved. For example, all the people who do not win the prize have missed out altogether. I think we are providing adequate protection. I could not write into legislation a compulsion on the promoter to meet the value, because that could be a matter of dispute anyway.

Clause 18, as read, agreed to.

Clauses 19 to 47, both inclusive, as read, agreed to.

Clause 48—Offence to conduct unlawful art union—

Mr. WRIGHT (Rockhampton) (3.44 p.m.): I accept that the penalties provided in this clause will act as deterrents and safeguards. But I would ask who exactly is involved here.

Subclause (2) (d) provides—

> "(d) he prints, publishes or distributes or causes to be printed, published or distributed, or has in his possession for publication or distribution—
>
> (i) an advertisement of the art union;
>
> (ii) a list, whether complete or not, of prize winners or winning tickets in the art union;."

It would seem to me that this is a requirement not simply on the promoter of the art union and on the printer of the tickets but also on the newspaper. Before it publishes an advertisement it would need to be shown proof of approval from the department. If this is so, a number of organisations that insert advertisements in newspapers will be faced with having to show their permits to the newspaper involved. It would appear that if that is not done the newspaper could be committing an offence. It may be that I am reading into this more detail than exists, but it seems that the newspaper will now have some type of responsibility. Perhaps the Minister will clarify this point.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.45 p.m.): I am not sure that I follow the honourable member clearly. Is the honourable member referring to clause 48 (2) (d)?

Mr. Wright: Yes.

Mr. KNOX: The whole of clause 48 (2) relates to evidence that an art union is being conducted. The offence is dealt with in clause 48 (1).

Clause 48 (2) indicates that an art union is being conducted when certain things are done. A ticket would be an indication that somebody is running an art union.

Mr. Wright: May I put it in more simple terms?

Mr. KNOX: After I have explained my point of view the honourable member may correct me if he wishes.

If there is evidence of printing or causing to be printed publications that advertise an art union, it is assumed that an art union is being run. Assuming in the first place that a person has a permit for an art union, there is no problem. If advertisments appear indicating this sort of thing, they are evidence that an art union is being conducted. If no permit has been issued we start looking to see if there is an offence under clause 48 (1).

I do not think it is necessary for every single piece of paper to be submitted for approval. The naming of a promoter, the form of the ticket and so on indicate approval. All the other matters are merely indications that an art union is in progress. If there is any problem we start looking for the name of the person promoting an art union and charge him with the offence of running an illegal art union. All these things indicate that an art union is being conducted. Perhaps the honourable member would now care to elaborate.

Mr. WRIGHT (Rockhampton) (3.47 p.m.): I will do so.

My point is that if an art union is unlawful because of some of the conditions under which it is being run, is a newspaper liable for advertising it? A simple example would be a bingo advertisement which says that there are 10 jackpots. That is unlawful. Is there to be some responsibility on a newspaper to ensure that the advertisement accords with the Act? That would place a huge task on the publisher. If an art union is unlawful, will a newspaper be liable to suffer a penalty of $600 for advertising it?

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.48 p.m.): I refer the honourable member to the First Schedule on page 35. I think that would be the best way to explain the position. The honourable member will see there the list of conditions to be observed in the conduct of a major art union other than bingo. These conditions have to be met and they require the authority of the Justice Department.

On the specific question raised by the honourable member about publication by a newspaper in good faith—that is, not doing it in a surreptitious way—I would say that the newspaper would not be liable.

Mr. Wright: Otherwise they would never take an ad.

Mr. KNOX: That is right.

We do not want everything in the system. If we were to insist on that we would never get through the work. I notice that quite a number of organisations simply print on art union tickets, "By permission of the Attorney-General", or "By permission of the Department of Justice", when they have not received permission and, in some cases, do not need permission.

If the honourable member reads the schedule he will find enough there in the way of conditions on promoters. Indeed, the responsible person is the promoter. I certainly would not want to be chasing people who become unwittingly involved if they are told by the promoter of an art union—and accept it in good faith—that everything is in order.

Clause 48, as read, agreed to.

Clauses 49 to 51, both inclusive, as read, agreed to.

Clause 52—Offences in relation to foreign art unions—

Mr. WRIGHT (Rockhampton) (3.50 p.m.): I rise on this clause only to seek an explanation. The provision deals with offences in relation to foreign art unions. When I first looked at that, I thought, "Fair enough. We don't want to have all sorts of art unions, like the one that one of the Government members got me involved in at one time from Germany or somewhere else." However, I notice subclause (2) says—

> " . . . the expression 'foreign art union' means an art union conducted or to be conducted in any place outside the State whether or not its conduct in that place is lawful."

That sounds a bit rigid. After all, we are all Australians. It does not seem right to me that we could not have New South Wales art union tickets being sold in some parts of Queensland, especially on the Gold Coast. Again, I might be looking at this too rigidly, but the way it reads is that the tickets cannot be sold, distributed or advertised for sale if they are in a "foreign art union". Perhaps the definition of "foreign art union" is too broad and should not relate to other States.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.51 p.m.): I really thought the honourable member's criticism might be that the definition is too narrow and that we should include other States in "domestic" art unions. It is difficult to find the most appropriate words, but the provision has been in the Act ever since its inception.

Let us see what the problem is. First of all, it is extremely difficult for any person living in the State—or even for the department—to know whether an art union that has been launched in some other part of the world, or indeed in another State, is in

fact a lawful art union. I am sure all members have received in the mail tickets from Malta, Spain and many other interesting places, with no knowledge at all of whether the organisations exist in those places even as legal entities. There might be a way of doing it if we had some reciprocal treaties on the subject. It is a little beyond our jurisdiction and capacity so, as far as we are concerned, they are out.

Mr. Wright: Are Queensland art unions banned in New South Wales?

Mr. KNOX: Yes, usually they are. I think honourable members will readily understand that, if we allowed art unions conducted from elsewhere in Australia to be promoted in our State, it would open the way to all sorts of false statements being made about those promotions.

Mr. Wright: What about national promotions such as an Olympic games appeal or something like that?

Mr. KNOX: They get a permit in each State. They come and see us and fix it up. It is no problem. Usually it is done in the mail. That is how simple it is. No difficulty is put in their way. All sorts of organisations —heart appeals, cancer funds and so on— wish to raise funds through art unions conducted across the border. As there is no difficulty administratively, I think it is reasonable that we should keep the definition as it is.

Clause 52, as read, agreed to.

Clauses 53 to 83, both inclusive, as read, agreed to.

Clause 84—Unclaimed prizes in major art unions and newspaper art unions—

Mr. WRIGHT (Rockhampton) (3.54 p.m.): When an association or club winds up, the constitution recommended by the collections section of the Justice Department suggests that there be a distribution clause providing that moneys left over be given to like organisations, unless of course the organisation comes within the ambit of National Fitness, in which case it reverts to the State body. However, I note under this clause that unclaimed prizes are to be auctioned off but the proceeds are to end up with the Public Curator of Queensland. I suppose this is just one way of getting it into Consolidated Revenue, but it would seem to me that this type of money received for an unclaimed prize in an art union conducted by a sporting organisation should perhaps be used for the promotion of sport. If it is a charitable organisation, it could be used in the social welfare area.

This could be ignorance on my part, but maybe the Public Curator could then make that money available. The provision does not say that. I raise this matter because I think that most people would be in agreement that if money is raised from a certain sport, and no-one claims the prize, the money should go back to that sport.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.56 p.m.): I imagine it would go into Consolidated Revenue if it has been held by the Public Curator for six years.

Mr. Wright: Why the Public Curator? That's my point.

Mr. KNOX: Who else does the honourable member have in mind?

Mr. Wright: The Department of Sport to start with.

Mr. KNOX: Ultimately, if it is not claimed, it would get there, but many prizes are not claimed immediately for some reason or other. Very often the person concerned is travelling outside the country and does not claim the prize until he returns. Sometimes inquiries are made by solicitors who have found in the personal effects of a deceased person a ticket for——

Mr. Wright: It is an administrative reason more than anything else?

Mr. KNOX: Well, it is in a safe place. Where else could it be put? If the honourable member knows of a safer place I would like to know. The important thing is that we do not want it spent. The Public Curator has the authority to look after these matters on behalf of minors and is involved in a lot of other trusts and operations. It is a position of trust.

Mr. Wright: I see.

Mr. KNOX: It is a public trust office and it seems to be the appropriate place. People learn and understand where to look. Usually the people looking for these things are solicitors acting in estates. They come across tickets in the effects of people and want to trace whether or not they are of any value. The honourable member would be amazed, for instance, at the number of casket tickets brought to us that are of value and have not been seen for years.

Clause 84, as read, agreed to.

Clauses 85 to 91, both inclusive, as read, agreed to.

First Schedule—

Mr. WRIGHT (Rockhampton) (3.58 p.m.): Earlier the Minister made the point that we are dealing with games of chance. We have to accept that trying to raise money by running minor and major art unions is a very competitive field, yet we are somewhat limiting the competitive nature of fund-raising by deciding how much can be given away as a prize. I accept the need to decide how much can be spent in expenses; if that was not there, organisations could write everything off as expenses.

Mr. Burns: There was advertising on television about it.

Mr. WRIGHT: I am not talking about bingo but about major art unions.

The Bill provides that the prize shall not exceed 45 per cent. That is not a lot. Anybody trying to get people to spend money in an art union should be able to give prizes of more value. I am questioning whether the restriction is necessary. Wouldn't it be better to allow the organisations to operate in open competition with prizes? After all, it is the big one competing against the big one and the small one competing against the small one, be it a small or major art union. I could probably ask how it was decided that 45 per cent and not 50 per cent or 40 per cent should be the figure. That could be an academic argument. My question is whether there is need for a limit. Why not leave it to the organisation to decide what it will give as a prize? If the prize is to small, the tickets cannot be sold. If the prize is too big, not enough money will be made. Organisers will soon work this out for themselves. I believe that we should leave the decision to the organisations.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (3.59 p.m.): If it were left to the organisations they would soon come under enormous pressure from commercial interests that would force them into running art unions not for the worthy causes for which they were founded, but for the people who have prizes to give away, or allegedly give away, and which in fact are paid for. I do not think it would take people long to work it out.

I am sure that all of us have enough criminality in us to be able to work out how to run an art union for our personal benefit. And if a wholesaler or manufacturer had a close liaison with a charitable organisation, and if indeed the charitable organisation was allowed of its own volition to play with the margins, it would not be long before a fraudulent operation started with perhaps a commercial operator getting somebody on the committees, or even having a relative or friend as promoter of the art union, to make sure that all the television sets came from him and that the organisation was in fact working for his benefit.

