Queensland

Parliamentary Debates
[Hansard]

Legislative Assembly

TUESDAY, 7 DECEMBER 1976

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

AUDITOR-GENERAL'S REPORT

BRISBANE CITY COUNCIL ACCOUNTS

Mr. SPEAKER announced the receipt from the Auditor-General of his report on the books and accounts of the Brisbane City Council for the year 1975-76.

Ordered to be printed.

PAPERS

The following paper was laid on the table, and ordered to be printed:—

Report of the University of Queensland for the year 1975.

The following papers were laid on the table:—

Proclamation under the Queensland Marine Act 1958–1975.

Orders in Council under—

Industrial Development Act 1963–1975.

Collections Act 1966–1975.

Regulations under—

Queensland Marine Act 1958–1975.

Elections Act 1915–1976.

Liquor Act 1912–1975.

MINISTERIAL STATEMENTS

ATTACK BY MEMBER FOR ARCHERFIELD ON CO-ORDINATOR-GENERAL

Hon. J. BJELKE-PETERSEN (Barambah —Premier) (11.6 a.m.): Last Wednesday, during the Matters of Public Interest debate, the member for Archerfield (Mr. Kevin Hooper) made a personal attack on the new State Co-ordinator-General, Mr. S. Schubert.

Mr. Hooper claimed that Mr. Schubert had obtained appointment to this important office in the Public Service because—and I quote—"he had joined the National Party three months ago". The member for Archerfield—I won't call him honourable—alleged that this represented political interference in the Public Service. He claimed that it was now apparent that the only way to obtain preference in promotion was to be a member of the party which I lead in this House.

Mr. Speaker, such an attack under the privilege of this House against a man of unblemished character cannot be allowed. The member for Archerfield has misled this House and the people of Queensland deliberately. The new Co-ordinator-General, Mr. Schubert, is not and has never been a member of the National Party.

Mr. Hinze: You scurrilous type, Hooper, you crook. You'd say anything!

Mr. BJELKE-PETERSEN: Of course he would.

To make such a claim without evidence is bad enough, but to use such a baseless smear on a man of fine record is beneath contempt.

I therefore demand that the member for Archerfield withdraw his allegation and apologise to Mr. Schubert.

COMPREHENSIVE HEALTH-CARE PROGRAMME

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (11.7 a.m.): During this year the Government has tabled in this Parliament a number of Health Papers on matters vital to the people of Queensland. One of the new initiatives which is being developed in the 1970s is a new care programme for people, essentially based within the community. Through the community health programme, the Government is seeking to provide a total health-care programme for all people who need it. In the fifth Health Paper to be released this year the aims and policy considerations of this comprehensive programme are outlined. Already many of these aims have been achieved. Essentially, for the Community Health Service to succeed, there is a vital need for the community to actively support these initiatives. In the Health Paper the role of the community and community groups is discussed, and we hope that, with the wide circulation of this new Paper, the community will further respond to make the Community Health Service a truly community-based and serving programme.

In no other area of health has there been such a rapid expansion of activities and services, and this is the most dramatic new health policy initiated for many years by the Government and I commend the new Health Paper to all.

I table the paper.

Whereupon the honourable gentleman laid the paper on the table.

QUESTIONS UPON NOTICE

1. TASMANIAN FREIGHT EQUALIZATION SCHEME

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

What steps has his Government taken to help leaders of the fruit and vegetable industry convince the Commonwealth Government that the Tasmanian Freight Equalization Scheme will cause great problems in Queensland and the rest of Australia?

Answer:—

Representations have been made on this matter by me to the Prime Minister, and by my colleague the Minister for Primary Industries to the Deputy Prime Minister and to the Minister for Primary Industry.

Mr. Sinclair has brought the industry's concern to the attention of the Commonwealth Minister for Transport, who is responsible for the operation of the Tasmanian Freight Equalization Scheme. In addition, Mr. Sinclair has stressed the need to closely monitor the operation of the scheme to ensure that the stability of domestic markets is not jeopardised.

Investigations conducted after the announcement of the scheme have demonstrated that the rate of subsidy for apples required adjustment. Consequently, the subsidy level set for the movement of fresh fruit in dry containers is now approximately 20c per box lower than rates for shipment in refrigerated containers.

Mr. Sinclair has also advised that the effect of the scheme on mainland vegetable growers has been referred to the recently formed National Vegetable Panel for discussion.

2. EFFECT OF CURRENCY DEVALUATION ON PRICES OF IMPORTS

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

As many importers did not pass on the full benefits of revaluation to the consuming public when the former Whitlam Government revalued upwards, will he take action against any of these importers that do not accept part of the disadvantages of the Fraser Government's devaluation and therefore pass on the full cost of the increases to the Queensland public?

Answer:—

It would not be practicable for my department to determine what proportion of the cost/price structure on the wide range of imported items sold in Queensland was attributable to increased costs consequent upon devaluation. However, for the information of the honourable member, I shall read from a telex received by me from the managing director of Farmers Centre (CQ) Pty. Ltd., Rockhampton, regarding the situation in which his company finds itself—

"Most concerned your statement on the effect of devaluation on prices of current stock. My company has significant stocks of tractors which are covered by unpaid Bills of Exchange in US dollars. These tractors will have to rise

immediately to offset the movement in exchange rate otherwise we would suffer significant losses."

As the honourable member will no doubt appreciate, there are many importers who have in hand stocks on consignment obtained on 90-day or 120-day accounts, which stocks will not be paid for for some time, and payment will be at the new exchange rate of the Australian dollar. It will obviously be necessary for these importers to increase their prices forthwith if they are to avoid significant losses through devaluation.

3. REPORT ON WATER RESOURCES OF BURDEKIN RIVER

Mr. M. D. Hooper, pursuant to notice, asked the Premier—

(1) Has the joint Commonwealth and State Government investigation into the water resources of the Burdekin River been completed and, if so, will the report be made public?

(2) Has sufficient scope been allowed in the investigation to consider the added benefits other than water storage and, in particular, the recommendation of the Kemp report, which stated that if a major dam were constructed at the Burdekin Falls site, a 1 000 megawatt hydroelectric power station could be established in conjunction with the dam?

Answers:—

(1) The agreed programme of field investigations has been completed and the report is anticipated to be made public during 1977.

(2) The terms of reference for the investigation include consideration of hydroelectric power potential.

4. DANGEROUS TOYS

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

(1) Is he aware of the New South Wales Government's decision to take urgent action before the Christmas-gift period to ban toys that could endanger the lives of young children?

(2) Has his department carried out any investigations into toys on sale in Queensland and, if so, what were the results?

Answers:—

(1) Yes.

(2) The sale of toys in Queensland has been under continual surveillance since the initiation by my department of action unique to this State 40 years ago. Officers of the Division of Public Health Supervision are continually checking the sale of toys, and all reports show a satisfactory result for the protection of the public.

5. BACK PAY FOR RETIRED CROWN EMPLOYEES

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

When a Crown employee retires, and the court later grants a salary rise retrospective to a date when the employee was employed by the Crown, is he entitled to be paid the increase from the effective date of the salary rise to the actual date of his retirement and, if not, what is the position?

Answer:—

Yes, the employee is entitled to the increase under such circumstances.

6. WOMEN'S RADIO 4BW LIMITED

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

(1) Has a company known as Women's Radio 4BW Limited been formed and registered and, if not, has any other company been registered to conduct a women's radio station in Brisbane or nearby?

(2) If there is such a registered company, who are the directors and what capital is involved?

(3) If no such company has been formed, what is the position of those persons who believe that they became involved in such a company in 1975 or later, believing that the company was to be registered?

Answers:—

(1 and 2) There is no company registered in the Office of the Commissioner for Corporate Affairs with the name Women's Radio 4BW Limited. The Commissioner for Corporate Affairs is unaware of any company that has been registered with the specific object of conducting a women's radio station.

(3) If there are such persons, I would suggest that they supply particulars to the Commissioner for Corporate Affairs for investigation (if warranted) or, alternatively, they could seek independent legal advice.

7. NEW POLICE COMMISSIONER AND OFFICERS OF EQUAL OR SENIOR STATUS AT 1 NOVEMBER

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

(1) What were the names, rank, age and position of all police officers who were on 1 November considered to be senior to the new commissioner, T. Lewis?

(2) What were the names, rank, age and position of all police officers who were at 1 November considered to be of equal status to the new commissioner?

Answers:—

(1) As all inspectors are regarded by me as having equal status, the only police officers whom I considered to be senior to Commissioner Lewis were:—

Names	Rank	Age	Positions
Taylor, William Trevelyn ..	Assistant Commissioner	59 yrs 6 mths	Assistant Commr. (Admin. & Training)
Hale, Spencer Moray	Assistant Commissioner	50 yrs 7 mths	Assistant Commr. (Metropolitan)
Clifford, Francis	Assistant Commissioner	57 yrs 1 mth	Assistant Commr. (Country)
Becker, Dynes Malcolmson ..	Chief Superintendent ..	59 yrs 9 mths	Chief Superintendent
McSporran, John	Superintendent	58 yrs 3 mths	Crime Advisor
Byles, Edward Sidney	Superintendent	58 yrs 9 mths	Regional Supt., Southern Region
McDonald, Vernon Alister ..	Superintendent	55 yrs 4 mths	Regional Supt., Brisbane Region
Phillips, Steadman Percy Charles	Superintendent	59 yrs 7 mths	Regional Supt., Northern Region
Voigt, Louis James Irvine ..	Superintendent	53 yrs 3 mths	Regional Supt., Sth. Eastern Region
McIntyre, Robert Noel	Superintendent	58 yrs 3 mths	Regional Supt., Far Northern Region
Matheson, Robert	Superintendent	58 yrs 4 mths	Superintendent, Services
Duffy, Leslie Robert	Superintendent	50 yrs 6 mths	Regional Supt., North Coast Region
McDonald, Donald	Superintendent	50 yrs 9 mths	Commandant, Qld. Police Academy
Robinson, Edward	Superintendent	47 yrs 5 mths	Traffic Advisor
West, Arthur William	Superintendent	57 yrs 8 mths	Regional Supt., Central Region
Hielscher, Roy Leslie	Superintendent	57 yrs 4 mths	Regional Supt., South Brisbane Region

(2) On the basis that all inspectors are of equal status, there were 106 police officers of equal status to Mr. Lewis on 1 November 1976. Having in mind the numbers involved, I do not propose listing all the details requested.

8. CONTRACT FOR CENTRAL STATE SCHOOL PRE-SCHOOL CENTRE

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

In view of the original contractor apparently not being able to carry out the construction of the Central State School pre-school centre, what procedures and checks are carried out to ensure that tenderers for Works and Housing contracts have the physical as well as the financial resources to carry out the contracts?

Answer:—

The physical resources of prospective contractors are checked in respect of staff (administrative and supervisory), labour force and standards of past and present performance on departmental and other contracts.

Methods and procedures for checking the financial standing and capacity of prospective contractors include the following:—

(i) Discussion with contractor.

(ii) Reference to contractor's bankers (with his prior approval).

(iii) Mercantile agency and credit bureau reports.

(iv) Inquiries from major subcontractors and suppliers and from other departments.

(v) Check on contractor's record of payment to trade creditors, for example, complaints from subcontractors, claims under Subcontractors' Charges Act.

The foregoing are more or less routine procedures and, except for new contractors, much of the information required is available from departmental records. In the case of new contractors, or where medium or large contracts are involved, or where a contractor's contractual activities appear to be expanding unduly rapidly, further detailed information is obtained into his capital structure, balance sheets, assets and liabilities, financial history and so on. For this purpose a standard form of return is used, based on that adopted by authorities which have a selective tendering system.

Where a contractor has a continuity of work with the department, a record is kept of his contractual commitments, in order to ensure that further contracts will not exceed his financial capacity.

Where a contractor's tender price appears unduly low, he is given the opportunity to review his price and, if on review he believes it to be too low, he is allowed to withdraw it. Where the price deficiency is considered too great, even though the tenderer may not wish to withdraw, acceptance of his tender will not be recommended.

It should be appreciated that, no matter what precautions may be taken in this context, once a departmental contract is let to a contractor, the department has no control over his subsequent external commitments. Suppliers and subcontractors should always take the necessary business precautions to safeguard their own interests. The best protection is self-protection.

9. PEDESTRIAN-ACTUATED TRAFFIC LIGHTS FOR PACIFIC HIGHWAY-DENNIS ROAD INTERSECTION

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

(1) Is he aware that a new high school in Springwood Road, Springwood, and a new primary school in Dennis Road, Springwood, will be opened next year?

(2) As the opening of the schools will necessitate increased numbers of school-children having to cross the Pacific Highway at the Dennis Road intersection, will he have the installation of pedestrian-actuated traffic lights expedited?

Answers:—

(1) Yes.

(2) Lights and channelisation are planned for this intersection and the work will be carried out as soon as possible. The number of children that will have to cross the highway will depend on the boundary of the areas the new schools will serve. I will arrange for Main Roads officers to have discussions with the Education Department in an endeavour to keep the number of children crossing the highway to a minimum. I would rather funds be made available to grade, separate and keep the traffic and pedestrians separated.

10. EXEMPTION OF APPRENTICES' WAGES FROM PAY-ROLL TAX

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

In view of the concern shown by the community generally about the reduced number of apprentices being trained in industry, will he consider removing the requirement that apprentices' wages be included in the calculation for pay-roll tax assessments, thus giving employers the incentive to employ more apprentices and, in so doing, reduce unemployment among young school-leavers?

Answer:—

There is a limited amount which the State is able to forgo in terms of pay-roll tax concessions and, as the honourable member will be aware, steps have recently been taken to grant special concessions in the area where the greatest need was considered to exist, namely, that of the small employer. These concessions are much more liberal than have been granted in other States and should provide worthwhile encouragement towards additional employment in Queensland of both fully trained employees and apprentices.

I am aware that there have been suggestions on a national basis for pay-roll tax concessions to employers of apprentices and that detailed submissions are likely to come before me for consideration in the near future. While I see many problems in the suggestions, including administrative difficulties as well as the cost of such a proposal to the State, I do not wish to decide the matter until the proposal has been fully considered.

11. POLICE VISIT IN PLAIN CLOTHES TO KARARA PROPERTY

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

(1) Did police officers proceed from the Toowoomba Police District to the Warwick Police District, arriving in plain clothes in a private car with N.S.W. registration No. OSE-656, driven by a Miss Barbara Ann Cameron, at approximately 5.00 p.m. on 15 July at a property in Karara?

(2) If so, what was their authority and under whose instruction did the police officers proceed to the property?

(3) If no such instruction or authority was given, have charges been laid against the police officers for subsequent actions on that property?

Answers:—

(1) Yes.

(2) An official complaint was received at Toowoomba Police Station. Two Criminal Investigation Branch officers from Toowoomba accompanied the complainant on the authority of the Inspector of Police, Toowoomba, after Warwick police were advised of their intention of travelling to the Warwick district to investigate the complaint.

(3) See answer to (2). If the honourable member has evidence of the commission of any offence by the police officers concerned, I request him to supply me with such evidence.

12. COMPLAINT LAID AGAINST MISS B. A. CAMERON

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

(1) Was a complaint laid against a Miss Barbara Ann Cameron for assault and menacing with a deadly weapon at approximately 5.00 p.m. on 31 July?

(2) If so, what charges have been laid and, if not, why have the charges and/or the following action been suppressed and at whose request, direction or instruction?

Answer:—

(1 and 2) The question should be directed to another Minister.

Mr. Jones: Accordingly, I direct my question to the Minister for Police.

13. SPECIAL RAILWAY FREIGHT RATES FOR SUGAR AND GRAIN

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

(1) As sugar and grain growers have shown that they favour the use of our

railways, has any consideration been given to special contract rates for sugar and grain haulage similar to those for coal?

(2) What rural industries have negotiated special freight contract rates with the Railway Department and what are the rates in each case?

Answers:—

(1) No. The Railway Department has no direct dealings with growers in the transport of raw sugar or wheat, which is the principal grain conveyed, in that the ownership of the individual consignment is not vested in individual growers at the time of railing. The seasonal haulage of sugar and grain is not comparable with the transport of export coal, which is a year-round operation, involving the running of unit trains between point A and point B, and incorporating extensive facilities financed by the coal companies.

(2) Freight agreements exist with individual graziers for the carriage of wool to Brisbane. The contract rates for wool have received considerable publicity and are as follows:—

To Brisbane from—	Rate per bale
	$
Goondiwindi and Texas	3.15
Talwood	3.25
Thallon	3.35
Dirranbandi	3.60
Cunnamulla and Quilpie	4.00 to 31–12–1976
Cunnamulla to Quilpie	5.00 from 1–1–1977
Bogantungan	5.00
Longreach and Blackall	5.50
Yaraka and Winton	5.75
Hughenden	6.00
Richmond	6.25
Julia Creek	6.50
Cloncurry	7.00
Beyond Cloncurry	7.25

These rates apply for intermediate stations, and a rebate of 50c per bale applies where the distance of haul from the property to the railhead is 50 miles or more.

14. SELECTION OF SOCIAL STUDIES PROGRAMMES FOR SCHOOL TELECASTS

Dr. Lockwood, pursuant to notice, asked the Minister for Education and Cultural Activities—

(1) Has he, following complaints, viewed the television programme on the conservation of Lizard Island broadcast to upper primary schools as a social studies programme on 25 November?

(2) Did it consist of a short introduction and summary added to a 1974 "Four Corners" segment, with a definite bias against the Queensland Government?

(3) Does the Australian Broadcasting Commission make school telecasts available to the Education Department prior to broadcasting?

(4) Has the A.B.C. autonomy in the selection of subject-matter for school telecasts?

(5) Will he confer with the Honourable Eric Robinson, Commonwealth Minister for Post and Telecommunications, with a view to (a) securing video tapes of "A Big Country", "Peach's Australia" and other programmes for remote schools and (b) ensuring a balanced presentation of all issues, especially mining and conservation?

Answers:—

(1) Yes.

(2) The greater part of the telecast was an extract from a "Four Corners" programme made in August 1974. While the programme was addressed to a significant issue, its impact was lessened by the outdated content of the "Four Corners" extract, and by the fact that the production was not originally intended for classroom use.

(3) No.

(4) Although the machinery for consultation between my department and the A.B.C. exists, the A.B.C. is responsible for the selection and scheduling of programmes for school telecasts.

(5) I will certainly be conferring with the Commonwealth Minister for Post and Telecommunications along the lines suggested.

15. AVENUE OF INFORMATION TO PUBLIC ON NEW PORT OF BRISBANE

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

With reference to an article in "The Courier-Mail" of 2 December attributed to the A.L.P. alderman for Waterloo Bay, in which it is stated that a "major port would ruin Wynnum", as there is little doubt that this negative statement was based on political motivation and sour grapes because the Lord Mayor of Brisbane was selected to serve on the port authority instead of this alderman and as the statements are intended to destroy the confidence of the people of Wynnum and surrounding districts in the future Port of Brisbane, will the Minister arrange the setting up, either by the port authority or by his department, of an avenue of information structured to distribute to the public all information about the proposed port and all aspects associated with it, including environmental control, employment and commercial potential for the people of this area?

Answer:—

Whilst I appreciate the concern of the honourable member, in view of the publicity given to the A.L.P. alderman for Waterloo Bay concerning his remark that a "major port would ruin Wynnum", I

find it difficult to treat the remark seriously, any more than I would treat seriously a remark that the major port at Hamilton has ruined the suburbs of Ascot and Hamilton.

The Government's proposal to develop port facilities at Fisherman Islands has been laid open for public comment for over two years and it is appropriate to say that the A.L.P. alderman concerned has made no effort to raise any objection during that time. It may well be that the alderman's irresponsible comment was motivated by sour grapes, as his nomination for membership of the authority was not accepted by the Governor in Council.

The most comprehensive studies which have been carried out in the past three to four years by my department concerning the future development of the Port of Brisbane, all of which foresee only advantages for the Wynnum area, will be passed to the Port of Brisbane Authority for its consideration and action as it sees fit. It is not my intention to attempt to influence the authority in its actions on this matter.

16. EXPENDITURE ON POLICE DEPARTMENT

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

(1) For each of the past seven years, what was the total spending on the Police Department?

(2) What was the percentage increase or decrease from year to year?

(3) What was the percentage increase for each year, taking inflation into account?

(4) What particular areas of the department have experienced significant decreases or increases in expenditure in each of the years compared with expenditure in the previous year?

Answers:—

(1 to 3) I have had prepared a composite table which shows the total capital and recurrent expenditure on the Police Department for the seven years up to and including 1975-76, together with the annual percentage increases expressed in both actual and real terms.

This is quite a detailed table and I ask that it be incorporated in "Hansard".

	Actual Expenditure	Change on previous year's actual expenditure	Change on previous year in real terms
	$	%	%
1975–76 ..	63,493,886	31·7	15·8
1974–75 ..	48,215,446	32·7	4·4
1973–74 ..	36,330,466	20·5	3·7
1972–73 ..	30,146,150	15·2	5·6
1971–72 ..	26,159,658	19·0	6·9
1970–71 ..	21,983,027	12·7	2·1
1969–70 ..	19,501,752	15·3	8·0

In summary, the average annual increase in real terms over the 7 years, that is after taking account of inflation, was 5.8 per cent and the average annual increase in actual expenditure 21.4 per cent. In fact, actual expenditure increased from $19,500,000 in 1969-70 to $63,500,000 in 1975-76, an increase of 225 per cent.

(4) My department does not keep records of a sufficiently detailed nature to satisfactorily answer this question and I would suggest that, if the honourable member wishes to pursue this aspect of his inquiries, he might do so through the appropriate Minister.

17. POLICE CHARGED OVER CEDAR BAY AFFAIR

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

(1) What are the names and the ranks of the police summonsed over the Cedar Bay affair?

(2) What charges have been laid against which police officers?

(3) Have the police charged been suspended from duty as is normal practice throughout Australia and, if not, what is the reason?

Answers:—

(1 and 2) Four police officers were summonsed on a total of 25 charges. Pending the appearance of those officers in court to answer the said charges, I do not propose supplying the information sought.

(3) The police officers concerned were not suspended from duty. The inference that this is a departure from normal practice is incorrect. It appears that the honourable member would want them to be suspended.

18. RESIGNATIONS FROM POLICE FORCE

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

In view of the statement by the Premier that about 800 police officers had resigned during the term of Mr. Whitrod as Commissioner of Police, will the Minister provide the resignation figures for each year from November 1970, when Mr. Whitrod was appointed commissioner, until the time of his retirement?

Answer:—

Mr. Whitrod was appointed Commissioner of Police as from 1 September 1970 and not November 1970 as implied in the

question. Consequently, I outline hereunder the information sought covering the period 1 September 1970 to 28 November 1976 inclusive.

Period	Resignations
1-9-70 to 30-6-71	105
1-7-71 to 30-6-72	77
1-7-72 to 30-6-73	101
1-7-73 to 30-6-74	147
1-7-74 to 30-6-75	124
1-7-75 to 30-6-76	141
1-7-76 to 28-11-76	47
Total	742

19. DEMOUNTABLE CLASSROOMS FOR PRE-SCHOOLS

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

Until sufficient funds are available for permanent pre-school buildings, will he, together with the Minister for Education and Cultural Activities, investigate the use of the latest demountable classrooms for pre-schools, in order to save $60,000 or more on each pre-school for use on new classrooms needed for primary and secondary schools?

Answer:—

The Departments of Works and Education have an established committee which has functioned for some time for the purposes of reviewing education building designs including pre-schools. It has always been the objective of the departments to reduce the costs of construction of education buildings consistent with reasonably low maintenance building standards. Savings of $60,000 or more on each pre-school unit could not be achieved, however, since the average contract price of a pre-school unit is $60,000 or less.

20. DISPUTES REFERRED TO INDUSTRIAL COMMISSION

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

(1) In each of the last three financial years, how many disputes were referred to the Industrial Commission and how many of such disputes were settled by the commission?

(2) On how many occasions in each of the last three financial years has the Industrial Commission issued an order subsequent to a dispute?

(3) On how many occasions in each financial year has an order of the Industrial Commission been disobeyed by (a) a trade union and (b) an employer?

(4) In each of the last three financial years, how many stand-down applications were made to the Industrial Commission and how many were successful?

Answers:—

(1) 1973-74—136; 1974-75—178; 1975-76—191. The commission's initial role is to act as a conciliator in an industrial dispute. It is not possible to advise which disputes were "settled" by the commission.

(2 and 3) This information is not readily available.

(4) 1973-74—1; 1974-75—9; 1975-76—14; 1973-74—1 granted; 1974-75—3 granted, 3 withdrawn, 3 lapsed; 1975-76—8 granted, 1 refused, 2 cases not heard, 1 withdrawn, 2 adjourned sine die.

21. INCREASED FIRE BRIGADE COSTS

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

(1) Has his attention been drawn to the higher than average escalation of costs associated with the operation of fire brigades?

(2) What action is the Government taking to curb the increases?

(3) Are the activities of the State Fire Services Council significantly contributing to the escalation of costs and, if not, can he provide some information to support this?

Answers:—

(1) Yes. The higher-than-average escalation of costs of fire brigades is due to increased wages and salaries which have risen at a rate faster than most other wages and salaries and represent approximately 77 per cent of the total budget for fire brigades.

(2) Budgets submitted by fire brigade boards for 1976-77 totalled $27,840,560. Budgets approved by the Government totalled 25,295,840. The Government took action in the previous session of Parliament to amend the Fire Brigades Act to provide that the State Fire Services Council may be deemed a fire brigade employer and a party to proceedings before the Industrial Commission if it is of the opinion that an industrial cause affects or is likely to affect more than one fire brigade board. Not only the council but the Crown have on a number of occasions made submissions to the commission where it was considered that there would be undesirable effects from applications for award variations.

(3) No. The council is required to examine not only fire brigade budgets but also all applications for extra staff and borrowing proposals for capital works submitted by boards. Were it not for the oversight of the council, there would be higher costs in relation to capital expenditure and equipment purchases. Adoption of standardised Australian-made fire appliances has also contributed substantially to cost savings.

22. COMMONWEALTH AND STATE AID TO COMMUNITY KINDERGARTEN ASSOCIATIONS

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

What financial support may community kindergarten associations expect in 1977 from the State Government and from the Commonwealth Government through the State Government?

Answer:—

The matter is still under negotiation with the Commonwealth and I cannot give a clear-cut answer to the question. I can say, however—

The Commonwealth has offered a block grant of $4,170,000 for the period January to June 1977, ostensibly to provide a contribution to pre-school services, both State and community based, at a similar level to that applying at present which, as the honourable member would be aware, covers 75 per cent of the full cost of approved staff subject to certain terms and conditions. Under these circumstances the State meets the 25 per cent balance of full cost of approved staff.

However, the Commonwealth's $4,170,000 is based on June 1976 costs and no provision has been made by the Commonwealth for escalation since that date. It follows that, unless the Commonwealth agrees to make allowance for cost increases, the Government subsidy to kindergartens could be expected to be at a level short of the total cost of approved staff. All States have put strong arguments to the Commonwealth on this issue and we are presently awaiting a response. The Commonwealth assistance for the second six months of 1977 has not yet been determined.

As the matter presently stands, it could, I think, be assumed that those kindergartens which qualify under the provisions and conditions laid down by the State and the Commonwealth will receive Government assistance in 1977 at a level which at the worst will be short of the present 100 per cent of full cost of approved staff to the extent of the Commonwealth's share of cost increases since June 1976. Strong arguments are being advanced for the Commonwealth to recognise the obvious cost of wage escalations.

23. UNIT FOR CHILDREN WITH IMPAIRED HEARING, ZILLMERE NORTH SCHOOL

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

(1) What area of Brisbane is the proposed unit at Zillmere North School for children with impaired hearing intended to serve?

(2) What is the intended use of this facility?

Answers:—

(1) The primary unit for hearing-impaired children at Zillmere North State School is intended for children in North Brisbane within reasonable access by taxi transport to be provided by the Education Department.

(2) The facility is intended to be used as an educational setting for hearing-impaired children whose communication skills have reached a level which will enable them to take advantage of integration to a considerable degree with children in the normal classroom.

24. PRE-SCHOOL FOR BEENLEIGH

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

(1) Has a site been purchased in Beenleigh for a pre-school?

(2) What plans are in hand to construct a pre-school?

Answers:—

(1) Clearance has now been given by the Land Administration Commission to build on land acquired in Beenleigh.

(2) Planning and documentation for the pre-school building should be completed by March 1977 and release of the project for construction will depend on availability of funds.

25. DENTAL CLINIC FOR WEIPA SOUTH AND SERVICES FOR COOK ELECTORATE

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

(1) Will a dental clinic be conducted at Weipa South on a regular basis when the new dentist takes up duty at Weipa?

(2) What dental services are being conducted in the electorate of Cook?

Answers:—

(1) The Weipa South Dental Clinic is presently serviced by an itinerant dental team employed by the Cairns Hospitals Board. This service will continue.

2. (a) Dental teams based at Cairns and employed by the Cairns Hospitals Board service the following areas in the Cook electorate: Aurukun, Bloomfield, Coen, Cooktown, Croydon, Edward River, Georgetown, Hopevale, Kowanyama, Lockhart River, Normanton, Weipa North, Weipa South, Yarrabah.

(b) The Thursday Island Hospitals Board provides a dental service at Thursday Island and Bamaga. The dentist from Thursday Island recently provided a service to the western group of Torres Strait islands and the Thursday Island Hospitals Board proposes that the dentist will visit the eastern and central groups of islands at a later date, following the representations of the honourable member.

26. ABORIGINAL HEALTH TEAM FOR GULF COMMUNITIES

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

Is he aware of the urgent need to have an Aboriginal health team based at Normanton or Weipa so that this worthwhile and much appreciated service can continue within the Gulf communities?

Answer:—

Following the honourable member's representations, plans have already been made to station Aboriginal health teams at both Normanton and Weipa. Negotiations are continuing regarding accommodation at both centres and when these are finalised it is hoped to have staff available.

27. ROCLEIGH BRIDGE, MACKAY

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

(1) What stage has been reached in the design of the Rocleigh Bridge across the Pioneer River at Mackay and when is it now anticipated that tenders will be called for its construction?

(2) Will the construction of the approaches proceed simultaneously with the construction of the bridge and will this work be carried out by contract, by the department's day-labour work-force or by the respective local authorities?

(3) Have land resumptions for the approach roads and the proposed interconnectors, including the new Rocleigh Road, been carried out and, if not, what are the reasons?

Answers:—

(1) Following continuing interest and strong representations by my colleague the Honourable Ron Camm, Minister for Mines and Energy and member for Whitsunday, I am pleased to say that design is nearing completion for tenders early in 1977.

(2) The approaches are programmed to allow the bridge to be opened as soon as possible following completion. Both contract and day-labour forces will be used.

(3) Land resumptions are in progress and will not delay the work. As the Minister for Mines and Energy knows, the Commonwealth notified me only last week of its approval to call tenders and, as most contractors close over the Christmas-New Year period, this will be done early in 1977. The Minister and I have been working in close co-operation on this project and we are both extremely pleased that this point has been reached.

28. ROAD AND RAIL ACCESS TO MACKAY HARBOUR

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

(1) Has the design been completed of the section of the proposed new export road through North Mackay to the Mackay Harbour and, if not, what are the reasons for the delay?

(2) When will this work be undertaken?

(3) As the new export road will completely change the traffic pattern in North Mackay, what plans does the Main Roads Department have to upgrade the Mackay-Habana road from its intersection with the proposed new Rocleigh Road near the golf club gates back to the Malcolmson Street intersection, and what type of crossing will be installed where the proposed new rail access to Mackay Harbour crosses this road?

Answers:—

(1) A planning report has been completed and forwarded to the Commonwealth for approval since this road is an export road.

(2) As soon as possible commencing in the 1977-78 financial year if an export road category continues after June 1977.

(3) The roads in North Mackay will be upgraded consistent with funds that may be available and planning has taken this into account. The new Roads Acts to operate after 30 June 1977 have a bearing on these matters. The new railway access to Mackay Harbour will be grade-separated where it crosses the road.

29. DELAY IN RATIFICATION OF WHEAT AGREEMENT

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

(1) Is he aware that the Auditor-General in his report to Parliament this year severely criticised the delay in the ratification of the remuneration agreement between the Australian and State Wheat Boards?

(2) What has been the cause of this delay and what action has been taken to rectify the situation?

(3) What inconvenience has been caused to the State's wheat growers by this delay?

Answers:—

(1) Yes.

(2) The remuneration agreement is negotiated by the relevant State bulk-handling authorities and the Australian Wheat Board. The agreement is then ratified by the particular State Minister concerned and the Commonwealth Minister for Primary Industry.

Although agreement has been reached between the State Wheat Board and the Australian Wheat Board for the three-year period ended 30 September 1976, the Commonwealth authorities have not, as yet, forwarded the document for execution.

(3) Queensland's wheat growers have not suffered from this delay.

30. DOUGLAS SHIRE REVALUATION

Mr. Tenni, pursuant to notice, asked the Minister for Survey and Valuation—

Will he and his advisers attend a public meeting in Mossman, at a date and time to suit all, for the purpose of discussing with the ratepayers of the Douglas Shire the unrealistic revaluations within that shire and, if so, what date is suitable?

Answer:—

Notices of the new valuation for the Shire of Douglas were issued on 14 October 1976. Therefore, the last day for lodging a valid objection is Monday next, 13 December 1976. I would advise all landowners who are dissatisfied with their valuations, and wish to contest them, to lodge an objection within the prescribed time and to answer "yes" to the question as to whether they desire a conference with the Valuer-General or his delegate. If they do this, they will be afforded an opportunity to discuss the valuation in a free, frank and informal manner on a "without prejudice" basis.

I would not be able to attend a public meeting before the objections close but would be prepared to do so in the New Year on a mutually convenient date. However, as the objections would then be under consideration by the Valuer-General, who is a free and independent authority, it would not be proper for me to discuss individual valuations. Nevertheless, I would be prepared to discuss the provisions of the Valuation of Land Act 1944–1975 in a general way and also speak on valuation matters generally but without particular reference to the valuation of the Shire of Douglas.

31. NEW BRIDGE ACROSS BRISBANE RIVER FROM MOGGILL

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

(1) Is the Main Roads Department giving consideration to a proposal to construct a bridge across the Brisbane River from Moggill to connect with the Ipswich-Brisbane Highway at a point between Riverview and Redbank?

(2) How far has this proposal been developed and when is a bridge likely to be constructed?

Answers:—

(1) Yes.

(2) The proposal is only in the preliminary investigation stage and construction dates have not been considered at this stage. This is forward planning so that the project can proceed when funds are available.

32. TRAFFIC SIGNALS AT INTERSECTIONS WITH IPSWICH-BRISBANE HIGHWAY, DARRA

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

(1) Regarding my requests to him for the installation of traffic signals at the junctions of Archerfield Road and Scotts Road with the Ipswich-Brisbane Highway at Darra, are the plans for this work completed?

(2) Has finance been approved for the installations?

(3) When will the work commence?

Answers:—

(1) Plans are nearing completion.

(2) Yes.

(3) This financial year.

33. IPSWICH COAL-MINE QUOTAS FOR SWANBANK POWER STATION

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

(1) What are the current quotas for the supply of coal by the various coal-mines in Ipswich to the Swanbank Power Station?

(2) Does the Coal Board propose to reduce the quotas and, if so, what are the quotas allowed for the various coal-mines for the supply of coal to the Swanbank Power Station for 1977?

Answer:—

This information is regarded as confidential between the supplier, the consumer and the Queensland Coal Board, and is therefore not available for publication.

34. SPEECH THERAPISTS

Mrs. Kippin, pursuant to notice, asked the Minister for Education and Cultural Activities—

(1) How many speech therapists are employed by the Education Department?

(2) Where are they stationed and what area is each expected to cover?

(3) How many children are receiving treatment from these specialists?

Answers:—

(1) Forty speech therapists are currently employed in the Guidance and Special Education Branch. Of this number nine therapists are on part-time duties.

(2) Speech therapists are currently located as follows:

Brisbane, 27 (including 4 part-time); Ipswich, 3 (including 1 part-time); Nambour, 1; Redcliffe, 1; Gold Coast, 1; Toowoomba, 3 (including 2 part-time); Warwick, 1 (part-time); Rockhampton, 1; Mackay, 1 (part-time); Cairns, 1.

In general, a speech therapist is located at a central school within a district. The number of schools serviced at the central clinic depends on the size of schools within the district and the incidence of severe speech and language difficulties in that particular district.

(3) On an average, depending on whether a therapist treats individually or in groups, each speech therapist treats approximately 40 children in any one week. The total number of children currently receiving treatment is in the vicinity of 1,440.

35. PROFESSOR D. P. O'CONNELL

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

(1) Regarding the Return to an Order showing fees paid to barristers and solicitors for the year ended 30 June 1976, which has been tabled in this Parliament, is the barrister D. P. O'Connell who is shown to have received an amount of $44,041.00 from the Crown the Professor O'Connell in England who is the Premier's legal adviser on constitutional matters?

(2) If not, how much has Professor O'Connell received in fees from the Queensland Government for his services and will the Minister table an itemised account of how much was paid and for what particular services?

(3) Is Professor O'Connell being retained to advise the Queensland Government or the Premier on any other matters and, if so, what are the other matters?

(4) What are Professor O'Connell's legal qualifications?

(5) For how long has Professor O'Connell practised law in Australia and for how long has he practised law in Queensland?

Answers:—

(1) Yes. Professor O'Connell is a legal adviser to the Queensland Government on constitutional and other legal matters.

(2) See answer to (1).

(3) No.

(4 and 5) It appears to me that the professional competency of Professor O'Connell as a legal consultant to the Queensland Government is of such a standard as to provide a definite hindrance to the constitutional aims of the A.L.P.—which, as we all know, are to the detriment of Queensland and Queenslanders—and, consequently, I do not consider any further comment necessary.

36. OFFICE OF PROFIT UNDER THE CROWN; MEMBER FOR ASHGROVE

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

(1) With reference to his answer given on 2 December in relation to the office of profit enjoyed by Mr. John Ward Greenwood, when was this exemption given to barristers?

(2) Who approved the exemption?

(3) Will he table in the House the legal opinion on this matter?

(4) Is he aware of the case of Hedel v. Cruickshank 1889, where it was held that the office of a simple poundkeeper under the Empounding Office was an office of profit under the Crown?

(5) Is he also aware that in the more extensive case of Bowman v. Hood 1899 a member was also a member of the Central Rabbit Board and all that he was entitled to receive were travelling expenses and nominal fees and he received neither and it was held that an office of profit did exist?

(6) Is he aware that even where no fees are received, it is sufficient in law that fees are capable of being made?

(7) Did Mr. John Ward Greenwood abandon the representation of his electorate on 17 March and did he receive two days' pay from the Crown for one day's work?

(8) Will he refer the matter to the Court of Disputed Returns, as this seems the most appropriate forum to determine a question of law as to whether the member can continue in his seat and also because it seems that, under the provision of our law, every day the member sits illegally in this House he is liable to a penalty if sued by a member of the community?

Answers:—

(1 and 2) The honourable member has obviously misunderstood my previous answer. I there stated that the appointment of a barrister to present indictments is not an appointment to an office of profit under the Crown within the meaning of Section 5 of the Officials in Parliament Act. So that there can be no further misunderstanding, I shall state in clear terms the legal position.

Mr. Greenwood, in common with numerous other barristers, has been appointed to sign and present indictments in criminal courts. The reason for such appointments —not, incidentally, a commission (see Government Gazette 13-10-73)—is that the Crown will have available a number of counsel from the private bar who can be called upon to appear for the Crown in criminal prosecutions. Without such authority—and, essentially, that is all that it is —no formal charge could be presented. The considerable increase in criminal prosecution over the past few years has meant that the Crown, through its regular Crown prosecutors who are within the Public Service, has not been able to cope with the work involved. Consequently, it has been necessary to have a pool of qualified persons available to be called on as required.

In effect, what happens is that these persons who have been authorised can then be briefed in the usual way and paid fees determined by the Crown Solicitor for their professional services rendered. The "appointment" in the Government Gazette of itself means nothing; no entitlement flows from it and no office is created.

The "appointment"—or, more accurately, "authority"—is merely an authorisation to do what a Crown Law Officer (Attorney-General and Solicitor) can inherently do without specific authority.

It will be clear that no exemption was given, because none was necessary.

Mr. Greenwood is not the holder of an office of profit and was not at his election to this House on 7 December 1974.

(3) The Government has available to it legal advice from the highest quarter which confirms the views expressed herein. It is not the practice to table legal advice nor is this the appropriate place to enter into a debate.

(4 to 6) The cases and principles are well known to the Crown's legal advisers and are not relevant in the present matter.

(7) No.

(8) The honourable member seems to have been reading the wrong Act. There is no Court of Disputed Returns in Queensland. Section 5 of the Officials in Parliament Act provides for no such penalty as is suggested. It is a pity that the honourable member did not read the whole of section 5. He would have seen that even if, as at 7 Deember 1974, Mr. Greenwood had held an office of profit—which, of course, is not the case, but assuming it were—he would not have been disqualified from standing as a candidate and his election of itself would have vacated any office of profit held.

I can appreciate the concern which the honourable member has, and I understand the motives which have prompted his questions. I am happy to have put his fears at rest. I can appreciate the difficulty he has had in understanding the law and it is my intention in due course to endeavour to have the matter put on a more realistic basis by a clear and concise legislative statement of what is expected of members of this House in their relationships with the Crown.

37. INQUIRY INTO POLICE OVER CALOUNDRA INCIDENT

Mr. K. J. Hooper, pursuant to notice, asked the Minister for Police—

(1) With reference to my letter of 20 August and his reply during the Police Estimates debate concerning the bashing

of the nine young people at Caloundra, what is the name of the officer charged and what is his rank?

(2) As over three months have elapsed since I referred this matter to him, has the inquiry been completed and, if so, what was the result?

Answer:—

(1 and 2) As previously advised, a member of the Queensland Police Force has been charged with misconduct arising from the complaint. The police officer has pleaded not guilty to the charge and, pending its determination, I do not propose to supply further information in relation to the matter.

38. BALD HILLS-BURPENGARY BYPASS

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

What is the expected completion date of the Bald Hills-Burpengary bypass on the Bruce Highway?

Answer:—

Four lanes to Redcliffe Road by June 1977, and four lanes to Burpengary by late 1977.

39. WORKS FOR SHIRES IN FLINDERS ELECTORATE; FEEDER ROADS TO FLINDERS HIGHWAY

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

(1) What work is planned in the shires of Dalrymple, Flinders, Richmond and McKinlay?

(2) Will he have his department look at proposals for a feeder-road system to the Flinders Highway, giving all of the people of North Queensland and the products they produce year-round access to this great arterial link with the rest of Australia?

Answers:—

(1) Work is planned for feeder roads such as Torrens Creek-Aramac, Maxwelton-Bunda, McKinlay-Gilliat, Richmond-Winton, Julia Creek-Kynuna and similar roads for implementation over this and the next few financial years.

(2) The feeder-road system to the Flinders Highway will be developed as funds become available, but it is also necessary to reconstruct the old sections of the Flinders Highway and these must also have some priority.

40. HOUSE DESIGN FOR INLAND NORTH QUEENSLAND

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

Will he issue a directive to his department requesting that all future houses built in inland North Queensland be constructed for hot, arid regions, which necessitate overhanging roofs to protect the walls from heat and weathering, steel frames, and design to enable evaporative air-conditioning without the necessity for ducting?

Answer:—

Commission designers are aware of the special problems of hot arid areas, and designs are under constant review.

The Australian Housing Research Council of which I am a member has a project proposal before it to research building for those areas.

The Queensland Government is already funding a research project at the University of Queensland into measurement of solar radiation, to assist building designers who have to cope with this problem.

Any construction method meeting the needs must also be competitive with others in both initial and ongoing costs, and there is no commitment to any particular material. The honourable member will see that considerable expert thought is being given to the problems and no doubt his theories will be amply tested.