If there were no limits, we could have, say, 80 per cent of the takings as the prize and there would be very little going to the charitable cause and everything going to the seller of the prizes to the organisation. Of course, it was a lower figure and we have had to change it. The honourable member asked why it should not be 50 per cent or 40 per cent. All I can say is that it is simply experience that tells us what is a reasonable figure. Because of the thousands of art unions that go through the hands of the Art Union Office over a period, we have a pretty good idea of what percentage of the total is attractive enough to make the art union worth while. I can assure the honourable member that it is absolutely essential that we set these limits; if we did not, the whole art union structure would not be working for the worthy cause for which it was designed.

First Schedule, as read, agreed to.

Second Schedule, as read, agreed to.

Bill reported, without amendment.

THIRD READING

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

JURY ACT AND OTHER ACTS AMENDMENT BILL

SECOND READING

Hon. W. E. KNOX (Nundah—Minister for Justice and Atorney-General) (4.4 p.m.): I move—

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

The Bill introduces into the legislation of this State two new concepts concerning jury lists and juries. At the introductory stage of the Bill I dealt at length with the benefits to be derived from more frequent jury lists and from the provision of a jury panel for each court. The proposals were well received by honourable members and I am sure will be equally well received by those people whose lot it seeks to make easier—the jurors.

One point I did not make earlier is that with the present system names of persons qualified to serve as jurors which are on the annual jury lists can be removed for any of the reasons stated in the Act and this contributes to a running down of available persons. Under the proposed new system, the persons qualified to serve as jurors who move into a jury district will be added to the list each four months. This will to some extent remove the present difficulties experienced where jury lists are small and the same persons are called regularly.

Most of the provisions of the Bill are consequential upon these two main changes and are designed to make the compiling of jury lists, the obtaining of prospective jurors lists and the selecting of prospective jurors as mechanical and as simple as possible. The duties of the sheriff in this regard are spelt out in detail and the only discretions permitted to him are in his estimation of the original number required for his jury list, in cases where the computer issues the notices, and in his estimation of how many prospective jurors shall be called to enable him to supply every precept or order issued or made in respect of a particular sittings.

Court sittings generally can be planned in advance but, where additional jurors are required, the additional names will be able to be taken from the prospective jurors' list instead of the sheriff having to go back to the computer and going through the whole procedure again.

Now that a panel of jurors is proposed for each court the proper officer of that court will be required to keep the sheriff informed of matters relating to excusals, selection of jurors, non-attendance by jurors and fines imposed upon those jurors.

The amendments to the District Courts Act are consequential upon those to the Jury Act.

The annual jury list based on the electoral records as at 31 December last will come into effect on 1 June 1976 and will remain in force until the first jury list compiled under the new provisions comes into operation. It is anticipated that this will be 1 November 1976.

Apart from the saving of funds expected to flow from the Bill, it is anticipated that many hours of wasted time will be saved by the judges, the professions and by all other persons associated with jury trials.

Mr. WRIGHT (Rockhampton) (4.7 p.m.): The Opposition has looked very carefully at the Bill and accepts the two major amendments being proposed, that is, the one relating to more frequent availability of jury lists and the other relating to separate jury panels for each court. However, there are some points that need to be debated.

At the introductory stage, a number of honourable members from both Opposition and Government benches spoke somewhat critically about the list of exemptions under section 8 of the Act. A clause of the Bill will simply extend that list of exemptions. The Minister did say that he agreed that there was a need to consider the existing exemptions, and I think he concurred with arguments that it may be necessary to look at the role of public servants and jury service. Other honourable members cited various professions or trades that they said should not be exempted. Yet it is to be noted that special exemption is now to be given to ambulance bearers, members of fire brigades, directors, principals, registrars and academic staff of colleges of advanced education, and principals, secretaries and instructional staff of rural training schools. Surely that is going too far; surely the time has come to put a stop to exemptions.

The list of those available is becoming smaller and smaller, and the principle that one should be judged by one's peers will become a joke. It will be impossible for a person to be judged by his peers unless he comes from a very low level of the socio-economic status strata. In my opinion, it is a matter that should be considered carefully.

The Minister did say that he was prepared to review the situation. I should hope that it will be one of the first tasks for the Law Reform Commission in the new session to review the various exemptions that exist instead of putting forward legislation simply increasing the number of exemptions. It is not right that these persons should be exempted.

I should qualify that to some extent. One amendment now proposed will exempt people in primary industries, in particular, who would be required to travel long distances through remote areas to serve as jurors. I have no argument against that. But why suddenly exempt people in the fire brigade or in the ambulance corps? If they are sick, they can soon be replaced. Surely they have obligations, just as school-teachers, public servants, bank officers, university professors, doctors, dentists and all the others listed have an obligation to perform a community service or public duty by acting as jurors.

It is not an onerous task, because the Minister has proposed in another amendment that a person will not be forced to serve more than once in 12 months. If he is called a second time, he will have the right to say that he does not elect to serve.

The Opposition does not intend to oppose the Bill or to move amendments, because an amendment will not solve the problem to which I have referred. However, I ask the Minister to get his officers to go through the list and, instead of extending it, begin culling out the exemptions that are there. Only in this way can we ensure that the whole principle of jury service—of being judged by one's peers—will be maintained in this State.

Hon. W. E. KNOX (Nundah—Minister for Justice and Attorney-General) (4.10 p.m.), in reply: I do not believe that there are any new exemptions. I stand corrected if I have overlooked any. The ones mentioned in the Bill are already covered by Orders in Council issued on previous occasions. They were previously exempted, but we are now including them in the list. It may have escaped the notice of the honourable member for Rockhampton that there are Orders in Council in existence exempting a number of people. For instance, in 1966 apparently the Governor in Council exempted employees of the Totalisator Administration Board. In 1975 principals, secretaries and instructional staff of rural training schools were exempted.

Mr. Wright: I take back my criticism that you had sort of broken what you said the other day.

Mr. KNOX: Thank you. The list has not been added to. I refer the honourable member to section 10 (3) of the principal Act, where fire brigade members are excused on production of certificates. It is a debatable point whether fire brigade members should be exempted, but apparently that has been in the Act for some time.

Mr. Wright: It was a conditional exemption.

Mr. KNOX: Yes. We are going to exempt them anyway if they produce a certificate, and they all produce certificates. Rather than go through that process, why not exempt them? They are going to produce the certificates, anyway.

Mr. Wright: Do you still undertake to have the review?

Mr. KNOX: Yes, the Law Reform Commission will look at it.

Motion (Mr. Knox) agreed to.

COMMITTEE

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

Clauses 1 to 39, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

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

DRUGS STANDARD ADOPTING BILL

SECOND READING

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (4.14 p.m.): I move—

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

In my introductory speech I explained fully how this Bill would provide for the adoption and establishment of standards for drugs in Queensland in lieu of legislation that had become outdated and inadequate in its provisions.

I consider no further explanation is required at this time, and I commend the Bill to the House.

Mr. BURNS (Lytton—Leader of the Opposition) (4.15 p.m): If I might refer to the clauses, to save time at the Committee stage, one clause apparently puts us in the position of not having to slavishly follow the British Pharmaceutical Codex. I am not too sure whether that codex contained thalidomide and other drugs of that type, but obviously they were used widely in Britain, where a large number of children were adversely affected by them. It seems that we should have some sort of check of our own. I suppose the National Health and Medical Research Council does maintain such a check, but I wonder whether clause 6, which gives the Minister the right to set his own standards, should not also give us the right to set up our own committee to ensure that we do not slavishly follow what happens in Britain, Germany or elsewhere. I have no opposition to the Bill.

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (4.16 p.m.), in reply: The use of drugs is kept under constant review by the Drug Advisory Committee at Commonwealth level, and within our own hospital system we have an expert committee on drugs. Unfortunately a lot of drugs are used for long periods before the results are found to be detrimental to some people. We hope that, as experiment and research continue throughout the world, these problems will be overcome. The honourable gentleman's point is a valid one.

Motion (Dr. Edwards) 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.

Bill reported, without amendment.

THIRD READING

Bill, on motion of Dr. Edwards, by leave, read a third time.

HEALTH ACT AMENDMENT BILL

SECOND READING

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (4.18 p.m.): I move—

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

In my introductory speech I explained how the provisions of the Bill were intended to complement existing provisions of the Act. Now that an opportunity has been afforded honourable members to peruse the Bill, I am sure they will agree that such provisions are both necessary and desirable.

The Leader of the Opposition in his remarks at the introductory stage referred to the provisions of section 130J of the Health Act. It is true that when this particular provision was introduced it engendered considerable debate in the House, and I do not intend to refer to all the points for and against the concept of "reverse onus" of proof. The Government of the day believed that the departure from traditional procedures was warranted.

I would point out that inclusion of this section in the Act was based on a recommendation of the National Standing Control Committee on Drugs of Dependence, which comprises representatives of the Commonwealth and all State Departments of Customs, Police and Health. It was also agreed upon by a conference of Commonwealth and State Ministers.

During 1975 the Solicitor-General reviewed the operation of section 130J. At that stage he advised that the legislation is drafted in no less clear terms than the analogous provisions in other States' statutes and recommended that the content of section 130J remain as it is for the time being.

I commend the Bill to the House.

Mr. BURNS (Lytton—Leader of the Opposition) (4.21 p.m.): We have no objection to the Bill. This is another Act which, I believe, needs consolidation. When this Bill is passed, the wording and effect of section 130 will be spread over about four different amendments of the Act. That makes the law unnecessarily mystifying to people who want to find out how it will affect them. As we know, it is fairly difficult for members of Parliament to find out exactly what section 130 contains today, and we are talking about drug offenders or those who use drugs.

I have been advised that new section 130LA relating to consequences of summary proceedings for drug offences creates another imbalance in our criminal justice system. The explanation I have been given is that section 2 of the Criminal Code defines an offence as an act or omission which renders the person doing the act or making the omission liable to punishment.

Section 3 goes on to divide offences into crimes, misdemeanours and simple offences. Crimes and misdemeanours are classified as indictable offences. Indictable offences are those offences which must be tried by a judge and a jury sitting together, such as the District Court and the Supreme Court of Queensland. Simple offences are heard in a summary fashion before a magistrate or two J.P.s sitting together.

Section 659 of the Criminal Code is headed "Effect of Summary Conviction for Indictable Offences" and it says that when a person has been summarily convicted of an indictable offence the conviction is deemed a conviction of a simple offence only and not of an indictable offence.

This means that if I am charged with stealing things under a certain value I can elect, because it is basically an indictable offence, to go to a judge and a jury or to have it heard before a magistrate summarily. If I am convicted before the magistrate, my conviction is only for a simple offence.

This new section 130LA means that defendants by not having the advantage of a judge and jury and being convicted summarily will be regarded as being convicted of an indictable offence even though it was heard summarily.

As I understand it, under new section 130LA, a conviction of an offence against any provision of section 130 shall have effect in law as a conviction for an indictable offence irrespective of the manner in which the charge is prosecuted, save in a case to which subsection 5 of 130B applies.

It seems to me that a person could go before a magistrate believing that he is being tried summarily—in other words, the offence would not be treated as an indictable offence —and plead guilty. In such a case a conviction would not be used against him in his employment later in life. If it becomes an indictable offence under the provisions of this section, a man can lose his job in the railways or Public Service, or lose an opportunity of getting a job in the Public Service. This is the provision I referred to at the introductory stage when I mentioned the case of the young man who planted drugs in his father's home and then told the police in order to have his father convicted of being in posesssion of drugs. Such a person would have to prove that he did not know the drugs were there. He could be tried under section 130LA, and if convicted of an indictable offence when employed by the Railway Department, could lose his job for the reason that he had been convicted of an offence that precluded him from being employed by the department.

In this case we are creating an imbalance in our criminal justice system. If we make provision in our criminal law for a man to be tried summarily and treated in one way, I do not believe the Health Act should reverse that and so create an imbalance in our criminal justice system.

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (4.24 p.m.), in reply: I do not think that what the honourable member referred to really changes the system. On our information, section 130 provides for conviction on indictment and on summary hearing. At present, if the proceedings are heard summarily, a convicted person has an option of appeal to the District Court or the Full Court against sentence. The Solicitor-General may recommend an appeal against sentence or that summary proceedings should be taken to the Court of Criminal Appeal. I will discuss the matters that the honourable gentleman has raised. As I indicated, we have not considered the Act in detail. However, we will certainly consider his suggestions in the future. My department is presently looking at a consolidation of the Act, and when that is done we will consider all these matters.

Motion (Dr. Edwards) agreed to.

COMMITTEE

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

Clauses 1 to 6, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

Bill, on motion of Dr. Edwards, by leave, read a third time.

HARBOURS ACT AMENDMENT BILL

SECOND READING

Hon. R. E. CAMM (Whitsunday—Acting Minister for Tourism and Marine Services) (4.28 p.m.): I move—

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

In my introduction of the Bill, I described in some detail the more important provisions and the reasons for their inclusion in the Bill. I would like to reiterate that in the main the provisions of this Bill are directed towards improving harbour board administration procedures, which will be of benefit to the boards in their day-to-day management of the ports.

I have already dealt with the matter of increased penalties raised by the honourable member for Bulimba. Penalties under the Harbours Act relate very substantially

to the questions of safety to life and property inside harbours and to the pollution of our harbour waters. These are matters of growing importance to our community, and the increased penalties are consistent with this growing community concern.

The honourable members for Bulimba and Mackay referred to the change in policy by this Government regarding financing of the mooring areas in boat harbours. I should point out that there will be no change in the existing policy relating to day-to-day control of boat harbours. They will continue to be controlled by the appropriate harbour authorities or local authorities. However, it has been decided that in future State grants will continue to be made available for public boating facilities, including public jetties, boat ramps, navigational aids, dredged channels for general public use and breakwaters for the protection of boat harbours.

At the same time, it has been decided that the development of mooring areas in boat harbours which are for the sole benefit of the vessels using those mooring areas shall as from 1 July next be financed 50 per cent from State grants and 50 per cent from repayable loans for a period of two years and, thereafter, 100 per cent from repayable loans. To meet the cost of the repayable loans it is estimated that an additional levy on all moorings in boat harbours will be necessary to the extent of about $100 per mooring for each of the two years commencing 1 July next. Thereafter, on present-day costs, the additional levy is estimated at $200 per mooring.

In order to introduce the levy it is proposed to divest control of boat harbours from the present controlling authorities on 1 July next and immediately vest control again in those authorities subject to the condition of a levy on the particular authority to the extent I have mentioned earlier. The change in funding arrangements will call on mooring holders to pay for facilities provided especially for their benefit, and at the same time it will provide more money for the development of boat harbours in this State.

The honourable member for Mackay also raised the question of declining ports and their future financing and management. It has always been the policy of this Government that as ports serve individual trades or individual districts each port should stand on its own two feet financially. If it cannot it should either be closed or be financed at the State level. Ports in Queensland under the control of the Harbours Corporation strictly follow this policy.

There is no cross-subsidisation between the ports of Weipa and Hay Point, or between the ports of Mourilyan and Brisbane or indeed between any of the ports controlled by the Harbours Corporation. The same policy applies to the ports under the control of harbour boards. It is the intention of this Government to continue such a policy.

Mr. HOUSTON (Bulimba) (4.32 p.m.): Again this year, as has been the case over many years, important legislation that requires many hours of research and very intense study of its implications has been presented to Parliament at the end of a sitting. Parliament has been sitting now for six weeks. Why did it take all of this time for the Government to prepare this legislation? No doubt it knew last year that this type of legislation would be included in its programme.

Within a few hours of the introduction of this legislation, we are debating its second reading. It is physically impossible for honourable members to give the legislation the scrutiny that it deserves. The operation of democracy in our Parliament surely should entail the introduction of legislation by the Government and the Opposition's having the time and the opportunity to study it. Democracy here operates on the system of Government and Opposition.

It is true that all honourable members have an opportunity to debate an issue once it is introduced into Parliament. Customarily legislation is presented to party meetings. Last night the honourable member for Mt. Gravatt complained that six Bills were rushed through his party meeting without anybody having an opportunity to learn what was in them. That means that legislation has been introduced virtually at the whim of Cabinet. In this case the Bill contains over 100 clauses or subclauses. It is completely wrong that Parliament should operate in this way and I protest vigorously. However, we have studied the Bill in the time available, which was between 2 o'clock this morning and now. It must be borne in mind that members of Parliament have other duties, other Acts to study and other measures they want to be conversant with.

There are a few points I should like to raise. It is obvious that the Government has decided to change the name from the Corporation of the Treasurer of Queensland to the Harbours Corporation of Queensland. Apparently there is no great change in its operation. It will still control harbours that have not established a harbour board or authority. I have no doubt that Hay Point will still be under the control of the Treasurer irrespective of the name by which he happens to be called. In this regard I support the remarks of the honourable member for Mackay. If my memory serves me right, when this legislation was originally introduced we believed that Hay Point should be part and parcel of the Mackay operations.

It is pleasing to see that air-cushion vehicles are now covered in the legislation and I look forward to the day when that type of vehicle is part and parcel of our transport system. It has now been proven overseas to be a very effective means of carrying both passengers and goods and I think it is pleasing to see our legislation being brought up to date to cover this type of vehicle.

The control of dangerous goods is also to be commended because unfortunately dangerous goods are a threat not only to material things but also to human life. I was quite surprised to learn that dangerous goods awaiting shipment on wharves were not actually covered. Naturally we support the idea that they should be covered. We also support the provisions relating to the control of oil and oil products, and liquid products that are of a noxious or dangerous nature. I think the State has been very fortunate that up to date we have had no serious problems associated with dangerous goods.

Perhaps the Minister could explain why the words "wharf land" have been removed from the definition of "wharf". I understand that to be land adjacent to a wharf, and we know full well that with the expansion of trade quite often it is necessary to use land adjacent to a wharf for the storage of containers or other materials, even though they may not be stored on the wharf itself.

I do not agree with the breaking down of the condition that a member of a harbour board cannot enter into contracts with the board or be associated with companies which enter into contracts with the board. I have been presented with no evidence that this has been the reason why some people have not served on boards and I think that, like Ministers of the Crown, they have to make up their mind what they want to do and what they want to be. If they want to be in business, that is their decision; but if they want to serve on a harbour board or be Ministers of the Crown, certain restrictions should be placed on them. I see no real reason why this provision should be removed.

In regard to the proposal that members of a harbour board should be covered by an insurance policy, virtually in the same way that local authority members are covered, to my way of thinking this could be quite an expensive item. It could be very hard to prove that a member of a harbour board was or was not on harbour board business because there is nothing in the Bill which sets out exactly what that means. I would say it would be virtually impossible to decide when a member is actually on harbour board business, such as going to or from a meeting. I have no real fight with the provision. I think a member should be covered in case of injury when he is on harbour board business, but I do not see why his position should be any different from that of any other workers, for instance clerks in the harbour board office. They have to attend to duties such as going on inspections and doing many other things, but as employees of the harbour board they would be covered by workers' compensation. I believe this is right, and I do not see any reason why appointment to a harbour board should mean that a person should have the benefits of private insurance which, as we know, are much better than those of workers' compensation. This insurance is a charge against the harbour board.

Certainly harbour boards are given greater power by this Bill with regard to leasing and licensing of land and the issuing of permits for its use. In fact, the Minister has to approve of the lease or licence and the use of the land. I have no fight with that at all because the use could be a danger to the operation of the harbour or to someone who uses the harbour or works associated with it. I take it that the granting of leases and licences requires ministerial approval because of the safety factor; yet no ministerial approval is required, apparently, when a permit is granted. As I see it, although the period is much shorter, operations could be carried out under a permit similar to those that could be carried out under a licence. Damage could be done or a hazard could possibly be created even in that short period. I suggest to the Minister that irrespective of whether it is over a period of two, 10 or 75 years, ministerial approval could be a very necessary safeguard, particularly having in mind safety.

I have no quarrel with the suggestion that private enterprise should be given a permit, a licence or a lease to build or operate a wharf in a harbour. However, I firmly believe that it should be compelled to provide certain amenities on that wharf. Take a passenger wharf, Mr. Speaker. It should have on it a comfortable area in which passengers may alight from or wait to board ships, and it should also have on it amenities for people waiting to meet or see passengers off on ships.

There has been quite an outcry recently about the condition of the international terminal at the Brisbane airport. The Port of Brisbane is not directly concerned in this because a new complex is to be built, and I certainly support that. However, I believe that the condition of wharves in Brisbane at present for the reception of passengers and visitors is well below an acceptable standard. In my opinion, harbour boards should clamp down on those who operate wharves and make sure that they improve standards.

The Premier told me that one of the reasons why amenities on Brisbane wharves were not very good was that not many ships come here. I have spoken to people associated with the tourist trade and they have told me that the reasons why ships do not call here are the lack of amenities, the distance from the wharves to the centre of the city when no public transport is available and other similar factors. People are not keen to come here, and whether or not a ship comes to a port is determined by the number of people who desire to go there. Tourists are very pleased indeed when they find good amenities, particularly toilet and shopping facilities, at a port.

The Opposition supports the provision relating to the power of a board to dispose of abandoned goods, whether they be boats, vehicles or anything else left in the harbour or on the land associated with it. I am pleased to see it in the Bill—for two reasons.

Firstly, it removes a possible danger; secondly, I do not think there is anything worse than having a litter-free city and having unsightly objects lying about the port. Just as a local authority would be criticised very quickly if it did not clean up the area under its control, likewise a harbour board should also be criticised if it does not do so. The Act not only allows it to do so; it makes it obligatory.