41. QUEENSLAND BEEF STABILISATION SCHEME

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

(1) In the light of recent cattle sales in north-western Queensland, where hundreds of fair-quality cows were sold for $1.50 a head, and in view of recent union delegations to me concerning the extensive employment of graziers as fettlers on the northern line, will he highlight the fact that a significant increase in exports next year will have no effect on the prevailing price to the producer by listing the volume of disappearance, that is, home consumption plus export, and the price to the producer for beef over the last five years?

(2) As the supply of beef is constant, will he assure the House that these figures demonstrate conclusively the need for the immediate implementation of the Queensland beef stabilisation scheme?

Answer:—

(1 and 2) I shall table the statistics showing the disappearance of beef on both domestic and export markets for the last five years, and the average price for export beef over those years, but I ask that they be included in "Hansard".

Year	Domestic Consumption (carcass equivalent)	Exports (carcass equivalent)	Total Disappearance (carcass equivalent)	Average Prices for export quality ox 301–320 kg
	'000 tonnes	'000 tonnes	'000 tonnes	c/kg dressed wt.
1971–72	521	636	1,157	65·9
1972–73	550	884	1,434	77·6
1973–74	590	739	1,329	82·4
1974–75	851	648	1,499	32·2
1975–76	902	797	1,699	46·3

(Source: Australian Meat Board and Queensland Department of Primary Industries)

It is uncertain what effects a significant increase in exports will have next year. If a deficit of beef on the world market begins to develop and world demand continues to improve, then prices could rise and larger volumes could be sold at more attractive prices. If, on the other hand, the world beef market continues to be stagnant, then large volumes of exports will continue to be disposed of at very unattractive prices.

It should be understood that the supply of beef is not necessarily constant. Supply can vary markedly depending on seasonal conditions, on markets and on the particular point reached in the production cycle. Nevertheless, the fact remains that there are still large numbers of surplus cattle to be disposed of, and there will continue to be large numbers of cattle turned off for slaughter in the near future.

The unstable nature of the beef market in recent years emphasises the urgent need to implement the beef stabilisation scheme proposed by Queensland. Such a scheme would guarantee producers a minimum price for their cattle, and bring some stability to the export and domestic markets. I hope the other States and the Commonwealth will press vigorously for the early implementation of the scheme, as does Queensland.

42. OVERSEAS TRIP BY MINISTER FOR INDUSTRIAL DEVELOPMENT, LABOUR RELATIONS AND CONSUMER AFFAIRS

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

(1) What were the reasons for his travel overseas this year?

(2) What specific topics and areas of interest were studied?

(3) When does he intend to report on these matters to Parliament?

(4) On what day did he leave Queensland for overseas and on what day did he return?

(5) What are the details of his movements with specific reference to cities and towns visited on each of the days spent away?

(6) What persons accompanied him and/or were officially attached to his entourage at any time during his period abroad, for what periods respectively were they so attached and what were the duties of each person?

(7) What was the total sum of the expenditure incurred by him and members of his staff in fares, accommodation, other travelling expenses, entertainment expenses and all other expenses charged to the Government during the period from the date of his departure from Queensland until his return on completion of his overseas tour?

Answer:—

(1 to 7) Other than to assure the honourable member that my purpose in travelling overseas earlier this year was to further the interests of the State and its people, I do not propose to take up the time of the House in furnishing a detailed account of my movements.

My visit overseas occurred towards the end of the financial year. As a consequence, those expenses for which accounts had been received were included in the return of ministerial expenses for 1975-76 which was tabled in the House recently. The balance will be included in the return for 1976-77, which no doubt will be tabled at the appropriate time.

43. S.G.I.O. LEASE, KIN KORA SHOPPING MALL, GLADSTONE

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

Does the S.G.I.O. have a clause in its lease agreement regarding shops in the Kin Kora shopping mall, Gladstone, that, in the event of the business being sold, 20 per cent of the sale price in relation to goodwill must be given to the S.G.I.O.?

Answer:—

Yes. This is not an uncommon commercial practice in shopping centres. The success of an incoming tenant can be prejudiced by high goodwills based on the success of the centre as a whole. It does not apply in certain forced sales.

44. GOVERNMENT AID FOR MT. MORGAN

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

As great concern is being shown for people in the mining centres where mining is to cease, what action has been taken by the Government to assist the miners employed at Mt. Morgan mine and the people of Mt. Morgan who would be affected by the closure of that mine?

Answer:—

The honourable member should be aware that the current level of confidence in Mt. Morgan itself is sound, with upwards of 80 of the retrenched miners having found work elsewhere in the region.

As recently as 29 November, the shire chairman made a Press statement that the future prospects for Mt. Morgan were sound and the chairman of the Chamber of Commerce stated that business in the town was much better than had been expected 12 months ago. An influx of population replacing those that had left the mine has helped to reduce the impact of workers moving out of the town.

A study by Government instrumentalities completed in January 1976 was carried out to assist the Mt. Morgan Shire in its planning for the future.

45. EMPLOYMENT OF GRADUATES FROM COLLEGES OF ADVANCED EDUCATION; MARRIED WOMEN TEACHERS

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

(1) Is his department confronted with a dilemma in that not all teachers who graduate from colleges of advanced education will be able to be employed in the teaching service next year?

(2) Will only those graduates who have been receiving Government allowances be employed and will special preference be given to single students over married female students?

(3) How many additional teachers will be employed next year?

(4) How many of these will be drawn from 1976 graduates?

(5) How many teachers have graduated this year?

(6) Over the next two years will the Government gradually cull out those married women teachers who are not totally dependent upon their teaching salaries?

Answers:—

(1) It is pointed out that students undertaking teacher-training courses at colleges of advanced education are being prepared to teach not only for State schools, but also for independent schools and kindergartens and for the Commonwealth teaching service. Therefore, my department never anticipates employing all graduates.

As usually happens, a restriction is placed on the numbers of teachers who can be employed at the beginning of a school year. Most teachers who are willing and able to serve anywhere in the State are offered employment early in the year. Others who place restrictions on the areas in which they are prepared to serve may have to wait till later in the year before gaining employment.

It is not anticipated that the situation in 1977 will be very different from that which has applied in previous years. My department faces no dilemma.

(2) It is not correct that only bonded students will be employed by my department. A number of non-bonded students have already been offered and have accepted employment for 1977.

As mentioned above, preference for employment is given to those students who can serve anywhere or nearly anywhere in the State irrespective of their marital status or sex.

(3) Approval has been given for the employment of an additional 1,380 teachers between December 1976 and February 1977. However, a number in excess of this will need to be offered employment to take account of resignations over this period.

(4) 1,840 graduates have applied for positions. 1,700 have already been allotted to schools. It is anticipated that over the next few weeks offers will be made to the majority of the remaining applicants. Provided they are prepared to serve in areas where they are needed, they will be employed. From past experience, many non-bonded applicants often fail to take up employment.

(5) Final results in a number of courses have not yet been announced and it is not possible to give accurate figures at this stage. However, it is anticipated that approximately 1,200 primary, pre-school and special teachers and approximately 750 secondary teachers will graduate.

(6) There is no Government policy to dispense with the services of married women teachers who are not totally dependent on their teaching salaries.

It is possible that over the next few years teachers who resign, particularly from the primary and pre-school divisions, may find increasing difficulty in gaining re-employment if they are restrictive in the areas in which they are prepared to serve. Obviously, teachers who have served in remote areas must be given preference for placement in what might be considered to to be more favourable areas.

46. CONSUMER COMPLAINTS AGAINST FIRMS SELLING SWIMMING-POOLS

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

(1) How many complaints has the Consumer Affairs Bureau received during each of the last three years regarding problems with companies or firms selling swimming-pools?

(2) What action has been taken to combat the growing problems of $2 companies that undertake to provide services and products under long-term warranties but go out of business within a few years?

Answers:—

(1) 1973-74—75; 1974-75—58; 1975-76—90.

The figures quoted embrace problems concerning various aspects of the installation of swimming-pools, including deposits, warranties, covers, linings, surface coatings, retaining walls and surrounding, accessories and availability of parts, plumbing, etc.

(2) This aspect of the honourable member's question is one for the consideration of the Minister for Justice and Attorney-General.

47. IMPORTS OF STEAK AND MOLASSES

Mr. Marginson for **Mr. Dean,** pursuant to notice, asked the Minister for Primary Industries—

(1) Is he aware of the import on a regular basis of steak from New Zealand on a New Zealand aircraft landing at Brisbane Airport on Tuesday nights?

(2) What is the name of the importer and where is the steak being used in Queensland?

(3) Is molasses, molasses meal or any other derivative of molasses being imported into Queensland from South Africa?

(4) Was any product derived from molasses imported on the freighter "Safocean Albany"?

(5) What is the destination of the molasses article?

(6) Is the same substance produced by our sugar industry?

(7) Has any action been taken to protect local industries against the effects of such imports?

Answers:—

(1) I understand that, over the last five months, four shipments of beef arrived by air from New Zealand at the Brisbane airport. Some shipments may have arrived on a Tuesday night, but there is certainly no regular shipment every Tuesday night. The quantity imported has been very small, with only 6.8 tonnes imported over the five-month period. In contrast, Queensland produced 495 509 tonnes of beef and veal in 1975-76.

(2) Thomas Borthwicks and Sons Ltd. has been the major importer. I understand that this is a specialty beef imported by Borthwicks from their meatworks in New Zealand for sale on the local market.

(3) Molasses is not normally imported into Queensland, and the Australian Bureau of Statistics' figures show no imports for the 1975-76 year.

(4) A shipment of dehydrated molasses was imported recently from South Africa on the freighter "Safocean Albany".

(5) Dehydrated molasses is incorporated into stock feed blocks or cubes which can be transported to grazing areas more cheaply than the normal molasses which has traditionally been used in stock feed licks.

(6) A very small quantity of a similar substance is produced in Queensland.

(7) No action has been taken to protect the local industry as existing marketing arrangements are satisfactory.

48. SUNDAY FLEA MARKETS, BRISBANE

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

(1) Have his inspectors been investigating Sunday flea markets in the metropolitan area?

(2) Have the inspectors told some operators that they would be allowed to continue and threatened others with closure?

(3) What check is made to ascertain whether the flea markets are operating for charitable purposes or as a business enterprise?

(4) Are flea markets required to obtain permits and what hours apply to their operations?

(5) Will he issue a clear statement so that charitable organisations are aware of the department's attitude on these issues?

Answer:—

(1 to 5) In answering this matter I think it desirable to draw a distinction between the regular Sunday flea markets occurring in certain metropolitan suburbs and the occasional flea markets run by service organisations or community groups for charitable purposes. In the latter case a permit can be granted under section 87 of the Factories and Shops Act to enable the flea market to be held free from the provisions of any trading hour order of the State Industrial Commission.

In the case of those flea markets that are held each and every Sunday at specific locations under the auspices of Trash and Treasure (Queensland) Pty. Ltd., which is a business enterprise, the situation is somewhat different. Industrial inspectors of my Department of Labour Relations and Consumer Affairs have visited the flea markets controlled by Trash and Treasure (Queensland) Pty. Ltd. and informed occupants of stalls who carry on regular business selling new and/or second-hand non-exempted goods that they could not continue to sell such goods in stalls, being unregistered shops and contrary to the trading hours orders of the State Industrial Commission.

Generally it is the intention of my department not to register stalls as shops unless there is some regularity of occupancy. Apart from charitable organisations which may occupy stalls at Trash and Treasure flea markets, no objection either is held to occasional occupancy of a stall by a householder who wishes to sell surplus household appliances and utensils, etc. However, the practice of a stall holder at a Trash and Treasure flea market regularly selling non-exempted goods, as a commercial operation, outside the prescribed trading hours cannot be permitted.

49. PREVENTION OF FLASH-FLOODING ALONG IPSWICH ROAD, ANNERLEY

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

(1) In view of the inundation of footpaths and various commercial and household premises along Ipswich Road, particularly in Annerley Junction, during recent heavy storms, will he investigate the substantial build-up of carriageway following the covering up of the former tram tracks and the consequent failure of the existing kerbing and gutters to cope with the run-off resulting from intense downpours?

(2) Will he take steps to rectify this serious problem as soon as practicable?

Answer:—

(1 and 2) This is not solely a matter for the Main Roads Department. However, I will instruct my officers to have discussions with the Brisbane City Council to see if remedial measures are possible.

SUPERANNUATION ACTS AMENDMENT BILL

INITIATION

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

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to amend the State Service Superannuation Act 1972–1975 and the Public Service Superannuation Act 1958–1975 each in certain particulars."

Motion agreed to.

PETROLEUM ACT AMENDMENT BILL

INITIATION

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

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to amend the Petroleum Act 1923–1972 in certain particulars."

Motion agreed to.

BUSINESS NAMES ACT AMENDMENT BILL

INITIATION

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Justice and Attorney-General): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to amend the Business Names Act 1962–1971 in certain particulars and for another purpose."

Motion agreed to.

URBAN PASSENGER SERVICE PROPRIETORS ASSISTANCE ACT AMENDMENT BILL

INITIATION

Hon. K. W. HOOPER (Greenslopes—Minister for Transport): I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill

to amend the Urban Passenger Service Proprietors Assistance Act 1975 in certain particulars."

Motion agreed to.

LOCAL GOVERNMENT SUPERANNUATION ACT AMENDMENT BILL

INITIATION

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

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to amend the Local Government Superannuation Act 1964–1974 in a certain particular."

Motion agreed to.

LOCAL GOVERNMENT GRANTS COMMISSION BILL

INITIATION IN COMMITTEE

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

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) for **Hon. W. E. KNOX** (Nundah—Deputy Premier and Treasurer) (12.10 p.m.): I move—

"That a Bill be introduced to establish a Local Government Grants Commission to make recommendations concerning the distribution of certain financial assistance to local authorities and with respect to other matters relating to the finances of local authorities; to hold inquiries and make investigations in connexion therewith; and for related purposes."

The purpose of the Bill is to provide legislative approval for the establishment of a State Local Government Grants Commission and to provide for the functioning of such commission.

Under the new personal income tax sharing scheme an amount of $140,000,000 was allocated by the Commonwealth Government for local government purposes in 1976-77. This amount represented 1.52 per cent of the personal income tax collections for 1975-76 and, under the arrangements for the continuation of the tax-sharing scheme, local authorities in Australia will in subsequent years receive the same percentage of the personal income tax collections by the Commonwealth in the preceding year.

The initial distribution amongst States was made on the recommendation of the Commonwealth Grants Commission, Queensland receiving 17.3 per cent of the total amount compared with our 15.1 per cent of the population for the six States. Provision has been made in the Commonwealth Local Government (Personal Income Tax Sharing) Act for a review of the arrangements before 30 June 1981 and, in particular, for a review of the percentage shares of the respective States to be carried out by the Commonwealth Grants Commission. Under the Commonwealth's requirements, 30 per cent of the amount to which a State is entitled is to be allocated on a population basis, which may also take into account relative sizes, population densities and other factors agreed between the Prime Minister and the Premier of the State, and the remaining 70 per cent is to be distributed following the receipt of recommendations of a State Grants Commission on a general equalisation basis.

The Commonwealth legislation requires the formation of State Grants Commissions to make recommendations relative to the distribution of the grant moneys within each State but permits the grants for 1976-77 and 1977-78 under interim arrangements. As honourable members will be aware, this State made use of interim arrangements for the current year but proposes to have the new commission appointed to recommend the distribution from 1977-78 on.

Under the provisions of the proposed legislation a Local Government Grants Commission will be established comprising four part-time members nominated by the Minister, being a chairman and three members with considerable experience in local government, one full-time member nominated by the Minister for Local Government, who is also to be a person experienced in Local Government affairs and finance, and the Under Treasurer. There will be power for deputies to be appointed to act where a member is unable to attend meetings. The members other than the Under Treasurer are to be appointed by the Governor in Council by notification published in the Gazette for a period of from one to three years as stipulated in the terms of the appointment. The Under Treasurer or the representative in his place is to be the deputy chairman.

The main purpose of the commission, as already indicated, is to make recommendations to the Minister concerning the distribution of moneys to be made available under the Commonwealth legislation dealing with payments to the States of moneys under the tax-sharing arrangements for local authorities. However, provision is also being included for the commission to carry out other investigations relating to the finances of local authorities as stipulated by the Minister.

Members of the commission will be paid remuneration, fees and allowances as approved by the Governor in Council. Staff will be provided within the Treasury Department to assist the commission.

The commission or, if the chairman approves, one or more members of the commission acting as a division of the commission will receive submissions and hear evidence from local authorities and associations of local authorities, such hearings being required to be held in public.

The final recommendations of the commission relative to the distribution of funds provided by the Commonwealth, together with details of the allocation, are to be laid before the Legislative Assembly.

The task being given to the commission is a major one. It will involve a detailed study of the needs of the 131 local authorities within the State so as to ensure the distribution of the available funds in a manner which as far as possible recognises the differing financial needs of the various authorities.

The State Government is pleased that the present Commonwealth Government has decided that the distribution of the funds should be carried out by the State instead of by a Commonwealth instrumentality, as was previously the case, and that it has been possible to increase the amount available to a sum which will result in authorities receiving annual grants which represent very welcome additions to their revenues.

I know that local authorities will be pleased to see the establishment of a State Grants Commission to which they will be able to make submissions which point out their particular needs with a view to obtaining special assistance to enable them to provide the services and facilities enjoyed in more affluent areas without imposing undue burdens on their ratepayers.

I commend the motion to the Committee.

Mr. HOUSTON (Bulimba) (12.17 p.m.): I hope that the proposed Bill will ensure that local authorities receive a better financial deal from both the Commonwealth and State Governments, because a review of the financial structure of local authorities is long overdue. In the many years that I have been a member of this Assembly, local authorities not only have been the poor relations of public administration in this nation but also have gradually been put into an impossible financial position. To compensate for this, they have had to juggle the revenue they have managed to obtain.

I think it is true to say that years ago a person's wealth could be gauged fairly accurately by the amount of property he owned, and I think there was some justice in property being regarded as the basis of wealth. However, with the passing of the years, property ownership is no longer an accurate indication of a person's ability to pay.

As we know, the Commonwealth Government obtains the bulk of its revenue from personal income tax and company tax, and it obtains additional revenue from levies, charges, probate duties, customs and excise duty, royalties and so on. However, in virtually every case, the Commonwealth Government's revenue is based on a person's ability to pay or, as in the case of sales tax, on his desire to buy a certain article knowing that a substantial part of its cost goes to the Government. Basically the Commonwealth's money is received from citizens of the nation in accordance with their ability to pay.

In the same way the State Government receives its income from the citizens of this State basically in accordance with their ability to pay in the various taxation fields. I know that many people would argue that they are forced to pay taxes that they do not want to pay and in fields where they feel they should not have to pay so heavily, but I think it is true to say that the main force of State taxation is applied by the Government in fields where people have a choice. I am referring now to income derived through the T.A.B. and other betting media, the liquor trade and the like. Certainly the State Government gets taxation through royalties, but the companies that mine the product can no doubt sell it at a profit. Experience has shown, particularly with coalmining, that it is a very profitable enterprise for the major producers. We know that State taxes received through stamp duties and the like are for services rendered. The one that breaks away from that concept is pay-roll tax. I do not want to go into that now other than to say that pay-roll tax is not a tax based on one's ability to pay.

The State receives from the Commonwealth a payment from the general taxation field by way of grants in various forms, and it receives a general grant as a percentage of personal income tax under the new federalism.

In the local government field we now have the idea that if a person has not the wherewithal to pay it is left to a particular local authority to show its generosity by saying to that person, perhaps a pensioner, "You can have a rebate on your rates and charges." This is welcome to the person who receives the concession, but there are so many others on low incomes who are not able to obtain such a concession. Local authority budgets are so tight, and they must be balanced so accurately, that it is very difficult for local authorities to be as generous as I feel they would like to be.

Although many local authorities grant concessions to pensioners and others on low incomes, there are many other people who are finding their rate charges a burden. As land values increase, higher rates have to be paid. A person will buy a block of land in a particular locality, and then because of development within a mile of his area—not because he has developed his land and not because he has received any extra amenities—the value of his block increases and he is

charged extra rates. That person does not want to sell his land; he only wants to live on it. Some people who are paying almost no income tax at all have to pay high rates. As time goes on, more and more local authorities will be requiring State and Commonwealth Government assistance to enable them to carry out their functions. From time to time the State Government decides to pass on to local authorities greater responsibilities. For example, only recently the Government, through its Noise Abatement Bill, has made the local authorities responsible for the enforcement of certain provisions contained in that Bill. That means that local authorities will be called upon to increase their staff, particularly on the inspectorial and clerical side, and will be faced with added costs. To meet them the local authorities will have to find additional finance.

Similarly, the Traffic Act throws more responsibilities on the shoulders of local authorities, but the State Government has not been generous and handed over to local authorities additional money. The Brisbane City Council had taken from it its profitable electricity undertaking and it is now faced with additional financial burdens.

Mr. Moore: Why did it give away the powerhouses?

Mr. HOUSTON: Because it was forced by this Government's policies to give them away. But I do not want to be side-tracked into an argument on that matter. The honourable member for Windsor should show greater interest in the welfare of local authorities, which is what the Bill is all about.

Local authorities are virtually compelled to provide and maintain public transport systems. For various reasons, people are using public transport to a lesser extent than before and the local authorities are forced to strike a balance between service and loss. In the over-all picture it is not service and profit but, as I say, service and loss, and that loss is borne by the ratepayers.

Over the years quite a substantial sum has been provided to local authorities directly from the Commonwealth Government, particularly the Federal Labor Government. This was criticised by some, who claimed that local authorities should not receive tied grants. I believe, however, that if a Federal Government wishes to go beyond its normal commitments to local authorities and to provide additional financial assistance, there is nothing wrong with making massive sums available to them on a national scale for national projects, such as sewerage and other works. It is correct for a Federal Government to do this, provided it is not influenced by political considerations. Similarly, a State Government should provide local authorities with finance on a State-wide basis for projects that will cater for the health and welfare of the people.

The Bill provides for the setting up of a Local Government Grants Commission. It is interesting to note that in the 1974 policy speeches of the Liberal Party and, I think, the National Party, it was indicated that on such a commission the councils would be represented. The Bill, however, provides for local government representation by persons with council experience. There is a great difference between a person who has local government experience and one who is either a sitting alderman or a sitting councillor. In the Liberal Party's statements it indicated to the local authorities that they would have direct representation. The Minister should explain whether it is the intention to appoint to the commission as local authority representatives either aldermen or councillors.

The Government also stated that the Grants Commission would be totally independent of the Government and of Government pressures. However, the commission is to be made up of six persons nominated not by the combined local authorities—as is being done under the Electricity Bill—but by the Minister. They will be nominated by the Minister. The chairman and three other members are to have considerable local authority experience, but they are to be part-time members. I particularly draw attention to the words "nominated by the Minister"; the Minister does not indicate at all where they are coming from.

There will be one full-time member—again nominated by the Minister—with local authority experience. That person will not be an elected alderman. As it is a full-time position, one could say that it is quite reasonable that that person ought not to be an elected alderman or councillor. However, I believe that at least some of the four should be sitting aldermen or councillors so that the modern thinking of local authorities is kept up to date. After all, a constituted body can have people of vast experience on it, but their experience could, within a period of five or six years, become completely out of date with realities. Conditions would have changed since they were serving with an organisation and obtained first-hand knowledge of its workings. One of the things that worry me about such organisations is that, where it might have on it men with a great amount of experience, as time goes by they tend to become less experienced in modern thinking.

Mr. Moore: That would apply to you in Bulimba.

Mr. HOUSTON: No. I am still the sitting member. However, 10 years after I retire it would be futile for me to be telling the people what I would do.

Mr. Moore: I thought you were making another point.

Mr. HOUSTON: No. I am sure the honourable member would agree with the point I am making, which is that a person who

is an active member of local government knows the modern trends. He is with it, because he is at the meetings and everything else. However, five years after that he has lost track and time would have beaten him in his knowledge of new developments.

Mr. Moore: I thought you were referring to their employment.

Mr. HOUSTON: Not at all. I am talking about people who are elected representatives. Certainly, it would be wise to have as a full-time member someone who had been an alderman or councillor, because I believe "full time" should mean full time. The person appointed should not be devoting time to other fields. I believe, too, that he has to be completely impartial, as should any other member on the commission. When reference is made to being impartial and away from political influence, surely that means being away from the influence of the State or Federal Governments and not just the influence within an organisation. I think it is a very wise move to have the Under Treasurer on the commission. In my view that is the connection—and the only connection we need—between the commission and the Government.

I repeat that I am questioning rather than criticising. However, I do criticise the Commonwealth Government's role in this arrangement, and that is its contribution of $140,000,000, which represents only 1.52 per cent of personal income tax from the States. As I said at the start, local authorities more and more will be looking for other means of financing their activities, yet we find that only 1.5 per cent of personal income tax—not all taxation, I stress—will be given to the States. Of that $140,000,000, Queenslanders will get $20,220,000 this year, but it was only $13,800,000 last year.

Mr. Tenni: How did that compare with the Labor Federal Government's percentage?

Mr. HOUSTON: If we go back to the one before, the percentage would be slightly more than that under the Labor Government. I am glad the honourable member raised that, because by the same token——

Mr. Tenni: I am glad you admit it.

Mr. HOUSTON: I do admit it, but let us finish this story. We should not let the matter rest with only half the story. The full story is that the Federal Government at that time gave amounts as special grants. The sum total of the argument is that under this scheme the local authorities will get less money and less value for money than they did under the Labor Government, because under this scheme, although the local authorities are to receive $140,000,000, the value of that money will be much less than the value of the money received under the Federal Labor Government. The honourable member should not talk nonsense. The local authority on which he had the privilege of serving for many years is one of the most backward in the State and he knows it. He has very little knowledge of financial matters so his local authority made less progress than others.

Queensland is receiving 17.3 per cent of the total amount while it has only 15.1 per cent of Australia's population. It could be argued that the basis is in our favour; but it is not, considering the differences in area of Queensland, Victoria and New South Wales and the fact that Queensland has 131 local authorities, some of which are as big as Victoria if not bigger. The people who live a long distance apart in those large local authority areas are entitled to good communication by all modern means, including road transport.

The honourable member for Barron River represents country local authorities. One of the things that shock me is that with a Labor Government in power the local authorities cried out for millions of dollars but with a National or Liberal Government they are strangely silent and try to make excuses as to why they are not receiving more money. I suggest that the honourable member use his energies for the benefit of his area.

Mr. TENNI: I rise to a point of order. The honourable member said that I was representing a northern shire. I do not represent that shire. I did not stand for election to it.

The CHAIRMAN: Order! I ask the Deputy Leader of the Opposition to accept that explanation.

Mr. HOUSTON: I accept that he is not a member of the shire council—even if he stood he could not win election to it—but he has argued in this Chamber, as he should, for the area that he represents. Shame on him for not showing more interest in his local authority areas.

(Time expired.)

Mr. M. D. HOOPER (Townsville West) (12.37 p.m.): I believe that members of all political parties support the concept of additional moneys being provided to local government. I am sure that this legislation will have the support of all honourable members. It is necessary to introduce it in Queensland—and in all other States—because of the new federalism policy of the Fraser/Anthony Government, which decided that a percentage of the annual tax revenue should be fed into the system of local government as we know it in Australia. This is very desirable.

I noted during the Minister's remarks that, while we have 15.1 per cent of the Australian population, our reimbursement is of the order of 17.3 per cent of the total amount. No doubt this has resulted in some

criticism from the larger southern States which are always keen to criticise Western Australia, Tasmania and Queensland getting a little more of the cake than they believe those States are entitled to. As the previous Treasurer (Sir Gordon Chalk) expounded so many times in this Chamber, Queensland has a very good case to be granted an additional share of the cake—the total public purse—because of our sparseness, the maintenance of our decentralisation programme and our lower income per head of population compared with some of the southern States which are more advanced. I refer to their mechanisation and larger wage structures. I believe that this is a very good move by the Fraser Government and that it is more than justified. It might not be as good as we would like and perhaps the Minister will tell us more about it later.

Like many other honourable members I have been involved in local government and I know that more and more demands are being made on local authorities for the provision of services and facilities.

Mr. Tenni: Would you say that if the Deputy Leader of the Opposition had been involved in local government he would have known what he was talking about?

Mr. M. D. HOOPER: That is a different subject. The honourable member might wish to expound it himself.

More demands are being made on local government. These days, people are no longer satisfied with buggy tracks. They want kerb-to-kerb bitumen roads, drainage, water storage schemes, park facilities and libraries. There is now the concept of social welfare programmes becoming a responsibility of local government, which is so close to the people. Until very recently rates were the only revenue obtained by local authorities. Rates have become a very heavy burden on ratepayers because, while the population is increasing, the number who are paying rates is decreasing. Whereas 10 years ago home-ownership among the people of Australia was about 70 per cent, it is now closer to 60 per cent as fewer and fewer people are owning properties and therefore paying rates.

It is an old fallacy that a tenant is a ratepayer, because anyone who owns or has anything to do with property these days knows that it does not produce a reasonable return. So high are the costs of construction and rates that the days of obtaining a return of 10 per cent from property investments are gone. Today most landlords would be lucky to get 7 per cent or 8 per cent on their investments. No longer do tenants pay a fair contribution to rates. Local authorities therefore have to have some other avenue of income than rates.

I freely admit that some initiative was shown by the Whitlam Government several years ago with the introduction of the Grants Commission. Whilst saying that, I am also going to criticise the Whitlam Government on the implementation of that scheme. It was actually Prime Minister Lyons who originally set up the Commonwealth Grants Commission in the 1930s. It was reactivated by the Whitlam Government, possibly as an act of conscience because that Government went a long way towards destroying local authorities. In fact, it made most local authorities virtually bankrupt. It increased the bond rate from about 6½ per cent to 11 per cent in its first year in office and that caused utter chaos among local authorities in the raising of loans. Naturally it meant a further increase in rates—which takes me back again to the old story of fewer people paying more in rates. There is now a guaranteed share of the tax cake for local authorities and I very much appreciate that the Government is now taking action in this direction.

The Grants Commission set up by the Whitlam Government was established rather hurriedly in an attempt to implement the policy of providing money to local authorities. However, I have to say that, in the experience of many people associated with local authorities in Queensland and other parts of Australia, the commission was in the nature of a kangaroo court. Some local authorities spent considerable time and money in preparing strong submissions to the Grants Commission. The Townsville City Council, for instance, spent thousand of dollars on the preparation of a long and detailed submission. In fact, we were told by the commission chairman, Mr. Justice Else Mitchell, that it was one of the best the commission had seen and that we had taken too much trouble in its preparation. Other local authorities that made submissions virtually on a sheet of notepaper received far greater allocations than the amount allotted to Townsville. It became accepted that if a local authority was of the right political colour, it received a much better deal.

I hope that, with this Grants Commission, we will not see that sort of thing happening in Queensland. I must say that my

experience has been that, in the allocation of grants, the Queensland Government has acted very fairly over the years. Where money has been made available for, for instance, unemployment relief, even though it may have been only a lousy $5,000,000 or $10,000,000, the Department of the Co-ordinator-General, the Treasury and the Local Government Department have together distributed it fairly. Very few complaints have been made over the years against the Government's administration of previous grants.

I should like the Minister to tell us later the criteria to be laid down for the allocation of grants. It is noted that 30 per cent of total allocations are to be distributed to local authorities on the basis of population, the remaining 70 per cent to be distributed following the receipt of recommendations of the State Grants Commission on a general equalisation basis. I do not know what is a "general equalisation basis"; that is a rather grey area. When we used to ask the Commonwealth Grants Commission their concept of an equalisation basis, we were never given a satisfactory answer. The needs of Townsville cannot be compared, for example, with those of Charters Towers. What is needed is an equalisation system by means of which cities of differing size and varying deficiencies can be compared. So there is quite a grey area there as to what is the equalisation basis.

Mr. Houston: The Minister will tell us in his reply.

Mr. M. D. HOOPER: I am quite sure he will. Apart from that, what advice will be offered to local authorities in the preparation of their submissions? I know that some local authorities which could not afford to have their own engineering staff complained that they had to go to quite a deal of expense in bringing in outside consultants to help in the preparation of their submissions. In many cases this was a complete waste of money because they supplied information which was not required by the Grants Commission. When the Government drafts the regulations, it should give some indication to the local authorities of what is required in their submissions; in other words, the criteria of the Local Government Grants Commission for the acceptance of submissions and the allocation of moneys.

Now that we have a guarantee of receiving money as a share of the tax cake, it should be possible to have a triennial basis with minimum sums being made available yearly. If some local authorities receive only $100,000 or $200,000, they have to spend it immediately on small schemes such as road repairs, resealing and kerbing and channelling. It is not enough to build a major highway or a sewerage-treatment plant. If the money was provided on a triennial basis and the local authorities were told, "You will get a minimum $500,000 this year and, on the basis of natural escalation, next year it will probably be $700,000 and the following year $1,000,000", the moneys could be applied to a large-scale scheme and not just frittered away on park improvements and other minor jobs which, although they keep a certain amount of unskilled labour in employment, are of no real benefit to the community. I have no criticism of the legislation at all. In fact, I strongly support it and commend it to the Committee.

Mr. BURNS (Lytton—Leader of the Opposition) (12.47 p.m.): I believe this is a very important Bill. Its introduction should guarantee the right of local authorities to have a direct say in the distribution by the Federal Government of funds which it has received by way of income tax. When notice was given of the introduction of this Bill, I had a look at the submission of the Local Government Association of Queensland to the then Treasurer, Sir Gordon Chalk, after it was told about the federalism proposals. In fact the association said that it was not consulted at all by the coalition parties on the federalism policies, and as a result it welcomed the opportunity given by Sir Gordon early this year to make a submission.

The honourable member for Townsville West mentioned the Whitlam Government. I would like to read part of the association's submission which related to the Whitlam Government. It said—

> "At this point, it should be further stated that Queensland Local Authorities, with few exceptions, were able to enjoy a degree of financial stability under the Whitlam Government which was never previously available to them and it is the hope of Local Government in Queensland that under the Coalition Parties Policy financial assistance from the Commonwealth Government will be based on Grants Commission recommendations over the past two years . . ."

It went on to say that it believed local authorities were entitled to 3.5 per cent of individual personal income tax, that is, if grants are to be made on a percentage of

personal income tax only. The Local Government Association said that Queensland had problems because of the large areas local authorities have to cover and pointed out as well that in its view, because some of them have large mining and other companies in their areas and company tax makes up a large proportion of the money they send to the central Government in Canberra, some percentage of company tax ought to be coming back to them and not just a percentage of personal income tax.

In its submission the association referred to the "Survey of Local Government Finances" compiled by Mr. R. D. Stuckey in 1972. This report was made available to the Queensland Government. The submission stated—

> "However, it is important to recall that Mr. Stuckey's recommendation was for 'The allocation of a specified proportion or percentage of all income tax collected from year to year and creation of a Special Local Government Assistance Fund for distribution to Local Government by the respective State Governments.' "

Later on in its submission the Local Government Association expressed concern that functions such as water supply and sewerage had been specifically excluded from consideration by the Grants Commission. As this submission was made in about February of this year, I do not know whether that is still so. I would like the Minister to explain to us in his reply whether sewerage and water supply have been specifically excluded from consideration.

The submission also mentioned element "B"—the equalisation or topping-up grants area—and I support the submission made by the honourable member for Townsville West on that point. Some of the criteria ought to be spelt out. The Local Government Association has asked that, in the functions of any State Grants Commission to be established, one of the prime criteria to be considered in framing the machinery by which such a commission might function should be the limiting to the absolute minimum of the time and cost to local authorities of the preparation of data, including accounts and statistics that it may require for consideration. As I understand it, local authorities had a major cost problem with the Commonwealth Grants Commission because that commission was not aware of local authority problems even though it was handling all types of submissions from different States. It could not understand either the accounting system used in this State or some of the problems experienced here.

The submission then said—

> "It has been the experience of Queensland Local Authorities that the special return of accounting and statistics required by the Commonwealth Grants Commission in addition to written submissions and oral evidence, whilst necessary for the Grants Commission's exercise in dealing with some 800 plus Local Authorities, could be largely obviated in the functioning of a State Grants Commission which would be familiar with Local Authority problems within the State."

In setting up the State Grants Commission, the Government has accepted that submission.

It went on to say—

> ". . . we firmly believe that the Local Government Association's Accounting Committee's Report and Recommendations on a system of Uniform Accounting in Queensland Local Authorities, which has been favourably received by the Department of Local Government and the Auditor-General's Department, should be implemented without delay as this would ensure a major saving to Local Authorities in both time and cost. . ."

The local authorities also said that they wanted all their money without strings, completely untied, and I believe that the Federal Government has legislated in that way.

They asked for an explanation of the Prime Minister's statement earlier in the year as to "possible absorption of specific purpose payments into general purpose funds, either initially or at a later stage." I think that local authorities wanted to have stated clearly whether specific purpose funds for, say, the R.E.D. scheme, the A.A.P. and other schemes under which they received financial assistance in earlier years were covered under a grant of this type or under the equalisation grant.

A number of other sections of the submission from the Local Government Association are worthy of consideration. I would expect that those responsible for the introduction of the proposed Bill would have studied them, and I hope that at the second-reading stage the Minister might reply to these submissions so that the association will know exactly where it stands and what it has achieved by making them.

Mr. TENNI (Barron River) (12.53 p.m.): I wish to say a few words on the introduction of the proposed Bill, mainly because of my experience in local government but also because of some comments made by the Deputy Leader of the Opposition.

First, I congratulate the former Federal Labor Government for introducing the Grants Commission. However, I endorse the remarks of the Leader of the Opposition relative to the costs involved and the tremendous amount of work that had to be undertaken by officers of local authorities. In the case of the Mareeba Shire Council, the first estimate of the cost of making a submission—and this was for time alone—was about $5,000. I was pleased to see that when the sensible Government now in power in Canberra came to office and decided that the grants should be made available through the States, that loss to the taxpayers—or the ratepayers, whichever honourable members prefer—was no longer incurred. The large number of huge forms that had to be filled in are now a thing of the past. I congratulate the Fraser Government on that because it is very important that a large part of the money made available by way of grants should not be lost in administrative costs. I am pleased that the proposed Bill will prevent it and I compliment the Minister for introducing the provision.

The Deputy Leader of the Opposition was incorrect in stating that I represent the Mareeba Shire. I am no longer a member of the Mareeba Shire Council; I retired at the last election. As a member of State Parliament I represent five shires. Those five shires are very strong. The Deputy Leader of the Opposition said that Mareeba was a very backward shire. I will have him know that I will get that message to the people in the Mareeba Shire, particularly the Labor councillors. They will be interested to know that the Deputy Leader of the Opposition said that theirs was the most backward shire. Labor had control of that council for the previous three years.

I agree with the comments made by the honourable member for Townsville West. I like his views about the provision of a triennial amount of money. I support the honourable member fully because, unlike the Deputy Leader of the Opposition, I know the problems that will be confronting shires over the next two or three years. If a shire can plan the expenditure of a certain amount of money each year over a three-year term it can spend the money wisely and sensibly to the advantage of its ratepayers. I congratulate the honourable member for Townsville West for bringing that forward. It is a point that I would not have thought of. I certainly fully support him on that. I am sure that every council in the State would fully support his comments.

Mr. Frawley: What about Percy Tucker?

Mr. TENNI: Percy Tucker wouldn't; it would be against his policies. He just couldn't support a strong man like Max Hooper.

The honourable member for Townsville West spoke about sewerage schemes. Sewerage schemes are not completed overnight. If a council could look at funds for sewerage schemes on a triennial basis, it would make it much simpler to programme labour and equipment.

I hope that the Bill will make provision for local authorities to be advised prior to the setting of their budget just what amount of money they will be receiving. This was a very touchy point when the last budgets were set by local authorities in Queensland. I hope that in his reply the Minister will advise us that the amount of money allocated to each council will be indicated prior to the setting of the next budgets. If that is done, councils will not have to do the guesswork they had to do when the socialist Labor Federal Government was in power.

This is an excellent Bill and I hope that it will be fully supported.

Certainly I fully endorse it myself.

[*Sitting suspended from 12.59 to 2.15 p.m.*]

Mr. AKERS (Pine Rivers) (2.15 p.m.): I support the introduction of this Bill, which is the first step towards providing very necessary assistance to local government in Australia. It follows on from the Federal Government's decision to introduce this year a new policy of federalism under which the sum of $2,200,000 by way of tax-sharing moneys is provided direct to local government in Queensland. The money was distributed this year by an ad hoc committee, which, in the short time given to it to take action, did a reasonable job. The Federal Government's decision was a flow on from the previous Federal Government's establishment of a Federal Grants Commission. That matter has been adequately covered by the honourable member for Townsville West.

I would ask the Minister whether local authorities will be forced by this measure to incur the tremendous cost of preparing submissions such as those required by the Federal Grants Commission. The submission put forward in 1973 by the Pine Rivers Shire Council cost the council approximately $3,000. I realise that for an outlay of that size a return of $124,000 is a very good one; nevertheless the outlay was unnecessary in the first place. I hope that similar costs will not be required under the provisions of the Bill.

One of the difficulties confronting local government is the lack of continuity of finance. This matter, too, was covered by the honourable member for Townsville West. My council has made many submissions to both the State and the Federal Governments on the continuity of sewerage funds under the backlog programme that was implemented three or four years ago. The difficulty is

that contracts cannot be drawn up to coincide with the financial year. For example, an annual $1,200,000 contract certainly cannot commence on 1 July of each year and finish on 30 June of the following year; it must be able to continue into the next financial year.

This new tax-sharing scheme does offer some guarantee of income, and in the minds of local authorities there is the assumption that they will receive a reasonable sum each year. However, as I shall show later, this sum is far too small to have any great effect.

The loan indebtedness of the Pine Rivers Shire Council came to my notice, by a strange coincidence, only within the last couple of days. I have produced a graph from the figures supplied. It shows that from 1974-75 to 1975-76 the loan indebtedness of the Pine Rivers Shire Council rose by 30 per cent. Although the shire is one of the fastest-growing shires in Queensland, its loan indebtedness is typical of that of all local government.

The graph shows that in 1948 the Pine Rivers Shire Council's loan indebtedness stood at approximately $32,000; by 1954, it had risen to $120,000; by 1958, to $945,000; by 1967, it had risen, at a slow rate, to just under $2,000,000; by 1970, to $4,064,000; and since then it has risen at a dramatic rate, as is shown in the following table:—

Year	Amount
	$
1971	4,584,000
1972	5,647,000
1973	6,918,000
1974	8,495,000
1975	11,341,000
30 June 1976	14,853,000

As I say, a 30 per cent increase occurred in the last 12 months, and the figures over all clearly indicate that the line on the graph is almost vertical.

Over the same period, the interest and redemption payments rose from only $4,700 in 1948 to $1,250,000 in 1976. That means that we are getting further and further behind. We have not begun to pay off the council's debts; we are just borrowing more money. Last year we borrowed $3,300,000, I think it was, from which we paid $2,500,000 in interest and redemption charges. That means that at present 37 per cent of the rate and revenue income of the shire council is being used to repay loans. I do not know whether such figures indicate that councils are spending too much money. I continually get screams that not enough money is being spent. Some action must be taken very soon by the State and Federal Governments to make sure that the stage is not reached where 100 per cent of a council's income will be required for interest and redemption payments. That time is not far ahead. If one looks at the foregoing table, it will be realised that it will not be very long at all before we are borrowing money simply to meet interest and redemption payments.

I support the Bill. I believe that the Federal Government has taken some action towards getting us to the state that we should be heading for; but it is only a start, and the assistance must accelerate to a much greater extent over the next few years.

Mr. GIBBS (Albert) (2.22 p.m.): I rise to support this Bill put forward by the Treasurer, but introduced today by the Honourable Fred Campbell on his behalf. This is an important step in the right direction. It is a start to getting local authorities back on the road again. It is true that the Grants Commission was started in the Whitlam era; but I wish to carry on from where the previous speaker left off about the cost that had to be incurred in the preparation of submissions to that commission. The Gold Coast City Council prepared a very wide-ranging submission, which cost many thousands of dollars to produce, but got nothing whatsoever from the Grants Commission. The Albert Shire received some money, but much less than it deserved.

Mr. Tenni: Do you mean the last Grants Commission or the one before that?