Naturally, the Opposition supports the provisions of the Bill that take a firm step towards the elimination of the litter problem. Honourable members recently debated in this Chamber what was commonly known as the swill Bill, which was introduced because of the possibility of the introduction of foot and mouth disease. As many honourable members said in that debate, one of the ways in which the disease could enter the country is through litter dumped by ships at harbours and ports. Any action that the Government takes to stamp that out will certainly have the approval of the Opposition.

Mr. Moore: You just increased your membership by 100 per cent.

Mr. HOUSTON: The point is, of course, that in ability and dedication to work one man on this side of the House is worth 20 on the honourable member's side any time.

As to glass and that type of thing—naturally such matters have to be dealt with severely. In the majority of cases the pollution is caused by people who are careless and do not think. If the penalty is sufficient it might serve the purpose. But I do not want people to be hounded. Although the penalty should be severe, appropriate notices should be displayed to indicate to people frequenting the area the danger of doing certain things. Such notices should be displayed where people can easily see them. The oil spill provisions in this Bill are supplementary to those contained in other legislation.

One thing I am not happy about is that rates will not be charged on harbour lands. I know it has been policy that Governments do not pay rates on their lands. However, I query just how much local authorities can be penalised. They are now being denied much of the previous income available to them. They have lost electricity distribution; they will be losing various subsidies; and the Federal Government has now decided to cut out to a large extent its contribution to local authorities. Local authorities require money to do the work for which they are responsible.

It is all very well to say that a local authority will not get any rates for harbour lands, but the Government must realise that roads to the harbour still have to be provided. Because of the heavy commercial traffic in such areas substantial roads have to be provided. The local authority also has to provide storm-water drainage, sewerage and other facilities in areas where people are working. Harbour land is used commercially and provides a financial return for the State. Certain charges are made by harbour boards because they are expected to be financially successful. I believe the correct principle is that harbour boards pay rates to the local authority.

Naturally the small boat owners will be pleased to see that harbour boards are taking a direct interest in the provision of slipways, moorings, navigation lights, etc. It is to be hoped that they will provide them. I do not go along with the Minister's attitude that because the moorings will eventually be built out of loan money—50 per cent loan money for a start—high charges have to be placed on boat owners who want to use them. With very little maintenance a mooring will be there for the use of generation after generation. Repayment over a short period of time requires making a higher charge, but, as the moorings will be there for many years, the repayment each year should be very low. Previously the Federal Government provided money for the building of mooring facilities, small boat haroburs, etc. In fact, I can recall the time when the Government made a lot of noise about its policy of creating boat harbours and allowing them to be used by boat owners free of charge. But apparently the Government now has the support of boat owners, so there is no need for it to try to win their support.

Although I do not object to the principle of people paying for services rendered, the situation can become ridiculous when high charges are imposed. Just as one person likes to use a motor-car for his enjoyment, another likes to use a boat. I suggest that the Minister examine the charges that have been recommended. As I said at the introductory stage, they are far too high when we consider the permanency of boat moorings.

As to reclamation—harbour boards have the power to reclaim certain areas. There is always the problem, however, of interference with natural fish habitats and breeding grounds. I have not had time to ascertain what effect these provisions will have on some of our major harbours, but I suggest that the Minister keep a close watch on the reclamation of foreshores for harbour purposes, because as yet we do not fully appreciate the problems arising from the destruction of natural fish habitats.

I whole-heartedly support the provisions that impose penalties for interfering with navigational aids. Quite often in Moreton Bay, navigation lights are out, in most instances as the result of either carelessness or deliberate acts on the part of some person. Whereas on the roadway a motorist who takes the wrong turning can simply reverse his car and set off in the right direction, on the water a boat that takes the wrong turning ends up either on a sandbank or on the rocks. I would not seek to protect any person who interferes with navigational aids.

The Bill contains a certain principle that applies in the event of members of the board arriving at a financial decision contrary to accepted practice and regulations. Such a principle could also be included in other legislation. I suggest that, if this principle were applied to our company laws and our building society laws, people would think twice before they made decisions concerning the expenditure of someone else's money.

We are not opposed to the second reading of the Bill. I do, however, regret the fact that we have not had sufficient time to study it in detail. As the Leader of the Opposition has said, with Bills that have not been consolidated for some period we are forced to read not only the original Act but also three or four amending Acts to try to ascertain the current situation.

Mr. CASEY (Mackay) (4.55 p.m.): Unfortunately the Minister finds himself in a position similar to that in which a Minister found himself at the end of the last session in having to rush important legislation through the House. Amendments to the Harbours Act are indeed important. I sincerely hope that, because we have not had ample time to study the Bill in detail, we will not experience problems similar to those experienced by the Minister for Aboriginal and Islanders Advancement and Fisheries when he pushed the Aurukun legislation through at the end of last session. I assure him that my footwork is all right on this occasion and I am glad that he is not in a gagging mood this afternoon.

The Bill includes a new principle relative to the removal of offensive and dangerous goods from wharves or a harbour area. Without having a chance to check with other legislation, I am concerned that if dangerous goods, which are offensive, injurious or prejudicial to public health, safety and comfort are found, authority may be issued in writing for their removal within 24 hours.

In recent years dangerous and offensive goods—and even explosives—have been located on wharves in overseas ports. In those countries it became necessary to take more urgent action than giving 24 hours' written notice. I find nothing in the amending Bill about this and I wonder if the Harbours Act contains any provision to cover an emergency situation whereby more rapid steps can be taken to issue a notice for the removal of dangerous goods.

In New Zealand a few years ago, people had to be evacuated from areas within a mile and a half of a port when it was found that chemicals leaking from drums gave off a poisonous vapour on contact with the atmosphere. Action had to be taken almost immediately to cover the situation. I hope our Harbours Act contains a similar provision. If it does not, I counsel the Minister acting to urge the department to have this matter investigated so that the Act may be further strengthened.

It is regettable that the Minister for Tourism and Marine Services has been ill in recent weeks. I understand that he is now well on the way to recovery. I should be grateful if the Minister would pass on to him the best wishes of the House for his speedy recovery over Easter.

Hon. R. E. CAMM (Whitsunday—Acting Minister for Tourism and Marine Services) (4.58 p.m.), in reply: I thank both Opposition speakers for their contributions. I remind the honourable members for Bulimba and Mackay that the port at Hay Point was never under the jurisdiction of the Mackay Harbour Board.

Mr. Casey: It was.

Mr. Houston: Before it became Hay Point.

Mr. CAMM: I shall not argue about it. From my local knowledge, after a lifetime in the area, and from the surveys conducted by the Department of Harbours and Marine, the port of Mackay finished just south of Louisa Creek. That does not include the port of Hay Point.

Mr. Houston: If they put it in, that will make it right.

Mr. CAMM: It was never under the jurisdiction or control of the Mackay Harbour Board. The honourable members may take my word for that. That is correct.

The honourable member for Bulimba asked why wharf land was being excluded. The term "wharf land" means nothing in itself. It means nothing other than land associated with the wharf. It has no significance. Harbour boards will still control land adjacent to the wharf and land that they own—any land that is controlled by a harbour board—will not be affected by this legislation. It is just that we are by that description deleting wharf land. Previously the description had no significane. The harbour board will still control the land or land associated with it.

The honourable member referred to membership of the board. This amendment removes a provision in the Act which disqualified a person if he had a pecuniary interest or was associated with a contract. Membership of a harbour board will now be in the same category as membership of a local authority or State Cabinet. Members of boards will declare their interests and refrain from voting; but they will not be disqualified.

Rates will not be paid on vacant harbour board land. Reference was made to the abolition of rates on harbour land itself. The Local Government Association has recognised that this is a desirable move inasmuch as harbour boards create land through reclamation. The honourable member for Mackay could inform honourable members about the amount of land that has been reclaimed by the Mackay Harbour Board. That reclamation is for the good

of the community as a whole. Sometimes the land must be held for long periods before it is taken up for commercial purposes. Certainly, when commercial enterprises take the land, they will pay rates to the local authority. In effect, the harbour boards create land for the local authorities, which will collect rates on the land at some future time.

I turn now to fees for mooring. I indicated in my second-reading speech that protection in boat harbours—breakwaters, beacons and so on—will still be supplied through loans or grants. It is the actual moorings for which a boat owner will pay. Sometimes significant expenditure is required to establish moorings. After all, that is for the benefit of individuals. On the other hand, jetties, breakwaters and wharves are for the benefit of the general public and will still be paid for in the same way as previously. It is for the individual moorings that the charge will be increased.

Mr. Houston: The point is that it should be amortised over a longer period so that the monthly charges are lower.

Mr. CAMM: That matter could be further considered, but I am sure that the assessment has been made bearing in mind the capital cost of establishing the moorings.

Motion (Mr. Camm) agreed to.

COMMITTEE

(Mr. Kaus, Mansfield, in the chair)

Clauses 1 to 61, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

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

CHICKEN MEAT INDUSTRY COMMITTEE BILL

SECOND READING

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (5.5 p.m.): I move—

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

As I indicated during the introductory stage, the sole purpose of the Bill is to set up an industry committee to provide a formal basis for the negotiation of agreements and the settlement of disputes. I firmly believe it is better for an industry to sort out its own problems than for the Govenment to intervene. I am confident that the chicken-meat industry is quite capable of doing this. It is a well-organised industry and the people involved are very able.

There was some suggestion during the introductory debate that the Bill does not go far enough and that a complete marketing or stabilisation scheme should be introduced. If I remember correctly, that suggestion was put forward by the honourable member for Mackay. I would agree with him that complete marketing and stabilisation schemes have worked very well for some of our rural industries, such as sugar and tobacco.

However, the broiler industry is unique among our rural industries. Its structure and methods of operation are quite different from other industries. I do not believe that a completely controlled marketing scheme is either necessary or desirable in this case. Further, because of the industry structure, I do not think it would be practicable.

I expect that the provisions contained in the Bill are practical and will have the support of the majority of growers and processors. Unlike some of the honourable members who spoke on the Bill during the introductory stage, I have great faith in the people involved in this industry. I am firmly of the view that all parties will approach the various problems that arise in a co-operative manner. I expect that most decisions of the committee will not involve a complete division between processors and growers and that the chairman will not be called upon on most occasions to cast the deciding vote.

Turning now to some of the other points made during the introductory stage—the honourable member for Bulimba indicated his support for the general principles of the Bill but seemed to think that price-fixing was involved. I would like to stress that letting an industry determine its own pricing arrangements is vastly different from Government price control. There is no suggestion of Government price control and I hope there never will be.

On the question the honourable member raised concerning costs, I should perhaps mention that a detailed cost study has been carried out by the Marketing Division of my department. I am happy to say that my officers received the utmost co-operation from both processors and growers in this study.

Concerning the suggestion that processors might grow all their own chickens—I have no fear of this happening. Some production by the processors themselves can at times be a good thing in smoothing out the ups and downs which result from market fluctuation. I believe that processors will contiune their present policies in this regard.

The honourable member for Mt. Gravatt indicated by his remarks that he was not concerned with the problems of the broiler industry but only with what he considers to be principles. My view is that it is the responsibility of Governments to do whatever they can to assist industries without unnecessarily interfering. That is precisely what this Bill sets out to do.

The honourable member for Landsborough, as we all know, is a very strong supporter of orderly marketing. He is more aware than most of the benefits of such schemes because

so many of the farmers in his electorate derive those benefits. I thank him for his support.

The honourable member for Bundaberg made his usual lively contribution.

The honourable member for Redlands clearly illustrated his close association with all sides of the industry. He is fully aware of the problems which have arisen from time to time because of fluctuating markets and depressed prices.

I certainly share his concern that the broiler industry should be placed on as sound a basis as possible for the benefit of growers, processors and consumers alike. This measure will not overcome all of the industry's problems but it will at least help.

The honourable member for Fassifern spoke only briefly but he put his finger right on the spot as usual. In these days of inflation and rapidly changing prices, there is a need for very close consultation between all parties to an industry to ensure that no one section is disadvantaged.

I mentioned earlier one of the matters raised by the honourable member for Mackay. He indicated that he wanted total control over the industry. I suggest to him that he would put the industry in a strait jacket. If he had any real knowledge of the structure of the industry he should realise that it would not work.

The honourable member for Townsville followed a similar line to the honourable member for Mt. Gravatt and I see no need to repeat the comments I made earlier.

The honourable member for Cairns raised a question in relation to the Prices Justification Tribunal. As I indicated during the introductory stage, I see no conflict. However, the matter will be kept under close scrutiny.

I do not think I need add any more. The Bill is a short one and its purpose has been clearly stated.

Mr. HOUSTON (Bulimba) (5.10 p.m.): The basic trouble in the poultry broiler industry is its inability to provide an acceptable income for the contract growers. Many of these growers are in fact self-employed labourers. That is their main business activity. We know that they provide the sheds and the other equipment required to rear the chicks to whatever age it happens to be—I think it goes up to 16 weeks—before they are sent to the abattoir for slaughter. It appears to me, after hearing various members speak, that many of these growers are completely at the mercy of the processor, because the processor supplies the chicks and the feed and all the grower does—I do not mean "all" in the lesser sense—is successfully rear the chicks.

Mr. Ahern: He doesn't even own the chicks.

Mr. HOUSTON: I appreciate that. As I said, he is virtually paid day-labour in that sense. I think his return has been quoted at 14.7c a bird on average. How that figure was negotiated, I do not know; the Minister certainly did not tell us. It was interesting to hear each of three honourable members say that he had half the broiler industry of Queensland in his electorate, so it looks like we have half as much again as we think we have. But the significant point is that two of them, allied no doubt with different processors, gave a figure of 14.7c a bird——

Mr. Goleby: That's an average.

Mr. HOUSTON: That is an average, but it is quite significant that it is an average through the various processing areas. But I want to point to one area that does not conform with the average. It is at the other end of the scale.

Mr. Ahern: There is one of them as low as 8c.

Mr. HOUSTON: When they get down to that figure, the return becomes completely ridiculous. The point I want to make is that basically we are looking at the industry from the wrong point of view. We have to look at the over-all situation. In his introductory remarks and in his speech on the second reading the Minister talked about the high efficiency of the grower and the processor. No-one is arguing about that at all. The argument is whether or not the grower is getting the right price for his labour. But a third factor comes into this argument.

Let me give honourable members some idea of what those factors are. The first factor is the cost of the man's labour and the return on his capital investment. As far as the processor is concerned, he has to produce the original chick. In many cases he provides the feed—he sells it to the grower—and then he has the cost of processing and the cost of packing. Then we have the retailer. He has to sell the product at a price that will cover his purchase of the processed bird, any freight or cartage, any sales tax and anything else associated with the running of his business. When we look at this industry, I think we have to start not at the production end—the grower—but at the selling end.

Mr. Campbell: Which came first, the chicken or the egg?

Mr. HOUSTON: I do not know if the Minister has any great knowledge on that subject, but if he has he certainly has more knowledge than the Minister for Primary Industries. He doesn't know which came first, the chicken or the egg.

The point is that if the public are prepared to pay only a certain price for an article, the profit margin is reduced right down the scale, from the retailer to the grower. It was quite significant that the

Minister for Industrial Development asked what came first. Certainly we have the grower, but for a start we have to consider the processor because he supplies the chickens.

Mr. Campbell: You have to produce them first.

Mr. HOUSTON: That's right, but after all, somewhere along the line someone decides what the sale price is going to be, and if there is not much profit on the final sale of the article there will be very little profit for those further down the scale, including the grower. If there are excessive profits at one end, it ought to be possible to pay more at the other end of the scale. I am sure that the Minister will agree with that principle.

I have no doubt that 14.7c a bird is too low. I am accepting the figures and assertions of the honourable member for Redlands and other honourable members who spoke at the introductory stage. If what they told honourable members was wrong, I will have to revise my thinking. Certainly, the fellow who is receiving 8c a bird must be well below the average.

What is the position of the retailer? I might say at this stage, Mr. Deputy Speaker, that the Opposition did not have much time to study the Bill. It is to be regretted that when a Bill such as this is introduced, which requires a certain amount of research to ascertain what the problems are and what the possible results will be, the Opposition is not given more time to carry out research. The Bill was introduced late yesterday, if I remember correctly, and honourable members are again debating it today, and it is only one of a number of Bills that have been debated.

This morning, however, I managed to look through the daily newspapers over the last week and study the advertisements for frozen chicken. It was rather an interesting exercise. I believe that frozen chickens are being used more and more by major food stores as selling gimmicks. In some cases they are being sold at low prices to encourage people to patronise those stores. If the prices in such stores were more stable, a better price could be given to the processor and, in turn, to the grower. The difference in price in stores where chicken is being used as a sales gimmick is not just a cent or two; it is significant.

One advertisement that I read referred to No. 8 chickens.

Mr. Goleby: They are very small.

Mr. HOUSTON: I ask the honourable member to wait a minute. For the benefit of anyone who reads "Hansard", I point out that a No. 8 chicken usually weighs about 800 grams; a No. 10 chicken, 1000 grams; and a No. 15 chicken, 1 500 grams. There is a direct relationship between the number of the chicken and the approximate weight of it.

As the honourable member for Redlands said, a No. 8 chicken, which weighs only 800 grams, is a very small chicken. The point is that it was being used as a sales gimmick by a big store. The advertisement said that No. 8 chickens usually cost $1.65, which is approximately $2 per thousand grams, and that customers could have two of them for $2.

Although the Minister has put the legislation before the House, he is not really interested in the debate on it. I regret that that is so.

Mr. K. J. Hooper: He is a better bowler than he is a Minister.

Mr. HOUSTON: Yes. When a Bill comes before the House, the Minister in charge of it is supposed to be here to listen to the debate and make some intelligent comments later. It is obvious in this instance that the Minister is not particularly interested.

Mr. Sullivan: Oh, wait a minute! I just asked Mr. Hinze——

Mr. HOUSTON: Well, he would not know, either. It is no good asking him; he would be the last person I would ask. If the Minister is interested in the industry, he should be interested in what is going on at the other end—the selling end. How does he expect an industry to be successful when a well-known firm advertises and sells——

Mr. Sullivan: Would you allow me to make a comment?

Mr. HOUSTON: If it is intelligent, yes.

Mr. Sullivan: The Minister for Local Government and Main Roads said something to me a while ago. I said, "Please leave it until after. I am very interested in what Mr. Houston is saying."

Mr. HOUSTON: The Minister must have whispered it or his colleague is deaf, because he took no notice of him. He continued talking. But I think the Minister got the message, anyway.

That type of sale is all very well for the shop and for the customer, but if an article is sold at less than its value it should not be done by the processors having to cut their costs and giving less to the grower than he is entitled to. I will give a few examples of what I am talking about. A newspaper carried an advertisement which offered two chickens for $2, or $1 each. It was pointed out that normal price was $1.65 each. If that is good business, there is something wrong somewhere along the line. That firm is passing it on. That was a reduction of 65 cents on one chicken. Three different advertisements by three different firms appeared during the week. I will not name the firms but the Minister can check on them if he wants to. One place advertised a No. 12

chicken for $2.05; another advertised the same product at $1.89, and another advertised at $1.80. It is not just a cent difference, but 25c difference. On a 1 000 gram basis it means $1.70, $1.58 and $1.50 for birds of exactly the same size for sale on the same day.

Mr. Goleby: Do the advertisements say whether they are frozen or fresh?

Mr. HOUSTON: These are all frozen. I will refer to the fresh ones later. No. 13 chickens were advertised at $2.09 and $1.97. Apparently the No. 15 is the most popular one. It was advertised at $2.39, $2.44 and $1.99, a significant difference of 45c. We have to think of the volume that is being sold. I selected shops with a high sales volume. That must have a significant effect on what growers get for their article.

A question was asked about frozen chicken and fresh chicken. Very conveniently for me one firm in the one advertisement advertised No. 15 frozen chickens at $2.44 and No. 15 fresh chickens at $2.66, a difference of 22c. I think I have made the point. The industry has to look at selling prices.

In the short time available we had a quick look at other commodities used as sales gimmicks by the same companies. No other product was used to the same extent as frozen chickens. It is obvious what the Government has done. It is not prepared to tackle the big fellow; it is not prepared to tackle the super sales organisations. It realised there was something wrong and tried to pacify both sides.

As I said in an earlier debate, the Government is associating itself with what I termed scapegoat organisations. If the Government feels that blame should be laid at anybody's feet for certain things, it will lay the blame on those organisations. If a complaint is laid against a decision arrived at by such an organisation, the Minister will be able to say, "I fixed that up; I am not to blame."

The Minister proposes to set up a committee consisting of seven people, of whom three are to be growers' representatives, three are to be processors' representatives and one will be an independent chairman. The strange thing is, however, that those seven persons will be selected by the Minister "after consultation". Simply because a Minister has consultation it does not follow that he is required to take notice of any recommendations put forward during such consultation. Time and time again we have found that Ministers have had the decision as to who shall or shall not be appointed. The Bill provides that if no consultation takes place the Minister can make the appointment. There is no doubt that the six or seven appointees will be persons selected by the Minister.