Mr. GIBBS: No, I am dealing with the one during the Whitlam era, not the last Grants Commission. The last Grants Commission, which was set up by the present Government, was established in a hurry, but I believe that the grants that have just been distributed were handled very well. Every council received a reasonable amount. However, I was referring specifically to the Grants Commission set up during the Whitlam era, which gave the Gold Coast City Council nothing.

I am not reflecting on those who served on that Grants Commission. They were men of great integrity. However, they had to work within the framework laid down. When that set of rules was applied, the Gold Coast city and one of the coastal electorates to the north of Brisbane received nothing at all. Nothing from nothing leaves nothing.

We were lucky that the State Government took the matter up. During the last two years, it provided $5,000,000 by way of grants—free grants—to local authorities. That made a great difference. Many so-called grants came from the Federal Government. One made to the Gold Coast City Council was labelled a grant for sewerage backlog. When we read the small print, we found that it was repayable at the bond rate of interest and it attracted no subsidy. When we are able to borrow money for sewerage from the State Government, a 40 per cent subsidy is given right across the board to assist local ratepayers to meet the outlay.

As a result, the interest and redemption payments are not as great as they would otherwise be. Contrast that with the money from the Whitlam Government, where the big print said "grant" and the small print said "repayable". I argued this matter with Mr. Uren, who was then the Minister controlling the Department of Urban and Regional Development. He said that in his interpretation it was a grant. At school I was taught that a grant is a gift; something for nothing; something not repayable. In those circumstances the Whitlam Government would have to be regarded as an Indian giver.

We have now reached the stage where, through the State Government, there will be a sharing of taxation. Today we are setting up our own Grants Commission so that the money can be distributed on an even basis according to need. This would be some of the best news that local authorities have had. The Local Government Association of Queensland will be very happy when this Bill becomes law. This year we had to hurriedly establish a committee to distribute the money and in the short time available it has done well with that money. I hope that the dishing out of $5,000,000 by the State will be a continuing process over a long period. I understand that the Grants Commission will not handle that side of it but it could if ever the time arrives.

I congratulate the Minister and his department on bringing this legislation forward. It is one of the greatest things that have happened to local authorities in Queensland. I commend everybody who has had anything to do with it.

Mr. SIMPSON (Cooroora) (2.27 p.m.): I commend the Minister on bringing in this Bill to set up a Local Government Grants Commission. Finance is a problem in all levels of government. At the moment, the Federal Government collects the taxes, uses what it wants for itself and passes some back to the States. Now, for the first time, a set percentage will be made available for distribution by the State Governments to local government.

The Grants Commission will distribute 70 per cent of the funds on a general equalisation basis. It is incredible that only 1.52 per cent of personal income tax is coming back to local government. I would like to know where the other 98.48 per cent goes.

The Local Government Grants Commission will study submissions from local authorities to set up a basis on which, I hope, they will share fairly in the available finance. It is important that local government be able to put its case clearly without incurring heavy costs as with the Department of Urban and Regional Development.

We need a basis on which local government can finance roads. In many areas the number of people who use the roads is disproportionate to the ability of the local authority to pay and it should have money to provide tourist roads, roads for strategic purposes and roads for industrial development. Because of high interest and capital costs in sewerage works, the burden does not fall equally on the people in certain areas. This should be taken into account.

Local government has been given the task of town-planning and the whole community is looking at development in other areas. As an example I refer to people in other parts of Australia having so much to do with Fraser Island and its future. This relates, also, to beaches, estuaries and lakes in our coastal shires. Beaches must be protected and local authorities do not have the capacity to handle this work. I should like to know how such major undertakings can be financed. Local authorities in coastal areas also have the expense of maintaining beach patrols as a safety measure for the public. Those who make use of these services come not only from the area concerned but from other places such as Brisbane, and also from interstate and overseas.

In some areas the cost of providing sporting facilities is being loaded onto local authorities and welfare services are also becoming a responsibility of local government. The demands are almost endless. Welfare services are a by-product of selfishness and development and, if we do not take a very hard look at this field, we will be saddling ourselves with something that may create problems in welfare itself.

That which has application to the other arm of local authority financing is the valuation system and the rates that flow from it. Under this system the burden does not always fall on those best able to bear it. There are many problems in the present system. It is not without advantages over some systems that do not provide an incentive for people to develop undeveloped land. However, under the present system of obtaining finance from land valuations there is a need for greater emphasis to be placed on other forms of financing, such as the one now under discussion, to ease the burden on ratepayers who are pensioners or people on fixed incomes who have moved in their later years to areas that have subsequently developed and in which, because land values have been forced up, rates also have been increased. Some provision should be made to overcome this problem.

I believe that any basis of making allocations fairly between shires will be the subject of argument. In this area I hope that the commission considers not only the arguments presented to it but the reality of the situation. In other words, some local authorities do not have the ability or the financial capacity to present cases as well as other local authorities. This is a point that the commission will have to consider.

There will also be a need for flexibility in the basis of funding so that consideration is given to the reality of trends in growth areas. The commission will need to anticipate

trends that will embarrass local authorities in rapidly growing areas such as the one that I represent on the Sunshine Coast. It has been found that statistics often lag behind the facts in the services that local authorities have to provide, and for this reason local authorities are often embarrassed in funding and providing services quickly.

It is also important that the commission quickly finds some stable means of evaluating the needs of various local authorities so that they can look forward in the future to a basis of funding that is fairly reliable and understandable. That means that the commission must explain the basis on which it apportions the 70 per cent of money available so that those concerned understand how it is worked out. Of the money to be allocated to local authorities, 30 per cent is to be made available on the basis of population and the remaining 70 per cent on evaluations made by the Grants Commission.

Moreover, a small reserve should be set aside for adjustments to be made in times of disaster such as flood, fire or drought. I think it is important that we have this bit of elbow room in which to manoeuvre so that we can overcome anomalies which are sure to need correcting at the end of the financial year. I commend the Minister on his introduction of the Bill.

Mr. BOURKE (Lockyer) (2.35 p.m.): I rise to support this Bill providing for the establishment of a Local Government Grants Commission. I see this as the final link in the chain of Government initiative to provide local government with a percentage of income tax on a national basis. At last we see local government getting access to a growth tax on a regular basis. It is obvious to all people in the community that there are limits to the amount of money that local government can obtain through rates. Rates are already at an all-time high, and it is obvious from all the trouble over valuations that rating on the basis of unimproved values as determined by the Valuer-General is not an equitable method of obtaining local government finance. It is a particular problem in many local government areas with large percentages of old and retired people. There should be strict limits as to how much these people should be expected to contribute. Another problem with local government is that its already high rate of loan indebtedness is increasing all the time, and it has been affected particularly by high interest rates. This has been obvious throughout the entire community. We have had the appearance of various groups proposing various schemes for low-interest finance to local government. I do not think the appearance of these groups is a healthy sign in the community.

I note with approval that the commission may provide for detailed studies of the financial needs of local government throughout the State. I think this provision is long overdue, and I look forward to seeing the results. It may also investigate various financial aspects of the operations of local government and receive submissions. I think it is very praiseworthy that these meetings must be held in public. The time is long overdue for local government to have finance provided on a regular basis. Our system of government is more or less a pyramid system from the Commonwealth through to the States and then to local government, and it is very important that local government should receive an equitable share of community resources.

I think it is particularly appropriate that this Government comprises a large number of members who have had local government experience and who have risen through the system from local government to State Government. I think this shows our consideration and care that local government throughout the State should prosper. I think the important thing about local government is that it is close to the community, and the members of local authorities can perhaps be said to be very close to the feelings and needs of their communities. As local government is responsible for providing the basic facilities required by the community such as water, street lighting, and so on, it is very important that it should have adequate finance. It is all the more reason why local authorities should receive a fair share of total community finance.

It is obvious that much more of our tax dollar must be returned to local government for spending on the needs of the people in the area from which the tax comes. I consider that local government is closer to the people than is any other type of government. We have a problem in Toowoomba in that large numbers of old and retired people are residing there, and those people cannot fairly be expected to provide more in the form of rates. Toowoomba also has the problem that it is a large inland city and has to provide water for decentralised communities and industry. We look forward to relief from these problems through the Grants Commission.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) for **Hon. W. E. KNOX** (Nundah—Deputy Premier and Treasurer) (2.39 p.m.), in reply: On behalf of the Deputy Premier and Treasurer, I thank honourable members for the spirit in which they entered this debate. The Bill is certainly a positive and progressive move, and I feel quite sure that it will go a long way towards relieving the burdens on local government which have been mentioned by so many members.

The Deputy Leader of the Opposition gave a very good analysis of the manner in which taxes and other levies are collected at both the State and Federal level, and he pointed out the restricted capacity of local authorities to raise the revenue needed

to meet the needs of modern-day communities. I think this is acknowledged by the setting up of this Local Government Grants Commission.

The Deputy Leader of the Opposition questioned the composition of the commission. I would just like to assure him that he need have no fear about its composition. It has to be recognised that the commission will be a deliberative body and will be required to analyse submissions put forward by local authorities. It would be rather fatal to the dispassionate functioning of the commission if members considered that they were delegates from a particular organisation. If persons were nominated directly by local authorities, they would be seen, as I have indicated, as representing a particular area of local government, and decisions could be influenced by persuasive representatives.

Mr. Houston: I was only questioning what your leader said at the 1974 election; that is all.

Mr. CAMPBELL: My leader promised this, and this is a fulfilment of the promise. I cannot recollect whether my leader said specifically that they would be members elected by a particular local authority or members experienced in the realm of local government.

Mr. Houston: No. We keep a record of what you fellows say; we have to.

Mr. CAMPBELL: I am not speaking of what my then leader said; he is no longer with us.

Mr. Houston: You are going to repudiate it now?

Mr. CAMPBELL: I will never repudiate what is said by anybody who speaks with good will. Furthermore, the persons nominated by the Minister will be independent and unbiased. The honourable gentleman can depend on that. The Minister has every reason to want decisions to be unbiased and to be accepted by all local authorities.

The third reason is that grants will be determined on statistical data that will show, firstly, the relative capacity of the local authority to raise revenue and, secondly, the relative cost of the provision of services by that local authority.

The honourable member referred also to the 17.3 per cent distribution to Queensland in comparison with its 15.1 per cent of total population and said that this State should receive more because of its area. That is not a bad point to make in a debate. I think he would be aware that that matter was determined by the Commonwealth Grants Commission. Naturally, some of the States have complained that Queensland receives too much—or, rather, that their share is not enough—and have asked for a review of the distribution for next year. Their request has been acceded to by the Commonwealth Government and a review will be instituted by the commission almost forthwith. The Government of Queensland will be presenting a strong case to retain this State's apparent advantage, but it goes without saying, of course, that it will be a hard fight.

The honourable member for Townsville West, who, like so many honourable members who have taken part in the debate, is an experienced practitioner in the field of local government, made two points. The first related to the basis of assessment. The assessment will be made by the commission on a basis that has the object of ensuring that, as far as is practicable, each local authority is able to function by reasonable effort at a standard not appreciably below the standards of other local authorities in the State, being a basis that takes account of differences in the capacity of local authorities to raise revenue and differences in the amounts required to be expended by local authorities in the performance of their function—in other words, an assessment of the capacity of each authority to raise revenue and the relative cost to each in providing the services. The commission will be setting out a standardised return form, and it will require data that will give full information needed to make the assessment.

As to timing—it is expected that the commission will be making its decisions in time for its recommendations to be made known before the respective councils finalise their budgets.

The Leader of the Opposition asked whether sewerage and water services were eliminated from the calculation, and the answer is "yes". Grants are restricted to an assessment of local authority functions that are common throughout the nation.

Mr. Burns: Well, we have been robbed then.

Mr. CAMPBELL: No, no-one will be robbed under this measure. In the southern States the responsibility for sewerage and water is a function of boards outside the local authority. As to the question about tied grants—the grants will not be tied. Local authorities will be free to spend in any way they choose. If it is a local authority's policy to do so, it may reduce rates.

The honourable member for Barron River emphasised the great wealth of practical experience he gained as a member of a local authority. He mentioned, as did two or three other members, the cost of preparing data for the previous inquiry. When the forms are made available, I think local authorities will find that they will not need to go to such great lengths in providing the necessary information.

The honourable member for Pine Rivers spoke in the same vein. The data required must be and will be just sufficient to give the commission the information it will need to make its assessment. I think it will be generally appreciated by members that the

job we are requiring it to do could not be done without that information. The honourable member spoke at length about the problems of his shire's increasing loan indebtedness and, in consequence, the reducing amount available for capital works. Loan indebtedness is an indication of the volume of capital works carried out in the area at the discretion of the local authority. As honourable members are aware, the State has a very extensive subsidy scheme. I believe that we lead Australia in this field. That scheme significantly reduces the size of the debt and servicing charges. For example, sewerage and water schemes are subsidised by the State to the extent of 40 per cent. In other words, the debt of the authority is 40 per cent less because of the State's subsidy.

The honourable member for Albert indicated, as did others, the problems confronting the glamorous part of Queensland —the Gold Coast. He pointed out that even though it is a glamorous area it has its problems.

I was a little intrigued at the opening remarks of the honourable member for Cooroora. He seemed to indicate that the 1.52 per cent was rather paltry, because he asked where the 98.48 per cent went. I think it rolls pretty well round the nation. He, too, cited the general problems of his area, as did the honourable member for Lockyer, who has had experience as a local council member. He indicated the wide experience one gets at that level because of being close to the people. He illustrated the problems of a council having a fairly large number of retired people living in its area.

I thank honourable members for their contributions.

Motion (Mr. Campbell) agreed to.

Resolution reported.

FIRST READING

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

CITY OF BRISBANE ACT AND ANOTHER ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Miller, Ithaca, in the chair)

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (2.52 p.m.): I move—

"That a Bill be introduced to amend the City of Brisbane Act 1924–1974 and the City of Brisbane Town Planning Act 1964–1975 each in certain particulars."

This is a short measure the purpose of which is to enable the Brisbane City Council to exhibit at a place other than the city hall copies of ordinances, town-planning applications and other documents which by law are required to be placed on public exhibition.

Section 38 of the City of Brisbane Act provides that, after a resolution has been made by the council passing an ordinance, a copy of the ordinance has to be deposited at the city hall and be there open to inspection.

Similarly, the City of Brisbane Town Planning Act provides for town-planning amendments initiated by the council to be placed on exhibition at the city hall.

As honourable members are no doubt aware, the staff of most departments of the council recently transferred from offices in the city hall to the Brisbane Administration Centre adjoining the city hall.

I am advised that the only staff now located in the city hall consist of the town clerk and deputy town clerk and supporting staff for those officers, together with supporting staff for the Lord Mayor and other council aldermen whose offices will remain in the city hall.

The council has accordingly requested that both Acts be amended to enable the exhibition of material of the type I have mentioned, at a public office in a place other than the city hall. It states that it is not its desire to have the staff who will remain at the city hall responsible for maintaining the public exhibition of the material in question.

The council adds that there could be problems in other areas, for example, if staff other than appointed cashiers were to be responsible for the collection of moneys in relation to the sale of material which is available for purchase in association with material placed on public exhibition.

The Bill makes provision for appropriate amendments of the City of Brisbane Act and the City of Brisbane Town Planning Act to permit the material I have referred to to be open for inspection at a prescribed place, such place being the public office of the council at the city hall or such other place as the council may from time to time nominate within 1 km of the city hall and which in the opinion of the Minister is centrally and conveniently situated. The Bill gives effect to the wishes of the council in this matter. I commend the Bill to the Committee.

Mr. BURNS (Lytton—Leader of the Opposition) (2.55 p.m.): Although the Bill refers to only one section of the Act I wish to speak about the Act itself and the problems that people are having in trying to follow it because of its lack of consolidation. The Act was introduced in 1964 and I think it has been amended once each year since then. It is becoming difficult to read it or even to collate all the amendments.

I think you will agree with me, Mr. Miller, that town-planning legislation affects the ordinary person in his home and in his home environment and he is concerned about it. Public participation should be the aim of the Government—indeed, of everyone who is

interested in planning—so it is most important that the ordinances, the Act itself and the amendments to it be readily available. I suppose that could be said about much of the legislation that is continually amended; but I believe that it is important at this stage that we make it very clear that some of the very important sections should be consolidated. Sections 20, 20A, 20B, 20C, 20D, 21, 22 and 22A, which deal with objections and appeals—and that is what this is all about; making ordinances available to the people so they can understand what has happened—are the sections that have been amended on a number of occasions. They are the sections that are difficult to gather together. One of the most important tasks we can undertake when introducing machinery measures for an Act such as this, which affects the home life and homes of so many people, is to consolidate it as quickly as possible so that people can readily make their opinions known.

We are talking about making the ordinances available in one other place than the city hall. I continue to make the point that it is time for that provision to be changed and for the Act and ordinances to be displayed in every ward office and in all of the places where people can make some contact with the council. The idea of changing the Act to have the ordinances displayed in the new building at the back of the city hall, whilst it is a help, is a denial of the right of the average citizen to get to them. Today people do their shopping in the suburbs. They go to the shopping centres at Wynnum, Chermside, Mt. Gravatt or other similar centres. Why should the ordinances be available only in the heart of the city at the city hall or at the new administrative building at the back of the city hall? It is my belief that the Act should have been amended to make provision for displaying the ordinances in the major areas that I have referred to—or at least in the office of each ward alderman.

We have no opposition to the proposal before the Committee.

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (2.57 p.m.), in reply: I thank the Leader of the Opposition for his contribution. I wish to answer very briefly the three points he has made. Taking the last one first—the display of the ordinances at various centres throughout the city—I believe that his proposal is a logical one, but the cost involved has to be taken into account. The only problem with his suggestion is that of the cost involved.

The City of Brisbane Town Planning Act has been consolidated up to 1 January 1976 and is now available for purchase at the Government Printing Office.

Mr. Burns: Now?

Mr. HINZE: It is available.

Mr. Burns: It was not available last week.

Mr. HINZE: It is available for purchase.

Mr. Burns: I'll mention your name.

Mr. HINZE: The honourable member might get a free copy if he does, particularly if he says that he is the Leader of the Opposition, that he comes from Hemmant and that he has all the problems under the sun at Tingalpa. Then he will probably get one for nothing. It might even be a Christmas box. We might even gift-wrap it for him.

The third point he raised related to the amendment we propose to provide for the Act being displayed in an area adjacent to the city hall. I thank the Leader of the Opposition for his contribution.

Motion (Mr. Hinze) agreed to.

Resolution reported.

FIRST READING

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

ALBERT SHIRE COUNCIL BUDGET ADJUSTMENT BILL

SECOND READING

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (3.1 p.m.): I move—

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

I gave a summary of the more important provisions of this Bill at the introductory stage. As I indicated then, the intention of the Bill is to adjust a rating anomaly that has occurred in the Shire of Albert this financial year in respect of the levy of a separate rate on the unimproved value of land in a benefited area defined in respect of flood-mitigation works in the Woongoolba area of the shire.

When framing and adopting its budget for the current year, the council made and levied the separate rate on the basis of existing rateable values of lands in the benefited area. It did not have regard to the fact that, earlier in the year, the rateable values of much of the land had been substantially reduced by the Land Court following the lodgment of appeals by landowners. The reduction in valuations made by the Land Court were substantial and the result is that there has been a marked change in the incidence of the separate rate I have mentioned. In some cases, landowners who receive less benefit from the flood-mitigation works have to pay higher rates than owners whose lands are substantially benefited by the works.

The Albert Shire Council and the ratepayers affected are concerned and the council desires that the anomalous position which has arisen be corrected. The purpose of the Bill is to enable the council to frame

and adopt a new budget, create a new fund and make and levy a new separate rate for the balance of the financial year to defray the cost of the works in question. When these actions have been effected, the present budget and fund and the present separate rate that has been levied will cease to have force and effect. Separate rates already paid by landowners this year in respect of the Woongoolba drainage scheme will be refunded and rates unpaid will not be collectable by the local authority.

The Bill also makes certain amendments to the provisions of the Local Government Act relating to the making and levying of separate rates for particular functions of local government.

The amendments in question will clarify a local authority's powers in this behalf and therefore will be of benefit to local authorities generally.

Mr. MARGINSON (Wolston) (3.3 p.m.): When one stops to contemplate the purpose of this Bill, one must give consideration to the anomalies that exist in valuation and rating in our State. Like many other honourable members I have advocated in this House the need for some system of collecting revenue for local authorities other than the present unimproved value system. Because of the rating system many people are finding it most difficult to remain in the homes that they own. I hope that it will not be long before we have a more just system for the people of Queensland.

Mr. Hinze: What would you recommend?

Mr. MARGINSON: For a long time I have had in mind the rental value of the premises. If the Minister would like me to delve into it further—I think there is a great anomaly when a large building containing as many as 50 home units and the home of the pensioner next door are rated on the same unimproved value of land. This Bill might be of some help to us. There are other ways. The present system is not a levy on a person's ability to pay as is the case with most other taxes. It is a levy on the capital value of the land.

We have before us a Bill that is unique in this State. Under the Local Government Act, when a council strikes a budget for the next 12 months, that is it; it cannot be changed.

Mr. Hinze: You have to admit that anything I say in this House is unique.

Mr. MARGINSON: I have to admit, too, that the Bill has some effect on the Minister's area as well as the electorate of Albert. I know that, as chairman of that shire, the Minister carried out his duties with great distinction. However, at the same time it is unique to have brought down in the House a Bill that contradicts the Local Government Act.

Many councils have found themselves in a rather awkward financial position when, after striking a budget, something unforeseen has occurred. In such cases they have had to carry that load until they strike their next budget, usually in August of the following year. During my time in local government I had experience of unforeseen expenditure cropping up which had to be carried until we could recoup ourselves in the following budget.

I have never been able to find out why the Albert Shire Council was not aware when it struck its budget, which would have been in August, that earlier in the year valuations had been substantially reduced. The honourable member for Albert endeavoured to explain the situation at the introductory stage and I know that he played an important part in having the Minister bring down the Bill that is now before the House. However, I say again, as I said at the introductory stage, there has been some negligence somewhere and I have been unable to find out how the substantial reductions in valuations were overlooked.

All in all, I agree with what the Bill provides. It appears that there is an anomaly and that some people are being unjustly treated by having to pay benefited area rates although they receive little benefit, whilst others who are receiving substantial benefits are not being required to pay for them to the same extent. If the Minister finds that other local authorities are getting into the same trouble through no fault of their own, I hope that he will condescend to bring down a Bill to help them.

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (3.8 p.m.), in reply: I thank the honourable member for Wolston for his contribution. From his many years of experience in local government as a member of the Ipswich City Council, he would be expected to have the knowledge to enable him to make such a contribution.

The Albert Shire Council is one of those local authorities that have gone out of their way to help industry. In this case, the sugar industry has been helped by the flood mitigation scheme and various other schemes in the areas of Behm's Creek, Bremerhaven and Pimpama, by means of which it has been possible to more than double production. This is an area of which all concerned with the sugar industry are now very proud. The council made a contribution to the scheme and the farmers did likewise. We in Queensland are proud of the way in which primary industries, including the sugar industry, contribute to the State's economy by the production of exportable surpluses. The sugar industry is one of our major primary industries, and in this little corner of Queensland we have the Rocky Point Sugar Mill, which I think is the only privately owned mill in Queensland. Its sugar production

had dropped to a fairly low level, but because of the flood mitigation work undertaken by the council and contributions from farmers in the area its production has now risen. Problems arose after appeals against valuations in the area had been successful and rates were imposed based on the old valuations. This caused anomalies and the problem was brought to the attention of Hugh Muntz, the chairman of the council, who is well known to everybody in this Chamber as a very honest and capable administrator. He would not make mistakes, and if any were made they would, of course, be of a very minor nature. When one has been in local government as long as Hugh Muntz one does not make mistakes. I think he is one of the longest-serving members of local government and is very well known and respected throughout the State, so I do not suggest that any mistakes of a serious nature have been made.

The honourable member for Wolston referred to rating in general, and we do hear arguments put forward relating to the improvement of our present rating system. They, of course, will be looked at as time goes on. Frankly, I believe there is quite a lot wrong with our system of valuation but years of experience have shown that these things have to be attended to by way of amendments to the Act. I commend the honourable member for Wolston, who led for the Opposition, and I commend the Bill to the House.

Motion (Mr. Hinze) agreed to.

COMMITTEE

(Mr. Miller, Ithaca, in the chair)

Clauses 1 to 13, both inclusive, as read, agreed to.

Bill reported, without amendment.

NURSING BILL

INITIATION IN COMMITTEE

(Mr. Miller, Ithaca, in the chair)

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (3.14 p.m.): I move—

> "That a Bill be introduced relating to the qualifications and registration of nurses and enrolment of certain other persons connected with the nursing profession, the regulation of the practice of nursing and for related purposes."

In my opening speech at the introductory stage of the Nursing Studies Bill I outlined to honourable members the role played over many years by the Nurses Board of Queensland in the training of nurses in this State.

As a result of the decision taken to make nursing education the responsibility of a Board of Nursing Education, amendment of various sections of the Nurses Act of 1964 became necessary. A review of the Act indicated that a number of other sections required revision to update provisions and to incorporate changes recently adopted in registration Acts for other professions. It was therefore considered expedient to repeal the Nurses Act of 1964 and to introduce new legislation for the registration and enrolment of nurses and the regulation of the practice of nursing.

Honourable members will find on perusal of the Bill that many sections are unchanged or changed only in the terminology used. Some changes, however, are worthy of particular note.

The Nurses Board of Queensland will be reconstituted as the Nurses Registration Board of Queensland and will have a reduced membership of seven as from the expiration of the term of office of the present nine members.

I consider it desirable that the activities of a registration board should be guided by members of the profession it represents. The Bill therefore provides that the chairman of the board shall be a registered nurse, and that of the seven board members, at least five shall be registered nurses.

Also in my introductory remarks to the Nursing Studies Bill, I mentioned that some time would elapse before staff could be recruited for the Board of Nursing Studies and it could assume its role in nursing education in Queensland. An appointed day is provided for on which educational responsibility will pass from the Nurses Registration Board of Queensland to the Board of Nursing Studies. Whilst the Nurses Act of 1964 is to be repealed, provision is made in this Bill for the Nurses Registration Board, until the appointed day, to perform the functions and exercise the powers conferred upon it by the repealed Act with regard to nurse training.

Registration and enrolment procedures of previous legislation have been revised. Provision is made for the keeping of a register of registered nurses and a roll of enrolled nurses. The previous term "nursing aide" has been replaced by "enrolled nurse" following representations from all sections of the nursing profession. The term "aide" could not be regarded as describing adequately this trained member of the health team and the vital role she plays in our hospitals.

Qualifications for registration of registered nurses are categorised into several groups—graduates from schools of nursing accredited by the Board of Nursing Studies; graduates from a training school in Queensland under the Nurses Act of 1964; interstate and overseas qualifications and post-graduate qualifications. Interstate or overseas qualifications have the normal requirements of a standard equal to or higher than Queensland qualifications or a requirement that the applicant undergo additional training and examination. Other procedures for registration are similar to registration Acts for other professions.

The qualifications for enrolment of enrolled nurses are similarly catered for—possession of a certificate from an accredited school of nursing; completion of training prescribed under the Nurses Act of 1964; completion of a course of satisfactory training elsewhere than in Queensland or, if required, completion of additional training and examination. Provision is also made in enrolment procedures for those persons who over a number of years have acquired considerable experience without undertaking formal training. As in other Acts, provision is made to grant registration for a limited period to persons who come to Queensland for post-graduate study or lecturing purposes.

Other provisions relative to disciplinary action, appeal procedures, removal of name from register and payment of annual registration and licence fees are similar to those contained in legislation recently considered in this Chamber for registration of other professional groups.

Miscellaneous provisions of the Act are generally as in previous legislation, except that penalty provisions have been increased to realistic levels. By-law-making provisions have been revised to meet the requirements of the functions now proposed for the board.

This Bill together with the Nursing Studies Bill already introduced form an important package to upgrade legislation on education and registration of nurses in Queensland.

I pay tribute to the tremendously important role played by Dr. Urquhart, who has been chairman of the Nurses Registration Board for many years, and I also pay tribute to others who have played important roles in the nursing profession.

I commend the motion to the Committee.

Mr. MELLOY (Nudgee) (3.20 p.m.): The Opposition welcomes this Bill. To a degree it complements the Nursing Studies Bill recently introduced by the Minister. It is more or less consequential legislation, but it contains important provisions. As the Minister pointed out, it covers the period of transition pending the implementation of the Nursing Studies Bill. There will be registration of nurses in the various categories outlined by the Minister.

One of the important provisions of the Bill is that covering representation of nurses on the registration board, inasmuch as the Minister stated that, of the board of seven, at least five will be nurses. I do not know whether the chairman is included in the total of seven, but provision is made for the chairman to be a member of the nursing profession. That is important, because nurses have a greater knowledge of the ramifications of their profession than any layman could possibly have. I do not know whether we will ever see the day when that principle is extended to such bodies as hospitals boards and we have a preponderance of medical men on those boards. I doubt it, but it would not be an undesirable step if it were taken.

The Minister has said that the title "nursing aide" is to be changed to "enrolled nurse". I agree with him as to the importance that should be attached to the work of nursing aides. If the new designation gives them greater status, it will be all to the good. I think they have to be recognised as nurses. I agree that the term "nursing aide" does not indicate full appreciation of the work those girls do. I have personally seen the hard work that they do in hospitals. My own daughter was a nursing aide for some time, and I know the work she put into her job. The new provision is a very desirable one.

Apparently the Bill is going to ensure that all categories of nurses are covered following the change-over from the present nurse-training programme. The Minister has set out the different categories of nurses that will be registered.

I am pleased to see that the Minister is giving due recognition to those nurses who have spent many years of their life in nursing without having undertaken the formal training required. Many women in their middle years who have given tremendous service to hospitals will be grateful to the Minister for the recognition he is giving them.

The Bill is not an extensive one. I think we can assure the Minister that he has the support of the Opposition. We will be looking forward to studying the specific terms of the Bill when it is printed.

Mr. SIMPSON (Cooroora) (3.24 p.m.): I commend the Minister for introducing this Bill relating to the qualifications and registration of nurses in Queensland. Over the centuries members of the nursing profession, mainly women, have indicated their ability to care for others, particularly in war-time and in the pioneering days when people were dependent on persons other than trained doctors. At all times their dedication has been obvious.

The nursing profession is becoming more organised than ever before, and it is only logical that the obtaining of qualifications and the registration of nurses should be carried out on a uniform basis. It is interesting to note that the nursing profession is the one above all others in which its members are able to travel overseas and readily obtain employment in their profession. In this respect it is far ahead of the engineering, medical and legal professions. Young women in the nursing profession are able to see a lot of the world and at the same time gain additional experience in their profession.

In days gone by, girls who wished to enter the nursing profession had to pay for their training. My mother was one such young woman. How the position has changed! Nurses can now obtain qualifications that are recognised both here and overseas. We have indeed come a long way.

Mr. Porter: I hope we don't go mad and go too far.

Mr. SIMPSON: I am sure that nurses will adopt a sensible and responsible attitude in laying down the procedures that are to be followed in their training.

Whilst allowing the nursing profession to develop and progress to the fullest possible extent, we must ensure that we do not put the avenues of entry into the profession beyond the reach of those persons who have this God-given gift of being able to care and look after other people. We must adopt a sensible approach to entrance qualifications and ensure that they can be obtained by as many people as possible. We must also ensure that no restrictions are imposed on those dedicated nurses who wish to take their training and experience as far as possible. Of course, there is a distinction between the nursing and medical professions, and this is one aspect that needs to be looked at in a practical way.

Nursing aides are another rung in the ladder of treatment and care of people. They provide an essential service in the hospitals and give full support to the doctors and nurses.

Everyone in the community should recognise the nursing profession as a wonderful example of what can be achieved by adopting a sensible approach to the work to be done. Other trades and professions could follow the example set by the nursing profession, which is indeed a stable one in the care of the community.

Dr. LOCKWOOD (Toowoomba North) (3.28 p.m.): This Bill is necessary to allow nursing education to continue in Queensland until the revolutionary Nursing Studies Bill, which will open up nursing education to all those modern benefits that are available, comes into force.

It is pleasing to note that the Board of Nursing will be able to continue to play its role of supervising nursing education and that at least five members of that board will be registered nurses. This is in keeping with the legislation relating to nursing education in general.

One matter to which I wish to address myself is the need to have committees of State examiners assess not only local applicants for entrance into the nursing profession but also interstate and overseas arrivals who wish to continue in the profession or further their education within it.

Disciplinary action against nurses has long been a difficulty, particularly discipline of those who have fallen prey to the extremely serious and nasty problem of drug addiction, which is a growing one in this State, in the country and throughout the world as a whole. It is a sad fact that the greatest number of those addicted to hard drugs are nurses, who for some reason or another become exposed to them through their profession. It is my belief that over the years the professions of medicine and nursing have been unduly harsh on their members who have become addicted. I suppose there would be few doctors who have practised for any length of time who have not been confronted with a nurse suffering from drug addiction. I would like to think that those nurses could be allowed to continue in their profession under whatever observation, control or reporting was considered necessary while they underwent any treatment that might be needed to help them overcome their problem.

Nursing has been with us for more than a century, and in that time nurses have been extremely kind to humanity. It is time that we exhibited some of that same humanitarianism towards those nurses unfortunate enough to have a drug problem—and that problem need not relate only to morphia, heroin and pethidine. It could also apply to valium and other tranquillising drugs. It would be nice to think that addicted nurses could carry out their duties under supervision, and that the board could review their attempt to rehabilitate themselves or make a decision (taking perhaps up to 12 months where a nurse is making progress) to allow that nurse to return to her full duties without any stigma or slur attaching to her addiction, habituation or abuse. I think there should also be provision for appeal where the nurse feels that she has been unfairly or harshly dealt with.

The public should be aware that doctors who have been similarly caught have often beaten the legal machinery by voluntarily retiring from practice—withdrawing themselves from the decision-making scene. They have withdrawn themselves from a position of having access to or handling drugs and they have, upon rehabilitation, been allowed to recommence practice and present themselves to the public once again as members of their profession. I believe that the least we can do for the nursing profession is to allow them a similar means of coping with the problem.

There is also a need to be ever alert to the changing needs for qualifications in enrolment. I would not like to see any blanket standards laid down. There is more than one means of proving oneself capable of undergoing a course of education. If a nursing aide has demonstrated an understanding and skill in her practice as a nursing aide and exhibits a willingness to undergo further education, she should be allowed to undertake such further education as is necessary to enable her to complete her formal training. I would like the Minister or the board to have the power and the prerogative to accept or reject applications for enrolment in nursing studies along those lines.

Mr. KATTER (Flinders) (3.34 p.m.): I will be very brief. First, I congratulate the Minister on making the first move to create what

I see as a paramedical role for the nursing profession of Queensland. Nurses are coming very much to the fore in fulfilling that role, and the Minister, through this legislation, is giving the profession the teeth by which they can justifiably do it. With the acute shortage of doctors in the State of Queensland, we must look more closely to people such as nurses to perform some of the less onerous burdens that now fall upon doctors themselves.

I should like to repeat what was said very strongly in the various party rooms in this regard. We plead with the board, when it is set up, not to introduce any educational qualifications that would prejudice some, but to look at people on their merits. If a person spent a number of years as a nurse's aide, how she performed in that particular role should be looked at rather than how many examinations she may have passed.

I should like to bring to the attention of the Committee the tremendous job done by people in the "Eventide" homes—the old people's homes—and in the mental institutions and hospitals. They perform a very unrewarding task in the sense that a lot of work yields very little profit. Yet they continue in that work with nothing less than modern-day heroism. Classic examples of this dedication can be seen in the staff of two large hospitals in my home town of Charters Towers.

To the nurses in those two hospitals in the Flinders electorate I express my tremendously high respect also for their almost complete lack of industrial strife over the years, despite the fact some 400 people are employed there.

I support the legislation on the basis that we are looking towards a definite paramedical role for the nurses together with commensurate status and qualifications.

Hon L. R. EDWARDS (Ipswich—Minister for Health) (3.37 p.m.), in reply: I thank honourable members for their contributions. It was very gratifying to hear all speakers support the Bill generally.

The honourable member for Nudgee welcomed and supported the legislation. I know that he feels very strongly on consolidation of Acts. This is another piece of legislation concerning the Health Department's administration that we have consolidated and I am sure that this has delighted his heart.

He mentioned the appointment of nurses to the board. As I indicated, there will be at least five. Then, of course, there is the power of the Minister for nominations to be greater than that. As the chairman of the board is a nurse, I feel that the nursing profession will be given a very large say in the registration procedures for the profession.

Mr. Melloy: What about hospital boards?

Dr. EDWARDS: The Government's policy is that there be a medical practitioner and a woman on every hospital board throughout the State. We have tried to implement this wherever possible. I certainly support it. If the woman can be a nurse, so much the better.

The honourable member for Cooroora welcomed the legislation. He referred to training in past days. Those of us who had experience in those darker days of nurse-training realise that the nurses of that time contributed a tremendous amount and were given very little credit for the amount of work they did in patient care under very difficult circumstances. I support him in his tribute to the nursing profession during that period.

Many of the important breakthroughs in the profession of medicine generally must be attributed to the fine nursing care given by dedicated nurses at the bedside of the patient.

With both this Bill and the Nursing Studies Bill, I have made it quite clear to the nursing profession, and I make it quite clear to those who read these speeches to discover the basis on which these Bills have been set up, that we want all nurse education to be based on clinical concern and care. As we have said repeatedly, the important role of the nurse is part of the team-work concept of care for patients. I make no apology for my stand on that.

The honourable member referred to the dedication of nurses. The Government has been well aware of the tremendous dedication of the profession and the very ethical way in which it has carried out its work for a long time. I, too, pay tribute to this fine profession.

The honourable member for Toowoomba North welcomed the legislation. As a member of my health committee he has played a role in the formulation of this legislation.

He mentioned the problems of addiction. He referred to a provision in the Bill which I think is a breakthrough in legislation in this State if not throughout Australia. The Bill contains provision for those who do have addictive problems or problems with drugs when they are brought before the board for disciplinary action, and the board will be given power to adjourn a case while the person concerned undergoes treatment. At the end of that treatment programme a report can be given to the board and a decision can be made. The matter that he mentioned is of great importance and I feel sure that this provision will be welcomed by all who have any association with the very difficult problem of addiction to drugs. In the past those with such an addiction have been cast out of the profession and a stigma has been placed on them. This legislation gives such people an opportunity for rehabilitation and I believe that that will be welcomed by both the nursing profession and the medical profession.

The honourable member also mentioned the need for an appeal provision. This is provided in the Bill. I feel certain that the honourable member will be delighted with the provision concerning appeals against decisions of the board.

The honourable member for Flinders mentioned the role of the nurse as a paramedical officer. I am not sure that the nursing profession would like to be referred to as paramedical. They feel very strongly that nurses are part of the team, and there is, of course, no more important person in the medical team than the one who is caring for the patient. I make it quite clear that the nurse has a vital part to play in the care of the patient, just as medical practitioners, domestic workers and clerical workers are all part of the team that provides medical and nursing care.

The honourable member mentioned the concern that he and other members, especially those from country areas, have about entrance qualifications. The Nursing Studies Act will give power to the board to make by-laws laying down entrance requirements. I assure the honourable member that his remarks on this subject will be kept in mind.

I thank honourable members for their comments. I feel certain that the Bill will be well and truly welcomed by members and the profession generally.

Motion (Dr. Edwards) agreed to.

Resolution reported.

FIRST READING

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

MEDICAL ACT AND OTHER ACTS (ADMINISTRATION) ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Miller, Ithaca, in the chair)

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (3.44 p.m.): I move—

"That a Bill be introduced to amend the Medical Act and Other Acts (Administration) Act 1966–1976 in certain particulars."

The provisions of the Medical Act and Other Acts (Administration) Act 1966–1976 complement legislation for the administration of seven professional boards in Queensland. The amendments contained in this Bill will substitute the Pharmacy Board of Queensland constituted under the Pharmacy Act 1976, and the Nurses Registration Board of Queensland constituted under the Nursing Act 1976, for the Pharmacy Board and Nurses Board constituted under repealed Acts.

The Bill also contains the repeal of a section the provisions of which are now redundant owing to incorporation in the Pharmacy Act 1976.

These amendments are of a machinery nature only and completely formal.

I commend the motion to the Committee.

Mr. MELLOY (Nudgee) (3.45 p.m.): The Opposition accepts the assurance of the Minister that these are consequential amendments following the introduction of the Pharmacy Bill and the Nursing Bill and are desirable to bring the other Acts into conformity with the provisions contained in the Bills I have mentioned.

Motion (Dr. Edwards) agreed to.

Resolution reported.

FIRST READING

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

HEALTH ACT AMENDMENT BILL (No. 2)

INITIATION IN COMMITTEE

(Mr. Miller, Ithaca, in the chair)

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (3.48 p.m.): I move—

"That a Bill be introduced to amend the Health Act 1937–1976 in certain particulars."

On previous occasions in this Chamber I have expressed concern at the inadequacy of penalties imposed by the courts for some drug offences, and in a recent amendment to the Health Act provision was made for the Attorney-General to have the right of appeal against the punishment imposed.

Drug abuse in the community takes many forms and some, such as the use of tobacco and alcohol, we can only hope to overcome by education of the public and, perhaps more importantly, the children of this State that they might appreciate the dangers inherent in the use of these accepted accessories to our present life-style.

A far greater menace in the community, however, is those people who seek to profit from the illicit supply of drugs to residents of this State and particularly those who prey on our school-children to peddle their wares. These drug traffickers, by their activities, have damaged the lives of those who become dependent upon them and leave grief and hardship in their wake.

The Government is committed to taking every possible step to reduce the trafficking in drugs in Queensland and to rehabilitate residents of the State who have become victims of their own folly. The National Standing Control Committee on Drugs of Dependence recently re-examined penalties for trafficking in dangerous drugs and prohibited plants and gave consideration to a recommendation of a working party of that committee that penalties be increased.

This Bill now provides for increased penalties in Queensland for trafficking in dangerous drugs and prohibited plants. The penalty for conviction upon indictment is increased from imprisonment with hard labour for 10 years or a fine of $10,000, or both fine and imprisonment to a maximum of life imprisonment or a fine of $100,000 or both fine and imprisonment. The National Standing Control Committee on Drugs of Dependence also considered the proceeds obtained from illicit trading in drugs and the seizure and forfeiture of such moneys.

A further provision of the Bill introduces penalties for possession of money or other securities obtained directly or indirectly as a result of trafficking in dangerous drugs or prohibited plants, similar to the penalties that will be applicable for a conviction on indictment or in summary proceedings for trafficking in dangerous drugs and prohibited plants.

The Bill also provides for money or other securities obtained from the illicit sale of drugs to be forfeited to the Crown on conviction. Procedures are established to deal with securities and to allow for appeals to be heard. All moneys forfeited in this manner will be paid to Consolidated Revenue.

The provision of the Health Act relative to power to detain, search, seize and arrest is extended to include power to detain a person who is reasonably suspected of having in his possession or to his order or disposition money or any other securities in contravention of Section 130 of the Act.

The Health Act at present provides for prescription of quantities of various drugs, a quantity in excess of which is related to an offence against section 130 of the Act. It has come to notice that on occasions a drug is mixed in another substance and, while the combined weight exceeds the prescribed amount, the actual amount of drug present is less than the amount prescribed. This mixing of drug and substance is a feature of trafficking, and the Bill provides for both the quantity of a drug and the quantity of a substance containing that drug, relative to an offence against section 130 of the Act, to be prescribed.

The various provisions of the Bill will allow police officers to take more effective measures to deal with persons who traffic in dangerous drugs and prohibited plants in Queensland, and together with the imposition by the courts of increased penalties for persons found guilty of trafficking, within the limits now provided, I am confident that significant progress can be made to reduce the drug problem in this State.

The Bill also provides a new division of the Act relative to pest control operators. For some time now the Pest Control Association of Queensland has sought the introduction of legislation to license pest control operators as the association was concerned as to the activities of unqualified persons using poisons for pest control purposes. Honourable members would appreciate the dangers inherent in the use of poisons around foodstuffs and utensils.