Virtually the only time that this committee will be called upon to act will be in the event of a dispute between the growers and the processors. On such an occasion the committee will be required to arrive at a decision. I cannot see why the whole matter could not be simplified by the appointment of an independent arbitrator—it could be the person who it is proposed will be appointed chairman—to arrive at a decision. Why it is necessary to set up the costly machinery of appointing seven persons and having them meet, say, twice a year to discuss every agreement that is entered into, I do not know. That is not necessary at all. The industry could be stabilised quite easily without implementing measures such as that.

The Bill provides quite clearly that the processor is the one who will foot the bill. The Government talks about bureaucracy. I believe in the establishment of committees and stabilisation; I do not go along with overloading the system. In this instance, as the only factor likely to be in dispute is the price paid to the grower, surely an independent arbitrator could resolve the matter to the satisfaction of both sides.

The Bill has many weaknesses in relation to the industry itself. The definitions, for example, are restricted to chickens of 16 weeks or less. I am sure that many egg producers would like to dispose of their hens at about the time of the first moult because they are poor producers. Those birds are not covered at all. Although frozen birds make up quite a large portion of the poultry-meat industry, they are not covered at all.

I have no doubt that the Minister would suggest that prices would be subject to a straight-out contract between the processor and the egg producer who disposes of his surplus poultry, but the prices paid in one section of the industry have a relationship to those paid in another section. I would have been happier if the Minister had covered the whole field of poultry-meat production by this legislation so that the the prices of one section could have been related to those of the other. If that had been done, I would say that it was fair enough to have a board of more than one because it could have some significant work to do.

As I interpret the Bill, provision for an arbitrator would have been a first significant step. We could then have looked at the retail sales side to see whether the price paid to the processor is correct. After looking at advertisements and listening to honourable members who made a contribution, I believe that an arrangement exists between processors and retailers which could vary quite substantially the price paid by various retailers to the processors. If that is the position, it means that the grower is virtually paying for that privilege.

I hope the producers clearly understand that they can ask the processors for books or any other information so that they can formulate an opinion. The committee should

be able to say to a processor that it wants to see records of sales to certain retail outlets. I am sure they would be very significant records because I believe that certain privileges are extended relative to the price offered to certain organisations.

Mr. GOLEBY (Redlands) (5.32 p.m.): It is obvious that the honourable member for Bulimba has a much clearer appreciation of the poultry industry after hearing the debate last night.

It was said last night that I had a pecuniary interest in the chicken industry. I make it quite clear that I do not possess any chickens or laying hens. I am simply representing the people in my electorate.

I do not want this House to think that processors are making tremendous profits. Obviously they would not be in business if they did not make a profit but, like other people in business today, they are confronted with many problems.

As the honourable member for Bulimba devoted most of his remarks to the processors and various prices, I point out that last night I made it clear that chickens are provided by the processors; the feed is provided by the processors, and the processors also take care of processing, cold storage and everything else.

I should like honourable members to realise that when a strike occurs—and these are numerous in the meat industry, and the chicken industry is not exempt—mature chickens that are kept week after week by a grower eat tremendous quantities of feed. It amounts to tonnes per day. Feed costs represent the highest cost of production. It is a big burden to either a processor or a grower if he is responsible. The chickens get larger, and larger birds are hard to sell—and the larger they get, the more feed they eat. It is a vicious circle. While a strike lasts, costs mount rapidly. At the other end of the scale, in the hatchery side of the business, chickens keep hatching continually and a bank-up occurs there.

In the long term, not only are processors frustrated by sheds full of mature chickens that cannot be processed because of strikes but also the whole hatchery process is upset completely. Not long ago the hatchery process was put out of line completely. Tremendous numbers of chickens had to be destroyed by chloroform because there was absolutely nowhere to house them. Who bears the cost? Fortunately, the grower does not bear the entire cost. The major proportion is borne by the processor.

I turn now to the subject of variations in prices being charged for meat chickens in supermarkets. I am sure all honourable members know that at times supermarkets and chain stores carry specials for many lines, whether it be cigarettes, chickens or something else.

No-one can control the actual size of chickens on hand. When a processor finds he has a tremendous oversupply of No. 8s, No. 12s, No. 14s or whatever the case may be, there is only one way to off-load them. That is when we as the public see lower prices. The processor has to unload the section of his stock that is becoming a problem to him. As a result, we find specials in the supermarkets. I think that explains the points brought forward by the honourable member for Bulimba.

Mr. Houston: The prices I referred to were all advertised on the same day.

Mr. GOLEBY: That could be so. I remind the honourable member that it was not the same brand of chicken in every case. I, too, look at these prices. I am not going to cover the intricacies of the industry in great detail, but I can tell the honourable member——

Mr. Houston: Are you trying to say that one brand is superior to another?

Mr. GOLEBY: I am not saying that at all. I am saying that one processor may be overloaded with one particular size, and what better time is there than the festive season to try to off-load the lines that are troublesome? Everybody knows that is a common occurrence in trading.

Growers are happy with this Bill. I have been in consultation with both processors and growers, and I am sure that the Bill is exactly what the industry has wanted. I am sure its provisions will be workable.

Mr. KATTER (Flinders) (5.37 p.m.): I will be very brief. There is one industry in far worse trouble than the poultry industry. I refer, of course, to the beef industry. For the life of me I cannot see why a similar Bill cannot be introduced for it.

In speaking to the Bill itself, I state that every sector of the economy controls the price of its product. In the professions, the Bar Association controls the cost of legal fees, the Australian Medical Association controls the level of medical fees——

An Opposition Member: Are you opposing it?

Mr. KATTER: I most certainly agree with the principle that each sector of the economy should control the price of its product, just as we in this House control our salaries, and, therefore, any sector not controlling the price of their products—and, basically, in Australia they are only small crops and beef —should join the rest and make some effort to control the price of their products with some sort of a minimum price scheme.

Hon. V. B. SULLIVAN (Condamine—Minister for Primary Industries) (5.38 p.m.), in reply: When introducing a Bill my practice has always been to listen intently to the speeches of members who take part in

the debate. Therefore it upset me somewhat when Mr. Houston accused me of not paying attention to what he was talking about. I mentioned at the time that the Minister for Local Government and Main Roads wished to speak to me and that I had to ask him to leave it till later as I was interested in the remarks of the honourable member for Bulimba.

Mr. Houston: I accept your apology and condemn the Minister for Local Government.

Mr. Burns: Yes, for annoying you.

Mr. SULLIVAN: He is usually a very nice fellow.

Mr. Burns: The "noisy" Minister.

Mr. SULLIVAN: I can assure the honourable member for Bulimba that representatives of the growers and the processors will be persons nominated by their respective organisations. Selection by the Minister might be necessary only when more than the required number of representatives were nominated.

With regard to arbitration by a single arbitrator, experience in other States is that such a procedure is clumsy and costly. It is favoured by neither growers nor processors in Queensland. The growing fee of 14.7c per bird was offered by processors after long and detailed negotiation, in consultation with the marketing division of the Department of Primary Industries. I believe that the figure is too low and that one of the functions of the committee set up under this legislation will be to arrive at a fairer figure. There has been very little profit in the chicken industry during the past couple of years, largely owing to the slump in beef prices.

I was interested in what the honourable member for Bulimba said about variations in prices, and I think that the honourable member for Redlands dealt with that aspect very well. It is a marketing matter. We have butter specials and specials with many other items, but we are not controlling that through this Bill.

I thank honourable members for their contributions.

Motion (Mr. Sullivan) agreed to.

COMMITTEE

(Mr. Kaus, Mansfield, in the chair)

Clauses 1 to 24, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

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

CITY OF BRISBANE TOWN PLAN MODIFICATION BILL

SECOND READING

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (5.43 p.m.): I move—

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

I think it is fair comment to say that this Bill was favourably received by honourable members, who accepted the desirability of the newly elected Brisbane City Council having an opportunity to effect necessary modifications to the proposed Brisbane Town Plan which was placed on public exhibition on 28 February 1975. As I mentioned in my introductory speech, a number of matters were the subject of a considerable number of objections when the town plan was advertised.

These matters included aspects of the statement of intent accompanying the plan, the role of the planning advisory committee in the preparation of the plan, the need for greater aldermanic involvement in the preparation of the plan, the need for more precise control over the use and development of open space and park and recreation areas, the preservation of citizens' rights of participation in decision-making processes under the plan, and various other matters.

In fact, when submitting the town plan to me for consideration by the Governor in Council, the council at that time suggested several alterations to aspects of the plan that were the subject of objections. In other words, the council recognised that the plan needed modification. It would have been competent for me to recommend to the Governor in Council that the plan be amended to give effect to alterations considered necessary.

Town-planning is a function of local government and the Brisbane City Council, as the elected representatives of the people, is the body charged with the preparation of the plan and its implementation. Bearing this in mind, and also the magnitude of modifications considered necessary, the Government decided that the proper course of action was to refer the plan back to the newly elected council so that it might modify it.

Under the Bill I am empowered to furnish the council with guide-lines setting out the various alterations as to the modifications, amendments or alterations of the plan that I consider to be warranted. These will cover many of the matters raised by honourable members during the introductory debate. The council is required to take these guide-lines into account when considering modifications which should be made to the advertised plan. Under the Bill, the modification of the town plan has to be carried out by the full council and the Bill declares that it is not competent for the council to delegate this task to a standing committee.

Certain honourable members questioned whether, during periods of recess of the council, the Establishment and Co-ordination Committee could on behalf of the council carry out work on the modification of the town plan. I have obtained legal advice on this aspect and am advised that the Establishment and Co-ordination Committee would have no power to act in that behalf. The Establishment and Co-ordination Committee is a standing committee of the council under its ordinances and the Bill specifically provides that a standing committee or special committee of the council shall not take part in the modification of the town plan.

It also provides that the council may not, by ordinance or otherwise, establish any standing or special committee to advise the council on any matters relating to the plan advertised in February 1975 or the modified plan. In short, the Bill specifically charges the new council with the task of considering the advertised plan, and modifying it in terms of the legislation. I think all honourable members will agree that this is the proper procedure.

As I said previously, the Committee generally was in agreement with the principles of the Bill at the introductory stage and I do not propose to go into great detail concerning matters raised by honourable members during the introductory debate. There are, however, a number of points which I feel should be clarified. The Leader of the Opposition raised the matter of the hours during which the modified plan would have to be placed on public exhibition. This matter was, in fact discussed with the council and the provisions incorporated in the Bill were suggested by the council, in the light of experience gained through the advertisement of the town plan proposed to be returned to the council for modification.

Another point raised by the Leader of the Opposition was whether objections to the plan advertised in February 1975 will stand. This is not the position. The modified plan will have to be advertised and persons will have 60 days in which to lodge objections on forms available free of cost at the office of the Brisbane City Council and at the Department of Local Government. If a person is concerned with a provision of the modified plan, he should lodge a fresh objection with the town clerk within the prescribed time and not rely on a previous objection, which will have no force and effect.

The honourable member for Ithaca stated that there was a need for costing the implementation of the provisions of the modified plan. The Bill specifically provides that the modified plan is to contain a statement of intent and one matter to be included in this statement is an economic assessment of the provisions of the modified plan.

I would also like to make reference to an allegation made by one honourable member that there was a lack of expertise in the Town Planning Section of the Department of Local Government.

Mr. Burns: Hear, hear!

Mr. HINZE: The Leader of the Opposition says, "Hear, hear!", but he will go round afterwards and tell them what good blokes they are. He cannot have two bob each way. He should not forget that next time I get them down here and he is discussing something with them I will tell them what he said. He called them a bunch of nongs, didn't he?

I completely refute this allegation of a lack of expertise in the department. At the present time there are seven officers in the Town Planning Section who have passed qualifying town-planning examinations. These seven officers include an engineer, an architect, and three authorised surveyors. The strength of the Town Planning Section will be augmented from time to time as need arises. I have come into close contact with senior officers of the Town Planning Section of the department and know of their capabilities and the volume of work they are performing. As I travel around Queensland, many local authorities members and officers have complimented me on the work being carried out by the Town Planning Branch of the department and so I completely refute this allegation.

As mentioned at the introductory stage, the Bill provides for the dissolution of the Planning Advisory Committee appointed by the council under its ordinances. The dissolution of the committee followed the Government's decision that modification of the advertised town plan should be carried out by the full council as the duly elected representatives of the people.

Under the ordinances, the Planning Advisory Committee consists of the Lord Mayor as chairman, the chairman of the council's Planning and Building Committee as deputy chairman, the town clerk and a number of residents of the city who are not members or employees of the council. The non-council representatives on the committee as recently constituted were Messrs. G. E. Purdy, W. R. J. Riddel, C. J. Greenfield, S. H. W. Shand, Sir David Muir, and Dr. Peter Wood.

I know that the present and past members of the Planning Advisory Committee performed a lot of hard work in connection with the administration of town-planning in the city of Brisbane and I wish to acknowledge the contribution they have made. I emphasise that those people on the Planning Advisory Committee put in many, many hours of work and made recommendations to the council which they believed would be of benefit to the city of Brisbane. Therefore, I recognise the work that these very capable people have carried out on behalf of the council and the Government, and I commend the Bill to the House.

Mr. BURNS (Lytton—Leader of the Opposition) (5.50 p.m.): The Bill has the flavour of a somewhat sanctimonious hand-washing exercise. It can only be a temporary relief to the Minister, because he must again vet the plan and recommend it to Cabinet and to the State Government, which eventually must adopt it.

I do not believe—and the Minister accepted an interjection of mine on this point a short time ago—that we have sufficient expert planning staff. The Minister has a good staff. I do not think that anyone without some expertise could write scripts to make him sound as good as he does or make his speeches read as well as they do on paper. Although he has those people, he has made a mistake to some extent by removing the opportunity for trained personnel to sit on committees and advise the new aldermen on the Brisbane City Council in relation to plans. If the Minister reads the Bill, he will find that it takes away the right of aldermen to use expert staff to assist them by sitting on committees.

It is a fact of life that finally the State Government will have to assume all legal responsibility for the town plan and endorse it. At most stages the Government does not adequately participate in the town-planning process and that is a serious dereliction of duty on its part. There is an urgent need for State Government departments and the Brisbane City Council to present joint proposals in many areas of planning. The main point is that the State Government itself is not bound by the Brisbane town plan, which means that the Brisbane City Council has no direct legal control over the sites of many public works initiated by the Government, such as school sites and Housing Commission developments.

It is absolutely ludicrous that the Brisbane City Council should not be intimately involved in the planning of public transit authorities. If the Metropolitan Transit Authority, in its wisdom, conceives of different proposals from those of the Brisbane City Council, the town plan will be a worthless piece of paper—a hollow skeleton representing what should be done for Brisbane but what will not be done because some other authority has the right to override it. Under an Act recently passed by the Parliament, the Metropolitan Transit Authority has power to override any town-planning authority.

The movement of transport in and out of the city affects the life-blood of the city's commercial and cultural development. The Government recognises that in this Bill by referring to it in one of the clauses. Transport planning in the form of extension of services influences the development of new areas. It must therefore be regarded as an integral part of planning and, as such, the Metropolitan Transit Authority should be closely co-ordinated with Brisbane City Council planning. Section 61 (2) of the Metropolitan Transit Authority Act establishes a Planning Advisory Committee which consists of representatives of State Government departments and one Commonwealth representative. There is absolutely no provision for Brisbane City Council representatives on the committee; in fact, the State Government goes out of its way to ensure that a council representative does not even have a peep at what the Planning Advisory Committee of the Metropolitan Transit Authority is proposing. Again, section 61 (4) of the same Act even prevents the unlikely situation of the Commonwealth nominating an elected member of the Brisbane City Council as its representative. This shows that the State Government is not seriously interested in planning.

The facts of life are that the Government was in a bind. It was trying to win a council election. There was trouble with the town plan and the Government referred it back to the council. It has said "The aldermen are going to do the planning, not the advisory committee." In fact, in one clause the Government provided that the aldermen constitute the only committee that can recommend in relation to the old plan—not the one that has just been proposed, but the one before that. The Government is even taking away the right of expert advisers on the council to sit on committees, and give advice on plans that have been in existence and have been used for years. In fact, in future aldermen of the council might have to make decisions on every little recommendation and sit in judgment on every proposal that comes before the council.

Mr. Gunn interjected.

Mr. BURNS: That may be all right for the shire council in which the honourable member is involved. We are talking now about the city of Brisbane, where there are thousands of applications. I try to read advertisements relating to rezoning in my own electorate, and I cut two or three such advertisements out of "The Courier-Mail" every Saturday morning. When one multiplies that by the 30-odd electorates in the city and takes into account the number of major developments——

Mr. Hinze: How many electorates?

Mr. BURNS: I think there are about 30 in the city of Brisbane.

Mr. Hinze: I don't know.

Mr. BURNS: I think there are more than 30. There used to be 28 council wards. I am speaking about State electorates and cutting out of the newspaper advertisements relating to the electorate of Lytton. I think there are more than 30 electorates now that they have been stretched over the boundaries of the city.

There is a lack of co-operation by Government departments on the plan. It seems that many ring roads proposed by the Main Roads Department are not included in the various maps. This is due to an obvious breakdown of co-operation and communication. People ought to know. The other day

I went to the opening of the campaign for the Clayfield by-election. When I was standing in this person's back yard near his barbecue he said, "This house is to go. It is proposed as part of the freeway. One of these days it will be knocked down." At least he is prepared for it. He is not going to extend his home or waste a lot of money on it, because he knows that later the Government will take it over and offer him a second-rate type of compensation for it.

Although local government has a representative on the port authority there is no provision to ensure that the Brisbane Town Plan is adhered to. Many transport problems will arise from cargo-handling to the port. The last thing the Brisbane community wants is to subject residential areas to the rumbling of huge trucks transporting cargoes to the port. The problem includes the transport of workers to the port, but the town plan will not be taken into consideration.

When the port at the mouth of the river was designed, I wrote to the Minister and asked him had the Main Roads Department been consulted at all about the provision of roads to the port. He wrote back and said quite honestly, "No, we were not consulted." Here $90,000,000 worth of port is being built at the mouth of the river, and we are talking about people going to work every day of the week, and goods coming in from Charleville, Bundaberg and as far south as Coffs Harbour. The goods will pour down through the city but the Main Roads Department was not consulted and the Brisbane City Council was barely consulted.

Generally there is this lack of machinery for the co-ordination of Government projects with the town plan. Also there is a lack of actual co-operation with plan proposals. The siting of schools, hospitals, Housing Commission estates and public transport must be made part of the Brisbane Town Plan. The Government ought to be co-operating. It is not a battle between the council that represents some other group and us. We are all citizens of the State. We are all part of the machinery that is designed to try to produce the best for our citizens.

The Minister mentioned specific guide-lines. Wouldn't this Parliament be entitled to know what specific guide-lines the Minister is laying down? If we are enacting special legislation to refer the plan back to the city council, shouldn't we be entitled to know what the specific guide-lines are? I believe we should. This Parliament should know. The specific guide-lines the Minister gives the council should be spelt out in public for everybody to know.

I do not believe that 90 days is sufficient time. The council will have 90 days to formulate its modified plan. After that period has elapsed the council will place the plan on public exhibition for 60 days so that the public may make fresh objections. Then the council will have another 60 days to consider all fresh objections and to present a final town plan to the Minister. If we are going to have to make the 29,000 people object again I don't believe that 60 days is sufficient time.

If objections have been lodged to the proposal in Murarrie which would mean industrial areas encroaching on the houses in that area, and the modified town plan makes the same proposal, why should objections again have to be organised? Why can't the town clerk, the council or officers in the Minister's department say, "That proposal is a proposal that has been objected to before." People have gone to the trouble of gathering information, filling out forms and lodging objections. Why do they have to go through it all again? Why do the same objections have to be made to the same proposals? It could easily be that the proposal to which 29,000 people objected would be objected to by 40,000 or 50,000 people when the modified plan is displayed. We could reduce the paper war involved and we could reduce a lot of the worry and concern in relation to these matters. We should be trying to assist people and make it easier for them to understand the plan and to object to it. Therefore it is important for each and every one of us to say to the people who have objected before, "We will make it simple for you." I ask: Is it possible? Can it be done? I think it should be done.

I agree with the Minister in relation to the Planning Advisory Committee. The people concerned have done a very good job. It was appointed by Order in Council. It has done the best it possibly could for the city. It has been subjected to a lot of attacks by many people who have had an axe to grind. I have not had anything to do with the committee, but anyone who has sat on committees realises that it is not always possible to arrive at decisions that make everyone happy. In meeting from week to week the committee has relieved the council of a tremendous amount of day-to-day work. Without the committee's advice the council would never have been able to carry out its development control work while at the same time preparing the town plan. Citizens have been made welcome at the committee's meetings and members of the committee have tried to listen to complaints from citizens and have done their best to do something about them.

The Minister is dissolving the committee without putting anything in its place. In future the elected aldermen will do the job. I wonder why. What possible motive could there be for this?

Mr. Hinze: It's getting back to democracy; that's why.

Mr. BURNS: Under those circumstances, then, the Minister won't use the experts up in his department. He won't be having any

local government advisers. He will be selecting his advisers from the floor of the Parliament, from the National Party. He won't be bringing in outside people or taking advice from them. I thought the idea of participatory democracy was to widen the area instead of narrowing it down to a few local representatives.