Provided the requirements of existing legislation are observed, the provisions of this Bill will not limit the use of poison for pest control by an individual in his own home. It will, however, prevent anyone who is not a licensed pest control operator applying poison for fee or reward and putting the general public at risk by his activities.

The various provisions of the division detail the procedures for issuing licences and the requirements necessary to be eligible to receive a licence. Certain obligations are placed on licensed operators to notify details of accidents. Provision is also made for powers of inspectors in respect to equipment and pesticides and for the Director-General of Health and Medical Services to prepare regulations necessary for the effective functioning of the division. Provision is made for imposition of penalties for breaches. Existing pest control operators will have until 31 March 1977 to make application and become licensed.

At present, botanists employed by the Department of Primary Industries identify plants and seeds seized by police officers. This results in considerable loss of time from their duties by the botanists appearing subsequently to give evidence in court. It is proposed that certain botanists will be appointed as State botanists by the Governor in Council under existing provisions of the Health Act 1937–1976. A provision of the Bill will enable certificates issued by State botanists to be accepted in Court as are certificates issued by State analysts, substantially reducing the time lost by these officers in court appearances. An exemption from the provisions of section 130 of the Act is also provided for a State botanist who might be required to have prohibited plants in his possession for identification, storage or cultivation.

The Bill also contains amendments to the regulation-making powers of the Director-General to put beyond doubt his authority to make regulations in respect of the manufacture and packaging of poisons and to extend power to raise fees for analysis to include analysis of articles and the imposition of fees for examination of plants and seeds by a State botanist.

The Solicitor-General has advised that the present provision of the Act under which the dispensary regulations are made is inadequate to enable regulations to be made in respect of the total area of the pharmacy. As it is considered desirable that standards be able to be established in respect to the whole pharmacy area, provision is made accordingly in this Bill.

A number of bodies that nominate members to the Queensland Radium Institute have changed their title or been replaced by Australian equivalents, such as the Australian

Medical Association in lieu of the British Medical Association. A provision of the Bill adopts these new nominating bodies.

I would remind honourable members that this Bill has as its major objective the protection of the health and well-being of the residents of this State.

I commend the motion to the Committee.

Mr. MELLOY (Nudgee) (3.56 p.m.): On the subject of medicine and health, this is one of the most important and far-reaching Bills we have had introduced for some time. Apart from the provisions covering forfeitures and the money obtained from the sale of drugs, the main impact of the Bill is on the penalties to be imposed.

I do not know what my views on this are. I have some concern about high penalties, because they are more or less tantamount to a prohibition on the existence of drugs in this State. The penalty is so high that drug-trafficking will no longer be something that small-time operators will be able to afford to engage in. The Bill is putting a complete prohibition on the activities of the drug-trafficker.

Dr. Edwards: I hope you are right.

Mr. MELLOY: The point I am making is that it could lead to more devious and more undesirable methods of drug-trafficking in the State. Because of the possibility of life imprisonment drug-traffickers will go to greater lengths to avoid detection. It could be that they will impose harder conditions on those seeking drugs. In this way it could create hardship for those who depend on drugs. I am not sure of the value of these high penalties. I know that something has to be done to restrict trafficking in drugs.

Dr. Crawford: It equates drug-trafficking with murder.

Mr. MELLOY: The penalty of life imprisonment does that. It puts drug-trafficking on a level with murder. Because of the lives destroyed I have no doubt that drug-trafficking is equivalent to murder, and I suppose that is the justification for life imprisonment. But we have to consider the effect on those who are committed to drug-taking. We have to do something for those who are now going to be deprived of drugs. It will be much harder for them to obtain drugs because of the penalty that can be imposed on those who provide them with drugs.

Dr. Crawford: They can go for medical treatment.

Mr. MELLOY: As long as we provide that, and as long as people are aware of the medical treatment available to them for their drug problem. It does not seem to me that we are doing anything about school-children. We hear stories every day of drugs being obtained by school-children. We must do all in our power to overcome this situation. Whether it calls for more education of young people as to the dangers associated with drug-taking, I do not know. Unfortunately, many young persons tend to look upon drug-taking as something of an adventure, and this line of thought is being propagated by the drug pushers.

It is pointless imposing severe penalties for drug-trafficking unless the traffickers can be detected and caught. The threat of life imprisonment for drug-trafficking will drive the pushers underground and will lead to the tightening up of organisation among drug traffickers. They will do all they possibly can to avoid detection. This will create tremendous problems for the health authorities.

I hope that this Bill engenders a great deal of debate, and I hope that those members from the medical and legal professions can come up with a solution to the problem that I am sure will be created by this legislation. I am certain that drug traffickers will find more devious ways of pushing drugs.

The licensing of pest control operators is most essential. At present no-one who carries out the spraying of houses with pesticides is required to be qualified in their use.

Mr. Hartwig: Spray poisons.

Mr. MELLOY: Spray poisons. Virtually anyone can obtain a job with a pest control firm. Some persons employed as pest exterminators are so inefficient and unreliable that I would not give them a job under any circumstances. Yet they have no difficulty in obtaining work as pest exterminators. It is a terrible thing that they are allowed to spray houses for cockroaches, spiders and other pests. They must be required to possess certain qualifications.

As I say, I hope that at this stage and also at the second-reading stage the Bill will promote a great deal of discussion. On behalf of the Opposition, I am prepared to acknowledge the fact that it is most desirable legislation.

Dr. CRAWFORD (Wavell) (4.4 p.m.): This is both necessary and good legislation. The problem of the use and abuse of drugs is one that concerns health authorities in all responsible nations. The efficiency of Health Departments mirrors the health of the community. Australia can take a great deal of pride from the fact that in recent times neither of the two unpleasant epidemic diseases that were introduced into this country by airline passengers produced secondary cases. The first of these was an outbreak of cholera, which was brought into this country earlier this year or late last year. Quite recently—within the last week or two—we have had an outbreak of typhoid brought here by air travellers and scattered throughout the southern States of this country.

When one moves to the less educated and less progressive countries of the world with health services non-existent, one appreciates that the barrier of adequate health services in Australia is of the greatest possible importance to the maintenance of public health and welfare in our country. If at any stage we allow those standards to slip or permit a half-hearted approach to the maintenance of health standards to creep into our administration or into our legislation, we will fall to those standards which obtain in the less fortunate countries of the world.

The spraying and use of pesticides and insecticides domestically and agriculturally is also of importance. As has been pointed out, we have not controlled that use of those dangerous drugs at all. The honourable member for Nudgee has stated that some of the people he knows use these drugs. If he knew the effects they produce, he probably would not even allow those people to mow his grass! We do need to control the use of those drugs. Many members of the community have been quite grievously affected by their side-effects. The indiscriminate use of insecticides and pesticides is not in the best interests of agriculture or food production in this country.

DDT itself is now looked upon as being dangerous to the ecology in other ways. When various insects and so-called pests are destroyed by the use of drugs such as that, other parasites take over the functions previously performed by them. So there has to be a controlling factor in this aspect of our lives, both domestically and agriculturally.

I turn now to the misuse of dangerous drugs in the community in general. In recent years a great deal of research has been carried out across the world into this matter. An aura of gloom has descended on medical publications around the world when this matter is discussed. The Americans accepted, rightly or wrongly, that it is better to control a person who is addicted to a dangerous drug such as methadone through the health services than to have him demanding and using violent means to acquire supplies of heroin.

A very energetic research institute in Edinburgh has carried out a great amount of work in the field of heroin addiction. Its publications in recent years have been part of the gloom that has descended on the whole scene. Unfortunately it has been found by that institute that the cure rate of addicts is probably less than one per cent. In other words, whatever moneys are made available to treat and attempt to cure drug addicts, the end result of all that treatment and the expenditure of all that human resource, money and medical expertise is depressingly gloomy indeed.

We still must try to cope with the problem. We can do two things. We can continue to treat addicts of all types and, as part of that treatment, institute an intensive education programme throughout our country so that our citizens, both young and old, are aware of the importance of the misuse and abuse of drugs, so that the young people in particular can be weaned away from the thought that they can experiment with these drugs as if they are of no real importance and that they can turn off the use of the drugs easily if they feel that they wish to do so. The lie must be given to this line of thinking and reasoning because in effect none of these drugs are innocuous.

Marijuana is not an innocent drug that can be called non-addictive. It has been proved quite conclusively, particularly in some work in Bristol, that marijuana shrinks the size of brain cells and that the long-term users of marijuana have mental impairment and mental inefficiency resulting from that decrease in the size of their brain cells. Our young people must be educated to realise that this is a fact. In my view, it is not of major importance whether a marijuana user subsequently moves to so-called hard drugs but it is of major importance that the users and the people who tend to use all of these drugs should be educated to realise the real potential of this use and the fact that they have every possibility in the short term and the long term of burning out their mental processes. I think that simple message can be broadcast from every hilltop in this country and that the education programme should be an integral part of a training programme and a treatment programme which should be based in all major centres throughout Australia.

Next we have to deal, as this Bill is dealing, with those people who are prepared to supply drugs to our community purely for monetary gain. However adequate our education programmes and however satisfactory our treatment programmes are, there will always be a market for the supply of these drugs. As the production of the drugs is intimately bound up with the economy of certain South-east Asian countries, one has to contend with the morality of producing the drugs or of the Governments of those countries allowing their production. Their sale at the wholesale level in Thailand and other South-east Asian countries is part of the economy of those countries. We have to face quite firmly the fact that the drugs will continue to be produced and that there will be those avaricious and unpleasant members of the community who are prepared, for the sake of the financial reward, to transport drugs across the world, particularly to countries such as Britain, the United States and Australia, to supply the market.

Let me say to anyone who thinks that the market will decrease that it is probable, from latest research, that between 5 and 10 per cent of any community—and this applies to Australia—is a potential market for the use of these drugs. Therefore if we are to attempt to rehabilitate drug addicts and prevent youngsters from becoming drug addicts,

we have to cut off the supplies, to have the **most stringent conditions** applying to our customs surveillance and to bring about a situation as applies under this Bill and, so I am informed, in every State in Australia which is introducing similar Bills, so that those who wish to indulge in drug-trafficking will realise exactly where they are placing themselves with regard to possible penalties.

I see no problem at all in equating drug-trafficking with murder. I see no problem at all in the introduction of a penalty which involves life-term imprisonment as a result. In Middle East countries, such as Persia, I understand the penalty is still to shoot on sight any drug traffickers caught on the border. I do not think the authorities in those countries have any difficulty in making the simple edict that if a person is caught with a certain amount of drugs on his person he will automatically be assumed to be a trafficker and he will be placed against the nearest wall and shot.

We in our so-called civilised society in this country do not do such things. I do not expect we ever will, nor would I wish to see that type of approach to the treatment of any criminal. However, those responsible for supplying for monetary gain drugs to young people, who are the most susceptible subjects for addiction, should be treated with the greatest harshness by the law. They should be told quite clearly and unequivocally that these penalties will not only be included in the legislation but will be imposed by the courts when they are brought to trial.

I see one slight difficulty in the definition of drug trafficker. It is quite possible that a person who is carrying a drug for his own use could be accused of being a drug trafficker simply because of the amount of the drug found on his person. I think that the definition of a drug trafficker should be clearly spelt out either in the Act or regulations. For example, a person may have in his possession a tobacco pouch containing two ounces of marijuana. Is he or is he not a potential supplier of other people with that drug? I think we have to set out very clear guide-lines so that it is not left to a police officer at Cedar Bay or Wattle Creek to make his own decision. If we consider it desirable to impose heavy penalties for drug-trafficking, there should be a very clear indication in the legislation, for the guidance of law-enforcement officers, of the exact amount of drug which, if found on a person, automatically makes him a trafficker. If a person is smoking marijuana himself, no doubt he realises that he is breaking the law. But, if he attempts to sell it, that is a very different situation and it must be spelt out in detail.

I am very happy with the legislation but I hope the Minister will be persuaded to spell out clearly the definition of a drug trafficker so that there is no ambiguity whatever when it comes to implementation of the law.

Mr. SIMPSON (Cooroora) (4.18 p.m.): By introducing the Bill the Minister is facing up to the growing problem of the use of drugs in Australia. Drug-trafficking is big business and it is necessary that penalties for it should be increased in this State in line with increases in other States. Young people who become addicted to drugs are virtually being sentenced to death.

It is interesting to observe that whilst so much emphasis is placed on the drug pedlar, there are those who say, "It is all right to experiment with drugs. That is not very bad. It is the trafficker who is the big, bad boy." He is, of course, the main offender because he provides for the trade and he is the one who makes money from it. I believe that we must put forward, with as much force as we are increasing penalties, a programme to educate young people in this field and to make them aware of the devastation that can be caused to their health, their loved ones and the community by drug experimentation that has been shown to lead to the use of harder and still harder drugs. We must mount an education programme to try to overcome this problem.

The Minister indicated that he intended to tighten up on the apprehension of people dealing in drugs, but I wonder whether he has looked at the question of entry onto private property without a warrant. I believe this is one area of the law which should be looked at. It should be necessary for police to have a warrant before entering property and carrying out the very necessary task of apprehending people suspected of being in possession of drugs or of trafficking in drugs.

I have had an instance in my area where the police suspected that there were drugs in a certain house. Two policemen arrived at the door and said to the lady of the house, "We suspect that your son has been using drugs or associating with drug users." The lady in the house said, "Do you have a warrant?" They said, "No; we don't need one." And, that, apparently, is the law. I believe the police should have to get a warrant. A warrant is not hard to get when the police can substantiate that it is for such an important task. The woman I have referred to rang her solicitor and he said, "Oh, the thing to do is to keep an eye on the policemen and make sure you are there while they interview your son." She said to him, "How can I do that? One policeman is rummaging through the house and the other is in the front room interviewing my son." It is obvious that she could not be in two places at once. Although we must endeavour in every way to see that the law is carried out and these drug pushers apprehended, we must also see that the rights of the individual are protected.

The Minister also indicated that an amendment to the Act will require the registration of pest control operators. I think this is

very important, because we have seen instances in the past where operators have fumigated silos and not put proper notification on the doors, and unsuspecting people have walked into the silos and been poisoned. It is important that these sometimes lethal chemicals are used only by responsible people and are administered correctly and, most importantly, that the householder is informed of the possible danger of the chemicals and the precautions that must be taken before people enter rooms which have been fumigated.

Another amendment relates to pharmacy measurements.

I reiterate that the dangers of drug abuse must be taught in our homes and publicised in the Press and on radio. Children must be taught in our schools that if in fact they experiment with drugs they could end up in dire straits. Drug pedlars must be made aware of the severe penalties which can be imposed upon them and that they will in fact be likened to murderers, because the drugs they push can shorten a person's life or cause him to live a life of great misery. I commend the Minister on his introduction of the Bill.

Mr. HARTWIG (Callide) (4.24 p.m.): I rise to support the Bill, which provides for an increase in penalties for drug-trafficking, a problem encountered not only in this country but throughout the world. It should be remembered that in many countries today the penalty for drug-pushing is death. It seems to me that drug-taking is more prevalent in coastal towns and cities among young people that it is elsewhere. I am fairly sure that evidence could be given to support my claim. Therefore, I think the Committee would conclude that drugs must be coming by ship from overseas. Admittedly, some would be coming in on aircraft, but it would be more difficult to bring them in by air.

Those of us who live on the coastal belt of Queensland know that very often at night one sees Very lights, vessels putting out to sea for reasons unknown, and other activities, and I think that more work must be done in this field. It is too late to take action once the drugs have been brought into the country and young people are subjected to the advances of drug pushers. Admittedly, some drugs are produced locally —probably members representing northern areas will have more to say about that later—but drugs definitely are being brought to Australia by overseas vessels. It seems to be fairly easy to get them ashore—they have their means—and, of course, our young people are then faced with a tremendous hazard.

As to the provision for fining a drug pusher $100,000 or gaoling him for life—I should say that we will have to build new prisons, because not many people will be able to pay the $100,000 and those who cannot will automatically be sent to gaol for life, and rightly so. They then become a burden on the community because the taxpayers have to meet the additional cost of keeping them in gaol.

Mr. Frawley: String 'em up!

Mr. HARTWIG: I agree that we should do something with these people that will prevent their becoming a burden on the community.

I wish to deal now with the proposed amendments to the part of the Act dealing with pesticides. These are long ovedue, and I think that the Government of Queensland, and the Minister in particular, are doing the right thing in tightening these provisions of the Act. Perhaps it is a little late in the day, but at least a start is now being made.

As I have said many times before in this Chamber, more problems arise from the misuse of pesticides than from their use. A specific pesticide may present hazards of differing degrees to different sections of our society—that is, there is a differing hazard to the manufacturer, the applicator, the consumer of the residue on produce or foodstuffs, and the environment and wildlife.

I was interested to read in an article of which I have a copy that a marabou stork shot in East Africa was found to contain 1,093 locusts, and that a Abdim stork was found to have gobbled down 3,481 grasshoppers. Surely that is a new one for the Guinness Book of Records! The preservation of wildlife is a very important consideration when the use of insecticides is being considered.

Since it is possible to cause injury with all chemicals if exposure is high enough or occurs through a particular route, it must be true that all chemicals are toxic. If they were not, they would not kill the particular wogs that they are supposed to kill. Regrettably I had the experience of a man coming onto my property and spraying with a poison. I am sure he did not know the dangers involved in the use of that poison. He was not forced by law to leave any notice that a particular silo was not to be entered. Since then we have found out that he used double strength phosphine gas in liquid form. As a result my son passed away four days after entering a silo that had been sprayed. What redress did we have? Absolutely none. The person involved simply got in his car and drove away. Each day as I go around my electorate I can smell the stuff coming from houses that have been sprayed. Families sleep in those houses at night. The hazards are not explained to them. In most instances the applicator does not himself know the risk. I commend the Minister for taking action in this regard.

In the farming community everybody knows that it is impossible to grow produce unless some sort of insecticide is used. I pay tribute to most farmers who study the labels. Most farmers are practical men who know the

dangers involved. Persons engaged by Flick and other pesticide people enter homes without having any knowledge of how to apply the chemicals they use and, as a result, they place human life in danger.

I commend the Bill. It is time that unauthorised people were stopped by way of regulation; it is time that authorised people were required by regulation to give notice of the dangers involved for the occupants of dwellings. Although the legislation is belated, I once again commend the Minister for introducing it.

Dr. LOCKWOOD (Toowoomba North) (4.33 p.m.): First of all I should like to address myself to the problem of drug-trafficking. Some people might regard the proposed penalty of $100,000 as being excessive, particularly when there is also provision for life imprisonment should the court deem that to be deserved.

I believe that heavy penalties should apply to those who grow, manufacture, or sell dangerous drugs in anything other than a small quantity. The definition of "quantity" needs to be well and truly spelt out. I am told that in a recent court case someone who had $33,000 worth of marijuana under cultivation claimed that that was only a little bit, and that it was for his own personal use. I do not believe that $33,000 worth of marijuana constitutes a quantity for personal use.

A person growing that much marijuana is in it strictly for the money he can make by selling it. The fine should always bear a relationship to the total value of the crop seized. In that case I believe the fine should have been of the order of $33,000 to $66,000. I do not see why someone who grew $33,000 worth of marijuana should be let off with a fine of about $1,000. Such persons are out to make big money and will take big risks to get it; they are much bigger in the drug trade than many people are prepared to admit. Likewise, the penalties, too, must be big. Through the grape-vine such people should be made aware of the risks that they take. They should hear of their fellows who are caught and convicted and sentenced to long periods in prison or heavily fined.

The imposition of heavy fines might drag some of the money back out of the drug empire and syndicates and it might also act as a deterrent to would-be drug pushers. Action taken recently in this State has resulted in a minor shortage of marijuana and a consequent price rise of from $25 to $50 per ounce.

There is a need for people to be able to recognise marijuana plants. They are not able to recognise them simply with the aid of photographs. I would suggest that a whole spray of leaves be set in, say, one-inch thick plastic, as is done with sea shells, small crabs and so on, and placed on display. Similarly, marijuana seeds, which are quite distinctive, could be mounted in plastic. The display of exhibits such as this would allow the public to be able to recognise marijuana and would possibly result in fewer false reports of the cultivation of marijuana, such as those to the effect that it is being grown by little old ladies in pots at the top of the front stairs. Marijuana leaves and seeds mounted in the way that I have suggested could be distributed to the Queensland Health Education Council, the Juvenile Aid Bureau and police stations, where they could be put on public display. Persons who view them would then be able to recognise marijuana plants if they happen to stumble across them in the bush or in any other place.

It would be wise, too, to acquaint the public with the characteristic smell of marijuana. It can quite easily be detected on a marijuana smoker.

At last the heroin murders have caught the attention of the Press. Heroin addicts are a nuisance not only to the law but also to persons who sell heroin. When they become too much of a nuisance they are got rid of quite simply. Instead of giving them cut heroin, all the pushers do is give them pure heroin, which, when injected in a large quantity, results very quickly in death. A prominent boxer of world-wide fame died in New York in this manner, and I do not think it will be very long before similar deaths occur in Australia.

The Bill also provides for the control of pest exterminators. This is not before time. The introduction of this measure has been delayed by the inability of the Government parties to agree on the best means by which this control can be exercised.

Pest control operators, because they use nasty and noxious substances, are usually given the run of the home by the householder. They go about their business without supervision or observation and it is quite easy for them to learn the exact locking devices used in homes, the location of valuables and in fact the complete layout of homes, offices, factories and warehouses. So it is imperative that only good and honest persons be allowed to obtain employment as pest control operators. They must, of course, have no criminal record. It is up to us as a Government to ensure that no person with a criminal record is able to set himself up as a pest control operator or pose as one.

Mr. Moore: He's got to be of good character.

Dr. LOCKWOOD: Very good character.

The public should be made aware that at times pest control operators use gases similar to those used in gas warfare in World War I and by Hitler in his gas ovens. Persons who use them must be highly qualified in their use, in the toxicity of every chemical that they use, in the use of antidotes and in the best methods of rescue of an operator who is either partially or completely overcome

by gas. The labelling of a can with the words "If swallowed or if brought into contact with the skin send for a doctor" is not good enough. That might well and truly be too late.

For their own information, each and every one of them must be thoroughly versed in the early signs of the products they use having entered their systems in a toxic dose. They must know, for example, if they get a headache, dry mouth or blurred vision or become pale, that they have to get out, get away from the product and carry out the appropriate detoxification steps themselves. They have to know also the chronic toxicity symptoms and signs. A pest control operator who is becoming a little slow in thought and a little lethargic—one who has an occasional fit or something like that—might well be suffering from the poison he has laid about to get rid of various insects. Safe procedures must always be followed. The penalty for serious breaches in these cases is death or a $200 fine, whichever occurs first.

As many members would be aware, when cyanide is being used and the operator gets an itch under his mask and takes it off, he has only one breath left. I have seen men who took off their masks in a flour mill in South Brisbane and had a couple of good gulps of cyanide gas. We say it is inhumane to use it on people, but we don't mind using it on the little pests that get around flour mills. Its effects on people are ghastly. Some years ago at the Mater Hospital I saw persons treated for cyanide poisoning. The sight was not very nice.

Mr. Moore: It stops the dogs from barking when they have a few sniffs.

Dr. LOCKWOOD: It does indeed.

I have also seen people who have used diazinon with gay abandon become as white as this paper—and no white men in good health are as white as that. Those people were not using the proper applicator. They were not heeding the instructions at all. I doubt if some of them could even read. They were being allowed by a person with more intelligence, who should have known better, to sprinkle the stuff out of coffee bottles through holes dug in the lids with a screwdriver. Over a couple of days a lot of the poison got onto their skin and was absorbed into their bodies. Some of it was blown by the wind onto their big 20-gallon cold-water bag and was absorbed into it. They drank water from the bag. Before eating, they did not wash their hands thoroughly. Half a dozen men presented themselves on my doorstep one day demanding slightly more atropine than the supply in the town.

People should be aware of the dangers. It is very easy for the accumulated poisons in any one town, district or shire to be applied in such a way that no hospital can save all of the people. Pest control operators must always be aware of that. I have seen people who have disregarded safety when using a mixture of carbon tetrachloride, ethylene dibromide and ethylene dichloride.

Mr. Moore: All of them poisonous.

Dr. LOCKWOOD: Yes.

Mixed in the appropriate quantities, they can be used as insecticides. If those substances get on a person's skin and he takes a hot bath after having a little bit of alcohol, a doctor can have an extremely sick man on his hands.

The amazing thing about all this is that it takes only two minutes to read a Queensland Health Education Council pamphlet telling the operators why they should not do those very things. When somebody who is allegedly well trained and a professional does not take precautions, it is clearly time to step up our safety standards, not only for that man's own personal protection, but also for the protection of those who work with and near him and of the public generally.

Operators need expert training. They need a full understanding of the poisons and how they work, how they can be absorbed and how they can be prevented from entering their systems. If it is too hot a day to wear protective clothing, then spraying should be abandoned for the day.

I commend the Minister for the decision to implement these controls. I know that professional pest controllers look forward to increased safety for themselves. When these provisions are implemented, those who work in the industry can look forward to better education and a course that will give them greater competence and skill so that they can handle these very toxic products with the ultimate in safety for themselves and the public.

Mrs. KIPPIN (Mourilyan) (4.45 p.m.): I, too, welcome the Bill, particularly the proposals on drug offences. The honourable member for Cooroora spoke about an education campaign. For some time, the Health Department and, to some extent, the Education Department have been conducting health education campaigns. People will now be more willing to take advantage of these education campaigns.

Last year, when mothers in my electorate came to me to tell me that they thought their children were on drugs, all I could recommend was that they give all of their information to the police. But they were most reluctant to do this and we got absolutely nowhere. This year they have been willing to talk to the police because in the last year people in North Queensland have been educated to the problem of drugs and are much more aware of the extent of the problem. Until this year a lot of them felt that it could not happen to their children. They said, "I brought my child up to be a responsible person and my family is not in

this category." Unfortunately many children are under severe peer pressure within their schools and sports groups and wherever they go for entertainment and they are succumbing to this pressure.

Another problem arose when mothers who knew that their children and certain others were on drugs and who were willing to accept it, tried to tell the other mothers. They ran into awful trouble. The other mothers were most reluctant to believe that their children were on drugs and accused the mother who was talking to them of trying to cause trouble within their families. In many cases this led to much unpleasantness. This year the position is much better and with the help of the local priests in the area we are managing to counsel quite a number of young children.

The higher penalties are aimed at drug traffickers. I certainly hope that, once offenders are taken to court, magistrates will impose the maximum penalties. The complaint of the average citizen in the past was that penalties imposed on drug traffickers were not heavy enough and that the magistrates did not impose the maximum penalties.

Dr. Lockwood: They are starting to.

Mrs. KIPPIN: I realise that but I think they are shutting the stable door after the horse has bolted. They should have started to do this a couple of years ago. In the North traffickers are able to pay fines of well over $1,000 within a matter of hours. All that is required is a telegram to Sydney University or to one of the local contacts.

Mr. Wright: That's a bit rough.

Mrs. KIPPIN: No, it is not, we can prove it. The fines are paid and the statement made that there is plenty more if the offender is caught again.

Most of the money paid for drugs is actually an insurance against fines. I am told that the ruling price in my electorate for marijuana is about $32 an oz. We know that marijuana costs practically nothing to produce—and most of those producing it are on the dole, anyhow. These are the problems that police in North Queensland face—trying to get convictions against drug traffickers and then finding that the maximum penalties are not imposed. As has already been mentioned in the Chamber, the drug trade is big business.

Honourable members have mentioned that police are hampered in their drug-education programmes by being supposed not to have marijuana plants in their possession for demonstration purposes. It would be useful if it were possible to have drug kits for demonstration purposes. As has already been mentioned, the smell of marijuana is particularly distinctive. If parents could be educated to recognise it, they would be in a better position to know if their children were using marijuana.

Previously it was very difficult for the police to obtain convictions of pushers because of the minimum amount required to be in their possession. The provision of the Bill concerning the carrying of drugs will help the police. After all, not a large quantity of drugs is needed to produce a reasonable return to pushers.

Unfortunately, one reason for the wide use of marijuana is that young people believe that it does not have harmful effects. Today many young lives are being ruined by the increasing acceptance of drugs and often that acceptance is based on a lack of proper knowledge of their harmful effects. There are people who say, "Look at cigarettes and alcohol. They are drugs but lots of people use them." I am sure that if today's medical knowledge had been available at the time of the introduction of tobacco, there would have been quite a campaign against its use.

The use of the so-called soft drugs marijuana and hashish has reached epidemic proportions in the United States. Unfortunately, Australia seems to follow the United States in many things. The United States Government was so concerned at this problem that it commissioned an inquiry into it. The inquiry has come up with some very firm home truths about these drugs and I think that every young person should know them.

The testimony presented established beyond any challenge that the epidemic was encouraged and facilitated by widespread propaganda in favour of marijuana. Its use was recommended in glowing terms to young people by the entire underground Press, certain Leftist organisations and, worst of all, a number of prominent academics. Unfortunately, we see this happening in Australia today. Some of the basic standards of our society are under challenge by the drug cult. Parents, young people and Governments must stand up to that challenge if our way of life is to survive. I am sure many members who entered this Parliament after the last election did so on a promise that they would fight to maintain our present way of life.

The epidemic spread of marijauna in the United States was also encouraged by the widespread belief that it was a harmless as well as a pleasant drug. The myth of harmlessness was based on no scientific evidence. The collective evidence of many eminent scientists pointed to massive potential damage from the chronic use of marijuana, or cannabis, to the entire human cellular process, to the reproductive system and especially to the respiratory system. The evidence also pointed to the serious possibility of irreversible brain damage, and genetic damage as well.

Evidence showed that the impacts of marijuana on the mind were just as frightening as its effects on the body. These impacts

included distortion of perception and reality, which could lead to early impairment of judgment. The entire thought process was affected after one to three years of continuous use of the drug. Several of the scientists who testified to the inquiry said that, on the basis of the information now available, they considered marijuana to be the most dangerous drug that society could have to contend with today.

Psychiatrists who testified said that they knew of many cases of brilliant young people who went on prolonged cannabis binges and then tried to go straight afterwards, only to find that they could no longer perform at the level of which they had previously been capable. The great potential of their youth had been destroyed. I am afraid that in North Queensland there is evidence of this in a number of children who have fallen victim to this drug. Other testimony given before the inquiry said that research in England had found that the degree of arrestment in brain development in young cannabis smokers was comparable with that normally associated with people aged between 70 and 90. The inquiry heard evidence that the chronic smoking of marijuana damaged the lungs and respiratory systems 10 times faster than did the smoking of cigarettes, and I think this is a point that should be particularly noted.

Chronic users—and these have been defined as anyone who uses the drug at least once a week—also suffered a shift in personality. Some have changed from being interesting and self-activated to being withdrawn and given to disordered thinking. The short-term memory is impaired and the attention span and ability to concentrate are reduced. Facial reflexes are impaired, and many users are characterised by pallid skin, increased eye movement and decreased facial expression. I think anyone who has seen someone under the influence of a drug will recognise these symptoms.

There is also a growing body of evidence to show that conditioned personal responses are affected. This is characterised in some users by the lessening of affection for their parents and the lowering of their tolerances for the suggestions or thoughts of others. This is of particular concern to parents. When they realise that their children are on drugs it is often too late and they just cannot manage to get through to them. In other words, young children have alienated themselves. They have withdrawn from society into their own limited group, who are usually also on drugs. A number of social responses are also impaired. There is a general tendency towards unkempt appearance and a lessening of personal standards of hygiene and privacy. This, of course, is a rather common sight on our streets today.

There has been a massive increase in the amount of heroin, cocaine, opium and cannabis seized by narcotics agents in Australia over the past year. The amount of opium seized increased tenfold. I was interested to hear the honourable member for Callide refer to the importation of drugs by ship. This is something about which northern people are particularly concerned because, as most honourabe members know, in North Queensland ships come inside the reef and it is relatively easy for small boats to go out and meet them. The amount of heroin seized in the past year has more than doubled. Seizures of cannabis trebled to a total of almost 1 500 000 g.

We will have the United States epidemic here unless we are prepared to be fully aware of the consequences and to uphold our standards in the face of the challenge. A common complaint of teachers in the United States is that there is a general lack of motivation in the current generation of high school students, and this, of course, is something which we must avoid. School life is becoming much more difficult, so the last thing we want is for the problems of school-children to be emphasised by drugs.

I realise that many parents are aware of this problem, but a lot of them need help, and, while this legislation will do a lot, I think it is up to this Government to promote the formation of drug advisory clinics in any of the areas of this State in which there is a known serious drug problem.

Mr. WRIGHT (Rockhampton) (4.59 p.m.): It was no surprise to see this legislation come before the Committee; we were forewarned by the public statements of the Minister and also the publicity that was given to the National Standing Control Committee on Drugs of Dependence. We were well aware that the penalties would be severe, and we knew why. The analogy has been drawn in this Chamber that we must liken the person who gets a young person hooked on drugs such as heroin unto a murderer. I do not think that any member of this Assembly would doubt the accuracy of that analogy, because it is virtually creating a living death.

Drug abuse is a problem in the community but its extent has always been the subject of debate. However, it is a pity that when members make accusations in this Chamber that are going to be meaningful to the Press they do not substantiate them. I take the honourable member for Mourilyan to task for the comment that she made earlier that whenever someone is in trouble, he or she simply contacts the Sydney University. I am sick and tired of people attacking tertiary institutes simply for the sake of attacking the academics and those who live in the academic ivory tower, as it is often called. Members who make such comments should substantiate them. It ill behoves any member to make comments such as that, because I can see headlines in tomorrow's Press to the effect that it is the Sydney University which is behind the funding of all these people who are in trouble. If the honourable member did have a brief given to her by the Minister

and she cannot substantiate the information in it, then let the Minister substantiate the claim that that is where the money is coming from.

As I said, I am sick and tired of statements of that type. I am not putting up a defence for the Sydney University. I know that such things do occur, particularly on the Gold Coast. When some young fellows are in trouble for trafficking, the money is paid immediately and bail is available. However, I do not believe that it comes from the Sydney University.

It must be admitted that there is a problem, but it is not only a problem of marijuana and some of the other illegal drugs; it is also a problem of analgesics and barbiturates. That point has been well made recently, but the problem has been there for many years. I should like to see the Minister come to grips with it. Admittedly, it is a task for chemists and doctors, and no doubt legislation will not resolve all the difficulties; but it is time that we looked at the question very carefully and took some action to register people who are addicted to analgesics and people who make their own concoctions. Unfortunately, many housewives and pensioners are addicted to drugs in their own concoctions. I know of instances in my own electorate—in fact, I wrote to the Minister's predecessor about them—in which people went to doctor after doctor and chemist after chemist, got together the tablets and the medicine that they were given, mixed their own concoctions and went into a daze for three or four days.

That came to my attention only because a chemist realised that a person was getting a number of prescriptions. It happened because the doctor was simply making out prescriptions without giving due care and attention to the problem. In my opinion, too often doctors simply prescribe drugs without really considering the problems that will be created by prescribing them, not the problems that they will resolve.

Dr. Lockwood: There is another way they can do it, too. Many people save their prescriptions up until they have enough to knock off themselves or two or three other people in the house and then get the repeats made up. It does not necessarily follow that they have to get a new prescription for each bottle of tablets.

Mr. WRIGHT: I accept that. I do not want the honourable member to make a speech; I heard him make one before. His point is well taken. The honourable member is admitting that there is a problem, and it is something with which we have to come to grips.

Most doctors are responsible; most chemists are responsible. They cannot be expected to keep a check on every person who comes in with a prescription. But I think that in most communities we become aware of people who are doing this, and doctors would be well aware, through their contacts with their own colleagues, of the problems that arise. Perhaps discussions should be held by the local professionals. Perhaps they ought to sit down at some time and say, "We don't want to break all the professional confidences and talk about our clients, customers, patients, and so on, but I have had this fellow coming back for the same drugs all the time. Have you had any contact with him? Let us do something about it."

Dr. Edwards: That does occur.

Mr. WRIGHT: It does on a voluntary basis and a non-organised basis.

Dr. Edwards: How can it be organised when you want to keep it confidential?

Mr. WRIGHT: I am suggesting that perhaps we ought to look at something along these lines. Perhaps the Minister ought to write to the various doctors organisations like the A.M.A. and the local general practitioners and suggest that this is something they ought to discuss regularly. I know that they have plenty to do, but this is a serious problem. After all, they are prescribing the drugs, and these drugs are being abused in the same way as the marijuana that has been talked about here today.

The Minister mentioned heavy penalties and referred to the responsibility of Government. He spoke also about rehabilitation, and on page 2 of the copy of his introductory speech that I was given he said—

> "The Government is committed to taking every possible step to reduce the trafficking in drugs in Queensland and to rehabilitate residents of the State who have become victims of their own folly."

I question what real rehabilitation programmes are being carried out, because the young fellow who is caught using marijuana or having marijuana in his possession is taken before the court and fined. There is no question of his being told the pros and cons of it. Instead he is faced with possible conviction for an indictable offence that can destroy his total career. It may be that drug addicts can be weaned off these drugs. But I am talking about rehabilitation of young offenders who, in many cases because of one simple offence, have their total future destroyed. They go to a party and get involved. They are tested out and challenged to try drugs. The police make a raid or they are picked up elsewhere, and they are in real trouble. I do not believe that in fact rehabilitation is taking place. If I am wrong, let the Minister explain it.

A person in my electorate did a thorough in-depth survey on alcohol and drug education. It was important that he combine the two because it is my belief that alcohol poses the real drug problem in the community. Judging from some of the comments the Minister made, I think he might agree with me.

Mr. Lane: Did he find Fourex better than Mac's, or was Gold Top the best?

Mr. WRIGHT: I assure the honourable member that that was not the type of survey he carried out. No doubt if he did, he would come up with Brisbane Bitter, which seems to be on the upward trend.

Some points made in that survey are very interesting in view of what has been said in this debate about education and the use of marijuana. Of the 380 people who were surveyed, 87 per cent said that legalisation of marijuana is totally out, and only 13 per cent of the people said that it should be legalised. When it came to whether or not marijuana should be sold at corner stores, 98 per cent said no and 2 per cent said yes. No doubt a few users were involved in the survey.

Question 7 was: Is there any drug education given at your child's school? This is what the Minister is talking about—the role of Government in rehabilitation and education. In this survey of 380 people in an electorate, 34 per cent answered yes, 49 per cent answered no and 17 per cent didn't know. I believe that is an indictment on the Government and on the education programme that is being carried out.

I cast no aspersions on Reg Fitzpatrick, the local officer in Rockhampton, as I know he does a fantastic job. He is working the equivalent of 48 hours a day. He certainly works his heart out; he has his heart in his job. That answer to the questionnaire clearly points out that parents are not aware of any programme being carried out. Therefore, the programme is failing.

That is backed up by the teachers who were surveyed. Thirty per cent of the teachers who were interviewed said that there was a drug education programme in their school and 70 per cent answered no. So not only the parents but the teachers themselves virtually say that the drug education programme which we have heard praised by Government members does not in fact exist. At least it certainly does not exist for 70 per cent of the teachers and 66 per cent of parents who either did not know or said that no programme was going on. Asked whether there should be such a programme in schools, 88 per cent of the parents said yes and 12 per cent said no. With the teachers the breakdown was 80 per cent and 20 per cent.

These statistics are very important. They show that 92 per cent of parents believe that drug education should not be restricted to the home but that the Government has a responsibility to publicise the results of the excessive use of alcohol and drugs. But it would seem from the information provided by the person who carried out this study that this information is not available, that many people are not aware of what is going on, and that if there is a drug education programme in the schools it is a limited one, and certainly it is not being made known to the parents.

I turn to the summary or conclusion of this student, and I should like to quote from it. He said—

> "The survey also pointed out that there is a serious defect in the Education Department's policy on preparing young people for a life in which alcohol and drugs present a major hazard.
>
> "Contrary to statements by the regional co-ordinator on alcohol and drug education, that a great deal is being done in schools, this survey made it evident that the department does not provide the type of education in this field that 88% of Rockhampton parents want for their children.
>
> "The Health Education Manual, Vol. 3, for Primary School teachers, Grade 7, has one page on the subject of drug education. Again, the fact that 32 out of 40 teachers believed that there should be more emphasis on alcohol and drug education confirms the need for change."

I reiterate that if the problem is to be overcome, it involves the imposition of heavy penalties, it involves deterrents; it involves punishment of those who are caught—not revenge, but punishment—and surely it involves preparation by way of education of young people to recognise the predicament that they could be in if they use drugs.

At present a young person who uses drugs is faced not only with a severe monetary penalty but also with a penalty by way of a stigma that attaches to him throughout the rest of his life. As we saw in a recent case involving teachers, a young public servant who is convicted of a drug offence loses his career. A teacher, of course, has no hope whatever, because the Premier would automatically sack him. There is no reprieve, no second chance, no appeal; he is gone. We are faced with the serious difficulty of whether the imposition of such a harsh penalty is the best deterrent. I question whether the imposition of a penalty is the only approach.

The law is aimed at the trafficker, the person who is spreading this disease. I suggest that it would be easier to catch the trafficker if the user could be induced to come forward. At present a user who does come forward runs the risk of incurring a heavy penalty and of incurring social embarrassment not only for himself but for his parents as well. I have suggested publicly, and I stand by my statements, that courts should be given the discretion to impose lesser penalties, so that a user who either comes forward voluntarily or is apprehended and who gives information as to the identity of the trafficker, the pusher, can be freed without having a severe penalty imposed on him.

The trafficker is the one who poses the most serious problem. As anyone who is involved in combating the drug problem will confirm, it is very difficult to obtain information from the user. I am talking not of the

person who uses heroin and other hard drugs but of the one who uses marijuana. He is either not game or unwilling to identify the trafficker; he is afraid to become involved.

The drug dependency group in Central Queensland has given information about planes coming in and dropping drugs, about a certain clothing store where a person, by saying a certain thing or by waiting for a certain period, will be approached by the proprietor and about a hotel where drugs can be obtained quite easily. However, names are not forthcoming; people who provide this information do not want to become involved. Again I say that penalties imposed on users should be lessened.

I realise that what I am suggesting could backfire; nevertheless I think it is worth a try. We want to rid our State and nation of the drug problem, and we will succeed only if we can come to grips with the trafficker, the pusher. We will not succeed simply by imposing massive fines on drug users.

Finally, I wish to deal with the other aspect of this legislation; that is, the registration of persons carrying out pest control. I have received numerous complaints from consumers both in Central Queensland and in other parts of the State against what I might term fly-by-night persons who, for very low cost, spray homes and business premises, and then clear off. No-one knows which products they are using. I believe that a pest controller has the responsibility to advise the home owner or the landlord of the nature of the product that is being used. A householder should be told that his home is being sprayed with a certain product.

I conducted an investigation into the spraying of a home in my electorate and I found that the owner had been charged $40 or $50 to have his home sprayed with a mixture that turned out to be nothing more than kerosene and water.

I support the imposition of these controls. I would ask the Minister to look into the pest control industry. Persons engaged in it make it a practice to send out annual accounts. They merely go along without permission, carry out their pest control process and then send an account. There should be an obligation on the pest control firm to enter into some kind of contract enabling it to carry out pest eradication in a home. Simply because an operator has gone to a home once, he should not be entitled to go back again. We must have controls on that sort of practice. I will give my information to the Minister in more detail, because he may be able to have some investigation carried out into it.

Mr. LANE (Merthyr) (5.15 p.m.): It is very easy in a debate such as this to tell emotional tales—tales about aircraft flying over remote parts of the State and dropping things from the air and boats from somewhere or other coming ashore, and to paint a picture of Mafia-type operations. For my part, what I would like to do in this debate is ignore all of that, after having at least expressed some personal concern about that sort of activity and registered my disapproval and condemnation of it.

I wish to deal with some specifics in this legislation and say a word or two about some concepts of law and some principles that are involved in this sort of thing. We have heard from the Minister that he intends to increase the penalties in the Act to a substantial degree. I am sure we are all happy that he is doing just that. Some of us, however, want to ensure that what is being done is fair to all sections of the community and that we do not overreach ourselves in such legislation.