The Minister has reduced the number of aldermen from 28 to 21, and maybe when he tries to get rid of Percy Tucker and change the system of voting in Townsville he will reduce the number there to 12, or even three or four. Ultimately he will be able to say that there are not enough aldermen to set up a proper committee so that he will be able to get rid of all of them. That's real democracy Russ Hinze style!

The Minister knows as well as I do that it has nothing to do with democracy. In fact I suggest to him that, with the council arriving at all planning decisions, more problems will arise. People who have an axe to grind in relation to their own projects will put tremendous political pressure on the aldermen.

Many planning decisions have to be arrived at by the council in secret. If this were not done there would be a rush of land speculation in certain areas. If the town clerk were required to stand up every day and read out the planning proposals put before the council, say, in relation to a housing development or a transport corridor, everyone within 10 miles would either hang on to his land or buy more. Rushes on land would be created after every town-planning meeting held in public.

The idea of having committees to advise the council was that the business of the community could be dealt with in a confidential manner. The Minister in his plans for the greater democracy he envisages will probably create a monster that will need to be amended again next year and the year after.

I see nothing in the Bill about regional planning. This surprises me. The town plan seems to be considered in isolation from the area surrounding Brisbane. While the Brisbane people were carrying out their planning, an authority was set up by another Minister to study Moreton Island, which was shoved into Brisbane, and a coastal management study was being conducted into the islands of the bay. Recommendations were being put forward while the town-planning department of the Brisbane City Council was making its recommendations. This was a clear example of a lack of co-ordiation and a lack of clear thinking on the part of the Government. The plan is not simply a city of Brisbane plan. The decisions arrived at by the Brisbane City Council will affect Pine Rivers, Ipswich, Beenleigh and the islands of Moreton Bay. It is amazing to me that the Bill does not mention anything about regional planning.

With your indulgence, Mr. Deputy Speaker, I refer to clause 8 (5), which says that no person other than a member of the council may be a member of a committee established by the council, and so on, relating to the present plan. I suggest to the Minister that if he desires to restrict decision in relation to the new plan to aldermen, I can see no reason why we should not allow the experts who have been there in the past to handle this routine day-to-day business. All that the Minister is trying to say is that he wants aldermen to be involved in preparing the new town plan for Brisbane. There will be no alterations to the old plan—the one we have had for years. This ought to be handled by the machinery of the Brisbane City Council while in the council the aldermen make decisions on the future plan.

Mr. GREENWOOD (Ashgrove) (6.6 p.m.): One point that I wish to refer the House to particularly in this debate is that until this Bill becomes law the citizens of Brisbane will be affected very seriously by the new town plan, although that new town plan has never been approved by the Minister. This arises from a legal doctrine conceived in New South Wales 20 years ago and perpetuated ever since. It is called the doctrine of the Coty England case, and works in this way: under the present town plan, the plan that has been law for some time, the council has discretion on whether or not to grant permission to a person to use his land in a certain way. If that particular use is prohibited under the new town plan, from the time the new town plan goes on public display a court is bound to apply the provisions of the new town plan—and to apply prohibitions—and so prevent any discretion from being exercised thus to prevent the rights that the community has from being enjoyed by it.

Mr. Burns: Are you sure you mean the new plan? The proposed one is being wiped by this Bill.

Mr. GREENWOOD: I use the new town plan to explain the point, but the same point applies with the modified plan. In other words, because of this rule in Coty England, enunciated in New South Wales 20 years ago, men and women are not allowed to exercise the rights given to them by law. They are inhibited in the exercise of those rights by the mere existence on public display of a plan that has not yet been passed. That seems to be quite unfair because it takes away people's rights without any compensation. Only when the plan becomes law do any compensation rights arise. People can be left between the devil and the deep blue sea because of this legal doctrine.

One of the imaginative measures embodied in this legislation changes this doctrine. From now on the courts will not have their hands tied by it. From now on, although the courts will be able to take into account and

give such weight as they think fit to the provisions of the modified plan (when those provisions are approved by the council and put on display), they will not be forced to implement them. All those decisions will be taken bearing in mind the prime rights of people to have their rights determined by the law as it stands—that is, by the present plan that was passed in law some years ago. That is the point I wanted to draw to the attention of the House. I commend it as an important innovation in law reform introduced by the Minister.

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (6.9 p.m.), in reply: I thank the Leader of the Opposition for his contribution to the debate and the honourable member for Ashgrove—a legal personality in our town—for bringing before the House a matter that concerns him.

As I have said many times, it would be a jolly good idea if anybody wishing to make himself available for election to the State Parliament served a term or two in local government before coming here. The merit of that statement was evidenced when the Leader of the Opposition was speaking and indicating his lack of knowledge of local government work.

Mr. Moore: He's a bit of a dill when it comes to that.

Mr. HINZE: The Leader of the Opposition is not a dill. He is a good trier. He tried desperately but the further he went the worse he got.

Staff can still advise the council. The Leader of the Opposition is under the impression that the aldermen have to make all the decisions. The Bill merely provides that the council cannot appoint standing committees to modify the plan. That is left to the full council. It will be necessary for council staff to do work, as suggested by the Leader of the Opposition, on modification of the plan. For example, in the preparation of maps and so on the Bill does not prevent council staff from aiding or from advising the council on planning proposals. The Bill merely provides that the full council must decide these proposals.

The Leader of the Opposition also tried to give the House the impression that it is an onerous task for people who could be affected to go along and make fresh objection.

Mr. Burns: If you had changed the Bill and put the plan out in the suburbs where the people live instead of making them come within one kilometre of the City Hall, you would have made it easier.

Mr. HINZE: I indicated at the introductory stage that the position is not as the Leader of the Opposition suggests. The plan cannot be put in a utility truck and carted around for everybody to see. It is much bigger than that. But that is by the way. If I owned land and was going to be affected, I would not waste much time getting into the City Hall to look at the town plan, and neither would anybody else in this city.

Mr. Burns: We are talking about the ordinary householder.

Mr. HINZE: The Leader of the Opposition spoke about the periods of 90 days, 60 days and 60 days. People have heard so much talk over the last 12 months or so about the Brisbane Town Plan that, if they wish to, they will be there—and they will be there within the first 30 days. That is the way I see it.

I do not think that at this late hour I should waste the time of the House on any other matters. I thank the honourable members who have spoken.

Motion (Mr. Hinze) agreed to.

COMMITTEE

(Mr. Kaus, Mansfield, in the chair)

Clauses 1 to 11, both inclusive, as read, agreed to.

Bill reported, without amendment.

THIRD READING

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

TOWNSVILLE CITY COUNCIL (SALE OF LAND) ACT AMENDMENT BILL

SECOND READING

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (6.14 p.m.): I move—

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

As I mentioned in my introductory speech, this is a very short and straightforward Bill. Its purpose is to provide for measures to be taken to validate a number of minor variations occurring in certain agreements entered into by the Townsville City Council. These were in respect of the sale of land for residential development in the suburb of Douglas, pursuant to the provisions of the Townsville City Council (Sale of Land) Act, 1973.

I believe it was clearly established in the introductory stage that the measures provided for in the Bill are warranted and in the public interest, and the Bill was favourably received when I introduced it into the Chamber. I do not believe I need go any further, by way of explanation or reply, than the details I outlined at the introductory stage.

Mr. BURNS (Lytton—Leader of the Opposition) (6.15 p.m.): We have no objection to the Bill, which validates a number of minor variations created by the previous Tory council's neglect of the provisions of the existing legislation. It is a pity that we have to tidy up its mistakes.

Motion (Mr. Hinze) agreed to.

COMMITTEE

(Mr. Kaus, Mansfield, in the chair)

Clauses 1 and 2, as read, agreed to.

Bill reported, without amendment.

THIRD READING

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

SPECIAL ADJOURNMENT

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

"That this House, at its rising, do adjourn until 11 o'clock a.m. on a date to be fixed by Mr. Speaker in consultation with the Government of this State. Mr. Speaker shall, not less than seven days prior to the meeting date so fixed, give notification of such meeting date to each member of the House."

Motion agreed to.

The House adjourned at 6.18 p.m.

BILLS ASSENTED TO AT CLOSE OF SESSION

The following Bills, having been passed by the Legislative Assembly and presented for the Royal Assent, were assented to in the name of Her Majesty on the dates indicated:—

(15 *April* 1976)—

Elections Act Amendment Bill;

Clean Air Act Amendment Bill;

Mining Act Amendment Bill;

Industrial Conciliation and Arbitration Act Amendment Bill;

Coroners Act Amendment Bill;

Picture Theatres and Films Act Amendment Bill;

District Courts' and Magistrates Courts' Jurisdiction Bill.

(22 *April* 1976)—

Metropolitan Transit Authority Bill;

Anzac Day Act Amendment Bill;

Rural Machinery Safety Bill;

Stock Act Amendment Bill;

Local Government Act Amendment Bill;

The Criminal Code Amendment Bill;

Invasion of Privacy Act Amendment Bill;

Real Property Act Amendment Bill;

Building Societies Act Amendment Bill.

(28 *April* 1976)—

Commonwealth and States Financial Agreement Further Variation Bill;

Stamp Act Amendment Bill;

Insurance Act Amendment Bill;

Queensland Cultural Centre Trust Bill;

Soccer Football Pools Bill;

Fire Brigades Act and Another Act Amendment Bill;

Gas Act Amendment Bill;

Sporting Bodies' Property Holding Act Amendment Bill;

Art Unions and Amusements Bill.

(5 *May* 1976)—

Subcontractors' Charges Act Amendment Bill;

Jury Act and Other Acts Amendment Bill;

Drugs Standard Adopting Bill;

Health Act Amendment Bill;

Harbours Act Amendment Bill;

Chicken Meat Industry Committee Bill;

City of Brisbane Town Plan Modification Bill;

Townsville City Council (Sale of Land) Act Amendment Bill.

On 3 June 1976 the following Proclamation was issued by His Excellency the Governor:—

A PROCLAMATION by His Excellency Sir COLIN THOMAS HANNAH, Air Marshal on the Retired List of the Royal Australian Air Force, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Most Excellent Order of the British Empire, Companion of the Most Honourable Order of the Bath, Governor in and over the State of Queensland and its Dependencies, in the Commonwealth of Australia.

[L.S.]

C. T. HANNAH,
Governor.

In pursuance of the power and authority vested in me, I, Sir COLIN THOMAS HANNAH, the Governor aforesaid, do, by this my Proclamation, prorogue the Parliament of Queensland to Tuesday, the Twenty-seventh day of July, 1976.

Given under my Hand and Seal at Government House, Brisbane, this third day of June, in the year of Our Lord one thousand nine hundred and seventy-six, and in the twenty-fifth year of Her Majesty's reign.

By Command, J. BJELKE-PETERSEN.

GOD SAVE THE QUEEN!