That part of the Bill in which I have most interest deals with trafficking in drugs. When one looks at the existing legislation, one finds the word "trafficking" is nowhere defined; nor is it a word, as I understand it, that enjoys any legal usage. Therefore, one can but assume that the Minister was referring to section 130 of the Act, which relates to the selling or supplying of drugs. If we want to get at the drug pedlar—or to use the Minister's colloquialism, the trafficker—that is the section under which it would be done.

We all know that the penalty presently provided under that provision is a fine of $10,000, 10 years' imprisonment, or both. This Bill seeks to increase that penalty to a fine of $100,000, a term of life imprisonment, or both. It is a course that I believe Governments should embark on very reluctantly. In legislating to impose terms of life imprisonment, they should proceed with great slowness and great unwillingness because it is a penalty that is almost irreversible. It falls just short of capital punishment. In this great country of ours, it should only be after a great deal of serious consideration and very deliberate decision that one would impose such a penalty on any human being.

The Government seeks to do that in this instance. I know that its desire to do so stems from a general concern about the drug trade. However, I am concerned that a penalty such as that should apply only to people who traffic in drugs—who peddle drugs—and make a profit from that activity. I know that many members who talk in this Chamber about trafficking in drugs—perhaps they read the section and see phrases such as selling or giving drugs—imagine some sort of conspiratorial element to that offence. In fact, there is no such element detailed under that section of the existing legislation; nor is it a requirement or an element of the charge that there be conspiracy or any element of organisation behind the selling or giving of drugs.

The words used in that section are very simple. I should like everybody in the community and in this Chamber to understand quite plainly and quite clearly what is happening here. In future a person shall be

liable to a term of life imprisonment plus a fine of $100,000 if he produces, prepares or manufactures a dangerous drug or attempts to do so, or if he cultivates a prohibited plant or attempts to do so. I shall stop at that point and describe some circumstances to which that may pertain. For example, as marijuana is a prohibited plant, if a person planted one single marijuana seed and attempted to cultivate it, he would be liable to a term of life imprisonment. The plant may not even grow, but the offence covers attempting to grow it. Let us be conscious that that is precisely what we are doing.

The section provides also that any person shall not sell or give or supply any of these dangerous drugs or attempt to do so. The dangerous drugs include the reefer cigarette or joint or however it may be described these days. I shall stop at that point and outline the minimum set of circumstances in which a person would fulfil all of the elements of this particular charge and possibly incur a term of life imprisonment. If two people are sitting around a camp-fire in a hippie commune or in the bush or at a party and one hands to the other a hand-rolled cigarette which contains the dangerous drug commonly described as marijuana, he is guilty of this offence and is liable to a term of life imprisonment plus a fine of $100,000. That is what we are doing today. Even if the person to whom he attempts to hand that cigarette refuses it and the supplier then throws it away, he is still guilty of the offence and is liable to life imprisonment.

If he has in his possession this marijuana cigarette (or perhaps some pep pills if he is a truck driver) for the purpose of giving it to someone else, he is guilty. We could imagine a set of circumstances in which a young girl was infatuated with a young pop star and he said to her, "Hold this reefer for me and give it to me later in the evening when I have finished my performance."

Mr. Dean: Are you supporting the Bill or not?

Mr. LANE: If the honourable member listens patiently, he will learn. I know that he has a very closed and narrow mind about these things and I shall try to expand it a a little today.

Mr. Dean: You will find it very difficult.

Mr. LANE: Yes, he would find it extremely difficult.

The little girl holding the reefer or keeping it in her handbag for the pop star with whom she is infatuated would be guilty of the offence and would be liable to a maximum term of imprisonment for life plus a fine of $100,000.

The existing section goes on in those terms. As I said, it is very easy for us to imagine those fines pertaining to the most serious circumstances outlined in that section. For this reason the penalties are specified as maximums.

Having now played out the role of the devil's advocate, I think it is probably proper at this point of time that I should satisfy the honourable member for Sandgate and dispel his concern by saying that I do support this provision. I support the imposition of a term of life imprisonment under this section and I intend to vote for it. However, I should like all members to know what they are doing when they join me in voting for it.

The only reason for the imposition of penalties of this type is to provide a deterrent to the community generally against this sort of conduct. Perhaps the fines are also imposed simply as a means of punishment. One wonders whether attempting to frighten people away from the use of drugs is the only way to handle the problem. How effective are attempts to frighten people away from smoking marijuana? I am sure we will hear later from the Minister something of the training and education programmes, the medical assistance and the rehabilitation measures with which the Government complements this legislation.

Dr. Edwards: There is the Health Paper that was recently released.

Mr. LANE: I am very pleased about that Health Paper. I have sent it to a number of people who I thought would be interested in it and I have received a wonderful response. I read it with great interest and I should like to compliment the Minister on its production. In effect, the Bill is the steel hand in the velvet glove that complements the education and rehabilitation programmes provided by the department responsible for this legislation.

Let us be very clear what we are doing. We could, of course, mention the possibility of young people finding themselves before the court on charges of this nature, brought under section 130 of the Health Act, in which a minimum amount of evidence is required and which are very simple to prove. In such cases there may be the suspicion that many of us have had on occasions that the evidence, or at least one of its elements, has been manufactured. The possibility of the imposition of a very heavy penalty at the conclusion of such a case is another reason why members should exercise caution in supporting these provisions. Members should approach the matter with a great sense of care, which is what I am now doing. I am going to such trouble and into such detail to demonstrate the need for caution in dealing with this legislation.

If the penalties referred to by the Minister were to apply to the offence of being in possession of a dangerous drug, which is found in the other subsection of section 130 of the present Act, I personally would oppose them. I can imagine all sorts of circumstances in which a person could find himself in possession of a dangerous drug.

It could happen almost accidentally, and there is no element of intent in that section of the legislation. It is not impossible that a person could have an enemy who would plant drugs on him and thus subject him to a heavy fine.

Of course, the Minister and his advisers have very wisely chosen to have these penalties apply to the second part of section 130 which, in broad terms, has been said to deal with trafficking. I suppose that is a good word, because it encompasses all the elements and possibilities that have been spoken about today.

Another part of that section gives very wide powers to the police with respect to detaining people. In fact, they have very wide powers of search, seizure, and arrest. I am not aware of any other legislation in this State which gives as much absolute power to the police as section 130 of the Health Act where it applies to drugs. It is only necessary for a police officer or some person authorised by the Director-General—and I hope the Director-General would exercise the greatest caution when authorising people—to reasonably suspect a person of having in his possession any of the dangerous drugs stipulated in the Act and he can detain that person forthwith, take him into custody (physically, if necessary), search that person (against his will, if necessary) and, of course, search the building he is in or search the motor-car in which he might happen to be travelling. He has the power to seize anything he has upon him and forthwith to arrest that person without warrant.

Those are very wide powers indeed and, as I say, I know of nowhere else where it is laid down—not even in relation to some of the most dastardly offences mentioned in the Criminal Code—that the police shall have such powers, and certainly departmental officers do not have such powers.

I hope that the courts will, even with this section as it stands at present, exercise great discretion when imposing these penalties, because there are some poor, sick, befuddled people in the community whose senses have deteriorated and whose responsibility in respect of their actions is diminished and who are more properly in need of treatment or rehabilitation than harsh penalties.

The other sections of the Bill to which I would like to make some reference relate to the control of pest exterminators. I congratulate the Minister on introducing this legislation in this new form. On a prior occasion there were those of us who were concerned about the way these controls were to be laid down. At that time an absolute discretion—and in fact I thought a blind discretion—was given to the Director-General in that controls on pest exterminators were laid down by regulation. Under this Bill the Minister has set out most of the controls and we can read about the requirements on persons who seek to operate as pest exterminators. A wide discretion is still given to the Director-General, but at least some of the requirements are spelt out.

I have been concerned for some time that the Director-General should be required to satisfy himself that a person applying for a licence to handle these types of poisons should be a fit and proper person to hold such a licence. One would take that to mean that he must be a person of good fame and character. I have had an assurance from the Minister that that is in fact what is implied. This concerned me because exterminators entering people's homes have a great opportunity to case them and perhaps come back at a later time to illegally enter them. So it is important that people who are granted a licence should not have a criminal history of any sort, whether as burglars, housebreakers or sex offenders. It is important that, when a woman allows an operator into her home in the middle of the day and is alone with him, she knows his background has been checked out. I would ask the Minister and the Director-General to ensure that, before pest controllers are registered, their background is checked with the Police Department to see that they do not have any history of sex offences, violence or assaults, stealing or anything of that nature. Their names should be cleared; they should not be taken at face value.

(Time expired.)

Mr. DEAN (Sandgate) (5.36 p.m.): Any amendment of the Health Act that will assist in combating this dreadful scourge in the community, the illegal trafficking in drugs, is welcomed by every member of this Assembly and virtually everyone outside. I am sure that all honourable members feel very sorry indeed for drug addicts, because we have all met these unfortunate people from time to time in the course of our duties. These poor derelicts in the community who have been brought to such a low level of health by drug traffickers are indeed a pitiable sight.

As I understand it, the Bill is aimed mainly at the drug trafficker and not at the addict. That is the impression I gained from the Minister's introductory speech; I hope I am correct in saying that. I am pleased to see the Minister acknowledging that it is aimed at the drug trafficker.

In my opinion, penalties for drug traffickers can never be too heavy and life imprisonment is not enough. I would send the trafficker to gaol for the term of his natural life. He should be kept away from the community for the rest of his days. In places such as Singapore he would not even get that opportunity. His life would be taken from him because he has taken the lives of many other people.

People who have more experience in this great evil than I have tell me that the drug trafficker does not take drugs himself. He is

the agent, the exploiter; he is the real evil-doer in the field of drugs. He is in a large commercial business, and $100,000 would be only a flea-bite to a racketeer of that type. At the most, life imprisonment is only 15 years, and I think that traffickers should be imprisoned for the term of their natural life.

We are told from time to time by people who ought to know that the entry of drugs to this country is completely out of hand. That statement is made by officers of the Department of Customs, who have the responsibility of trying to prevent drugs entering the country. Let me refer briefly to an article that appeared in "The Sunday Mail" of 27 June this year. It said—

> "Drug Squad policemen yesterday said they were 'going backwards' against an evil increasing at about 25 per cent a year, because they lacked manpower, money and facilities."

I hope that the proposed Bill will make it possible to provide the Drug Squad with more men and material to combat the illegal entry of drugs into this country and to control and eventually eliminate those that do get in.

Dr. Edwards: That is a Commonwealth matter.

Mr. DEAN: Yes, it really is a Commonwealth matter. Nevertheless, I am sure that the State Drug Squad will co-operate closely with the Commonwealth Customs officers. It is worth noting that the article continued—

> "They claimed that drugs from Indonesia were being landed at lonely North Queensland places."

That has been mentioned already in the debate. The article continued—

> "They also said:
>
> * Drugs were being brought in from overseas and dropped into the sea off North Queensland.
>
> * Police were catching 'kids' for using drugs. But they were missing the men at the top, who included Brisbane business men."

That is an alarming statement to read in a newspaper, but there must be some basis for it.

The article continued—

> "One Drug Squad man said: 'All we're doing is pinching kids for drug offences. This is practically useless as long as the big men who run the racket are getting away with it.
>
> " 'We're restricted in funds and facilities. We could do with more men, too, but if we could get more funds, we could do things.
>
> " 'Marijuana is being grown in the North, around Cairns and on the Atherton Tableland. The drug racketeers are importing LSD, heroin and cocaine from overseas.
>
> " 'We catch a lot of kids because they're experimenting with drugs. But what's the good of catching 1000 youngsters in this category, while we're missing the top 20 men in the racket?' "

That is how I started my speech off. The main culprits, the main evil-doers in this terrible scourge are the men at the top—the men who are entering into a highly commercialised racket.

The newspaper article continued—

> "He said the drug evil in Queensland was a 'multi-million-dollar business'."

That is frightening. It went on—

> "It could spend big money on evading the law. But the law could not match this with equal effort because it was being cramped financially."

I hope that our own State instrumentalities will co-operate with the Commonwealth authorities so that this Bill will go a long way towards solving the problem.

Our priorities could well be questioned. As great an evil as the use of cannabis or hard drugs may be, there is another evil to be considered. I was particularly struck by a letter that was written by Professor Whitlock, a professor of psychiatry at the Queensland University. In that letter of 27 July last Professor Whitlock said—

> "In contrast, I have never seen casualties resulting from driving under the influence of cannabis, although I willingly concede that such a practice is both dangerous and contrary to law.
>
> "Fifty per cent of the 90,000-odd persons killed and injured each year on Australian roads were probably the result of drunken driving.
>
> "One need hardly labour the point as the facts are plain for anyone who is willing to examine them."

That is very true. Alcohol is a drug; we know it is a drug. Alcohol should be regarded as part of the present-day drug menace; but we seem to encourage the use of alcohol. Indeed, we are approaching the season when it will be particularly encouraged and smiled upon as a social event. Unfortunately the word "drug" is never used when talking about alcohol. I know the Minister's sentiments on the matter and what he feels about this great evil of alcohol-taking. I hope that during his ministership he will do what I have been asking for for years and add alcohol to the list of drugs. I am not condoning the use of cannabis or drug-taking in any other form, but I feel sure that we are missing the bus when we deliberately ignore the evils of alcohol in the community.

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (5.44 p.m.), in reply: I thank honourable members for their contribution. It was very interesting to hear the wide range of opinion on drugs. I will

not take up the time of the Committee in replying individually to honourable members. I will do that at the second-reading stage.

Motion (Dr. Edwards) agreed to.

Resolution reported.

FIRST READING

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

NURSING STUDIES BILL

SECOND READING

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (5.46 p.m.): I move—

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

During the introductory stage I gave an outline of the major provisions of the proposed legislation. I also advised honourable members of the changing trends in nursing practice that made it absolutely essential to review nurse education procedures.

The Board of Nursing Studies to be established by this legislation will ensure that the nurse of tomorrow is equipped with the knowledge necessary to meet the increasing demands being made on the nursing profession. This statement in no way reflects on the outstanding work done by present members of the nursing profession, who by their extreme diligence and dedication have always given the best of nursing attention to patients in their care.

Modern methods and technology, however, have changed considerably the original nursing concept of tender loving care. It is essential that our education programmes in Queensland be able to keep abreast of these developments in order that our nurses continue to provide the highest standard of safe nursing practice.

One must not lose sight of the role played by nurses in the community apart from the hospital situation. In Queensland for many years, nurses employed by the Maternal and Child Health Service and School Health Service have played an important role in providing advice and assistance to the mothers and children of this State.

More recently we have seen nurses involved in the community in caring for the aged and invalid in their homes and providing support to families. In recent years under the Aboriginal Health Programme, nursing teams have travelled throughout this State undertaking a preventative medicine programme.

I have given those few examples in order that honourable members might understand that the role of the modern nurse covers many aspects apart from the hospital situation. There are many other categories not mentioned today in which nurses also provide an important and valuable service to the community.

Care of patients in our psychiatric hospitals is another avenue of nursing requiring special expertise.

It will be a prime responsibility of the Board of Nursing Studies to advise the Minister on developments in nursing education and training necessary to meet the needs and demands of this State.

The board will also recommend the minimum requirements to be established for entry to nursing courses and will approve the content of courses conducted in accredited schools of nursing. I have already advised honourable members that the emphasis in nursing courses will continue to be on clinical experience and training and patient-care programmes.

The board will keep nursing education in this State under continuous review and will co-ordinate courses conducted by accredited schools of nursing. The board will also determine the standard to be reached by students for the award of a certificate, degree or diploma and will determine the assessment procedures to be followed.

The functions of the board have been clearly established in the Bill and where necessary provision exists for regulations to be made to give effect to these functions.

I want to have recorded in "Hansard" the Government's intention that the Board of Nursing Studies alone will be the body by which the education programmes in nursing will be determined. As I indicated at the introductory stage, negotiations regarding the development of nursing education programmes at the colleges of advanced education, the institutes of technology and the universities will be under the control of the Board of Nursing Studies. It is the Government's policy that the board will lay down minimum requirements and the course will be developed by the colleges and institutes, subject to final approval by the board. I want it clearly understood that that is the Government's intention.

At the introductory stage, the honourable member for Nudgee spoke of employment opportunities for girls in country towns. It must be appreciated that the number of patients in an average country hospital does not provide a student nurse with the clinical content necessary for her training, particularly in surgical and maternity procedures. For this reason it was necessary to phase out many hospitals as training schools for general nurses.

Opportunity exists at most country hospitals, however, for girls to undertake a training programme with a view to becoming an enrolled nurse. The enrolled nurse is a trained member of the health team and has an important role to play. People have, in the past, considered that the nursing aide, the title previously used, did only the

menial and dirty tasks. This is not the case, and must not be accepted by this Parliament or by the people.

The Board of Nursing Studies will also be responsible for the education of enrolled nurses, and I urge people in country centres who do not wish to leave home to pursue a nursing career to consider undertaking the prescribed training programme for an enrolled nurse at their local hospital. I am sure they will find it opens up an interesting and challenging career for them.

During the introductory debate, several members spoke on the concept of nursing education moving into colleges of advanced education, and particular mention was made of the Queensland Institute of Technology. I have previously indicated that this transition from the traditional hospital training programme will not happen immediately but that it is provided for in the Bill. Any college of advanced education or any institute whatever will be at liberty to approach the board to seek accreditation to undertake a nursing education programme. It must be emphasised again that they must seek accreditation for such programme. The Board will examine the college's or institute's proposal and will make its recommendation to the Minister for Health as to whether accreditation should be granted.

I would like to stress again that the introduction of a nursing education programme to these institutes will in no way break down the present high standards of nurse education in Queensland. Responsibility will rest with the Board of Nursing Studies to ensure that the courses in these teaching institutions, as in any other accredited school of nursing, are of the prescribed content and standard laid down by the Board of Nursing Studies.

The honourable member for Salisbury mentioned the interchange of nurses between States. The acceptance of qualifications from other States and countries is a matter for determination by the Nurses Registration Board of Queensland under separate legislation, which I introduced into the Chamber earlier this afternoon.

Under the two Bills now printed, the destiny of nursing and the future of nursing in Queensland will be placed firmly in the hands of the nursing profession, and I am absolutely confident that those nurses who serve either on the Board of Nursing Studies or as members of the Registration Board—or indeed in the profession in general—will rise to the challenge, as it has done in the past, and I look forward with great anticipation to the results of these legislative procedures.

As I indicated in my speech at the introductory stage, many of the provisions of this Bill are of a machinery nature relative to appointment of board members and procedures relative to the operation of the board. During these remarks I have covered the main functions of the board in its guidance of nursing education in the future.

Now that honourable members have had time to peruse the Bill, I am sure they will will agree it has no contentious provisions and can only serve to maintain the very high standards that we have come to expect of our nurses in this State.

I commend the Bill to the House.

Mr. BURNS (Lytton—Leader of the Opposition) (5.54 p.m.): We agree with the Minister that the Bill contains a large number of machinery clauses associated with the setting up of the board and the tenure of office of the members of the board, as well as the manner of dealing with vacancies on the board and so on. We do not have any objection at all to the legislation. We have not received any complaints from any section of the nursing profession, or in fact from anyone at all in the medical profession. Under those circumstances, we do not intend to take up the time of the House. We support the Minister's statement, and hope the high standards that have been maintained by the nurses of this State are improved by the legislation—by the education programme—and that the nurses, by being represented on the Board of Nursing Studies and in other areas, will be able to ensure that the profession goes ahead from strength to strength.

Dr. LOCKWOOD (Toowoomba North) (5.55 p.m.): In rising to speak on the second reading of the Nursing Studies Bill I should like firstly to thank the Minister for Health for the introductions that he arranged for me to visit hospitals and Health Departments during my overseas trip in August this year, when I studied extensively the nursing systems in Canada.

Nurses everywhere agree that a nursing course must be intensely practical; it must be a practical course with a great deal of practical experience and it must not be, and must never be allowed to become, a course in which a whole host of facts are offered in an educational programme. If we ever allow a nursing course to degenerate into an educational programme, our health services as we know them will suffer severely and I think we can see great harm and danger coming to patients from persons who have only an education without the necessary practical experience to back it up.

There was much debate on whether universities or colleges should come into the education of nurses. There is a wealth of overseas information where universities and colleges have been running nursing courses since the 1920s. The University of Alberta has had a School of Nursing since 1923. First of all it was a three-year diploma course in nursing. Later on it was a five-year course to obtain the degree of Bachelor of Science in nursing. Between 1954 and 1966 they ran into problems with the five-year university course—it was run in the university hospital—and they cut it back to four years. The bachelor degree

in Alberta is a degree in a nursing education programme; it is not a training programme at all.

They have many professors. The House might be interested to know for instance that they have professors of nursing, administration, maternal and child health, community health, medical surgical nursing and community education; assistant professors for nurse practitioner programmes, nursing fundamentals, nursing for mental health, advanced practical obstetrics, and anatomy; and associate professors coming in for microbiology, physiology, sociology, elementary education and other paramedical subjects.

I think all honourable members would realise that this is not the course that nurses in this country have undergone, nor should it be what we aim to have all of our nurses undertake. The nursing programme at that university has four times as many applicants as vacancies. It is subjected to intense competition for places and any financial squeeze of course severely affects that programme.

As well, there is a nine-month course for nursing aides. This aspect has grown markedly in that country as well as in this. The role of the nursing aide is increasing year by year.

Also in Alberta there is a four-year training scheme in various hospitals. This leads us to the next problem. There is intense competition for the right to have access to patients. This is one problem that will have to be thoroughly ironed out by our nursing education board as to who is to have what access to which patients. All protagonists of a nursing course run by a university or college of advanced education should realise that students will be at the very bottom of the list of priorities for patient access. Either will find its students going to the smallest hospitals in the State begging for the right of access to a patient in a hospital bed. The students in the large hospitals will have the best access. This is what happened in Canada.

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

Dr. LOCKWOOD: Before the dinner recess I was discussing some of the problems that lie ahead in the field of nursing education. The education facilities must be such that we can train nurses in sufficient numbers to cope with all the problems facing our community today. And I think there should be a margin over and above that so that some assistance can be offered to developing nations by allowing people from those countries to study under our system. In the various hospitals and colleges (if the training of nurses is to be undertaken in colleges), places should be kept for overseas students, particularly from the developing countries to the immediate north and in the Pacific. This would allow their nurses to have access to our training programmes and so take back to their countries the skill and expertise already possessed by our own nurses.

There are places in this country where nurses are providing a great deal of primary medical care as well as nursing care. One of the ways of coping with this situation, which is found in some remote parts of the State, is to expand the role of nurses. This would mean extending the four-year course of training to what has become known as the nurse practitioner or medical assistant. Training of this type in the United States ranges from three months for nurse practitioners up to two years. It is an intensive course, 50 per cent theory and 50 per cent practical, and it equips nurse practitioners or physicians' assistants to carry out a wide range of duties of their own volition. They use their own knowledge, experience and expertise without reference to a physician.

I commend to the Assembly consideration of every possible way of developing nurses of this calibre in this country as quickly as possible. Such nurses could be used in the pre-natal, maternal and child welfare and preschool areas. They could be allowed to treat minor ailments and injuries. Where cases were beyond their experience and scope, they could refer them to a physician. Some nurses who are virtually nurse practitioners are already practising in this country as bush nurses. They have consultations and they carry out primary care, suturing of minor wounds and the treatment of a whole range of ailments, without reference to a doctor. When they find that they need expert advice, they get in touch with a doctor by telephone or radio to seek his advice and ascertain if it is safe for them to treat the patient further without reference to a doctor.

In Canada, registered nurses undergo an 18 to 20-week course and are then ready to fill the role of nurse practitioner in remote areas where doctors could not be gainfully employed. Whereas one nurse may be engaged at a bush nursing centre in Australia, in Canada there are two and sometimes three in a comparable situation. These nurses treat patients. They examine them as far as is necessary. They are capable of carrying out a full clinical examination. If they find that they cannot treat a complaint, they refer the patient to a doctor.

I think it is necessary at this stage to spell out clearly the educational requirements for the various levels of nursing. I think a 16-year-old, with the equivalent of the old Junior certificate, could be admitted to training as a nursing aide. Those with the equivalent of the Senior certificate should be admitted for training as registered nurses, and I think that if a nursing aide shows particular skills and aptitudes, she should be encouraged to go through a course of education to enable her to enter for formal training. I think there needs to be a system devised for exchanging a fully hospital-trained sister and a teritiary-trained sister on completion of her course. There needs to be full exchange of credits where this is done, and I think this would greatly allay a number of fears held by our hospital-trained nurses

about their future standing in this country if the colleges with their courses do in fact become the major source of trained nurses.

Physicians' assistant courses are now running in almost all States in the United States. There are about 50-odd programmes. These people are returned servicemen who were capable of treating men in the field for a great many ailments and injuries. Honourable members should be aware that some were capable of doing a great many major surgical procedures in emergencies before medical men could take over. They were capable of amputation, all sorts of very heavy surgical procedures and all forms of resuscitation skills. They were used widely in Korea and Vietnam. On their return to the United States a number of men felt that these experts, and experts they were in primary medical care, should not be lost, and they have been put through courses and are registered in each of the States. They can, under the guidance of and through association with a physician, treat common illnesses. They can follow chronic illnesses and they can take over much of the load of a physician or a general practitioner.

They are capable of doing full medicals such as insurance-type medicals, and they are certainly capable of carrying out far more procedures than we would imagine, and perhaps the medical associations might care to admit. They do need to be supervised by a physician, who could perhaps be in the next room. A physician could have perhaps two or three of these persons associated with him. This might sound a terribly far-fetched idea, but it is definitely working in the United States. It is well supported in country areas and in those fast-expanding suburbs where medical care is often very hard to reach. I believe this would be one of the ideal extensions of a four-year nursing course.

When speaking in another debate I said that I felt nurses could easily become chiropodists. I know this upset some members; nevertheless, that would be a much simpler conversion than becoming a physician. I think eventually nurses at the top of their profession might see themselves becoming selective nurses, not only going into nurse education and nurse administration as we have at present but also becoming nurse practitioners in general medicine and paediatrics.

We have quite a number who are nurse practitioners now in the fields of eye, orthopaedic and chest surgery, and perhaps the oldest skill of nurse practitioners is midwifery. The midwife had, of course, been practising her trade for centuries and centuries before medicine was ever even dreamt of. They were capable of managing the most complex confinements without a doctor's help so long as surgery was not required, and certainly I think the midwives and their standard of expertise and practice in the administration and application of practical skills gives an indication of how far nurses can go in those other fields of nursing skills.

I feel that Queensland should aim to develop these skills so that they can be used widely throughout the State to help in servicing areas where is is difficult to maintain medical practitioners. I hope that the roles of the colleges in all the major centres in Queensland, and certainly in Toowoomba, are clearly spelt out. I hope our Darling Downs Institute of Advanced Education approaches the board—as soon as it is constituted—to play its part in furthering nursing education in the Toowoomba General Hospital and St. Vincent's Hospital in Toowoomba.

However, I hope that the Darling Downs Institute of Advanced Education sends its lecturers to the hospitals, because I should hate to see nurses fully trained at such an institute. In my opinion colleges of advanced education, with their semester system, cannot provide adequate training for nurses. Trainee nurses will have to be in a hospital 24 hours a day, seven days a week, 52 weeks a year. The long vacation in colleges of advanced education and universities would render training courses within their walls completely useless.

I commend the Minister for introducing the Bill, and in the years to come I hope to see instituted all the things I have mentioned.

Mr. MELLOY (Nudgee) (7.26 p.m.): Having seen the Bill, I have not changed my mind about its desirability or the beneficial effect that it will have on the nursing profession. Its provisions are necessary and it will contribute to the improvement of nursing standards in this State.

The functions of the board as set out in the Bill indicate the whole import of the Bill itself. By its control, the board will ensure that the standard of nursing is such that our hospitals will be able to function efficiently; it will also ensure that the interests of the nurses themselves are well protected. The board has five functions that I think are very important. The first of these is to advise the Minister, either of its own motion or at his request, on developments in nursing education and training and with respect to the needs of the State in that regard. That is the guts of the matter—the needs of the State in the field of nursing. If these are properly catered for as indicated in the Bill, the board's administration will make a very important contribution to improving the standards of nursing in Queensland.

Another of the board's functions is to recommend to the Minister minimum standards in nursing courses. Again we see the importance of the strict control of the training of nurses in Queensland that the

Bill envisages. There are several other functions of the board relating to standards and to entry requirements for the nursing profession. As I said earlier, there have been times when some young girls have gone nursing as a last resort, but I think that the profession will now draft its own safeguards in this respect. We cannot have the remnants of society entering a very important profession such as nursing, and we must make sure that those who enter the profession are mentally and psychologically capable of carrying out the duties of nurses.

The board's function of ensuring that the entry standards are high is of great importance, and the accreditation of schools of nursing is also very important. The Bill seems to cover that very thoroughly. I mention particularly the right of inspectors, acting on behalf of the board, to enter schools of nursing and ensure that the required standards are being maintained. With the assistance of the provisions of this Bill we should have a standard of nursing that will not be excelled by any other State in Australia. I do not want to go through the Bill to any great extent, but after perusing it I feel that it is a most desirable piece of legislation that will make a great contribution to the profession of nursing in Queensland.

Hon. L. R. EDWARDS (Ipswich—Minister for Health) (7.31 p.m.), in reply: I believe that this Bill is one of the most important pieces of legislation in the field of nurse education that this Parliament has passed for many years and I thank honourable members for their very worthy contributions both at the introductory stage and at this stage.

As I indicated at the introductory stage, I should like to place on record the contributions made by many people, including the three nursing sisters who were seconded to my department for three or four months and the many nurses throughout the State who made submissions. As a result of these efforts we have been able to frame legislation that is totally acceptable to the profession, and, from statements made by honourable members, acceptable to the Parliament.

The Leader of the Opposition supported the Bill, and I appreciate his support on this very important matter. The honourable member for Toowomba North made comments about not allowing nursing courses to become an education programme. That is the whole object of the Bill. The emphasis will be placed on the control of nurse education by the Board of Nursing Studies. He also mentioned nurse practitioners. That must always be regarded as an extension of nursing but not as a substitute for medical practice. Nurses have played a very important role, particularly in country hospitals where we have appointed many who have been able to undertake a very important role.

The honourable member for Nudgee supported the Bill, and I thank him for that support. I agree with him that without a shadow of doubt this Bill could become the forerunner of similar legislation throughout Australia. I base that on information that has come to me from interstate. As recently as today we had inquiries from New Zealand about this matter. The Government can be very proud of the legislation it has brought down. I believe the honourable member's statement that our standard of nursing will not be excelled by any other State is indeed true.

Motion (Dr. Edwards) agreed to.

COMMITTEE

(Mr. Miller, Ithaca, in the chair)

Clauses 1 to 26, both inclusive, as read, agreed to.

Bill reported, without amendment.

CONSTITUTION ACT AMENDMENT BILL

SECOND READING

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (7.35 p.m.): I move—

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

I thank honourable members for the way in which the Bill has been received and the support that has been given to it. It was, however, criticised by one or two Opposition members. The honourable member for Archerfield was quite honest and straightforward in his criticism of it; he did not beat about the bush. He said he did not believe in the monarchy and is on record in "Hansard" as expressing his belief in a republic. His attitude is, of course, typical of the A.L.P.'s policy and platform, which has been espoused by many prominent members of the A.L.P., not only in Queensland but also in other States. Perhaps the member for Archerfield thinks that he will be first in hopping onto the republican band wagon.

The Leader of the Opposition, on the other hand, was not quite so frank. I might say that his attitude was somewhat hypocritical. He went along with the Bill and was in favour of the position held by the Governor. However, if we cast our minds back to 16 October 1975 we will recall that the Honourable Thomas James Burns petitioned Her Majesty seeking the revocation of the commission appointing Sir Colin Hannah as Governor of Queensland and the removal of Sir Colin from office.

Sir Colin Hannah is a man who has served this State and country exceedingly well and one whom I and the people of Queensland generally hold in the highest esteem. Everyone, even the Leader of the Opposition and the members of his party, should look up to

him. However, they do not. Furthermore, they have been quite outspoken in their condemnation of Her Majesty's representative in Australia, Sir John Kerr. The Leader of the Opposition and his colleagues fought to have Sir John Kerr removed from office and to denigrate and belittle the office held by him.

The supporters of the Leader of the Opposition and his colleagues have wrecked two Rolls Royce cars in Melbourne and have ridiculed Sir John Kerr on many occasions. They have even attempted to molest him. I say, "Shame on the Leader of the Opposition." By his attitude he has clearly demonstrated that he and his colleagues would like to see Australia become a republic.

We know the result of the petition presented by the Leader of the Opposition. Similarly, we know what happened when the Prime Minister took up this matter in London after the petition had been presented. I visited London and spent an hour with Lord Goronwy-Roberts, a Minister responsible for foreign affairs, and discussed with him the whole matter of the honourable member's petition to revoke the commission appointing Sir Colin Hannah as Governor. I have to admit that, after that discussion with the Minister, it was quite clear that he had no intention whatever of changing his Government's decision. It was obviously a political decision coming from a political colleague here in Australia.

Naturally in all these circumstances Sir Colin Hannah does not want to continue to hold the position of Governor of this State.

Mr. Ahern: He is an honourable man.

Mr. BJELKE-PETERSEN: He certainly is. He has fought for this nation in time of war and he has also done his utmost for it in time of peace.

Anyone who attempts to denigrate him is stooping to very low depths indeed. Obviously Sir Colin does not wish me to say anything about it. However, I am determined that the Leader of the Opposition and his colleagues will not go scot-free. As I say, the people of Queensland hold His Excellency in the highest esteem. The people of Queensland must know the truth and must know who is responsible for the present position. That is why I say, "Shame on the Leader of the Opposition and his colleagues who are so vocal." They are hypocritical, for on the one hand they try to make out that they support the position, while on the other hand, as we see through their attitude to Sir John Kerr and others, they are not at all in support of such a policy and such a position.

Mr. Goleby: They want a dollar each way.

Mr. BJELKE-PETERSEN: Yes, but after I have made this statement and I have made the position clear, they will not be able to. There have been editorials today in different places around Australia that I was playing politics, that I was kite-flying and that I was saying things that are not true, that the British Government would not do a thing like that, that it would not go against the wishes of the Government of a nation—of Queensland—that it would not go against the wishes of the people of Queensland and their elected representatives. I want to say right here that it is completely true and it is an indisputable fact.

Mr. McKechnie: They didn't complain about Mark Oliphant.

Mr. BJELKE-PETERSEN: No. None of their colleagues would complain about the way they treated Her Majesty's representative, Sir John Kerr. But the truth must come out. The people must know exactly what the situation is and why we are in the present situation on the issue that has been debated so freely in the Press.

As it became known that Sir Colin would obviously no longer be our Governor after his term of office runs out early in the New Year, certain statements were being made. These obvious attempts to hide the situation necessitated that I make clear to the people exactly what has happened.

In speaking to the motion for the introduction of these important legislative provisions affecting the Constitution Act of Queensland, I made a number of points which I believe should be repeated during the second-reading stage of the Bill.

Having now had the opportunity of studying the Bill in detail, honourable members will observe the five important principles of the legislation which I mentioned during the introductory stages. The background of this Bill has been widely researched during the past year or so as a result of decisions taken by the Government reflecting upon the threat to the integrity of the State which we perceived developing during the Whitlam era in Canberra. As part of this research the Minister for Justice and Attorney-General—my good friend and colleague Mr. Lickiss—accompanied by the Parliamentary Counsel, visited the U.K. to complete the processes of research and drafting.

Let me recall again that our Constitution Act is dated 1867 and that, when Queensland combined with the other Australian colonies in federating to form the Commonwealth of Australia in 1900, no attention was paid to the basic questions concerning the constitution as part of the Executive Government and as part of the Legislatures in both the Commonwealth and the States. That has proved to be a big gap in the written constitution—a gap through which Mr. Whitlam thought he could figuratively drive a bulldozer.

As a leading textbook published around the time of the federation said—

> "Much therefore that is at the very root of the constitutions of our self-governing colonies is unwritten, though

it is none the less constitutional because its origin lies in a practice which is nowhere formally recorded, and which develops new rules in the course of years".

(H. Jenkyns, page 59, "British Rule and Jurisdiction Beyond the Seas"). One looks in vain in our Constitution Act of 1867 and in the Constitution of 1900 of the Commonwealth for any clear statement concerning the fundamental position of the Crown and the office of the Governor.

For the first 70 years of Australian constitutional development, the Executive was not subject to parliamentary control. The Governor was appointed by the Crown, and the officers of the Government were appointed by him or even by the Secretary of State for the Colonies. That made them subordinate to both the Governor and the British Government. Following the Imperial Act of 1855 on the Australian Constitutions, it was recognised that Ministers could not hold office without the support of Parliament and were liable to retire if they lost that support.

It was also recognised that the Governor would exercise his powers of appointment and dismissal of Ministers and of assenting to Bills by reference to his instructions.

As an officer of the Imperial Government he could exercise the powers of the Crown without the advice of Queensland Ministers in matters of imperial rather than of local concern. The power of reserving Bills for the personal assent of the sovereign was thought to be one of these imperial powers.

Much that was unclear about the exercise of the royal prerogative in the days before federation became clearer as a result of decisions in the courts making deductions from the doctrine of responsible Government. It was held, for example, that the constitutional Act of the colonial Parliament was the sole source of the constitutional rights of self-government and that the Governor, acting on the advice of colonial Ministers, was invested with the necessary executive power to perform all Acts necessary for the Government of the colony. That was an essential step in transferring the source of constitutional power from Whitehall to the colony, and it occurred even before federation.

What was left unclear at the time of federation was whether States would have the same access as the Commonwealth to the sovereign. The States continued to use the Secretary of State for the Colonies as the channel of communication to the King after 1900 that they had to the Queen before 1900. The Commonwealth, however, gained direct access to him with the development of a concept of dominion status.

The fact that the Queen could now be advised by Commonwealth of Australia Ministers while State Ministers could not advise her, even in essentially State matters, has been the source of our worries in recent years, as all honourable members know.

The British Government does not wish the embarrassment of being made subject to demands by the Commonwealth Government which go against the wishes of the States. Yet such demands have been made. We hope that we can relieve the British Government of any future embarrassment by making it clear that the Queen is an integral part of the Legislature of Queensland and the office of Governor is provided for in our own Constitution Act. That is what we are doing in this measure.

The British Government will remain for a time a channel of communication to the Queen, and even if the Westminster Parliament were to repeal the various Acts of Parliament which cover the office of Governor, that channel of communication would still be retained by virtue of our own constitution, if necessary.

I want to emphasise that we are changing nothing; what we are doing is writing that which has hitherto been unwritten. In doing so we are making the present situation more understandable and protecting it from being undermined.

Members will see that the Bill has a lengthy preamble. This sets out the essence of the present situation respecting the office of Governor.

The Bill then goes on to make amendments to the Constitution Act of 1867 by providing for a clear definition of Parliament as consisting of the Queen and the Legislative Assembly.

The Bill then acknowledges that the Governor is the Queen's representative in this State and defines him as the person appointed, as he always has been, by the Queen's personal signature. This means that he cannot be appointed by the Governor-General, even if that function were to be delegated to the Governor-General. The Governor will exercise his existing powers of assenting to legislation. The Governor is to conform to the Queen's instructions in the matter of assenting to Bills or reserving them.

The present instructions were issued by letters patent in 1925 and it is not envisaged that they will be changed. The Bill makes it impossible for any such instructions to be issued in the future under the hand of the Governor-General, even if he were empowered to do this by the Queen and even if the imperial legislation presently covering this matter were ever to be repealed. In these matters the Bill is carefully drafted so as to mirror the provisions of existing imperial Acts. This is because this Parliament has no power to enact legislation repugnant to these imperial Acts. Should the imperial Acts be repealed, then the provisions in our own constitution will substitute for them.

The Bill also provides that Ministers are to hold office at the pleasure of the Governor, which means, of course, that the Governor will appoint them and dismiss them according to the conventions of responsible Government.

The Bill provides that in acting to appoint or dismiss Ministers the Governor may hold such consultations or take such advice as he sees fit, and that he shall not be subject to the directions of any person whatsoever. That excludes the possibility of his ever being directed by the Governor-General or by the Prime Minister, or, for that matter, by the Premier of Queensland or any other person, although it does not exclude the possibility of his receiving new instructions by letters patent from the Queen.

My Government believes that writing these existing provisions of constitutional law and practice into the constitution will safeguard the existing system of parliamentary Government in Queensland but it believes that it is necessary to entrench this safeguard against the possibility of changes being brought about by Parliament contrary to the wishes of the electorate.

Few people in Queensland today want a republic—especially the socialist republic which so many Labor Party people appear to want. We do not want a Government of this State at any time taking advantage of the people to produce a republic by stealth. If the people want it, then they should be able to clearly indicate so at a referendum. Only if the people of Queensland vote for a change will it be possible for Australia as a whole to become a republic, because you cannot change the monarchy in one part of Australia unless you change it in the whole.

Mr. K. J. Hooper: Do you think "King Joh and Queen Flo" would roll nicely off the tongue?

Mr. BJELKE-PETERSEN: The honourable member is trying to treat a very serious matter in a very light vein.

A Government Member: In a childish way.

Mr. BJELKE-PETERSEN: Yes, in a childish way.

To entrench the present system, the Bill provides that none of its clauses can be altered by Parliament unless the Bill is first presented to the people by way of referendum as prescribed in the Bill.

The requirement of entrenchment is also itself entrenched so that the guarantee cannot be undone, such as has been done in other parts of the Commonwealth of Nations where a republican form of government has been brought about contrary to the constitution.

As I have said, a great deal of thought has gone into this Bill. What has been done in other parts of the British Commonwealth has been taken into account and we have considered all of the implications of entrenchment and the way in which the entrenchment can be brought about constitutionally. My Government is confident that this is a measure which will meet with the wholehearted approval of the people of Queensland and will attract a great deal of interest among the parliamentarians and people of other States of Australia and overseas.

I commend the Bill to the House.

DISTINGUISHED VISITORS

Mr. DEPUTY SPEAKER (Mr. W. D. Hewitt): Order! Before putting the question, I acknowledge the presence in our Chamber this evening of visiting members of the Commonwealth Parliamentary Association from the United Kingdom. I think all members would join me in welcoming them to our proceedings.

Honourable Members: Hear, hear!

CONSTITUTION ACT AMENDMENT BILL

SECOND READING—RESUMPTION OF DEBATE

Mr. BURNS (Lytton—Leader of the Opposition) (7.53 p.m.): The Opposition welcomes any Bill that will allow Queenslanders and Australians to make a decision on who will be the Governor of this State. In the last few days the Premier has been shown to be, in Australian terms, a constitutional dill on this issue. There is at present before the House a Bill that says in effect that the people of Queensland, or their elected Assembly, cannot do anything to change the Governor's position without a referendum, but the Premier has been running round to the newspapers saying that the British Government can do so. He has now admitted this evening that he spent an hour in London having a yarn to some Minister of what he is reported in the Press as calling a 'foreign' Government, discussing the question of the person who is to represent the Queen as Governor of this State. The Premier has therefore introduced a Bill to prevent Queenslanders from having a say without a referendum although, on his own admission, people on the other side of the globe do have a say.

Let me make the position very clear. I petitioned the Queen, as is my right, as a loyal Australian citizen. I wrote to her on 16 October, as the Premier said. I released my letter to the Queen to "The Courier Mail" of the day and the Premier can table it if he likes.

The Governor of Quensland went onto the political platform 26 days before the Governor-General decided to revoke the commission of an elected Government in this country. He went onto the platform and started to play party politics. He declared his allegiance to the National and Liberal Parties. He declared his support for the policies of the chamber of commerce and the others in the community who were using

their lobby to bring down an elected Government. I want to make it very clear that I am saying this so that Government members can take it back to their electors and show it to them.

Very clearly this Government is introducing a Bill to restrict the right of Queenslanders in this area, but the Premier of this State has said he had to spend an hour talking to a Minister in London as he is now concerned that the British Government, no matter what political colour it might be, could deny us the right to have the Governor of our choice, the one we recommend. This is what the National Party stands for!

The National Party came here once before in relation to the Privy Council. It passed a Bill saying, "You can't appeal to the High Court of Australia. You've got to retain your right to go across the world." It said we had to go across the world to what the Premier now calls a foreign Government. That is what the Premier said in this Chamber. The Bill was introduced to restrict the rights of Australians to have our own court decisions judged here by our own judges. It was used to demean our own people, to say that they are not good enough, to say that Australian judges who studied in this country and were appointed to the Australian High Court were not as good as judges anywhere else and that we had to go overseas to have these appeals heard. This is what it is all about.

Now let me return to what I did in relation to the Governor, because I want to say something else about Sir Colin Hannah.

Mr. Ahern: What chance would he have had with Whitlam?

Mr. BURNS: As I understand it, it makes no difference; the British Government will make the decision. As I understand the Premier's statement in the newspaper, the British Government will make the decision and it has nothing to do with Whitlam. Whitlam is not there now; Mr. Fraser is there. The Premier's mate is there—the man going up and down like Skippy the cornflake kangaroo with the devaluation and revaluation of the dollar.

The Premier found he cannot appoint the Governor he wants and he wants to blame Whitlam. He should not go back into the past; he should live for today. Right now in this Parliament we are debating the second reading of the Bill and the Prime Minister in charge of Australia is Malcolm Fraser. The Premier spent a great deal of our money flying around the State telling the people that Fraser would work economic miracles, he would lead us out of all of our problems. Probably the Premier's statements about Malcolm Fraser are as factual as some of his statements about the Governor and the reasons for his not being reappointed.

On 29 October I received a letter from Martin somebody or other—I cannot read his surname—from Buckingham Palace. It stated—

> "I write to thank you for your letter of 16th October with which you forwarded a Petition to The Queen, on behalf of Her Majesty's Opposition in the Parliament of the State of Queensland, seeking the revocation of the Commission appointing Air Marshal Sir Colin Hannah, K.C.M.G., K.B.E., C.B., to be Governor of Queensland and his removal from that office.
>
> "On Her Majesty's instructions, and in accordance with constitutional practice, your Petition has been forwarded to the Foreign and Commonwealth Secretary, the Minister on whose advice The Queen appointed Sir Colin Hannah to the Governorship."

So it is the Foreign and Commonwealth Secretary who makes the decisions. I have had a look through the records and I find that this Minister is appointed by the Government of the day in Britain. Britain might have a Communist Government elected and they will be making the decisions——

Mr. Moore: No, never!

Mr. BURNS: Yes, of course they could. They could have a Communist Government or a Fascist Government and, like the Nazis, they would be saying "Sieg heil!" in the Parliament and——

Mr. Moore: You were right the first time.

Mr. BURNS: If the honourable member for Windsor were over there it would be a Fascist government for sure. We could have a Fascist or Communist Government elected in Britain and they would be making the decisions about who would be the Governor. But here we have a Bill introduced by the Government to say that we should not have a say unless we have a referendum, although the people of Britain, who are not even going to be concerned about the Governor of Queensland at that time, will have a say.

Let me go a bit further, because the Premier now says it is the British Labour Government that is affecting the decision on Sir Colin Hannah. I have here a letter from Sir Colin Hannah to me. It is dated 30 January 1976.

Mr. Porter: The usual private letter?

Mr. BURNS: It would be; but it is relevant to what the Premier said earlier tonight. He said, "Oh, Sir Colin wouldn't want me to do this, but I'm doing it anyway." Don't worry about Joh! When it suits him, Joh will get down into every gutter in politics, and if he wants to use his gutter tactics here——

Mr. DEPUTY SPEAKER (Mr. W. D. Hewitt): Order! The Premier will be referred to in proper terms.

Mr. BURNS: Well, Premier Joh.

Mr. DEPUTY SPEAKER: Order! That is not acceptable to the Chair.

Mr. BURNS: Right, Mr. Deputy Speaker. The Premier decided to raise this question of Sir Colin Hannah's appointment. Sir Colin had said that he did not want it raised, but the Premier decided to raise it anyway.

I have here a letter from Sir Colin Hannah —I have not asked him whether I could use it, but it is here for everybody to see—in which he said—

"Dear Mr. Burns,

"I have received a letter from the Right Honourable the Secretary of State for Foreign and Commonwealth Affairs in London dated 16th January, 1976.

"The Foreign and Commonwealth Secretary has asked me to inform you that he has laid before Her Majesty The Queen the Petition of Mr. Tom Burns, Leader of the Opposition in the Legislative Assembly in the State of Queensland, and that Her Majesty has accepted his advice that no action should be taken on it."

So I ask the Premier not to say "my letter" or "my petition". Here is the Governor's letter, written almost 12 months ago, saying that Her Majesty has accepted the advice that no action be taken.

What the newspapers have said about the Premier in the last couple of days is right. He has been playing politics on this matter. Rumours have abounded for some time that Sir Colin Hannah did not want another term as Governor. Now we are being told that politics has entered into it.

The Premier is well known for his stunts, well known for the Christmas capers that we get every year—Wiley Fancher; the Queen of Queensland. They are fronted out time after time. The man who is sliding down politically day by day as Malcolm Fraser fouls up the economy has to pull out some other stunt. He is trying to pull out this one and say that the Labor Party does not want the Governor. Let me make it very clear to the Premier. The Labor Party appointed Governor after Governor of this State. The longest-serving Governors were appointed by Labor Governments.

If I ever have the honour to lead a Labor Government in this State, I will appoint a Governor. I will appoint a Queenslander who will be impartial and who will not play politics with his position. If a person appointed by a Labor Government of which I was a member played politics with his position, I would again petition the Queen for his removal. I would not make any bones about it. Honourable members opposite, in trying to use the royal position and the Governor and others for their own personal advantage, ought to realise that they do the position of Governor a disservice. They might do themselves some short-term political good, but they do the position some long-term political harm. It is very bad to do that.

Let me make it very clear. The Opposition is not going to back away from what it did last year, because we believe that what we did was right. We are not going to oppose the Bill. If these are the things that the Premier is going to say are important enough to need a referendum, let him say so. If he wishes to do something for the people of Queensland, let him put some amendments into the Act to say that the British Government, or any other Government, cannot interfere between the Government of this State and the Queen when we ask her to appoint someone. If the Premier is fair dinkum about what he has been saying in the last few days, let him introduce such an amendment. Let him hire the Government's $44,000 constitutional lawyer or send the Minister for Justice on another jaunt, and then bring down some amendments to the Act providing that the appointment of persons recommended by the elected Government of this State shall not be interfered with by the British Government, the Imperial Government or any other Government, and the Opposition will support those amendments.

Mr. PORTER (Toowong) (8.4 p.m.): It is quite obvious that members of the Opposition are awaiting my comments with some considerable interest, Mr. Deputy Speaker.

The Leader of the Opposition shoots out words like a fire hose, operating under considerable pressure, spurts out water. The trouble is, of course, that he never spurts out words in an endeavour to contain any fires. What he does is use inflammatory and crude terms that are always designed to exaggerate problems, cause divisions, appeal to prejudice, envy, and so on. How petty it was of him to petition Her Majesty for the removal of the present Governor when one remembers that he made one statement which was totally common sense and which the electorate of Australia totally justified.

I can remember and everybody in this House can remember that, when Sir Mark Oliphant was first appointed Governor of South Australia, he made a number of comments which were extremely critical of the political parties which I support. But did anyone ever complain about it? Did anyone ever raise it in this or any other Chamber? Did anyone ever petition the Queen for his removal? Of course not. When somebody treads on Labor's toes, the reaction is vastly different from what it is when Labor walks with hobnail boots over somebody else. It is very different indeed.

The Opposition stands totally discredited by this petty, miserable procedure of petitioning the Queen to remove the Governor for making one sensible comment. And as to the political application of it, one had to use a great deal of imagination to suggest that it was politically motivated.

It was a comment on the economy which was totally relevant in the context of the times.

It is quite interesting to note the reception to the introduction of this Bill into this Chamber. In earlier times when we have done various things and introduced measures designed to reinforce Queensland's sovereignty because it was being quite strongly assailed, particularly in the latter stages of the Whitlam regime, we were greeted with sarcastic jibes and sneers, as I have mentioned before. But not this time. Oh, indeed, no! This time we have had a sober acknowledgment from the nation's Press. There has been a recognition of this State's proper role in terms of its direct relationship with the monarch. The importance of this role of the monarch has been emphasised by the events of recent days. The United Kingdom Government, apparently for another miserable, petty, political reason, is considering not reappointing the Queensland Governor.

Mr. K. J. Hooper interjected.

Mr. PORTER: It is time that British Governments recognised that in Australia we have a federal system, and it is high time that the honourable member for Archerfield recognised that we have a federal system which, overwhelmingly, the people in this country and in this State want. If he does not, he will be one of the forgotten men—one of the dinosaurs of politics whose bones whiten the highway of history as time rolls past him.

The British Government has a tendency to think that the Australian system is a unitary one similar to its own. In Australia the States have equal sovereignty with the central Government, and their relationship with the monarch is exactly the same. Because the Statute of Westminster deals with a central Government, that in no way lessens the ties of the State Governments with the monarch. That has to be remembered. It would be quite wrong—indeed, it would be mischievous—if United Kingdom Governments failed to recognise this fundamental difference between the Australian federal system and the British unitary system, although the British people themselves might find out some of the problems of federalism if they proceed with the devolution of power to Scotland and Wales. They then may know something about the problem of maintaining an effective federal system, something that we have known for 70 years.

It would be much more than mischievous; it would be stupidly malicious if a Labor Government in the United Kingdom were to play politics on so miserable a level as to deny the appointment of a State Governor wanted by the sovereign Government of the State—at the behest of a Labor Party in Australia which has been thoroughly discredited and rejected by the electorate at both Federal and State levels by the most massive majorities that have ever been seen in Australian political history. That is the fact of the matter. These people dare to try to persuade the United Kingdom Government, which has a majority of one at the moment and is trembling at the prospect of the polls in the future, to interfere with the appointment of the Governor in the State of Queensland. What has happened only serves to underline the need for this particular legislation, legislation which will entrench the role of the Governor in the State Constitution. It will go a long way towards ensuring that moves to unilaterally establish a republic in Australia will be bound to fail. This is important not only for us but also for the whole of Australia.

When we realise that a United Kingdom Government can interfere, we see that it is something like taking the skin off an onion; we take one skin off and underneath we find another skin. It is very easy for the Leader of the Opposition to make high-falutin remarks to the effect, "What are we doing here when the United Kingdom Government can interfere?" The fact is that it is only when we start to look at these things and see them in action that we realise how many layers of precedent and practice there are, how many remnants of previous colonial law have to be dealt with, before we get the thing as we want it and as it should be.

I say again that nobody wants a republic. The Labor Opposition pretends that a republic is something desirable, an end to be devoutly desired, something that we should work towards. It is useless for honourable members opposite to try to pretend they do not believe in this or that they have appointed Governors in the past and will go on doing so. Their platform is explicit; it is the abolition of the States and the abolition of the roles of State Governors. It is quite explicit, so it is foolish of honourable members opposite to attempt to deny it.

Opposition members show themselves as puppets of the extreme Left Wing of the political spectrum, which they inhabit. The exception is, of course, the honourable member for Bundaberg, who perforce has had to cut the strings and from now on apparently will be acting as his own man.

For the life of me I can never understand why the Labor Party is so violently anti-British. And this is the genesis of its policy. It has this desire always to show that we are different, that we are on our own and that we must deny everything that is happening to us.

Mr. Burns: Yesterday the Premier called the British Government a foreign Government. Do you agree with that?

Mr. PORTER: If the British Government acts in defiance of the wishes of a properly elected Government here, it shows all the trappings of a foreign Government and it should be ashamed of itself for doing so.

Those who are so ardently proclaiming a republic and who believe that to establish a republic will show that we have cut ourselves off from all the inheritance that was British have to remember some of the things that I mentioned previously. We owe a great debt of gratitude to the British nation because of what we are and because of the system that we have inherited. Literally everything here that is worth while has been achieved by the English for themselves and handed on to us. It has been built on what might be described as the great tripod of the liberal ethic. I do not use the word "liberal" in any political sense at all; I meant it has been built on the concept of the rejection of violence to secure decisions, the reaching of public decisions through free argument, through voluntary compromise.

The British have had a genius for that and all their institutions arising from it have been relied on heavily by the rest of the Western World. The British have shown how good it is to have the slow evolution of moral principles which are tested by time and by experience and are then stamped with consensus—not decisions that are forced on people by monolithic all-powerful Governments, but decisions that are accepted by people because people recognise that they are in their best interests.

That is the quality of a civilisation, and the British civilisation has always been sophisticated in a political sense. All of us owe a debt to that sophistication, because we have used it. I believe that the strength of British society—English society, if it might properly be put that way—is based on a very accurate balance between the needs of the State and the rights of the individual. That balance was maintained in turn by the law, to which all including the State were subject. These are great concepts which the whole of the world owes to the British.

Mr. Jones: Land of hope and glory.

Mr. PORTER: I hear some honourable gentleman making some sneering, chanting reference.

Mr. Moore: An A.L.P. member.

Mr. PORTER: An A.L.P. member, of course—as though these are things that should be ridiculed and despised. How typical of the Opposition! How totally out of step are Opposition members with the overwhelming mass of people in this country. They are a miserable, perverted, whining lot of people who simply refuse to recognise the debts that they owe to the people who have begotten them.

Finally, whenever and however moves to turn Australia into a republic may come—we do not expect them at present, although we are not happy about the recent tide of affairs from Canberra (I certainly am not)—certainly no-one suggests that we are likely to see the violent attempts made to force a republic upon us, as happened in the final days of the Whitlam Government's term of office, when it brought us to the very brink of an Australian republic.

The people who think in those terms want to remember that by this Bill that we are considering today, which will prevent the unilateral formation of a republic in Australia, we are literally doing them a good turn. How many people know that, of the little more than $6,000 million Australian surplus of exports over imports, Queensland and Western Australia are responsible for $3,250 million? In other words, it is Queensland and Western Australia—Queensland having a surplus of $1,750 million and Western Australia, $1,500 million—that enable the other States (particularly Victoria and New South Wales, which are in deficit almost to the extent that we and Western Australia are in surplus) to live in the style that we by our capacity permit them to live in.

So the role of Queensland and Western Australia in a federal system is absolutely vital to the well-being of the southern States, and it is high time that they remembered it instead of trying to treat us as though we were the poor relations, parts of whose territory can be given away any time they wish to make some sort of an impression on the Third World or some other place which some of our people like to impress. The plain fact of the matter is that, if we ever got to the stage of a real attempt to form a republic in Australia and Queensland and Western Australia decided that they would have no part of it, the rest of Australia would be totally bankrupt without us.

We and Western Australia would be in a magnificent position. We would be able to make trading pacts with other countries which would be of an enormous advantage to the people living in these States. I venture to say that under those circumstances (which I most certainly do not want to see happen and do not expect to see happen) there would be such a trek of people from the southern States to Western Australia and Queensland as would make the refugee treks of the wars look small in comparison. They would be coming up here in their hundreds of thousands.

Let nobody imagine that this State is a poor relation which has to depend upon good will to make sure that we maintain what is properly ours. We are in a strong position. In the whole Australian scene, we are the strongest State in Australia in terms of our surplus of exports over imports. When we set out to entrench the role of our Governor in order to make sure that we cannot be unilaterally turned into a republic—at the same time making sure that it cannot happen to the rest of Australia—we have done the whole of Australia an inestimable service and we should be recognised as doing it.

Mr. CASEY (Mackay) (8.19 p.m.): Surprisingly, after the events of the last few days, I felt that this was one piece of superfluous legislation that we were not going to be worried about this week. I say "superfluous" advisedly, and I again reiterate the points I made in the introduction of this Bill. There is absolutely nothing in this Bill that does not already exist in letters patent for this State. We can listen to all of the rot and diatribe that the honourable member for Toowong has just gone on with——

Mr. Jones: More British than the British!

Mr. CASEY: Yes, still hanging onto the coat-tails of Bob Menzies of an era that is long since ended, as has been proved in more recent times—and even by the comments of the Premier earlier tonight in his sceond-reading speech.

The letters patent are the letters patent of the State of Queensland, not of a part of the Commonwealth, not of Western Australia. As such they tie Queensland directly to the Crown. This has been seen quite clearly in the events of recent days in the United Kingdom.

The Minister for Justice and Attorney-General might admit that no matter what we introduce in this Bill, we cannot change anything contained in the letters patent. Therefore our system must be maintained by them. The reverse is also the case. They cannot be changed unless there is a change in the system of the Crown. That is quite clear. Whether there is some mistrust of the Crown of England at this time by the Queensland Government, I do not know. I should like to know if, during his recent sojourn in England, the Minister for Justice did have discussions with any of the Queen's staff on this aspect of the proposed Bill.

It is a great waste of time to bring in something that is merely making a lot of political noise. All of the powers required by our Governor are already there; he already has them. They are already properly and clearly established and have been in practice for almost 120 years. Why we want to try to re-entrench them and reinforce them at this stage because of some fear or apprehension that has been completely discounted by events of recent days, I fail to understand.

Several points in the Bill make it clear that it does not matter what happens under the letters patent or under parts of the Bill that are a duplication of what is in the letters patent; these matters have to be referred by the Governor to Her Majesty's Principal Secretary of State in the United Kingdom for his guidance. That is quite clear under the Bill, so it does not give the Premier a way out of his existing dilemma in the appointment or reappointment of a Governor of the State of Queensland. The system is already there and is clearly established.

If the Governor has to deal with a situation similar to the one that confronted Sir Philip Game in the 1930s concerning the Lang Government, the result would be the same. That matter was referred to Her Majesty's Secretary of State in the United Kingdom and was thrown back into Sir Philip's lap to make his own decision.

Under the Bill a number of additional requirements are written into the constitution regarding the need for a referendum. I accept some of them. In 1934, when the last major change was made to the constitutional Act, a policy was incorporated to strengthen our having a one-House system in the Queensland Parliament and it is necessary for a referendum to be carried to change it. The change also provided for a three-year term, which again cannot be altered except by referendum.

It is rather strange to see that the new principle in clause 4, which inserts a new section 11A, also requires a referendum to be held if a change is desired. As previous speakers asked, and it was referred to briefly by the honourable member for Toowong, what will happen if a change is made in the system of Government in the United Kingdom? We know that consideration is being given to a change in format, with a certain amount of self-rule being given to Scotland, Ireland and Wales. What happens in their devolution is of no concern to our Parliament. It will happen as a result of a decision of their Parliament and in accordance with the wishes of the British people.

If we incorporate all of these points in our legislation and there is a change in the structure in England, we will have to hold a referendum in this country. I suggest to the Premier that he give a lot more consideration to this matter, particularly the section that insists on a referendum in Queensland if there has to be any alteration to what will be section 11B of the new Act.

Mr. Lickiss: You are certainly tying yourself up now.

Mr. CASEY: I think I might have the Minister tied up in knots. By the sound of it, he certainly tied himself up in knots in England. When one thinks of the legacy that he left behind him and the row that is now going on, obviously he did not come back having achieved a great deal of success.

One of the things that amazed me in the Bill is the inclusion of a clause which provides that, even when the referendum procedure has been gone through, anyone, before or after the Bill is taken into account, can take out an injunction for enforcement of that provision. The Premier or the Attorney-General may possibly be able to explain the reason for that provision. I can understand that there could possibly be circumstances in which an injunction could be

taken out before the holding of a referendum, but after the people had made their determination I feel that all the injunctions in the world, once the Bill had become law, would make no difference to what was to happen. I find that point rather strange and I think it needs some explanation.

All in all, the Bill is a great waste of time. It is superfluous, and this has been proved by events in recent days in the United Kingdom.

Hon. J. BJELKE-PETERSEN (Barambah —Premier) (8.27 p.m.), in reply: It is rather disturbing to find a man who is elected to represent the people in this Parliament saying that the passing of a vital measure is a waste of time. That certainly demonstrates his ignorance, his lack of understanding and his inability to comprehend the value of the Bill.

Mr. Casey: Have you read the letters patent?

Mr. BJELKE-PETERSEN: I would hate to be in a jam and have my life depend on the honourable member's legal knowledge. I would be a dead duck immediately! The honourable member talks about letters patent. We are talking now about writing all of these safeguards into the constitution. It must be realised that, because of the type of people with whom the honourable member is associated, we are not living in the days of gentlemanly politics. Because of the way in which the honourable member and others associated with him operate, politics today is a hard and cold business. Letters patent are not sufficient for such people, so these things have to be written into the constitution and properly covered. I do not think the honourable member should ever try to give legal advice to anybody; he would be misleading from the word go.

Mr. Burns: You haven't won too many High Court cases yourself.

Mr. BJELKE-PETERSEN: I am letting the honourable member off lightly, too.

I want to say how much I appreciate the very able contribution made by the honourable member for Toowong. I was interested to hear him outline to the House the influence that Britain and her constitution have had on Australia and the way of life of its people. I say that particularly because we have in the Chamber this evening some very distinguished members of Parliament from Britain, who no doubt are interested in seeing the way in which some honourable members in Queensland perform and hearing their attitude to Britain and the system that we have inherited from that country which has meant so much to us. I refer to things such as the high standard of living that we enjoy, our freedom and our right to worship as we wish. It is hard to imagine that there are in this House people such as the honourable member for Archerfield.

Mr. K. J. Hooper: Why do you always pick on me? I'm never nasty to you.

Mr. BJELKE-PETERSEN: I pick on the honourable member because he has demonstrated a very high degree of irresponsibility in that he prefers a republic to the way of life which we have inherited, which we enjoy and which has meant so much not only to Australia but to many other nations of the British Commonwealth. I hope we can continue in this way. All we are trying to do is entrench the position of our Governor so that we may continue with our way of life.

It does not help any for the Leader of the Opposition to say that we are restricting the rights of the people. He was talking around in circles and getting nowhere. On the one hand he was saying we have to have a referendum, and on the other he was saying we are preventing the people from having a say. I do not know what he had to eat at dinner or what he has had to drink, but he cannot get out of it by saying all these sorts of things. He cannot get out of it by saying, "The decision was made by the British Government, because Her Majesty passed it on to the British Government and therefore I am a clean-skin." That is what the Leader of the Opposition tried to indicate. He said, "I only wrote to Her Majesty. I didn't write to the British Government. It's not my fault that they won't say yes."

Mr. Burns: I never said that. Don't start putting words in my mouth.

Mr. BJELKE-PETERSEN: The Leader of the Opposition said he wrote to Her Majesty the Queen and then the letter went to the British Government.

Mr. Burns: Start to tell the truth.

Mr. BJELKE-PETERSEN: Whichever way it got to the British Government, the Leader of the Opposition is demonstrating how ignorant he is of what would happen to this letter and this shows the folly of taking up the petition. He ought to know that it automatically goes from the Queen to the British Government. He ought to seek the advice of his Federal leader and then he would know.

Mr. Burns: I petitioned the Queen; I wrote to her.

Mr. BJELKE-PETERSEN: Of course the Leader of the Opposition did. That is what I have been saying all evening. The Leader of the Opposition says that he would appoint a Governor if he were ever to become Premier. He has to realise that he does not appoint the Governor. That is the royal prerogative. All he can do is recommend someone. There is a split in the

Opposition. One honourable member opposite says he wants a republic and another says he would be prepared to go along with the system of Government we have today, but we know what is the official policy——

Mr. Jones: One isn't a majority on our side of the House.

Mr. BJELKE-PETERSEN: The honourable member for Cairns surely does not mean to tell me that the honourable member for Archerfield is the only one who holds that view. We only need to go out and see what is demonstrated outside. All the words in the world will not clear the honourable member for Archerfield or remove from him the stigma that he has cast upon our Governor—a man of great integrity we all respect highly—and on the community. He is responsible and has to take the consequences.

Motion (Mr. Bjelke-Petersen) agreed to.

COMMITTEE

(Mr. Gunn, Somerset, in the chair)

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

Bill reported, without amendment.

WITHDRAWAL OF NOTICE OF MOTION

GOVERNORS' PENSIONS BILL

Hon. J. BJELKE-PETERSEN (Barambah —Premier) (8.35 p.m.): I ask leave to withdraw the notice of motion given by me this morning concerning the Governors' Pensions Bill.

(Leave granted.)

GOVERNORS' PENSIONS BILL

INITIATION

Hon. J. BJELKE-PETERSEN (Barambah —Premier) (8.36 p.m.), by leave, without notice: I move—

"That the House will, at its present sitting, resolve itself into a Committee of the Whole to consider introducing a Bill to provide for the payment of pensions to certain former Governors of the State and for the spouses of certain deceased Governors and former Governors and to provide for matters incidental thereto."

Mr. K. J. Hooper interjected.

Mr. BJELKE-PETERSEN: The honourable member has difficulty in containing his glee, of course, at the sequence of certain events.

Motion (Mr. Bjelke-Petersen) agreed to.

INITIATION IN COMMITTEE

(Mr. Gunn, Somerset, in the chair)

Hon. J. BJELKE-PETERSEN (Barambah —Premier) (8.37 p.m.): I move—

"That a Bill be introduced to provide for the payment of pensions to certain former Governors of the State and for the spouses of certain deceased Governors and former Governors and to provide for matters incidental thereto."

A situation has arisen earlier tonight in relation to the position of His Excellency the Governor, and it is appropriate that I immediately introduce a measure of this nature. Indeed, my Government has been considering for some time the important and fundamental principles on which this Bill is based and I want to outline to the Committee the various matters which have been taken into account in our consideration of the Bill's provisions.

Prior to the appointment of Sir John Lavarack as Governor of Queensland in 1946, all occupants of that position were from the United Kingdom and, in Queensland's years as a colony, were appointed in accordance with the then system as colonial Governors. Following the formation of the Commonwealth of Australia in 1901, our Governors continued to be imperial appointees and Queensland did not have to concern itself regarding any pensions or emoluments to which they might be entitled upon the expiration of their terms of office.

The question of Governors' pensions first arose when Sir John Lavarack became seriously ill in early 1957 and some consideration was given to granting him a pension. With Sir John's continued illness, the Government of the day first decided to pay his salary during the complete period of his incapacity and then decided to provide a pension for Sir John and Lady Lavarack, as some honourable members will recall.

The Governor's Pension Act of 1957 was accordingly introduced and assented to on 11 November 1957. The Act provided that from 1 October 1957 (that is, the first day of his retirement) Sir John should receive a pension during life and that, if his wife should survive him, there should be payable on his death to her a pension during life. Unfortunately, Sir John died shortly after the actual pension had come into effect and on and from 5 December 1957 Lady Lavarack commenced receiving her pension and was in receipt of this pension until her death in 1974. I would mention here that not only the Government but the Opposition of the day strongly supported that measure.

The next Australian-born Governor of Queensland was, of course, Sir Alan Mansfield, who was appointed to that position in March 1966 and retired in March 1972. As a former Chief Justice of Queensland, Sir Alan was entitled to a pension under the

Judges' Pensions Act, and naturally Sir Alan has continued to receive that pension since the expiration of his term as Governor.

We now, of course, have our third Australian-born Governor in the person of Sir Colin Hannah, who commenced his term of office on 21 March 1972. In Sir Colin's case, I understand that as an Air Marshal in the R.A.A.F., he qualified for superannuation under the Defence Forces Retirement Benefit Act but, because he had not reached the stipulated age for retirement in his rank when he accepted the appointment of Governor, his superannuation pension was reduced considerably. The new rates of pension adopted by the Federal Government following the Jess Committee report were not extended to members of the services who were already retired and, consequently, Sir Colin's defence forces retirement benefit pension now falls far short of that provided for officers of his rank and also of ranks junior to him who have retired subsequently.

Honourable members will be aware that it is now a more or less established practice in the Australian States that, when making recommendations to Her Majesty concerning the appointment of a Governor, preference is directed towards an Australian-born appointee. This attitude has been strongly endorsed by the public, and I am convinced there should be no departure from such a procedure. However, it would be fair to say that imperial appointees to the position of Governor, while being persons of note, were also invariably possessed of private financial means. In addition, they had the benefit and protection of United Kingdom pension rights. In the search for an appropriate Australian-born appointee, the situation could well arise where such a person has all the necessary attributes for the position but lacks an appropriate level of affluence. For this reason, he may well feel that he has to decline the invitation. I must point out that this decision to decline would not normally be influenced by the emoluments of office but rather by the position which could obtain at the conclusion of the term of office. Here I refer to an implied understanding that the occupant of this position would not accept subsequent positions which would result in personal financial gain. In other words, it is accepted as inappropriate for a former Governor to place his services on the public employment market.

One of the main objects of this Bill is to make it possible for all notable Australians, with or without substantial private financial means, to be considered for appointment to the position of Governor of this State. I am sure this is an object which will be firmly supported by all honourable members.

Turning now to the provisions of the Bill, which is a comparatively simple piece of legislation, I want to inform the Committee of the principles incorporated in the measure. The Bill provides that there be payable to a person born in Australia who was the holder of the office of Governor or is the holder of the office of Governor at the commencement of the Act, an annual pension after the conclusion of his term of office. It provides further that a person born in Australia who becomes the holder of the office of Governor after the commencement of the Act shall receive an annual pension after the conclusion of his term of office providing he has held that office for a period of not less than five years or has ceased to hold it as a result of mental or physical incapacity.

The Bill also provides for a pension to be payable to the widow or widower of the Governor until remarriage, at a rate equal to five-eighths of the Governor's pension or, where the Governor dies in office, five-sixteenths of the rate of salary payable to him as Governor at the time of death. I draw attention to the words 'widow or widower', for one must recognise the probability that in time to come a woman will receive appointment to the office of Governor.

The rate of pension payable to the Governor on retirement will be 50 per cent of his salary at the date of retirement, less any amount received by way of annuity or retiring allowance from Crown sources payable to him as a consequence of some employment in that area prior to his assuming the office of Governor. Similar provisions are contained in both the Commonwealth Act in relation to the pension entitlement of the Governor-General and in the South Australian legislation appertaining to the pension entitlement of the Governor of that State.

An exemption to this offset has been made in relation to any disability pension or any age pension which the Governor might be entitled to receive. Provision is contained in the Bill for the pension payable to be adjusted from time to time in a manner similar to the adjustment that is made under the provisions of the Judges' Pensions Act.

I do not intend to dwell at length on the responsibilities which are associated with the considerations which lead ultimately to the recommendation that goes forward for appointment to the office of Governor. However, it would be remiss of me if I were not to pay a particular tribute to the present holder of that office, and I refer of course to His Excellency Sir Colin Hannah.

In view of the present publicity that has been directed towards Sir Colin's position, I wish to place on record my Government's continued confidence in his ability to discharge faithfully and well the responsibilities of his office and my Government's sincere appreciation of the manner in which he has discharged those responsibilities during his term. When Sir Colin eventually relinquishes his position, he will do so in the full knowledge that he has set a fitting standard for his successor as Her Majesty's representative in Queensland to adopt and maintain.

Mr. BURNS (Lytton—Leader of the Opposition) (8.47 p.m.): We have no opposition whatever to a Bill such as this. It has always been my belief that we should ensure that anyone who retires, whether he be the Governor or a labourer on the job, is assured of a pension and that his wife and family have no financial worries as the result of his illness or death.

It would be extremely difficult for a Governor, having completed his term of office, to obtain financial assistance to allow him to live in retirement, particularly as he or she—I hope that one day a lady will occupy the position of Governor—is asked not to hold any further position after retirement. So it seems that the Government has the duty and the responsibility to ensure that the occupant of the position is provided with an adequate pension, one that will allow him to retire graciously and to maintain his wife and family. As I say, we have no opposition whatever to the Bill.

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (8.49 p.m.), in reply: I thank the Leader of the Opposition for his attitude to this measure.

Motion (Mr. Bjelke-Petersen) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Bjelke-Petersen, read a first time.

SUPERANNUATION ACTS AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Gunn, Somerset, in the chair)

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (8.50 p.m.): I move—

> "That a Bill be introduced to amend the State Service Superannuation Act 1972–1975 and the Public Service Superannuation Act 1958–1975 each in certain particulars."

I have much pleasure in introducing the Superannuation Acts Amendment Bill, which provides for improvements to the State Service Superannuation Scheme for Crown employees. As honourable members know, it has always been the policy of my Government to review the superannuation scheme from time to time.

This Bill is the result of an investigation by a committee appointed by Cabinet to review the scheme in the light of current economic conditions, relevant developments in other Australian Public Service schemes and possibilities for improvements in directions sought by unions and associations. The Government has adopted the recommendations of the committee.

The major improvements proposed in the Bill are—

(1) An increase in the rate of widow's pension from 62.5 per cent to 66.7 per cent of the contributor's pension.

(2) An increase in the rate of child's pension from $208.00 per annum to $416.00 per annum where there is a widow; and from $416.00 per annum to $832.00 per annum in the case of an orphan.

(3) An extension from age 21 to age 23 of the period during which children's pensions are payable in respect of student children.

(4) The calculation of new pensions to members on the basis of a two-year final average salary instead of the present three-year final average salary.

(5) The payment of incapacity benefit during sick leave without pay after two weeks instead of after the existing two months.

(6) The application of emerging cost-of-living adjustments from the first pension period in September of each year instead of October.

Whilst it has not been possible to accede to all the requests and suggestions of the various unions and associations, because of the cost factor and the current economic conditions, we have sought to achieve an equitable field of improvement that will benefit as many members and their dependants as is practicable. I also mention that a number of matters raised by the Public Service unions have been deferred for further investigation. The alternative of delaying the amendments now proposed until all matters are resolved would mean an unwarranted delay in the implementation of the suggested improvements to benefits.

The amendments incorporated in the Bill will mean considerable increases in pensions payable to members, and to the widows and dependent children of deceased members. Such increases in benefits will be provided at no extra cost to the members. The Crown subsidises the principal benefits on a 2½:1 basis. It also provides a guaranteed rate of interest of 6 per cent per annum.

To overcome the actuarial deficit in the Superannuation Fund which was revealed by the 30 June 1973 valuation, it is proposed to increase the rate of interest to 6¼ per cent per annum. In order to finance the fund's portion of the increased benefits, it is proposed to further increase the interest rate to 6½ per cent per annum. Such proposed rate of interest is not considered ungenerous as a long-term guaranteed rate on existing and new moneys.

A further amendment contained in the Bill is that the present practice of the Crown's subsidising additional service purchased by new appointees be discontinued. Such a provision is considered

to be overgenerous and, in fact, could lead to the doubling of Crown subsidies where an appointee to Queensland Crown service has previously retired at an early age and is in receipt of pension from another State or the Commonwealth Government. Accordingly it is proposed that, in respect of new appointees who commence to contribute after the date of operation of the amendment Act, only their actual years of service will be subsidised and the whole responsibility for financing additional years of service will be placed upon such contributors.

A number of other adjustments provided by the Bill are of a machinery nature and are introduced to assist in the day-to-day administration of the scheme.

It is considered that the adoption of the amendments as presented will provide very real increases in the rates of benefits provided under the State Service Superannuation Scheme and naturally I commend the Bill to the Committee.

Mr. BURNS (Lytton—Leader of the Opposition) (8.56 p.m.): The Opposition fully supports the improvements that will accrue to the members of these superannuation schemes as a result of the Bill.

The review of the incapacity provisions of the State Service Superannuation Act is long overdue. The previous provision whereby an incapacitated member had to be without pay for a period of two months before becoming eligible for incapacity benefits was extremely harsh.

I know personally of a young married Public Service clerk who contracted hepatitis. He had two young children. He used up all of his accrued sick leave and served his two-month waiting period without pay before receiving incapacity payments, which, incidentally, amounted to just over half of his normal gross salary. He could not meet his house payments or car payments for about three months. Obviously he went back to work prematurely. He was still sick but he was in financial straits so he went back to work. Unfortunately he had a relapse and had to again serve the two-month waiting period without any incapacity benefits. I suggest that at long last the two-week waiting period gives some realistic protection to members. It is a shame that the Government has taken so many years to bring in such an urgent and humane improvement.

The doubling of the allowance for dependent children and pensions for orphans is another classic case of too little too late. The ravages of inflation have diminished the value of these benefits in real terms to a small fraction of what they were worth when originally granted.

It is pleasing also that in the future these allowances will be fully adjusted annually in accordance with the Consumer Price Index so that there will be no further erosion of their buying power. The Opposition fully supports such an approach.

The calculation of pension benefits accruing under the percentage scheme will now be based on average increase in salary over the final two years rather than the previous basis of the final three years. I know that public servants will welcome this provision. I have been told that this means that for members retiring at this point of time the changed method of calculation will add about 10 per cent to the value of benefits.

I am aware that the Public Service unions' submissions have been based on final salary. I can see that in a period of high inflation, the continuance of which is now assured by the Fraser Government's devaluation decision and revaluation decision, public servants are going out on pensions which in effect represent a lower percentage of final salary than they were led to expect. However, in periods of high inflation, when the current method of calculation most affects the percentage of final salary, the cost of calculating benefits on final salary would be very high. If possible, it should be looked at again in other periods.

I fully support the increase in the widow's pension from the current 62.5 per cent to 66.7 per cent of a husband's annuity entitlements. I believe that the best aspect of the superannuation scheme is the cover and security it gives a married man during his service. A married public servant with full superannuation benefits can rest assured that his spouse will be adequately covered in the event of his untimely death. Furthermore, widows' pensions are automatically adjusted for cost-of-living increases.

Politicians are often asked, "Where is the money coming from?" Obviously these improved benefits will cost both the Government and the State Service Superannuation Fund a considerable amount. The fund portion, as I understand the Premier, will supposedly be met by increasing the rate of interest earned by the fund from 6¼ per cent to 6½ per cent. However, the assumptions under which the actuary has estimated that an increase of ¼ per cent in the rate of interest will cover the cost to the fund are, I believe, highly suspect.

It is highly unrealistic for the actuary to assume that the average increase in the Consumer Price Index will be only 4½ per cent and that the average wage increases of public servants will also be 4½ per cent. Public Service salary increases over the past decade have averaged about 10 per cent a year and the C.P.I. has risen by about 14 per cent a year over the past three years. It is highly likely that it will remain high for some time. Unfortunately, with Fraser still fumbling with the switch, inflation will remain high for many years to come. It certainly looks as if that will be the

situation, and that ought to be taken into consideration when the Government is working out the amount of money that might have to come from the fund.

The State Government has seen fit to offer—at this stage anyway—the usual pre-election lolly to the Public Service, but I believe that it has unrealistically evaluated the cost. I am aware that the last actuarial review of the State Service Superannuation Fund showed a deficiency of over $17,000,000. I shudder to think what the deficiency will grow to by the time of the next review. I believe that the only way that the fund will again become sound is for the Queensland Government to do what the Commonwealth Government and three other State Governments have done to overcome such a problem. These Governments have accepted the full brunt of cost of living adjustments to all pensions and allowances. I believe that I could commit a future State Labor Government to such action—and I will. It will stop the humbug of the Queensland Government pretending to pay for increases in benefits by a ¼ per cent increase in the interest rate when, if it understood what is going on, it must know that this increase will not cover the cost to the fund.

I have three more points to make before I finish. Firstly, I note in the actuary's report that there is evidence that female rates of contribution under the percentage scheme are unduly high in relation to the male rates. I ask: when will this Government do something to rectify this inequity? Why should women have to pay more? Why should they be disadvantaged under this Act?

Secondly, I am aware that a substantial number of public servants have either no membership of the fund or, because they have missed particular deadlines set down in the Act, they have not elected to take their full entitlements. I am convinced that the vast majority of these public servants were unaware of the time limit and have therefore through no fault of their own been either totally excluded or prevented from improving their benefits. As I understand it, the Superannuation Act is supposedly a beneficial Act and surely it should not exclude public servants in such an arbitary manner. I suggest that a Queensland Labor Government would most certainly give such public servants an opportunity to join the fund or to improve their benefits.

Finally, I saw recently that the actuary has increased the employers' contributions to the Superannuation Additional Benefits Fund from 137.5 per cent to 255 per cent, nearly double what they were, from 1 July 1976. Places such as colleges of advanced education will now have to meet nearly double the contribution they would have had to pay prior to this change, of which, incidentally, they were given no notice. Consequently they have not budgeted for these increased payments and will therefore have extreme difficulty in meeting their commitments. Perhaps they will also have to prune back some of their "mad extravagances" and sack a substantial number of staff.

The Opposition has no objection to the Bill. There are some problems, which I have outlined in my comments, but we support the introduction of the legislation because we know it will be beneficial to members of the Public Service.

Mr. POWELL (Isis) (9.4 p.m.): I support the measures introduced by the Premier, which will result in improvements to the superannuation scheme of public servants. I believe the Premier mentioned six increases that are to be made. Unlike the Leader of the Opposition, I do not have a prepared brief that has been given to me to read to the Committee. However, I will make a few remarks as a result of my experience of the State Service Superannuation Fund. If I had remained in the employment in which I was engaged before I entered Parliament and reached the age of 65, I would have been able to benefit from the scheme.

I am disappointed that the Government has not decided to allow optional retirement without loss of benefits at the age of 60 after a period of 40 years' service. Such a provision is in operation in South Australia and New South Wales. In those States people are able to retire at age 60 without losing any benefits, and in Victoria and Western Australia there is an optional system of increased contributions to enable retirement at 60. I believe this is desirable, especially for teachers and members of the Police Force—teachers in particular. Unfortunately, they have a history of seldom collecting much of their superannuation, even if they do reach the age of 65 and spend a few years in retirement. So I believe that retirement at 60 for teachers in particular would be a very desirable thing indeed and I am disappointed that at this stage the Government has not been able to bring in such a provision.

The increase in the widows' pension from 62½ per cent to 66.7 per cent is also desirable, but I wonder why, when a person has been paying into the fund for 30 or 40 years, his widow does not get the full contributor's pension. A contributor will pay into the fund for all those years and yet only 66.7 per cent of the amount he would have received is paid to his widow. If a public servant dies before he reaches 65, his wife may still face the task of bringing up children and getting them through school and university. This happens quite often. Because she is burdened with bringing up the children, her capacity to earn additional income is severely limited, and therefore I believe that while the increase is good, it is not good enough.

Like the Leader of the Opposition, I know of many people who have been disadvantaged by the two months' waiting period before the payment of incapacity benefits, and I believe this is why the waiting period has been reduced to two weeks.

The only other provision about which I wish to comment is that relating to cost-of-living adjustments, which from now on will be made on 1 September each year and not 1 October. I cannot see why this adjustment could not be made on 1 July, the first day of the new financial year. Beneficiaries have to wait an extra two months while contending with rising costs.

The benefits which are being introduced by the Government at this stage are certainly desirable, but some of them are long overdue. I hope that in the not-too-distant future the Government will see its way clear to introduce the option of retirement at 60 with full benefits and also increase the widows' pension from 66.7 per cent to 100 per cent.

Hon. J. BJELKE-PETERSEN (Barambah—Premier) (9.8 p.m.), in reply: I appreciate the contributions made by honourable members, the general support given to the Bill and the suggestions made by my colleague the honourable member for Isis. It would be good if we could do some of those things, but I think we have done a great deal up to this point and if he can contain himself a little longer—this applies also to the people in the union—I am sure that some day, perhaps in the not-too-distant future, we will be able to do so.

Motion (Mr. Bjelke-Petersen) agreed to.

Resolution reported.

FIRST READING

Bill presented and, on motion of Mr. Bjelke-Petersen, read a first time.

PETROLEUM ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Kaus, Mansfield, in the chair)

Hon. R. E. CAMM (Whitsunday—Minister for Mines and Energy) (9.11 p.m.): I move—

"That a Bill be introduced to amend the Petroleum Act 1923–1972 in certain particulars."

The proposed Bill is a very short one, but nevertheless an important one. It simply increases the fees that are payable under the Act. The current fees payable in respect of deposit on permit, rental on permit and rental on lease have been in force for many years, and the increases as proposed are merely to bring the fees more in line with present values.

I consider that the amendments contained in the Bill are very desirable in view of the current financial position.

Mr. MARGINSON (Wolston) (9.13 p.m.): As the Minister said, this is a very short but important Bill dealing with increases in fees. In view of the increases in fees of many other types, the Opposition supports the Bill.

Hon. R. E. CAMM (Whitsunday—Minister for Mines and Energy) (9.14 p.m.), in reply: I thank the honourable member for Wolston for his acceptance of the proposal. It is proposed to increase the fees payable by about 50 per cent, and in some instances by 100 per cent. The three clauses delineate the increases that are envisaged.

Motion (Mr. Camm) agreed to.

Resolution reported.

FIRST READING

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

BUSINESS NAMES ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Kaus, Mansfield, in the chair)

Hon. W. D. LICKISS (Mt. Coot-tha—Minister for Justice and Attorney-General) (9.15 p.m.): I move—

"That a Bill be introduced to amend the Business Names Act 1962–1971 in certain particulars and for another purpose."

In accordance with Budget policy a number of Government charges that are levied in relation to services performed have been increased recently. Among these were fees charged under the Business Names Act, including the fee for registration of a business name, which was increased from $20 to $23. The power to prescribe fees under the Business Names Act, however, does not permit fees in excess of $20 to be prescribed. Although this limitation is most unusual and is found in very few enactments, nevertheless the fee of $23 to which I have just referred is unauthorised.

In addition, the fees for application for consent of the Crown Law Officer to the use of a business name ($25) and for every order of the Crown Law Officer granting consent to the use of a business name ($50), which were previously prescribed, also exceed the statutory limit.

To give effect to Budget policy primarily and to bring the Business Names Act into line with most other Acts, it is proposed to remove the restriction on the upper limit of fees which may be charged. The Bill removes this restriction and makes provision also that all fees over $20 already charged are valid.

I commend the Bill to the Committee.

Motion (Mr. Lickiss) agreed to.

Resolution reported.

FIRST READING

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

URBAN PASSENGER SERVICE PROPRIETORS ASSISTANCE ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Kaus, Mansfield, in the chair)

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (9.19 p.m.): I move—

"That a Bill be introduced to amend the Urban Passenger Service Proprietors Assistance Act 1975 in certain particulars."

Honourable members will recall that the Urban Passenger Service Proprietors Assistance Act 1975, which passed through this Assembly late last year, provides for compensation at the rate of 3 per cent of gross fare revenue or such greater percentage as the Governor in Council on my recommendation in the particular case approves to be paid to proprietors of urban passenger services who are required to provide concessional fares to pensioners using their urban bus services.

This Bill is necessary to clarify the legal position as regards the retrospective payment of percentages of gross fare revenue greater than the general rate of 3 per cent. Unfortunately, while it was intended that the present Act provide for this retrospectivity, legal advice is to the effect that while a greater percentage can be approved by the Governor in Council, there is no specific approval for retrospective payment, which, in all fairness, should apply when claims for a greater percentage have been investigated and substantiated.

The Bill is therefore a very simple one to achieve the original objective of the Act and goes no further than the legal clarification of what is intended.

Mr. JONES (Cairns) (9.21 p.m.): The Bill appears to be purely a machinery measure to provide retrospectivity in relation to the 3 per cent of the gross fare revenue and concessional fares for pensioners. It merely clarifies a legal obstruction to retrospectivity in relation to a percentage greater than 3 per cent after investigation.

The Opposition supports the introduction of this measure and, to facilitate the business of the House, will limit its comments to those of support.

Dr. LOCKWOOD (Toowoomba North) (9.22 p.m.): I rise to commend the Bill to the Committee. The Act has proved to be extremely popular with pensioners, but since its proclamation it has been found necessary to amend it to provide for the payment of certain moneys retrospectively to bus proprietors. At first it was thought that 3 per cent on gross fare revenue would be sufficient to cover the shortfall in gross fare revenue received by bus proprietors, but now it has been found to be far from sufficient.

In Toowoomba some bus proprietors are running at deficits as high as 20 per cent between the fares they receive plus the Government subsidy and what the fares would have been without the introduction of the Act in 1975. Since that time other persons and I have made representations on behalf of Toowoomba bus proprietors, but so far we have not heard whether they will receive a benefit beyond 10 per cent of gross fare revenue. The bus proprietor who operates a service in Hume Street is running at a 13.5 per cent shortfall, and I have not yet heard that it will be made up. He is, in effect, subsidising the Government in the provision of cheaper fares to pensioners.

Another bus proprietor has shown that his shortfall is 20 per cent and another is claiming that his is as high as 27 per cent. I hope that before the Bill reaches the second-reading stage we will have the assurance that each bus proprietor will receive an amount equal to his shortfall.

I appreciate that this matter is not covered by the Bill, which enables the Treasurer to make retrospective payments. However, Parliament should ensure that none of the legislation discriminates against any particular bus run because of the number of pensioners it carries on behalf of the Government. I might add that the larger and longer the bus route, the less likely the proprietor is to face this difficulty, particularly if he has a large working population to haul over more than 10 km. The percentages as allowed by the Government will be more than fair. If a proprietor, similarly, has a large school run of any distance he will not be in any difficulty. However, I do not see why our legislation of 1975, as amended in 1976, should be hampered by a Treasury limit of 10 per cent on gross fare revenue without going into the particular needs of the individual bus proprietors.

Mr. AHERN (Landsborough) (9.26 p.m.): I rise to make a brief comment about the urban passenger transport programme. I simply want to say that there are many urban passenger transport situations in the State that do not qualify for the subsidy programme. I have said it in the Chamber before.

Mr. Jones: You said it in 1975.

Mr. AHERN: I said it in the Budget debate this year and on several other occasions. As we are amending the Act, I want

to say on behalf of the people that I represent that they find it difficult to understand why they do not qualify for the type of assistance that is provided for their city cousins—simply because they are not declared as provincial cities under the Elections Act. I know that this is something that the Government went to the people for at election-time; but I particularly hope that the Minister can convince the Treasurer that the pensioner concession should be extended to urban situations such as my own electorate —and there are many others throughout Queensland. I believe that would not cost the Treasury very much, and it would help to overcome the serious anomaly that causes so much concern to the people in my area and to the bus proprietors in particular, who have to try to cope with a handicap which in their opinion is unjustifiable.

Hon. K. W. HOOPER (Greenslopes—Minister for Transport) (9.27 p.m.), in reply: I thank the honourable members for their contributions and the brevity of their remarks. I am well aware of the situation as outlined by the member for Toowoomba North, as I am of the points again raised in the Committee by the honourable member for Landsborough.

I wish to reply to the points raised by the honourable member for Toowoomba North. I commend him for the representations—I might use the word "fight"—that he has put up on behalf of the bus proprietors in Toowoomba who are disadvantaged. What he said is quite correct. I understand that a bus proprietor in another area is in similar difficulties. I say to the honourable member —I know he is well aware of it, but I want it recorded—that the ceiling he mentioned is not in the Bill; nor is it in the Act. The 10 per cent ceiling is a Treasury requirement. He has made very strong representations to me and he has made similar representations to the Honourable the Treasurer. I inform him that in the second reading I will not be able to tell him the answer, but he can take it from me that I will be fighting on his behalf and on behalf of the people of Toowoomba generally. I know that a great number of them do not operate in the honourable member's area, but he is aware that the anomaly exists. I will certainly be doing my utmost to have the problem ironed out.

The honourable member for Landsborough, in bringing the matter of non-urban pensioners to the attention of the Committee, has hit on a very important point. He has made it many times in this Chamber. I hope to be able to convince my Cabinet colleagues that the Act should be extended to cover pensioners in other areas. I can see quite a few other anomalies in the Act that I feel should be remedied, and we will be looking at them in the New Year.

I also thank the honourable member for Cairns for his support for the Bill.

Motion (Mr. Hooper) agreed to.

Resolution reported.

FIRST READING

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

LOCAL GOVERNMENT SUPERANNUATION ACT AMENDMENT BILL

INITIATION IN COMMITTEE

(Mr. Kaus, Mansfield, in the chair)

Hon. R. J. HINZE (South Coast—Minister for Local Government and Main Roads) (9.31 p.m.): I move—

"That a Bill be introduced to amend the Local Government Superannuation Act 1964–1974 in a certain particular."

This is a very short measure to enable the Governor in Council, from time to time, to extend the term of appointment of members of the Local Government Superannuation Board.

Honourable members will be aware that the Local Government Superannuation Act provides a compulsory contributory superannuation scheme for permanent employees of local authorities throughout Queensland, with the exception of the Brisbane City Council, which has its own scheme under the City of Brisbane Act.

The scheme which came into operation in 1965 consists of two sections—an insurance section for males under the age of 55 years and females under the age of 50 years and a provident fund section for permanent employees over those ages. A female has the right under the Act to elect to contribute to the provident fund in lieu of taking out insurance under the insurance section of the scheme.

In general, both the insurance and provident fund sections of the scheme are organised on the basis of contributions at the rate of 7 per cent of the annual salary or wages of each employee. The contributions are paid in advance by the local authority and one-half of the contribution in respect of each employee is deducted from his salary or wages payments throughout the year.

Subject to the Minister, the scheme is administered by a Local Government Superannuation Board consisting of three members appointed by the Governor in Council.

The board consists of—

* a chairman, nominated by the Minister;
* a member nominated by the Local Government Association of Queensland; and
* a member nominated by the Queensland State Branch of the Municipal Officers' Association of Australia.

The present members of the board are—

* Mr. G. W. Fynes-Clinton, solicitor, of Messrs King & Co., chairman;
* Mr. J. M. Armstrong, nominated by the Local Government Association, Mr. Armstrong being the secretary of the association; and
* Mr. A. V. Angove, nominated by the Queensland State Branch of the Municipal Officers' Association of Australia, Mr. Angove being the town clerk of the Gold Coast City Council.

Members of the present board were appointed for a term of three years, the term of appointment expiring on 20 December 1976. The scheme has been ably administered by the board and I congratulate the members on the work they have carried out.

There are presently under consideration certain proposals for modifications of the existing scheme.

Mr. Casey: What's it all about, Russ?

Mr. HINZE: It is all about the superannuation scheme and the board. I could give the honourable member a long dissertation on it if he wishes.

Mr. Casey: Don't worry about it.

Mr. HINZE: Would you prefer I did not?

Mr. Casey: Yes.

Mr. HINZE: The modifications relate to the level of contributions to the scheme and the benefits payable thereunder. I am of the opinion that it is desirable that the present board should remain in office until such time as the matter of these modifications is settled.

I am advised that the majority of permanent employees of local authorities are not members of the Municipal Officers' Association and there has been a request from another union that it be allowed representation on the board. The submission by this union is that, until the matter of representation of the board is finalised, the present board should remain in existence. I consider that there is merit in this submission and the Bill makes provision whereby the Governor in Council can extend from time to time for periods of not more than six months the term of appointment of the present board.

The matter of giving representation on the board to other unions will be considered along with proposals for modifications of the local government superannuation scheme.

I commend the Bill to the Committee.

Mr. MARGINSON (Wolston) (9.38 p.m.): I found it difficult at times, because of the noise in the Chamber, to get an idea of what we are debating. I have reached the conclusion that the period of service of the board is to be made a little longer. Or does that apply with respect to the Governor in Council?

At any rate, the Minister said that other unions felt that they should be represented. I think they should, too, because the Municipal Officers' Association does not by any means cover all the employees of local authorities. In fact, this superannuation scheme covers also unskilled members of the work-force who work for councils on the roads. I am sure it would be found that there are other unions with more local authority employees than the M.O.A.

We will have a look at the Bill. There seem to be some complications in it and I should like to study it before we make any decision on it.

Motion (Mr. Hinze) agreed to.

Resolution reported.

FIRST READING

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

FISHERIES BILL

RESUMPTION OF COMMITTEE

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

Debate resumed from 23 November (see p. 1814) on Clause 20—Offences with respect to inspectors and honorary rangers, on which Mr. Byrne had moved the following amendment:—

"Omit all words on lines 46 to 48 on page 15 and all words on lines 1 to 3 on page 16."

Amendment (Mr. Byrne) negatived.

Clause 20, as read, agreed to.

Clauses 21 to 52, both inclusive, as read, agreed to.

Clause 53—Closed season—

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries) (9.45 p.m.): I move the following amendment:—

"On page 30, line 35, omit the word—
'product,'
and insert in lieu thereof the words—
'product or'."

Mr. Burns: Why?

Mr. WHARTON: Because it was a typographical error.

Mr. BURNS (Lytton—Leader of the Opposition) (9.46 p.m.): As I understand clause 53, it says—

"Closed season. The Governor in Council may, by Order in Council for the purposes of this Act, declare, with respect to any

species of fish or marine product, any Queensland waters specified in the Order to be, without limit of time or for the time specified therein, a closed season."

The Minister said that we should omit the word "product," and insert the words "product or". The clause will then read ". . . with respect to any species of fish or marine product or . . ." I do not see that that makes sense.

An Honourable Member interjected.

Mr. BURNS: Where is the comma? There is no comma. It now reads "product or". When we got into a similar argument some time ago, we were told that there was a comma between the two words. This would then read "product or". What does that mean? I would like an explanation of the reason for the amendment. I asked the Minister and he said that it was a typographical error.

Mr. Wharton: The comma is omitted, of course.

Mr. BURNS: Let me start again. The amendment reads "by omitting the word 'product,' with a view to inserting the words 'product or'.". If we read the clause with the amendment in it, it says—

"The Governor in Council may, by Order in Council for the purposes of this Act, declare, with respect to any species of fish or marine product or, any Queensland waters specified in the Order . . ."

Mr. Wharton: There's no comma after "or".

Mr. BURNS: I will accept the amendment. I do not know what it means. I hope that the fishermen will understand it.

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries) (9.47 p.m.): For the information of the Leader of the Opposition, I point out that we are taking out the word "product," and inserting the words "product or".

Mr. CASEY (Mackay) (9.48 p.m.): I think it is fairly clear what is going to happen. The Governor in Council may, by Order in Council, declare with respect to any species of fish or any marine product or any Queensland waters. That is what makes it clear. It gives the opportunity to have three divisions. As the Premier said earlier, I am very glad to be able to use my legal expertise to help the Minister out of a hole.

Amendment (Mr. Wharton) agreed to.

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries): I move the following further amendment:—

"On page 30, line 36, omit the words—

'to be'."

Amendment agreed to.

Clause 53, as amended, agreed to.

Clauses 54 to 61, both inclusive, as read, agreed to.

Clause 62—Prohibition of use of explosive, firearm, noxious substance, electrical device for taking fish or marine products—

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries): I move the following amendment:—

"On page 34, omit all words comprising lines 11 to 24, both inclusive."

Amendment agreed to.

Clause 62, as amended, agreed to.

Clauses 63 to 69, both inclusive, as read, agreed to.

Clause 70—Power of Minister to issue order for destruction of noxious or non-indigenous fish—

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries): I move the following amendment:—

"On page 36, line 13, after the word 'section' insert the figures—

'65,'."

Amendment agreed to.

Clause 70, as amended, agreed to.

Clauses 71 to 74, both inclusive, as read, agreed to.

Clause 75—Requirement as to carrying licence, permit, certificate or other authority—

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries) (9.51 p.m.): I move the following amendment:—

"On page 37, insert after line 24 the following paragraph:—

'If the holder is not carrying with him the licence, permit, certificate or other authority in accordance with this section when called upon to produce it by a person acting under the authority of this Act, he shall produce it to that person or another person specified by that person within such time as is prescribed.'"

If a person holds a diving licence he has 24 hours in which to produce it. This is a similar provision. We will prescribe in the regulations a particular time within which the licence is to be produced. It will be appreciated that the holder of the licence could be out at sea. Originally the holder had to have the licence with him all the time. Now he is given time to produce it.

Mr. BURNS (Lytton—Leader of the Opposition) (9.52 p.m.): Might I suggest that something like a month be given? A week

or a few days might not be long enough. Professionals do stay out fishing for a long time. It may be very difficult for a fisherman to come back to his home port to get his licence or to write to get someone to send it to where he is. Fishermen travel a long way from home. The Minister would need to allow the holder of a licence sufficient time to make arrangements to get his licence and bring it to where it has to be presented.

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries) (9.53 p.m.): I appreciate what the honourable gentleman has said. I do not know specifically what period it will be. At least we are going to provide time in which to produce the licence.

Amendment (Mr. Wharton) agreed to.

Clause 75, as amended, agreed to.

Clauses 76 to 82, both inclusive, as read, agreed to.

Clause 83—Detention, forfeiture, disposal of things seized—

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries) (9.54 p.m.): I move the following amendment:—

"On page 40, line 31, omit the word 'shall' and insert in lieu thereof the word—

'may'."

Previously it was obligatory. I think members will agree that this is an improvement.

Amendment (Mr. Wharton) agreed to.

Clause 83, as amended, agreed to.

Clause 84, as read, agreed to.

Clause 85—Liability of master of vessel for offences committed by employees—

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries) (9.56 p.m.): I move the following amendment:—

"On page 41, omit all words comprising lines 11 to 19 both inclusive and insert in lieu thereof new subclauses as follows—

'(1) Where a person employed in or in connexion with a vessel does an act or makes an omission that constitutes an offence against this Act for which he is criminally responsible, the master or person in charge of the vessel shall, subject to subsection (2), be taken to have done the act or made the omission and to be criminally responsible for the offence constituted by that act or omission to the same extent as such employee.

'(2) A master or person in charge shall not be guilty of an offence pursuant to section (1) if—

(a) he has issued proper instructions and used all reasonable means to secure the observance of this Act; and

(b) the offence in question was committed without his knowledge and he could not by the exercise of reasonable diligence have prevented the commission of the offence.

'(3) The provisions of this section do not affect the operation of section 7 of The Criminal Code in relation to a master or person in charge of a vessel.' "

The reason for the amendment is that just as a person is in charge of a property, a master is in charge of his vessel and would therefore accept the responsibility for the actions of his employees. The amendment will give to him the opportunity to defend himself just as it is given to members of his crew.

Subclause (3) provides that this clause will not affect the operation of section 7 of the Criminal Code. It gives him the same protection as that in the Criminal Code. The master still can be charged for the actions of his employees, but it does not make it impossible for him to defend himself.

Mr. BURNS (Lytton—Leader of the Opposition) (9.57 p.m.): I accept the Minister's concluding remarks that this clause will not affect the operation of section 7 of the Criminal Code. Unfortunately, we do not know what that section provides. But as I read the amendment the Minister is taking out—

"Where an offence against this Act is committed by a person employed in or in connexion with a vessel, the master or person in charge thereof is guilty of the offence also unless he proves"

and is inserting—

"Where a person employed in or in connexion with a vessel does an act or makes an omission that constitutes an offence against this Act for which he is criminally responsible, the master or person in charge of the vessel shall, subject to subsection (2), be taken to have done the act or made the omission and to be criminally responsible for the offence constituted by that act or omission to the same extent as such employee."

Subsection (2) is the same as paragraphs (a) and (b) in the original clause. I should like an explanation from the Minister as to why it is necessary to make provision for this criminal responsibility.

Surely the draftsmen considered that the original clause covered the master of a vessel, yet the amendment now spells out criminal responsibility. Is it put in to give the master a means of escaping from the provisions of this clause? If he does anything that constitutes an offence against the Act, he should be as responsible as the crew. I should not like to think that the master was able to place the blame on the deck hand for an offence under the Act. I want to make certain that the amendment does not give the master some loophole.

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries) (9.59 p.m.): A master is in charge of his vessel and if one of his employees were to take, say, some clam meat from the reef, the master is the one who would be charged. However, he may in his defence show that his employee acted contrary to his instructions and that he is therefore not guilty of the offence as charged. Under the clause as it stands in the Bill, if the employee is guilty, so, too, is the master guilty.

Amendment (Mr. Wharton) agreed to.

Clause 85, as amended, agreed to.

Clauses 86 and 87, as read, agreed to.

Clause 88—Evidentiary provisions—

Mr. BURNS (Lytton—Leader of the Opposition) (10 p.m.): I am interested in subclause (h). It seems to me that if I am consigning fish illegally from the Townsville Railway Station, I am not going to put "Tom Burns" on the case. I will put "Claudie Wharton". I raised this matter in the second reading. The subclause states—

> "(h) evidence that fish or marine products were received at a fish market or other place of sale or at a railway station or an office of any person or body engaged in transporting goods or materials in the name of a person as consignor shall be evidence and, in the absence of evidence to the contrary, conclusive evidence that the fish or marine products were taken and consigned by that person,".

That means that if I consign it in the Minister's name—put his name on the box—that shall be evidence that he did it, and he will be required to prove his innocence. Shouldn't it be the other way round? Shouldn't the onus be on the police to prove that the Minister did it, rather than on the Minister to prove that he is innocent of the charge? It seems to me that anyone acting in contravention of that clause of the Bill would certainly not put his name on the fish. If the Minister wants to become difficult, I will get hold of a carton of mullet next week and send it somewhere in the Minister's name and so test the Act. It will then be the Minister's job to prove that he did not do it. I do not think that that is in accordance with British justice. A person should not have to prove himself innocent. The police should have to prove him guilty.

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries) (10.2 p.m.): This is a necessary clause because, as the Leader of the Opposition knows, undersized crabs have been sent to the Sydney market. People have consigned them from various railway stations. If the Leader of the Opposition sent some fish down in my name and the cheque came back, with all the things that happened before I got the money, I do not think I would have much trouble in proving that the product was not mine.

I now move the following amendment:—

"On page 43, omit all words comprising lines 29 to 33 both inclusive."

Amendment agreed to.

Clause 88, as amended, agreed to.

Clauses 89 to 93, both inclusive, as read, agreed to.

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

Fifth Schedule—

Mr. BURNS (Lytton—Leader of the Opposition) (10.4 p.m.): Just briefly, I want to restate the proposal I put forward in the second reading about records. Hardly anyone in the primary producing field today is not starting to complain about the paper war conducted between Government departments and the farmer or the fisherman. I believe that, before any regulations are written in relation to the keeping of records by fishermen and others for statistical and other purposes, we ought to ensure that we are not overloading the man whose job it is to catch fish. In essence, that is what he goes to sea for. He does not want to spend most of his time filling out forms, giving details and things like that. One of the greatest steps we can take to stop the growth of bureaucracy is to ensure that regulations require the least amount of paperwork possible.

I make this plea because I know a number of fishermen who have not had a good education. Quite truthfully they are fearful that they will have to hire an accountant to maintain their business when all they really want to do is mend their nets, get to sea, catch some fish, get them to market, make a dollar or two and, for recreation, have a cold beer on a Friday night.

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries) (10.6 p.m.): I accept and appreciate what the Leader of the Opposition has said. We do not want to create a great deal of extra work for anybody. Regulations are necessary and I assure the honourable member that they will be up to date and as simple as possible.

Fifth Schedule, as read, agreed to.

Bill reported, with amendments.

RECOMMITTAL

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

Bill recommitted for purpose of reconsidering clauses 5, 18 and 20.

Clause 5—Non-application of Act—

Mr. LAMOND (Wynnum) (10.8 p.m.): I move the following amendment—

"On page 3, after line 18, insert the following words:—

'(b) the unintentional having in possession of fish or marine products of any species of a less size than that prescribed in respect of that species or of fish or marine products that are otherwise protected by or under this Act where the person having in possession such fish or marine products has been unable owing to circumstances beyond his control to return them to the water immediately after he first had them in possession and has not in the meantime wilfully subjected them to injury;'."

I have moved that amendment because there is no doubt that irrespective of whether the people concerned in the field of fishing are professionals or amateurs, they could find themselves in circumstances where under the Bill they would be, if not morally guilty, most certainly legally guilty. After a line or net fisherman or a person using some other type of device brings a fish of whatever species it may be into a boat, whether it be for a moment or for a matter of minutes, he has that fish in his possession and there is no doubt that, although it is his intention to return that particular creature to the sea, time does not permit him to do so before he is accosted, shall I say, by an inspector. While I feel that he is morally innocent, he most certainly would be legally guilty. I feel that, without an amendment such as that I have moved, many people would be treated unjustly.

Mr. BURNS (Lytton—Leader of the Opposition) (10.10 p.m.): This is quite a good amendment. I am, however, a bit concerned about some of the procedures. I can recall a case heard in the Magistrates Court in Cleveland not long ago that concerned a sand-crab operator. He had moved along his line of pots and had picked them up and taken them in to his small motor boat. As he was turning about to move off and sort out the crabs, an inspector came alongside and said to him, "You've got Marys and undersized crabs in your dilly."

It takes a little time to get the crabs out. Generally crabbers take up the pots, clear them, and move back down the line setting them again. This fellow was legally in possession of the small crabs and Marys, but in reality he was merely going about his normal business. Quite truthfully, a person in such a position intends to have the crabs in his possession until he is able to sort them out and I suppose that is the way it has to be interpreted. However, fishing inspectors would have to exercise some discretion. It is easy for an inspector to be very difficult. Somehow or other it has to be made clear to inspectors that people have to be given a reasonable period of time to sort out their catch before any action is taken. I suppose there could then be a lot of argument later about how long the crabs have been in the boat. How does a person prove how long he has had them in the boat? That is a difficult matter, but at least it is an answer to some of the problems experienced by sand-crabbers in the bay in the last 12 months.

They say they do not take the crabs out of the pots immediately because they are then struggling. If they are allowed to sit for a while, most of them will try to crawl out or work their way out, except those in a suicide dilly. Those in an ordinary crab pot will settle down and they can then be sorted. Obviously there is need to allow a reasonable amount of time before a person can be charged by an inspector.

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries) (10.12 p.m.): I accept the amendment.

Amendment (Mr. Lamond) agreed to.

Clause 5, as amended, agreed to.

Clause 18—Powers of inspector—

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries) (10.13 p.m.): I move the following amendment:—

"On page 12, line 31, omit the words—

'and, if he considers it necessary, to sign a declaration of the truth of his answers'."

This was in the original Bill and I feel now that it is not necessary. Accordingly, the words are being omitted.

Amendment (Mr. Wharton) agreed to.

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries) (10.14 p.m.): I move the following further amendment:—

"On page 15, insert after line 17 the following subclause—

'(5) A person is not obliged under this Act to answer any question or give any information or evidence tending to criminate him.' "

I feel that this is necessary because it takes away the onus on a person to prove that he is innocent. I feel that a person should not be required to answer any question or give any information, as is the case in all other proceedings.

Amendment (Mr. Wharton) agreed to.

Clause 18, as amended, agreed to.

Clause 20—Offences with respect to inspectors and honorary rangers—

The CHAIRMAN: Order! There are three amendments to be moved to this clause. Is it the wish of the Committee that they be moved together?

Honourable Members: Hear, hear!

Hon. C. A. WHARTON (Burnett—Minister for Aboriginal and Islanders Advancement and Fisheries) (10.15 p.m.): I move the following amendment:—

"On page 16, omit all words comprising lines 1 to 3 both inclusive."

I move the following further amendment:—

"On page 16, omit all words comprising lines 6 to 10 both inclusive."

I move the following further amendment:—

"On page 16, lines 11 and 12, omit the words—

'the proof of which shall lie upon him'."

As with the previous amendments, this takes the onus of proof away from the person involved. I feel that it makes the Bill better from everyone's point of view. It is still practical and still capable of implementation, but at the same time it does take the onus of proof away from the person involved.

Amendments (Mr. Wharton) agreed to.

Clause 20, as amended, agreed to.

Bill reported, with further amendments.

INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT BILL (No. 2)

SECOND READING

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (10.17 p.m.): I move—

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

During the introductory debate this House saw what must have been the most disgraceful performance ever by a Leader of the Opposition. Here we were discussing most important industrial legislation, yet the performance of the Leader of the Opposition resembled the type of rabble-rousing act——

Mr. Burns: Who, me?

Mr. CAMPBELL: Yes, you. This was an act that he might have given at the Roma Street forum when he was an organiser for the E.T.U.

Mr. Burns: I was never an organiser for the E.T.U. That's a fib.

Mr. CAMPBELL: The Leader of the Opposition should read "Hansard".

Empty rhetoric or, in this case, noise—never a substitute for constructive argument—brings this House into disrepute. But when it is compounded by complete disregard of the Chair by a Leader of the Opposition, who is supposed to set an example to his followers, one wonders where it is going to end. It was little satisfaction to members on this side to watch the embarrassment and dismay of honourable members opposite or to compare the contribution of the Leader of the Opposition with that of his deputy who, whilst he did not properly understand the Government's intention, nevertheless did adopt a far more responsible stance.

The Leader of the Opposition spoke on everything from Medibank to indexation, to devaluation, to building societies, to the appointment of Ministers. He canvassed the whole, tired range of "worker-bashing", "the Government is trying to create strikes" and "Police State". Rarely have I heard such arrant nonsense. Consequently, when I checked against my "Hansard" proof to see if there was anything relevant to the Bill to which I could speak today, it was not surprising that I found virtually nothing. So that is the amount of time I intend to devote to the honourable member's exercise in nothingness, except to refer to his comment that the Medibank levy strike was not a political strike and that money was being taken out of the workers' pockets.

The Labor Party is quite hypocritical in its attitude to the Medibank levy. It obviously approved of Mr. Hayden's magical 1.35 per cent tax charge even though it knew that Scotton and Deebles' calculations on which it was based were widely astray. But because Prime Minister Fraser has followed Mr. Hayden's lead, the Medibank levy is suddenly unacceptable to the Labor Party. What Mr. Hayden proposed was quite all right. What Mr. Fraser now implements is no good.

The honourable member for Rockhampton North described my introduction of this Bill as the action of a reluctant maiden. I should like to disabuse his mind. I cannot recall ever having bowled a maiden over. I am overwhelmingly in favour of this legislation. It is entirely consistent with the Government's policy of amending the Industrial Conciliation and Arbitration Act whenever circumstances dictate. And few citizens would deny that the circumstances for firm—not harsh—action exist.

No Government worth its salt could possibly risk the people of North Queensland being deprived of power again or a whole community at Mary Kathleen being ruthlessly denied its right to live and work. If Opposition members believe that unions should be able to cause personal chaos and hardship, let them stand and say so. If they say that unions which enjoy the protection of the court in terms of hours, wages and conditions of work have no obligation to abide by the rules of that court, they are advocating one-way law.

The honourable member for Rockhampton North accused the Government of total misunderstanding of how to handle industrial disputes—implying, of course, that the A.L.P. does. The statement reminded me of one of the specious reasons advanced for the election of the late, but not lamented,

Federal Labor Government. "Industrial disputes will virtually disappear because of our harmonious relations with the union movement", they said. There followed, as we all know, one of the most disgraceful periods in Australia's industrial history.

What went wrong? What would State Labor do that Federal Labor would not or could not do? By the comments of the Opposition in this debate to date—nothing!

So it is not really surprising that only four honourable members opposite spoke during the introductory debate on a measure that they variously describe as "provocative", "backward", "retrograde" and so on. They condemn and offer nothing; they waffle and talk on everything except what they would do. Consequently, one presumes that the citizens of Queensland are entitled to assume that if the A.L.P. ever became the Government in the dim and very distant future, it would not lift a finger to deal with industrial lawlessness.

I stress again that the provisions of this Bill will not be applied indiscriminately. I stress again that they protect responsible unions and unionists from the flow-on effects of actions by the few who believe themselves to be a law unto themselves.

The honourable member for Rockhampton North did make the refreshing admission that many disputes in Queensland, particularly in recent times, have extended far too long. He said also that the trade union movement has to look at what it is doing in prolonged strikes. But the best he could offer as industrial policy was that the Government should get round the table and talk with unionists and union officials.

I venture to suggest that there are some unions and union officials who are not interested in industrial peace, whose sole aim and purpose is to cause division and economic loss. What would the honourable member do about them if he were in Government? Just talk nicely to them?

In last Sunday's edition of the Sydney "Sunday Telegraph" there was a classic example. An article canvassed a book written by a Mrs. Pat Huntley, former journalist and author. The book's title is "Inside Australia's Top Hundred Unions—Are They Wrecking the Country?" The articles contained this interesting segment—

> "The toughest union leaders interviewed were John Halfpenny, controversial boss of the Amalgamated Metal Workers' Union, and Norm Gallagher, Federal Secretary of the Builders Labourers' Federation.
>
> "The AMWU has the worst strike record in Australia, being involved in 30 per cent of all disputes, while representing only 3 per cent of the Australian work force.
>
> "Mr. Halfpenny admitted he was not interested in promoting industrial peace.
>
> "He said: 'There is no common ground between employer and employee. Interests coincide only by accident.
>
> "'We talk to employers, but encourage our delegates to take a bias against them. We don't try to breed a sense of fair-mindedness in our membership'.
>
> "Mr. Gallagher told her he was pleased that his union had played a part in the collapse of Mainline, the building contractor.
>
> "'It couldn't have happened to a nicer pack of buggers', he said."

These are the classic stances of two Communist union leaders. Does the honourable member really believe talking nicely to them will change them?

Despite what I have said, however, I thank the honourable member for his considered and well-researched contribution.

Now I shall pass from the honourable member for Rockhampton North—and certainly over the Leader of the Opposition—and comment briefly on the thoughts of the honourable member for Cairns. There was much in what he said with which I heartily agree. He said employers have powers which they did not use in recent disputes. I concur. He said that when people get into trouble, they want the Government to intervene. Again I concur. He said that if we start bypassing our properly set up Industrial Commission and our conciliation and arbitration laws, we get into a lot of trouble. I could not possibly agree more. I quote him: "We can see that once we bypass the courts, whether they be industrial, criminal or civil courts, we start to get into hot water." I only wish that the honourable member would take those sentiments to the unions and union leaders to whom this legislation is directed.

I might add that one of these days the Trades and Labor Council will refuse to support a dispute and everyone will fall over in amazement. Be that as it may, I agree with the honourable member when he says it is not always a union's fault that there is a strike. I have made that comment repeatedly.

I am a constant advocate of talk—talk between employer and employee, talk between employer and union, talk between employee and union. Communication is so often the key to an on-site dispute that it must be accepted by all sides as natural and normal. It is when unions move in and direct unionists to strike or threaten to ban their product, without consultation or ballot—as in Mary Kathleen—that unionists themselves must ask whose side their officials are on.

As the honourable member said, unionists resent interference in their affairs. How great must their resentment at Mary Kathleen be when an outside union, say the A.R.U. which has no membership actually engaged in mining at Mary Kathleen, interferes with their livelihood and stated wishes. And they cannot express their resentment or make a protest to the Trades and Labor Council

because the Trades and Labor Council itself had interfered by backing a ban on uranium oxide production. So the honourable the member for Cairns, while making good points, must find it difficult to put side by side his advocacy of non-intervention and the practices of the supreme State union body.

Finally, I turn to the speech of the Deputy Leader of the Opposition. He started off regretting that "we hear the same old speeches from the Government side time after time". Unfortunately, he then sought his inspiration in the past, and started with my predecessor four times removed, and quoted extensively what has been said since 1959. While it was an interesting historical exercise, he still did not come up with any solution to today's problems, nor did he suggest what a Labor Government would do.

I should like to comment briefly on an article in Monday's "Courier-Mail". The article listed a few major provisions of the Bill such as stand-downs, removal of tort, deregistration for non-compliance, wider power for the Industrial Commission and secret ballots. Quite ludicrous comment from three union officials, however, was that these new industrial laws would react in their favour—not against them. I am afraid I cannot follow their reasoning. Even Federal unions operating in Queensland now lose immunity from being sued for civil damages under this legislation. As I said at the introductory stage, this is brought about by the activities of a very small minority.

Moreover, as I said in an answer to a question last week, 77 unions of employees are registered in the State Industrial Court. Twenty-three of these have State registration only, and the remainder—54—have some additional form of Federal affiliation. This would appear to throw into relief the claim by the Transport Workers' Union secretary (Mr. Bevis) that about 80 per cent of unions here have Federal registration.

Additionally, I would counsel Queenslanders to look closely at moves to get out from under this legislation by going Federal. In very many instances State awards are considerably better than Federal awards.

Workers would do well to remember that they could get hurt by the overriding desire of irresponsible leaders to place themselves in a position from which they can continue industrial disruption. It could be at their expense.

I have not commented on the contributions of the Government members, which have been quite valuable, but I thank them for their support.

Mr. YEWDALE (Rockhampton North) (10.30 p.m.): I am at a loss in trying to follow the Minister's reasoning. Tonight when he rose to his feet he immediately gave a resume of what the Leader of the Opposition presented to the Assembly at the introductory stage. He said nothing to reinforce his argument about the legislation, but gave us a Cook's tour of what he considered to have happened in this Chamber. Some of his comments were totally unrelated to the Bill and in no way reinforced his argument.

As I indicated at the introductory stage, if the Government wished to reduce industrial disputation it would not have introduced this Bill. Like much of similar preceding legislation, it is unworkable because its implementation will provoke confrontation and disputation.

It is ironical that on the very day that the Queensland media reported the introductory remarks of the Minister and myself both Mr. Street and Mr. Chipp, the Minister's Federal counterparts, advocated caution in relation to any head-on collision with the trade union movement. They suggested that no Government should act in the way that the Queensland Government was acting. They urged that at this time we could well do without confrontation such as that which this legislation will bring about. The narrow gap between the Government and the unions will be widened by this Bill.

Every year since 1971 until the present time the President of the Industrial Court in Queensland is on record as having said, "There have been no prolonged industrial stoppages during the year." That comment can be interpreted in only one way.

The Bill provides among other things for the automatic stand-down of workers who cannot be gainfully employed. In other words, an employer can stand down a worker for an indefinite period when it is considered that the employer is not responsible for the cause of the stand-down. The Minister said that such a cause would be a natural disaster. My point is that these causes are not limited by the Bill.

I would suggest that, when the Industrial Court is called upon to interpret the stand-down provisions, it should not refer to the Minister's statements in this House. What would be the position if, because of a fire in the warehouse of a supplier, materials did not arrive at a factory? It could be said that the fire was beyond the control of the owner of the factory and that therefore he could stand down thousands of his workers. Similarly, what happens when it rains? Does the Bill mean that workers can lose pay as the result of wet weather? After all, an employer has no control over the rain. It is impossible to imagine the number of situations that could arise as the result of inclement weather. There are hundreds of agreements in Queensland and the Commonwealth covering employment in wet weather, but I cannot see anywhere in the Bill any provision that clarifies the situation.

The Bill contains certain provisions that I would regard as necessary ingredients for a dispute. The first is the provision that an

employer may stand down an employee because of the occurrence of anything for which the employer is not responsible.

Another ingredient is the phrase "usefully employed". What does it mean? That phrase is not defined. There are many jobs and tasks in industry, some of which are more useful than others. When does a particular task become useless? Will the Bill allow an employer to send a machinist home because, perhaps as a result of a train derailment, a vital component has not arrived from the supplier? Could the manager decide that if he were to switch an employee to sweeping up or to cleaning duties he would be performing a useless task?

The automatic stand-down provisions apply even if the employer has made an agreement to the contrary or the Industrial Commission has inserted certain specific provisions in an award. Even though the unions, the employer and the court have come to an agreement, the employer is able to override that agreement simply by claiming that a certain task is useless or by presenting some other argument in support of his claim that he cannot gainfully employ his workers.

It is suggested that an employer will be able to stand down a worker for any period from one hour to one month. Thus, a worker could be sent home without a full day's pay and he may never know when the next day's pay is arriving. How many employers could use that course of action? I believe that this is a fourth ingredient for dispute in this Bill.

Some industries already have virtually automatic stand-down provisions. Meat-processing and building industry workers always face the prospect of being without work on a day's notice, or in some cases even an hour's notice. This legislation can only spread this instability and insecurity to every other industry.

I believe that responsible union officials attempt to confine disputes to a particular area. Automatic and sudden stand-downs could involve a complete industry and lead to escalation of disputes. Again, that is a valid point. Something of a minor nature could in a short period develop into a State-wide issue.

The Industrial Commission has powers to order stand-downs under the present law. Naturally, the commission is responsible in its approach to stand-downs. Such orders are given subject to very stringent conditions and qualifications, and are usually for a defined period of time. At this stage I ask leave of the House to have included in "Hansard" a typical Industrial Commission stand-down order.

(Leave granted.)

Mr. Casey: That's better than you did last time.

Mr. YEWDALE: Yes, I agree with the honourable member for Mackay. This order reads—

"(a) No employee shall be deemed to be a casual employee by reason only of being given intermittent work in pursuance of this order.

"(b) Notice of such standing down shall be exhibited in a conspicuous place in the plant or factory concerned or shall be given verbally or in writing to the employees concerned or any of them.

"(c) Service is not to be considered broken merely because employees have been temporarily stood down in accordance with this order.

"(d) In the case of employees stood down pursuant to this order who resume work with the employer not later than seven days after the expiration of the period of this order, service shall be regarded as continuous for the purposes of annual leave, holidays and sick leave as prescribed by the Industrial Conciliation and Arbitration Act 1961–1976 and the relevant award or industrial agreement.

"(e) Employees allowed or required to commence work on any day shall be paid for at least four hours and where they are called upon to attend for duty twice on any one day they shall be paid not less than a full day's pay.

"(f) Any employee stood down pursuant to this order may elect to treat notice of such stand down as being notice of termination of engagement whereupon the employer shall comply with the provisions of the relevant award or industrial agreement as if the employer had substituted notice of termination of engagement for notice of stand down in the case of any employee exercising such right of election.

"(g) Nothing in this order shall be deemed to preclude an employee from terminating his contract of employment by mutual agreement or in accordance with the provisions of the relevant award or industrial agreement during the period of any stand down pursuant to this order.

"(h) Any employee whom the employer proposes to stand down under this order shall be entitled to elect to take any annual leave to which he is then entitled or which is accruing to him, or any part thereof.

"(i) Notwithstanding anything herein contained an employer who has stood down any employee in pursuance of this order shall not be entitled to deduct payment for any day prescribed by the award as a public

holiday, which occurs during the period in which such employee is stood down.

"(j) This order shall not apply to the Commissioner for Railways and his employees covered by the Railway Award—State and the Railway Refreshment Rooms Award—State nor to any employees covered by the Regional Electricity Boards and the Authority of Queensland Salaried Officers Award.

"(k) This order shall operate on and from noon on 28 October 1976 and shall remain in force for a period of one month or until the date on which the order of the State Electricity Commission of Queensland dated 26 October 1976 is revoked, whichever is the earlier,

and the Commission so orders.

"In doing so, the Commission wishes to direct to the attention of the parties to the fact that the exclusion of the employees governed by the Regional Electricity Boards etc. Award coincides with the fact that as reported by Mr. Green, an application was filed by the employers for a stand down provision in that award, and arrangements have been made for that to be heard by the Appropriate Commissioner on Wednesday next at 10 o'clock."

I would like to comment briefly on this type of stand-down order. It—

(1) Protects the permanancy status of workers stood down for the purpose of holidays such an annual leave, public-holiday pay and so on;

(2) Guarantees minimum work per day;

(3) Allows a worker to leave without losing entitlements; and

(4) Requires the stand-down order to be prominently displayed on the premises.

This legislation does nothing of the kind. It virtually gives an employer complete discretion to stand down anyone any way he likes.

Clause 4 refers to civil immunities. I will not go into too much detail, but it would seem to me that civil immunities could be another recipe for industrial unrest. This blanket repeal will allow some employers somewhere in Queensland to use this provision without the possible influence of at least the more responsible Ministers in the Cabinet. A single employer could bring the whole of Queensland's industry, trade and commerce to a halt. All the Minister can say is he is "sorry for the overwhelming majority of responsible unions". All I can say in reply to that is that I am sorry for the backward mentality of the Minister and his Government on this issue.

Any dispute, of course, causes economic harm, and disputes should be kept to a minimum. Disputes are not caused by workers alone. I think it must be agreed that there are often two parties to a dispute. According to the latest available Australian Bureau of Statistics figures, for the six months to June 1976 managerial policy was responsible for 37.1 per cent of days lost through industrial disputes. That illustrates what I am saying about two parties being involved in a dispute.

Mr. Wright: The next figure will probably be more like 60 per cent.

Mr. YEWDALE: I am being very conservative and quoting the figures supplied by the Bureau of Statistics.

Removal of this civil immunity will allow employers to threaten legal action if a strike occurs. This would place an intolerable burden on unions in respect of legitimate claims where an employer refuses to discuss the issue. Allowing an employer the right to sue for damages because of a strike or ban could open the door to the destruction of the present industrial conciliation and arbitration system in the State. The first employer who sues a union will set the stage for a union to sue an employer.

Another interesting aspect is deregistration. Unions of employers can register under the present Act, but the fact of life is that very few of them are registered. Most unions of employers are not registered, yet they are the ones who are always claiming the benefits of the conciliation and arbitration system. These unregistered unions of employers receive the same rights and benefits as a registered union of workers. An unregistered union of employers can file applications and notices of motion in the State commission opposing claims of registered workers' unions. If industrial law compels trade unions to register with the State commission, there is no valid reason why a union of employers should not be compelled to register also. Again I think that is a valid argument. In using that example I believe we find a double set of standards in the law —compelling a union of employees to register while not compelling a union of employers to register.

The Bill allows the Minister to direct the commission to order a secret ballot. In his introductory speech the Minister suggested the absurd possibility of directing a secret ballot on a decision to work to regulations. My interpretation of that statement is that the Minister is suggesting that workers may be breaking the law while they work. He is saying that a secret ballot can be ordered when employees are working to regulations. I do not see how the Minister can promulgate regulations to suggest that a secret ballot should be held so that workers cannot work to regulations. The Government or the Minister should look at that particular aspect.

As I said in my introductory speech, I believe there are problems in the industrial arena in the State and in the Commonwealth. There is something wrong with anyone who wants to argue with that or deny

it. I believe that the employers, the employees and the unions are trying in the late 1970s, if I may use the term, to get together. On the national scene in the past few days we saw a genuine effort by the president of the A.C.T.U. to do something about it. I do not believe that the legislation will solve the problem. Anyone with experience can study previous amendments brought before this Assembly, even in recent times dealing with the law of tort, and realise that there is some validity in the words of the honourable member for Cairns that employers are not prone to invoke certain rights that they have. It would seem to me that, in the interests of harmony and of continuing the work-force in a productive atmosphere, they refrain from invoking those rights.

If I remember correctly, the Minister said that they were looking for a militant minority. The trade union movement functions by a set of rules that are registered in the Industrial Conciliation and Arbitration Commission.

The Act contains many provisions that allow the court to move in and take action for instance on an application by an employer and/or the Government. I believe it is a weakness in the sense that these provisions have not been used in the past. Disputes do not drag on for a long period before the employer, the Government or someone else decides to request a compulsory conference or a commissioner moves in and talks to the people in that area. Inevitably the disputes tend to fall apart after this action is taken. Probably both parties are looking for some area where they can sit down and discuss the differences that caused the actual conflict in the first place.

At a time when the country is in difficult economic circumstances, when we have rising costs and prices and the imposition on the workers of any number of financial burdens for both political and commercial reasons, we should be looking to better ways and means of resolving this problem between the trade union movement and the Government. I repeat that the Government will not achieve this objective by introducing and continuing to introduce legislation of this nature that will gather cobwebs in pigeon-holes.

Mr. PORTER (Toowong) (10.44 p.m.): Since the introduction of this Bill we have had, of course, quite the predictable reaction. We have had "The Courier-Mail" in an editorial having its usual 20c each way. We have had approval from the community in general. From the A.L.P. and from some union leaders we have had wholesale condemnation in the most purple prose imaginable, violent denunciation and, of course, blatant misinformation. The Minister himself exposed one example when it was suggested that the overwhelming majority of trade-unionists were under Federal jurisdiction. In fact, the reverse is the case.

The honourable member for Rockhampton North talks about responsible trade union leaders. Are the men whose statements were published in the Press yesterday responsible trade union leaders? The ebullient Mr. Bevis, of the Transport Workers' Union, said that the legislation would apply only to a minority of unions in Queensland and that it was an insult and a vote of no confidence in the State Industrial Commission. The acting secretary of the Electrical Trades Union, Mr. Vaughan, said that the legislation was another step towards a complete dictatorship in Queensland. That is very responsible stuff, isn't it? Then a Mr. Dunne, of the Australian Railways Union, said that there was no possibility of the Government's bludgeoning workers into submission.

This is a Bill that does no more than ensure that the rank and file will have better control of their affairs than they have had before. Mr. Dunne went on to say, "If the Premier thinks his tactics are going to bring a peaceful industrial atmosphere, he has been badly misinformed by his industrial advisers." In other words, he is saying, "You leave us alone or you will have trouble." One is bound to ask why there is this spurious fury and insensate rage. Why do these men roar like tigers baulked of their prey? The answer is very easy to find. They do these things because the Bill makes it just that much harder for Left-wing sawdust Caesars to maintain the quite extraordinarily privileged positions that they have built up for themselves over the years.

We get, of course, as we now get from the Opposition, the proposition that unions are something special; that they have a place in the scheme of things which puts them beyond any sort of reasonable control; that they should be allowed to conduct their own affairs; and that Governments should not interfere with them. I suggest that when unions act so as to put members of other unions out of work; when they act so as to impose hardship and suffering on the general community; when they move to sweep aside decisions properly made by elected Governments, as is happening now with increasing ferocity and it has been generating in this direction over the years, no Government can stand by meek and acquiescent and let them get away with murder.

If some trade unions or their leaders want to act like an invading army and use scorched-earth tactics into the bargain, treating their fellow citizens as members of a hostile force, they have to be dealt with. They have to be contained. This legislation is simple and moderate and helps to do that containing. The Bill is good for people; it is good for unions; and it is good for productivity. It is bad news only for those wilful and, perhaps in the old-fashioned sense, wicked men who want to manipulate trade unions as instruments of coercion and blackmail.

The great thrust of trade union argument, which is repeated monotonously by the Opposition and Left-wing leaders, is that trade unions do a superb job in bringing benefits to workers; that, indeed, without their activities workers would never get any benefits. All the benefits are gained by militant union efforts and, because they achieve these results, they are in a special category. They are sacrosanct; they should not be touched. They should be above the law, above the Government, and beyond the reach of any of the restraints that apply to every other person and organisation in society.

The honourable member for Rockhampton North made much of this when talking about the provisions that remove the previous immunity against actions for tort. I want to say that the provisions in the Bill are entirely proper and the arguments against them are quite unacceptable. Indeed, not only the arguments but the contentions on which they are based are not tenable. I said at the introductory stage of the Bill that quite a number of studies done in this and other countries demonstrate that union efforts do not get for workers a greater share of the gross national product.

So that members will know that I am not making up any empty arguments in this regard—they can go to the sources themselves and check them—I would refer them to the standard book on this subject, which is "The Structure of the Australian Economy" by Karmel and Brunt. I refer them to the chapter on "Income Distribution". Cheek of the Australian National University has produced a very good work on "Profit Margins and Wage Shares in Australian Manufactures 1945-55" and there is a very good book by V. L. Allen on "Militant Trade Unionism".

The general weight of the arguments contained in these and other works is that trade-unionism has not succeeded in changing appreciably over 50 years the wage share of the gross national product. There are a number of statistical tables provided in these various works which bear this out. In fact, there are only two ways to obtain any sort of gain in living standards for trade-unionists. One, and a safe one, is general technological advances, which raise over-all standards, and the other one, of course, is a redistribution of incomes, which means an encroachment on profits.

Mr. DEPUTY SPEAKER (Mr. W. D. Hewitt): Order! The honourable member is moving away from the subject-matter of the second-reading debate.

Mr. PORTER: I accept your ruling, Mr. Deputy Speaker. I was endeavouring to postulate that the proposals in the Bill are essential because the proposition that unions should not be touched or restricted or inhibited or controlled in the various ways suggested in the Bill is not a valid argument, and I am therefore putting up these instances to show that that argument is, indeed, an invalid one.

The only point I wanted to make is that it can be proved conclusively, and statistically, that militant trade-unionism does not markedly improve the workers' share of the gross national product. This is tied in with increased productivity, and increased productivity must tend to be illusory, so that there is no reason at all why any Government—this Government or any other—should see the trade union movement as some sort of holy of holies which must not even be talked about in any rough or crude way, let alone restricted, controlled or directed in the community good. The same thing applies throughout the world. In Sweden, where arrangements between unions and the Government were such that unions simply did not strike—were not allowed to strike—their share of the G.N.P. kept pace with the increase in productivity, just as it did in Australia where there has been militant unionism.

The plain fact is that much of the virtues that are ascribed to the trade union effort are so much myth which is carefully guarded, sedulously fostered and very fiercely defended, but it is myth all the same, so in the interests of the over-all community and trade-unionists (who are also members of the community) in particular, this Bill is necessary and desirable and achieves a very useful end indeed. I am surprised that it should be attacked by anybody, least of all by members of the Opposition, and they would do well politically to reconsider their position and recognise that the Government is doing the best thing for the people from whom they expect to draw their political strength.

Mr. JONES (Cairns) (10.54 p.m.): I think the predictable reaction to the predictable prose from the honourable member for Toowong is that it is not easy to find within these provisions before us tonight that this Bill does give autonomy to the rank and file. I find it very difficult indeed to read that into the Bill. If this legislation were designed to prevent strikes or to resolve disputes, it would be welcomed by the public, management and the unions, but in this regard it is a disappointment. It is not designed to resolve strikes, and it will fail in this regard.

The Bill appears to deal with the subject-matters of industrial disputation, post-strike stand-downs, orders by a commissioner, show-cause clauses and deregistration. The answer to strike prevention lies in action in the pre-deadlock period—before the stalemate arises—not in the post-deadlock period. Arbitration commissions and courts come into their own after deadlock. They have the power and authority to act and should always be free from Government intervention or undue influence or pressure from any quarter.

The unions manage to conduct their own affairs quite well without interference. Like other institutions in our democratic society and system, they are not perfect—we all know that—but sometimes they gain strength from their imperfections. On rare occasions they may act irresponsibly; but so do other democratic institutions. Machinery is provided in the Act to contain those acts of irresponsibility, and the Minister has admitted that. They are there, but they are not always taken advantage of by employers, unions, unionists, employees and others.

The Minister admits that we cannot legislate for harmony in industrial situations or industrial relations in this State. Industrial relations and industrial harmony are developed, in my opinion, by mutual trust on the part of both management and unions —management and labour—and mainly through the industrial tribunals. The good will of the Government should also be included.

I believe that "co-operation" is the key word, and personally the Minister honestly endeavours to engender that spirit within the realms of his portfolio. I say to him that it is pleasing that in this respect we have found common ground during the course of the debate. Lamentably, other forces working at Government level seek to aggravate and destroy the spirit of co-operation. The honourable member for Toowong said in his argument that unions should be interfered with and controlled, and the provisions of this Bill are designed to do just that. As I understood it, that was the argument that he espoused. I believe that he was on the committee that made these recommendations.

The Minister mentioned that the Queensland Industrial Commission's jurisdiction is limited to State-registered unions, and I do not know whether he said that in frustration, hope, or rebuttal. However, I trust that the measure will help to improve industrial relations. If the Minister puts forward these recommendations sincerely, the Opposition is prepared to support his efforts. However, I have grave doubts as to their effect in the workaday world of reality and shop-floor practice.

Union politics are not always at the extreme level, as some members of this Assembly would have the public believe. The extremes sometimes apparent are not reflected at the shop-floor level. If procedure for the conduct of secret ballots can be strengthened, whether in a strike situation or not, it will be welcomed and applauded by the men on the job. Unfortunately, a ballot situation does not always arise when disputes occur. On most occasions the dispute arises spontaneously and is aggravated by many factors. Misunderstanding probably has put men off the shop floor many more times than militancy or just plain perversity. As I said, on most occasions stoppages are spontaneous, without any opportunity for a ballot to be taken. Action is taken as a result of a consensus of the men directly involved at that point.

It is at this stage that we should be endeavouring to resolve industrial disputation —at the first glow of the dispute before it spreads into a raging bush-fire. At this stage it is not always the intention to go out on strike. It is not devious, but it is a fact of industrial life that they do walk off the job at this point. If a dispute is given an immediate hearing at this point, the action will not be fail-safe but it will be an improvement, and many strikes, plus the complications arising from men being off the job, will thus be avoided. Conciliation at this point goes a long way towards preventing a strike. Surely that is what the game is all about. That is what industrial relations are all about.

I believe we should have roving commissioners—call them what you will—who could go into an area as trouble-shooters and talk to the men on the job. Let them conciliate and arbitrate at that point with management and labour. I do not believe that penalties of stand-downs, suspensions and fines will resolve industrial issues. They will not change the minds of the men if they decide to go out on strike. The ordinary man on the shop floor has got to be involved. He wants to participate and have a say in his own destiny. We wants his right of audience at that level to be honoured. Whether it is on the shop floor, at management or board level, or in the Industrial Commissioner's deliberations, I believe that the crux of all consideration of industrial disputation is looking at the events that led up to the dispute, not at deregistration, standing down people and all the other penalties contained in the Bill after the strike has occurred and the bush-fire has raged through and everybody is black, burnt and hurt. What is needed is early consideration of the industrial dispute where it arises on the shop floor. If the Minister wants to prevent disputes, that is the place to start.

Mr. HOUSTON (Bulimba) (11.3 p.m.): My coming into this debate was brought about by the Minister's attack on the Opposition in his opening remarks. Considering that we are talking about a conciliation Bill, it was quite remarkable.

Mr. Katter: Go on; you were going to speak all the time.

Mr. HOUSTON: That's all right for the honourable member. He was listed to speak next, but apparently he blew out of it. He is like quite a few others in the House. The only time he can make a speech is when he wants to criticise somebody else. He has hardly an original thought in his head.

The point is that we are debating a Bill to amend the Industrial Conciliation and Arbitration Act. The Minister commenced by throwing his arms around, yelling and accusing Opposition members of not knowing

what they were talking about, and generally saying that we talked a lot of rubbish. At the introductory stage the Minister showed quite clearly that he really did not understand what the Bill was all about. He failed to explain many things in the Bill. Many facets of the Bill were not referred to in his introductory speech. Instead of the Minister criticising the Opposition, the Opposition should be criticising him.

I traced the history of the legislation since 1957. Year after year we have heard this Government telling us that it was going to overcome industrial problems. It has gone to all sorts of lengths to amend the legislation. Previous Ministers including the present Minister in charge of this portfolio amended the legislation. Only one former Minister did not do so. The other three came in year after year and amended the legislation, each time telling us that by doing so the Government was going to overcome industrial problems. On every occasion the Government failed. In fact, it has aggravated the problems. If the problems had been solved, as the Government claimed they would be, why is it that industrial trouble still arises? Why are there the same troubles today as there were 10 or 15 years ago?

Mr. Katter: Because your A.L.P. leaders and union leaders are involved in class warfare.

Mr. HOUSTON: Now the reluctant speaker is trying to make a speech by way of interjection. I think he should quietly get on his camel and ride away.

Mr. Porter: Why don't you answer him?

Mr. HOUSTON: Because his comment was totally untrue, just as some of those made by the honourable member are untrue.

The honourable member for Toowong claimed that without unions the workers would be as well off as they are now. Let him name one employer who has gone to union members saying, "Well, fellows, you have done such a good job that I will increase your wages by so much a week." Even a Labor Government of this State fell because it would not give employees three weeks' annual leave. Every increase in wages and every improvement in conditions has been won as the result of industrial action taken by the workers through their trade unions.

Mr. Jones: And Governments go into court and oppose wage increases.

Mr. HOUSTON: That is quite right. In fact, the Bill allows the Minister to go into court whenever he thinks it is in the public interest to do so. Fancy using that phrase—"in the public interest".

Mr. Akers: I thought you were supposed to know something about industrial matters.

Mr. HOUSTON: I have forgotten more than the honourable member ever knew about them.

As I was saying, I would like to hear of one occasion when the workers got anywhere at all without the trade union movement.

Mr. Porter: Why not try it for a change and see what happens?

Mr. HOUSTON: It has been tried.

Mr. Porter: When?

Mr. HOUSTON: Over the years. For example, the fire fighters were not in a union and they tried to form themselves into a union, but the Government would not allow them to do so.

Mr. Gunn: They were in the A.W.U.

Mr. HOUSTON: They wanted to leave that union and form their own union.

Mr. DEPUTY SPEAKER (Mr. W. D. Hewitt): Order! The honourable member is straying from the Bill.

Mr. HOUSTON: I was asked to give an example of when the workers tried to get anywhere without being in a union and I am saying that the fire fighters tried to work outside a recognised union and the Government introduced a Bill condemning them and tried to prevent them from getting before the Industrial Court. That is what the Government did.

Mr. Lamont: Are they now represented?

Mr. HOUSTON: They are now in a registered union. They achieved this by financing their unregistered union and getting before the Industrial Court.

The Government believes that no-one who is prepared to accept the benefits obtained by the trade unions should be required to contribute towards the cost of obtaining those benefits. The Government stands condemned for that attitude. Every worker who is prepared to accept benefits obtained through the efforts of others should be prepared to cover the cost involved.

As I said before, we are getting sick and tired of the same old yap from the Minister and the supporters of the Government. Only recently the Government removed certain penalty clauses. The Minister on that occasion said, "We are removing the penalty clauses because they do not work. They are useless things and they are only causing worry. They cannot be applied." This Bill, however, reintroduces them.

In 1974 the Government brought in an amendment by way of section 72A, which provided for the suspension by Order in Council of sections 70, 71 and 72 for any period not exceeding three months. The present law allows sections 70, 71 and 72 to be suspended for a period of up to three

months. In his introduction and his second-reading speech, the Minister did not on one occasion give an example of whether or not that section has been applied and, if it has been, how long it was applied for. I venture to say that, although section 72A was put in there with the idea of allowing the suspensions of sections 70, 71 and 72, it has not been applied.

Mr. Porter: Why wasn't it?

Mr. HOUSTON: I don't know why it was not applied. That is up to the court. The law allowed it. The Government's own amendment allowed the courts to do it.

Mr. Porter: The fear of union reprisal stops them.

Mr. HOUSTON: If they were fearful because of that, won't they be more fearful if they are removed completely? What the Government has done in this legislation is to remove the sections completely. The Government is not only removing the prohibition on action for tort; it is also removing other things. I hope that Government members know what they are doing. They are also removing section 71, the side heading of which is "Trade union not criminal nor unlawful." If we remove that, are we to take it that in the Government's view a trade union is criminal and unlawful? That is the section the Government is removing.

Mr. Porter: It could be.

Mr. HOUSTON: A union can be criminal and unlawful? Is that what the honourable member is saying? He is the man who framed the legislation, and that is what he is telling us. He is going to remove that protection not only from the union that he wants to get at, but also from every other union. Because that section is being removed, they can all be declared criminal and unlawful.

It is a clause that has existed in this legislation for many, many years. In fact, the old Trade Union Act had it as section 31. This is a provision that the Government is removing for no other reason than that it had in its legislation the power to suspend and it was not put into effect.

The side heading of section 72 (1) is "Restriction of civil remedies against individuals." The Government wants to get rid of that one, too. The side heading for section 72 (2) is "Removal of liability for interfering with another person's business, etc." These things sound pretty easy when they are just looked at on the surface.

Mr. Porter: They sound reasonable for human rights.

Mr. HOUSTON: They sound reasonable to the honourable member, but they have stood the test of time. They have been through the old Trade Union Act. They existed through the years of various Governments. The point is that, even with the old Tory Governments of the past, never before have we had such a Right-wing, conservative leadership as we have in the present Government. I am surprised that the Minister allowed himself to be talked into this provision in the legislation. I am quite disappointed that he saw fit to be the man who will have his name permanently attached to this legislation. He will be remembered as the man who removed what I believe are vital clauses in the legislation.

Mr. Porter: He will go down in history as enlightened.

Mr. HOUSTON: He will go down in history, but I am afraid he will not be known in history as "good" Fred Campbell. I am sure there will be a different adjective.

However, we will see how good the employers are. A very simple case is coming up. In fact, it is with us already. Over the next few months we will see how generous employers are—that is, if the Federal Government does not change its mind again over the next few days. Under the conditions as late as an hour or so ago, the Federal Government now has a devaluation of about 15.2 per cent, which according to all the experts will mean a bonanza for our mineral exporters.

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

Mr. HOUSTON: It has a lot to do with it. If the honourable member waits for a moment, I will tell him publicly what it is all about. It means that without increased sales, without any extra work by the management, and without any effort at all, coal suppliers, such as Utah, will increase their profits immensely because as a result of the 15.2 per cent devaluation they will receive more not just on their profit as is but over the whole of their commodity sales. I wonder how much of this will go to the shareholders and how much will go to the workers.

Mr. DEPUTY SPEAKER (Mr. W. D. Hewitt): Order! If the honourable member can relate those comments to the Bill, I wish he would hurry up and so so.

Mr. HOUSTON: I am relating them to the Bill. We are taking away the right to strike. The Government is removing the tort provisions and doing all of these things. If the unions know that the employers (Utah and the like), without doing anything, are to get this money simply because of the devaluation by the Federal Government, which will increase the prices of our local goods and increase inflation (and that has not been denied), the trade unionists in those fields (and I know the particular trade unions) will have the two things together—on the one hand, increased profits for the companies and, on the other, increased costs for them, and they would be right in asking for or demanding an increased share of the profits that Utah and other companies are going to get.

Mr. DEPUTY SPEAKER: Order! I can see no relevance to the Bill in those comments. I ask the honourable member to come back to the principles of the Bill.

Mr. HOUSTON: The relevance is whether the employers will give the money without the unions having to ask for it or if the unions ask for it and do not get it, whether the unionists will be justified in going on strike. That is the point. If you do not see any relevance in what I am saying, Mr. Deputy Speaker, I apologise for pursuing the point when you have a lack of knowledge of the subject.

Let me now have a look at another feature of the Bill. An industrial union will have to show cause why it should not be deregistered. Questions have been asked in this Chamber from time to time about the deregistration of unions. This Minister has said, "That information is not readily available." So much information concerning industrial problems and disputes is not available that I wonder at times how the Bill originated. As I said at the outset, we believe that it originated from the attitudes of certain people on the Government benches.

We know that the Government has decided to give the Minister direct power to intervene. The Act already provides the power to ask the commission to intervene if the Government believes there is industrial trouble. It does not have to wait until there is industrial trouble in fact; if industrial trouble is apparent the Minister may ask the commission to intervene. In addition, the industrial commissioners can intervene in their own right. There have been no examples of great problems in this field. There have been industrial disputes and the commission has come in. We find that we have these differences of opinion between the two. But at any time the Minister could have intervened in that sense.

Apparently that is not enough. He wants to go further. He wants to go into the court, as he says, in the public interest. I suggest that those words are a camouflage to allow the Minister of the day to go in at any time he sees fit. I agree completely with my two colleagues the honourable members for Cairns and Rockhampton North that this legislation will be no more successful than previous legislation and that it will make it harder to reach industrial settlement.

The best thing that can happen in this State is for Government members to get to know trade-unionists and trade union leaders, and it would not do them any harm to have to work in industries where it is necessary to have strong unions, because there are strong forces against the workers.

Mr. KATTER (Flinders) (11.19 p.m.): The concluding remarks of the previous speaker were to the effect that it would do Government members a great deal of good to speak to workers and to move around among trade-unionists. I suspect that the last thing in the world that the Deputy Leader of the Opposition would like would be for us to have communication with the workers because that would annihilate the last vestige of support that exists for his party in this State.

The right to strike has never at any stage been in question. On many occasions I have said that I would never agree with any move to water down the right to strike on a valid issue.

Mr. Houston: Do you know of any strike in the last two years that you approved of?

Mr. KATTER: Yes, most certainly.

Mr. Houston: Which one?

Mr. KATTER: A dozen of them.

Mr. Houston: Name them.

Mr. KATTER: I will name the three railway strikes in my area in the last three years. Not only did I approve of them; in one of them I was public relations officer. Would the honourable member like me to give the names of the people involved?

Mr. Houston: No.

Mr. KATTER: I was glad the honourable member made his interjection. Now he has my answer.

If we start talking about industrial arguments and getting determinations in our favour, we are talking about arbitration. But those who want to play in that ball game have to abide by its rules. It is no use running on for a football match and then throwing punches. Anyone who does that cannot complain if he is given an early shower—as I thought would happen to another speaker in this debate tonight.

In the first place, the Bill gives the Industrial Commission power to make an order in respect of a strike, on the one hand, and, on the other, in respect of a lock-out by management. If the commission makes a decision, the parties must abide by it. It is no use playing by a set of rules and not being prepared to take the consequences if one loses. It is no use behaving like a naughty boy who, if he loses, takes his marbles and leaves. Those who play in the Industrial Commission game have to abide by its rules.

I do not think anyone could dispute that if a person is not prepared to abide by the rules, he does not deserve the protection of Industrial Commission rulings on other matters. In other words, that means deregistration. That is all that we are talking about and it follows a very logical sequence.

I now move to the last part of the Bill. I skip the stand-down clauses because we could argue on them all night.

Many speakers seem to be worried about removal of protection against actions for tort. The honourable member for Rockhampton North seemed to be worried about it and I must admit that when I first saw

the Bill I, too, was worried about it. However, when one gives more consideration to the matter, one realises that in a court of law there is no way under the British system of justice that any man can be compelled to work. If he wants to sit down and not work, that is his privilege and there is nothing that anyone can do legally to punish him for it.

There are, however, cases in which some unions resort to what are virtually blackmail tactics. There have been many such actions by the Transport Workers' Union. A person who does not have a union ticket because he owns a farm or his own truck does not receive any benefits of union membership or Industrial Commission determinations, yet he is compelled by the union to buy a ticket. That is tantamount to blackmail. If he does not buy a ticket, he is blackmailed and certain actions are taken against him. He is blackballed.

It is only in such cases that I can see the provision removing protection from action for tort being applicable. A case in point in my area is the dispute involving storemen and packers. For those who are not familiar with what is going on, I may say that the wool bales that are the subject of the dispute are never lifted. It is not a matter of lifting weight; it is a matter of rolling the bales and using trolley carts. Bales have been handled in this way ever since the last century. Suddenly they are supposed to be too heavy, which, of course, they are not.

The result of making the bales lighter is that the average grazier in Queensland has to pay an extra $500 to $1,000 every year to foreign-owned stock agency companies and the Queensland Government Railways. This is not a very happy solution to the problem. Naturally enough, people who are hard-pressed are not particularly happy about having to pay an extra $500 to $1,000. What can we do about this? As far as I can see, there is no way we can utilise the tort action. The Industrial Commission has made a ruling, but I very much doubt whether what we are doing here is going to give it the backbone to enable it to implement a deregistration order, and yet that is a classic case where it should be implemented.

Mr. Miller: Are you aware that the Transport Workers' Union is a Federal union and will not come under this Act at all?

Mr. KATTER: I have used that as an example. I am not discussing which unions operate under which awards or anything of that nature; I am using that to illustrate the effectiveness of this particular Bill.

Mr. Houston: What unions are affecting it?

Mr. KATTER: That is a silly question and I am not going to answer it. It either means the honourable member is silly or he has no idea what we are talking about. As far as strikes are concerned, we have been criticised for acting——

Mr. Houston interjected.

Mr. KATTER: It is reaching a stage where something simply has to be done. A total of 3,000 workers in North Queensland lost their jobs because of one wild-cat strike which could not in any circumstances be justified, and that is the Collinsville dispute. Let me tell honourable members why it cannot be justified. Those involved in the dispute are asking for an isolation allowance in a town that is only 60 miles from a relatively big northern town, Bowen. What about the people of Hughenden? Every single employee in the town of Hughenden must surely attempt to get some sort of isolation allowance. What about the township of Greenvale, 120 miles from the nearest town? What sort of isolation allowance can the workers there demand? Yet this ridiculous and unreasonable demand put 3,000 North Queenslanders out of work. There simply must be some protection for these people who every single week have to make repayments on their refrigerators, washing machines, cars and houses. If they are off work for a week, they have no way of meeting those payments. So we have to do something about the strike problem, and in a case like the Collinsville strike we must be given some sort of legislative ability to be able to do it.

On strike figures, we now rank, as the Minister said, third in the world, and that is not a very healthy state of affairs. We have one of the highest inflation rates in the world. I think at the end of last year we were again third in the world. It must be remembered that this was in spite of the fact that petrol prices, which caused inflation throughout the world, were not allowed to rise in Australia because we have a fixed price at the well-head. This was also in spite of the fact that probably the biggest item in the Consumer Price Index is beef, and the price of beef to the Australian consumer actually dropped by half in the same period. So with two of the major commodities in the Consumer Price Index —petrol and beef—one held steady and the other actually dropped by half, and in spite of that we were able to achieve the third highest inflation rate of any country in the world. The problem is wage push, and there is no-one in Australia, including unionists themselves, who would deny it and that some sort of damper has to be put on it.

Whilst we have with this legislation turned entirely upon trying to restrain some of the excesses of union extremism in the State, I strongly recommend that the Minister look at some form of worker involvement in the future. That gets down to the grass roots of the problem, giving the worker on the shop-floor level some sort of involvement with the decisions that govern his life. I commend the Bill to the House. The Minister and his Committee have done an excellent job in drafting it.

Mr. LAMONT (South Brisbane) (11.29 p.m.): I intend to be brief, but I could not possibly let the remarks of the Deputy Leader of the Opposition pass without putting some sort of reply on the record. We saw a brief, vainglorious attempt once again to paint this legislation as something that is going to cause a great rift in the community but it is, as we know, anything but that.

This legislation is not the result of some committee that the Opposition seems to think wants to attack unions; it is legislation coming from a most responsible Minister who has a deep understanding of the union movement, and it is something that was approved and accepted by his Committee as well—people who daily work and mix with unionists. I remind the Deputy Leader of the Opposition that I represent more trade-unionists than he does—and I would go so far as to say represent them better.

Mr. Houston interjected.

Mr. LAMONT: That is not just my opinion; it is the opinion given to me by trade-unionists in my electorate.

The Bill is a tidying-up exercise. It is a Bill tailored to meet the changing needs of a changing society. For the honourable member for Bulimba to go back in history to Bills introduced by gentlemen such as Ken Morris and to state that that is what happened then and that the Act should not have been amended and oppose any amendment of industrial legislation suggests to me that he believes that legislation which was suitable for a community in 1960 is suitable for a community in 1976. That, of course, is the type of sheer nonsense that one expects from a party that lives in the past and is led by men of the past. That is a simple fact of life.

Mr. Houston interjected.

Mr. LAMONT: The honourable gentlemen who interjects was rejected by a greater number of Opposition members than recently put him back into the deputy leadership. When he was leader, he was controlled by the puppet strings of the president of the Labor Party, who now sits in the House and is controlled by other presidents outside Parliament.

As I said, the legislation is a simple tidying-up exercise. It makes a few changes to the legislation that was introduced 12 months ago, which in fact I supported entirely and which I believe has been proven to be effective. That is shown by statistics, which indicate that only one-third of the number of work days lost in this State last year have been lost this year. That is the result of the Minister's action in introducing the earlier legislation.

As opposed to the simple fact that the Bill has been introduced to make the Act more relevant to today's needs, we have the Deputy Leader of the Opposition standing up in this Chamber and trying to represent it as "taking away the right to strike". Ye gods and little fishes! Could anyone possibly believe that this Parliament, this Minister or this Government would try to legislate to take away the right to strike? What a falsehood! And what frightens me most is that that argument comes from the man who aspires to be Deputy Premier of this State. He represents this simple legislation to his supporters in that way in the hope that he can arouse them to the point of non-co-operation. That is his contribution to the community. If that is the best contribution he can make, I ask: would anyone want him to be Deputy Premier?

The additional industrial unrest, the fanning of the flames in the community, that the Deputy Leader of the Opposition is endeavouring to achieve is something which ought to condemn him in the eyes of the electorate, and I predict that it will. He even tried to suggest that, by some stretch of the imagination, the legislation would increase inflation, when a Government of the same political colour as the Opposition in this Chamber contributed more to inflation than any Government that Australia has seen since the 1920s.

The two points relevant to the Bill that the honourable gentleman did make—and I stress "relevant" because it was something that he was very loath to be—were a reference to the removal of the protections of sections 71 and 72 and his attack on what he called the Government's rejection of the amendment made last year in section 72A and his reference to deregistration.

As I said at the introductory stage, I wish to make my attitude quite clear. I intend to support the Minister's recommendation on the removal of that protection not because I believe it is a progressive step but because I do not believe that it will make much difference. On the question of tort—we are removing the protection that unions have had in this State from court actions through torts. I am sure you are aware, Mr. Deputy Speaker, that the fact that individuals can now sue a union in civil courts will really mean very little. That situation already obtains in other States, and we have seen instances in which people have taken unions to court. In one State a Premier had to pay a due as a result of such a court action. In another State a judgment was found, but nothing happened from it. I would predict that if anyone takes advantage of the removal of this section from the Act in this State he may well get a judgment, but no-one is going to collect against a union. The Deputy Leader of the Opposition and his colleagues know this well. They know it is not going to happen. Because I know it is not going to happen and they know it is not going to happen I will support the amendment the Minister puts forward, not because I think it is a brilliant step forward but because I reluctantly believe that some extreme

unionists have forced us to the stage where we just are not in the position where we ought to bother to give the protection. I know also that it is quite ineffectual, and nobody is going to cash in on it anyway. In the long run good industrial relations will rely on good human relations, and that is what in fact it all amounts to.

On the question of deregistration, which is the only other point that the Deputy Leader of the Opposition came anywhere near to being relevant about, we have had a situation under the legislation where the employer had to bring certain facts to the notice of the commission before a commissioner could in fact take cognisance of the position and then look at the possibility of deregistration. In a passive sense that was discriminatory. Any employer who did take that step would no doubt find himself discriminated against by unions. So all we are saying is that under the amendment proposed by the Minister a commissioner, without having to wait for an outsider to single himself out and bear the onus, can say, "I am going to take cognisance of the situation and look at deregistration as a possibility without having to wait for somebody else to come to me and single himself out for possible union discrimination." I think that is a very sensible sort of amendment.

We have heard a little bit from other Opposition speakers about the stand-down clause. Quite obviously that amendment means that one group of unionists who want to go on strike have to start to have some regard for the welfare, fortunes and future of other unionists in other unions employed in the same business. That is very good, too. Why shouldn't unionists have some regard for their fellow workers in other situations, and have that kind of responsibility not just to the community but to their fellow workers? I should imagine that responsible unionists, being reminded of that responsibility, and the fact that their friends can be stood down as the result of their action, will indeed think twice before they resort to extremist action. It is quite obvious that we cannot ask employers to keep people employed when there is no profit in so doing. We are bringing home to the unionists, as most unionists already realise, that profitability equals employability, and their actions as employees reflect very much on the ability of the employer to offer employment. There is nothing wrong with that, either.

As I said at the introductory stage, I believe that membership of a trade union is a social obligation. I believe that workers should belong to a union because it is a way of contributing significantly to their community. I believe that they should have that responsible attitude. They must have a responsibility not just to their union, not just to their union leadership and not just to those particular causes that identify with unionism but a wider responsibility to the general community. That is all this Bill does. It simply reminds unionists that they do have that wider responsibility. It creates the atmosphere for individual union members to take the ball in their own hands and ensure that they have the sort of union they want.

I do honestly not believe that members of the Opposition are opposed to that principle. I think that deep down they are basically responsible people who would like to see the community working well, but perhaps under a different social philosophy from that which we hold. Nevertheless I believe that they probably consider that unions should be responsible. It is pathetic to watch men like the former Leader of the Opposition and new Deputy Leader of the Opposition trying to wear two caps, and endeavouring to paint this legislation as something that honourable members opposite can go to the Trades Hall about and say, "There is the Minister, a man you once trusted. He can't be trusted any more." What a lot of hog-wash!

I am taking up these five or six minutes to point out that Opposition members have done nothing to prove the extreme charges they have laid against this legislation. Deep down they know that not one clause in the Bill will harm the trade union movement or the individual unionists. Rather will the Bill strengthen the ability of the individual unionists to set their own house in order at their will when they want to. That is what Opposition members do not like.

This is responsible legislation, but Opposition members are loath to admit that this Government and this Minister can introduce responsible legislation dealing with industrial relations. They like to think that theirs is the only party that has any standing with the trade union movement. The results at the last election, however, proved them to be wrong. There are more members on this side of the House representing trade-unionists than there are on their side of the House. And it will be so after the next election, because the trade-unionists know that this Government, this Minister and those members on this side of the House do have an understanding of the need for the individual unionist to have the ability to look after his own union. That is all this legislation does, and that is what has members of the Opposition screaming tonight.

I commend the Minister for his continued efforts—successful efforts, I would add—to ensure that trade-unionism stays in the right hands, in the hands of the individual unionists.

Mr. ELLIOTT (Cunningham) (11.42 p.m.): As a member of the Minister's committee, I have a great deal of pleasure in rising to support the Bill. The present industrial climate has more or less forced the Government to bring in this legislation. An opinion poll conducted recently by the

Australian National University revealed that 60 per cent of trade union members thought that unions had too much power. In the light of findings such as that, the Government has a responsibility to ensure that the Left-wing-dominated union leaders—not the rank and file, who are, in the main, responsible people—are not able to use industrial situations for political gain.

Mr. Houston interjected.

Mr. DEPUTY SPEAKER (Mr. W. D. Hewitt): Order! The Deputy Leader of the Opposition will contain himself.

Mr. ELLIOTT: Union leaders use such situations only for their own political gain. However, this legislation should not be used as a big stick with which to belt people over the head, unless the Government is pushed right into a corner. I go on record as saying that I believe conciliation and sensible discussion between employer and employee to be the best means of providing a solution to industrial problems.

Last year an amendment was introduced inserting a new section 98, which provided for legal strikes. Previously, while an illegal strike was in progress it was impossible for employers to negotiate before the court with employees or to have the court arbitrate on it. That was a farcical situation. I believe that this legislation, following the previous amendment, will give us far more flexibility. If it comes to a point and we have seen that unfortunately the employers have not been game to take action——

Mr. Houston: Do you think they will now?

Mr. ELLIOTT: If they are not game and if it is in the public interest, the Minister will now be able to take the part of what is termed the public interest. I believe that that is necessary. Unfortunately, it is due to the Left-wing influence of such people as the Carmichaels and the Halfpennys, who have pushed the mainstream of Australian society to the point where they believe that we as a Government should be acting in this way. As I said before, I do not go along with belting people over the heads with big sticks; I do not believe that that is the best course of action. However, if we are pushed right into a corner, obviously we will have to use it.

It gives me a great deal of pleasure with those few words to support the Bill.

Hon. F. A. CAMPBELL (Aspley—Minister for Industrial Development, Labour Relations and Consumer Affairs) (11.47), in reply: Members of the Opposition certainly put up a lot of dolls tonight to be knocked down. The first one was that the Government does not want to reduce disputation. What a lot of rot! The honourable member for Rockhampton North drew upon a comment by my Federal colleague, Mr. Street, as much as to say that Mr. Street does not want confrontation but the Queensland Minister does. I simply say this to the honourable member for Rockhampton North: if Mr. Street does not want confrontation, why is the Federal Government amending the Trade Practices Act to make it applicable to trade unions?

We certainly do our utmost, through my department and our industrial advisory committee, to achieve a reduction in disputation. I presume that honourable members opposite acknowledge that over 90 per cent of industrial disputes never see the light of day. As the honourable member for Cairns said, they should be settled on the shop floor. That is where they are settled. Only a relatively few surface, with rather grievous results. The honourable member referred to the statement about stand-downs I made at the introduction of this Bill. What I said was by way of analogy. The onus is on the employer to show that his stand-down is justified, because the employee stood down has the right of appeal.

I repeat that the Opposition has been putting up dolls to be knocked down. Reference was made to orders for stand-downs by the Industrial Commission. A stand-down of less than three months would not affect an employee's right of accrual of annual leave. If an industrial magistrate ordered the employee to be re-engaged and awarded payment for the period stood down, the employee's total entitlement would not be affected.

The honourable member for Rockhampton North referred to employers taking advantage of stand-downs. He quoted Mr. Street. I am going to quote the president of the Confederation of Industry (Mr. Arthur Willis), who was reported a couple of days ago as saying that the employers will only use their power to stand down with discretion and will not attempt to use it unjustifiably. I am at a loss to understand why the Opposition believes that employers will suddenly take unfair advantage of their employees.

Mr. Yewdale: They are all lily-whites.

Mr. CAMPBELL: I am not saying that they are all lily-whites; I am saying that the great majority of employers in this State want industrial harmony. The honourable member would know that many awards contain stand-down provisions of which employers do not take advantage. I will not deal with the many other matters to which the honourable member referred.

I appreciate the comments of the honourable member for Toowong. He gave general approval to the legislation. He said it would give the rank-and-file unionists greater control and is good for unions, for people and for productivity.

Again, the honourable member for Cairns approached this legislation with responsibility. He stressed the point that most of the problems, as we know, occur in the post-strike situation. He stressed the need, also, to get in early with conciliation—before the strike occurs. It is the policy of this Government to encourage conciliation by both employers and unionists right up till the time of deadlock.

I appreciate the comment of the honourable member for Cairns that he trusted that the measure will help. Then of course he spoilt it by expressing grave doubts. I do not think he really has grave doubts. If he and other Opposition members are expressing grave doubts I venture to suggest that they are not in touch with the ordinary rank-and-file trade-unionists, who have indicated to me the many ways in which they are quite happy with the legislation.

The most amazing comment I have heard in this Chamber in recent times was uttered by the Deputy Leader of the Opposition when he said—and I think I heard him right—that a former Labor Government fell because it did not introduce three weeks' leave.

Mr. Houston: That is right.

Mr. CAMPBELL: The honourable member acknowledges it. His recollection must be a bit astray; mine is very clear. It was not the Gair Government's refusal to award three weeks' leave but simply the timing of it.

Mr. Houston: Ha, ha!

Mr. CAMPBELL: The honourable member can laugh. It was the standover tactics of the then president of the A.L.P. (Mr. Bukowski) that gave rise to that incident. Because of that I could almost dismiss what the honourable member for Bulimba said.

He spent a lot of time on section 72A. He said it had not been used. Again his recollection is a bit vague. It was implemented and the fact the organisation did not take advantage of it was not the problem of the Government.

The honourable member for Bulimba tried to gain a lot of mileage out of the words "in the public interest." If he is ever in Government and his Government neglects to be concerned for the public interest, the people will be quick to react.

There is nothing sinister in this legislation. It makes provision for the Minister to intervene on behalf of the Government. The intervention to which the Deputy Leader of the Opposition refers is in fact not intervention but rather the power of the Minister, if he is aware of an industrial dispute or a situation that is likely to give rise to an industrial dispute, to notify the commissioner or the registrar in this connection. The honourable member for South Brisbane dealt with this matter after the honourable member for Bulimba made the positive statement that the legislation is taking away the right to strike. We are not taking away the right to strike. All that the legislation requires is that, in the public interest, unions obey orders of the Industrial Commission.

The Deputy Leader of the Opposition gave a little homely advice to members of the Government when he said, "Get to know trade union leaders." It might interest him to know that in the last couple of months I have obtained the names of 200 to 300 union officials, ascertained the electorates in which they reside and supplied Government members with those lists in the hope that they will get in touch with them. I know that quite a number have already taken steps to become acquainted with trade union leaders. I think a matter of concern to Opposition members is the very close relationship between so many Government members and trade union leaders and rank-and-file members.

I think it was the honourable member for South Brisbane who referred to the fact that in the last two elections, Federal and State, a great body of trade-unionists and their wives voted, for the first time in their lives, away from their traditional political persuasion.

Mr. Houston: You misled them.

Mr. CAMPBELL: I do not think we did.

Mr. Houston: Of course you did.

Mr. CAMPBELL: They were so fed up with the machinations of the Whitlam Government.

Mr. Houston: You wait and see.

Mr. CAMPBELL: We will; we look forward with great interest to the next election. The honourable member is in for a great disappointment if he thinks that they will flock back to the A.L.P.

I thank other members for their contributions.

Motion (Mr. Campbell) agreed to.

COMMITTEE

(Mr. Row, Hinchinbrook, in the chair)

Clauses 1 to 8, both inclusive, as read, agreed to.

Bill reported, without amendment.

The House adjourned at 12 midnight.